

RESOLUTION NO. 2024 - _____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
ACCEPTING THE DEVELOPMENT IMPACT
FEES FISCAL YEAR 2022/2023 ANNUAL REPORT
AND MAKING FINDINGS RELATED TO
UNEXPENDED DEVELOPER DEPOSITS FOR
PUBLIC IMPROVEMENTS AS REQUIRED BY
CALIFORNIA GOVERNMENT CODE SECTION
66001**

WHEREAS, the California Government Code requires local agencies to make certain information available to the public on an annual basis with respect to imposition of development impact fees (a); and

WHEREAS, California Government Code Section 66001 further provides that certain findings must be made on an annual basis with respect to any development impact fees collected and remaining unexpended in its fifth year after collection (b); and

WHEREAS, the City of Merced imposes development impact fees in connection with approval of development projects; and

WHEREAS, the City Council of the City of Merced has read and considered the Developer Fees Fiscal Year 2022/2023 Annual Report, and all accompanying attachments.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF
MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER
AS FOLLOWS:**

SECTION 1. The City Council accepts the Developer Impact Fees Fiscal Year 2022/2023 Annual Report, with attachments, a copy of which is on file in the Office of the City Clerk.

SECTION 2. The City has collected fees for completion of off-site public improvements needed as a result of new development, which will not be expended within five years after deposit. The improvements are described in the

2023-2028 Capital Improvement Program and include the improvements described below:

Project Name	Unexpended Developer Deposit Balances as of June 30, 2023
Water Facility – Wells (Fund 6007)	\$15,032,027.05
Water Facility – Mains (Fund 6008)	\$4,114,984.04
Wastewater Facility – Lines (Fund 6004)	\$5,198,964.77
Police Facilities Fund (Fund 3503 and 3508)	\$2,166,648.25
Fire Facilities Fund (Fund 3502 and 3507)	\$1,813,172.26
Roadway Facilities Fund (Fund 3500 and 3505)	\$4,426,504.83
Traffic Signal Facilities Fund (Fund 3501 and 3506)	\$261,052.15

SECTION 3. FINDINGS.

The City Council finds, on the basis of the foregoing Recitals, that:

WATER FACILITY – WELLS FUND

(a)

- A. **Purpose.** The contributions which have been collected for Water Facilities - Wells Fund will be partially expended in Fiscal Year 2023-2024. The unspent balance will remain committed for construction of the improvements identified in the adopted 2023-2028 Capital Improvement Program;
- B. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is acquisition and construction of water facilities including wells, meters, projects, and staffing as described in the 2023-2028 Capital Improvement Program;
- C. **Sources of Funding and Approximate Date of Deposit.** The contributions were collected to construct water facilities, which

improvements will mitigate impacts caused by the new development projects that paid the contributions. Sources and amounts of funding anticipated to complete financing of the proposed water facilities and the approximate dates on which such funding is expected to be deposited into the appropriate fund is as stated in the 2023-2028 Capital Improvement Program.

(b)

- A. **Purpose.** The contributions which have been collected for Water Well #21, Water Well #22, Water Well #23, Water Well #24, Water Well #25, Water Well #26, Well Head Treatment #2, Well Head Treatment #7, Well Sites Acquisition, Water Treatment Plant, Water Upsizing Improvements, and projects to be determined will remain unexpended in Fiscal Year 2023-2024 and will remain committed for construction of the improvements identified in the adopted 2023-2028 Capital Improvement Program;
- B. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is for water facility infrastructure to support development and meet state requirements, as described in the 2023-2028 Capital Improvement Program;
- C. **Sources of Funding and Approximate Date of Deposit.** The contributions were collected in fiscal year 2006-2007 to provide required water facilities and improvements which will mitigate impacts caused by the new development projects that paid the contributions. Sources and amounts of funding have financed the construction of Water Well #18, Water Well # 19 and Water Well #20, Water Well #21, Well Head Treatment #2, Well Head Treatment #7, Water Well #22, Water Well #23, Water Well #24, Water Well #25, Water Well #26, Well Sites Acquisition, Water Treatment Plant, and Projects to be determined and the approximate dates on which such funding is expected to be deposited into the appropriate fund is as stated in the 2023-2028 Capital Improvement Program.

