

DRAFT 11/25/24 

## RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF SUNNYVALE APPROVING THE DEVELOPMENT  
IMPACT FEE ANNUAL REPORT FOR FISCAL YEAR  
2023/24 AND MAKING THE FIVE-YEAR FINDINGS  
REGARDING UNSPENT FEES REQUIRED BY THE  
MITIGATION FEE ACT**

WHEREAS, the City of Sunnyvale has adopted certain fees designed to mitigate the impacts of new development in the City on traffic, housing, and parks; and

WHEREAS, pursuant to the Mitigation Fee Act (Government Code Section 66000 et seq.) the City is required to make an annual accounting of development impact fees which the City has collected and to make additional findings every five years if there are any funds remaining at the end of the prior fiscal year; and

WHEREAS, the Annual Development Impact Fee Report for Fiscal Year 2023/24 identifies impact fee programs for which there are unexpended development impact fees; and

WHEREAS, the City Council desires to make the findings required by law with respect to such fees.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The City Council hereby approves the Annual Development Impact Fee Report for Fiscal Year 2023/24 in accordance with Government Code Section 66006.

2. Based upon the Annual Development Impact Fee Report for Fiscal Year 2023/24, the accompanying staff report, and such other information that was presented to City Council during its consideration of this item, the City Council finds as required by Government Code Section 66001(d) the following:

- a. The purpose of the development impact fees has been identified.
- b. There is a continued need for the improvements and a reasonable relationship between the fees and the impacts of development for which the fees are collected.
- c. The sources and amounts of funding anticipated to complete the financing of the improvements have been identified.
- d. The approximate dates for funding improvements have been identified.

Adopted by the City Council at a regular meeting held on \_\_\_\_\_, by the following  
vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RECUSAL:

ATTEST:

APPROVED:

\_\_\_\_\_  
DAVID CARNAHAN  
City Clerk  
(SEAL)

\_\_\_\_\_  
LARRY KLEIN  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
REBECCA L. MOON  
City Attorney