

Chapter 15.21
ESTABLISHMENT OF DEVELOPMENT
IMPACT FEES FOR MEASURE A
TRANSPORTATION IMPROVEMENTS

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Section 15.21.010 Purpose.

This Chapter is adopted pursuant to the authority granted to cities by Article XI, section 7 of the California Constitution for the purpose of authorizing certain development impact fees, as described in public facility financing plans, expenditure plans and the nexus studies as referenced herein, to be assessed upon the owners of certain residential and nonresidential property as described in this Chapter and which is located within the City. The fees herein adopted shall be assessed upon landowners developing property for any residential or nonresidential use in order to provide all or a portion of the funds which will be necessary to design, construct, install or acquire public

facilities required to meet the needs of, and address the transportation impacts caused by, such development activity. It is the intent and purpose of the City to protect and promote the public health, safety and welfare by constructing, installing and acquiring public facilities necessitated by development in the City. Furthermore, it is the intent and purpose of the City to allow the development within its jurisdiction boundaries on the condition that landowners pay the applicable costs of such public facilities and that such costs shall not be or become a responsibility of any other City fund, including, without limitation, the City's general fund. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.020 Definitions.

Unless the contrary is stated or clearly appears from the context in which a term is used, the following definitions shall govern construction of the words and phrases used in this Chapter:

1. "Automatic annual adjustment" means the automatic annual adjustment of development impact fees based on the inflation factors described in section 15.21.120 of this Chapter.

2. "City Code" means the City of Galt Municipal Code.

3. "Citywide benefit district area" means the real property located within the jurisdictional boundaries of the City, and as said boundary may be adjusted from time to time.

4. "Development" means the uses to which property will be put, the buildings and improvements to be constructed on it, and the construction activities incident thereto, together with the process of obtaining all required land use entitlements.

5. "Development project" shall have the same meaning as defined by subsection (a) of Government Code section 66000, as such section may be amended from time to time.

6. "Dwelling unit" means any building or portion of a building used or designed for use as a residence by an individual or any group of individuals living together or as a family, excepting therefrom any unit rented or leased for temporary residency, such as a motel and hotel room.

7. "Fee" and "impact fee" and "development impact fee" means the monetary exaction as

defined by subsection (b) of Government Code section 66000, as such section may be amended from time to time, and shall include, but not be limited to, the fees established pursuant to this Chapter.

8. “Fee resolution” mean Resolution No. 2009-07, or any subsequent resolution adopted by the City Council which implements the provisions of this Chapter, including, without limitation, the setting of the amounts of the various fees established hereby and the adoption of provisions for credits, reimbursements and deferral relating to such fees.

9. “Government Code” means the Government Code of the state of California and any provision thereof cited in this Chapter, as such provision exists as of the date of the enactment of this Chapter, or as may thereafter be amended or renumbered from time to time.

10. “Health and Safety Code” means the Health and Safety Code of the state of California and any provision thereof cited in this Chapter, as such provision exists as of the date of the enactment of this Chapter, or as may thereafter be amended or renumbered from time to time.

11. “Measure A” means Ordinance No. 04-01 adopted by the Sacramento Transportation Authority on July 29, 2004, which established the Sacramento Countywide Transportation Mitigation Fee Program to be implemented by the County of Sacramento and each city within the county by April 1, 2009.

12. “Measure A administration fee” means the fee imposed by the City for the cost of collection, deposit, investment, accounting, remittance and reporting of the Measure A development impact fee.

13. “Measure A development impact fee” means a development impact fee established to provide funding for public facilities to benefit new development within the City.

14. “Measure A expenditure plan” means the Sacramento County Transportation Expenditure Plan 2009-2039 dated June 10, 2004, as adopted by the Sacramento Transportation Authority under Ordinance No. 04-01, which specifies the allocation of Measure A sales taxes and Measure A development impact fees for specified public facilities.

15. “Measure A nexus study” means the Development Impact Fee Study dated June 2,

2006, as adopted by the Sacramento Transportation Authority by Resolution No. 06-0006.

