

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA MAKING REQUISITE FINDINGS PURSUANT TO GOVERNMENT CODE SECTION 66001(d) FOR DEVELOPMENT PROJECT FEES COLLECTED AND REMAINING UNEXPENDED FOR FIVE OR MORE YEARS (TELEGRAPH CANYON DRAINAGE DEVELOPMENT IMPACT FEE)

WHEREAS, California Government Code Section 66001(d) requires local agencies to make findings with respect to any portion of Development Impact Fees (“DIFs”) remaining unexpended five or more years after deposit of the fee; and

WHEREAS, such findings must identify the purpose to which the fee is to be put, demonstrate a reasonable relationship between the fee and the purpose for which it is charge, identify all the sources and amounts of funding anticipated to complete financing of incomplete projects and designate the approximate dates on which the anticipated funding will be deposited into the appropriate account or fund; and

WHEREAS, the City has identified unexpended fees on deposit for five or more years and has elected to make the required findings pursuant to Section 66001(d) of the Government Code for the Telegraph Canyon Drainage Development Impact Fee (“Drainage DIF”); and

WHEREAS, the purpose of the Drainage DIF and the demonstration of the reasonable relationship between the fee and the purpose for which it is charged are contained in the “Telegraph Canyon Channel Nexus Study”, dated November 24, 2015, which is incorporated by reference; and

WHEREAS, the City Council repealed the Drainage DIF in July 2019 via Ordinance 3461 as it was determined that there were no properties remaining within the drainage basin boundaries that would be subject to the Drainage DIF; and

WHEREAS, each incomplete project being funded by the Drainage DIF will receive funding which may become available in the future, but the source and amount of such funding is not known at this time; the sources and amounts of the funding will be identified as the funding becomes available; the funds received will be deposited into the appropriate account or fund as they become available, and will be appropriated through the City’s budget, as adopted and amended from time to time.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it does hereby find that the purpose for the Telegraph Canyon Drainage Development Impact Fee and the demonstration of the reasonable relationship between the Drainage DIF and the purpose for which it is charged is as set forth in the “Telegraph Canyon Channel Nexus Study”, dated November 24, 2015, a copy of which is on file in the office of the City Clerk; and

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista, that it does hereby find that each incomplete project being funded by the Drainage DIF will continue to receive funding from the Drainage DIF when additional funding to incomplete Drainage DIF projects may become available in the future, but the amount and source of such funding is unknown at this time, at which time the sources and amounts of the funding will be identified and the funds will be deposited to the appropriate account or fund as the funding becomes available and appropriated through the City's budget, as adopted and amended from time to time.

Presented by

Approved as to form by

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Laura C. Black, AICP  
Director of Development Services

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Glen R. Googins  
City Attorney