

ATTACHMENT 1

RESOLUTION R20XX-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANTECA, STATE OF CALIFORNIA, ADOPTING FIRE IMPACT FEE NEXUS STUDY AND FIRE IMPACT FEE PROGRAM

WHEREAS, AB 1600 was adopted and codified in California Government Code Section 66000 allowing the establishing, increasing or imposing of a development fee as a condition of approval where the purpose and use of the fee were identified, and reasonable relationship to the development project was demonstrated; and

WHEREAS, the City Council wishes to ensure that new development pays for its fair share of fire protection facilities, equipment, and apparatus through the imposition of fire impact fees; and

WHEREAS, the City Council finds that the proposed fire impact fee is needed to assure the public health and safety through the creation of funding for additional facilities needed to accommodate new growth; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including the Fire Impact Fee Nexus Study prepared by SCI Consulting Group dated August 2019 Final Report ("Nexus Study") that provides the required information for the City's new Fire Impact Fee program, any other supporting reports by City Staff, and any information provided during public meetings.

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

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct and establish the factual basis for the City Council's adoption of this Resolution.
2. The Council hereby receives and adopts the Nexus Study dated August 2019 Final Report by SCI Consulting Group and finds that the requirements of Government Code Section 66000 are met by said Nexus Study; and
3. Prior to the adoption of this Resolution, the Council conducted a public hearing at which oral and written presentations were made, as part of the Council's regularly scheduled September 17, 2019 meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, has been published twice in a newspaper in accordance with Government Code sections 66004, 66018, and 6062, subdivision (a). Additionally, at least 10 days prior to the meeting the City made available to

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the public, data indicating the amount of the cost, or estimated cost, required to provide the service for which the fee or service charge is to be adjusted pursuant to the Resolution by way of such public meeting, the Council received the Nexus Study attached as Exhibit A, which formed the basis for the action taken pursuant to this Resolution.

4. After considering the Nexus Study, this Resolution, and after considering the testimony received at this public hearing, the Council, hereby makes the following findings;
 - a) The fire impact fee program and fire impact fees proposed in the Nexus Study and approved pursuant to this Resolution are for the purposes of funding the cost of fire protection and emergency response facilities, apparatus, and equipment attributable to new residential and nonresidential development in the City; and
 - b) The fire impact fees proposed in the Nexus Study and approved pursuant to this Resolution will be used to fund the cost of new and expanded fire facilities, apparatus, and equipment to serve new development; and
 - c) The uses of the fire impact fees proposed in the Nexus Study and approved pursuant to this Resolution are reasonably related to the types of development projects on which the fees are imposed in that fee revenue from the development projects will be used to expand the City's fire facilities, apparatus, and equipment to serve new development to meet the additional demand generated by the new residents and employees generated by new development projects; and
 - d) The fire impact fees proposed in the Nexus Study and approved pursuant to this Resolution bear a reasonable relationship to the need fire facilities, apparatus, and equipment in that each development project will create additional need for the City's fire services and a corresponding need for new or expanded fire facilities, apparatus, and equipment. The fee will be imposed on different types of development projects in proportion to the growth in persons and structural area generated by new development projects; and
 - e) The Nexus Study demonstrates that there is a reasonable relationship between the amount of the fire impact fee and the cost of fire facilities, apparatus, and equipment attributable to the development on which the fee is imposed in that the costs are based upon the City's existing level of service for such facilities and applied proportionately to seven land use categories in proportion to the need they create for new or expanded fire facilities, apparatus, and equipment.

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5. The Council finds pursuant to the California Environmental Quality Act (“CEQA”), this action is not a “project” because the Resolution provides a mechanism for funding for fire facilities, apparatus, and equipment but does not involve a commitment to any specific project for such purposes that may result in a potentially significant impact on the environment. (CEQA Guidelines § 15378.)
6. The Council does hereby approve the following fire impact fees on new development which shall be collected upon issuance of a building permit:

<u>Land Use Category</u>	<u>Fire Impact Fee Schedule</u>
Single-Family Housing	\$0.52 per square foot of building area
Multi-Family Housing	\$0.88 per square foot of building area
Mobile Homes	\$0.53 per square foot of building area
Assisted Living Facility	\$4,588.56 per bed
Retail / Commercial	\$0.32 per square foot of building area
Office	\$0.41 per square foot of building area
Industrial	\$0.15 per square foot of building area

7. If any portion of this Resolution is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining portions of this Resolution.
8. This Resolution shall take effect sixty (60) days upon its adoption.

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 17th day of September, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

MAYOR: _____
BENJAMIN J. CANTU
Mayor

ATTEST: _____
LISA BLACKMON
City Clerk