

City of Cupertino
AB 1600 - Mitigation Fee Act
Annual & Five Year Report for the fiscal year ending June 30, 2016

Dept.: Community Development

Project: Below Market Rate (BMR) Housing Mitigation Fee

Local Authority:

Information on the City's BMR Housing Mitigation Fee is provided as a courtesy. The City of Cupertino has collected BMR mitigation fees from commercial and residential developments since 1992 based on nexus studies conducted at that time. On May 5, 2015, the City Council adopted Resolution 15-036, accepting three reports from Keyser Marston Associates, Inc. (KMA) Summary and Recommendations BMR Housing Mitigation Program, Non-Residential Jobs-Housing Nexus Analysis, and Residential BMR Housing Nexus Analysis) which collectively form the City's Nexus Study justifying the current residential and non-residential Housing Mitigation Fees. Per Resolution 15-036 the City Council adopted the updated BMR residential and non-residential (office, research and development, industrial, hotel, retail and commercial) Housing Mitigation Fees for purposes of this reporting year (July 1, 2015 – June 30, 2016). The fiscal year 2015-16 BMR Housing Mitigation Fee amounts are being reported below.

Voluntary Five Year Reporting & Findings Requirement:

1. The purpose of the BMR Housing Mitigation Fee is to help mitigate the need for affordable housing as a result of new residential and non-residential development within the City of Cupertino. The requirements for applicability to the BMR Housing Mitigation Fees are set forth in the City's adopted BMR Housing Mitigation Program Procedural Manual. The BMR Housing Mitigation Fee schedule is as follows:

Residential (per sq. ft.) -

Detached Single Family	\$15.48
Small Lot Single Family or Town home	\$17.03
Multi-Family Attached Town home or Condo	\$20.64
Multi-Family Apartment (1 to 35 du/ac)	\$20.64
Multi-Family Apartment (over 35 du/ac)	\$25.80

Non-Residential (Per sq.ft.) –

Office, Research & Development, Industrial	\$20.64
Hotel, Commercial or Retail	\$10.32

BMR Housing Mitigation Fees were used to fund staff and administrative time, legal and professional services, BMR housing placement services, rental mediation, contract services, Nexus Study update and a Consolidated Plan. In addition, \$3,672,000 was reserved for purchase of an affordable housing site by Charities Housing.

The fees in the BMR Fund include funds paid to the City as conditions of development agreements. Although these fees are included in the tables below, there is no requirement to prepare a five-year report regarding fees obtained through a development agreement.

Fees collected through Development Agreements:

Apple Campus 2 - Ordinance 13-2114: Resolution Approving Apple Campus 2 Development Agreement – Section 3.2 (\$5,008,050 collected)

2. A reasonable relationship exists between the BMR Housing Mitigation Fee and the purpose for which the fee was charged. The need for the BMR Housing Mitigation fees, as they were identified when the fee was enacted, remains. *See*, Keyser Marston Associates, Inc.’s Summary and Recommendations Below Market Rate Housing Mitigation Program.

Five-Year Report

Incomplete Project that Was Identified When Imposing the Fee:

Project Description	Total Estimated Cost*	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Below Market Rate Housing Mitigation fee	\$160,300,000	\$7,664,550	100%	Additional Developer Contributions State and Federal tax credits, loans and grants	<i>As projects develop/redevelop</i>	<i>Ongoing</i>	<i>Ongoing</i>

* Based on RHNA allocation and affordability gaps estimated in the nexus study: Very low income units (356) x \$241,000/unit = \$87.8 million. Low income units (207) x \$213,000/unit = \$44.1 million. Moderate income units (231) x \$123,000/unit = \$28.4 million. Total = \$160.3 million.

Annual Report**Amount of Fee:** Based on adopted Fee Schedule

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure
Balance at 7/1/2015	\$11,323,869	
Fees Collected	\$299,586 *	
Interest	\$97,840	
Expended	(\$53,908)	Staff and administration
	(\$96,279)	Legal and professional services
	(\$125,818)	Housing placement services
	(\$108,740)	Rental mediation services/contract services
Subtotal	(\$384,745)	
Refunded	0	
Reserved	(\$3,672,000)	Reserved for purchase of affordable housing site by Charities Housing
Unrestricted balance at 6/30/2016	\$7,664,550	

*- Includes funds collected by Development Agreement

Dept.: Public Works

Project: Park Dedication In-Lieu Fee

Local Authority:

City of Cupertino: Municipal Code, Chapter 13.08

Five Year Reporting & Findings Requirement:

1. The purpose of the Park Dedication Fee is to help mitigate the need for additional outdoor recreational area for new residential development within the City of Cupertino. The requirements for applicability to the Park Dedication Fees are set forth in the City’s Municipal Code, Chapter 13.08, and the fee was adopted under the provisions of the Mitigation Fee Act. The Parkland Dedication Fee is based on the fair market value of land within the City of Cupertino. Land values are appraised bi-annually, and the Park Dedication Fees are updated accordingly. Park Dedication Fees are used to fund parkland acquisitions and improvements to park and recreational facilities.

The fees in the Park Dedication table below include funds paid to the City as a condition of development agreements. Although these fees are included in the tables below, there is no requirement to prepare a five-year report regarding fees obtained through a development agreement. In addition, this table includes adopted fees imposed as a condition of development.

