



4.3

DEVELOPMENT SERVICES
DEPARTMENT

DEVELOPMENT ENGINEERING
AND FINANCE

CITY OF SACRAMENTO
California

Special Districts
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June 14, 2004

City Council
Sacramento, California

Honorable Members in Session:

**SUBJECT: JACINTO CREEK PLANNING AREA (JCPA) DEVELOPMENT IMPACT FEE
– REVISION TO FEES**

LOCATION AND COUNCIL DISTRICT:

Jacinto Creek Community Plan Area, Council District 8 (Attachment A).

RECOMMENDATION:

This report recommends that the City Council adopt the attached resolution revising certain fees relative to the Jacinto Creek Planning Area.

CONTACT PERSON: Rita Goolkasian, Program Specialist, 808-5236

FOR COUNCIL MEETING OF: June 29, 2004

SUMMARY:

On October 28, 2003, City Council enacted an ordinance temporarily suspending issuance of building permits and directing staff to perform an updated traffic study and nexus on the Roadway component of the JCPA Public facilities fee. Staff was to return with proposed fee revisions for all JCPA fees. Adoption of the attached Resolution will revise the current Channel, Drainage and Public Facilities Fees (PFF) to reflect current costs for all the improvements including an increase to the administrative component of the fees required to support the fee district.

COMMITTEE/COMMISSION ACTION:

None

BACKGROUND INFORMATION:

City Council adopted the JCPA Development Impact Fees in January 1997 and established fees relative to the various improvements needed to sustain development in the area. These fees were based on a nexus study in accordance with AB 1600 guidelines.

The three fees consist of:

1. Channel Fee – funds the construction and land needed for the widening of Jacinto Creek to ensure adequate drainage flow. It also funds three water quality basins and drainage pipes connecting drainage from the east side of Hwy 99 to the channel in the JCPA.
2. Drainage Fee – funds storm drainage improvements for each of the designated 7 watersheds in the JCPA.
3. PFF – partially funds the Roadway widening of Bruceville Road and one half the cost of 1 traffic signal along Sheldon Road, the water distribution loop system in the finance plan area, reimbursement for up-front planning costs and on-going administrative costs.

Since adoption of the fee program in 1997, there has been a significant increase in the cost to Bruceville Road. Because traffic patterns may have changed since the original traffic study, a new traffic study and review of the nexus was ordered to support an increase in fees. Thus, on October 28, 2003, City Council enacted an ordinance directing staff to perform a new traffic study and nexus on the Roadway component of the JCPA PFF while temporarily suspending the further issuance of building permits for 150 days or until such time staff returned with a proposed fee increase reflecting updated traffic patterns.

Since then, two extensions of the ordinance were enacted to allow staff additional time to complete the study, to consider broadening the scope of the study to determine the feasibility of imposing impact fees on additional undeveloped properties in close proximity to the Bruceville Road, and to meet the statutory requirements to enact the fees.

The suspension did allow developers to pull permits at the current rates during this period if they agreed to enter into an agreement to pay the difference between the current rates and the new rates when they became effective.

Updated Traffic Share Study and Nexus:

Following Council's directive, staff contracted with a traffic consultant, who performed a traffic analysis to determine the percentage of future traffic (year 2025) on Bruceville Road attributable to the JCPA. The study determined that the JCPA percent of the total trips on the road was somewhat less than originally projected in 1996 seemingly as a result of the increase in trips from Elk Grove. However, the study did not indicate any change in the number of future JCPA trips than that projected in 1996; therefore, their share of the Road

costs remained the same relative to the funding sources identified in the original study and the original nexus holds.

Maintaining the current nexus results in a higher fee collected without creating additional burden on the JCPA. Under AB1600 a new nexus is required only if one or more of the following occurs:

- Additional development, not identified in the original study, participates in the fee program.
- New improvements are added to the fee program
- The original burden is increased or obligation has changed
- The land uses change

None of these have occurred. While the cost of the Road widening project increased, the JCPA percentage share of the project remains the same, which was originally established at 39% of the total cost for Bruceville Road.

Today's action is in effect a result of the increase in cost of the project and the fees are being adjusted for the remaining JCPA development, which is in accordance with AB1600.

Cost Allocation – (Attachment B – Funding for Traffic Improvements)

Thus, applying the original methodology that spread the costs of the Road improvements on a pro rata basis between the JCPA and other properties outside the JCPA boundary based on traffic model runs in 1996, staff has concluded that the JCPA is still required to fund 39% of the total cost for the Bruceville Road widening project. This methodology was approved by the development community and adopted by City Council in January 1997.

Until recently, only a few of the original funding sources for Bruceville Road were certain, the JCPA's share and the Laguna Area Roadway Fee District contribution administered by the County of Sacramento. Although City Council recently endorsed a proposal by the County of Sacramento to extend their Laguna CFD District special tax through fiscal year 2005-2006 to fund \$4.5 million for the Bruceville Road Widening project, Table 1.2 shown in Attachment B does not identify this contribution. Instead it is reflected in the "Unfunded Portion" of this table because at the time of this writing, the County of Sacramento has not acted on approving their proposal. In addition to the Laguna CFD proposed contribution, there remains an additional \$1.2 unfunded amount that will likely be captured through the College Square development project and possibly other non-JCPA projects fronting Bruceville Road.

Additional Roadway Contributions:

Aside from the anticipated funding contributions from the Laguna CFD, staff looked at the feasibility of expanding the scope of the nexus study to include other undeveloped properties in the vicinity to help fund the Bruceville Road widening. The assumption is that their developments will also impact traffic along the project area and that they too should pay their fair share contribution. While the logic is reasonable, staff concluded after some analysis that to perform a nexus now and establish a fee to fund only Bruceville Road would be premature. This would have required an AB1600 study be performed that may only have provided a partial view of their full impact to a number of Roads in the area. Staff

determined it is better to wait when they develop and perform a full view of their impacts to the area Roadways and then determine what type of conditions to place on them at that point.

Attachment B identifies \$5.7 million as the “Unfunded Portion” of the project. If any new development along the project area, not in the JCPA, develops prior to the City widening the Road, that development will be required to build their portion of Bruceville Road which could conceivably offset any funding gap.

The Fee Increase:

At the request of the City of Sacramento's Special Districts unit, Harris and Associates performed the review of the Finance Plan to ensure sufficient funds were being collected to build the identified infrastructure. Aside from the significant increase in the Roadway widening costs, adjustments were also needed to fund the remaining drainage and water improvements. For facilities not yet completed, estimates were updated to reflect the recent bids seen within Sacramento and the greater San Joaquin Valley. With the exception of the Bruceville Road estimate, which was provided by the City's Department of Transportation, all other facility estimates and fees reflect the automatic ENR inflator occurring on July 1 of each fiscal year. An estimate of the number of units remaining was calculated and the increased costs of the remaining infrastructure were spread to the remaining units.

Administrative Fee Adjustment:

In addition, the consultant found that the current administrative fee of 2.5% that is applied to each of the three fees was insufficient to manage the district and to perform annual updates. The mark-up was therefore increased to 4% to ensure enough funding is available for the on-going administration of the district and the annual reviews.

Proposed Fee Update:

Attachment “C” shows the original and updated Facility Cost Summary attributable to the JCPA. The Proposed Fees by Watershed are shown in Exhibit A to the Resolution. The Current Fees by Watershed are shown in Attachment “D”. As expected, because of the substantial increase in Road costs, the proposed PFF fee will more than double. The PFF for a low-density single-family residential unit will increase from \$1,312/unit to \$3,031/unit. In comparison to other area-wide PFF fees for a single-family residential unit, the recommended JCPA fees are low. A copy of the complete Jacinto Creek Planning Area (JCPA) Fee Update is on file both in the City Clerk's office and in the Special Districts office.

Annual Monitoring:

To ensure the PFF, Channel and Drainage Fee Programs are collecting adequate revenues to fund required public facilities, staff will perform annual reviews of the fee program in which land use changes and project costs are monitored and subsequent fee adjustments are made. The next review and update will occur next spring.

FINANCIAL CONSIDERATIONS:

JCPA landowners/developers pay for the required infrastructure identified in the plan through development impact fees established for this fee district. Developers building JCPA improvements enter into credit/cash reimbursement agreements with the City as payment for the facilities. Fees associated with the Bruceville Road widening will be transferred to the City's CIP project TW52 as they become available.

ENVIRONMENTAL CONSIDERATIONS:

Under the California Environmental Quality Act (CEQA) guidelines, updating development impact fees do not constitute a project and is therefore exempt from review.

POLICY CONSIDERATION:

Adoption of the resolution to revise fees is consistent with Chapter 18.28 of the Sacramento City Code, relative to the 1996 JCPA Development Impact Fees. They are also consistent the City's Strategic Plan in preserving and enhancing the City's quality of life.

ESBD CONSIDERATIONS:

None. No goods or services are being purchased.

