

RESOLUTION NO. 18-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO APPROVING
FIVE YEAR AND ANNUAL DEVELOPMENT IMPACT FEE REPORT FOR FY ENDING
JUNE 30, 2018 AND MAKING REQUIRED FINDINGS**

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 City of Cupertino - AB 1600 - Mitigation Fee Act Annual & Five Year Report for the fiscal year that ended June 30, 2018 (the "Annual and Five-Year Report"), comprises the annual and five-year reports required by the Mitigation Fee Act and contains substantial evidence in support of the findings required by Section 66001(d). Said report is included as Attachment A and incorporated into this Resolution by this reference.

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 for FY ending June 30, 2018 in accordance with the Mitigation Fee Act, and incorporates by reference said Report (Attachment A).
3. The City Council further 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 (Attachment A), which demonstrate 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.

PASSED AND ADOPTED this 5th day of November 2018, 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:

Grace Schmidt
City Clerk

Darcy Paul
Mayor, City of Cupertino