

**EAST CONTRA COSTA
REGIONAL FEE AND FINANCING AUTHORITY**
Antioch – Brentwood – Contra Costa County – Oakley – Pittsburg

A JOINT EXERCISE OF POWERS AGENCY

255 Glacier Drive, Martinez, CA 94553

**AGENDA
Board of Directors
Meeting
(No In-person Meeting)
Thursday, January 13, 2022
6:30 p.m.**

Tri-Delta Transit Meeting Room
801 Wilbur Avenue
Antioch, California

To slow the spread of COVID-19, in lieu of a public gathering, the East Contra Costa Regional Fee and Financing Authority Board of Directors meeting will be accessible via Zoom to all members of the public as permitted by Government Code Section 54953(e). Members of the public may participate in the meeting online, or by telephone. To participate in the meeting please use the information.

To participate by phone, dial +17207072699 US, and meeting ID is 861 0095 4244
Passcode: 197645

To participate online using Zoom, hold down CTRL + click the following:
[Join Zoom Meeting Here Meeting ID: 861 0095 4244 \(Passcode: 197645\).](#)

In lieu of making public comments at the meeting, members of the public also may submit public comments before or during the meeting by emailing comments to Program Manager Dale Dennis at dodennis@thecyberjungle.com. If you have difficulty emailing a public comment, please contact Nancy Wein, Contra Costa County Public Works Department, at (925) 313-2275.

All comments submitted by email to the above email address before the conclusion of the meeting will be included in the record of the meeting. When feasible, the Board Chair, or designated staff, also will read the comments into the record at the meeting, subject to a two-minute time limit per comment.

The Board Chair may reduce the amount of time allotted to read comments at the beginning of each item or public comment period depending on the number of comments and the business of the day. Your patience is appreciated. A break may be called at the discretion of the Board Chair.

Board of Directors:

Aaron Meadows, City of Oakley – Chair
Holland White, City of Pittsburg – Vice Chair
Diane Burgis, Contra Costa County
Lamar Thorpe, City of Antioch
Joel Bryant, City of Brentwood

Authority Staff Office:

Contra Costa County
255 Glacier Drive
Martinez, CA 94553

(925) 313-2000

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To obtain a copy of a staff report or other written materials related to an open session item on the agenda, please contact Nancy Wein, at the Contra Costa County Public Works Department, by phone at (925) 313-2275, or by email to Nancy.Wein@pw.cccounty.us.

**Agenda
January 13, 2022**

1. Call to Order
2. Public Comment
3. Determination

Teleconference Meetings: Consider adopting **ECCRFFA Resolution No. 2022/01** to authorize the Board of Directors to conduct teleconference meetings under Government Code section 54953(e) and make related findings; **Determine** that the Authority will hold virtual meetings for the next 30 days; and **Direct** the Program Manager or Secretary of the Board to return this matter to the Board within 30 days for reconsideration.

4. Election of Officers
5. Consent Items

A. APPROVE minutes of the December 9, 2021 meeting.

B. ACCEPT Audit Report prepared by Cropper Rowe, LLP, Certified Public Accountants, for the Fiscal Year ending 2021. *(Copies sent to Board Members under separate cover. Copies available to public upon request.)*

C. APPROVE the ECCRFFA AB1600 Report for period ending June 30, 2021.

6. Boardmember Comments
7. Adjournment

Board of Directors:

Aaron Meadows, City of Oakley – Chair
Holland White, City of Pittsburg – Vice Chair
Diane Burgis, Contra Costa County
Lamar Thorpe, City of Antioch
Joel Bryant, City of Brentwood

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A JOINT EXERCISE OF POWERS AGENCY

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The Authority will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Staff at least 24 hours before the meeting, at (925) 595-4587. Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the East Contra Costa Regional Fee and Finance Authority to a majority of members of the Board of Directors less than 72 hours prior to that meeting are available for public inspection at 255 Glacier Drive, Martinez, CA during normal business hours.

