

**Council Meeting: December 15, 2009****SUBJECT: FY 2008/2009 Annual Status Report on Receipt and Use of Development Impact Fees and Adoption of Resolution Approving Findings Regarding Unspent Transportation Impact Fees****BACKGROUND**

The Mitigation Fee Act (California Government Code, § 66000 et seq.) requires local agencies that impose development impact fees to present an annual, consolidated report showing the receipt and use of those fees. The report must be reviewed and accepted by Council within 180 days after the close of the fiscal year represented. The FY 2008/2009 Annual Status Report on Receipt and Use of Development Impact Fees is presented here. (Attachment A)

During FY 2008/2009, the City assessed four development impact fees — the Housing Mitigation Fee; the Sense of Place Fee; the Transportation Impact Fee; and the Park Dedication Fee. The first three are subject to the Mitigation Fee Act, while only a portion of the City's Park Dedication Fee is subject to the Mitigation Fee Act. Specifically, only those Park Dedication Fees assessed pursuant to the Quimby Act (California Government Code §66477) and codified by the City in the Sunnyvale Municipal Code, Chapter 18.10 are exempt from the reporting requirements included in the Mitigation Fee Act. However, Park Dedication Fees assessed pursuant to Sunnyvale Municipal Code, Chapter 19.74 are subject to the reporting requirements included in the Mitigation Fee Act. All Park Dedication Fees, even if exempt from the reporting requirements, are included in this year's report for consistency and transparency of public record.

In addition to these four active fees, the City maintained a fund balance in FY 2008/2009 resulting from Traffic Mitigation Fees. Traffic Mitigation Fees have not been assessed by the City since 2004. It is important to note that the Traffic Mitigation Fee and the Transportation Impact Fee are exclusive of one another and monies associated with each are segregated in separate sub-funds. The Traffic Mitigation Fee was created in 2000 as a key component of the Transportation Strategic Program to provide an interim revenue mechanism to fund needed upgrades to the transportation system resulting from new development. In 2004, the City stopped assessing Traffic Mitigation Fees and began assessing Transportation Impact Fees. Both the Traffic Mitigation Fees and the Transportation Impact Fees are subject to the Mitigation Fee Act and are included in this year's report.

The Act also specifies that every five years, the report must contain a formal statement specifying the intended use of any unexpended impact fees. This statement is referred to as a “finding.” The status report for FY 2008/2009 contains the first finding for Traffic Impact Fees (Attachment B). Council made the required findings for Housing Mitigation Fees, Park Dedication Fees, and Traffic Mitigation Fees for FY 2005/2006. The next findings for those fees will be required in FY 2010/2011. If findings are not presented as scheduled, it is possible that the City may be obligated to refund either all or a portion of the fees collected under the authority of the Act.

EXISTING POLICY

Sunnyvale Municipal Code Chapters 3.50, 18.10, 19.22, and 19.74.

DISCUSSION

As prescribed by the Mitigation Fee Act, the status report must include the following information for each development impact fee:

- A brief description of the fee and the fund into which the fee was deposited;
- The amount of the fee;
- The associated fund’s beginning and ending balances for the fiscal year;
- The total amount of fees collected and interest earned;
- Identification of each public improvement on which impact fees were expended and amount of expenditure on each improvement, including the total percentage of the cost of the public improvement that was funded with impact fees;
- Identification of approximate date by which construction of a public improvement will begin;
- Determination that sufficient funds have been collected to complete financing on an incomplete public improvement;
- Description of each inter-fund transfer or loan made from the account or fund, including the public improvement on which the loaned funds will be expended, and in the case of an inter-fund 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; and
- Amount of any refunds made due to inability to expend impact fees once a determination is made that sufficient impact fees have been collected to finance a public improvement, and the improvement remains incomplete, and the City has not determined an approximate date by which construction will begin.

This information is presented in Attachment A for the City's Housing Mitigation Fee; the Sense of Place Fee; the Transportation Impact Fee; the Traffic Mitigation Fee; and the Park Dedication Fee.

FISCAL IMPACT

In FY 2008/2009, the City received \$1,524,565 in new development impact fees. Of that total amount \$963,719 was reportable under the Mitigation Fee Act and \$560,846 was exempt from reporting requirements. However, all fees are shown in Attachment A. The fee revenue will be used to fund public improvements necessary to meet the demand for services resulting from commercial and residential development in the City. The specifics of how these monies are programmed for expenditure are shown in Attachment A, as well as being included in the FY 2009/2010 Adopted Budget and Resource Allocation Plan.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center, and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk, and on the City's Web site.

