

APPROVED AS TO FORM AND LEGALITY


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

A RESOLUTION ACCEPTING THE FISCAL YEAR 2023-2024 ANNUAL IMPACT FEE INFORMATIONAL REPORT AND MAKING FINDINGS REGARDING SAID ANNUAL IMPACT FEE REPORT AND PREVIOUSLY PRESENTED FIVE-YEAR IMPACT FEE REPORTS CONSISTENT WITH THE MITIGATION FEE ACT, CALIFORNIA GOVERNMENT CODE SECTIONS 66000 TO 66025.

WHEREAS, the City of Oakland has a critical need to ensure impacts from new development to transportation, capital improvement, and affordable housing resources are addressed and development impact fees are a commonly used mechanism to address this need; and

WHEREAS, Government Code Section 66000-66025 establish the legal requirements for a jurisdiction to implement a development impact fee program for fees that meet the terms of the Mitigation Fee Act, California Government Code Sections 66000 to 66025; and

WHEREAS, on July 30, 2002 the City Council approved Ordinance No. 12442 C.M.S. adopting the City of Oakland Jobs/Housing Impact Fee; and

WHEREAS, on May 3, 2016 the City Council approved Ordinance No. 13365 C.M.S. adopting the City of Oakland Affordable Housing Impact Fee; and

WHEREAS, on May 3, 2016, the City Council approved Ordinance No. 13366 C.M.S. adopting the City of Oakland Transportation and Capital Improvement Impact Fees; and

WHEREAS, California Government Code Section 66006(b) requires that for each separate account or fund established for the collection and expenditure of Development Impact Fees, the City shall make available to the public, within one hundred and eighty (180) days after the last day of each fiscal year, an annual impact fee report; and

WHEREAS, said annual impact fee report for Fiscal Year 2023-2024, having been prepared, was made available for public review on or before December 27, 2024; and

WHEREAS, California Government Code Section 66001(d) requires that for the fifth fiscal year following the first deposit into the account or fund, and every five years thereafter, the City shall make a five-year impact fee report with respect to that portion of the account or fund remaining unexpended, whether committed or uncommitted;

WHEREAS, said five-year impact fee reports for transportation, capital improvements, jobs/housing, and affordable housing impact fees were prepared in December 2021 and presented to City Council as an informational report to the Community and Economic Development Committee on June 28, 2022; and

WHEREAS, subsequent to preparation and presentation of the statutorily required five-year impact fee reports, the City performed a development feasibility analysis of the impact fees and said analysis was presented to the Community and Economic Development Committee on December 10, 2024; and

WHEREAS, based on the conclusions of the development feasibility analysis and the feedback received at the Community and Economic Development Committee, City Staff is currently working on proposed revisions to the Impact Fee program, which changes are not subject to or impacted by this resolution; now, therefore, be it

RESOLVED: That the City Council does hereby find and determine that the foregoing recitals and determinations are true and correct; and be it

FURTHER RESOLVED: That the City Council at a public meeting has reviewed the information presented in the Fiscal Year 2023-2024 Annual Impact Fee Report pursuant to California Government Code Section 66006 and accepts said report as findings of the City Council; and be it

FURTHER RESOLVED: That the City Council at a public meeting has reviewed the information presented in the five-year impact fee reports prepared in December 2021 and previously presented as an information report to the Community and Economic Development Committee on June 28, 2022, and accepts said reports as findings of the City Council; and be it

FURTHER RESOLVED: That the City Council hereby determines that the City is in compliance with California Government Code Section 66000 *et seq.*, relative to the receipt, deposit, investment, expenditure, and/or refund of reportable fees received and expended relative to transportation, capital improvement, jobs/housing, and affordable housing impact fees.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROWN, FIFE, HOUSTON, KAPLAN, RAMACHANDRAN, UNGER, AND
PRESIDENT PRO TEMPORE GALLO

NOES –

ABSENT – COUNCIL PRESIDENT JENKINS (serving as Mayor pursuant to Charter Section 303)

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California

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