

RESOLUTION NO. 2018 - _____

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
ACCEPTING THE DEVELOPMENT IMPACT
FEES FISCAL YEAR 2017/2018 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; 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; 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 2017/2018 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 2017/2018 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 2018-2023 Capital Improvement Program, which is attached hereto as Exhibit A

and incorporated herein by reference, and include the improvements described below:

Project Name	Unexpended Developer Deposit Balances as of June 30, 2018
Water Facility – Wells (Fund 556)	\$14,920,026.55
Water Facility – Mains (Fund 566)	\$2,915,081.64
Wastewater Facility – Lines (Fund 550)	\$1,402,582.58
Wastewater Facility – Plant (Fund 551)	\$1,533,072.32
Police Facilities Fund (Fund 47 and 57)	\$1,727,619.40
Fire Facilities Fund (Fund 46 and 56)	\$1,512,283.60
Roadway Facilities Fund (Fund 44 and 54)	\$1,431,275.83
Traffic Signal Facilities Fund (Fund 45 and 55)	\$55,051.78

SECTION 3. FINDINGS.

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

WATER FACILITY - WELLS

- A. **Purpose.** The contributions which have been collected for water facilities wells will be partially expended in Fiscal Year 2018-2019. The remaining unspent balance will remain committed for the construction of the improvements identified in the adopted 2018-2023 Capital Improvement Program.
- B. **Use to Which Fee is to be Utilized.** The fee will be utilized to provide new water facilities and improvements as well as upgrade existing water facilities which will mitigate impacts caused by the new development projects that paid the contributions.
- C. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is the acquisition and construction of

water facilities including wells, meters, projects, and staffing as described in the 2018-2023 Capital Improvement Program.

- D. **Identity of Sources of Funding and Approximate Date of Deposit.** The contributions were collected in fiscal year 2005-2006 to provide water facilities and improvements which will mitigate impacts caused by new development projects that paid the contribution. The sources and amounts of funding anticipated to complete financing of the proposed water facilities and the approximate dates for which such funding is expected to be deposited into the appropriate fund is as stated in the 2018-2023 Capital Improvement Program. These Capital Improvement projects include Water Well #18 and Water Well # 19. The funding is also expected to complete the financing of 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, Water Meter Installation, Well Sites Acquisition, Water Treatment Plant, and other projects to be determined.
- E. **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 2018-2023 Capital Improvement Program.

WATER FACILITY - MAINS

- A. **Purpose.** The contributions which have been collected for the water facility mains will be partially expended in Fiscal Year 2018-2019. The remaining unspent funds will remain committed for the construction of the improvements identified in the adopted 2018-2023 Capital Improvement Program.
- B. **Use to Which Fee is to be Utilized.** The fee will be utilized to construct water facility mains. These improvements will mitigate impacts caused by the new development projects that paid the contributions.
- C. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is the construction of water facility mains to meet water flow and pressure required for new growth, and as described in the 2018-2023 Capital Improvement Program.

- D. **Identity of Sources of Funding and Approximate Date of Deposit.** The contributions were collected in fiscal year 2005-2006 to provide water facility mains. These which improvements will mitigate impacts caused by the new development projects that paid the contribution. Sources and amounts of funding anticipated to complete financing of the proposed water facility and the approximate dates for which such funding is expected to be deposited into the appropriate fund are as stated in the 2018-2023 Capital Improvement Program. Some examples of the Capital Improvement Projects are Loop Water Mains, Pressure Sustaining Valves 1-4, and other Water Main Projects to be determined.
- E. **Relationship Between Fee and Purpose.** The contributions will be used for water facility infrastructure to support development and meet state requirements, described in the 2018-2023 Capital Improvement Program.

WASTEWATER FACILITY - LINES

- A. **Purpose.** The contributions which have been collected for wastewater facility lines will remain unexpended in Fiscal Year 2018-2019 and will remain committed for construction of the improvements identified in the adopted 2018-2023 Capital Improvement Program.
- B. **Use to Which Fee is to be Utilized.** The fee will be utilized to construct wastewater facility lines. These improvements will mitigate impacts caused by the new development projects that paid the contributions.
- C. **Relationship Between Fee and Purpose.** The purposes for which the contributions will be used are the acquisition and construction of wastewater facilities lines to meet wastewater facility needs required for new growth, and as described in the 2018-2023 Capital Improvement Program.
- D. **Identity of Sources of Funding and Approximate Date of Deposit.** The contributions were collected in fiscal year 2005-2006 to provide wastewater facility lines. These improvements will mitigate impacts caused by the new development projects that paid the contribution. Sources and amounts of funding anticipated to complete financing of the WWTP Line Component-Projects are to be determined and the

approximate dates for which such funding is expected to be deposited into the appropriate fund is as stated in the 2018-2023 Capital Improvement Program.