The Mitigation Fee Act stipulates a 15-day public review period for the Annual Mitigation Fee Status Report. The report was available for public inspection by November 30, 2009.

ALTERNATIVES

1. Accept the FY 2008/2009 Status Report on the Receipt and Use of Development Impact Fees and adopt the Resolution to approve the required findings on Transportation Impact Fees.
2. Do not accept the FY 2008/2009 Status Report on the Receipt and Use of Development Impact Fees and do not adopt the Resolution to approve the required findings on Transportation Impact Fees.

RECOMMENDATION

Staff recommends Alternative 1, to accept the FY 2008/2009 Status Report on the Receipt and Use of Development Impact Fees and adopt the Resolution to approve the required findings on Transportation Impact Fees.

Reviewed by:

Mary J. Bradley, Director of Finance
Prepared by: Ann Durkes, Budget Analyst

Reviewed by:

David A. Lewis, Director of Parks and Recreation

Reviewed by:

Hanson Hom, Director of Community Development

Reviewed by:

Marvin Rose, Director of Public Works

Approved by:

Gary M. Luebbers
City Manager

Attachments

- A. FY 2008/2009 Annual Status Report on Receipt and Use of Development Impact Fees
- B. Resolution of Findings for Transportation Impact Fee

City of Sunnyvale
Annual Status Report on Receipt and Use of Development Impact Fees
FY 2008/2009

Fee: Housing Mitigation Fee

Fee Description: Fees paid by developers of high intensity industrial projects that result in new floor area ratios to mitigate demand for affordable housing.
(Sunnyvale Municipal Code Chapter 19.22)

Amount of Fee: \$8.95 per applicable square foot

Fund: Combined Housing Mitigation Fund/Housing Mitigation Sub-fund
(070/100)

FY2008/2009 Receipt and Use:

Beginning Balance	\$ 13,737,736
Resources	
New Fees Collected	348,738
Interest	311,136
	14,397,610
Total Resources	\$ 14,397,610
Expenditures	
Assist Households to Obtain BMR Housing	\$ 128,512
% Funded by Fee:	100%
Origination Year:	FY 08/09
Planned Completion Year:	On-going
Provide Management of the City Housing Mitigation Fund	49,206
% Funded by Fee:	100%
Origination Year:	FY 06/07
Planned Completion Year:	On-going
BMR Acquisition	305,625
% Funded by Fee:	100%
Origination Year:	FY 93/94
Planned Completion Year:	Completed
Housing for City/Public School/Child Care Employees	6,913
% Funded by Fee:	100%
Origination Year:	FY 01/02
Planned Completion Year:	Completed
City Owned Properties – Downtown/388 Charles Street	1,721
% Funded by Fee:	100%
Origination Year:	FY 05/06
Planned Completion Year:	FY 11/12

City of Sunnyvale
Annual Status Report on Receipt and Use of Development Impact Fees
FY 2008/2009

Predevelopment Costs on Affordable Housing Sites	4,000
% Funded by Fee:	100%
Origination Year:	FY 06/07
Planned Completion Year:	On-going
County-wide Homeless Count	7,332
% Funded by Fee:	100%
Origination Year:	FY 06/07
Planned Completion Year:	On-going
Develop Affordable Senior Housing – Fair Oaks/Garland Site	97,972
% Funded by Fee:	100%
Origination Year:	FY 07/08
Planned Completion Year:	FY 09/10
Transfers	
Onizuka AFS Base Realignment and Closure (BRAC) – Phase 2	7,661
% Funded by Fee:	1%
Origination Year:	FY 07/08
Planned Completion Year:	Completed
Interfund Transfer To:	General Fund
Total Expenditures/Transfers	\$ 608,942
Ending Balance	\$ 13,788,668

Note: No interfund loans or refunds were made during FY 2008/2009.

Description of Projects:

230660 Assist Households to Obtain BMR Housing — This operational function provides staff time to support the provision of affordable housing within the City.

230830 Provide Management of the City Housing Mitigation Fund — This operational function provides staff time to support the provision of affordable housing within the City.