16. “Protocols Agreement” means the New Measure A Sacramento Countywide Transportation Mitigation Fee Program Agreement on Operating Protocols dated August 2008 with the Sacramento Transportation Authority, as approved by the Authority on August 28, 2008, by Resolution No 08-0001, and as amended on December 11, 2008.

17. “Public facilities” means the public improvements, public services and community amenities as defined by subsection (d) of Government Code section 66000, as such section may be amended from time to time. The term “public facilities” only includes transportation improvements and infrastructure to be designed, constructed, installed and acquired to serve the specified benefit district area, as well as the transportation-related public service and community amenities to serve the specified benefit district area, which improvements and infrastructure are described in the applicable financing plan, expenditure plan, and/or nexus study (collectively “plan” or “study”). The costs of the design, construction, installation and acquisition of the specified public facilities, which are to be financed partially by the development impact fee program, is set forth within the plan or study. Where applicable under the plan or study, the term “public facilities” includes the acquisition of land relating to such improvements, infrastructure, public services and community amenities. The term “public facilities” also means a specific public improvement or infrastructure where the context requires a singular meaning.

18. “STA” means the Sacramento Transportation Authority. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.030 Adoption of new or amended reports.

To implement the development impact fees established pursuant to the provisions of this Chapter, the City Council may, by resolution, adopt new or amended versions of any of the studies, reports, plans, or projections on which the development impact fees are based, except in

such cases where amendments to such studies reports, plans, or projections must be made by ordinance. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.040 Establishment of development impact fees.

A The following development impact fees are established pursuant to the provisions of this Chapter to finance the cost of the following categories of public facilities required by development within the following specified benefit district areas:

1. Measure A benefit district.

a. Measure A Development Impact Fee. A development impact fee is established to provide funding for public facilities to serve the City, which facilities are described in the Measure A expenditure plan and the Measure A nexus study. The Measure A benefit district is the jurisdictional boundaries of the City, and as said boundary may be adjusted from time to time.

b. Measure A Administration Fee. An administrative fee is established to fund the City's cost to administer the Measure A development impact fee.

B. The City Council, by resolution, shall establish the specific initial and subsequent amounts of the foregoing fees pursuant to section 15.21.060 of this Chapter and make the additional findings required under section 15.21.050 of this Chapter in establishing said amounts of each fee. In addition, the City Council, by resolution, may adopt additional provisions, procedures and policies to implement the fees established by this Chapter. The amounts of fees, provisions, procedures, and policies adopted by resolution pursuant to this subsection shall be consistent with the applicable financing plan, expenditure plan and/or nexus study as referenced in subsection A of this section 15.21.040.

C. The City Council, by resolution, may establish new or additional components of the fees identified in subsection A of this section 15.21.040 as are necessary to accommodate phasing and stages of the development of the specified benefit district areas, or as may be contemplated by future amendments to the financing plan, expenditure plan and/or nexus study as referenced in subsection A of this

section 15.21.040. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.050 Additional findings to be made when establishing the amount of development impact fees.

At the time it considers the amount of the fees established pursuant to section 15.21.040 of this Chapter or at the time of amending such fees, other than in making an automatic annual adjustment to the fees as provided in section 15.21.120 of this Chapter, the City Council shall adopt the amount of such fees if it makes the following findings in support of such fees:

A. A finding that such fees have been determined and calculated in the manner consistent with the financing plan, expenditure plan and/or nexus study as referenced in subsection A of section 15.21.040 of this Chapter; and

B. The following additional findings required by section 66001 of the Government Code which demonstrate that there is a nexus between the public facilities for which such fees are imposed and the need for such public facilities created by the development of residential and nonresidential property within the specified benefit district areas upon which the fees are imposed:

1. Findings which identify the purpose of the fees;

2. Findings which identify the use to which the fees are to be put;

3. Findings which demonstrate that there is a reasonable relationship between the use of the fees and the type of development project on which the fees are imposed;

4. Findings which demonstrate that there is a reasonable relationship between the need for the public facilities to be financed by the fees and the type of development project on which the fee is to be imposed; and findings which demonstrate how there is a reasonable relationship between the amount of the fees and the cost of the public facilities, or portion of such public facilities, attributable to the development project on which the fees are imposed.

