

Exhibit A: Annual Report for Fiscal Year 2022/2023 regarding the Mill Creek Marketplace Development Impact Fee

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

On 05/11/1993, the Board of Supervisors adopted Ordinance No. 1998 regarding the financing of public improvements necessary to mitigate the impacts caused by new development in the Mill Creek Marketplace in McKinleyville; a shopping center consisting of approximately 19 acres of land located near the southwest corner of School Road and Central Avenue. This Ordinance was codified in County Code Section 329 *et seq.* and sets forth the collection of fees related to future development within the Mill Creek Marketplace. The purpose of the fee is to reimburse the developer for the cost of constructing and installing traffic signal facilities. The fees are to be collected at the time that a building permit is issued.

B. The amount of the fee.

The amount of the fee is codified in County Code Section 329-4, which is shown below.

329-4 AMOUNT OF FEES.

The Development impact fee is arrived at by taking the total costs of traffic facilities improvements to be constructed as set forth in Section 329-8 and dividing the total construction cost of the improvements (\$152,592.00) by the total building square footage (198,988 square feet) of the previously approved Mill Creek Marketplace. This equates to a per square foot fee of \$.767 per square foot of building floor area for which a building permit is being requested. For example, if someone applied for a building permit for a 5,000 square foot building the Development Impact Fee would be 5,000 square foot x \$.767 = \$3,835.00 fee.

C. The beginning and ending balance of the account or fund.

The fund name is: McKinleyville Development Fee

The beginning balance of fund 3703 as of 07/01/2022 was \$101.26.

The ending balance of fund 3703 as of 06/30/2023 was \$101.26.

D. The amount of the fees collected, and the interest earned.

The total amount collected for 2022/2023 was \$0.

Interest earned for 2022/2023 is \$0.

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.

No fees were expended in 2022/2023.

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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 Government Code Section 66001(a)(2), and the public improvement remains incomplete.

Not Applicable: The improvements have already been constructed. The impact fee is to reimburse the developer for the cost of installing the improvements.

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.

There have been no inter fund transfers or loans from these funds.

H. The amount of refunds made pursuant to Government Code Section 66001(e) and any allocations pursuant to Government Code Section 66001(f).

There were no refunds made pursuant to Section 66001 during FY 2022/2023.

I. Fifth Year Special Reporting: The local agency shall make all of the following findings with respect to that portion of the account or fund remaining unexpended, whether committed or uncommitted:

- (1) Identify the purpose to which the fee is to be put.** The purpose for the fee is discussed in Section A above.
- (2) Demonstrate a reasonable relationship between the fee and the purpose for which it is charged.** County Code Section 329-1 sets forth the following findings that establish a relationship between the fee and the purpose of the fee:
 - (a) The purpose of this fee is to finance the public improvements necessary to mitigate the impacts caused by new development in the Mill Creek Marketplace in McKinleyville.
 - (b) The fees collected pursuant to this ordinance shall be used to finance the cost of certain traffic facilities and services, the demand for which is directly or indirectly generated by the Mill Creek Marketplace in McKinleyville.
 - (c) The specific traffic facility improvements to be financed by the fee are as follows: Any and all cost associated with the design, construction and/or relocation of the traffic signal located at the Southwest Corner of School

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Road and Central Avenue and the new traffic signal to be located at the center driveway of Mill Creek Marketplace located approximately 450 feet south of the intersection of School Road and Central Avenue, and any cost to establish and administer this ordinance.

- (d) There is a demand in the Mill Creek Marketplace area for such facilities which have not been constructed and which is directly or indirectly generated by the Mill Creek Marketplace development as indicated in the Conditions of Approval set forth in Humboldt County Planning Department file, Case No. FMS-09-912, CUP-27-912. Said facilities are consistent with the County of Humboldt's General Plan and the Conditions of Approval for the Mill Creek Marketplace.
 - (e) The facts and evidence presented establish that there is a reasonable relationship between the need for the described public facilities and the impacts of the types of development for which the corresponding fee is charged, and there is a reasonable relationship between the fee's use and the type of development for which the fee is charged.
 - (f) There is a reasonable relationship between the amount of the fee and the cost of the public facilities. The cost estimates set forth in the Phillippi Engineering study are reasonable cost estimates for constructing these facilities and the fees expected to be generated by new development will not exceed the total of such costs plus the cost of administering the ordinance.
- (3) Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements identified in paragraph (2) of Government Code Section 66001(a).** The improvements are financed entirely with the collection of this impact fee.
- (4) Designate the approximate dates on which the funding referred to in (3) above is expected to be deposited into the appropriate account or fund.** Unknown; the timing at which the shopping center will be fully built-out is not known and is subject to market demand for retail space.

Prepared by:

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