

**SAN RAFAEL CITY ELEMENTARY SCHOOL DISTRICT  
RESOLUTION NO. 1819-11  
RESOLUTION FOR AMENDMENT TO SCHOOL DEVELOPER FEES**

WHEREAS, Senate Bill 50, 1998 (Education Sections 17620) and Government Code Section 65995 authorizes school Districts to impose certain fees for school facilities: and,

WHEREAS, pursuant to the authority of Education Code Section 17620 and the State Allocation Board has established the allowable maximum fee on Level 1 (Basic Fee) residential development to be \$3.79 per square foot and \$0.61 for Commercial/ Industrial; and,

WHEREAS, the District's justifiable fee is \$2.62 (residential) per square foot, and \$0.42 (commercial/industrial) \$0.245 (Hotel/Motel) and \$0.14 (Self Storage) per square foot;

THEREFORE, BE IT RESOLVED, that the Governing Board of the San Rafael City Elementary School District makes the following findings regarding its fees:

1. The purpose of the fees is to provide adequate school facilities for the students of the District who will be generated by residential development and commercial/ industrial development in the District;
2. The fees are to be used to finance the construction and/or reconstruction or modernization of school facilities. The facilities to be constructed are identified in the District's proposed Capital Improvement Plan;
3. There is a reasonable relationship between the need for the fees and the use of the fees, and the types of development projects on which the fees are imposed, in that residential, commercial and industrial development will generate students who will attend District schools; these students cannot be housed by the District without the reconstruction of existing facilities and/or new construction and the fees will be used to fund portions of these facilities;
4. There is a reasonable relationship between the amount of the fees and the cost of the facilities attributable to the developments on which the fee is imposed, in that the square footage of these developments has a direct relationship to the number of students generated, and thus to the facilities which the District must add in order to accommodate these students;
5. There exists in the District accounts a separate Capital Facilities account or fund, in accordance with the requirements of Government Code Section 66006;

AND BE IT FURTHER RESOLVED, that the Governing Board hereby approves and adopts the attached documentation;

AND BE IT FURTHER RESOLVED, that since the documentation justifies fees of \$2.62 equal to or in excess of the allowable limits, the District hereby imposes fees on residential developments at \$2.62 per square foot, and on commercial/industrial developments at \$0.42 per square foot, \$0.245 Hotel/Motel and \$0.14 Self Storage per square foot in accordance with Education Code Section 17620 and appropriate Government Code Sections;

AND BE IT FURTHER RESOLVED, that the imposition of fees shall take effect sixty (60) days after the date of this Resolution;

AND BE IT FURTHER RESOLVED, that the Superintendent or designee shall give notice to all cities and counties with jurisdiction over the territory of the District of the Board of Trustees action, in accordance with the requirements of Education Code Section 17621 (c) and requesting that no building permits be issued on or after that date, which is sixty (60) days after the date of this Resolution, without certification from the District that the fees specified herein have been paid:

AND BE IT FURTHER RESOLVED, that the developers of commercial or industrial development be provided the opportunity for a hearing to appeal the imposition of fees on their developments;

AND BE IT FURTHER RESOLVED, that the administration is authorized to make expenditures and incur obligations of the fees for the purposes authorized by law.

PASSED AND ADOPTED by the Board of Education of the San Rafael City Elementary School District, County of Marin, State of California at a duly called meeting of the Board of Education on the 17<sup>th</sup> day of September, 2018, by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAINING: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Greg Knell

President, Board of Education

San Rafael Elementary School District

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Michael Watenpaugh, Ed.D.,

Superintendent

Secretary, Board of Education