Board of Directors:

Aaron Meadows, City of Oakley – Chair
Holland White, City of Pittsburg – Vice Chair
Diane Burgis, Contra Costa County
Lamar Thorpe, City of Antioch
Joel Bryant, City of Brentwood


Authority Staff Office:

Contra Costa County
255 Glacier Drive
Martinez, CA 94553

(925) 313-2000

**STATE ROUTE 4
BYPASS AUTHORITY**

DATE: January 13, 2022

TO: Board of Directors
FROM: Dale Dennis, Program Manager 
SUBJECT: Authorizing Teleconference Meetings (AB 361, Government Code § 54953(e))

Recommendation: Staff recommends the Board take the following actions:

1. **Consider and Adopt ECCRFFA Resolution No. 2022/01** to authorize the Board of Directors to conduct teleconference meetings under Government Code section 54953(e) and make related findings;
2. **Determine** that the Authority will hold virtual meetings for the next 30 days; and
3. **Direct** the Program Manager and/or Secretary of the Board to return this matter to the Board within 30 days for reconsideration.

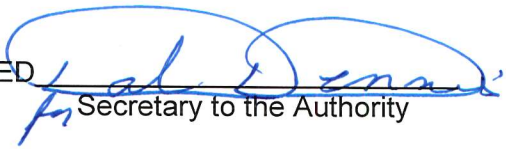
Discussion:

When the COVID-19 pandemic began, Governor Newsom issued an executive order that allowed local agencies to meet remotely without complying with all teleconferencing requirements of the Brown Act. Executive Order N-29-20 suspended certain non-emergency teleconferencing rules, including the requirements that each teleconference location be listed on the agenda and be physically accessible to the public during the meeting and that the public must be given an opportunity to comment at each teleconference location. Since March 2020, the Board of Supervisors and its advisory bodies met virtually, as authorized by Executive Orders N-29-20, N-35-20, N-08-21 and N-15-21. This authority expired September 30, 2021.

ACTION OF BOARD ON 1/13/22 APPROVED AS RECOMMENDED OTHER

VOTE OF DIRECTORS
 UNANIMOUS (ABSENT BURGIS)
AYES: 3 NOES: 0
ABSENT: 1 ABSTAIN: _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED 
Secretary to the Authority

New legislation known as Assembly Bill 361, amended the teleconferencing provision of the Brown Act, Government Code section 54953. Effective October 1, 2021, section 54953, subsection (e), authorizes a local agency to use special teleconferencing rules when a legislative body of a local agency holds a meeting during a state of emergency declared by the state and either A) state or local health officials have imposed or recommended measures to promote social distancing, or B) the legislative body is meeting to determine whether, or has determined, by majority vote, that meeting in person would present imminent risks to the health or safety of meeting attendees.

When a legislative body uses the emergency teleconferencing provisions under section 54953(e), the following rules apply:

- The agency must provide notice of the meeting and post an agenda as required by the Brown Act, but the agenda does not need to list each teleconference location or be physically posted at each teleconference location.
- The agenda must state how members of the public can access the meeting and provide public comment.
- The agenda must include an option for all persons to attend via a call-in or internet-based service option.
- The body must conduct the meeting in a manner that protects the constitutional and statutory rights of the public.
- If there is a disruption in the public broadcast of the meeting or of the call-in or internet-based meeting service, the legislative body must stop the meeting and take no further action on agenda items until public access and ability to comment is restored.
- Local agencies may not require public comments to be submitted in advance of the meeting and must allow virtual comments to be submitted in real time.
- The body must allow a reasonable amount of time per agenda item to permit members of the public to comment, including time to register or otherwise be recognized for the purposes of comment.
- If the body provides a timed period for all public comment on an item, it may not close that period before the time has elapsed.
- The body must reconsider the circumstances of the state of emergency and the findings in support of emergency teleconference meetings every 30 days.
- AB 361 sunsets on January 1, 2024.

A Board resolution authorizing teleconferencing under section 54953(e) is attached. It would determine that the State has declared a state of emergency related to COVID-19 and find that social distancing recommendations are in place and that there is an imminent risk of harm to the public, staff, and officials if live meetings are conducted. If adopted, for

the next 30 days the resolution would require the Board of Directors to hold teleconference meetings consistent with the above-described rules.