Fees collected through Development Agreements:

Apple Campus 2: Ordinance 13-2114: Resolution Approving Apple Campus 2 Development Agreement – Section 3.7 (\$8,270,994 collected)

2. A reasonable relationship exists between the Park Dedication Fee and the purpose for which the fee is charged, as additional parkland and facilities are needed to offset the increase in population that additional residential units impacts. The need for the Park Dedication fees, as they were identified when the fee was enacted, remains, as the City’s current park area per resident does not yet meet the park acreage standard in the Park Dedication Fee ordinance and as development continues to occur.
3. The sources and amounts of funding anticipated to complete the financing of the Park Dedication are identified below:
 - Developer Fair-Share Contributions from all projects that add residences.
4. The approximate dates on which the funding for the needed park acquisition and improvements is expected to be deposited into the appropriate account are identified in the Five-Year Report on the next page.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Lawrence-Mitty Park	\$8,270,994	\$820,491	100%	Project is fully funded	Fall 2017	Spring 2015	Summer 2019

Annual Report

Amount of Fee: Based on Fair-Market Value of land, through land appraisal

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure
Balance at 7/1/2015	\$8,809,056	
Fees Collected	\$222,375*	
Interest	\$76,720	
Expended	(\$1,241)	Staff and Administration
	(\$15,425)	Contract Services
Subtotal	(\$16,666)	
Refunded	0	
Reserved	(\$8,270,994)	Reserved for purchase and construction of Lawrence-Mitty Park
Balance at 6/30/2016	\$820,491	

*- Includes funds collected by Development Agreement and other developments

Dept.: Public Works**Project: N. Stelling/I-280 Bridge Pedestrian Lighting & Upgrades****Local Authority:**

EXC-2007-06: Condition of Approval No. 21

TM-2007-02: Condition of Approval No. 24

Five Year Reporting & Findings Requirement:

1. The purpose of the N. Stelling/I-280 Bridge Pedestrian Lighting & Upgrades fee is to enhance the pedestrian walkway along the east and west side of the North Stelling Road bridge that crosses over Interstate 280. Public facilities to be funded with the fees were described in:
 - a. Villa Serra Apartments: ASA-2007-03: Condition of Approval No. 21, dated July 13, 2007 for Architectural Site Approval (\$25,000 collected)
 - b. Las Palmas Subdivision: TM-2007-02: Condition of Approval No. 24, dated July 18, 2007 for Tentative Map Application (\$25,000 collected)
2. A reasonable relationship exists between the North Stelling fee and the purpose for which the fee was charged in that new development in the vicinity of the bridge increases pedestrian traffic across the bridge. The need for improvements to the bridge, that were identified during the review of the two projects, remains, as the bridge experiences increased pedestrian traffic due to the two projects.
3. The sources and amounts of funding anticipated to complete the financing of the bridge improvements are identified below:
 - It is anticipated that the City of Cupertino General Fund will be used to supplement revenue from fees.
4. The approximate dates on which the funding for the bridge improvements is expected to be deposited into the appropriate account are identified in the Five-Year Report below.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Pedestrian Lighting & Upgrades – N. Stelling/I280 Bridge	\$100,000	\$ 49,137	50%	Anticipated that City will fund the remaining cost of the project	<i>Fall/2017</i>	<i>Winter/2018</i>	<i>Spring/2018</i>

Annual Report

Amount of Fee: 25% Contribution to the total cost, based on estimated four projects contributing to improvement.

FY 2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date		Loans/Transfers
Balance at 7/1/2015	\$ 48,747			Amount	\$ -
Fees Collected	0		\$ 50,000	Repayment Date (est.)	na
Interest	\$390		\$2,637		
Expended	0		(\$3,500)		
Refunded	0		0		
Balance at 6/30/2016	\$ 49,137		\$ 49,137		

Dept.: Public Works**Project: De Anza/McClellan/Pacifica signal modification****Local Authority:**

TM-2002-02: Condition of Approval No. 23

Five Year Reporting & Findings Requirement:

1. The purpose of the De Anza/McClellan/Pacifica signal modification is to study and redesign the traffic signal to improve the efficiency of the intersection. Public facilities to be funded with the fees were described in:
 - a. Cupertino Town Square: TM-2002-02: Condition of Approval No. 2, dated July 15, 2003 for Tentative Map application (\$145,700 collected)
2. A reasonable relationship exists between the De Anza/McClellan/Pacifica signal modification contribution and the purpose for which the fee was charged, in that the new development introduces additional vehicular and pedestrian traffic to the intersection. The need for improvements to the intersection and the traffic signal, as they were identified during the review of the project, remains. The intersection continues to run less efficiently than other intersections in the area.
3. The sources and amounts of funding anticipated to complete financing of the intersection improvements are identified below:
 - Developer Fair-Share Contributions from other projects that contribute traffic to the intersection.
4. The approximate dates on which the funding for the bridge improvements is expected to be deposited into the appropriate account are identified below.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Traffic Signal & Intersection Improvements De Anza Blvd/McClellan Rd/Pacifica Ave	\$600,000	\$157,237	100%	Additional Developer Contributions are needed to complete the project	<i>Developer contributions obtained when adjacent properties redevelop. Anticipated Summer/2020</i>	<i>Fall/2020</i>	<i>Winter/2021</i>

Annual Report

Amount of Fee: 25% Contribution to the total cost based on estimated contribution of four projects.

