

CITY OF ALAMEDA RESOLUTION NO. _____

RECEIVING AND FILING THE FISCAL YEAR 2018-19 DEVELOPMENT IMPACT FEE (DIF) REPORT AND FIVE-YEAR REPORT, CONTAINING BOTH DEVELOPMENT IMPACT FEES AND FEES OTHERWISE SUBJECT TO DEVELOPMENT AGREEMENTS, AND MAKING CERTAIN FINDINGS AS REQUIRED BY GOVERNMENT CODE SECTIONS 66000 ET SEQ.

WHEREAS, on July 1, 2014, the City Council approved Ordinance 3098 adopting the City of Alameda Development Impact Fee applicable to new development projects pursuant to Alameda Municipal Code Section 27-3 and 27-4, which became effective on September 15, 2014; and

WHEREAS, on June 6, 2017, the City Council approved Resolution 15272 adopting the Fiscal Years 2017-18 and 2018-19 Operating Budget and Capital Improvement Program (CIP) Budget; and

WHEREAS, California Government Code Section 66006(b) requires that for each separate account or fund established for the collection and expenditure of Development Impact Fees, the City shall make available to the public within one hundred eighty (180) days after the last day of each fiscal year a report; and

WHEREAS, California Government Code Section 66006(b)(2) requires that the City review the information made available to the public at a regularly scheduled public meeting not less than 15 days after the information is made available to the public; and

WHEREAS, this report was filed with the City Clerk's office and available for public review on December 2, 2019; and

WHEREAS, the City has complied with all of the foregoing provisions.

NOW, THEREFORE BE IT RESOLVED

Section 1. That the City Council does hereby find and determine that the foregoing recitals and determinations are true and correct.

Section 2. That the City Council of the City of Alameda at a public meeting has reviewed the following information pursuant to California Government Code Section 66006(b)(1), as is required by California Government Code Section 66006(b)(2), including:

- (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 fees collected and the interest earned;

- (E) An identification of each public improvement on which fees were expended and the amount of the expenditure of 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 Section 66001(a)(2), 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; and
- (H) The amount refunds made pursuant to Section 66001(e) and any allocations pursuant to Section 66001(f).

Section 3. That the City Council of the City of Alameda at a public meeting has reviewed the proposed findings for unexpended funds, including:

- (1) Identifying the purpose to which the fee is to be put;
- (2) Demonstrating a reasonable relationship between the fee and the purpose for which it is charged;
- (3) Identifying all sources and amounts of funding anticipate to complete financing in incomplete improvements; and
- (4) Designating the approximate dates on which the funding referred to in subparagraph (C) is expected to be deposited into the appropriate account or fund.

Section 4. That the City Council of the City of Alameda hereby determines that all reportable fees, collections and expenditures have been received, deposited, invested and expended in compliance with the relevant sections of the California Government Code and all other applicable laws for the fiscal year 2018-19.

Section 5. That the City Council of the City of Alameda hereby determines that no refunds and allocations of reportable fees, as required by California Government Code Section 66001, are deemed payable at this time.

Section 6. That the City Council of the City of Alameda hereby determines that the City is in compliance with California Government Code Section 66000, *et seq.*, relative to receipt, deposit, investment, expenditure or refund of reportable fees received and expended relative to City Facilities for new development for the fiscal year 2018-19.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Alameda that said Council hereby approves a resolution to receive and file the Fiscal Year 2018-19 Development Impact Fee report and Five-Year Report and make certain findings, as required by California Government Code Section 66000 *et seq.*

* * * * *

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on the 17th day of December 2019, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the seal of said City this 18th day of December 2019.

Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:

Yibin Shen, City Attorney
City of Alameda