C. In making the findings pursuant to this section 15.21.050 and any other findings, the City Council may consider all matters, whether

offered orally or in writing, presented at the hearing or hearings conducted for the purpose of establishing or amending the fee, and any and all oral and written material presented to the City Council and Planning Commission in connection with the adoption, approval or amendment of the financing plan, expenditure plan and/or nexus study as referenced in subsection A of section 15.21.040 of this Chapter. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.060 Proceedings to establish the amount of development impact fees.

A. At the time of setting the amount of the fees established pursuant to this Chapter or at the time of amending such fees, other than in making an automatic annual adjustment to the fees as provided in section 15.21.120 of this Chapter, the City Council shall hold a public hearing on the proposed fees or proposed amendment of fees in the manner required by section 66018 of the Government Code.

B. The effective date of any resolution adopted by the City Council which establishes or amends, as the case may be, the amount of the fees established pursuant to section 15.21.040 of this Chapter, shall be no sooner than 60 days following the final action on the adoption or amendment of the fee. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.070 Imposition of development impact fees.

A. The development impact fees established under this Chapter shall be imposed on the following types of uses or development of real property located within the benefit district areas as referenced in subsection A of section 15.21.040 of this Chapter:

1. For nonresidential uses or development:

a. The construction on the property of a new building or structure;

b. The construction on the property of additions to an existing building or structure which results in the expansion in the size or use of such existing building or structure; or

c. The change in use of an existing building or structure on the property from a previous residential use to a nonresidential use, or from a previous nonresidential use to another

nonresidential use, provided that the landowner shall be entitled to a credit against fees paid pursuant to this Chapter in the amount of fees which were actually paid for such previous residential or nonresidential use, which prior fees shall be adjusted for inflation consistent with section 15.21.120 of this Chapter.

2. For residential uses or development:

a. The construction on the property of a new building or structure containing one or more dwelling units;

b. The construction on the property of alterations or additions to an existing building or structure which add one or more dwelling units to such existing building; or

c. The change in use of an existing building or structure on the property from a previous nonresidential use to a residential use, provided that the landowner shall be entitled to a credit against fees paid pursuant to this Chapter in the amount of fees which were actually paid for such previous nonresidential use, which prior fees shall be adjusted for inflation consistent with section 15.21.120 of this Chapter.

3. For nonresidential and residential uses or development within the same building or structure, the computation of fees as set out in section 15.21.090 of this Chapter shall apply.

B. Except as may be expressly provided in this Chapter, no building permits or extension of permits relating to the activities described in subsections (A)(1) and (A)(2) of this section 15.21.070 shall be granted unless and until the appropriate development impact fee or fees have been paid to the City in accordance with the provisions of this Chapter, except that for residential developments under a fee payment contract as specified in section 66007 of the Government Code, building permits may be issued but no final inspection or certificate of occupancy shall be granted unless and until the appropriate development impact fee or fees have been paid to the City. As provided in subsection (a) of section 66007 of the Government Code, for a residential development that contains more than one dwelling unit, the fees may be paid on a pro rata basis for each dwelling unit when it receives its final inspection or certificate of occupancy, whichever occurs first.

C. Notwithstanding anything to the contrary set forth in subsection A of this section

15.21.070 or in any other provision in this Chapter, the development impact fees established pursuant to this Chapter shall apply to any development project that has heretofore either received a tentative map approval or other approval or permit, whether discretionary or nondiscretionary, or is subject to a development agreement or other agreement between the landowner and City that provides for payment of one or more fees established under this Chapter. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.080 Exemptions.

A. The following shall be exempted from payment of the fees established by this Chapter:

1. Alterations, renovations or expansion of an existing residential structure where no additional dwelling units are created and the use is not changed;

2. The replacement of a destroyed or partially destroyed or damaged structure with a new structure of the same size and use;

3. Agreements entered into pursuant to section 65865 of the Government Code (“development agreement”) unless the development agreement expressly provides for the payment of one or more fees established under this Chapter. For fees established pursuant to subsection A(1) of section 15.21.040 of this Chapter, the development agreement must have been approved prior to April 1, 2009 and the exemption is invalid if the term of that development agreement is extended after April 1, 2009.