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date		Loans/Transfers
Balance at 7/1/2015	\$155,989			Amount	\$ -
Fees Collected	0		\$ 145,700	Repayment Date (est.)	na
Interest	\$1,248		\$11,537		
Expended	0		0		
Refunded	0		0		
Balance at 6/30/2016	\$157,237		\$157,237		

Dept.: Public Works

Project: Monument Gateway Signs

Local Authority:

TM-2004-11: Condition of Approval No. 19

ASA-2009-08: Condition of Approval No. 16

Five Year Reporting & Findings Requirement:

1. The purpose of the Monument Gateway Signs contribution is to fund the project's fair share toward upgrading or replacing the existing gateway feature/signs at 1) Stevens Creek Blvd near Tantau Ave; 2) DeAnza Blvd near I-280 overcrossing; 3) DeAnza Blvd near Bollinger Road; and 4) install a new center island gateway sign at Stevens Creek Blvd near the Oaks shopping center. Public facilities to be funded with the fees were described in:
 - a. Oak Park Village: TM-2004-11: Condition of Approval No. 19 dated 2/16/2005 for Tentative Map application (\$25,000 collected)
 - b. Homestead Square: ASA-2009-08: Condition of Approval No. 16 dated May 6, 2010 for Architectural Site Approval (\$10,000 collected)
2. A reasonable relationship exists between the Gateway Monument Signs and the purpose for which the fee was charged, in that new developments are in the vicinity of one of the proposed sign locations. The entire project was estimated at \$100,000, and the projects provided a fair share contribution towards the overall cost. The need for improvements to the Gateway Monument Signs, as they were identified during the review of the projects, still remains.
3. The sources and amounts of funding anticipated to complete financing of the gateway monument improvements are identified below:
 - Developer Fair-Share Contributions from other projects in the vicinity of the signs.
4. The approximate dates on which the funding for the Gateway Monument Sign improvements is expected to be deposited into the appropriate account are identified on the next page:

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Monument Gateway Signs at four locations	\$100,000	\$ 37,405	100%	Additional Developer Contributions are needed to complete the project	<i>Developer contributions obtained when adjacent properties redevelop.</i>	<i>Fall/2020</i>	<i>Winter/2021</i>
Completed: Stevens Creek Blvd. near Tantau Ave (as a project condition of Main Street)	(\$25,000)				<i>Anticipated Summer/2020</i>		
Remaining project cost	\$75,000						

Annual Report

Amount of Fee: Contribution based on proximity of the proposed sign location

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date	Loans/Transfers
Balance at 7/1/2015	\$ 37,108		Amount	\$ -
Fees Collected	0		\$ 35,000	Repayment Date (est.)
Interest	\$297		\$2,405	
Expended	0		0	
Refunded	0		0	
Balance at 6/30/2016	\$ 37,405		\$ 37,405	

Dept.: Public Works**Project: DeAnza/Homestead southbound right-turn lane upgrade****Local Authority:**

Sunnyvale Town Center – Environmental Impact Report

Five Year Reporting & Findings Requirement:

1. The purpose of the DeAnza/Homestead southbound right turn lane upgrade fee is to contribute the project's fair share toward the study, design and construction of right-of-way improvements at the intersection of DeAnza Blvd and Homestead Road. Public facilities to be funded with the fees were described in:
 - a. Sunnyvale Town Center Environmental Impact Report (\$75,924 collected)
2. A reasonable relationship exists between the DeAnza/Homestead southbound right turn lane upgrade and the purpose for which the fee was charged, in that traffic generated by the development has an impact to the intersection. The Environmental Impact Report assessed the impact the development had to the intersection and compared the project's impact to the estimated cost of \$333,000. The need for improvements to the intersection, as they were identified during the review of the project, remains. The Sunnyvale Town Center and further growth in the area continues to impact the intersection.
3. The sources and amounts of funding anticipated to complete the improvements are identified below:
 - Apple Campus 2 project will complete the funding and the construction of the improvement. The contribution provided by the Sunnyvale Town Center development will be utilized in the completion of this work.
4. The approximate dates on which the funding for the intersection improvements is expected to be deposited into the appropriate account are identified below.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
DeAnza/ Homestead southbound right turn land upgrade	\$333,000	\$77,311	100%	Apple Campus 2 to provide remaining funds and construct the project.	Fall/2016	Winter/2017	Spring/2017

Annual Report

Amount of Fee: Based on project impact as shown in EIR. \$75,924 from Sunnyvale Town Center; remainder from Apple 2 campus.