- E. **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 2018-2023 Capital Improvement Program.

WASTEWATER FACILITY - PLANT

- A. **Purpose.** The contributions that were collected for wastewater facility plant will remain unexpended in Fiscal Year 2018-2019 and will remain committed for the construction of the improvements identified in the adopted 2018-2023 Capital Improvement Program.
- B. **Use to Which Fee is to be Utilized.** The fee will be utilized to construct improvements to the wastewater facility plant. These improvements will mitigate impacts caused by the new development projects that paid the contributions.
- C. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used include the construction of improvements to the wastewater facilities plant to meet the wastewater facility needs required for new growth as described in the 2018-2023 Capital Improvement Program.
- D. **Identity of Sources of Funding and Approximate Date of Deposit.** The contributions were collected in fiscal year 2005-2006 to provide improvements to the wastewater facility plant. These improvements will mitigate impacts caused by the new development projects that paid the contribution. The sources and amounts of funding anticipated to complete the financing of the Wastewater Treatment Plant-Projects are to be determined and the approximate dates for which such funding is expected to be deposited into the appropriate fund is as stated in the 2018-2023 Capital Improvement Program.
- E. **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 2018-2023 Capital Improvement Program.

POLICE FACILITIES FUND

- A. **Purpose.** The contributions which have been collected for police facilities will remain unexpended in Fiscal Year 2018-2019 and will remain committed for the construction of the improvements identified in the adopted 2018-2023 Capital Improvement Program.
- B. **Use to Which Fee is to be Utilized.** The fee will be utilized to construct the police facility. This improvement will mitigate impacts caused by the new development projects that paid the contributions.
- C. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is the construction of a police facility to meet police facility staffing needs required for new growth, and as described in the 2018-2023 Capital Improvement Program.
- D. **Identity of Sources of Funding and Approximate Date of Deposit.** The contributions were collected in fiscal year 2005-2006 to provide police facilities and improvement which will mitigate impacts caused by new development projects that paid the contribution. The sources and amounts of funding anticipated to complete financing of the proposed police facilities and the approximate dates for which such funding is expected to be deposited into the appropriate fund is as stated in the 2018-2023 Capital Improvement Program.
- E. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is to design, develop and build a new police facility as described in the 2018-2023 Capital Improvement Program.

FIRE FACILITIES FUND

- A. **Purpose.** The contributions which have been collected for fire facilities will remain unexpended in Fiscal Year 2018-2019 and will remain committed for the construction of the improvements identified in the adopted 2018-2023 Capital Improvement Program.
- B. **Use to Which Fee is to be Utilized.** The fee will be utilized to construct the fire facilities. These improvements will mitigate impacts caused by the new development projects that paid the contributions.

- C. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is the construction of fire facilities to meet fire facility staffing needs required for new growth, and as described in the 2018-2023 Capital Improvement Program.
- D. **Identity of Sources of Funding and Approximate Date of Deposit.** The contributions were collected in fiscal year 2005-2006 to provide fire facilities and improvements which will mitigate impacts caused by new development projects that paid the contribution. The sources and amounts of funding anticipated to complete financing of the proposed fire facilities and the approximate dates for which such funding is expected to be deposited into the appropriate fund is as stated in the 2018-2023 Capital Improvement Program.
- E. **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 2018-2023 Capital Improvement Program;

ROADWAY FACILITIES FUND

- A. **Purpose.** The contributions which have been collected for Roadway Facilities Fund will be partially expended in Fiscal Year 2018-2019. The unspent balance will remain committed for the construction of the improvements identified in the adopted 2018-2023 Capital Improvement Program.
- B. **Use to Which Fee is to be Utilized.** The fee will be utilized to construct and upgrade roadway facilities. These improvements will mitigate traffic impacts caused by the new development projects that paid the contributions.
- C. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used include the construction and upgrade of new and existing roadway facilities, and as described in the 2018-2023 Capital Improvement Program.
- D. **Identity of Sources of Funding and Approximate Date of Deposit.** The contributions were collected in fiscal year 2013-2014 to provide upgrade roadway facilities and improvement which will mitigate impacts caused by new development projects that paid the contribution. The sources and amounts of funding anticipated to

complete the financing of the proposed roadway facilities and the approximate dates for which such funding is expected to be deposited into the appropriate fund is as stated in the 2018-2023 Capital Improvement Program.

- E. **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 2018-2023 Capital Improvement Program.