4. For fees established pursuant to subsection A(1) of section 15.21.040 of this Chapter, a vesting tentative map authorized under section 66498.1 of the Government Code if the map application was deemed complete prior to April 1, 2009; and

5. For fees established pursuant to subsection A(1) of section 15.21.040 of this Chapter, low and very low income housing as defined in Health and Safety Code sections 50079.5 and 50105, respectively. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.090 Computation of fees.

The methodologies set forth in the financing plan, expenditure plan and/or nexus study referenced under subsection A of section

15.21.040 of this Chapter shall be used as the basis to set the amount of fees pursuant to any resolution referenced under subsection B of section 15.21.040 of this Chapter. The amount of fees due from any landowner shall be calculated from the actual uses of land proposed by the landowner unless otherwise provided in any resolution referenced under subsection B of section 15.21.040 of this Chapter. Applicants for building or other development permits shall include plans and calculations prepared by the applicant or applicant’s agent, specifying data necessary to calculate development impact fees, including, without limitation, each proposed land use, the square footage of each use, and other relevant data as may be required by the City Public Works Director, or his or her authorized designee. All fees due under this Chapter shall be determined and calculated by the City Public Works Director, or his or her authorized designee. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.100 Payment of fees.

Except as otherwise provided in any resolution adopted by the City Council as provided under section 15.21.110 and subsection B of section 15.21.070 of this Chapter relating to deferral of payment of fees, the fees established by this Chapter shall be paid for the property on which a development project is proposed at the time of the issuance of any required building permit relating to such development. With respect to development projects completed or commenced prior to the effective date of this Chapter and the effective date of any amendment, the City Public Works Director, or his or her authorized designee, may enter into agreements with landowners regarding the amount, time, and manner of payment of fees under this Chapter with respect to such development projects. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.110 Deferral of fees.

The City Council, by resolution, may establish and modify policies, guidelines and procedures regarding the deferral or other adjustment of the time of payment of the fees established under this Chapter. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.120 Automatic annual adjustment.

The fees established by this Chapter shall be adjusted automatically to take into consideration construction cost inflation on July 1st of each fiscal year. The first fiscal year for which an adjustment shall occur shall be the fiscal year that includes July 1, 2010. The adjustment shall be made by a factor equal to the percentage increase, if any, of the index which the City Council adopts by resolution at time of establishment or amendment of the fees as provided under this Chapter, which may include the following: The Construction Cost Index as published by Engineer News Record/McGraw-Hill Construction Weekly for either (i) the San Francisco (based on 1913 U.S. average = 100) during the twelve (12) months ending on the preceding March 1st, or (ii) the 20-City Construction Cost Index during the twelve (12) months ending on the preceding March 1st. This automatic annual adjustment shall not apply to those fees which are based on variable factors which themselves result in an automatic inflation adjustment, those which specifically indicate otherwise, or those which are governed by provisions of an agreement with the City expressly exempting such fees from the adjustment set forth under this section 15.21.120. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.130 Adjustment of fee by resolution.

In addition to any automatic annual adjustment, the amount of the fees established by this Chapter may be revised periodically, including, without limitation, upon the report and review provided for in section 15.21.180 of this Chapter, by resolution of the City Council. Any action by the City Council to increase fees shall comply with the provisions of this Chapter and Government Code section 66018. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.140 Creation of funds.

A. The fees established and collected pursuant to this Chapter shall be deposited in the following separate special funds and accounts created specifically to hold the revenue generated by such fees. Said collected fees shall be deposited, managed, and maintained pursuant

to the provisions of section 66006 of the Government Code. Moneys within such fund may be used solely for the purposes set forth in section 15.21.150 of this Chapter. In this regard, the following special funds are created and established:

1. Measure A transportation impact fee fund for the deposit and collection of the Measure A transportation impact fee.

2. Measure A administration fee fund for the deposit and collection of the Measure A administration fee.

B. The City Public Works Director, or his or her designee, shall have the authority to rename funds and create new funds, as such funds may become necessary or appropriate through the adoption of any fee resolution or through any amendment to the financing plan, expenditure plan and/or nexus study as referenced in subsection A of section 15.21.040 of this Chapter. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.150 Use of funds.