FY 2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date		Loans/Transfers
Balance at 7/1/2015	\$76,697			Amount	\$ -
Fees Collected	0		\$75,924	Repayment Date (est.)	na
Interest	\$614		\$1,387		
Expended	0		0		
Refunded	0		0		
Balance at 6/30/2016	\$77,311		\$77,311		

Dept.: Public Works**Project: Stevens Creek Blvd. and Bandle Drive Signal Improvements****Local Authority:**

ASA-2011-12: Condition of Approval No. 43

Five Year Reporting & Findings Requirement:

1. The purpose of the Stevens Creek Blvd and Bandle Drive Traffic Signal Improvement fee is to partially fund upgrades to the traffic signal in order to improve the efficiency of the intersection. Public facilities to be funded with the fees were described in:
 - a. Cupertino Crossroads: ASA-2011-12: Condition of Approval No. 43 dated November 17, 2011 for Architectural Site Approval (\$25,000 collected)
2. A reasonable relationship exists between the Stevens Creek Blvd. and Bandle Drive Signal Improvements fee and the purpose for which the fee was charged, in that the new development has a driveway that connects directly to the signalized intersection and the development will introduce additional vehicular and pedestrian traffic to the intersection. The need for the improvements to the intersection, which were identified during the review of the project, remains.
3. The sources and amounts of funding anticipated to complete financing of the signal upgrades improvements are identified below:
 - Developer Fair-Share Contributions from other projects in the vicinity of the intersection.
4. The approximate dates on which the funding for the signal improvements is expected to be deposited into the appropriate account are identified below.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Stevens Creek Blvd and Bandle Drive Signal Improvements	\$185,000	\$ 25,404	100%	Additional Developer Contributions are needed to complete the project	Fall/2017	Spring/2018	Summer/2018

Annual Report

Amount of Fee: Contribution from expected nearby developments, based on estimated addition of traffic to intersection.

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date	Loans/Transfers
Balance at 7/1/2015	\$25,202			Amount \$ -
Fees Collected	0		\$ 25,000	Repayment Date (est.) na
Interest	\$202		\$404	
Expended	0		0	
Refunded	0		0	
Balance at 6/30/2016	\$ 25,404		\$ 25,404	

Dept.: Public Works**Project: Traffic Calming along Rodrigues Ave. and Pacifica Dr.****Local Authority:**

TM-2002-02: Condition of Approval No. 21

Five Year Reporting & Findings Requirement:

1. The purpose of the Traffic Calming along Rodrigues Ave. and Pacifica Dr. fee is to construct traffic calming measures to offset the project traffic along Rodrigues Ave. and Pacifica Dr. Public facilities to be funded with the fees were described in:
 - a. Cupertino Town Center: TM-2002-02: Condition of Approval No. 21 dated July 15, 2003 for Tentative Map application (\$40,000 collected).
2. A reasonable relationship exists between the Traffic Calming along Rodrigues Ave and Pacifica Dr. fee and the purpose for which the fee was charged, in that the development in the vicinity of Rodrigues Ave. and Pacifica Dr. introduces additional traffic to these streets. The City has utilized a portion of the funds to modified striping along these streets and currently has an approved project that uses the remainder of the funds to modify the intersection of DeAnza Blvd/Rodrigues to further address traffic calming concerns.
3. Adequate funding has been collected to complete the project.
4. The approximate dates on which the funding for the improvements is expected to be deposited into the appropriate account are identified below.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Remaining Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Traffic Calming along Rodrigues Ave. and Pacifica Dr.	\$27,756	\$27,756	100%	Project is fully funded	Fall/2016	Winter/2017	Spring/2017

Annual Report

Amount of Fee: All required fees collected from Cupertino Town Center.

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date		Loans/Transfers
Balance at 7/1/2015	\$27,536			Amount	\$ -
Fees Collected	0		\$ 40,000	Repayment Date (est.)	na
Interest	\$220		\$3,756		
Expended	0		(\$16,000)		
Refunded	0		0		
Balance at 6/30/2016	\$27,756		\$27,756		

Dept.: Public Works

Project: Wolfe Road Transportation Study

Local Authority:

Ordinance 13-2114: Resolution Approving Apple Campus 2 Development Agreement – Section 3.14

Five Year Reporting & Findings Requirement:

1. The purpose of the Wolfe Road Transportation Study fee is to study the stretch of Wolfe Road near the I-280 interchange for possibilities to improve vehicular, bicycle and pedestrian traffic in the area. The majority of the fees for this study were obtained through two development agreements:
 - a. Apple Campus 2: Ordinance 13-2114: Resolution Approving Apple Campus 2 Development Agreement – Section 3.14 (\$1,000,000 collected)
 - b. The Irvine Company, LLC – Hamptons Apartments – 19500 Pruneridge Ave – Letter Agreement (memorialized in Development Agreement) between IAC at Cupertino, LLC and the City of Cupertino, dated January 19, 2016 (\$200,000 collected)

An additional contribution to the study was obtained from Cupertino Property Development – Hyatt House – 10380 Perimeter Rd: DP-2014-04: Public Works Condition of Approval No. 1, dated October 21, 2014 for Development Permit Application and in the Letter Agreement between Cupertino Property Development II, LLC and the City of Cupertino, dated December 17, 2015 (\$500,000 collected).

