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(R-2009-745)

RESOLUTION NUMBER R- 304590

DATE OF FINAL PASSAGE -- JAN 30 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ACCEPTING THE DEVELOPMENT IMPACT FEES FISCAL YEAR 2008 ANNUAL REPORT AND MAKING FINDINGS RELATED TO UNEXPENDED BALANCES AS REQUIRED BY CALIFORNIA GOVERNMENT CODE SECTION 66001.

WHEREAS, the California Government Code [Code] requires local agencies to make certain information available to the public on an annual basis with respect to imposition of development impact fees; and

WHEREAS, Code section 66001 further provides that certain findings must be made on an annual basis with respect to any development impact fees collected and remaining unexpended in its fifth year after collection; and

WHEREAS, the City of San Diego imposes development impact fees in connection with approval of development projects; and

WHEREAS, the Council of the City of San Diego has read and considered the Developer Impact Fees Fiscal Year 2008 Annual Report, and all accompanying attachments; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that it has reviewed and accepts the Developer Impact Fees Fiscal Year 2008 Annual Report, with attachments, more specifically identified as Report to the City Council No. 09-002 a copy of which is on file in the Office of the City Clerk as Document No. RR-304590.

BE IT FURTHER RESOLVED, that the Council finds, with respect to funds reflected in the Developer Impact Fees Fiscal Year 2008 Annual Report, or attachments thereto, as having

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been collected over five years before July 1, 2008, and as stated in Attachment 6 of the Developer Impact Fees Fiscal Year 2008 Annual Report, that the documentation: (1) Identifies the purpose to which the fee is to be put; (2) Demonstrates a reasonable relationship between the fee and the purpose for which it is charges; and (3) Identifies sources and amounts of funding anticipated to complete financing of incomplete improvements and the approximate dates on which such funding is expected to be deposited into the appropriate fund.

BE IT FURTHER RESOLVED, that the Council incorporates and adopts the findings set forth in Attachment 6 of the Developer Impact Fees Fiscal Year 2008 Annual Report, entitled "FINDINGS FOR FUNDS COLLECTED OVER FIVE YEARS AGO DEVELOPMENT IMPACT FEES FISCAL YEAR 2008 ANNUAL REPORT."

BE IT FURTHER RESOLVED, that this activity is not subject to CEQA pursuant to State Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By



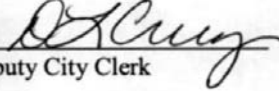
Jana L. Garmo
Deputy City Attorney

JLG: als
12/22/08
Or.Dept:Facilities Financing
R-2009-745
MMS#7272

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I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JAN 13 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 1-30-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor