

CITY OF CUPERTINO  
10300 Torre Avenue  
Cupertino, California 95014  
RESOLUTION NO. 17-\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO APPROVING  
ANNUAL AND FIVE-YEAR DEVELOPMENT IMPACT FEE REPORTS AND MAKING  
REQUIRED FINDINGS**

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**WHEREAS**, the Mitigation Fee Act (Government Code Section 66000 et seq.) requires that an annual report regarding development impact fees be submitted to the City Council at a regularly scheduled public meeting; and

**WHEREAS**, Government Code Section 66001(d) further provides that the City must, on a five-year basis, make certain findings with respect to unexpended development impact fees; and

**WHEREAS**, the attached report entitled City of Cupertino - AB 1600 - Mitigation Fee Act Annual & Five Year Report for the fiscal year ended June 30, 2017 (the "Annual and Five-Year Report") comprises the annual and five-year reports required by the Mitigation Fee Act and contains substantial evidence to make the findings required by Section 66001(d); and

**NOW, THEREFORE, BE IT RESOLVED:**

1. The foregoing recitals are true and correct and incorporated into this resolution by this reference.
2. The City Council hereby approves the Annual and Five-Year Report, which contains the annual and five-year reports under the Mitigation Fee Act.
3. The City Council hereby adopts the findings required by Government Code 66001(d) as stated in the Five-Year Reporting and Findings Requirement section of the Annual and Five-Year Report, which demonstrates that, for each account or fund:
  - a. The purpose of each fund is described in the Annual and Five-Year Report.
  - b. A reasonable relationship exists between the fee charged to development projects and the purpose for which it is charged, based on the substantial evidence contained in the Annual and Five-Year Report.
  - c. For each fund, the Annual and Five-Year Report identifies all sources and amounts of funding anticipated to complete the financing of incomplete improvements.

- d. For each fund, the Annual and Five-Year Report designates the approximate date on which the funding needed is expected to be deposited into the fund.

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PASSED AND ADOPTED this 21st day of November 2017, at a Regular Meeting of the City Council of the City of Cupertino by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

APPROVED:

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Grace Schmidt  
City Clerk

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Savita Vaidhyanathan  
Mayor, City of Cupertino