2. A reasonable relationship exists between the Wolfe Road Transportation Study fee and the purpose for which the fee was charged, in that the developments, in the vicinity of the intersection of Wolfe Road and I-280, introduce additional traffic to the intersection.
3. The sources and amounts of funding anticipated to complete financing of the Wolfe Road Transportation Study are to be identified by the Valley Transportation Authority. Additional studies beyond the \$1,200,000 initial study are anticipated and may include Environmental Impact Reports, Construction Drawings and other preliminary engineering studies.
4. The approximate dates on which the funding for the intersection improvements is expected to be deposited into the appropriate account are identified in the Five-Year Reporting table on the next page.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Wolfe Road Transportation Study	\$6,000,000	\$518,092	50%	To be determined by the Valley Transportation Authority (VTA)	<i>Adequate funds have been acquired by VTA to begin the Initial Study. Initial study began Spring/2016</i>	<i>Spring/2016</i>	<i>Fall/2019</i>

Annual Report

Amount of Fee: Estimated Full Cost of the Study.

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date	Loans/Transfers
Balance at 7/1/2015	\$1,004,456			Amount \$ -
Fees Collected	\$700,000		\$1,700,000	Repayment Date (est.) na
Total Interest	\$13,636		\$18,092	Interest Rate na
Expended	(\$1,200,000)		(\$1,200,000)	Contract Services
Refunded	0		0	
Balance at 6/30/2016	\$518,092		\$518,092	

\$1,200,000 of the funds have been encumbered for the initial study led by Valley Transportation Authority.

Dept.: Public Works**Project: Traffic Mitigation at Homestead Rd and Lawrence Expressway****Local Authority:**

TM-2012-04: Condition of Approval No. 87

Five Year Reporting & Findings Requirement: Provided for information only. Five years have not elapsed since initial deposit.

1. The purpose of the Traffic Mitigation at Homestead Rd and Lawrence Expressway fee is to fund improvements to the intersection in order to address traffic impacts from the project. Public facilities to be funded with the fees were described in:
 - a. Main Street Cupertino: TM-2012-04: Condition of Approval No. 87, dated September 20, 2012 for Tentative Map application (\$400,000 collected)
2. A reasonable relationship exists between the Traffic Mitigation at Homestead Rd and Lawrence Expressway fee and the purpose for which the fee was charged, in that the development, in the vicinity of the intersection, introduces additional traffic to the intersection. The County of Santa Clara has estimated a cost to upgrade the intersection, and the Environmental Impact Report assessed a fair share contribution from the project to address its portion of the impact. The need for improvements to the intersection, as they were identified during the review of the project, remains.
3. The sources and amounts of funding anticipated to complete financing of the intersection improvements are to be identified by the County of Santa Clara.
4. The approximate dates on which the funding for the intersection improvements is expected to be deposited into the appropriate account are identified below.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Traffic Mitigation at Homestead Rd and Lawrence	\$4,000,000	\$404,997	100%	To be determined by the County of Santa Clara	<i>When adequate funds have been acquired by the County</i>	<i>Fall/2019</i>	<i>Summer/2020</i>

Expressway
Bridge

*to begin the
project.
Anticipated
Summer/
2019*

Annual Report

Amount of Fee: Based on Fair-Share Contribution assessed by Environmental Impact Report

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date		Loans/Transfers
Balance at 7/1/2015	\$401,783			Amount	\$ -
Fees Collected	0		\$400,000	Repayment Date (est.)	na
Interest	\$3,214		\$4,997		
Expended	0		0		
Refunded	0		0		
Balance at 6/30/2016	\$404,997		\$404,997		

Dept.: Public Works**Project: Traffic Calming to Mitigate Impacts from Main Street Cupertino****Local Authority:**

TM-2012-04: Condition of Approval No. 93

Five Year Reporting & Findings Requirement: Provided for information only. Five years have not elapsed since initial deposit.

1. The purpose of the Traffic Calming to Mitigate Impacts from Main Street Cupertino fee is to help mitigate traffic impacts in the adjacent neighborhoods resulting from the project, for a period of 5 years following project occupancy. Public facilities to be funded with the fees were described in:
 - a. Main Street Cupertino: TM-2012-04: Condition of Approval No. 93 dated 9/20/2012 for Tentative Map application (\$100,000 collected).
2. A reasonable relationship exists between the Traffic Calming fee and the purpose for which the fee was charged, in that the development introduces additional traffic to the surrounding neighborhoods. The City will utilize the funds as needed to address traffic impacts to the surrounding neighborhoods, for a period of 5-years after occupancy.
5. The sources and amounts of funding anticipated to complete financing of the traffic calming mitigations were collected with the project (\$100,000).
3. The approximate dates on which the funding for the improvements is expected to be deposited into the appropriate account are identified below.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Traffic Calming along Rodrigues Ave. and Pacifica Dr.	\$101,250	\$101,250	100%	Project fully funded	<i>Fees have been collected. Anticipated initiation of project is Summer/2017</i>	<i>Fall/2017</i>	<i>Summer/2022</i>

Annual Report**Amount of Fee:** Estimated Full Cost of the Study and potential improvements.

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date		Loans/Transfers
Balance at 7/1/2015	\$100,446			Amount	\$ -
Fees Collected	0		\$100,000	Repayment Date (est.)	na
Interest	\$804		\$1,250		
Expended	0		0		
Refunded	0		0		
Balance at 6/30/2016	\$101,250		\$101,250		

Dept.: Public Works

Project: Creek Trail Improvements along Calabazas Creek

Local Authority:

TM-2012-04: Condition of Approval No. 47

Five Year Reporting & Findings Requirement: Provided for information only. Five years have not elapsed since initial deposit.