Respectfully submitted,


Gary Alm, Manager
Development Engineering and Finance

Approved:


Michael Medema, Interim Director
Development Services Department

RECOMMENDATION APPROVED:


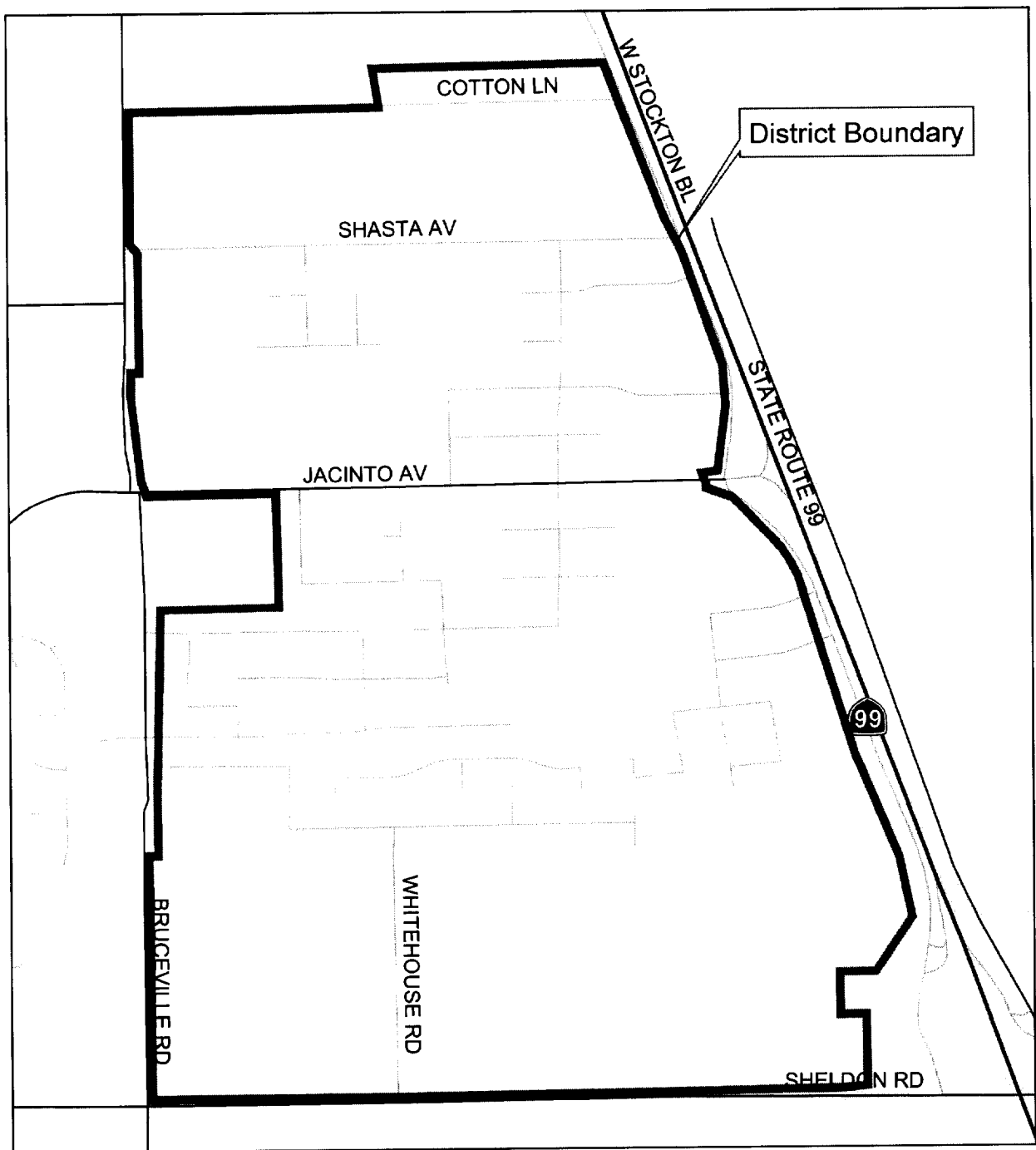

ROBERT P. THOMAS
City Manager

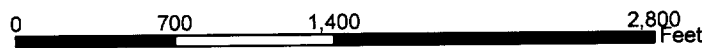
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Jacinto Creek Planning Area Fee District



BMueller 10/1/03



Funding for Traffic Improvements ⁽¹⁾
Table 1.2

Location	Total Cost	JCPA Fees	Original Finance Plan	Difference to Spread	Other Funding Sources				Total Funding	Unfunded Portion ⁽⁴⁾
					Laguna Roadway Fee Program	Major Street Construction Tax	Laguna CFD	Total Other Sources		
lanes (Sheldon to Cosumnes River Boulevard) ⁽²⁾	\$ 10,514,240	\$ 4,132,096	\$ 929,661	\$ 3,202,435	\$ 712,962		\$ -	\$ 712,962	\$ 4,845,058	\$ 5,669,182
Sheldon Road Widen to 4 lanes (Bruceville to 800' W of SR 99) ⁽³⁾	\$ 5,237,000	\$ 155,000	\$ 71,725	\$ 83,275			\$ 5,082,000	\$ 5,082,000	\$ 5,237,000	\$ -
Total:	\$ 15,751,240	\$ 4,287,096	\$ 1,001,386	\$ 3,285,710	\$ 712,962	\$ -	\$ 5,082,000	\$ 5,794,962	\$ 10,082,058	\$ 5,669,182

(1) Includes 3% Cost Escalator for Fiscal Year 2005

(2) Signals and right-of-way costs are included in the segment costs.

