



Contra Costa County
Public Works
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ADOPTED BY BOARD OF SUPERVISORS
ON _____

Five-Year Program Report for the Briones Area of Benefit

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Prepared Pursuant to Government Code Section 66001(d)(1)

Prepared by and for:

Contra Costa County Public Works Department, Transportation Engineering Division and
Department of Conservation and Development, Community Development Division

I. INTRODUCTION

The Briones Area of Benefit (AOB) is a traffic mitigation fee program established for developers to contribute their fair share of the cost for transportation improvements necessary to serve growth. On March 15, 1988, the Contra Costa County Board of Supervisors adopted Ordinance No. 88-27 to establish the Countywide AOB. On March 9, 1993, the Contra Costa County Board of Supervisors adopted Resolution No. 93/104 to divide the Countywide AOB into seven separate traffic fee mitigations programs, which included the Briones AOB.

Government Code Section 66001(d)(1) requires that in the fifth fiscal year following the first deposit into the fund established for receipt of deposits of the collected transportation mitigation fees, and every five years thereafter, the Board of Supervisors shall make all of the following findings with respect to that portion of the Briones AOB fund remaining unexpended, whether committed or uncommitted:

- (1) Identify the purpose to which the transportation mitigation fees are to be put.
- (2) Demonstrate a reasonable relationship between the transportation mitigation fees and the purpose for which they are charged.
- (3) Identify all sources and amounts of funding anticipated to complete financing of incomplete transportation improvements identified in the Report.
- (4) Designate the approximate dates on which the funding referred to in paragraph three (3) above is expected to be deposited into the appropriate account or fund.

Government Code Section 66001(d)(2) requires the above findings to be made in connection with providing the public information required by Government Code Section 66006(b). Section 66006(b) requires the County to make the following fiscal year information available within 180 days after the end of the fiscal year:

- (1) A brief description of the type of fee in the account or fund.
- (2) The amount of the fee.

- (3) The beginning and ending balance of the account or fund.
- (4) The amount of the fees collected, and the interest earned.
- (5) An identification of each public improvement on which fees were expended during the fiscal year 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.
- (6) An identification of the approximate date by which the construction of the public improvement will commence if the County determines that sufficient funds have been collected to complete financing on an incomplete public improvement.
- (7) 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 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.
- (8) The amounts of any refunds under Section 66001(e), and any allocations under Section 66001(f).

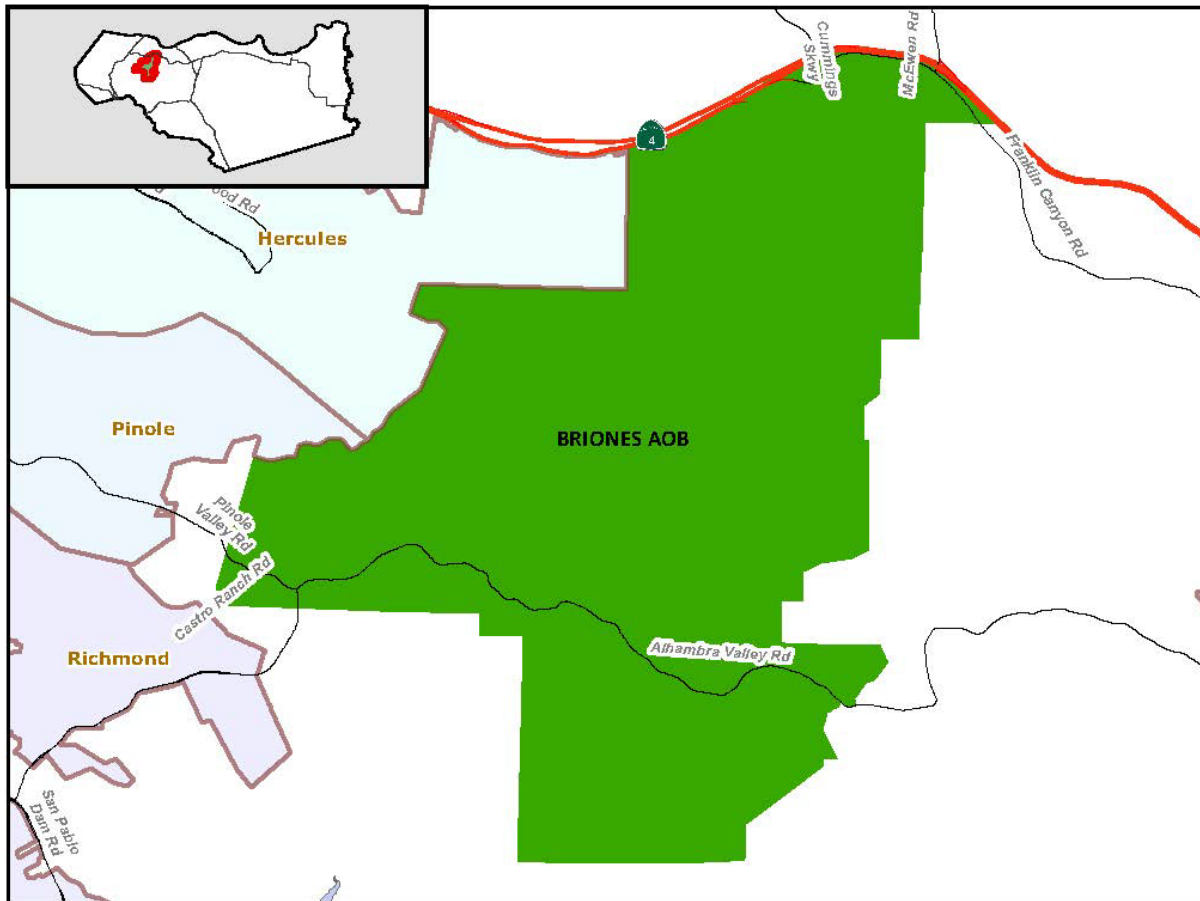
This report has been prepared to satisfy the above five-year findings and reporting requirements. This report includes the findings that the Board of Supervisors is required to make under Government Code Section 66001(d)(1) and information in support of each of those findings. This report also is prepared to provide Briones AOB fiscal year 2023/2024 information that must be made publicly available, pursuant to Government Code Section 66006(b).

