

RESOLUTION NO. 017-24/25
REGARDING ACCOUNTING OF DEVELOPER FEES
FOR 2023-2024 FISCAL YEAR IN THE CAPITAL FACILITIES FUND
(Government Code sections 66001(d) & 66006(b))

1. Authority and Reasons for Adopting this Resolution.

- A. This District has levied school facilities fees pursuant to various resolutions, the most recent of which is dated June 11, 2024, and is referred to herein as the "School Facilities Fee Resolution" and is hereby incorporated by reference into this Resolution. These resolutions were adopted under the authority of Education Code section 17620 (formerly Government Code section 53080). These fees have been deposited in the following fund or account:

Fund 25 – Capital Facilities Fund (the "Fund");

- B. Government Code sections 66001(d) and 66006(b) require this District to make an annual accounting of the Fund and to make additional findings every five years if there are any funds remaining in the Fund at the end of the prior fiscal year;
- C. Government Code sections 66001(d) and 66006(b) further require that the annual accounting of the Fund and those findings be made available to the public no later than December 30, 2024, that this information be reviewed by this Board at its next regularly scheduled board meeting held no earlier than 15 days after they become available to the public, and that notice of the time and place of this meeting (as well as the address at which this information may be reviewed) be mailed at least 15 days prior to this meeting to anyone who has requested it.
- D. The Superintendent has informed this Board that an annual accounting of the Fund was made available to the public on September 17, 2024. A draft copy of this Resolution (along with Exhibit A which is hereby incorporated by reference into this Resolution) was made available to the public on November 5, 2024. The Superintendent has further informed this Board that notice of the time and place of this meeting (as well as the address at which this information may be reviewed) was mailed at least 15 days prior to this meeting to anyone who had requested it.
- E. The Superintendent has also informed this Board that there is no new information which would adversely affect the validity of any of the findings made by this Board in its School Facilities Fee Resolution.

2. What This Resolution Does.

This Resolution makes various findings and takes various actions regarding the Fund as required by and in accordance with Government Code sections 66001(d) and 66006(b).

3. Findings Regarding the Fund.

Based on all findings and evidence contained in, referred to, or incorporated into this Resolution, as well as the evidence presented to this Board at this meeting, the Board finds each of the following with respect to the Fund for the 2023-2024 Fiscal Year:

- A. In reference to Government Code section 66006(b)(2), the information identified in section 1 above is correct.
- B. In further reference to Government Code section 66006(b)(2), this Board has reviewed the annual accounting for the Fund as contained in Exhibit A and determined that it meets the requirements set forth in Government Code section 66006(b)(1).

4. Superintendent Authorized to Take Necessary and Appropriate Action.

The Board further directs and authorizes the Superintendent to take on its behalf such further action as may be necessary and appropriate to effectuate this Resolution.

5. Certificate of Resolution.

I, Clerk of the Governing Board of the Livermore Valley Joint Unified School District of Alameda County and Contra Costa County, State of California, certify that this Resolution proposed by _____, seconded by _____, was duly passed and adopted by the Board at an official and public meeting this 12th day of November, 2024, by the following roll call vote:

AYES: Prusso _____ Wang _____ Bueno _____ Drouin _____ Guzmán _____
NOES: Prusso _____ Wang _____ Bueno _____ Drouin _____ Guzmán _____
ABSTENTIONS: Prusso _____ Wang _____ Bueno _____ Drouin _____ Guzmán _____
ABSENT: Prusso _____ Wang _____ Bueno _____ Drouin _____ Guzmán _____

Clerk of the Board of Education, Livermore Valley
Joint Unified School District of Alameda County and
Contra Costa County, State of California

LIVERMORE VALLEY JOINT UNIFIED SCHOOL DISTRICT

Report to the Board of Education

2023/24 Annual Public Report of Developer Fees

Government Code 66006 requires school districts collecting developer fees to make an annual account of those fees available to the public by December 30, 2024. Below are the requirements of the accounting:

A. A brief description of the type of fee in the Fund:

The Reportable Fees of the School District for fiscal year ending June 30, 2024 consist of Statutory School Fees (also commonly referred to as “Level 1 Fees”). Statutory School Fees are collected by the School District, pursuant to Education Code Section 17620 and Government Code Section 65995, from new residential and commercial/industrial development.

B. Amount of Fee:

Tier I Developer Fees

July 1, 2023 – June 30, 2024

\$4.79 per square foot of assessable space of residential construction

\$0.78 per square foot of covered and enclosed space of commercial/industrial construction

C. Beginning and Ending Fund Balance for Fiscal Year 2023/24:

	Level I Developer Fees
Beginning Balance	\$ 504,150
Ending Balance	\$ 579,053

D. Revenue:

The following table shows the amount of fees collected, the interest earned, and other revenue adjustments for the Fiscal Year 2023/24.

	Level I Developer Fees
Funds collected	\$ 620,681
Interest earned	\$ 15,905
Fair Market Value Adjustment for Cash in County Treasury	\$ 5,950

E. Expenditures:

An identification of each public improvement on which the 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.

Level I Developer fees were spent as follows:

Site	Cost	Project Description	Percentage of Project Paid by Developer Fees
Jackson Elementary	\$ 4,020	TK Classroom Upgrades	100%
Sunset Elementary	\$ 36,414	Portable Lease	100%
Junction K-8	\$ 55,232	Portable Lease	100%
Granada High School	\$ 100,315	Portable Lease	100%
Districtwide	\$ 362,319	Facility and Safety Upgrades	100%
Administrative	\$ 9,334	Justification Study, Legal Services	100%
Total	\$ 567,633		100%

- F. Incomplete Projects Funded with Developer Fee Revenue:** 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 paragraph (2) subdivision (a) of section 66001, and the public improvement remains incomplete.

The District has determined that for fiscal year 2023/24, Reportable Fees and other sources of funding were not sufficient to complete the financing of any incomplete projects.

- G. Interfund Transfers & Loans:** 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.

No interfund transfer or loans were made in fiscal year 2023/24.

- H. Refunds & Allocations:** The amount of refunds made pursuant to subdivision (e) of section 66001 and any allocations pursuant to subdivision (f) of section 66001.

No refunds or allocations under the specified statutes have been made.

Five Year Financial Report

Government Code 66001 requires that for the fifth fiscal year following the first deposit into the account or fund, and every five years thereafter, 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:

a) Identify the purpose to which the fee is to be put.

The purpose of the Reportable Fees imposed and collected on new residential and commercial/industrial development within the School District was to fund the additional school facilities required to serve students generated by new development within the School District. Specifically, the Reportable Fees will be used for the construction, expansion, modernization and/ or acquisition of additional School Facilities, furnishing and equipping such facilities, as well as acquiring and installing additional portable classrooms to accommodate students, as well as their subsequent replacement.

b) Demonstrate a reasonable relationship between the fee and the purpose for which it is charged.

As shown in the June 2024 Developer Fee Justification Study, there is a reasonable relationship between the development upon which the Developer Fees are charged and the need for additional school facilities for additional students generated by additional development within the District. Furthermore, the Developer Fees charged on development will be used to fund school facilities, which will be used to serve the students generated from development.

c) Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements identified in paragraph (2) of subdivision (a).

See table below under item (d) below.

d) Designate the approximate dates on which the funding referred to in subparagraph (c) is expected to be deposited into the appropriate account or fund.

Source of Funding	Amount of Funding	Approximate Date Funding is Expected
Existing Developer Fees	\$579,053	FY 2024
Anticipated Developer Fees	\$500,000	FY 2025
State Matching Funds	\$16,245,000	FY 2025