If the Board wishes to continue teleconferencing under section 54953(e), every 30 days after adopting the attached resolution the Board must reconsider the circumstances of the state of emergency and find that one or both of the following circumstances exists: the state declared emergency continues to directly impact the ability of members to safely meet in person, or state or local officials continue to impose or recommend measures to promote social distancing. If the state-declared emergency no longer exists, or if the Board does not make these findings by majority vote, then it will no longer be exempt from the Brown Act's teleconferencing rules. The attached resolution directs the Program Manager and/or Secretary to return no later than 30 days after the resolution is adopted with an item for the Board to consider whether to continue meeting under the provisions of Government Code section 54953 (e). If the resolution is not adopted, the Board, would not conduct teleconference meetings under the provisions of Government Code section 54953(e), added by Assembly Bill 361.

RESOLUTION NO. 2022/01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY
AUTHORIZING TELECONFERENCE MEETINGS UNDER
GOVERNMENT CODE SECTION 54953(e) (AB 361)

Recitals

- A. On March 4, 2020, Governor Gavin Newsom proclaimed the existence of a state of emergency in California under the California Emergency Services Act, Gov. Code § 8550 et seq.
- B. On March 10, 2020, the Contra Costa County Board of Supervisors found that due to the introduction of COVID-19 in the County, conditions of disaster or extreme peril to the safety of persons and property had arisen, commencing on March 3, 2020. Based on these conditions, pursuant to Government Code section 8630, the Board adopted Resolution No. 2020/92, proclaiming the existence of a local emergency throughout the County.
- C. On March 17 and 21, 2020, Governor Newsom issued Executive Orders N-29-20 and N 35-20, which suspended the teleconferencing rules set forth in the California Open Meeting law, Government Code section 54950 et seq. (the Brown Act), provided certain requirements were met and followed.
- D. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which clarified the suspension of the teleconferencing rules set forth in the Brown Act and further provided that those provisions would remain suspended through September 30, 2021.
- E. On September 16, 2021, Governor Newsom signed Assembly Bill 361, which provides that under Government Code section 54953(e), a legislative body subject to the Brown Act may continue to meet using teleconferencing without complying with the non-emergency teleconferencing rules in Government Code section 54953(b)(3) if a state declared state of emergency exists and either state or local officials have imposed or recommended measures to promote social distancing or meeting in person would present imminent risks to health and safety of meeting attendees.
- F. On September 20, 2021, Governor Newsom issued Executive Order N-15-21, which suspended the provisions of Assembly Bill 361 until October 1, 2021.
- G. On September 20, 2021, the Contra Costa County Health Officer issued recommendations for safely holding public meetings that include recommended measures to promote social distancing.
- H. Among the Health Officer's recommendations: (1) on-line meetings (teleconferencing meetings) are strongly recommended as those meetings present the lowest risk of

transmission of SARS-CoV-2, the virus that causes COVID-19; (2) if a local agency determines to hold in-person meetings, offering the public the opportunity to attend via a call-in option or an internet-based service option is recommended when possible to give those at higher risk of an/or higher concern about COVID-19 an alternative to participating in person; (3) a written safety protocol should be developed and followed, and it is recommended that the protocol require social distancing – i.e., six feet of separation between attendees – and face-masking of all attendees; (4) seating arrangements should allow for staff and members of the public to easily maintain at least six-foot distance from one another at all practicable times.

- I. The California Department of Public Health (CDPH) and the federal Centers for Disease Control and Prevention (CDC) caution that the Delta variant of COVID-19, currently the dominant strain of COVID-19 in the country, is more transmissible than prior variants of the virus, may cause more severe illness, and even fully vaccinated individuals can spread the virus to others resulting in rapid and alarming rates of COVID-19 cases and hospitalizations.
- J. The emergence of the Delta variant has led to a severe rise of COVID-19 infections, hospitalizations and deaths in Contra Costa County in the past two months. The Delta variant became the predominant strain among samples sequenced in Contra Costa County and California in early July 2021, and currently represents over 95% of samples sequenced both at the Contra Costa County Public Health lab and per reports of statewide sequencing.
- K. According to the Centers for Disease Control (CDC), as of November 30, 2021, the seven-day rolling average of new cases in Contra Costa County was approximately 13.35 cases per day per 100,000 of population. As of November 30, 2021, the CDC reports that Contra Costa County is in the “moderate” community transmission tier, the third most serious of the CDC’s community transmission tiers.
- L. In the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the Board of Directors of the East Contra Costa Regional Fee and Financing Authority intends to invoke the provisions of Government Code section 54953(e), added by Assembly Bill 361, related to teleconferencing.

