

**LAMORINDA FEE AND FINANCING AUTHORITY (LFFA)
MEETING**

Monday, February 03, 2025
2:00 P.M.

County Supervisor District 2 Office
3338 Mt. Diablo Boulevard
Lafayette, CA 94549

AGENDA - AMENDED

1. Call to Order the Lamorinda Fee and Financing Authority (LFFA)
2. Roll Call
3. Adoption of the LFFA Agenda
4. Public Comment
5. Consent Calendar:
 - a) August 5, 2024, Minutes.
Recommendation: Approve.
6. New Business:
 - a) Election of new Chair and Vice Chair.
 - b) Staff update: FY 2023/24 Annual Transportation Fee Adjustment
Recommendation: Accept Report
 - c) Lamorinda Development Mitigation Fee Program – Nexus Study Update
Action: Receive oral report from LFFA staff and provide feedback regarding expectations for the next update to the Lamorinda Nexus Study
 - d) Assembly Bill 1600 Compliance
Recommendation: Accept the 2023/24 Development Impact Fee Annual Report for compliance with Assembly Bill 1600, as required by California Government Code Section 66006(b) and California Government Code Section 66001(d).
7. Old Business:

8. Adjourn LFFA Meeting to Monday, March 03, 2025, 2:30 p.m.

Lamorinda Fee and Financing Authority

I, Nate Levine, Senior Engineer, declare under penalty of perjury under the laws of the State of California that this regular meeting agenda has been posted at least 72 hours in advance at the Town of Moraga, 329 Rheem Boulevard, Moraga, CA 94556.

Location of Agendas and Agenda Packets: Agendas and packets are available for review by the public by following this link: <https://swatcommittee.org/lpmc-meetings/> and during regular business hours at the Town of Moraga, 329 Rheem Boulevard, Moraga, CA 94556. Agendas and packets shall be made available at least 72 hours in advance of regular meetings and 24 hours in advance of special meetings.

Any writings or documents pertaining to an open session item provided to a majority of the Lamorinda Program Management Committee less than 72 hours prior to the meeting, shall be made available for public inspection at this link: <https://swatcommittee.org/lpmc-meetings/> and at the Town of Moraga, 329 Rheem Boulevard, Moraga, CA 94556.

**LAMORINDA FEE AND FINANCING AUTHORITY (LFFA)
MEETING**

Monday, July 08, 2024
2:15 P.M.

**Town of Moraga
Moraga Council Chambers
335 Rheem Boulevard
Moraga, CA 94556**

MEETING MINUTES

1. Call to Order the Lamorinda Fee and Financing Authority (LFFA)

Chair Sos called the meeting to order at 2:30 PM

2. Roll Call

LFFA Members Present: Chair Renata Sos, Moraga; Board Member Susan Candell, Lafayette;
Darlene Gee, Orinda;
Staff Present: Shawn Knapp, Nate Levine, Moraga

3. Adoption of the LFFA Agenda

Candell moved, and Gee seconded. The LFFA unanimously adopted the agenda

4. Public Comment - None

5. Consent Calendar:

- a) February 5, 2024, Minutes.
Recommendation: Approve.
Gee moved, Candell seconded
The LFFA unanimously approved the Consent Calendar

6. New Business:

- a) Staff update: 2023 Basic Financial Statements and Independents Auditor's Report and Communications. Candell moved, and Gee seconded. The LFFA unanimously approved the 2023 Basic Financial Statements and Independents Auditor's Report and Communications
Recommendation: No Action Required.

Lamorinda Fee and Financing Authority

7. Old Business:

None

8. Adjourn LFFA Meeting at 2:45 PM to Monday, August 5, 2024, 2:30 p.m.

I, Shawn Knapp, Public Works Director / Town Engineer, declare under penalty of perjury under the laws of the State of California that this regular meeting agenda has been posted at least 72 hours in advance at the Town of Moraga, Town Hall, 329 Rheem Boulevard, Moraga, CA 94556.

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Lamorinda Fee and Financing Authority

December 19, 2024

To: LFFA

From: LFFA-Technical Advisory Committee

Subject: Annual Transportation Mitigation Fee Adjustment

STAFF RECOMMENDATION: LFFA-TAC Staff recommends that the Lamorinda Fee and Finance Authority (LFFA) accept the report on the Annual Transportation Mitigation Fee Adjustment.