TRAFFIC SIGNALS FACILITY FUND

- A. **Purpose.** The contributions which have been collected for the traffic signals facility fund will be partially expended in Fiscal Year 2018-2019. The unspent balance will remain committed for construction of the improvements identified in the adopted 2018-2023 Capital Improvement Program.
- B. **Use to Which Fee is to be Utilized.** The fee will be utilized to construct and upgrade traffic signal facilities. These improvements will mitigate traffic impacts caused by the new development projects that paid the contributions.
- C. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used in the construction and upgrade of new and existing traffic signal facilities, and as described in the 2018-2023 Capital Improvement Program.
- D. **Identity of Sources of Funding and Approximate Date of Deposit.** The contributions were collected in fiscal year 2013-2014 to provide traffic signal facilities and improvement which will mitigate impacts caused by new development projects that paid the contribution. The sources and amounts of funding anticipated to complete financing of the proposed traffic signal facilities and the approximate dates for which such funding is expected to be deposited into the appropriate fund is as stated in the 2018-2023 Capital Improvement Program.
- E. **Relationship Between Fee and Purpose.** The purpose for which the contributions will be used is to design, develop and build new traffic signal facilities as described in the 2018-2023 Capital Improvement Program.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the _____ day of _____, 2018 by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

APPROVED:

Mayor

ATTEST:
STEVEN S. CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

Velly T. Mene 12/4/18
City Attorney Date

Project #	Project Name	Project Description	Project Limits
113026	Wellsite 21 (Phase 3 - Pump Station Construction)	New water well pump station.	4357 G Street
113031	Backyard Easement Water Main Relocation, Phase 1	Remove and Replace WaterMains from Backyards	Brimmer & Gerard Ave
113031	Backyard Easement Water Main Relocation, Phase 2	Remove and Replace WaterMains from Backyards	20th & Ashwood/DSt&18th/ Glen&22nd/Yose Parkway&laurel&Union
114004	Cooper Ave Lift Station	Replace aging sewer lift facility	Cooper Ave west of Hwy 59
114049	CMAQ (044) Right Turn Channelization Hwy 59/16th St	Installation of a right-turn lane.	Westbound 16th Street at Highway 59 intersection.
114052	CMAQ (040) New Traffic Signal Hwy 59/16th St	Installation of a new traffic signal.	16th Street and Highway 59 intersection.
116042	WWTP UV Bldg New Lining		
117019	Gerard Ave Sewer - Parsons to Kibby Road		
117039	G Street - Childs Ave to 13th Street	Roadway rehabilitation.	G Street from Childs Ave to 13th Street
117050	CDBG Gateway Terrace II	Sewer and water main replacement.	MLK and 12th Street
119003	R Street - Loughboroug - Yosemite Ave	Roadway rehabilitation.	Looughboroug to Yosemite Ave
118031	Sports Complex Bleachers	install bleachers	
119002	M St. Grnd Overlay 16th - 18th	Grind & Overlay	
119006	Alpine Dr. Overlay, G - Wainwright	Grind & Overlay	
119042	CMAQ (5085-048) - John Muir Sidewalks	Install Sidewalks/Ramps/Curb Gutter	North Side of School
119043	CMAQ Motel Drive (5085-049) Pedestrian/bike Path Impr	Install Bike Path /Sidewalks	Motel from Merced Ave to Carol Ave
117025	Well Site #1, #2, #7 Tank Assessment	Assess Elevated Tanks	Well Ste 1, Well Site 2, Well Site 7
117038	V & 16th Street Improvements	Roadway rehabilitation.	Intersection of V and 16th Street

EXHIBIT A

Project #	Project Name	Project Description	Project Limits
117047	Well Site 3 Tank Removal	Remove Well Site 3 tank.	511 West 12th Street
117054	Cherokee & Black Rascal Creek Culvert	Replace culvert on Black Rascal Creek	Cherokee Ave South of Columbia Ave
118020	Well Site #1, #2 & #7 Site Work	Material Bins, Fences, Asphalt Work	Well Site #1, 2, #7
113002 / 115032	R Street - 16th to 18th Street	Rehabilitation of roadway.	R Street, bounded by 16th to 18th.
119004	26th St.Ovly H-G St	Grind & Overlay	
119005	27th St.Ovly H-M St	Grind & Overlay	
119007	Canal Ovly- 19th St to RR	Grind & Overlay	
119008	PTBP - Alternative Modes		
107023	Parsons Avenue Corridor	Purchase right-of-way.	Parsons Avenue from Hwy 140 to Yosemite Avenue.
113010	Sewer Main @ 12th/13th Street Alley		
113011	Sewer Main @ 11th/12th Street Alley		
113012	Ardell/Rambler Easement Sewer		
113013	Canal St Sewer Main		
113015	1st and 2nd Street Alley Sewer		
113027	Water Well #2 (Wellhead Treatment)		
113028	Water Well #7 (Wellhead Treatment)		
116015	Sewer Main @ Heritage Dr / West Ave to S. Gerard Ave		
116020	Water Well #22 @ Hatch & Cardella		

