

RESOLUTION NO. 25-26-XX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUTTER CREEK
APPROVING THE CAPITAL FACILITIES FEE UPDATE STUDY DATED JANUARY
13, 2026, ADOPTING NEW AND AMENDED CAPITAL FACILITIES FEES, MAKING
A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT, AND REPEALING PRIOR RESOLUTIONS ESTABLISHING OR
MODIFYING CAPITAL FACILITIES FEES**

WHEREAS, the Goodwin Consulting Group has prepared the Capital Facilities Fee Update Study dated January 13, 2026 (the “Study”). The Study identifies capital infrastructure, equipment, and other physical needs necessary to accommodate build out of the community under the City’s General Plan;

WHEREAS, The Study describes the benefit and impact areas on which capital facilities fees are to be imposed and collected, describe the reasonable relationship between the capital facilities fees and the various types of new development, analyze the need for new public facilities and improvements which will be necessitated by new development, set forth a methodology for determining the relationship between new development, the needed public facilities, and the estimated cost of those improvements, and otherwise satisfy the requirements of the law, and Government Code Sections 66000 et seq. (the “Mitigation Fee Act”), with regard to the imposition and collection of development impact fees; and

WHEREAS, the Study projects developmental growth in the City based on the City’s General Plan, adopted specific plans and other development approvals, and provides the basis for calculating and adopting development impact fees in the following categories: (1) police facilities, (2) general City facilities, (3) parks and recreation facilities, (4) transportation improvements, and (5) drainage improvements; and

WHEREAS, the analysis of facilities and improvement costs contained in the Study, taken together with the methodology established by the Study, demonstrates the specific costs associated with providing adequate public facilities commensurate with projected levels of new development in the City; and

WHEREAS, the Study provides the documentation, detail, and other information required by the Mitigation Fee Act as the basis for the adoption and imposition of the development impact fees for police facilities, general City facilities, parks and recreation facilities, transportation improvements, and drainage improvements; and

WHEREAS, the Study describes the benefit and impact area on which the capital facilities fees are to be imposed, lists the specific public improvements to be financed through the imposition and collection of the development impact fees, describe the estimated cost of providing the improvements and facilities, describe the reasonable relationship between the development impact fees and the various types of new development; and otherwise satisfy the requirements of the law with regard to the imposition and collection of development impact fees; and

WHEREAS, the facts and evidence presented to the City Council have established that there is a reasonable relationship between the need for new facilities or improvements and the impacts of new development for which a corresponding fee is charged, and also that there is a reasonable relationship between the fees' use and the type of development for which the fee is imposed; and

WHEREAS, the City has complied with the notice and hearing requirements of state law and the Mitigation Fee Act prior to adopting this Resolution, and a notice of public hearing on the capital facilities fees was mailed as required by law to any interested party who filed a written request with the City Clerk for mailed notice of a meeting on new or increased fees; and

WHEREAS, the City Council held a duly noticed public hearing at the March 16, 2026 Regular City Council meeting, at which time further testimony was presented and the public hearing was closed; and

WHEREAS, the City Council finds that the record of these proceedings, including the Study, the City's General Plan, ordinances and resolutions, the staff report, written correspondence received by the City, and the testimony received at the hearing prior to the adoption of this Resolution, held on March 16, 2026, contains substantial evidence to support the imposition and collection of the capital facilities fees established herein; and

WHEREAS, the City Council has reviewed and considered the development impact fees established herein, and finds that the fees will mitigate some of the impacts associated with additional capital and infrastructure needs necessitated by new residential and non-residential development in the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sutter Creek hereby orders as follows:

SECTION 1: ADOPTION AND INCORPORATION OF RECITALS

The findings and recitals set forth above are true and correct, and are incorporated herein.

SECTION 2: ADOPTION OF THE STUDY

The City Council hereby approves the Capital Facilities Fee Study prepared by Goodwin Consulting Group and dated January 13, 2026, and the findings contained therein. The City Council further adopts the methodology set forth in the Study for calculating and collecting the capital facilities fees adopted herein. A copy of the Study shall be on file with the City Clerk and available during regular City business hours for public inspection.

SECTION 3: ADOPTION OF DEVELOPMENT IMPACT FEES

The City Council hereby approves and adopts the development impact fees for police facilities, general City facilities, parks and recreation facilities, transportation improvements, and drainage improvements in accordance with the schedule set forth in **Exhibit A** attached hereto and

incorporated herein by reference. Specifically, the City Council adopts the fees in the amounts shown as “Adopted Capital Facilities Fee”, which are lesser than the maximum amounts shown as the “Maximum Supportable Capital Facilities Fee.”

