



## LEMOORE UNION HIGH SCHOOL DISTRICT

5 Powell Ave., Lemoore CA, 93245

**To: Lemoore Union High School District Board of Trustees**  
**From: Mark Howard**  
**Date: October 26, 2017**  
**Subject: 16-17 Developer Fee Annual Accounting Report**

### **Background:**

Government Code sections 66001(d) and 66006(b) require this District to make an annual accounting of the Capital Facilities 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. Included in that report are the following:

- (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 the interest earned.
- (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.
- (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 paragraph (2) of subdivision (a) of Section **66001**, 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.
- (H) The amount of refunds made pursuant to subdivision (e) of Section **66001** and any allocations pursuant to subdivision (f) of Section **66001**.

### **Financial Impact:**

There is no financial impact associated with the approval of this item.

### **Recommendation:**

Approve the developer fee report and resolution.

RESOLUTION No. 17-30  
RESOLUTION OF THE GOVERNING BOARD OF THE  
LEMOORE UNION HIGH SCHOOL DISTRICT  
REGARDING ACCOUNTING OF DEVELOPMENT FEES  
FOR THE 2016-2017 FISCAL YEAR  
IN THE FOLLOWING FUND OR ACCOUNT:  
2500-CAPITAL FACILITIES FUND  
(Government Code sections 66001(d) & 66006(b))

**1. Authority and Reasons for Adopting this Resolution.**

- A. This District levied school facilities fees pursuant to various resolutions, the most recent of which is dated April 27, 2017 and is referred herein as the “School Facilities Fee Resolution” and is hereby incorporated by reference into this Resolution. Those 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: 2500-Capital Facilities 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 27, 2017, that this information be reviewed by this Board at its 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 the Board that a draft copy of this resolution (along with Exhibits A and B which are hereby incorporated by reference into this Resolution) was made available to the public on October 5, 2017. 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 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 2015-2016 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);
- C. In reference to Government Code section 66001(d)(1), and with respect only to that portion of the Fund remaining unexpended at the end of the 2016-2017 Fiscal Year, the purpose of the fees is to finance the construction or reconstruction of school facilities necessary to reduce overcrowding caused by development on which the fees were levied, which facilities are more specifically identified in Exhibit B;
- D. In reference to Government Code section 66001(d)(2), and with respect only to that portion of the Fund remaining unexpended at the end of the 2016-2017 Fiscal Year, the findings and evidence referenced above demonstrate that there is a reasonable relationship between the fees and the purpose for which it is charged;
- E. In reference to Government Code section 66001(d)(3), and with respect only to that portion of the Fund remaining unexpended at the end of the 2016-2017 Fiscal Year, all of the sources and amounts of funding anticipated to complete financing in any incomplete improvements identified as the use to which the fees are to be put is identified in Exhibit B;
- F. In reference to Government Code section 66001(d)(4), and with respect only to that portion of the Fund remaining unexpended at the end of the 2016-2017 Fiscal Year, the approximate dates on which the funding referred to in paragraph e above is expected to be deposited into the approximate account or fund is designated in Exhibit B; and
- G. In reference to the last sentence of Government Code section 66006(d), because all of the findings required by that subdivision have been made in the fees that were levied in paragraphs c-f above, the District is not required to refund any moneys in the Fund as provided in Government Code section 66001(e).

## **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, Guadalupe Solis, President of the Governing Board of the Lemoore Union High School District of Kings 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 26<sup>th</sup> day of October, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

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President, Board of Trustees  
Lemoore Union High School District  
Kings County, California

EXHIBIT A  
TO RESOLUTION REGARDING  
ACCOUNTING OF DEVELOPMENT FEES  
FOR FISCAL YEAR 2016-2017  
FOR THE FOLLOWING FUND OR ACCOUNT:  
2500-CAPITAL FACILITIES FUND (the "Fund")

Per Government Code section 66006(b)(1)(A)-(H) as indicated:

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

Level 1/Level 2 school facilities fees.

- B. The amount of the fee.

The Lemoore Union High School District levied \$1.80 per square foot of assessable space of residential construction and \$.22 per square foot of commercial/industrial construction from 07/01/16-04/30/17. From 05/01/17-06/30/17, the Lemoore Union High School District levied \$1.47 per square foot of assessable space of residential construction and \$.22 per square foot of commercial/industrial construction. It should be noted that the elementary school districts also levy a school facilities fee in addition to the High School's based on its own School Facilities Needs Analysis.