A. Funds collected from the fees established by this Chapter and deposited in their respective special funds established under section 15.21.140 of this Chapter shall be used by the City, or by the Sacramento Transportation Authority or other entity if funds have been transferred to that entity, for the following purposes:

1. Payment of the actual costs of designing and constructing public facilities for which the fees may be expended, as described in the resolution or resolutions adopted pursuant to subsection B of section 15.21.040 of this Chapter;

2. Providing refunds as described in sections 15.21.160 of this Chapter;

3. Funding the City's administration of the fee program implemented by the provisions of this Chapter; and

4. Using the same as may be permitted under section 66006 of the Government Code.

B. Unless used or refunded as otherwise permitted under this section 15.21.150, moneys, including any accrued interest, not assigned in any fiscal year shall be retained in the same fund or account until the next fiscal year.

C. The City Council, by resolution, may authorize the City Manager to transfer funds,

including any accrued interest, to (1) another public entity with the authority to manage the fund pursuant to section 66006 of the Government Code, or (2) to another public entity with the authority to undertake construction of the public facility funded by the fee. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.160 Disposition of unexpended or unappropriated fee revenues.

A. Commencing with the fifth fiscal year following the first fiscal year of receipt of any revenues from the fees established, assessed and levied pursuant to the provisions of this Chapter, and in each fiscal year thereafter, the City Treasurer, or his or her designee, shall provide the City Council with a report which sets forth the total amount of all such fee revenues that were received and deposited in the appropriate special funds and accounts established under section 15.21.140 of this Chapter in each fiscal year prior to the date of such report, but which remain unexpended or unappropriated by the City or another public entity as referenced in section 15.21.150 of this Chapter as of the date of the report; provided, however, that no report shall be required in any year in which there were no unspent or unappropriated fee revenues in such fund which were received and deposited in the fund more than five years prior to the date of the report.

B. Upon review of each report described in subsection A of this section 15.21.160, the City Council shall take one of the following actions required by section 66001 of the Government Code with respect to any unexpended or unappropriated fee revenue in the appropriate special fund established under section 15.21.140 of this Chapter which was received and deposited in such fund five or more years prior to the date of such report:

1. Appropriate all or any part of such unexpended or unappropriated fee revenue for the construction, installation, acquisition or provision of the public facilities for which the fee was imposed;

2. Make findings with respect to all or any part of such unexpended or unappropriated fee revenue which identify the purposes to which the revenue are to be put and which demonstrate a reasonable relationship between

such fee revenue and the purpose for which it was imposed; and/or

3. Provide for the refund of all or any part of such unexpended or unappropriated fee revenue, together with any actual interest accrued thereon, in the manner described in subsection (e) of section 66001 of the Government Code, to the current record owner of any property for which a fee was paid; provided that if the administrative costs of refunding such fee revenue exceed the amount to be refunded, the City Council, after considering the matter at a public hearing, notice of which is given in the manner provided for in subsection (f) of section 66001 of the Government Code, may appropriate such revenue for any other public facility in the benefit district area for which development fees are charged or otherwise imposed pursuant to this Chapter and which the City Council determines will benefit the properties for which such development impact fee was charged or otherwise imposed; and further provided that the portion of any fee revenue received by the City as reimbursement of its costs in administering the provisions of this Chapter shall not be refunded, but shall be applied to reduce the amount of the fee charged for administrative purposes.

4. The provisions of subsections (d), (e), and (f) of Government Code section 66001 shall apply fully to any refund of fees remaining unexpended or uncommitted in the appropriate special fund established under section 15.21.140 of this Chapter for five or more years after deposit, and the provisions of this section 15.21.160 of this Chapter shall be subordinate to the said state statute and shall be applied consistently therewith. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.170 Other fee and dedication requirements.

The provisions of this Chapter shall not release any owner of residential or nonresidential property located within the benefit district area from the following obligations:

A. Paying other applicable fees relating to development of property, including, without limitation, the application fees, processing fees,

mitigation fees, and other development fees within the control of the City.

B. Complying with any public facility requirements which are imposed pursuant to applicable law, including, without limitation, the provisions of the City Code.

