

RESOLUTION R2026-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, ADOPTING THE GOVERNMENT BUILDING FACILITIES NEXUS FEE STUDY AND GOVERNMENT BUILDING FACILITIES FEE PROJECT LIST AND SETTING CHARGES FOR THE GOVERNMENT BUILDING FACILITIES FEE

WHEREAS, the Manteca Municipal Code (“MMC”) imposes upon new residential and nonresidential development the requirement to pay a Government Building Facilities Fee (MMC Chapter 3.44); and

WHEREAS, MMC Section 3.44.030 empowers the City Council to establish the amount of the Government Building Facilities Fee by resolution in accordance with a nexus study that demonstrates the reasonable relationship between the fee’s use and the type of development project on which the fee will be imposed and that demonstrates the reasonable relationship between the need for additional government building facilities and the type of development projects on which the fee will be imposed; and

WHEREAS, new development projects attract new residents and employees to the City, generating an increased demand for government building facilities; and

WHEREAS, the City has determined that existing government building facilities are reaching capacity and that the City requires a cost-effective and efficient way of serving future residents and employees while maintaining adopted levels of service; and

WHEREAS, the City desires to charge the Government Building Facilities Fees upon development projects to ensure that new development contributes its fair share to public facilities in the City consistent with the City’s adopted standards; and

WHEREAS, the City contracted with Harris & Associates to perform a study for the Government Building Facilities Fees demonstrating the reasonable relationship between the need for the fee and the type of development on which the fee will be imposed and determining the amount of the fee based on the reasonable relationship between the fee and the type of development project on which the fee will be imposed; and

WHEREAS, Harris & Associates prepared and submitted a Comprehensive Development Impact Fee Nexus Study, dated December 2025, attached hereto as Exhibit A and incorporated herein by reference (the “Nexus Study”); and

WHEREAS, the Nexus Study substantiates a methodology that will charge each new development project only for the costs necessary to mitigate the impacts expected to be caused by that development project; and

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WHEREAS, there is a reasonable relationship and an essential nexus between the Government Buildings Facilities Fees and the development projects on which the Fees will be imposed because the Fees will only fund costs necessitated by each new development; and

WHEREAS, the Government Building Facilities Fees will not exceed the estimated reasonable cost of providing the land and facilities for which the Fees are imposed; and

WHEREAS, the Government Building Facilities Fees will not be levied, collected or imposed for general revenue purposes, but are levied specifically to fund facilities of the types set forth in the Nexus Study; and

WHEREAS, the Nexus Study establishes that the Government Buildings Facilities Fee has an “essential nexus” to the City’s legitimate land use interest of providing government building facilities necessary to serve new growth and the amount of the Fee is roughly proportionate to the City’s costs of constructing government building facilities to serve new development; and

WHEREAS, the Nexus Study identifies the City’s existing level of service for government building facilities, identifies the proposed new level of service, and includes an explanation of why the new level of service is appropriate; and

WHEREAS, the Nexus Study includes information that supports the City’s actions, as required by subdivision (a) of Section 66001 of the Government Code; and

WHEREAS, the Nexus Study reviewed the assumptions of the nexus study supporting the existing Government Building Facilities Fee and evaluated the amount of revenues collected under the existing fee; and

WHEREAS, the Nexus Study includes the Government Facilities Fee Project List, which serves as the capital improvement plan required by Government Code section 66016.5, and the Study was presented to the City Council; and

WHEREAS, the Government Building Facilities Fees are consistent with the City’s General Plan, including the City’s Housing Element, because (1) they will help ensure that the City maintains appropriate growth measures to ensure that the City can provide facilities and infrastructure necessary to serve new development (Goal GM-1); (2) they require new development to meet level of service standards for necessary services and facilities (GM-1.1); and (3) they are consistent with the City’s obligation to affirmatively further fair housing because the fees do not exceed the calculated impacts of single family and multi-family residential development projects, the fees for multi-family residential development are either decreasing or modestly increasing, and the City’s updated fees will be similar to or less than the fees charged by neighboring jurisdictions; and (4) they will not be a constraint on housing supply or affordability because the fees are in line with fees charged by other local jurisdictions and the fees

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are necessary to ensure access to services and facilities for all new development in the City; and

WHEREAS, pursuant to Government Code Sections 66016, 66016.5, 66018, 66019, and 6062a, the City must adopt the updated Government Building Facilities Fees only after notice and public hearing; and

WHEREAS, pursuant to Government Code Sections 66002, 66016.5, 66018, 66019, 6062a, a notice of a public hearing on the proposed fee schedule and the adoption of the Nexus Study, including the Government Buildings Facilities Fee Project List, was published in the Manteca Bulletin, a newspaper of general circulation; and

WHEREAS, pursuant to Government Code Sections 66019 and 66016.5, notice of the time and place of the meeting, including a general explanation of the matters to be considered and a statement that required data is available was mailed at least thirty (30) days prior to the meeting to those members of the public who filed a written request with the City; and

WHEREAS, at least ten (10) days prior to the public hearing referenced above, the City made available for public inspection information required under Government Code Section 66000, et seq.; and

WHEREAS, the Government Buildings Facilities Fee is an “exempt charge”, within the meaning of Section 1 of Article XIII C of the California Constitution because it is a charge imposed as a condition of property development; and

WHEREAS, on January 6, 2026, the City Council held a noticed public hearing to consider the City’s proposed new Government Building Facilities Fees at which time all interested persons were given an opportunity to comment.