BACKGROUND: In June 1998, the Cities of Lafayette and Orinda, and the Town of Moraga authorized a Joint Exercise of Power Agreement (JEPA). The LFFA was created to implement the requirements of the Growth Management Program element of the Measure C Sales Tax Program. Specifically, the Growth Management Program established a development mitigation program to ensure that new growth paid its share of the costs of regional impacts associated with such growth. The LFFA established a Lamorinda traffic mitigation fee program as its mitigation program. The fees are supposed to be adjusted yearly and the JPA provides for an adjustment effective January 1, of each year based on the amount of the increase in the Engineering News-Record Construction Cost Index for the San Francisco Bay Area for the period ending September 30th. The 2024/25 fee adjustment is based on this index and equals -0.74%. The change in fee for each land use category is summarized below:

**Lamorinda Transportation Impact Fee
2024/25 Fee Adjustment ENR Construction Cost Index**

	CCI Index	Inflation Factor [C] = [B]/[A]	
September 2023 [A]	15489.7		
September 2024 [B]	15375.4	0.992620903	-0.74%

Fee	2023 Rate [D]	2024 Rate [E] = [C] x [D]	2025 Total Item Fee
Single Family			
Regional	\$ 5,045.11	\$ 5,007.88	\$ 10,015.76
Local	\$ 5,045.11	\$ 5,007.88	
Multiple-Family or second unit			
Regional	\$ 3,531.37	\$ 3,505.31	\$ 7,010.62
Local	\$ 3,531.37	\$ 3,505.31	
Multiple Family Transit Oriented Development			
Regional	\$ 1,871.87	\$ 1,858.06	\$ 3,716.12
Local	\$ 1,871.87	\$ 1,858.06	
Non-residential			
Regional Local	\$ 5.39	\$ 5.35	\$ 10.70
Local	\$ 5.39	\$ 5.35	
Other			
Regional	\$ 555.26	\$ 551.15	\$ 1,102.30
Local	\$ 555.25	\$ 551.15	

Source: Engineering News Record Construction Cost Index for SF Bay Area, September 2024

ATTACHMENTS:

ENR - City Cost Index – San Francisco 2024

Respectfully submitted by,



Nate Levine, PE
Town of Moraga, Senior Engineer

City Cost Index - San Francisco - As of December 2024



The building and construction cost indexes for ENR's individual cities use the same components and weighting as those for the 20-city national indexes. The city indexes use local prices for portland cement and 2 X 4 lumber and the national average price for structural steel. The city's BCI uses local union wages, plus fringes, for carpenters, bricklayers and iron workers. The city's CCI uses the same union wages for laborers.

To find more recent cost index data, go to this webpage (link below) and click on the link for the year you need, and then navigate to the week you need. Keep in mind that the city cost index figures are always published in the second weekly issue of the month.

http://www.enr.com/economics/current_costs

Go back to [view all City Indexes](#).

ENR COST INDEXES IN SAN FRANCISCO (1978-2024)

YEAR	MONTH	BCI	%CHG	CCI	%CHG
2024	December	10729.09	-0.4	15413.04	-0.7
2024	November	10716.59	-0.6	15400.54	-0.8
2024	October	10701.45	-0.2	15385.40	-0.6
2024	September	10691.45	-0.5	15375.40	-0.7
2024	August	10683.29	+0.2	15367.24	-0.2
2024	July	10650.79	+0.3	15334.74	-0.2
2024	June	10683.43	+0.6	15367.38	0.0
2024	May	10734.05	-1.0	15418.02	-1.1
2024	April	10804.99	+7.8	15488.96	+1.1

Lamorinda Fee and Financing Authority

February 3, 2025

From: Jennifer Wakeman, LFFA Treasurer

Subject: FY 2023/24 Development Impact Fee Annual Report

RECOMMENDATION: Accept the 2023/24 Development Impact Fee Annual Report for compliance with Assembly Bill 1600, as required by California Government Code Section 66006(b) and California Government Code Section 66001(d).