NOW, THEREFORE, the Board of Directors of the East Contra Costa Regional Fee and Financing Authority resolves as follows:

- 1. The Board of Directors finds that the state of emergency proclaimed by Governor Newsom on March 4, 2020, remains in place.
- 2. The Board of Directors finds that the Contra Costa County Health Officer has strongly recommended that public meetings be held by teleconferencing as those meetings present the lowest risk of transmission of SARS-CoV-2, the virus that causes COVID-19.

3. The Board of Directors finds that in person meetings of the Board of Directors would present imminent risks to the health or safety of the public, staff, and officials attending meetings, in light of the case rate of COVID-19 infections in the County.
4. As authorized by Assembly Bill 361, effective immediately and for the next 30 days the Board of Directors will use teleconferencing for meetings in accordance with the provisions of Government Code section 54953(e).
5. The Program Manager and Secretary of the Board are authorized and directed to take all actions necessary to implement the intent and purpose of this resolution, including conducting open and public meetings in accordance with Government Code section 54953(e) and all other applicable provisions of the Brown Act.
6. The Program Manager and/or Secretary of the Board are directed to return to the Board no later than 30 days after this resolution is adopted, with an item to reconsider the state of emergency and whether to continue meeting virtually under the provisions of Government Code section 54953(e) and to make required findings.

PASSED AND ADOPTED on January 13, 2022, by the following vote:

AYES: *BRYANT, THORPE, MEADOWS*
NOES:
ABSENT: *BURGIS*
ABSTAIN:

Board Chair

ATTEST:

By:


Secretary

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**EAST CONTRA COSTA
REGIONAL FEE AND FINANCING AUTHORITY
Antioch - Brentwood - Oakley - Pittsburg and Contra Costa County**

JOINT EXERCISE OF POWERS AGENCY

December 9, 2021

The Regular Meeting of the EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY (ECCRFFA) was convened via a web-based platform in locations not open to the public to provide the safest environment for staff and the public as permitted by Government Code Section 54953(e). Members of the public were allowed to participate in the meeting online, or by telephone.

Chair Aaron Meadows called the meeting to order at 6:49 P.M.

ROLL CALL

PRESENT: Joel Bryant (Brentwood), Federal Glover, Alternate for Diane Burgis (Contra Costa County), Lamar Thorpe (Antioch), Vice Chair Holland White (Pittsburg), and Chair Aaron Meadows (Oakley)

ABSENT: None

STAFF: Dale Dennis, Program Manager
Kurtis Keller, Deputy County Counsel

PUBLIC COMMENT

No written comments were submitted, or oral comments made, by any member of the public.

DETERMINATION

Teleconference Meetings: CONSIDER adopting ECCRFFA Resolution No. 2021/02 to authorize the Board of Directors to conduct teleconference meetings under Government Code Section 54953(e) and make related findings; DETERMINE that the Authority will hold virtual meetings for the next 30 days; and DIRECT the Program Manager or Secretary of the Board to return this matter to the Board within 30 days for reconsideration.

On motion by Director Glover, seconded by Director White, the Authority APPROVED Resolution No. 2021/02 authorizing the Board of Directors to conduct teleconference meetings under Government Code Section 54953(e) and make related findings; DETERMINED that the Authority will hold virtual meetings for the next 30 days; and DIRECTED the Program Manager or Secretary of the Board to return this matter to the Board within 30 days for reconsideration. The motion carried by the following Roll Call vote:

AYES: Bryant, Glover, Thorpe, White, Meadows
NOES: None
ABSTAIN: None
ABSENT: None

CONSENT ITEMS

On motion by Director Glover, seconded by Director White, the Authority APPROVED the Consent Items, as submitted, which carried by the following Roll Call vote:

- A. APPROVED minutes of the October 14, 2021 Board of Directors meeting. *(November meeting cancelled).*
- B. ADOPTED Resolution No. 2021/03 approving an additional, two-year extension of the current ECCRFFA temporary fee-incentive program, under which ECCRFFA will grant a 15 percent fee rebate from January 1, 2022 through December 31, 2023, with an option for periodic re-evaluation; and DIRECTED Member Agencies to issue the fee rebates on behalf of ECCRFFA at the time of issuing building permits.