(3) JCPA pays for the cost of 50% of a signal on Sheldon (Between Bruceville and Road B) and no other improvements. The other portion of the signal will be developer funded. Elk Grove will build the road with Laguna CFD proceeds.

(4) Funding to be identified at a later date. May include contributions from Laguna CFD, MCST or from requirements of developers to build portions of the road (ie College Square)

ATTACHMENT C

Table A
Jacinto Creek Planning Area
Facility Cost Summary

Cost Item	Original 1996 Estimated Costs	Current Estimated Cost
Drainage	\$ 2,528,983	\$ 2,942,189
Channel Improvements	\$ 2,072,087	\$ 2,335,430
Water Facilities	\$ 1,151,870	\$ 1,512,244
Traffic Improvements	\$ 1,001,386	\$ 4,287,096
City & Developer Planning Costs	\$ 561,100	\$ 561,100
City Administrative Costs	\$ 209,130	\$ 405,030
Total Costs (a)	\$ 7,524,556	\$ 12,043,089

a. Park Fees are not shown. These fees are now collected through a separate fee program.

Table C
Current Fees (as of 7/01/03)

	Drainage	Channel	PFF Fee Components					Total PFF	Total Current Fee	
			Water	Roadways	Developer & City Planning	City Admin (2.5% of fees)				
Watershed 1										
Low-Density	NA	NA	NA	NA	NA	NA	NA	NA	NA	per unit
Medium/Low Density	\$ 2,251	NA	\$ 417	\$ 391	\$ 214	\$ 25	\$ 1,047	\$ 3,298	\$	per unit
Medium Density	\$ 1,818	NA	\$ 324	\$ 317	\$ 148	\$ 19	\$ 808	\$ 2,626	\$	per unit
Office/Commercial	NA	NA	NA	NA	NA	NA	NA	NA	NA	per ac
School	NA	NA	NA	NA	NA	NA	NA	NA	NA	per ac
Watershed 2										
Low-Density	\$ 1,868	NA	\$ 546	\$ 413	\$ 321	\$ 32	\$ 1,312	\$ 3,180	\$	per unit
Medium/Low Density	\$ 1,494	NA	\$ 417	\$ 391	\$ 214	\$ 25	\$ 1,047	\$ 2,541	\$	per unit
Medium Density	\$ 1,207	NA	\$ 324	\$ 317	\$ 148	\$ 19	\$ 808	\$ 2,015	\$	per unit
Office/Commercial	\$ 19,053	NA	\$ 3,511	\$ 7,076	\$ 1,923	\$ 312	\$ 12,822	\$ 31,875	\$	per ac
School	NA	NA	NA	NA	NA	NA	NA	NA	NA	per ac
Watershed 3										
Low-Density	\$ 1,954	\$ 1,444	\$ 546	\$ 413	\$ 321	\$ 32	\$ 1,312	\$ 4,710	\$	per unit
Medium/Low Density	\$ 1,565	\$ 1,155	\$ 417	\$ 391	\$ 214	\$ 25	\$ 1,047	\$ 3,767	\$	per unit
Medium Density	NA	NA	NA	NA	NA	NA	NA	NA	NA	per unit
Office/Commercial	\$ 19,942	\$ 14,725	\$ 3,511	\$ 7,076	\$ 1,923	\$ 312	\$ 12,822	\$ 47,489	\$	per ac
School	NA	NA	NA	NA	NA	NA	NA	NA	NA	per ac
Watershed 4										
Low-Density	\$ 883	NA	\$ 546	\$ 413	\$ 321	\$ 32	\$ 1,312	\$ 2,195	\$	per unit
Medium/Low Density	NA	NA	NA	NA	NA	NA	NA	NA	NA	per unit
Medium Density	\$ 570	NA	\$ 324	\$ 317	\$ 148	\$ 19	\$ 808	\$ 1,378	\$	per unit
Office/Commercial	\$ 8,987	NA	\$ 3,511	\$ 7,076	\$ 1,923	\$ 312	\$ 12,822	\$ 21,809	\$	per ac
School	NA	NA	NA	NA	NA	NA	NA	NA	NA	per ac
Watershed 5										
Low-Density	\$ 1,715	\$ 1,444	\$ 546	\$ 413	\$ 321	\$ 32	\$ 1,312	\$ 4,471	\$	per unit
Medium/Low Density	\$ 1,372	\$ 1,155	\$ 417	\$ 391	\$ 214	\$ 25	\$ 1,047	\$ 3,574	\$	per unit
Medium Density	\$ 1,109	\$ 933	\$ 324	\$ 317	\$ 148	\$ 19	\$ 808	\$ 2,850	\$	per unit
Office/Commercial	NA	NA	NA	NA	NA	NA	NA	NA	NA	per ac
School	\$ 10,294	\$ 8,661	\$ 2,925	NA	NA	NA	\$ 2,925	\$ 21,880	\$	per ac
Watershed 6										
Low-Density	\$ 672	\$ 1,444	\$ 546	\$ 413	\$ 321	\$ 32	\$ 1,312	\$ 3,428	\$	per unit
Medium/Low Density	NA	NA	NA	NA	NA	NA	NA	NA	NA	per unit
Medium Density	\$ 434	\$ 933	\$ 324	\$ 317	\$ 148	\$ 19	\$ 808	\$ 2,175	\$	per unit
Office/Commercial	\$ 6,855	\$ 14,725	\$ 3,511	\$ 7,076	\$ 1,923	\$ 312	\$ 12,822	\$ 34,402	\$	per ac
School	NA	NA	NA	NA	NA	NA	NA	NA	NA	per ac