C. Complying with any requirement to dedicate property for public use pursuant to applicable law, including without limitation, the provisions of the City Code and the Government Code, at the time of approval of a tentative subdivision map, tentative master parcel map, certificate of compliance, building permit or other land use entitlement.

D. Complying with any obligation to pay fees or exactions, or to comply with mitigation requirements for identified project-related environmental effects. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.180 Annual reports and review of fee.

A. No later than one hundred eighty (180) days following the end of each fiscal year, the City Manager or his or her designee shall prepare a report for the City Council identifying the following:

1. The beginning and ending balances of the public facilities fee funds, and related accounts, established under section 15.21.140 of this Chapter for the fiscal year;

2. The fee, interest, and other income collected in said funds during the fiscal year;

3. The amount of expenditures from said funds categorized by the public facilities to which such expenditures relate;

4. An accounting of all refunds and reimbursements for which the City is obligated to make or has made pursuant to this Chapter;

5. The reallocation, if any, of unexpended or unappropriated fee revenue made pursuant to subsection (B)(3) of section 15.21.160 of this Chapter and subsection (f) of Government Code section 66001;

6. The public facilities constructed and to be constructed utilizing the revenues collected from the fee established by this Chapter, the continued need for such public facilities, the reasonable relationship between such need and the impacts of development for which the fee is charged;

7. The estimated costs of the public facilities described in the report;

8. The amount of any automatic annual adjustment made pursuant to section 15.21.120 of this Chapter, including the basis of the calculation therefore; and

9. Any additional information required by the Sacramento Transportation Authority for the fees imposed pursuant to subsection A(1)(a) of section 15.21.040 of this Chapter. The City Manager may submit the report prepared by the Sacramento Transportation Authority for the fees imposed pursuant to subsection A(1)(a) of section 15.21.040 of this Chapter if said report includes all of the foregoing information set out in this subsection A of this section 15.21.180.

B. In addition to the report matters set forth in subsection A of this section 15.21.180, at least once each fiscal year the City Manager shall present to the City Council a proposed capital improvement program prepared by the City Public Works Director for the various public facilities referenced in the resolution or resolutions adopted pursuant to subsection B of section 15.21.040 of this Chapter, assigning moneys (including any accrued interest) from the appropriate special fund to specific improvement projects, acquisitions, and related expenses. The adoption of such capital improvement program shall comply with the provisions of Government Code section 66002.

C. In preparing the report pursuant to this section 15.21.180, the City Manager shall adjust the estimated costs of the public facilities in accordance with the index specified in the resolution adopted pursuant to subsection B of section 15.21.040 and section 15.21.120 of this Chapter, or other reasonable standard, for the elapsed time period from the first day of the previous July or the date that the cost estimate was developed.

D. The report prepared pursuant to subsection A of this section 15.21.180 shall be made available to the general public pursuant to the provisions of subsection (b) of Government Code section 66006. The City Council shall review the information contained in said report at its next regularly scheduled public meeting, but not sooner than fifteen (15) days after the report is made available to the public. The scheduling of the hearing and notice thereof

shall comply with the provisions of subsection (b) of Government Code section 66006.

E. The City Council, by resolution, may revise the fees established by this Chapter to reflect the findings made from its consideration of the annual report and to include additional public facility projects previously not foreseen as being needed, provided that all such revisions shall be consistent with the applicable financing plan, expenditure plan and/or nexus study referenced in subsection A of section 15.21.040 of this Chapter.

F. The report prepared by the City Manager and its review by the City Council, as well as any findings thereon, shall be subject to the provisions of subsection (d) of Government Code section 66001, to the extent applicable. (Ord. 2009-01, Add, 02/03/2009)

Section 15.21.190 California state law.

The provisions of this Chapter, and any resolution adopted pursuant hereto, shall at all times be subject and subordinate to the provisions of Title 5 (commencing with section 66000), Division 1, of Title 7 of the Government Code, as the same presently exists or may hereafter be amended or renumbered from time to time, to the extent the same are applicable. In the event of any applicable conflict between the provisions of this Chapter and the state law, the latter shall control. (Ord. 2009-01, Add, 02/03/2009)