

BEFORE THE BOARD OF TRUSTEES OF THE

**POINT ARENA SCHOOLS
MENDOCINO COUNTY, CALIFORNIA**

**RESOLUTION NO. PAS 17-6103
RESOLUTION REGARDING ACCOUNTING OF DEVELOPMENT FEES
FOR 2015-2016 FISCAL YEAR IN THE DEVELOPER FEES FUND
(Government Code sections 66001(d) & 66006(b))**

1. Authority and Reasons for Adopting this Resolution.

- A. This District has levied school facilities fees pursuant to various resolutions, the most recent of which is dated September 18, 2008, and is referred to herein as the “School Facilities Fee Resolution” and is hereby incorporated by reference into this Resolution. These resolutions were adopted under the authority of Education Code section 17620. These fees have been deposited in the following fund or account:

Developer Fees (the “Fund”);

- B. Government Code sections 66001(d) and 66006(b) require this District to make an annual accounting of the Fund and to make additional findings every five years if there are any funds remaining in the Fund at the end of the prior fiscal year;
- C. Government Code sections 66001(d) and 66006(b) further require that the annual accounting of the Fund and those findings be made available to the public no later than December 27, 2016, that this information be reviewed by this Board at its next regularly scheduled board meeting held no earlier than 15 days after they become available to the public, and that notice of the time and place of this meeting (as well as the address at which this information may be reviewed) be mailed at least 15 days prior to this meeting to anyone who has requested it.
- D. The Superintendent has informed this Board that a draft copy of this Resolution (along with Exhibits A and B which are hereby incorporated by reference into this Resolution) was made available to the public on November 18, 2016. The Superintendent has further informed this Board that notice of the time and place of this meeting (as well as the address at which this information may be reviewed) was mailed at least 15 days prior to this meeting to anyone who had requested it.
- E. The Superintendent has also informed this Board that there is no new information which would adversely affect the validity of any of the findings made by this Board in its School Facilities Fee Resolution.

2. What This Resolution Does.

This Resolution makes various findings and takes various actions regarding the Fund as required by and in accordance with Government Code sections 66001(d) and 66006(b).

3. Findings Regarding the Fund.

Based on all findings and evidence contained in, referred to, or incorporated into this Resolution, as well as the evidence presented to this Board at this meeting, the Board finds each of the following with respect to the Fund for the 2015-2016 Fiscal Year:

- A. In reference to Government Code section 66006(b)(2), the information identified in section 1 above is correct;
- B. In further reference to Government Code section 66006(b)(2), this Board has reviewed the annual accounting for the Fund as contained in Exhibit A and determined that it meets the requirements set forth in Government Code section 66006(b)(1);
- C. In reference to Government Code section 66001(d)(1), and with respect only to that portion of the Fund remaining unexpended at the end of the 2015-2016 Fiscal Year, the purpose of the fees is to finance the construction or reconstruction of school facilities necessary to reduce overcrowding caused by the development on which the fees were levied, which facilities are more specifically identified in Exhibit B;
- D. In reference to Government Code section 66001(d)(2), and with respect only to that portion of the Fund remaining unexpended at the end of the 2015-2016 Fiscal Year, the findings and evidence referenced above demonstrate that there is a reasonable relationship between the fees and the purpose for which it is charged;
- E. In reference to Government Code section 66001(d)(3), and with respect only to that portion of the Fund remaining unexpended at the end of the 2015-2016 Fiscal Year, all of the sources and amounts of funding anticipated to complete financing in any incomplete improvements identified as the use to which the fees are to be put is identified in Exhibit B;
- F. In reference to Government Code section 66001(d)(4), and with respect only to that portion of the Fund remaining unexpended at the end of the 2015-2016 Fiscal Year, the approximate dates on which the funding referred to in paragraph e above is expected to be deposited into the appropriate account or fund is designated in Exhibit B; and
- G. In reference to the last sentence of Government Code section 66006(d), because all of the findings required by that subdivision have been made in the fees that were levied in paragraphs c-f above, the District is not required to refund any moneys in the Fund as provided in Government Code section 66001(e).