WATER FACILITY – MAINS FUND

(a)

- A. **Purpose.** The contributions which have been collected for the Water Facility - Mains Fund will be partially expended in Fiscal Year 2023-

2027. The unspent balance will remain committed for construction of the improvements identified in the adopted 2023-2028 Capital Improvement Program;

- B. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is construction of water facility mains to meet water flow and pressure required for new growth, and as described in the 2023-2028 Capital Improvement Program;
- C. **Sources of Funding and Approximate Date of Deposit.** The contributions were collected to construct water facility mains, which improvements will mitigate impacts caused by the new development projects that paid the contributions. Sources and amounts of funding anticipated to complete financing of the proposed water facilities and the approximate dates on which such funding is expected to be deposited into the appropriate fund is as stated in the 2023-2028 Capital Improvement Program.

(b)

- A. **Purpose.** Portions of contributions which have been collected for Loop Water Mains, Bellevue West, 12-Inch Water Mains, 16-Inch Water Mains, 18-Inch Water Mains and other water mains projects to be determined will remain unexpended in Fiscal Year 2023-2024. The unspent balance will remain committed for construction of the improvements identified above and in the adopted 2023-2028 Capital Improvement Program;
- B. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is for water facility infrastructure to support development and meet state requirements and as described in the 2023-2028 Capital Improvement Program; and
- C. **Sources of Funding and Approximate Date of Deposit.** The contributions were collected in fiscal year 2005-2006 to provide required water facilities and improvements which will mitigate impacts caused by the new development projects that paid the contributions. Sources and amounts of funding anticipated to complete financing of the proposed Loop Water Mains, Pressure Sustaining Valves 1-4, and other Water Mains Projects to be determined and the approximate dates on which such funding is

expected to be deposited into the appropriate fund is as stated in the 2023-2028 Capital Improvement Program.

WASTEWATER FACILITY – LINES FUND

(a)

- A. **Purpose.** The contributions which have been collected for Wastewater Facility - Lines will remain unexpended in Fiscal Year 2023-2024 and will remain committed for construction of the improvements identified in the adopted 2023-2028 Capital Improvement Program;
- B. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is acquisition and construction of wastewater facilities lines to meet wastewater facility needs required for new growth, and as described in the 2023-2028 Capital Improvement Program;
- C. **Sources of Funding and Approximate Date of Deposit.** The contributions were collected to construct wastewater facility lines, which improvements will mitigate impacts caused by the new development projects that paid the contributions. Sources and amounts of funding anticipated to complete financing of the proposed wastewater facility lines and the approximate dates on which such funding is expected to be deposited into the appropriate fund is as stated in the 2023-2028 Capital Improvement Program.

(b)

- A. **Purpose.** The contributions which have been collected for wastewater facility lines and projects to be determined will remain unexpended in Fiscal Year 2023-2024 and will remain committed for construction of the improvements identified above and in the adopted 2023-2028 Capital Improvement Program;
- B. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is for wastewater infrastructure to support and maintain development requirements as described in the 2023-2028 Capital Improvement Program;
- C. **Sources of Funding and Approximate Date of Deposit.** The contributions were collected in fiscal year 2007-2008 to provide

required wastewater facilities and improvements which will mitigate impacts caused by the new development projects that paid the contributions. Sources and amounts of funding anticipated to complete financing of the WWTP Line Component-Projects and projects to be determined and the approximate dates on which such funding is expected to be deposited into the appropriate fund is as stated in the 2023-2028 Capital Improvement Program.

POLICE FACILITIES FUND

(a)

- A. **Purpose.** The contributions which have been collected for the Police Facilities Fund will remain unexpended in Fiscal Year 2023-2024 and will remain committed for construction of the improvements identified in the adopted 2023-2028 Capital Improvement Program;
- B. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used in the construction of police facilities to meet police facility staffing needs required for new growth, and as described in the 2023-2028 Capital Improvement Program;
- C. **Sources of Funding and Approximate Date of Deposit.** The contributions were collected to construct the police facility, which improvements will mitigate impacts caused by the new development projects that paid the contributions. Sources and amounts of funding anticipated to complete financing of the proposed police facility and the approximate dates on which such funding is expected to be deposited into the appropriate fund is as stated in the 2023-2028 Capital Improvement Program.