SECTION 4: METHODOLOGY FOR CALCULATION, ADJUSTMENT, AND COLLECTION OF DEVELOPMENT IMPACT FEES

The capital facilities fees established in **Exhibit A**, “Adopted Capital Facilities Fee,” are hereby adopted, and shall be calculated, adjusted, and collected in accordance with City ordinances and the Studies. The amount of the capital facilities fees may be adjusted annually for inflation on July 1st of each year by the percentage change in the Engineering News Record Construction Cost Index (or any successor index).

SECTION 5: IMPOSITION OF DEVELOPMENT IMPACT FEES

The capital facilities fees established herein shall be due and payable in accordance with Government Code Section 66007.

SECTION 6: EFFECTIVE DATE OF NEW DEVELOPMENT IMPACT FEES

The capital facilities fees established by Section 4 of this Resolution shall be effective on July 1, 2026, which is more than 60 days following the adoption of this Resolution.

SECTION 7: APPEAL OF FEE IMPOSITION

Any applicant who is subject to payment of the capital facilities fees established herein may file an appeal in accordance with Chapter 2.53 of the Sutter Creek Municipal Code, as that Chapter may be amended from time to time.

SECTION 8: REPEAL OF PRIOR DEVELOPMENT IMPACT FEES ADOPTED BY PREVIOUS RESOLUTIONS

Any and all provisions of any prior resolutions of the City Council establishing or modifying capital facilities fees in the categories established in the Study and set forth in **Exhibit A**, which duplicate or conflict with the provisions of this Resolution and Exhibit A, are hereby repealed and replaced with the fees set forth in **Exhibit A** and the terms and conditions established by this Resolution upon the effective date of the new development impact fees, as provided for in Section 6 of this Resolution.

SECTION 9: CALIFORNIA ENVIRONMENTAL QUALITY ACT

the adoption of the Study and the capital facilities fees specified in this Resolution were reviewed in accordance with the criteria contained in the California Environmental Quality Act (“CEQA”) and the State CEQA Guidelines. The City Council finds that adoption of the Studies and the capital facilities fees specified in this Resolution will not have a significant impact on the environment and are exempt from CEQA pursuant to Section 15061(b)(3) of State CEQA Guidelines because

these actions involve the amendment of development impact fees and no specific development is authorized by the adoption of the Studies or the adoption of new and amended development impact fees. Therefore the adoption of the Studies and the development impact fees does not have the potential for causing a significant effect on the environment. In addition, the adoption of this Resolution approves and sets forth a procedure for determining fees for the purpose of obtaining funds for capital projects necessary to maintain service within existing service areas and is statutorily exempt from CEQA pursuant to State CEQA Guidelines 15273(a)(4).

SECTION 10: SEVERABILITY

if any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Resolution or any part hereof is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portion of this Resolution or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause, or phrase be declared invalid or unconstitutional.

The foregoing resolution was duly passed and adopted at a regular meeting of the City Council of the City of Sutter Creek on the 16th day of March, 2026 by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Claire Gunselman Mayor

Pam Caronongan, City Clerk

EXHIBIT A

Maximum Supportable Capital Facilities Fee

Land Use	Police	Gen City Facilities	Parks & Rec	Transportation	Drainage
<u>Per Residential SF</u>					
Residential	\$0.79	\$1.73	\$3.25	\$5.61	\$3.26
<u>Non-Residential</u>					
<u>Per Building SF</u>					
Commercial	\$0.36	\$0.79	\$0.00	\$25.24	\$6.61
Office	\$0.66	\$1.44	\$0.00	\$18.70	\$6.61
Industrial	\$0.20	\$0.43	\$0.00	\$7.29	\$4.13

Adopted Capital Facilities Fee /1

Land Use	Police	Gen City Facilities	Parks & Rec	Transportation	Drainage
<u>Per Residential SF</u>					
Residential	\$0.61	\$1.33	\$2.50	\$4.32	\$2.51
<u>Non-Residential</u>					
<u>Per Building SF</u>					
Commercial	\$0.14	\$0.31	\$0.00	\$9.82	\$2.56
Office	\$0.30	\$0.66	\$0.00	\$8.62	\$3.06
Industrial	\$0.15	\$0.32	\$0.00	\$5.34	\$3.02

/1 The fees shown exclude a 3.5% administrative fee added at the time of collection to recover the City's reasonable costs associated with administering the CFF Program.

Goodwin Consulting Group, Inc.