1. The purpose of the Creek Trail Improvements along Calabazas Creek contribution is to administer a creek trail plan, the necessary approvals and improvements for a new trail along Calabazas Creek from Vallco Parkway to Interstate 280. Public facilities to be funded with the fees were described in:
 - a. Main Street Cupertino: TM-2012-04: Condition of Approval No. 47 dated September 20, 2012 for Tentative Map application (\$65,000 collected)
2. A reasonable relationship exists between the Creek Trail Improvements along Calabazas Creek Fee and the purpose for which the fee was charged in that development in the vicinity of the proposed creek trail introduces additional pedestrian traffic to the area, causing the need to provide additional and alternative means of pedestrian access and recreation to new residents and visitors to the development. The need for a new creek trail, as it was identified during the review of the project, remains.
3. The sources and amounts of funding anticipated to complete financing of the project are identified below:
 - Developer Fair-Share Contributions from other projects in the vicinity of the proposed creek trail location
4. The approximate dates on which the funding for the bridge improvements is expected to be deposited into the appropriate account are identified in the Five-Year Report on the next page.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Creek Trail Improvements along Calabazas Creek	\$195,000	\$65,813	100%	Additional Developer Contributions are needed to complete the project	<i>Developer contributions obtained when adjacent properties redevelop. Anticipated Summer/2020</i>	<i>Spring/2021</i>	<i>Summer/2021</i>

Annual Report

Amount of Fee: Contribution equivalent to 1/3 of the estimated cost of creek trail plan

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date	Loans/Transfers
Balance at 7/1/2015	\$ 65,291		Amount	\$ -
Fees Collected	0		\$ 65,000	Repayment Date (est.) na
Interest	\$522		\$813	
Expended	0		0	
Refunded	0		0	
Balance at 6/30/2016	\$ 65,813		\$65,813	

Dept.: Public Works**Project: Parking Conversion Fund along Vallco Parkway****Local Authority:**

TM-2012-04: Condition of Approval No. 67

Five Year Reporting & Findings Requirement:

1. The purpose of the Parking Conversion Fund along Vallco Parkway is to enable the City to convert the angled parking spaced along the south side of Vallco Parkway to parallel parking spaces and an additional east-bound traffic lane. Public facilities to be funded with the fees were described in:
 - a. Main Street Cupertino: TM-2012-04: Condition of Approval No. 67 dated 9/20/2012 for Tentative Map application (\$450,000 collected)
2. A reasonable relationship exists between the Parking Conversion Fund along Vallco Parkway and the purpose for which the fund was collected in that new development is adjacent to this section of Vallco Parkway, and the development reduced the number of east-bound lanes a part of their project. The Fund will permit the City to reestablish the east-bound lane that was lost, due to the development, should it be found that the additional lane is necessary to serve the public. The fund is based on the estimated cost to perform the work. The need for the funds, that were identified when the funds was imposed, remain, as the development project has not yet been completed, and the full impact of traffic to this portion of road has not yet materialized.
3. The sources and amounts of funding anticipated to complete financing of the conversion were collected with the project (\$450,000).
4. The approximate dates on which the funding for the conversion is expected to be deposited into the appropriate account are identified below.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Parking Conversion Fund along Vallco Parkway	\$450,000	\$455,622	100%	No additional funds needed at this time.	<i>Fees have been collected. Anticipated initiation of project is Summer/2017</i>	<i>Fall/2017</i>	<i>Summer/2022</i>

Annual Report**Amount of Fee:** Estimated Full Cost of the potential improvements.

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date		Loans/Transfers
Balance at 7/1/2015	\$452,006			Amount	\$ -
Fees Collected	0		\$450,000	Repayment Date (est.)	na
Interest	\$3,616		\$5,622		
Expended	0		0		
Refunded	0		0		
Balance at 6/30/2016	\$455,622		\$455,622		

Dept.: Public Works**Project: Funding of Neighborhood Cut-through Traffic and Parking Intrusion Monitoring****Local Authority:**

TM-2011-03: Condition of Approval No. 49

Five Year Reporting & Findings Requirement: Provided for information only. Five years have not elapsed since initial deposit.

1. The purpose of the Funding of Neighborhood Cut-through Traffic and Parking Intrusion Monitoring Fee is to monitor and address traffic and parking intrusion, in neighborhoods adjacent to the project site, due to the practices of employees who will work at the project site. Public facilities to be funded with the fees were described in:
 - a. Apple Campus 2: Ordinance 13-2114: Resolution Approving Apple Campus 2 Development Agreement – Section 3.13 and TM 2011-03: Condition of Approval No. 49 dated 10/15/2013 for Tentative Map Application (\$850,000 collected)
2. A reasonable relationship exists between the Funding of Neighborhood Cut-through Traffic and Parking Intrusion Monitoring fee and the purpose for which the fee was charged in that the traffic from the development, for which the fee is to be used to monitor, has not yet materialized because the development is still under construction. The City will begin monitoring activities in the fall of 2016. The \$850,000 fee was based on an estimate of the cost to perform the monitoring and make minor modifications to address traffic and parking intrusion concerns. The need for traffic and parking intrusion monitoring, as it was identified during the review of the project, remains. The traffic, for which the fees are to be used to monitor, has not yet materialized.
3. The sources and amounts of funding anticipated to complete monitoring and improvements were collected with the project (\$850,000).
4. The approximate dates on which the funding for the monitoring is expected to be deposited into the appropriate account are identified below.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Funding of Neighborhood Cut-through Traffic and Parking Intrusion Monitoring	\$850,000	\$860,617	100%	No additional funds needed at this time.	Winter/2017	Spring/2017	Winter/2020

Annual Report

Amount of Fee: Estimated Full Cost of the Study and potential improvements.

