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WHEREAS, in 1987 the California State Legislature adopted AB 1600 which established California Government Code § 66000-66025 (the “Mitigation Fee Act”) establishing a process by which local agencies may impose development impact fees on new development in order to finance various public improvements to mitigate the impacts of new development; and

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1 **WHEREAS**, California Government Code § Section 66001(d) stipulates if fees remain
2 unexpended or uncommitted five years after being collected, the local agency must make a finding that
3 there remains a reasonable relationship between the current need for the fees and the purposes for
4 which they were originally collected; and

5 **WHEREAS**, the following impact fees have existing balances for each fiscal year that may
6 include unexpended or uncommitted funds collected in the last five years:

- 7 • Parks and Recreation Development Impact Fee
- 8 • Local Traffic Development Impact Fee
- 9 • Street Median Development Impact Fee
- 10 • General Municipal Facilities Development Impact Fee
- 11 • Library Facilities Development Impact Fee
- 12 • Law Enforcement Facilities Development Impact
- 13 • Fire Protection Facilities Development Fee
- 14 • Open Space Development Impact Fee
- 15 • Sewage Collection Facilities Development Impact Fee
- 16 • Storm Drain Facilities Development Impact Fee

17 **WHEREAS**, for each of the above impact fees listed with existing balances, the City has on-
18 going or future projects that require funding from impact fees and a reasonable relationship exists
19 between the current need for the fees and the purposes for which they were originally collected.

20 **NOW, THEREFORE**, the City Council of the City of Rialto hereby resolves as follows:

21 **Section 1. Recitals.** The foregoing recitals are determined to be true and correct.

22 **Section 2. Annual Review.** The City Council has conducted a public meeting to review
23 the AB 1600 Report for the 2016/17 fiscal year, attached hereto as Exhibit A, and incorporated herein
24 by reference, pursuant to Government Code § 66006(b)(2).

25 **Section 3. Unexpended/Uncommitted Funds.** The following impact fees have existing
26 balances for each fiscal year that may include unexpended or uncommitted funds collected in the last
27 five years:

- 28 • Parks and Recreation Development Impact Fee

- Local Traffic Development Impact Fee
- Street Median Development Impact Fee
- General Municipal Facilities Development Impact Fee
- Library Facilities Development Impact Fee
- Law Enforcement Facilities Development Impact
- Fire Protection Facilities Development Fee
- Open Space Development Impact Fee
- Sewage Collection Facilities Development Impact Fee
- Storm Drain Facilities Development Impact Fee

The City Council hereby finds, pursuant to California Government Code § Section 66001(d), that (i) it has on-going or future projects (attached is a list of such projects listed in Exhibit B) that require funding from the above impact fee balances; and (ii) a reasonable relationship exists between the current need for the fees and the purposes for which they were originally collected.

Section 4. Effective Date. This Resolution shall become effective immediately upon adoption.

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PASSED, APPROVED AND ADOPTED this 24th day of April 2018.

Deborah Robertson, Mayor

ATTEST:

BARBARA McGEE, City Clerk

APPROVED AS TO FORM:

FRED GALANTE, City Attorney

1 **STATE OF CALIFORNIA**)
2 **COUNTY OF SAN BERNARDINO**) ss
3 **CITY OF RIALTO**)

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing
5 Resolution No.____ was duly passed and adopted at a regular meeting of the City Council of the City
6 of Rialto held on the ____ day of _____, 2018.

7 Upon motion of Council Member _____, seconded by Council Member
8 _____, the foregoing Resolution No. _____ was duly passed and adopted.

9 Vote on the motion:

10 AYES:

11 NOES:

12 ABSENT:

13 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
14 Rialto this ____ day of _____, 2017.

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17 _____
18 BARBARA McGEE, City Clerk
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EXHIBIT “A”
AB 1600 REPORT

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EXHIBIT “B”
LIST OF ONGOING OR FUTURE PROJECTS TO UTILIZE UNEXPENDED OR
UNCOMMITTED FUNDS IN THE LAST FIVE YEARS