BACKGROUND: California Government Code Sections 66006(b) and 66001(d) require each local agency that imposes AB 1600 development impact fees to prepare an annual report providing specific information about those fees. The AB 1600 legal requirements stipulate that fees imposed on new development have the proper nexus to any project on which they are imposed. In addition, AB 1600 imposes certain accounting and reporting requirements with respect to the fees collected.

DISCUSSION: Development impact fees, otherwise known as public facility fees, are charged by a local governmental agency to an applicant in connection with approval of a development project and are generally collected at the time a building permit is issued. The purpose of these fees is to defray all or a portion of the cost of public facilities related to the new development project. The legal requirements for enactment of a development impact fee program are set forth in Government Code §§ 66000-66025 (the “Mitigation Fee Act”), the bulk of which was adopted as 1987’s AB 1600 and thus commonly referred to as “AB 1600 requirements”.

The Act requires that the Agency prepare an annual review of all development impact fees as defined in the Act and make a public report on the fees available to the public after the end of each fiscal year. Included in the report is the Agency’s Transportation Impact Fee.

ATTACHMENTS:

1. FY 2023/24 Development Impact Fee Annual Report

Lamorinda Fee & Finance Authority

FY 2023/24

Development Impact Fee

Annual Report

LEGAL REQUIREMENTS

A. REQUIREMENTS FOR DEVELOPMENT IMPACT FEES

State law (California Government Code Section 66006) requires each local agency that imposes AB 1600 development impact fees to prepare an annual report providing specific information about those fees. Within the AB 1600 legal requirements, it stipulates that fees imposed on new development have the proper nexus to any project on which they are imposed. In addition, AB 1600 imposes certain accounting and reporting requirements with respect to the fees collected. The fees, for accounting purposes, must be segregated from the general funds of the Agency and from other funds or accounts containing fees collected for other improvements. Interest on each development fee fund or account must be credited to that fund or account and used only for the purposes for which the fees were collected.

Current California Government Code Section 66006 (b) requires that for each separate fund the local agency shall, within 180 days after the last day of each fiscal year, make available to the public the information shown below for the most recent fiscal year. The applicable page numbers for each item are provided for reference.

- A brief description of the type of fee in the account or fund. *(See page 3)*
- The amount of the fee. *(See page 3)*
- The beginning and ending balance of the account or fund. *(See page 4)*
- The amount of the fees collected, and interest earned. *(See page 4)*
- An identification of each public improvement on which fees were expended and the amount of expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees. *(See page 4)*
- An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement. *(See page 4)*
- A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid and the rate of interest that the account or fund will receive on the loan. *(See page 6)*
- The amount of refunds made due to sufficient funds being collected to complete financing on incomplete public improvements, and the amount of reallocation of funds made due to administrative costs of refunding unexpended revenues exceeding the amount to be refunded. *(See page 6)*

California Government Code Section 66001 (d) requires the local agency make all the following findings every fifth year with respect to that portion of the account remaining unexpended, whether committed or uncommitted. The applicable page numbers for each item are provided for reference.

- Identify the purpose to which the fee is to be put. *(See page 3)*
- Demonstrate a reasonable relationship between the fee and purpose for which it is charged. *(See page 3)*
- Identify all sources and amounts of funding anticipated to complete financing incomplete improvements.
- Designate the approximate dates on which the funding is expected to be deposited into the appropriate account or fund.
- In any action imposing a fee as a condition of approval of a development project by a local agency, the local agency shall determine how there is a reasonable relationship between the amount of the fee and

the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

B. ADDITIONAL NOTES

The State of California Government Code Section 66002 states that local agencies that have developed a fee program may adopt a CIP indicating the approximate location, size, and timing of projects, plus an estimate for the cost of all facilities or improvements to be financed by fees. A formal CIP is recommended, at a minimum, as a five-year plan.

C. ESTABLISHING A REASONABLE RELATIONSHIP BETWEEN THE FEE AND THE PURPOSE FOR WHICH IT IS CHARGED

On June 8, 1998, the Cities of Lafayette and Orinda and the Town of Moraga approved a Joint Powers Agreement to implement the Lamorinda Development Mitigation Fee Program under the direction of the Lamorinda Fee and Finance Authority (LFFA). This effort included the adoption of regional and local transportation impact fees, the nexus for which was the amount of new development expected, and the transportation improvements needed to accommodate the new development. The City adopted this program under Ordinance 488 in 1998. An updated nexus study was concluded in FY16 and provided the technical basis for a comprehensive update of the overall transportation system in Lamorinda that will serve the expected future demand based on changes in regional and local land use projections, planned and approved development projects, and associated changes to capital improvements and updated cost estimates.

