

RESOLUTION NO.____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO APPROVING THE ANNUAL (AB1600) DEVELOPMENT IMPACT FEE REPORT FOR FISCAL YEAR 2016-17 AND MAKING CERTAIN FINDINGS THEREWITH

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

WHEREAS, pursuant to Government Code § 66000-66025 the City Council of Rialto adopted Ordinances No. 1060 and Ordinance 1106 through 1115 ("Development Fee Ordinances") establishing various Development Impact Fees on new developments within the City to mitigate the impacts of development upon public infrastructure and various public facilities; and

WHEREAS, Government Code § 66006(a) requires all local agencies that collect development impact fees to deposit the fees into separate capital facility accounts in a manner that avoids commingling of development impact fees with other funds of the local agency; and

WHEREAS, California Government Code § 66006(b)(1) requires all local agencies that collect development impact fees to, within 180 days after the last day of each fiscal year, make available for public review a report specifying information about the development fee accounts, including but not limited to the amount of fee(s), the amount collected each year, a list of expenditures from the account, and the beginning and ending balances in each account ("AB 1600 Report"); and

WHEREAS, California Government Code § 66001(d) requires local agencies to make certain findings every five years with respect to unexpended funds contained in any development impact fee accounts, whether committed or uncommitted; and

WHEREAS, the City of Rialto prepared an AB 1600 Report for Fiscal Year 2016-17 ("FY17"), attached hereto as Exhibit A, and substantially contains information required by California Government Code § 66006(b)(1) that have been available for public review; and

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

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

- 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

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

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

- **Section 1. Recitals**. The foregoing recitals are determined to be true and correct.
- **Section 2**. **Annual Review.** The City Council has conducted a public meeting to review the AB 1600 Report for the 2016/17 fiscal year, attached hereto as Exhibit A, and incorporated herein by reference, pursuant to Government Code § 66006(b)(2).
- **Section 3.** Unexpended/Uncommitted Funds. The following impact fees have existing balances for each fiscal year that may include unexpended or uncommitted funds collected in the last five years:
 - Parks and Recreation Development Impact Fee

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- 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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1	PASSED, APPROVED AND ADOPTED this 24th day of April 2018.
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4	Deborah Robertson, Mayor
5	ATTEST:
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8	BARBARA McGEE, City Clerk
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10	APPROVED AS TO FORM:
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12	EDED CALANTE City Attornov
13	FRED GALANTE, City Attorney
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1	STATE OF CALIFORNIA) COUNTY OF SAN BERNARDINO) ss
2	CITY OF RIALTO)
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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	BARBARA McGEE, City Clerk
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EXHIBIT "A" AB 1600 REPORT

EXHIBIT "B"

LIST OF ONC	GOING OR FUTU	RE PROJECTS	TO UTILIZE	UNEXPENDED	OR
τ	JNCOMMITTED :	FUNDS IN THE	LAST FIVE	YEARS	