

**SAN PASQUAL UNION SCHOOL DISTRICT
GOVERNING BOARD RESOLUTION**

Resolution #R22-23-05

**A RESOLUTION OF THE BOARD OF EDUCATION OF
THE SAN PASQUAL UNION SCHOOL DISTRICT
ADOPTING THE FINDINGS CONTAINED IN THE
ANNUAL DEVELOPER FEE REPORTS
FOR FISCAL YEAR 2021-22**

WHEREAS, pursuant to its authority under Education Code Section 17620 and Government Code Section 65995, the Board of Education has previously adopted and imposed statutory school fees for the 2021-22 fiscal year on residential, commercial, and industrial development (“Developer Fees”) to mitigate the impact of new development on the San Pasqual Union School District (“District”); and

WHEREAS, the District has deposited all Developer Fees that it has received in a separate non-commingled capital facilities fund (“Capital Facilities Fund”) established for such a purpose, pursuant to Government Code Section 66006(a) and (b); and

WHEREAS, the District has made available to the public within one hundred and eighty (180) days of the end of the 2021-22 fiscal year the Annual Developer Fee Reports for Fiscal Year 2021-22; and

WHEREAS, the District has reviewed the information provided in the Annual Developer Fee Reports and has determined the information contained therein to be true and correct; and

WHEREAS, the Annual Developer Fee Report was prepared in accordance with Government Code Section 66006(b) (1); and

WHEREAS, the District has mailed notice at least fifteen (15) days prior to this meeting to all interested parties who have requested notice of any meeting relative to the District's imposition of Developer Fees; and

WHEREAS, the Board of Education has reviewed and considered the Annual Developer Fee Reports at a duly noticed, regularly scheduled public meeting at least fifteen (15) days after the District made this information publicly available, pursuant to Government Code Section 66006(b)(2).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF THE SAN PASQUAL UNION SCHOOL DISTRICT AS FOLLOWS:

Section 1. The Board has reviewed the information provided in the Annual Developer Fee Reports and finds it to be true and correct.

Section 2. The Board, based upon the information contained in the Annual Developer Fee Report, finds as follows:

Section 2.1 That the Annual Developer Fee Report describes the types of fees contained in the Capital Facilities Fund, including the amount of the fees, the beginning and ending balance of the Capital Facilities Fund, as well as the amount of fees collected, and the interest earned thereon.

Section 2.2 That the Annual Developer Fee Report identifies each public improvement on which Developer Fees were expended, and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with Developer Fees.

Section 2.3 That sufficient funds have not been collected to complete the financing on any incomplete public improvement.

Section 2.4 That there were no interfund transfers or loans made from the Capital Facilities Fund.

Section 2.5 That sufficient funds have not been collected to complete the financing of any incomplete public improvement, and that there were no refunds made of Developer Fees.

Section 3.1 That the purpose of Developer Fees imposed on new residential, commercial, and industrial development within the District is to fund the school facilities required to serve the additional grade K-12 students generated by such new development and that the Developer Fees will be used for the construction and/or acquisition of additional school facilities and the remodeling of exiting school facilities to provide additional capacity.

Section 3.2 That there is a proportional and reasonable relationship between the Developer Fees imposed on new development and the need for additional District school facilities because new development will generate new students to be enrolled in the District which will lead to increased need for school facilities, and that the Developer Fees imposed do not exceed the cost of providing such additional school facilities.

Section 3.3 That there is a further proportional and reasonable relationship between the unexpended Developer Fees contained in the Capital Facilities Fund and the need for additional school facilities because the Developer Fees imposed on new developments will not fully cover the costs of providing such school facilities for these new students.

Section 3.4 That the portion of the Capital Facilities Fund that remains unexpended will be used for the construction and/or acquisition of additional school facilities, remodeling existing school facilities in order to increase capacity, and the acquisition of additional portable classrooms to accommodate students generated from new development.

Section 3.5 That the funding anticipated to complete the financing of incomplete projects will be obtained from the State School Facilities Program and additional Developer Fees as set forth in the Five-Year Developer Fee Report.

Section 3.6 That the dates upon which the District's school facilities projects employing the unexpended funds in the Capital Facilities Fund will commence are not presently known.

Section 4. The Annual Developer Fee Reports have been made available to the public within one hundred and eighty (180) days after the last day of the fiscal year pursuant to Government Code Sections 66001(d) and 66006(b).

Section 5. The District made the Annual Reports available for public review at least fifteen (15) days prior to the Board's consideration of these reports.

Section 6. The District mailed notice of the time and place of the Board meeting in which the Annual Developer Fee Reports would be considered, as well as the location where the reports could be reviewed, at least fifteen (15) days before the meeting, to each individual who had filed a written request for such notice.

PASSED AND ADOPTED this 13th day of December, 2022, the Governing Board of the San Pasqual Union School District of the San Diego County, California, by the following vote:

AYES: _____ NOES: _____ ABSENT: _____ ABSTAIN: _____

I hereby certify that the foregoing is a full, true and correct copy of the resolution adopted by said Board of Trustees at a regularly called and conducted meeting held on said date and that the same has not been amended or repealed.

President of the Board

Secretary or Clerk to the Board