SUBJECT: MODIFICATION OF RESOLUTION NO. 2-99 FOR A ONE-YEAR SUSPENSION OF ENGINEERING NEWS RECORD INCREASE IN THE PARK IMPACT FEE

SOURCE: Administration

COMMENT: On January 19, 1999, the City Council adopted Ordinance No. 1567, an ordinance of the City Council of the City of Porterville authorizing a Park Impact Fee for all new residential development within the City of Porterville. The purpose of the fee was to implement the goals and objectives of the Parks and Recreation Element of the City’s General Plan, including the acquisition and development of additional park facilities commensurate with the growth of the City.

The initial use of these funds were to make debt service payments on approximately $1.6 million in park improvements related to the development of the City’s Sports Complex, located near the Porterville Airport.

At the Council Meeting of May 3, 2005, staff prepared the notification of fee increases attributable to the Engineering News Record (ENR), to be effective in the 2005-2006 fiscal year. During the discussion of that agenda item, the Council directed staff to increase all fees proposed, excluding the Park Impact Fees. This direction was given in consideration of the development of “Pocket Parks” as part of newly considered subdivision maps which could be maintained through Landscape Maintenance Districts.

The attached draft resolution has been prepared to suspend, for the 2005-2006 fiscal year, the ENR cost increase in the Park Impact Fee.

RECOMMENDATION: That Council adopt the attached resolution resulting in a one-year suspension in the ENR increase in the Park Impact Fee.

ATTACHMENT: Draft Resolution.
RESOLUTION NO. _________

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF PORTERVILLE SUSPENDING FOR
THE 2005-2006 FISCAL YEAR THE ENGINEERING NEWS
RECORD CONSTRUCTION COST INDEX INCREASE IN THE
PARK IMPACT FEE APPLICABLE TO ALL NEW RESIDENTIAL
DEVELOPMENTS WITHIN THE CITY OF PORTERVILLE

WHEREAS, the City Council of the City of Porterville has adopted Ordinance No. 1567 creating and establishing the authority for imposing and charging a park impact fee; and

WHEREAS, the fee shall be established in the adopted fee schedule, by resolution of the City Council; and

WHEREAS, pursuant to Resolution No. 2-99, this fee shall be automatically adjusted annually in accordance with the Engineering News Record Construction Cost Index publication; and

WHEREAS, the City Council of the City of Porterville intends to suspend, for the 2005-2006 Fiscal Year only, the automatic annual adjustment to the fee.

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Porterville

1. The automatic annual adjustment to the Park Impact fee for the 2005-2006 Fiscal Year shall be suspended for the 2005-2006 Fiscal Year only.

2. The Park Impact fee will resume the automatic annual adjustments for the 2006-2007 fiscal year in accordance with the Engineering News Record Construction Cost Index, as described by Resolution 2-99.

PASSED AND ADOPTED this 17th day of May, 2005.

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Pedro R. Martinez, Mayor

ATTEST:

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Georgia Hawley, Chief Deputy City Clerk