Project #	Project Name	Project Description	Project Limits
116024	Upgrade Storm Drain Pump Station #1A		
116025	Upgrade Storm Drain Pump Station #21		R Street, north of Yosemite Avenue.
118040	Applegate Park Playground	install play equipment	Applegate Park
118044	Well Site 1B Abandonment	Abandon unneeded well (3 on site)	Well Site #1
116040	Police Headquarters Site #2		G Street at old Sun Star Building
117046	Black Rascal Creek Consolidation	Consolidate Black Rascal Creek Water District.	Brookdale Drive and McKee Road.
103010	Campus Parkway		
105093	Cottonwood Creek Crossing		
106023	Community Park CP 42		
106028	Childs Ave Widening-HWY99		
106059	Storm Drain - Julie & Rst		
107040	Airport Offstreet Parking Modifications		
108021	Airport Control Tower Improvements		
108068	Water Meter Replacement		
109006	New Fire Station #54		
109007	New Fire Station #56		
109033	Water Main Looping @ Various Locations		
109061	Cardella & Hatch	Purchase right-of-way for future roadway. Possible well site.	Cardella Avenue near Hatch Road.

Project #	Project Name	Project Description	Project Limits
110039	Cottonwood Path Landscape		
110049	Mitigating Dump Station		
110063	Cottonwood Crossing		
111008	Bike Path Waste Signage		
111024	Olivewood Bypass		
111049	McNamera Park		
113001	Micro Seals (Various Locations)		
113004	R Street & Olive Ave Intersection Improve.		
113006	Protective Permissive Traffic Signal 15th & R St	Traffic Signal & Roadway Reconstruction	R Street & 15th Street
113024	WWTP Recycled/Mod Water Pilot		
113025	Upgrade Storm Drain Pump Station #21		
113030	Fences/Enclosures @ Well #8 & #2		
113034	Stormwater Treatment System		
113035	Storm Drain Hwy 59 & Childs		
113036	Storm Drain & Childs Ave		
113037	TIE Invert Siphons		
113060	WWTP FOG Recieveing & CO-GEN		
113061	WWTP Intercom/Camera Upgr		

Project #	Project Name	Project Description	Project Limits
113067	WWTP NMS Bond Funds		
114002	WWTP Septic Hauler Station Upgrade		
114005	WWTP Main Sewer Trunk Line Upgrade		
114007	REG Water Mgmt Program		
114010	Park/Alexander Storm Drain Catch Basins		
114037	Merced Roadway Rehab		
115014	Kibby Road Sewer Force Main		
115022	Storm Drain catch Basin Green/Stretch		
115024	12 Inch Water Main		
115027	McNamara Park Center Repairs		
115047	Hwy 59 Multiuse Pathway		
115049	Well Site #1 Tank Access/Ladder Repair		
116016	Recyled Water Pump Station		
116026	Upgrade Storm Pump Sta.# 25		
116030	YSO - Gazebo		
116047	Airport Runway/Taxiway Improvements		
117004	Bike Park		
117009	Airport Restroom Trailer		

Project #	Project Name	Project Description	Project Limits
117010	Airport Drive Thru Gates		
117011	Airport Terminal Parking		
117012	Airport Security Mandated by TSA		
117022	WWTP Perations Office		
117026	North PW Station		
117028	Upgrade Culvert North 22nd & I St		
117029	Upgrade Culvert North 22nd & H St		
117030	Upgrade Culvert North 22nd & K St		
117031	Upgrade Culvert North 21st & Canal		
117032	Upgrade Culvert North 21st & Mst		
117033	Upgrade Storm Drain Pump Station East of G St		
117033	Upgrade Storm Drain Basin Alexander East of G St		
117034	Upgrade Storm Drain Pump Station #5		
117034	Upgrade Storm Pump Station #5		
117035	Storm Pond @ Storm Pump Station #5		
117035	Storm Pump at Pump Station # 5		
118005	Park Reserve CIP Fund		
118011	City Housing CIP Fund		

Project #	Project Name	Project Description	Project Limits
118012	WWTP Line Componet PTBD		
118013	WWTP PTBD		
118014	Black Rascal / M Street Undercrossing Sewer		
118015	Phase VI Engineering Design		
118016	Waste Water System Fund		
118018	EPA Emergancy Generators @ Well Sites		
118022	Project to be Determined		