



## Legislation Text

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**File #:** 17-534, **Version:** 1

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*Report Prepared by: Steven Son, Deputy Public Works Director/Interim City Engineer*

**SUBJECT:** Set Public Hearing on December 18, 2017, for Assembly Bill 1600 Annual Report

### REPORT IN BRIEF

Considers setting a public hearing for the annual review of the estimated cost of identified public improvements, the continued need for those improvements, and a reasonable relationship between such need and impacts for which the development fees are charged.

### RECOMMENDATION

**City Council** - Adopt a motion adopting **Resolution 2017-56**, a Resolution of the City Council of the City of Merced, California, establishing a date when the final annual report of development fees will be available for public review, and setting a public hearing thereon for December 18, 2017.

### ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Approve, subject to modifications as conditioned by Council; or,
3. Refer to staff for reconsideration of specific items as requested by Council; or,
4. Deny; or,
5. Continue to a future meeting (date and time to be specified in the motion).

### AUTHORITY

AB 1600 (Government Code Section 66000 et. seq), City Council Resolution No. 88-72.

### CITY COUNCIL PRIORITIES

Not applicable.

### DISCUSSION

AB 1600 (Government Code Section 66000 et. seq) , which became effective on January 1, 1989, requires that the City make specified findings when it establishes, increases, or imposes development fees for specified public improvements (or services) that are collected from developers for approval of development projects. The City must segregate the fees, re-examine the unexpended fees every five years, and refund any unexpended portion not expected to be used. Fees exclude taxes, assessments, processing fees, park fees, and monthly service charges.

The 2016/2017 fiscal year annual review of development fees has determined that estimated costs and continued needs for previously identified public improvements and their related impacts remain as previously defined. Nexus findings will be included in the December 18, 2017, Administrative

Report with the required financial reports presented at that meeting. A complete report will be available November 30, 2017, for public review prior to the December 18<sup>th</sup> public hearing.

## **HISTORY AND PAST ACTIONS**

The City Council adopted Resolution #88-72 on November 21, 1988, making the necessary findings as required by AB1600. The resolution requires an annual review of the estimated cost of identified public improvements, the continued need for those improvements, and a reasonable relationship between such need and impacts for which the fees are charged.

The City Council has held several public hearings, and introduced ordinances to amend the Public Facility Finance Plan ("PFFP"). In 2004, 2006, 2009, and 2012, City Council reviewed and approved several changes to the PFFP which will be outlined in the Administrative Report at the December 18, 2017, meeting.

## **IMPACT ON CITY RESOURCES**

No funds required.

## **ATTACHMENTS**

1. Resolution 2017-56