- C. The beginning and ending balance of the Fund

See Attachment 1.

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

See Attachment 1.

- 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.

See Attachment 1.

- 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 paragraph (2) subdivision (a) of section 66001, and the public improvement remains incomplete:

Sufficient funds have not been collected.

- 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:

See Attachment 1.

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

N/A. No refunds or allocations were made pursuant to subdivision (e) or (f) of section 66001.

EXHIBIT B  
TO RESOLUTION REGARDING  
ACCOUNTING OF DEVELOPMENT FEES  
FOR FISCAL YEAR 2016-2017  
FOR THE FOLLOWING FUND OR ACCOUNT:  
2500-CAPITAL FACILITIES FUND (the "Fund")

Per Government Code section 66001(d)(1)-(4) as indicated:

- A. With respect to only the portion of the Fund remaining unexpended at the end of the 2016-2017 Fiscal Year, the purpose of the fees is to finance the construction or reconstruction of school facilities necessary to reduce overcrowding caused by the development on which the fees were levied, which facilities are more specifically identified as follows:
1. Reconstruction of LHS main building classrooms associated with the relocation of the District Office
  2. Construction of new classroom spaces in accordance with the Facility Master Plan
- B. See section 3.D of the resolution.
- C. With respect to only the portion of the Fund remaining unexpended at the end of the 2016-2017 Fiscal Year, the sources and amounts of funding anticipated to complete financing in any incomplete improvements identified in paragraph A above are as follows:
1. Previously issued certificates of participation estimated at \$155,000 annually in support of Reconstruction of LHS main building classrooms.
  2. Anticipate using \$650,000 of developer fees in support of a \$2 million project to build new classroom spaces in accordance with the Facility Master Plan. Local GO Bond funds will make up the difference.
- D. With respect to only the portion of the Fund remaining unexpended at the end of the 2016-2017 Fiscal Year, the following are the approximate dates on which the funding referred to in paragraph C above is expected to be deposited into the appropriate account of fund:

Previously issued certificates of participation will not be satisfied until 2023.

**Attachment 1**  
**Lemoore Union High School District**

**BEGINNING BALANCE - 7/1/16** **\$ 972,355.10**

**REVENUE:**

***DESCRIPTION***

Fees 7/01/16-06/30/17	\$ 191,953.79
Interest	\$ 9,319.94
<b>TOTAL FUNDS AVAILABLE</b>	<b>\$ 1,173,628.83</b>

**EXPENSES:**

**PROJECT DESCRIPTION**

	% Funded by Fee	Project Costs	Other Sources
Certificates of Participation	100%	\$ 158,845.00	N/A
Other Services (Developer Fee Study, Master Planning,	100%	\$ 16,862.22	N/A
<b>TOTAL EXPENDITURES</b>		<b>\$ 175,707.22</b>	

**ENDING BALANCE- 6/30/17** **\$ 997,921.61**

*LUHSD Residential Fee \$1.80/Sqft (7/1/16-4/30/17)*  
*LUHSD Commercial Fee \$0.22/Sqft (7/1/16-4/30/17)*  
*LUHSD Residential Fee \$1.47/Sqft (5/1/17-6/30/17)*  
*LUHSD Commercial Fee \$0.22/Sqft (5/1/17-6/30/17)*

**Multi-Year Summary**

Year	Beginning Balance	Fees Received	Interest/Other	Expenditures	Ending Balance
2012-2013	\$ 210,473.14	\$ 369,465.11	\$ 1,895.33	\$ 168,336.35	\$ 413,497.23
2013-2014	\$ 413,497.23	\$ 605,774.02	\$ 2,081.51	\$ 319,334.14	\$ 702,018.62
2014-2015	\$ 702,018.62	\$ 241,084.05	\$ 4,626.52	\$ 171,596.10	\$ 776,133.09
2015-2016	\$ 776,133.09	\$ 387,883.38	\$ 6,108.46	\$ 197,769.83	\$ 972,355.10
2016-2017	\$ 972,355.10	\$ 191,953.79	\$ 9,319.94	\$ 175,707.22	\$ 997,921.61