4. Superintendent Authorized to Take Necessary and Appropriate Action.

The Board further directs and authorizes the Superintendent to take on its behalf such further action as may be necessary and appropriate to effectuate this Resolution.

5. **Certificate of Resolution.**

I, _____, Clerk of the Board of the Governing Board of the Point Arena Schools District of Mendocino County, State of California, certify that this Resolution proposed by _____, seconded by _____, was duly passed and adopted by the Board, at an official and public meeting held December 7, 2016, by the following vote:

Board Member	Leslie Bates	_____
Board Member	Cindy Cione	_____
Board Member	Jim DeWilder	_____
Board Member	Bob Gardiner	_____
Board Member	Ron Miles	_____
Board Member	M. Vikki Robinson	_____
Board Member	Bob Shimon	_____

AYES: _____ NOES: _____ ABSENT/NOT VOTING: _____

SO ORDERED;

Clerk of the Board

Brent Cushenbery, Superintendent
Point Arena Schools

EXHIBIT A

**TO RESOLUTION NO. PAS 16-6102
REGARDING ACCOUNTING OF DEVELOPMENT FEES
FOR FISCAL YEAR 2015-2016 IN THE DEVELOPER FEES FUND (the "Fund")**

Per Government Code section 66006(b)(1)(A)-H) as indicated:

- A. A brief description of the type of fee in the Fund.
- B. The amount of the fee.
- C. The beginning and ending balance of the Fund.
- D. The amount of the fees collected and the interest earned.
- E. An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.
- F. 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, as identified in paragraph (2) subdivision (a) of section 66001, and the public improvement remains incomplete.
- G. 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.
- H. The amount of refunds made pursuant to subdivision (e) of section 66001 and any allocations pursuant to subdivision (f) of section 66001.

See Attachments A.1 Arena Union Elementary School District Developer Fee Annual Accounting – School Year 2015-2016; and A.2 Point Arena Joint Union High School District Developer Fee Annual Accounting – School Year 2015-2016

EXHIBIT A – ATTACHMENT A.1

ARENA UNION ELEMENTARY SCHOOL DISTRICT DEVELOPER FEE ANNUAL ACCOUNTING – School Year 2015-2016

I. ANNUAL ACCOUNTING

- A. Arena Union Elementary School District collects developer fees on residential and commercial development. The Board passed a resolution to raise fees on development projects in the District on September 18, 2008, amending resolution of October 15, 1998. (Original action)
 - B. The amount of the Level I fee is \$2.06 per square foot residential, \$0.33 per square foot industrial or commercial, and \$0.33 per square foot of senior citizen housing.
 - C. The beginning balance of the Developer Fee fund for the 2015-2016 fiscal year was \$37,751.47. The ending balance of the Developer Fee fund for the 2015-2016 fiscal year was \$57,393.86.
 - D. The amount of fees collected in 2015-2016 was \$19,508.79. The interest earned was \$133.60. This compares to 2014-2015 fees collected of \$28,252.70, \$17,705.43 in 2013-2014, and \$26,032.27 in 2012-2013.
 - E. There was no construction activity in 2015-2016.
 - F. Historically, a \$3.6 million bond measure for growth and modernization passed in fiscal year November 2003. The District abandoned plans to build a new K-5 school in Gualala. As a result, the portion of the \$3.6 million bond passed in 2003 to be used for the Gualala School was defeased in 2010-11. Total amount of defeasance was \$1,848,250. Remaining Bond funds were used for campus modernization. Construction of a dining hall and library was underway at the Arena campus. Developer Fees were used to assist in these projects, in the amount of \$110,812.57 in 2010-2011. In 2011-12 construction began on two new portable classrooms where \$186,902.91 of Developer Fee funds were used for the Portable project. Portable construction continued in 2012-13; an additional \$78,349.60 was expended on the Portable project and \$59,248.80 to purchase and install new playground equipment. In 2013-14 a remaining \$5,183.58 was expended for playground equipment.
 - G. There were no inter-fund transfers or loans made from the fund in 2015-2016.
 - H. There were no refunds from the fund or reimbursements in 2015-2016.
- * As of October 31, 2016 \$0 has been collected year to date, compared to \$4,992.34 to October 31, 2015, \$5,181.51 to October 31, 2014, and \$11,349.86 to October 31, 2013.