WHEREAS, the City Council has considered all information related to this matter, including any supporting reports by City Staff and any information provided by the public, prior to the close of the public hearing, pursuant to Government Code section 66019.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Manteca, as follows:

1. Findings. The City Council finds and determines as follows:
 - a. The above recitals are correct and are material to this Resolution and are incorporated into this Resolution as findings of the City Council.
 - b. The Government Building Facilities Fees proposed bear a reasonable relationship to the need for government building facilities created by new development
2. Environmental Review. The City Council finds that adoption of the Nexus Study and the Government Facilities Project List (“Project List”), which

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serves as the Capital Improvement Program required by Government Code section 66016.5, and related amendments to the Government Building Facilities Fee does not constitute a “project” under the California Environmental Quality Act (“CEQA”) pursuant to Public Resources Code section 21065 and CEQA Guidelines section 15378. While CEQA requires environmental review to occur at the earliest feasible stage, CEQA does not require review of actions that are speculative, conceptual, or preliminary in nature and that do not commit the City to a definite course of action that may result in a physical change in the environment.

The Nexus Study and Project List are planning-level fiscal and policy documents that identify conceptual public facility needs and provide general cost estimates for long-range capital planning, budgeting, and rate-setting purposes only. Adoption of the Nexus Study and Project List do not approve, fund, or authorize construction of any specific capital improvement project; do not establish final project descriptions, locations, designs, construction methods, phasing, or schedules; and do not commit the City to proceed with any particular project identified in the CIP. The City retains full discretion to modify, defer, redesign, relocate, or decline to pursue any project listed in the Project List. Accordingly, adoption of the CIP does not represent a commitment to a definite course of action within the meaning of CEQA and does not result in any direct or reasonably foreseeable indirect physical change to the environment.

Even if adoption of the Nexus Study, Project List, or fee amendments were considered a “project” for purposes of CEQA, then consistent with CEQA Guidelines section 15378(b)(4), adoption of the CIP and fee amendments constitutes the establishment of a government funding mechanism and long-range fiscal planning tool. Section 15378(b)(4) provides that a “project” does not include fiscal activities or administrative actions that do not involve any commitment to a specific project or physical development. The CIP functions solely to inform budgeting, financial planning, and infrastructure funding decisions and does not authorize or entitle any physical development.

The Nexus Study and Project List also qualify as a feasibility and planning study that is exempt from CEQA under CEQA Guidelines section 15262, as it evaluates potential public facility needs and funding strategies at a conceptual level, prior to the City’s approval, adoption, or funding of any specific capital improvement project. Environmental review at this stage would be premature and speculative, as the City lacks sufficient project-level detail to meaningfully analyze environmental impacts or alternatives.

In addition, because the Nexus Study and Project List are prepared in connection with the establishment and adjustment of fees and rates to finance public facilities, adoption of these documents and related fee amendments is exempt under CEQA Guidelines section 15273. Section

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15273 recognizes that public agencies must be able to engage in fiscal planning and establish funding mechanisms to meet infrastructure and capital financing needs without triggering CEQA review before any specific project has been approved or defined.

The City further finds that adoption of the Nexus Study and Project List expressly reserves full discretion to the City Council and other decision-making bodies to approve, deny, modify, or pursue alternatives for any individual capital project identified in the Project List, including alternative designs, locations, phasing, or funding approaches. No construction, ground-disturbing activity, or irreversible commitment of resources will occur unless and until the City takes separate future discretionary actions to approve a specific project, following appropriate environmental review under CEQA. Adoption of the Project List does not limit the range of alternatives available to the City or predetermine the outcome of any future CEQA analysis.

Finally, the City Council finds that the action is exempt under the common sense exemption set forth in CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that adoption of the Nexus Study, Project List, and related fee amendments, by themselves, have no possibility of resulting in a significant effect on the environment. Any future capital improvement projects would be subject to separate discretionary approvals and environmental review in accordance with CEQA and City practice.

3. Adoption of Nexus Study. The City Council finds and determines that the Nexus Study, as set forth in Exhibit A complies with California Government Code section 66000 et seq., and is consistent with the General Plan, and hereby approves and adopts the Nexus Study.
4. Adoption of Project List: The City Council finds and determines that the Project List sets forth the government building facilities that are necessary to serve the City's total population through the end of the Nexus Study period and that the Project List includes all the necessary information required by Government Code section 66002, and hereby adopts the Project List and its corresponding level of service.
5. Rates for Government Building Facilities Fees. The City Council hereby adopts the rates for the Government Building Facilities Fee as shown in Exhibit B – Government Building Facilities Fee Schedule, attached hereto and incorporated by this reference.
6. Exemption. Pursuant to Government Code Section 65852.2(f)(2), the Government Building Facilities Fees shall not apply to accessory dwelling units of less than 750 square feet.

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- 7. Effective Date. This Resolution shall take effect on January 6, 2026. In accordance with Government Code Section 66019, the updated Government Building Facilities Fees, set forth in Exhibit C shall be in full force and effect 60 days after the adoption of this Resolution and shall be published or posted as required by law.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Manteca at a public meeting of said City Council held on the ___ day of _____, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MAYOR: _____
GARY SINGH
Mayor

ATTEST: _____
CASSANDRA CANDINI-TILTON
City Clerk