Table C

Current Fees (as of 7/01/03)

	Drainage	Channel	PFF Fee Components				Total PFF	Total Current Fee	
			Water	Roadways	Developer & City Planning	City Admin (2.5% of fees)			
Watershed 7									
Low-Density	\$ 903	\$ 1,444	\$ 546	\$ 413	\$ 321	\$ 32	\$ 1,312	\$ 3,659	per unit
Medium/Low Density	\$ 723	\$ 1,155	\$ 417	\$ 391	\$ 214	\$ 25	\$ 1,047	\$ 2,925	per unit
Medium Density	\$ 584	\$ 933	\$ 324	\$ 317	\$ 148	\$ 19	\$ 808	\$ 2,325	per unit
Office/Commercial	NA	NA	NA	NA	NA	NA	NA	NA	per ac
School	\$ 5,418	\$ 8,661	\$ 2,925	NA	NA	NA	\$ 2,925	\$ 17,004	per ac
Laguna Vega									
Low-Density	NA	\$ 1,444	\$ 546	\$ 413	\$ 321	\$ 32	\$ 1,312	\$ 2,756	per unit
Medium/Low Density	NA	NA	NA	NA	NA	NA	NA	NA	per unit
Medium Density	NA	NA	NA	NA	NA	NA	NA	NA	per unit
Office/Commercial	NA	NA	NA	NA	NA	NA	NA	NA	per ac
School	NA	NA	NA	NA	NA	NA	NA	NA	per ac

ATTACHMENT D
Continued

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF: _____

RESOLUTION ESTABLISHING REVISED AMOUNTS FOR THE DEVELOPMENT-IMPACT FEE WITHIN THE JACINTO CREEK PLANNING AREA

RECITALS:

- A. Chapter 18.28 of the Sacramento City Code (Chapter 18.28) establishes and imposes a development-impact fee for the Jacinto Creek Planning Area (JCPA). It further directs that the amounts of this fee be established and amended by resolution. The predecessor of Chapter 18.28 was former chapter 84.06 of the Sacramento City Code, enacted on January 7, 1997, by Ordinance No. 97-002.
- B. On January 7, 1997, the city council adopted Resolution No. 97-012, which established the initial amount of the JCPA fee in accordance with the Mitigation Fee Act and the predecessor of Chapter 18.28. The initial amount was described in the Jacinto Creek Planning Area Financing Plan and Nexus Study dated November 20, 1996, and approved by Resolution No. 97-011 on January 7, 1997 (the 1996 Finance Plan & Nexus Study). A finance plan identifies the public infrastructure needed to support new development, as well as the means of financing that infrastructure. A nexus study identifies how much of the cost to construct the public infrastructure is properly attributable to the properties that will pay the cost through development-impact fees.
- C. The city uses the JCPA fee to offset the costs of designing, constructing, installing, and acquiring the public infrastructure described in the 1996 Finance Plan & Nexus Study (the Public Infrastructure). The intent is that landowners in the JCPA pay for the Public Infrastructure, which is required to meet the needs of, and address the impacts caused by, their development activity. The JCPA fee consists of three components: a *channel-improvement component* that, among other things, funds the widening of Jacinto Creek; a *drainage component* that funds storm-drainage improvements; and a *public-facilities component* that, among other things, funds the widening of Bruceville Road, the construction of a water system, and the reimbursement of planning and administrative costs. The channel-improvement component is collected when final subdivision maps are submitted to the city. The balance of the fee is collected when the city issues building permits for development within the JCPA.
- D. Since January 1997, the JCPA fee has been increased annually to account for inflation, as Chapter 18.28 provides. But these increases have not kept up with increases in the cost to construct the Public Infrastructure. This is especially true for the cost to widen Bruceville Road. As a result, the amount of the JCPA fee,

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especially the amount of the public-facilities component, has become inadequate.