814700 BMR Acquisition — This project serves low- to moderate-income households to provide education and to help purchase BMR units, acquire units as part of a forced sale, and acquire units to be held for resale so that units are not lost from the BMR inventory.

823560 Housing for City/Public School/Child Care Employees — This project provides educational, rental, and homeownership assistance to Sunnyvale teachers, as well as child care and City employees due to the high cost of living in the region.

City of Sunnyvale
Annual Status Report on Receipt and Use of Development Impact Fees
FY 2008/2009

825930 City Owned Properties – Downtown/388 Charles Street — This project provides funding for repairs, general maintenance, and administration of the property at 388 Charles Street. The property is projected to be sold in FY 2010/2011.

826520 Predevelopment Costs on Affordable Housing Sites — This project provides funds for the development of a preliminary feasibility plan for the City-owned property at Fair Oaks and Route 237, as well as for appraisal costs to assist with lease negotiations with the County of Santa Clara on a County-owned site at Fair Oaks and Garland Avenue.

826530 County-wide Homeless Count — This project provides for the City's share of the cost to conduct a biannual county-wide homeless count and survey.

827590 Develop Affordable Senior Housing - Fair Oaks/Garland Site — This project provides funding for a loan to a non-profit housing developer for the development of affordable senior housing on county-owned property at 660 S. Fair Oaks Ave. The project also includes funding for costs associated with administering the loan.

826551 Onizuka AFS Base Realignment and Closure (BRAC) – Phase 2 — This project provides funds for the Onizuka Air Force Station closure. The goal of the City's participation is to develop a reuse plan that balances homeless needs with other community development objectives while maintaining the City's civic priorities. The transfer to this project finances activities associated with completing the reuse plan required by the Department of Defense.

City of Sunnyvale
Annual Status Report on Receipt and Use of Development Impact Fees
FY 2008/2009

Fee: Sense of Place Fee

Fee Description: Fees paid by developers in areas in which desired public improvements exceed the requirements of other areas of the City, including those with special land use or public improvement plans.

Amount of Fee: \$1,000 per unit in the applicable areas.

Fund: Capital Projects Fund/Sense of Place Fees Sub-fund
(385/970)

FY2008/2009 Receipt and Use:

Beginning Balance	\$	74,788
Resources		
New Fees Collected		--
Interest		1,738
		1,738
Total Resources	\$	76,526
Expenditures		
Transfers		--
Tasman/Fair Oaks Area Streetscape and Sense of Place	\$	7,156
% Funded by Fee:		5%
Origination Year:		FY 05/06
Planned Completion Year:		FY 09/10
Interfund Transfer To:		Cap. Proj. – Gen Assets
		7,156
Total Expenditures/Transfers	\$	7,156
Ending Balance	\$	69,370

Note: No interfund loans, refunds, or transfers were made during FY 2008/2009.

Description of Projects:

826570 *Tasman/Fair Oaks Area Streetscape and Sense of Place* — This capital project implements enhancements identified in the Tasman/Fair Oaks Pedestrian and Bicycle Circulation Plan. Expenditures improve livability for the residents in the neighborhood and encourage increased pedestrian, bicycle, and transit use through streetscape improvements, land-use planning and architectural design.

City of Sunnyvale
Annual Status Report on Receipt and Use of Development Impact Fees
FY 2008/2009

Fee: Transportation Impact Fee

Fee Description: Fees adopted pursuant to the Transportation Strategic Program to fund major transportation projects necessary to support land use plans. (Sunnyvale Municipal Code, Chap. 3.50)

Amount of Fee:

A.	Impact Fee — Area South of State Route 237	
	• Single Family detached, per dwelling unit	\$ 2,049.18
	• Multi-family attached, per dwelling unit	\$ 1,257.91
	• Office, per 1,000 square feet	\$ 3,023.06
	• Retail, per 1,000 square feet	\$ 3,794.03
	• Industrial, per 1,000 square feet	\$ 1,501.38
	• Research and Development, per 1,000 square feet	\$ 1,988.32
	• Hotel, per room	\$ 1,237.62
	• Uses not enumerated, per trip	\$ 2,028.89
B.	Impact Fee — Industrial Area North of State Route 237	
	• Industrial, per 1,000 square feet	\$ 3,442.67
	• Research and Development, per 1,000 square feet	\$ 4,551.32
	• Destination Retail, per 1,000 square feet	\$10,911.49
	• Neighborhood Retail, per 1,000 square feet	\$ 5,455.75
	• Hotel, per room	\$ 3,559.37
	• Uses not enumerated, per trip	\$ 5,835.02