AYES: Bryant, Glover, Thorpe, White, Meadows
NOES: None
ABSTAIN: None
ABSENT: None

BOARDMEMBER COMMENTS

Director Glover wished everyone a Merry Christmas.

ADJOURNMENT


Chair Meadows adjourned the meeting of the East Contra Costa Regional Fee and Financing Authority at 6:51 P.M. to Thursday, January 13, 2022, at 6:30 P.M. or other day/time deemed appropriate by the Board.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk

EAST CONTRA COSTA
FEE AND FINANCING AUTHORITY

DATE: January 13, 2022

TO: Board of Directors
FROM: Dale Dennis, Program Manager 
SUBJECT: Accept Audit Report for Fiscal Year 2021/22

Recommendation: ACCEPT Audit Report prepared by Cropper Rowe, LLP, Certified Public Accountants, for the Fiscal Year ending June 30, 2021. *(Copies sent to Board Members under separate cover. Copies available to public upon request.)*

Discussion:

An audit for the 2020/21 Fiscal Year has been performed on the finances of the Authority as required by the Joint Exercise of Powers Agreement. The report of the independent auditor, Cropper Rowe, LLP, Certified Public Accountants, has no recommendations for changes or improvements.

Staff Report Accept Audit Report 01.13.22

ACTION OF BOARD ON _____

APPROVED AS RECOMMENDED ___ OTHER ___

VOTE OF DIRECTORS

_____ UNANIMOUS (ABSENT _____)

AYES: _____ NOES: _____

ABSENT: _____ ABSTAIN: _____


I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED _____
Secretary to the Authority

**EAST CONTRA COSTA
REGIONAL FEE AND FINANCING AUTHORITY**

DATE: January 13, 2022

TO: Board of Directors

FROM: Dale Dennis, Program Manager 

SUBJECT: ECCRFFA AB1600 Report for Period Ending June 30, 2021

Recommendation: **APPROVE** the ECCRFFA AB1600 Report for period ending June 30, 2021.

Discussion:

The purpose of the East Contra Costa Regional Fee and Financing Authority (ECCRFFA) AB1600 Report is to satisfy certain state law requirements that apply to regional transportation demand impact mitigation (RTDIM) fees. In California, State legislation set certain legal and procedural parameters for the charging of development impact fees ("DIFs"), such as ECCRFFA's development impact fee. This legislation was passed as AB1600 by the California Legislature and is now codified as California Government Code Sections (GC §) 66000 through 66025 (the "Mitigation Fee Act"). The Mitigation Fee Act imposes requirements on local agencies that impose DIFs, including requirements related to the accounting of DIF revenues. ECCRFFA's RTDIM fees are a type of DIF and are subject to the requirements of the Mitigation Fee Act.

GC § 66006(b) states the following requirements as pertains to DIFs:

For each separate account or fund established, the local agency shall, within 180 days after the last day of each fiscal year, make available to the public the following information for the fiscal year:

- (A) A brief description of the type of fee in the account or fund.
- (B) The amount of the fee.
- (C) The beginning and ending balance of the account or fund.
- (D) The amount of the fees collected and interest earned.
- (E) An identification of each public improvement on which fees were expended and

ACTION OF BOARD ON 1/13/22

APPROVED AS RECOMMENDED OTHER

VOTE OF DIRECTORS
 UNANIMOUS (ABSENT BURGIS)
AYES: 3 NOES: 0
ABSENT: 1 ABSTAIN:

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED 
Secretary to the Authority

the amount of 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 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. There were no interfund transfers.

(H) The amount of refunds made (as pursuant to GC § 66001(e)) due to sufficient funds being collected to complete financing on incomplete public improvements, and the amount of reallocation of funds made (as pursuant to GC § 66001(f)) due to administrative costs of refunding unexpended revenues exceeding the amount to be refunded. There were no refunds issued.