- E. To address the inadequacy of the fee, on October 28, 2003, the city council enacted an ordinance directing staff to perform an update of the 1996 Finance Plan & Nexus Study. The same ordinance also temporarily suspended the issuance of building permits within the JCPA, to allow time to perform the update and increase the fees. This temporary suspension has been extended twice.
- F. Harris & Associates, the consultant retained to perform the update, has completed a Draft Jacinto Creek Planning Area Finance Plan Update dated February 5, 2004. Because estimated costs in the draft update are based on data collected in September 2003, Harris & Associates subsequently adjusted the costs to account for inflation. The adjusted costs are set forth in a memorandum dated June 7, 2004. In this resolution, "Finance Plan Update" refers to the February 5, 2004, draft update as revised by the June 7, 2004, memorandum.
- G. Among other things, the Finance Plan Update (1) confirms that no changes have been made to the Public Infrastructure, (2) identifies the fee increase needed to ensure that the Public Infrastructure can be constructed at current costs, (3) determines that traffic volumes and patterns projected for Bruceville Road in 2025 yield the same percentage share of costs for the JCPA (39%) that was identified by the 1996 Finance Plan & Nexus Study, and (4) concludes that the methodology used in the 1996 Finance Plan & Nexus Study to set the amount of the JCPA fee is still valid (as are the findings in the 1996 Finance Plan & Nexus Study and Resolution No. 97-011).
- H. Chapter 18.28 requires the city council to hold a public hearing on any increase in the JCPA fee other than the annual adjustment for inflation. The hearing must be held in the manner required by Government Code sections 66016, 66017, and 66018. Accordingly, the city clerk scheduled a public hearing for the city council's regularly scheduled meeting on June 29, 2004; published and mailed notice of the hearing in accordance with Government Code sections 6062a, 66016, and 66018; and made the Finance Plan Update, including all background data and studies referenced in it, available for public review at her office for at least 10 days before the hearing.
- I. On June 29, 2004, during a regularly scheduled meeting at 2:00 p.m. in its chambers on the first floor of the Sacramento City Hall (730 "I" Street, Sacramento, California), the city council held a public hearing on the proposed fee increase.

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ACCORDINGLY, THE CITY COUNCIL OF THE CITY OF SACRAMENTO RESOLVES AS FOLLOWS:

Section 1. Findings. The city council finds as follows:

- (a) The recitals set forth above are true and are incorporated into this section as findings in support of the fee increase.
- (b) The amended amount of the JCPA fee has been determined and calculated in a manner consistent with the methodology set forth in the 1996 Finance Plan & Nexus Study, using the data and methodology set forth in the Finance Plan Update.
- (c) The purpose of the amended JCPA fee is to finance the Public Infrastructure, which is required to meet the needs of persons living and employed within the JCPA and to mitigate the impacts on public services and infrastructure caused by development within the JCPA.
- (d) The amended JCPA will be used to finance the Public Infrastructure, which is required to meet the needs of persons living and employed within the JCPA and to mitigate the impacts on public services and infrastructure caused by development within the JCPA.
- (e) The 1996 Finance Plan & Nexus Study and the Finance Plan Update demonstrate that a reasonable relationship exists between the use of the amended JCPA fee and the type of development project on which the fee is to be imposed.
- (f) The 1996 Finance Plan & Nexus Study and the Finance Plan Update demonstrate that a reasonable relationship exists between the need for the Public Infrastructure and the types of development projects on which the fee is to be imposed.
- (g) The 1996 Finance Plan & Nexus Study and the Finance Plan Update demonstrate that a reasonable relationship exists between the amount of the amended JCPA fee and the costs of the Public Infrastructure attributable to the development projects on which the fee is to be imposed.
- (h) The amended JCPA fee and the provisions, procedures, and policies adopted by this resolution are consistent with the city's general plan and the South Sacramento Community Plan as they exist on the date this resolution is adopted, as well as with the 1996 Finance Plan and Nexus Study. In addition, the city council has considered the effects of the amended fee on the city's housing needs and on regional housing needs.

Section 2. Approval of Finance Plan Update. The city council accepts and approves the Finance Plan Update, including all background data and studies referenced in it.