Fund: Capital Projects Fund/Transportation Impact Fees Sub-fund
(385/960)

FY2008/2009 Receipt and Use:

Beginning Balance		\$ 10,368,498
Resources		
New Fees Collected		614,981
Interest		259,360
Total Resources		\$ 11,242,839
Expenditures		\$ --
Transfers		
Mary Ave. Extension Engineering/Environmental Analysis		\$ 20,159
% Funded by Fee:	45%	
Origination Year:	FY 05/06	
Planned Completion Year:	Completed	
Interfund Transfer To:	Cap. Proj. – Traffic Mit.	

City of Sunnyvale
Annual Status Report on Receipt and Use of Development Impact Fees
FY 2008/2009

Project Administration In-lieu		\$	8,006
% Funded by Fee:	--		
Origination Year:	FY 07/08		
Planned Completion Year:	FY 09/10		
Interfund Transfer To:	Internal Services Fund		
General Fund In-lieu		\$	11,280
% Funded by Fee:	--		
Origination Year:	FY 05/06		
Planned Completion Year:	On-going		
Interfund Transfer To:	General Fund		
Total Expenditures/Transfers		\$	39,445
Ending Balance		\$	11,203,394

Note: No interfund loans or refunds were made during FY 2008/2009.

Description of Projects:

825630 Mary Ave. Extension Engineering/Environmental Analysis — This project provides funding for a study for a major transportation capacity improvement to serve the Moffett Park area.. The study includes conceptual engineering and CEQA environmental analysis of potential Mary Avenue Extension and other Mathilda corridor alignments, provides information for the determination of a plan line, and completes Caltrans Project Study Report requirements.

Project Administration Fund In-lieu — Transfer to the Project Management Services General Service Fund to cover the .indirect costs realized during the course of managing traffic-related capital projects.

General Fund In-lieu — Transfer to the General Fund to cover the .indirect costs realized during the course of managing traffic-related activities not directly associated with a specific capital improvement project.

City of Sunnyvale
Annual Status Report on Receipt and Use of Development Impact Fees
FY 2008/2009

Fund: Traffic Mitigation Fee

Fee Description: Specific fee amounts assessed as a condition of development to mitigate increased demands for traffic improvements. This fee has been superseded by the Transportation Impact Fee (TIF) in FY 2003/2004.

Amount of Fee: Occasionally received for development projects approved prior to adoption of the TIF in FY 2003/2004. Amount is subject to the Fee Schedule that was in effect at the time the development project was approved.

Fund: Capital Projects Fund/Traffic Mitigation Sub-fund
(385/950)

FY2008/2009 Receipt and Use:

Beginning Balance	\$	4,038,526
Resources		
New Fees Collected		--
Interest		90,905
		<hr/>
Total Resources	\$	<u>4,129,431</u>
Expenditures		
Future Traffic Signal Construction/Modification	\$	10,935
% Funded by Fee:		100%
Origination Year:		FY 95/96
Planned Completion Year:		FY 16/17
Frances Street Transit Corridor Improvements	\$	13,801
% Funded by Fee:		18%
Origination Year:		FY 03/04
Planned Completion Year:		FY 08/09
Mary Ave. Extension Engineering/Environmental Analysis	\$	66,609
% Funded by Fee:		90%
Origination Year:		FY 05/06
Planned Completion Year:		FY 08/09
Safe Routes to Schools City-wide Project	\$	5,066
% Funded by Fee:		2%
Origination Year:		FY 07/08
Planned Completion Year:		FY 09/10

City of Sunnyvale
Annual Status Report on Receipt and Use of Development Impact Fees
FY 2008/2009

Transfers		
Borregas Avenue Bicycle Corridor		\$ 770,376
% Funded by Fee:	19%	
Origination Year:	FY 99/00	
Planned Completion Year:	FY 09/10	
Interfund Transfer To:	Cap.Proj. – Gas Tax Fund	
Total Expenditures/Transfers		\$ 866,787
Ending Balance		\$ 3,262,644

Note: No interfund loans or refunds were made during FY 2008/2009.

Description of Projects:

816000 Future Traffic Signal Construction/Modification — This project provides funding for major signal modifications and/or installing new traffic signals as necessitated by traffic conditions.