The ECCRFFA AB1600 Report satisfies the above requirements as they apply to RTDIM fee revenues for the fiscal year ending June 30, 2021.

In addition, for all funds established for the collection and expenditures of development impact fees, California Government Code Section 66001 (d) has additional requirements. For the fifth fiscal year following the first deposit into the fund and every five years after, the local agency shall make all of the following findings with respect to that portion of the fund remaining unexpended, whether committed or uncommitted.

- A. Identify the purpose to which the fee is to be put.
- B. Demonstrate a reasonable relationship between the fee and purpose for which it is charged.
- C. Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements.
- D. Designate the approximate dates on which the funding is expected to be deposited into the appropriate account or fund.

As described in the report, as of June 30, 2021, ECCRFFA did not have any RTDIM fee revenues that have been held past the fifth year following their first deposit.

Staff recommends the Board approved the attached ECCRFFA AB1600 Report, which provides the information listed above, where applicable.



**East Contra Costa
Regional Fee Program**

**AB1600 Report
For
Fiscal Year Ending June 30, 2021**

**East Contra Costa Regional
Fee and Financing Authority**

December 2021

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1. INTRODUCTION

LEGAL REQUIREMENTS FOR DEVELOPMENT IMPACT FEE REPORTING

1) California Government Code Section 66006(b)

In California, State legislation sets certain legal and procedural parameters for the charging of development impact fees ("DIFs"). This legislation was passed as AB1600 by the California Legislature and is now codified as California Government Code Sections (GC §) 66000 through 66025 ("Mitigation Fee Act"). This State law went into effect in 1987. The East Contra Costa Regional Fee and Financing Authority (ECCRFFA) collects regional transportation development impact mitigation (RTDIM) fees, a type of DIF. The RTDIM fees are subject to the requirements of the Mitigation Fee Act.

GC § 66006(b)(1) states the following requirements as pertains to DIFs:

For each separate account or fund established, the local agency shall, within 180 days after the last day of each fiscal year, make available to the public the following information for the fiscal year (the applicable page numbers in this report are provided for reference):

(A) A brief description of the type of fee in the account or fund. (Page 3)

(B) The amount of the fee. (Page 4)

(C) The beginning and ending balance of the account or fund. (Page 5)

(D) The amount of the fees collected and interest earned. (Page 5)

(E) An identification of each public improvement on which fees were expended and the amount of expenditures on each improvement including the total percentage of the cost of the public improvement that was funded with fees. (Page 7)

(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 and the public improvement remains incomplete. (Page 7)

(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 were no interfund transfers during the fiscal year covered by this report.

(H) The amount of refunds made (as pursuant to GC § 66001(e)) due to sufficient funds being collected to complete financing on incomplete public improvements, and the amount of reallocation of funds made (as pursuant to GC § 66001(f)) due to administrative costs of refunding unexpended revenues exceeding the amount to be refunded. There were no refunds issued during the fiscal year covered by this report.

2) California Government Code Section 66001(d)

For all funds established for the collection and expenditures of development impact fees, California Government Code Section 66001(d) has additional requirements. For the fifth fiscal year following the first deposit into the fund and every five years after, the local agency shall make all of the following findings with respect to that portion of the fund remaining unexpended, whether committed or uncommitted.

- A. Identify the purpose to which the fee is to be put.
- B. Demonstrate a reasonable relationship between the fee and purpose for which it is charged.
- C. Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements.
- D. Designate the approximate dates on which the funding is expected to be deposited into the appropriate account or fund.

As shown in the table on page 5, as of June 30, 2021, ECCRFFA does not have any RTDIM funds that have been held past the fifth year following their first deposit.

3) Additional Notes

The State of California Government Code Section 66002 states that local agencies that have developed a fee program may adopt a Capital Improvement Program (CIP) indicating the approximate location, size and timing of projects, plus an estimate for the cost of all facilities or improvements to be financed by fees. A formal CIP is recommended, at a minimum, as a five year plan. ECCRFFA periodically prepares a Strategic Plan that addresses the topics described above. The current ECCRFFA Strategic Plan was last approved in November 2020 and includes planned project expenditures through Fiscal Year 2024/25. ECCRFFA's current adopted Strategic Plan is available upon request.