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Section 3. Amended Amount of Development-Impact Fee. The JCPA development-impact fee established and imposed by Chapter 18.28 (in section 18.28.050) is amended and established in the amounts set forth in the Finance Plan Update. A summary of the amended JCPA development-impact fee is attached to this resolution as Exhibit A and is made part of this resolution.

Section 4. Credits and Reimbursements. In accordance with section 18.29.120 of Chapter 18.28, credits against, and reimbursements of, the JCPA development-impact fee are to be calculated in accordance with the 1996 Financing Plan & Nexus Study and the Finance Plan Update.

Section 5. Automatic Annual Adjustment. In accordance with section 18.29.130 of Chapter 18.28, the amended JCPA development-impact fee will be adjusted automatically each year to account for inflation.

Section 6. Interpretation of Resolution. This resolution is subordinate to Chapter 18.28 and is to be interpreted and applied consistently with Chapter 18.28 as it exists on the date of this resolution or may subsequently be amended.

Section 7. Judicial Action to Challenge this Resolution. In accordance with Government Code section 66022, any judicial action or proceeding to attack, review, set aside, void, or annul this resolution must be commenced within 120 days of this resolution's effective date.

Section 8. Effective Date. In accordance with Government Code section 66017, subdivision (a), this resolution is effective 60 days after its adoption.

Section 9. Severability.

- (a) If a court of competent jurisdiction finds any provision of this resolution to be invalid or unenforceable for any reason, then that provision is to be considered a separate and independent provision, so that the court's finding will not affect the validity of the remaining provisions.
- (b) If a court of competent jurisdiction finds any component of the amended JCPA fee established by this resolution to be invalid or unenforceable for any reason, then that component is to be considered a separate and independent component, so that the court's finding will not affect the validity of the remaining components.
- (c) If a court of competent jurisdiction finds any component of the amended JCPA fee established by this resolution to be invalid or unenforceable because of an insufficient relationship or nexus to a specific public facility for which revenue generated by that component may be expended in accordance with Chapter 18.28 or any resolution adopted under that chapter, then that component, as it relates to the specific public facility, is to be considered a separate and independent component, so that the

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court's finding will not affect the validity of the component as it relates to other public facilities.

MAYOR

ATTEST:

CITY CLERK

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Table B
Proposed Fees (with ENR adjustments to March 2004)

