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April 17, 2024

The Honorable Schiavo
California State Capitol
1021 O Street
Sacramento, CA 95814

**Re: AB 1820 (Schiavo): Housing development projects: applications: fees and exactions
Notice of Oppose unless amended**

Dear Assembly Member Schiavo:

We write today on behalf of the Cities Association of Santa Clara County (CASCC), a Joint Powers Authority, an association of fourteen cities of the county and the elected representatives of more than 1.8 million Bay Area residents. Since 1990, the city representatives have been gathering to discuss and find consensus and solutions for regional issues. The cities of our association are diverse and include cities of a few thousand people and a city of a million people.

On Thursday, April 11, the CASCC Board of Directors, at the recommendation of the Legislative Action Committee (LAC), voted to respectfully oppose Assembly Bill 1820 unless it is amended to address our concerns. AB 1820 as currently drafted would require all local agencies to provide within 20 days of a request by a developer, an itemized list and the total sum of all fees and exactions for a proposed development project during the preliminary application process.

We support the intent of the legislature to improve the transparency, predictability, and governance of impact fees, while preserving the ability to fund public facilities and other infrastructure in a manner flexible enough to meet the needs of California's varied and diverse communities, regardless of whether they are small or large, rural or urban.

Since 2022, cities, counties, and special districts have been required to post fee schedules on their websites via Government Code Section 65940.1. In addition, fee schedules are a public record and are easily available upon request. The fee schedule lists the standard generally applicable fees for a specific project type that are common across all similar projects in a jurisdiction; however, it does not account for project-specific fees or CEQA mitigation measures which cannot be estimated during a preliminary application process. Project-specific fees vary on a project-by-project basis and cannot be determined before the project is fully designed and approved. Additionally, if the intent of AB 1820 is to provide an estimate of all fees associated with a specific development project, 20 days is not nearly enough time for local governments to estimate and provide the necessary materials to the project applicant. Finally, we are concerned that local governments would be unable to charge fees after the preliminary application process, which is concerning as fees may differ from the preliminary estimate as

construction begins to address necessary local infrastructure upgrades due to a new development project proposal.

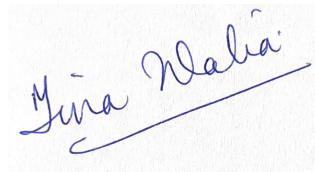
Given the concerns listed above CASCSC must respectfully oppose unless amended AB 1820. To help address our concerns, the measure should specify that it would only apply to standardized general fees known at the time of the preliminary application and not apply to project-specific fees. Additionally, the measure should consider extending the 20-day deadline to 30 business days instead. Finally, local governments need protections that the estimated fees and exactions are nonbinding and should be granted the authority to cover the cost of services provided by the local government for a new development project. Without these fees, local jurisdictions will be unable to provide the needed services.

For these reasons, the CASCSC opposes AB 1820 unless amended.

Sincerely,

A handwritten signature in black ink, appearing to read 'Neysa Fligor', with a stylized, cursive script.

Neysa Fligor
President, Cities Association of Santa Clara Co.
Councilmember, City of Los Altos

A handwritten signature in blue ink, appearing to read 'Tina Walia', with a stylized, cursive script.

Tina Walia
Chair, CASCSC Legislative Action Committee
Councilmember, City of Saratoga