II. BACKGROUND

An AOB is a geographic area of unincorporated Contra Costa County in which the County imposes transportation mitigation fees – a type of development impact fee on new development to fund new development’s share of the transportation improvements required to satisfy transportation demands within that geographic area. (See Gov. Code

§ 66484 and 66484.7.) The County has 14 Areas of Benefit. This five-year update report relates to the Briones AOB. The Briones AOB boundary location is shown in Figure 1.

Figure 1. AOB Boundary Map



The current fee structure is based upon the analysis published in the “Revised Development Program Report for the Countywide Area of Benefit” dated March 9, 1993. The Development Program Report (DPR) was adopted by the Board of Supervisors on March 9, 1993, per Resolution No. 93/104.

The current Briones AOB program includes a project list that consists of one project, focused upon safety and capacity improvements throughout the area (see Table 1).

Table 1. Briones AOB Project List

ID	Project	Estimated Cost*
Alhambra Valley Road	Realign curves at Ferndale Road (mile post 5.6), Main Road (mile post 6.2) and 4000 feet northwest of Bear Creek Road (post mile 2.9)	\$1,500,000

*Estimated cost taken from the 1993 DPR and, therefore, reflects dollar value at the time of adoption in 1993.

Projects Constructed

The Briones AOB’s sole project was not constructed during the five-year period between fiscal year 2019/2020 and 2023/2024 and remains incomplete.

Fee Rates

The current fee rates established with Ordinance No. 88-27 as part of the “Central County Region” are listed below.

<u>Land Use Type</u>	<u>Fee</u>	<u>Per Unit</u>
Single Family Residential	\$ 2,300	per dwelling unit
Multi-Family Residential	\$ 1,840	per dwelling unit
Commercial/Retail	\$ 5.75	per square foot of gross floor area
Office	\$ 3.68	per square foot of gross floor area
Industrial	\$ 1.60	per square foot of gross floor area
Other	\$ 2,300	per peak-hour trip

The Ordinance does not allow for an annual fee adjustment.

Account Status

FY 2019/2020 Beginning Fund Balance – \$529,703.19

Funds Expended from FY 2019/2020–FY 2023/2024 – \$27,950.17

Revenue generated between FY 2019/2020–FY 2023/2024 – \$23,856.91

Fund Balance as of June 30, 2024 – \$525,609.93

III. GOVERNMENT CODE SECTION 66001(d)(1) FINDINGS

- (1) Identify the purpose to which the transportation mitigation fees are to be put.

The purpose of the fee program is to fund new development’s share of the estimated costs of the transportation improvement identified in the DPR and shown in Table 1 (“Transportation Improvement”), pursuant to Government Code Sections 66484 and 66484.7. The Transportation Improvement is necessary to meet transportation demands within the Briones AOB. The transportation mitigation fees will be used to partially or entirely fund the Transportation Improvement identified in the DPR, and included on Table 1, including costs related to planning, engineering, administration, right-of-way acquisition, construction, or any other permits or studies required through the construction process for the improvements.

- (2) Demonstrate a reasonable relationship between the transportation mitigation fees and the purpose for which they are charged.