- 4) ECCRFFA's Development Fee Program has been in effect in East Contra Costa County since FY 1994/95. The Authority conducted an update of the fee program in 2001 to help fund an expanded list of regional transportation improvements. In the summer of 2005, the Authority completed a comprehensive update of its RTDIM fee program. In June 2005, the ECCRFFA Board approved the East Contra Costa Regional Fee Program Update Final Report. In October 2020, the ECCRFFA Board approved another East Contra County Regional Fee Program Update to expand the list of regional transportation improvements to include the Sand Creek Road Extension Project. Adjustments to the fees are made annually in accord with the Engineering News Record Construction Cost Index. The program sets forth the relationship between contemplated future development, facilities needed to serve future development and the estimated costs of those improvements. The program is reviewed periodically to address updated information on project costs and completion schedules. Many of ECCRFFA's projects are financed with a combination of RTDIM fee revenues and funding from other sources (e.g., Measure J funds).

5) Funding of Infrastructure

The ECCRFFA November 2020 Strategic Plan identifies all funding sources and amounts for individual projects through FY 2024/25. The Strategic Plan is updated periodically to reflect the status of current projects being delivered, as well as the opportunity to fund additional projects as projects are completed.

ECCRFFA continues to seek other funding sources to help fund the projects included in ECCRFFA's Project List.

6) Current Major Projects

As of the date of this report, a number of ECCRFFA projects are in various stages of being completed as shown in Table 1 below.

TABLE 1 Status of Current ECCRFFA Projects		
Project Number	Project Name	Status
1	SR 4 Freeway Widening	Completed
2	SR 4 Bypass – Segment 1	Completed
2	SR160/SR 4 Interchange Connectors	Completed
3	SR 4 Bypass – Segment 2	Completed Phase 1
3	Sand Creek Interchange	Completed Phase 1
3	Mokelumne Bicycle/Pedestrian Overcrossing	Construction
4	SR 4 Bypass – Segment 3	Completed Phase 1
4	Balfour Road Interchange	Closeout
5	Laurel Road Extension	Completed
16	James Donlon Extension (Antioch Portion)	Completed
26	eBART Extension to Hillcrest Avenue	Completed

DESCRIPTION OF DEVELOPMENT IMPACT FEES

Regional Transportation Development Impact Fees – ECCRFFA collects RTDIM fees to fund transportation improvements necessary to accommodate transportation demands generated by new development in East Contra Costa County. Please see the *East Contra Costa Regional Fee Program Update Final Report*, dated June 16, 2005, for more information about the purpose of the program and its consistency with AB 1600 requirements.

CURRENT FEE SCHEDULE

Presented below is ECCRFFA's current RTDIM fee schedule for 2021.

TABLE 2 East Contra Costa Regional Fee and Finance Authority Fee Schedule Effective January 1, 2021					
Fee Category	Prior Fee	Index	New Fee (as of Jan 1, 2021)	ECCRFFA Fee Rebate	New Fee Less Rebate
Single-Family Residential	\$22,920	5.13%	\$24,096	15%	\$20,482
Multi-Family Residential	\$14,070	5.13%	\$14,792	15%	\$12,573
Commercial	\$1.90	5.13%	\$2.00		\$2.00
Office	\$1.66	5.13%	\$1.74		\$1.74
Industrial	\$1.66	5.13%	\$1.74		\$1.74
Other	\$22,920	5.13%	\$24,096		\$24,096

Note: A 1% administrative charge is allowed in addition to the fees shown, for RTDIM fee program administration.