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date		Loans/Transfers
Balance at 7/1/2015	\$853,787			Amount	\$ -
Fees Collected	0		\$850,000	Repayment Date (est.)	na
Interest	\$6,830		\$10,617		
Expended	0		0		
Refunded	0		0		
Balance at 6/30/2016	\$860,617		\$860,617		

Dept.: Public Works**Project: Implement a Traffic-Adaptive Traffic Signal System along De Anza Blvd****Local Authority:**

TM-2011-03: MitigationTRANS-13c

Five Year Reporting & Findings Requirement: Provided for information only. Five years have not elapsed since initial deposit.

1. The purpose of the Traffic-Adaptive Traffic Signal System along De Anza Blvd fee is to implement traffic-adaptive technology to the traffic signals along DeAnza Blvd within the jurisdiction of the City of Cupertino. Public facilities to be funded with the fees were described in:
 - a. Apple Campus 2: Ordinance 13-2114: Resolution Approving Apple Campus 2 Development Agreement – Section 3.13 and TM-2011-03: Mitigation TRANS-13c, dated 10/15/2013 for Tentative Map application (\$50,000 collected)
2. A reasonable relationship exists between the traffic-adaptive traffic signal system along De Anza Blvd fee and the purpose for which the fee was charged in that new development will introduce additional traffic to DeAnza Boulevard, and more efficient traffic signal timing will be needed to address the additional traffic. The fee was based on a fair-share contribution of the estimated total cost to install the traffic-adaptive technology. The need for traffic-adaptive technology, as it was identified during the review of the project, remains.
3. The sources and amounts of funding anticipated to complete the traffic-adaptive technology upgrades will be provided through fair-share contributions from other developers that impact the corridor.
4. The approximate dates on which the funding for the traffic adaptive technology is expected to be deposited into the appropriate account are identified below.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Traffic-Adaptive Traffic Signal System along De Anza Blvd	\$250,000	\$50,625	100%	Fair share contributions from other developers that impact the corridor	<i>Developer contributions obtained when adjacent properties redevelop. Anticipated Summer/2020</i>	<i>Fall/2020</i>	<i>Winter/2021</i>

Annual Report

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date		Loans/Transfers
Balance at 7/1/2015	\$ 50,223			Amount	\$ -
Fees Collected	0		\$ 50,000	Repayment Date (est.)	na
Interest	\$402		\$625		
Expended	0		0		
Refunded	0		0		
Balance at 6/30/2016	\$ 50,625		\$50,625		

Dept.: Public Works

Project: Interstate 280/Junipero Serra Channel Trail Improvements

Local Authority:

TM-2011-03: Mitigation PLAN-3

Five Year Reporting & Findings Requirement: Provided for information only. Five years have not elapsed since initial deposit.

1. The purpose of the Interstate 280/Junipero Serra Channel Trail Improvements fee is to partially fund a feasibility study for a new trail along I-280/Junipero Serra Channel from N. De Anza Blvd to Calabazas Creek. Public facilities to be funded with the fees were described in:
 - a. Apple Campus 2: Ordinance 13-2114: Resolution Approving Apple Campus 2 Development Agreement – Section 3.13 and TM-2011-03: Mitigation PLAN-3, dated 10/15/2013 for Tentative Map application (\$250,000 collected)
 - b. Cupertino Property Development – Hyatt House – 10380 Perimeter Rd: DP-2014-04: Condition of Approval No. 21, dated October 21, 2014, for Development Permit application (\$66,000 collected).
2. A reasonable relationship exists between the I-280/Junipero Serra Channel Trail Improvements fee, and the purpose for which the fee was charged, in that the development in the vicinity of the proposed trail will introduce additional pedestrian and bicycle traffic between the new campus and the existing campus, causing the need to provide additional and alternative routes between the developments. The need for a new trail study, as it was identified during the review of the project, remains, as the study has not yet completed.
3. The sources and amounts of funding anticipated to complete financing of the study are identified below:
 - Developer Fair-Share Contributions from other projects in the vicinity of the proposed trail location.
4. The approximate dates on which the funding for the bridge improvements is expected to be deposited into the appropriate account are identified on the next page.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Interstate 280/Junipero Serra Channel Trail Improvements	\$500,000	\$319,650	100%	Additional Developer Contributions are needed to complete the project	<i>Developer contributions obtained when adjacent properties redevelop. Anticipated Summer/2018</i>	<i>Fall/2018</i>	<i>Winter/2019</i>

Annual Report

Amount of Fee: Contribution equivalent to approximately 60% of the estimated cost of implementation

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date	Loans/Transfers
Balance at 7/1/2015	\$251,113			Amount \$ -
Fees Collected	\$66,000		\$ 316,000	Repayment Date (est.) na
Interest	\$2,537		\$3,650	
Expended	0		0	
Refunded	0		0	
Balance at 6/30/2016	\$319,650		\$319,650	

Dept.: Public Works

Project: Contribution towards Planned Transportation Project

Local Authority:

TM-2011-03: Mitigation TRANS-22

Five Year Reporting & Findings Requirement: Provided for information only. Five years have not elapsed since initial deposit.