As further described in the DPR, the transportation mitigation fees are imposed to fund new development’s proportional share of the Transportation Improvement that will serve or mitigate the impact of transportation demands caused by new development within the Briones AOB. New development within the Briones AOB could include new single-family residential and multi-family residential dwelling



units and new commercial/retail, office, and industrial developments. Each of these types of development generates vehicle trips at a certain rate. The transportation mitigation fees represent new development's proportional share of the cost of the Transportation Improvement. Each new development project pays its fair share of the cost of the Transportation Improvement required to accommodate it, based on the number of equivalent dwelling units and trips generated. The transportation mitigation fee for each new development will be calculated based on a factor of the number of peak-hour vehicle trips that will be generated by each new development project and charged on a per-dwelling-unit, per-square-foot, or per-peak-hour-trip basis. The method of fee apportionment is based upon industry standard trip generation rates per the Trip Generation Manual published by the Institute of Transportation Engineers.

- (3) Identify all sources and amounts of funding anticipated to complete financing of incomplete transportation improvements identified in the Report.

The Transportation Improvement within the Briones AOB program will be partially funded by AOB fee revenues. Other sources of funding, such as State or Federal aid, or local funding sources, such as Measure J funds or gas tax revenues, will be pursued to complete financing of these improvements.

The rate at which revenue is generated by transportation mitigation fees within the Briones AOB is dependent on the rate of new development. Briones AOB revenue generation, as well as gas tax revenue and grant funds, drive the timing of construction of Transportation Improvement because it is anticipated that most improvements will be funded through a combination of all these funding sources.

- (4) Designate the approximate dates on which the funding referred to in paragraph three (3) above is expected to be deposited into the appropriate account or fund.

The rate of revenue for capital improvements can vary based upon the economy and political issues, so the anticipated dates for funding are estimated. The rate of development is dependent on the economy and, thus, influences the rate of Briones AOB fee collections. Over the last five years \$4,600.00 in Briones fees were collected and \$19,256.91 in interest income produced (total five-year revenue of \$23,856.91). Federal, State, and local dollars can also be unpredictable. Historically, the rate of gas tax revenue was relatively constant, but due to reduced revenue resulting from fuel efficient vehicles and pending legislation, it is difficult to predict the rate of matching funds for these projects in the future.

Grant funds are also difficult to predict as local agencies compete for funding, and awards are not assured. Although the rate of funding is unpredictable, a very rough estimate over the next five years for funding of improvements on the Briones AOB project list is approximately \$12,000 from the Briones AOB. Due to funding constraints, there are no immediate plans to construct or complete any of the projects listed in Table 1 over the next five years.

IV. GOVERNMENT CODE SECTION 66006(b)(1) INFORMATION FOR FY 2023/2024

As Section III of this report provided accounting information for the past five years, Section IV provides annual reporting for fiscal year 2023/2024. Full accounting will be provided for Briones AOB with the AB1600 annual report (see Exhibit A), which is provided to the Board of Supervisors within 180 days of the end of the fiscal year.

(1) A brief description of the type of fee in the account or fund.

The Briones AOB fee is a development impact fee on new development to fund new development's share of the cost to construct road improvements to serve new developments in the Briones area of Contra Costa County. Requiring that all new



development pay a road improvement fee will ensure that they participate in the cost of improving the road system.

(2) The amount of the fee.

The fee rates for FY 2023/2024 at the end of the reporting period:

<u>Land Use Type</u>	<u>Fee</u>	<u>Per Unit</u>
Single Family Residential	\$ 2,300	per dwelling unit
Multi-Family Residential	\$ 1,840	per dwelling unit
Commercial/Retail	\$ 5.75	per square foot of gross floor area
Office	\$ 3.68	per square foot of gross floor area
Industrial	\$ 1.60	per square foot of gross floor area
Other	\$ 2,300	per peak-hour trip

(3) The beginning and ending balance of the account or fund:

FY 2023/2024 Beginning Fund Balance – \$547,717.80

FY 2023/2024 Ending Fund Balance – \$525,609.93

(4) The amount of the fees collected and the interest earned:

Developer Fees Collected – \$2,300.00

Interest Earned – \$2,978.30

(5) An identification of each public improvement on which fees were expended during the fiscal year 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.

No fees were expended on public improvements in this fiscal year.



- (6) An identification of the approximate date by which the construction of the public improvement will commence if the County determines that sufficient funds have been collected to complete financing on an incomplete public improvement.

There is no approximate date to report.

- (7) 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 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.

An interfund transfer or loan was not made from the fund.

- (8) The amounts of any refunds under Section 66001(e), and any allocations under Section 66001(f).

No refunds have been made to the fund.

V. CONCLUSION

The Briones AOB program has generated revenue representing new development's proportional share of the cost of Transportation Improvement needed to mitigate transportation impacts within the Briones AOB. Over the past five years, no such projects have been constructed using Briones AOB transportation mitigation fee revenues. Therefore, the County still requires funding from the Briones AOB to construct the Transportation Improvement included in the Briones AOB program.

Looking forward to the next five years, it is anticipated that the Briones AOB will be reevaluated and potentially reestablished with an updated project list and an updated fee structure. If a new ordinance is adopted to update the Briones AOB, the current fund balance will be allocated entirely to the project listed in Table 1 if that project is carried over to the updated project list.