EXHIBIT A – ATTACHMENT A.2

**POINT ARENA JOINT UNION HIGH SCHOOL DISTRICT
DEVELOPER FEE ANNUAL ACCOUNTING – School Year 2015-2016**

I. ANNUAL ACCOUNTING

A. Point Arena Joint Union High School District collects developer fees on residential and commercial development. The Board passed a resolution to enact fees on development projects in the District on October 15, 1998; and raised the fees in a resolution on September 18, 2008.

B. The amount of the level I fee varies by location of the development:

Sonoma County: \$2.97 per square foot residential, \$0.47 per square foot industrial or commercial, and \$0.47 per square foot of senior citizen housing.

Mendocino County/Point Arena and Gualala Area: \$0.91 per square foot residential, \$0.14 per square foot industrial or commercial, and \$0.14 per square foot of senior citizen housing.

Mendocino County/Manchester area: \$1.71 per square foot residential, \$0.47 per square foot industrial or commercial, and \$0.17 per square foot of senior citizen housing.

C. The beginning balance of the Developer Fee fund for the 2015-2016 fiscal year was \$0.00. The ending balance of the Developer Fee Fund for the 2015-2016 fiscal year was \$0.

D. The amount of fees collected in 2015-2016 was \$56,252.94. The interest earned was \$70.32. This compares to 2014-2015 fees collected of \$44,150.54, 2013-2014 fees collected of \$40,788.64, and 2012-2013 fees collected of \$53,099.14.

E. The following public improvements were made with the fees:

Educational Facilities – Classroom	\$4,840.00
Debt Service payments	<u>\$83,503.99</u>
Total	\$88,343.99

F. There was no construction activity in 2015-2016. Developer fees have been designated as the source for funding the debt service payments of \$83,504 annually for fifteen years beginning July 13, 2007 on the Lease Purchase for the new auditorium continuing through July 13, 2021. Developer fees have also been designated as the source of funding to rent classrooms; annual rental payments total \$4,840. Total annual debt obligations paid for with Developer Fees total \$88,344.

G/H. The Fund received \$32,020.73 as an inter-fund transfer from the General Fund in 2015-2016, in order to meet the annual debt obligations. There were no loans from the fund or reimbursements in 2015-2016.

* As of October 31, 2016, \$3,768.93 has been collected year to date compared to \$12,281.18 to October 31, 2015, \$19,242.69 to October 31, 2014, and \$25,721.52 to October 31, 2013.

EXHIBIT B

TO RESOLUTION NO. PAS 15-6102 REGARDING ACCOUNTING OF DEVELOPMENT FEES FOR FISCAL YEAR 2015-2016 IN THE DEVELOPER FEES FUND (the "Fund")

Per Government Code section 66001(d)(1)-(4) as indicated:

- A. With respect to only that portion of the Fund remaining unexpended at the end of the 2015-2016 Fiscal Year, the purpose of the fees is to finance the construction or reconstruction of school facilities necessary to reduce overcrowding caused by the development on which the fees were levied, which facilities are more specifically identified as follows:

Unexpended funds at Arena Union Elementary will be used to accommodate the housing needs for an increased number of students.

Unexpended funds at Point Arena Joint Union High School have been designated as the source for funding to rent classrooms to accommodate increased number of students, and to fund the debt service obligation resulting from construction in 2007 to accommodate students. The debt service obligation runs through July 13, 2021.

- B. See section 3.D of the Resolution.

- C. With respect to only that portion of the Fund remaining unexpended at the end of the 2015-2016 Fiscal Year, the sources and amounts of funding anticipated to complete financing in any incomplete improvements identified in paragraph A above are as follows:

No incomplete projects at either site.

- D. With respect to only that portion of the Fund remaining unexpended at the end of the 2015-2016 Fiscal Year, the following are the approximate dates on which the funding referred to in paragraph C above is expected to be deposited into the appropriate account or fund:

N/A