

RESOLUTION R2026-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA ADOPTING THE NEXUS STUDY FOR THE PARK ACQUISITION AND IMPROVEMENT FEE AND THE PARK DEDICATION AND IN-LIEU FEE, ADOPTING THE PARK ACQUISITION AND IMPROVEMENT FEE PROJECT LIST, SETTING UPDATED CHARGES FOR THE PARK ACQUISITION AND IMPROVEMENT FEE, ADOPTING PARK DEDICATION REQUIREMENTS AND PARK DEDICATION AND IN LIEU FEE CHARGES, AND AMENDS CITY ORDINANCE CHAPTER 3.20 OF THE MANTECA MUNICIPAL CODE, RELATING TO PARK ACQUISITION AND IMPROVEMENT FEES, AND ADDING CHAPTER 3.21, RELATING TO PARK DEDICATION AND IN-LIEU FEES

WHEREAS, the City of Manteca ("City") Municipal Code Section 3.20.040 imposes upon new development a requirement to pay a Park Acquisition and Improvement Fee; and

WHEREAS, Municipal Code Section 3.20.040 empowers the City Council to establish the amount of the Park Acquisition and Improvement 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 demonstrates the reasonable relationship between the need for park facilities and the type of development projects on which the fee will be imposed; and

WHEREAS, the Municipal Code Section 3.21.030 imposes a park land dedication or in-lieu fee requirement as a condition of approval of a tentative map for a residential subdivision, pursuant to the Subdivision Map Act; and

WHEREAS, Municipal Code Section 3.21.030 empowers the City Council to establish the dedication requirements and the amount of the In-Lieu Fee by resolution in accordance with a nexus study that complies with the Quimby Act; and

WHEREAS, new development projects attract new residents to the City, generating an increased demand for park, parkland, and parks and recreation facilities and impacting existing park and recreation facilities; and

WHEREAS, the City has determined that City's park and recreation facilities are reaching capacity, and that the City requires a cost-effective and efficient way of serving future residents while maintaining existing levels of service; and

WHEREAS, the City contracted with Harris & Associates to perform a nexus study for a proposed Park Acquisition and Improvement Fee update and a Park Dedication and In-Lieu Fee; and

WHEREAS, Harris & Associates prepared and submitted a Park Dedication and In-Lieu Fee and Park Acquisition and Improvement Fee Nexus Study, dated August 18, 2026, attached hereto as Exhibit A and incorporated by reference (“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

WHEREAS, there is a reasonable relationship and an essential nexus between the Park Acquisition and Improvement Fee 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, there is a reasonable relationship and an essential nexus between the Park Dedication and In-Lieu Fee 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 Park Acquisition and Improvement Fee does not exceed the estimated reasonable cost of providing the land and facilities for which the Fee is imposed; and

WHEREAS, the Park Dedication and In-Lieu Fee does not exceed the estimated reasonable cost of providing the land for which the Fee is imposed; and

WHEREAS, the Park Acquisition and Improvement Fee is not levied, collected or imposed for general revenue purposes, but is levied specifically to fund facilities of the types set forth in the Nexus Study; and

WHEREAS, the Park Dedication and In-Lieu Fee is not levied, collected or imposed for general revenue purposes, but is levied specifically to fund facilities of the types set forth in the Nexus Study; and

WHEREAS, the Nexus Study establishes that the Park Acquisition and Improvement Fee has an “essential nexus” to the City’s legitimate land use interest of providing park and recreation facilities necessary to serve new growth and the amount

of the Fee is roughly proportionate to the City's costs of constructing park and recreation facilities to serve new development; and

WHEREAS, the Nexus Study establishes that the Park Dedication and In-Lieu Fee has an "essential nexus" to the City's legitimate land use interest of providing parkland and park and recreation facilities necessary to serve new growth and the amount of the Fee is roughly proportionate to the City's costs of acquiring new parkland and constructing park and recreation facilities to serve new development; and