2. DEVELOPMENT IMPACT FEE REPORT

TABLE 3

ECCRFFA Regional Developer Fee Fund

Statement of Revenues, Expenditures and Changes in Fund Balance
 Last Five Fiscal Years

Description	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
REVENUES					
Fees Collected	16,218,452.32	17,841,388.85	20,206,304.61	18,316,041.85	37,659,009.02
Interest Earnings	6,584.75	12,027.00	23,358.83	24,781.61	9,121.47
Total Revenues	16,225,037.07	17,853,415.85	20,229,663.44	18,340,823.46	37,668,130.49
EXPENDITURES					
Expenditures	32,841,341.14	6,092,290.34	16,196,171.60	13,739,492.75	15,799,116.91
Total Expenditures	32,841,341.14	6,092,290.34	16,196,171.60	13,739,492.75	15,799,116.91
REVENUES OVER (UNDER) EXPENDITURES	(16,616,304.07)	11,761,125.51	4,033,491.84	4,601,330.71	21,869,013.58
Fund Balance, Beginning of Year	35,181,867.60	18,565,563.53	30,326,689.04	34,360,180.88	38,961,511.59
Fund Balance, End of Year	18,565,563.53	30,326,689.04	34,360,180.88	38,961,511.59	60,830,525.17

Five-Year Revenue Test Using First In First Out Method					
Available Revenue Current Year	16,225,037.07	17,853,415.85	20,229,663.44	18,340,823.46	37,668,130.49
Available Revenue Prior Fiscal Year (2-yr Old Funds)	2,340,526.46	12,473,273.19	14,130,517.44	20,229,663.44	18,340,823.46
Available Revenue Prior Fiscal Year (3-yr Old Funds)				391,024.69	4,821,571.22
Available Revenue Prior Fiscal Year (4-yr Old Funds)					
Available Revenue Prior Fiscal Year (5-yr Old Funds)					
Available Revenue Greater than Five Prior Fiscal Years					
Total Revenue Available	18,565,563.53	30,326,689.04	34,360,180.88	38,961,511.59	60,830,525.17

Result: Five Year Revenue test met in accordance with Government Code 66001 (d)

3. DEVELOPMENT FEE PROJECT IDENTIFICATION

The following table provides the information required by Government Code section 66006, subdivisions (b)(1)(E) and (b)(1)(F).

- An identification of each public improvement on which fees were expended and the amount of expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees; and
- 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.

TABLE 4
Development Fee Project Identification as of June 30, 2021 (\$ millions)

Project Number	Project Name	Phase	Estimated Construction Dates				Development Fees			
			Funding and Start	Open to Traffic	Project Closeout	5-Yr Cost (FY16/17 – FY20/21)	Est Total Cost	Est Total Funding	Funding to Date	% Funded with Fees
1	SR 4 Freeway Widening	Closeout	2001	2016	2018	\$0.1	\$633.5	\$2.0	\$2.0	0.3%
2	SR 4 Bypass – Segment 1	Closeout	2005	2008	2018	\$1.2	\$114.7	\$89.7	\$89.7	78.2%
2	SR160/SR 4 Interchange Connectors	Completed	2014	2016	2016	\$0.0	\$50.0	\$0.2	\$0.2	0.4%
3	SR 4 Bypass – Segment 2	Closeout	1999	2002	2018	\$1.2	\$33.3	\$33.3	\$33.3	100%
3	Sand Creek Interchange	Completed	2013	2014	2015	\$0.0	\$43.8	\$5.8	\$5.8	13.2%
3	Mokelumne Overcrossing	Construction	2020	2022	2023	\$12.5	\$14.5	\$14.5	\$14.5	86.2%
4	SR 4 Bypass – Segment 3	Closeout	2006	2008	2018	\$4.6	\$90.4	\$90.4	\$90.4	100%
4	Balfour Road Interchange	Construction	2016	2018	2019	\$18.5	\$74.0	\$26.0	\$26.0	35.1%
5	Laurel Road Extension	Completed	2007	2008	2015	\$0.0	\$22.6	\$22.6	\$22.6	100%
11	Vasco Road Improvements (Phase 1)	Completed	2008	2010	2011	\$2.7	\$32.0	\$32.0	\$32.0	8.4%
16	James Donton Exl (Antioch)	Completed	2004	2005	2005	\$5.0	\$5.0	\$5.0	\$5.0	100%
23	John Muir Parkway	Completed	2018	2019	2020	\$3.6	\$3.6	\$3.6	\$3.6	100%
26	eBART to Hillcrest Ave	Construction	2014	2018	2018	\$34.2	\$513.0	\$35.0	\$35.0	6.8%
	TOTAL					\$83.6	\$1,630.4	\$360.1	\$351.8	22.09