824910 Frances Street Transit Corridor Improvements — This project creates a pedestrian-scale transit corridor that connects pedestrians and transit riders from seven Valley Transportation Authority (VTA) bus routes to the Caltrain Multimodal Station, Downtown Commercial Center, Town Center Mall, Mozart office buildings, and the new City Plaza.

825630 Mary Avenue Extension Engineering/Environmental Analysis — A major transportation capacity improvement is needed to adequately serve the Moffett Park area. This project provides planning to meet future transportation needs.

827630 Safe Routes to Schools City-wide Projects — This project provides for the installation of radar speed feedback signs, pedestrian countdown signals, and in-roadway crosswalk lights at locations throughout the City to remove barriers that prevent children from walking or biking to school.

821870 Borregas Avenue Bicycle Corridor – This project involves the design and construction of the Borregas Avenue Bicycle Corridor which includes new bike/pedestrian bridges over US-101 and SR-237. The construction of over-crossings eliminates approximately two miles of detours which currently exist for bicyclists and pedestrians who wish to cross over the freeways. The project also improves access to the Bay Trail, other recreational facilities in Baylands Park and the Valley Transportation Authority (VTA) Light Rail. The project provides safer and more convenient bicycle and pedestrian access between central Sunnyvale (residential areas and Caltrain) and north Sunnyvale (major employment area and light rail) along the north-south Borregas Avenue corridor by avoiding high speed, heavy traffic volume arterial corridors and freeway interchanges.

City of Sunnyvale
Annual Status Report on Receipt and Use of Development Impact Fees
FY 2008/2009

Fee: Park Dedication Fee

Fee Description: Fee assessed on certain residential subdivisions to purchase land, buy equipment, or construct improvements in neighborhood and district parks and recreational facilities serving the subdivision.
(Sunnyvale Municipal Code, Chap. 18.10: Exempt from Mitigation Fee Act Reporting reporting requirements.)
(Sunnyvale Municipal Code, Chap. 19.74 — Non-exempt from Mitigation Fee Act reporting requirements.)

Amount of Fee: \$96.00 per square foot.

Fund: Park Dedication Fund
(141)

FY2008/2009 Receipt and Use:

The City of Sunnyvale has two different types of Park Dedication Fees. The first was established pursuant to the Quimby Act (California Government Code §66477), listed in the Subdivision Map Act, and codified by the City in the Sunnyvale Municipal Code, Chapter 18.10. These particular Park Dedication Fees are assessed only on subdivisions with single family residential units and may be used to purchase land, buy equipment or construct improvements in neighborhood parks, district parks, and recreational facilities serving the residential subdivision. The fees collected for this type of development are exempt from reporting requirements.

The second type of Park Dedication Fee was established pursuant to the Mitigation Fee Act (California Government Code §66000(b)) and codified by the City in the Sunnyvale Municipal Code, Chapter 19.74. These Park Dedication Fees are assessed only on multi-family residential units and may be used to purchase land, buy equipment or construct improvements in neighborhood parks, district parks, and recreational facilities serving the multi-family residential unit. The fees collected for this type of development are subject to the reporting requirements included in the Mitigation Fee Act.

In prior years, all Park Dedication Fees were included in the status reports because there was no segregation between fees assessed under Chapter 18.10 (exempt) and fees assessed under Chapter 19.74 (non-exempt). To correctly separate and categorize exempt and non-exempt Park Dedication Fees, sub-funds were created in the Park Dedication Fund in FY 2006/2007.

Non-exempt Park Dedication Fees:

During FY 2008/2009, there was no activity associated with non-exempt Park Dedication Fees. Recall these fees are assessed only on multi-family residential units. Prior to FY 2006/2007, all non-exempt fees had been expended on appropriate projects, so no beginning balance existed in FY 2008/2009. Subsequently, no new non-exempt fees have been collected. As shown in the

City of Sunnyvale
Annual Status Report on Receipt and Use of Development Impact Fees
FY 2008/2009

following table, no activity occurred relating to non-exempt Park Dedication Fees for FY 2008/2009.

Beginning Balance	\$	--
Resources		
New Fees Collected		--
Interest		--
		<hr/>
Total Resources	\$	--
Total Expenditures/Transfers	\$	--
		<hr/>
Ending Balance	\$	--
		<hr/> <hr/>

Exempt Park Dedication Fees:

During FY 2008/2009, the City collected \$560,846 in new exempt Park Dedication Fees. Keep in mind these fees were assessed on the development of subdivisions containing single family residential units. The City has specified 19 capital projects for parks and common use spaces that serve the residents. Descriptions of the projects are included in Volume IV of the FY 2008/2009 Adopted Budget and Resource Allocation Plan. The following table provides a summary of the receipt and use of exempt Park Dedication Fees during FY 2008/2009.

Beginning Fund Balance	\$	8,721,972
Resources		
New Fees Collected		560,846
Rental Income		104,204
Interest		233,895
		<hr/>
Total Resources	\$	9,620,917
Expenditures	\$	47,277
Transfers		
(To 19 capital projects specifically for City parks and common use spaces)		1,715,328
		<hr/>
Total Expenditures/Transfers	\$	1,762,605
Ending Fund Balance	\$	7,858,312
		<hr/> <hr/>

Note: No interfund loans or refunds were made during FY 2008/2009.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE MAKING FINDINGS WITH RESPECT TO UNSPENT IMPACT FEES; TRAFFIC IMPACT FEES SUB-FUND

WHEREAS, Government Code section 66001(d) requires the City to make certain findings with respect to development impact fees collected which remain unexpended or uncommitted five or more years after deposit of such fees; and

WHEREAS, the City has collected cumulative and regional traffic impact fees as a key component of the Transportation Program in order to receive revenue to mitigate the impact of new development occurring both north of State Route 237 and south of State Route 237 on future forecast transportation deficiencies in each of the two areas; and

WHEREAS, the City has retained unspent traffic impact fees, together with accrued interest thereon, for a period of five years or more; and

WHEREAS, the City Council desires to make the findings required by law with respect to such fees;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT the City Council adopts the following findings and actions:

A. Traffic Impact Fees

1. Traffic impact fees were collected pursuant to Chapter 3.50 of the Sunnyvale Municipal Code in order to fund projects that address increased or changing traffic patterns on the local roadway system at levels defined as significant per the criterion of the Santa Clara County Congestion Management Program Transportation Impact Analysis Program.
2. Traffic impact fees are expended in order to fund major transportation projects necessary to support local roadway levels of service specified in the Land Use and Transportation Element. In addition to the fees, the City has identified a strategy for obtaining the balance of funding required for all identified projects from other sources including federal and state funds. All transportation system improvements to support General Plan land use are anticipated to be completed by 2030. Remaining improvements have not yet been implemented due to lack of funding, lack of right-of-way, a temporary respite from deteriorating traffic conditions due to an economic recession, and levels of traffic growth which have not yet met cumulative forecast conditions.
3. A reasonable relationship exists between the traffic impact funds and the purpose for which they were collected, in that the funds were collected from development projects that generate a significant level of new traffic to the roadway system, which adversely affects roadway level of service.

4. Traffic impact funds will continue to be deposited as collected and will be used solely for the purpose of constructing traffic improvements to maintain roadway levels of service.
5. Traffic impact funds will continue to be required in order to fund traffic improvements to maintain roadway levels of service. The funds are to be used solely for projects generating significant levels of new traffic and contributing to traffic that results in the need for the improvements.
6. Based on the foregoing, a continuing need for the cumulative mitigation funds has been demonstrated.

B. Other Reporting Mechanisms and Other Sources of Funding

The City identifies public improvements to be financed with development impact fees through various means, including but not limited to, the capital improvement program, transportation strategic program, and other general and/or specific plan requirements. These public documents identify the facilities or other improvements to be completed with development impact fees, and are duly noticed and considered by the City Council. Such public improvements require various sources of funding in addition to development impact fees, including federal, state, and regional apportionments and/or grant funding.

The City of Sunnyvale has adopted a Capital Improvement Program which publishes the Capital Improvement Program Active Projects Monthly Status Report, posts it to the City’s website, and provides the report in hardcopy format upon request. The report indicates the approximate location, estimated cost, and status of each proposed capital project. In addition, the City adopts the Capital Improvement Projects Budget as a component of its annual Adopted Budget and Resource Allocation Plan, which is subject to extensive public input and public hearing.

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:
 NOES:
 ABSTAIN:
 ABSENT:

ATTEST:

APPROVED:

 City Clerk
 (SEAL)

 Mayor

APPROVED AS TO FORM AND LEGALITY:

 David E. Kahn, City Attorney