	Drainage	4% Admin	Drainage (including 4% admin)	Channel	4% Admin	Channel (including 4% admin)	PFF Fee Components				Total PFF	Total Fee
							Water	Roadways	Developer & City Planning	City Admin (4% of fees)		
Watershed 1												
Low-Density	NA		NA	NA		NA	NA	NA	NA	NA	NA	per unit
Medium/Low Density	\$ 2,360	\$ 94	\$ 2,454	NA		NA	\$ 540	\$ 1,786	\$ 214	\$ 102	\$ 2,642	\$ 5,096 per unit
Medium Density	\$ 1,905	\$ 76	\$ 1,982	NA		NA	\$ 420	\$ 1,450	\$ 148	\$ 81	\$ 2,099	\$ 4,081 per unit
Office/Commercial	NA		NA	NA		NA	NA	NA	NA	NA	NA	per ac
School	NA		NA	NA		NA	NA	NA	NA	NA	NA	per ac
Watershed 2												
Low-Density (see note 1)	NA		NA	NA		NA	\$ 708	\$ 1,885	\$ 321	\$ 117	\$ 3,031	\$ 3,031 per unit
Medium/Low Density	\$ 1,947	\$ 78	\$ 2,025	NA		NA	\$ 540	\$ 1,786	\$ 214	\$ 102	\$ 2,642	\$ 4,666 per unit
Medium Density	\$ 1,572	\$ 63	\$ 1,635	NA		NA	\$ 420	\$ 1,450	\$ 148	\$ 81	\$ 2,099	\$ 3,734 per unit
Office/Commercial	\$24,819	\$ 993	\$ 25,812	NA		NA	\$ 4,554	\$ 32,345	\$ 1,923	\$ 1,553	\$ 40,375	\$ 66,187 per ac
School	NA		NA	NA		NA	NA	NA	NA	NA	NA	per ac
Watershed 3												
Low-Density	\$ 1,954	\$ 78	\$ 2,032	\$ 1,449	\$ 58	\$ 1,506	\$ 708	\$ 1,885	\$ 321	\$ 117	\$ 3,031	\$ 6,569 per unit
Medium/Low Density	\$ 1,565	\$ 63	\$ 1,628	\$ 1,159	\$ 46	\$ 1,206	\$ 540	\$ 1,786	\$ 214	\$ 102	\$ 2,642	\$ 5,475 per unit
Medium Density	NA		NA	NA		NA	NA	NA	NA	NA	NA	per unit
Office/Commercial	\$19,942	\$ 798	\$ 20,740	\$14,780	\$ 591	\$ 15,371	\$ 4,554	\$ 32,345	\$ 1,923	\$ 1,553	\$ 40,375	\$ 76,485 per ac
School	NA		NA	NA		NA	NA	NA	NA	NA	NA	per ac
Watershed 4												
Low-Density	\$ 911	\$ 36	\$ 948	NA		NA	\$ 708	\$ 1,885	\$ 321	\$ 117	\$ 3,031	\$ 3,978 per unit
Medium/Low Density	NA		NA	NA		NA	NA	NA	NA	NA	NA	per unit
Medium Density	\$ 588	\$ 24	\$ 612	NA		NA	\$ 420	\$ 1,450	\$ 148	\$ 81	\$ 2,099	\$ 2,711 per unit
Office/Commercial	\$ 9,270	\$ 371	\$ 9,640	NA		NA	\$ 4,554	\$ 32,345	\$ 1,923	\$ 1,553	\$ 40,375	\$ 50,015 per ac
School	NA		NA	NA		NA	NA	NA	NA	NA	NA	per ac
Watershed 5												
Low-Density	\$ 1,838	\$ 74	\$ 1,911	\$ 1,449	\$ 58	\$ 1,506	\$ 708	\$ 1,885	\$ 321	\$ 117	\$ 3,031	\$ 6,448 per unit
Medium/Low Density	\$ 1,470	\$ 59	\$ 1,529	\$ 1,159	\$ 46	\$ 1,206	\$ 540	\$ 1,786	\$ 214	\$ 102	\$ 2,642	\$ 5,376 per unit
Medium Density	\$ 1,187	\$ 47	\$ 1,235	\$ 936	\$ 37	\$ 974	\$ 420	\$ 1,450	\$ 148	\$ 81	\$ 2,099	\$ 4,308 per unit
Office/Commercial	NA		NA	NA		NA	NA	NA	NA	NA	NA	per ac
School	NA		NA	NA		NA	NA	NA	NA	NA	NA	per ac
Watershed 6												
Low-Density	NA		\$ -	NA	NA	\$ -	\$ 708	\$ 1,885	\$ 321	\$ 117	\$ 3,031	\$ 3,031 per unit
Medium/Low Density	NA		NA	NA		NA	NA	NA	NA	NA	NA	per unit
Medium Density	\$ 594	\$ 24	\$ 618	\$ 936	\$ 37	\$ 974	\$ 420	\$ 1,450	\$ 148	\$ 81	\$ 2,099	\$ 3,691 per unit
Office/Commercial	\$ 9,387	\$ 375	\$ 9,762	\$14,780	\$ 591	\$ 15,371	\$ 4,554	\$ 32,345	\$ 1,923	\$ 1,553	\$ 40,375	\$ 65,507 per ac
School	NA		NA	NA		NA	NA	NA	NA	NA	NA	per ac

Table B
Proposed Fees (with ENR adjustments to March 2004)

Watershed 7															
Low-Density	\$ 903	\$ 36	\$	939	\$ 1,449	\$ 58	\$ 1,506	\$ 708	\$ 1,885	\$ 321	\$ 117	\$ 3,031	\$ 5,476	per unit	
Medium/Low Density	\$ 723	\$ 29	\$	752	\$ 1,159	\$ 46	\$ 1,206	\$ 540	\$ 1,786	\$ 214	\$ 102	\$ 2,642	\$ 4,599	per unit	
Medium Density	\$ 584	\$ 23	\$	607	\$ 936	\$ 37	\$ 974	\$ 420	\$ 1,450	\$ 148	\$ 81	\$ 2,099	\$ 3,680	per unit	
Office/Commercial	NA			NA	NA		NA	NA	NA	NA	NA	NA	NA	per ac	
School	NA			NA	NA		NA	NA	NA	NA	NA	NA	NA	per ac	
Laguna Vega (2)															
Low-Density	NA			NA	NA		NA	NA	NA	NA	NA	NA	NA	per unit	
Medium/Low Density	NA			NA	NA		NA	NA	NA	NA	NA	NA	NA	per unit	
Medium Density	NA			NA	NA		NA	NA	NA	NA	NA	NA	NA	per unit	
Office/Commercial	NA			NA	NA		NA	NA	NA	NA	NA	NA	NA	per ac	
School	NA			NA	NA		NA	NA	NA	NA	NA	NA	NA	per ac	
Note 1: Exempt from Drainage and Channel fees. They built their drainage improvements prior to the finance plan being put together.															
Note 2: Built Out															