(b)

- A. **Purpose.** The contributions which have been collected for the police facilities for growth will remain unexpended in Fiscal Year 2023-2024 and will remain committed for construction of the improvements identified above and in the adopted 2023-2028 Capital Improvement Program;
- B. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is to design, develop and build new police

facilities as described in the 2023-2028 Capital Improvement Program;

- C. **Sources of Funding and Approximate Date of Deposit.** The contributions were collected in fiscal year 2007-2008 to provide funds to acquire property and construct a new police facility which will mitigate impacts caused by the new development projects that paid the contributions. Sources and amounts of funding anticipated to complete financing of the proposed new police facilities and the approximate dates on which such funding is expected to be deposited into the appropriate fund is as stated in the 2023-2028 Capital Improvement Program.

FIRE FACILITIES FUND

(a)

- A. **Purpose.** The contributions which have been collected for the Fire Facilities Fund will remain unexpended in Fiscal Year 2023-2024 and will remain committed for construction of the improvements identified in the adopted 2023-2028 Capital Improvement Program;
- B. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used in the construction of fire facilities to meet fire facility staffing needs required for new growth, and as described in the 2023-2028 Capital Improvement Program;
- C. **Sources of Funding and Approximate Date of Deposit.** The contributions were collected to construct the fire facilities, which improvements will mitigate impacts caused by the new development projects that paid the contributions. Sources and amounts of funding anticipated to complete financing of the proposed fire facilities and the approximate dates on which such funding is expected to be deposited into the appropriate fund is as stated in the 2023-2028 Capital Improvement Program.

(b)

- A. **Purpose.** The contributions which have been collected for the fire facilities for growth will remain unexpended in Fiscal Year 2023-2024 and will remain committed for construction of the improvements

identified above and in the adopted 2023-2028 Capital Improvement Program;

- B. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is to design, develop and build new fire facilities as described in the 2023-2028 Capital Improvement Program;
- C. **Sources of Funding and Approximate Date of Deposit.** The contributions were collected in fiscal year 2007-2008 to provide funds to acquire property and construct new fire facilities which will mitigate impacts caused by the new development projects that paid the contributions. Sources and amounts of funding anticipated to complete financing of the proposed new fire facilities and the approximate dates on which such funding is expected to be deposited into the appropriate fund is as stated in the 2023-2028 Capital Improvement Program.

ROADWAY FACILITIES FUND

(a)

- A. **Purpose.** The contributions which have been collected for the Roadway Facilities Fund will be partially expended in Fiscal Year 2023-2024. The unspent balance will remain committed for construction of the improvements identified in the adopted 2023-2028 Capital Improvement Program;
- B. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used in the construction and upgrade of new and existing roadway facilities, and as described in the 2023-2028 Capital Improvement Program;
- C. **Identity of Sources of Funding and Approximate Date of Deposit.** The contributions were collected to construct and upgrade roadway facilities, which improvements will mitigate traffic impacts caused by the new development projects that paid the contributions. Sources and amounts of funding anticipated to complete financing of the proposed roadway facilities and the approximate dates on which such funding is expected to be deposited into the appropriate fund is as stated in the 2023-2028 Capital Improvement Program;

(b)

- A. **Purpose.** The contributions which have been collected for roadway facilities such as Campus Parkway, and projects to be determined will remain unexpended in Fiscal Year 2023-2024 and will remain committed for construction of the improvements identified above and in the adopted 2023-2028 Capital Improvement Program;
- B. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is to design, develop and build new roadway facilities as described in the 2023-2028 Capital Improvement Program;
- C. **Identity of Sources of Funding and Approximate Date of Deposit.** The contributions were collected in fiscal year 2015-2016 to provide funds to design and construct roadway facilities which will mitigate impacts caused by the new development projects that paid the contributions. Sources and amounts of funding anticipated to complete financing of the proposed roadway facilities and the approximate dates on which such funding is expected to be deposited into the appropriate fund is as stated in the 2023-2028 Capital Improvement Program.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the ____ day of _____, 2024 by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

APPROVED:

Mayor

ATTEST:

D. SCOTT MCBRIDE, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

Craig Cornwell 12-20-23
City Attorney Date