

RESOLUTION NO. 2022 – ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CARLOS
ACCEPTING THE ANNUAL REPORT FOR THE YEAR ENDED JUNE 30, 2022 ON
DEVELOPMENT IMPACT FEES, REAFFIRMING THE NECESSITY FOR
DEVELOPMENT IMPACT FEES, AND MAKING FINDINGS RELATED TO
IMPACT FEE BALANCES AND IN-LIEU FEES.**

WHEREAS, Government Code Sections 66000 et seq., commonly known as the Mitigation Fee Act, regulate the imposition, collections, expenditure, and reporting of development impact fees; and

WHEREAS, Government Code Section 66006 requires that certain information be made available to the public regarding development impact fees on an annual basis; and

WHEREAS, Government Code Section 66001 requires that local agencies adopt “five-year findings” in accounting for development impact fee proceeds; and

WHEREAS, Government Code Sections 66477 et seq. regulate the imposition, collections, and expenditure of park in-lieu fees; and

WHEREAS, the City of San Carlos assesses a number of development impact fees – Traffic Impact Fee, Park Facility Development Fee, Commercial Linkage Fee, Sewer Capacity Charge, and the Silicon Valley Clean Water (SVCW) Sewer Connection Pass-through Fee; and

WHEREAS, the City of San Carlos also collects a number of in-lieu fees - Park Land Dedication In-Lieu Fee, Affordable Housing In-Lieu Fee, and Parking In-Lieu Fee; and

WHEREAS, the City Council of the City of San Carlos has read and considered the Development Impact Fees and In-Lieu Fees Annual Report for the Year Ended June 30, 2022; and

WHEREAS, for the Fiscal Year 2021-22 ended June 30, 2022, none of the impact fees collected by the City have been held for a period greater than five years.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of San Carlos hereby as follows:

SECTION 1. Recitals. All of the above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Acceptance. The 2021-22 Annual Report on Development Impact Fees is hereby accepted.

SECTION 3. Findings. The following findings are made as required under Government Code Sections 66001:

1. The purpose to which each Development Impact Fee is collected for has been identified as described above.

2. There is a continued need for the improvements and that there is a reasonable relationship between the fee, the timing of the improvements, and the impacts for development for which the fees are collected.
3. The sources and amounts of funding anticipated to complete the financing of capital projects have been identified and will be deposited into the appropriate account upon receipt or during the normal capital improvement program budget cycle. For the Fiscal Year 2021-22 ended June 30, 2022, none of the impact fees collected by the City have been held for a period greater than five years.
4. A copy of the Resolution will be posted on the website and forwarded to the Administrative Services Director for use in overseeing these monies.

SECTION 4. These findings are based, in part, on information provided in the City's Capital Improvement Program.

I, City Clerk Crystal Mui, hereby certify the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of San Carlos at a scheduled meeting thereof held on the 28th day of November, 2022 by the following vote:

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

CITY CLERK of the City of San Carlos

APPROVED:

MAYOR of the City of San Carlos