1. The purpose of the Planned Transportation Project fair-share contribution is to fund planned transportation project that would improve traffic operation of the impacted freeway segments and provide added transportation capacity on other freeway facilities. Public facilities to be funded with the fees were described in:
 - a. Apple Campus 2: Ordinance 13-2114: Resolution Approving Apple Campus 2 Development Agreement – Section 3.13 and TM-2011-03: Mitigation TRANS-22, dated 10/15/2013 for Tentative Map application (\$1,292,215 collected)
2. A reasonable relationship exists between the Planned Transportation Project fair-share contribution and the purpose for which the fee was charged, in that development will introduce additional traffic to freeways in the surrounding areas. Valley Transit Authority has established guidelines for estimating fair-share contributions for these types of impacts, and the established fee for this project conforms to those guidelines. The need remains for improvements to the surrounding freeways, as they were identified during the review of the project. The needed improvements have not yet been completed. Below is a list of the Planned Transportation Projects:
 - Eliminating the existing bottleneck on southbound I-280 between El Monte Road and Magdalena Avenue.
 - SR 85 Express Lane project (converting the existing HOV lane to a toll lane to allow single occupant vehicles to drive in the HOV lane for a fee) between Mountain View and San Jose.
 - Either the Bus Rapid Transit (BRT) stations proposed within Cupertino, or an alternative improvement or study towards the improvement of the impacted I-280 corridor or a parallel corridor that would provide capacity.
3. The sources and amounts of funding anticipated to complete financing of the necessary improvements will be identified by Valley Transportation Authority.
4. The approximate dates on which the funding for the improvements is expected to be deposited into the appropriate account are identified on the next page.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Planned Transportation Project fair-share contribution	To be identified by VTA	\$1,270,139	100%	To be identified by VTA	<i>When adequate funds have been acquired by the VTA to begin the project. Anticipated Summer/ 2018</i>	<i>Fall/2018</i>	<i>Fall/2019</i>

Annual Report

Amount of Fee: Based on Fair-Share Contribution assessed by Environmental Impact Report

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date	Loans/Transfers
Balance at 7/1/2015	\$1,297,972			Amount \$ -
Fees Collected	0		\$1,292,215	Repayment Date (est.) na
Interest	\$10,384		\$16,141	
Expended	(\$38,217)		(\$38,217)	Per Agreement with VTA
Refunded	0		0	
Balance at 6/30/2016	\$1,270,139		\$1,270,139	

Dept.: Public Works**Project: Contribution towards Monta Vista Street Improvement Project****Local Authority:**

Installation Agreement – 10104 Byrne Avenue:
Santa Clara County Recorded Document 23316184, Exhibit C, Part G

Five Year Reporting & Findings Requirement: Provided for information only. Five years have not elapsed since initial deposit.

1. The purpose of the contribution toward the Monta Vista Street Improvement Project is to enable the City to construct improvements along the property frontage in conjunction with the overall Capital Improvement Project being undertaken by the City. Public facilities to be funded with City's General Fund and the contribution described in:
 - a. Installation Agreement – 10104 Byrne Ave: Santa Clara County Recorded Document 23316184, Exhibit C, Part G, dated 5/25/2016, for Building Permit Application (\$34,395 collected)
2. A reasonable relationship exists between the Monta Vista Street Improvement Project and the purpose for which the contribution was accepted, in that the development of 10104 Byrne Avenue is required to construct the improvements as a condition of the Building Permit, per Cupertino Municipal Code Section 14.04. The contribution was accepted by the City in order to allow the developer to share in the construction cost savings that a larger project, such as the City's Capital Improvement Project, offers.
3. The sources and amounts of funding anticipated to complete financing of the Monta Vista Street Improvement Project are anticipated to be funded by the Cupertino General Fund.
4. The approximate dates on which the funding for the improvements is expected to be deposited into the appropriate account are identified below.

Five-Year Report**Incomplete Project that Was Identified When Imposing the Fee:**

Project Description	Total Estimated Cost	Fund Balance 6/30/2016	% Expected to be Funded by Fees	Sources and Amounts of Funding Anticipated to Complete the Project	Estimated Date for Funding to be Deposited in Fund	Estimated Beginning Date	Estimated Completion Date
Monta Vista Street Improvement Project	\$1,880,000	\$34,441	2%	Cupertino General Fund is anticipated to complete project funding	Summer/2018	Winter/2019	Spring/2019

Annual Report**Amount of Fee:** Based on Fair-Share Contribution assessed by engineer's cost estimate

FY2015-16

Trust Fund Activity	Fiscal Year	Purpose of Expenditure	Inception To Date	Loans/Transfers
Balance at 7/1/2015	0		Amount	\$ -
Fees Collected	\$34,395		\$34,395	Repayment Date (est.) na
Interest	\$46		\$46	
Expended	0		0	
Refunded	0		0	
Balance at 6/30/2016	\$34,441		\$34,441	