WHEREAS, the Nexus Study identifies the City's existing level of service for parkland and park and recreation 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 includes a park and recreation facilities project list ("Project List"), a list of project facilities funded in part or in whole by the Park Acquisition and Improvement Fee, which serves as its capital improvement plan pursuant to subdivision (a)(6) of Section 66016.5 of the Government Code for Park Acquisition and Improvement Fee; and

WHEREAS, the Nexus Study was presented to the City Council; and

WHEREAS, the proposed Park Acquisition and Improvement Fee and the Park Dedication and In Lieu Fee requirements are consistent with the City's General Plan; and

WHEREAS, pursuant to Government Code Sections 66016.5, 66018, 66019, and 6062a, the City must adopt the Park Acquisition and Improvement Fee and the Park Dedication and In-Lieu Fees only after notice and public hearing; and

WHEREAS, pursuant to Government Code Sections 66002, 66016.5, 66018, 66019, and 6062a, notice of a public hearing on the proposed fee schedule and the adoption of the Nexus Study and Project List was published on July 10, 2026 and July 17, 2026 in the Newspaper, 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, on August 18, 2026, the City Council held a noticed public hearing to consider the City's proposed new Park Acquisition and Improvement Fee and Park Dedication and In-Lieu Fees, at which time all interested persons were given an opportunity to comment; and

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 fees proposed bear a reasonable relationship to the need for park and recreation facilities by the future inhabitants of new development and are roughly proportionate to the impacts of new development.
2. Environmental Review. The City Council finds that adoption of the Nexus Study and the Park Acquisition and Improvement Fee Project List ("Project List"), which serves as the Capital Improvement Program required by Government Code section 66016.5, 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 Project List. 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 Project List 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 Project List 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 Project List 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 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. CEQA Determination: Exempt Pursuant to CEQA Guideline 15061(b)(3).

3. Adoption of Nexus Study. The City Council finds and determines that the Nexus Study complies with California Government Code section 66000 *et seq.* and the Quimby Act and is consistent with the General Plan, including the City's Housing Element, and hereby approves and adopts the Nexus Study as shown in Exhibit A, attached hereto and incorporated by this reference.
4. Adoption of the Project List. The City Council hereby approves and adopts the Project List, funded in part or in whole by the Park Acquisition and Improvement Fee, as shown in Exhibit B.
5. Rates for Park Acquisition and Improvement Fees. The City Council hereby sets rates for the Park Acquisition and Improvement Fees as shown in Exhibit C, attached hereto and incorporated by this reference.
6. Requirements and Rates for Park Dedication and In-Lieu Fees. The City Council hereby sets dedication requirements and in lieu fee amounts for the Park Dedication and In-Lieu Fees as shown in Exhibit C, attached hereto and incorporated by this reference.

7. Exemption. Pursuant to Government Code Section 66324(c)(1), the Park Acquisition and Improvement Fee and the Park Dedication and In-Lieu Fees shall not apply to accessory dwelling units of less than 750 square feet.
8. Severability. Should any section, subsection, paragraph, sentence, clause, or phrase of this Resolution be declared unconstitutional or invalid for any reason, such declaration shall not affect the validity of the remaining portions of this Resolution. The City Council hereby declares that it would have passed this and each section, subsection, phrase, or clause thereof irrespective of the fact that any one or more sections, subsections, phrase, or clauses be declared unconstitutional on their face or as applied.
9. Effective Date. The Resolution shall take effect immediately. In accordance with Government Code Section 66017, the Phased Implementation Schedule - Park Acquisition and Improvement Fee, set forth in Exhibit C, shall be in full force and effective January 1, 2027 and shall be published or posted as required by law.
10. Ordinance. City Council introduces, by title only, and waive the first reading of an ordinance amending Chapter 3.20 of the Manteca Municipal Code, relating to Park Acquisition and Improvement Fees, and adding Chapter 3.21, relating to Park Dedication and In-Lieu Fees. The ordinance amends the City's Municipal Code to align it with current state law and clarify the application of the fees and the available credits for parkland dedication and facilities provided by developers. Ordinance shall go into effect January 1, 2027 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 August 18, 2026 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MAYOR: _____
GARY SINGH

ATTEST: _____
CASSANDRA CANDINI-TILTON
CITY CLERK