

# CITY OF PALM DESERT STAFF REPORT

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MEETING DATE: December 14, 2023

PREPARED BY: Liberty Urban, Deputy Director of Finance

REQUEST: ADOPT RESOLUTION MAKING CERTAIN FINDINGS PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTIONS 66000-66008 RELATING TO THE DEVELOPMENT IMPACT FEES ANNUAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2023

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## **RECOMMENDATION:**

Adopt a resolution entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM DESERT, CALIFORNIA, REVIEWING AND ACCEPTING THE ANNUAL DEVELOPMENT IMPACT FEE DISCLOSURE REPORT FOR THE CITY'S VARIOUS DEVELOPMENT IMPACT FEES AND MAKING FIVE-YEAR FINDINGS REGARDING THE CONTINUING NEED FOR UNEXPENDED BALANCES OF IMPACT FEES AS OF JUNE 30, 2023, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 66001."

## **BACKGROUND/ANALYSIS:**

AB 1600 (Statutes of 1998, Mitigation Fee Act), codified as Section 66000 et seq. of the California Government Code (Code), regulates how public agencies collect, maintain, and spend impact fees imposed on developers for the purpose of defraying costs of public facilities. It includes requirements for accounting, spending, and annually reporting the fees and related interest earnings, and for findings or refunds if fees remain unspent five years after receipt.

Section 66006(b)(1) includes specific reporting requirements for each separate account or fund established pursuant to the Code, and the local agency shall, within 180 days after the last day of each fiscal year, make certain information available to the public. The attached resolution and report (Exhibit A to the resolution) prepared for the fiscal year ending June 30, 2023, provides the information required by the Code including the beginning and ending balances by fund as well as any changes during the year. The report also provides the amount of fees, interest, other income, expenditures, loans and proposed projects. Based on the findings, there were no required refunds made during the reported fiscal year.

The annual report also contains the required findings pursuant to Section 66001(d)(1), related to any funds that remain unexpended after five years. Also attached to this staff report is the City's Capital Improvement Program report that contains related reporting information which has been incorporated therein by reference.

The City Council must review the annual report and make findings at a publicly held meeting. The report must be made publicly available at least fifteen (15) days prior to the date of the public meeting. This report was filed with the City Clerk's office and available for public review on November 29, 2023. A draft of the report, as well as notice of the time and place of this meeting, including the address where the report may be reviewed, was also mailed at least fifteen (15)

days prior to the date of the meeting to any interested party that has on file with the City a written request for notice of such meetings.

All substantive and procedural requirements related to development impact fee reporting pursuant to the Mitigation Fee Act have been fulfilled at this time.

**Legal Review:**

This report has been reviewed by the City Attorney's office.

**FINANCIAL IMPACT:**

There is no fiscal impact from filing the report and its findings.

**ATTACHMENTS:**

1. Resolution
2. FY 2022-23 Development Impact Fees Annual Report (Exhibit A to the Resolution)
3. Capital Improvement Program Budget for FY 2023-24 to FY 2027-28