

HAYWARD CITY COUNCIL

RESOLUTION NO. 22-

Introduced by Council Member _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HAYWARD
ADOPTING THE FINAL REPORT - MULTIMODAL INTERSECTION
IMPROVEMENT PLAN AND NEXUS STUDY IN SUPPORT OF THE
PROPOSED TRAFFIC IMPACT FEE

WHEREAS, California Government Code Section 66000 et seq, known as the Mitigation Fee Act, authorizes local agencies to impose fees in connection with approval of development projects for the purpose of defraying all or a portion of the cost of public facilities related to the development project; and

WHEREAS, the Mitigation Fee Act requires a nexus study to be adopted prior to establishment of an associated development fee; and

WHEREAS, the nexus study must identify the purpose of the fee; the use to which the fee is to be put; determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed; determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed; identify the existing level of service for each public facility; identify the proposed new level of service and explain why it is appropriate; and

WHEREAS, the Mitigation Fee Act requires nexus studies to be adopted at a public hearing with at least 30 days' notice; and

WHEREAS, TJKM prepared the Final Report Multimodal Intersection Improvement Plan and Nexus Study ("the Nexus Study") dated March 2022 in support of the proposed Traffic Impact Fee; and

WHEREAS, the Nexus Study complies with the requirements of the Mitigation Fee Act; and

WHEREAS, notice of the public hearing for the Nexus Study was published in compliance with Government Code section 6062a, 66016.5(a)(7) and 66018.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Hayward, pursuant to the requirements of the Mitigation Fee Act, hereby adopts the Final Report Multimodal Intersection Improvement Plan and Nexus Study prepared by TJKM in support of the proposed Traffic Impact Fee.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2022

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward