

# McCabe Union Elementary School District

Resolution No. 17/18-#9

## RESOLUTION TO ADOPT SCHOOL FACILITIES FEES

WHEREAS, Education Code Section 17620 and Government Code Section 65995 authorizes school districts to impose certain fees for school facilities;

WHEREAS, pursuant to Government Code Section 65995(b)(3) the State Allocation Board has established a statutory maximum fee of \$3.79 per square foot for residential development and \$0.61 per square foot for commercial/industrial development;

WHEREAS, this Board has conducted a public hearing concerning the appropriateness of the fees on residential and commercial/industrial development in the above amounts at a duly noticed public meeting, during which this Board received and considered evidence on these issues, including information and reports analyzing the capital facilities needs of the District and the revenue sources available and said information and reports indicate that the District is overcrowded and the cost of alleviating such overcrowding by providing additional facilities has not been met.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The District's fee on residential development projects is hereby established at \$3.79 per square foot and the fee on commercial/industrial development and senior citizen restricted housing projects is hereby established at \$0.61 per square foot;
2. The imposition of the fees on residential and commercial/industrial development projects shall take effect on August 25, 2018, sixty (60) days from the adoption of this Resolution.
3. This Board finds:
  - a. The purpose of the fees increased by this resolution is to fund the construction or reconstruction of school facilities;
  - b. These fees will be used to fund the construction or reconstruction of school facilities needed to reduce overcrowding which exists in the District and impairs the normal functioning of its educational programs. Said fees will not be used for regular maintenance and routine repair, asbestos work other than incidental to regular construction and reconstruction, and deferred maintenance as described in Education Code Section 17582;
  - c. The overcrowding to be reduced by these fees exists because the enrollment projected to result from continuing residential and commercial or industrial development exceeds the capacity of the District to provide adequate facilities for housing its students;
  - d. The amount of fees to be paid pursuant to this Resolution bears a reasonable relationship and is limited to the needs of the community for adequate school facilities and is reasonably related and limited to the need for schools caused by the increased enrollments generated by commercial or industrial development; and

- e. The amount of fees to be paid pursuant to this Resolution does not exceed the estimated reasonable costs of providing for the construction or reconstruction of school facilities necessitated by the development projects from which the fees are to be collected.
- f. These fees will be collected for school facilities for which an account has been established and funds appropriated and for which the District has adopted a proposed construction plan and will reimburse the District for expenditures previously made. Therefore, they are to be collected at the time building permits are issued for projects to which the fee applies.

4. The Superintendent is directed to mail a copy of this Resolution and all supporting documents to the (Office of Statewide Health Planning & Development, Planning Department(s); Building Department(s); City Offices; County Offices; etc.) notifying them of this increase in fees and requesting that said agencies issue no building permit for any development absent certification from the District that the above fees have been paid.

PASSED AND ADOPTED this 26<sup>th</sup> day of June, 2018 at a regular board meeting by the following vote

AYES:

NOES:

ABSENT:

ABSTAINED:

  
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Judy Tagg  
President, Board of Trustees

  
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Karina Alvarez  
Clerk, Board of Trustees