D. FUNDING OF INFRASTRUCTURE

The LFFA operates based on a nexus study that outlines eligible projects across the three communities that would be eligible for funds.

DESCRIPTION OF DEVELOPMENT IMPACT FEES

Transportation Impact Fee – To provide improvements to the roadway, transit, bicycle, and pedestrian facilities needed to accommodate travel demand generated by new land development in Lamorinda

FISCAL YEAR 2023/24 FEE SCHEDULE

Development Fees	Fee	Per Unit
Lamorinda Regional Transportation Fee (effective 1/1/2024)		
Single Fam. Residential Use: Individ. Unit, Duet Home With One Shared Wall, Townhouse	10,090.22	Per dwelling unit
Multiple Family Residential: Second Unit, Apartments, Condominium	7,062.74	Per dwelling unit
Multiple Family; Transit Oriented Development	3,743.74	Per dwelling unit
Commercial, office, retail, or industrial use	10.78	Per square foot of gross floor area
Other	1,110.50	Per daily trip generated per traffic study

FINANCIAL SUMMARY REPORT

Statement of Revenues, Expenditures and Changes in Fund Balance		
For the Year Ended June 30, 2024		
Description		Transportation
REVENUES		
Fees		\$ 43,066
Interest		17,889
Total Revenues		60,955
EXPENDITURES		
Administrative Costs		4,892
Distribution: City of Lafayette		716,354
Distribution: City of Orinda		428,001
Distribution: Town of Moraga		249,845
Total Expenditures		1,399,092
REVENUES OVER (UNDER) EXPENDITURES		(1,338,137)
Fund Balance, Beginning of Year		1,655,723
Fund Balance, End of Year		\$ 317,586

DEVELOPMENT IMPACT FEES REPORT

Transportation Impact Fee					
Statement of Revenues, Expenditures and Changes in Fund Balance					
Last Five Fiscal Years					
Description	FY 2019/20	FY 2020/21	FY 2021/22	FY 2022/23	FY 2023/24
REVENUES					
Fees	\$ 222,247	\$ 230,387	\$ 85,934	\$ 96,198	\$ 43,066
Interest	10,768	4,148	3,765	20,710	17,889
Total Revenues	233,014	234,535	89,698	116,908	60,955
EXPENDITURES					
Expenditures	6,562	5,385	1,354	1,382	4,892
Distribution to member agencies	-	-	-	-	1,394,200
Total Expenditures	6,562	5,385	1,354	1,382	1,399,092
REVENUES OVER (UNDER) EXPENDITURES					
Fund Balance, Beginning of Year	996,250	1,222,703	1,451,853	1,540,197	1,655,723
Fund Balance, End of Year	\$ 1,222,703	\$ 1,451,853	\$ 1,540,197	\$ 1,655,723	\$ 317,586
Five-Year Revenue Test Using First In First Out Method					
Available Revenue Current Year	\$ 233,014	\$ 234,535	\$ 89,698	\$ 116,908	\$ 60,955
Available Revenue Prior Fiscal Year (2-yr Old Funds)	989,688	233,014	234,535	89,698	116,908
Available Revenue Prior Fiscal Year (3-yr Old Funds)	-	984,304	233,014	234,535	139,724
Available Revenue Prior Fiscal Year (4-yr Old Funds)	-	-	982,949	233,014	-
Available Revenue Prior Fiscal Year (5-yr Old Funds)	-	-	-	981,567	-
Available Revenue Greater than Five Prior Fiscal Years	-	-	-	-	-
Total Revenue Available	\$ 1,222,703	\$ 1,451,853	\$ 1,540,197	\$ 1,655,723	\$ 317,586
Result: Five Year Revenue test met in accordance with Government Code 66001.					

INTERFUND TRANSFERS AND LOANS

As of June 30, 2024, there were no transfers or loans between, or involving, development impact fees.

REFUNDS

As of June 30, 2024, there were no refunds due, nor any that were processed in the fiscal year.