

RESOLUTION NO. 2016-43

A RESOLUTION OF CITY COUNCIL OF THE CITY OF MARINA SETTING PUBLIC HEARING FOR APRIL 19, 2016, ON PROPOSED INTENTION TO AMEND CHAPTER 3.26 OF THE MARINA MUNICIPAL CODE REGARDING MITIGATION FEES FOR NEW DEVELOPMENT WITHIN THE CITY OF MARINA

WHEREAS, at the regular meeting of July 17, 2007, the City Council held a public meeting to receive any public comments regarding the proposed update to the City's Public Facilities Impact Fee (PFIF) Study, and;

WHEREAS, at the regular meeting of August 7, 2007, the City Council passed and adopted Ordinance No. 2007-10, amending Chapter 3.26 of the Marina Municipal Code regarding mitigation fees for new development, and;

WHEREAS, at the regular meeting of May 17, 2011, the City Council held a public meeting to receive any public comments regarding the proposed update to the City's PFIF study.

WHEREAS, at the regular meeting of June 7, 2011, the City Council passed and adopted Ordinance No. 2011-02, amending Chapter 3.26 of the Marina Municipal Code regarding mitigation fees for new development.

WHEREAS, the purpose of the modifications to the Study is to re-evaluate and update the fees developed from the 2011 study to incorporate the adopted Capital Improvement Program (CIP) projects and additional recommended projects.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina that:

1. Set public hearing for April 19, 2016, on proposed intention to amend Chapter 3.26 of the Marina Municipal Code regarding mitigation fees for new development within the City of Marina.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 5th day of April 2016, by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Brown, Morton, O'Connell, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

Frank O'Connell, Mayor Pro-Tem

ATTEST:

Anita Sharp, Deputy City Clerk

March 14, 2016

Item No. **8f (5)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 5, 2016

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2016-,
SETTING PUBLIC HEARING FOR APRIL 19, 2016, ON PROPOSED
INTENTION TO AMEND CHAPTER 3.26 OF THE MARINA MUNICIPAL
CODE REGARDING MITIGATION FEES FOR NEW DEVELOPMENT
WITHIN THE CITY OF MARINA**

REQUEST:

It is requested that the City Council:

1. Consider adopting Resolution No. 2016-, setting public hearing for April 19, 2016, on proposed intention to amend Chapter 3.26 of the Marina Municipal Code regarding mitigation fees for new development within the City of Marina.

BACKGROUND:

At the regular meeting of July 17, 2007, the City Council held a public meeting to receive any public comments regarding the proposed update to the City's Public Facilities Impact Fee (PFIF) Study.

At the regular meeting of August 7, 2007, the City Council passed and adopted Ordinance No. 2007-10, amending Chapter 3.26 of the Marina Municipal Code regarding mitigation fees for new development.

At the regular meeting of May 17, 2011, the City Council held a public meeting to receive any public comments regarding the proposed update to the City's PFIF study.

At the regular meeting of June 7, 2011, the City Council passed and adopted Ordinance No. 2011-02, amending Chapter 3.26 of the Marina Municipal Code regarding mitigation fees for new development.

ANALYSIS:

The proposed Public Facilities Impact Fee Study (Study) report updates all five (5) City public facilities impact fee programs for public building facilities, public safety facilities, roadways, intersections and parks.

The purpose of the modifications to the Study is to re-evaluate and update the fees developed from the 2011 study to incorporate the adopted Capital Improvement Program (CIP) projects and additional recommended projects.

Neither FORA projects nor FORA fees are included in the City of Marina Public Facilities Impact Fees, this there is no "double collection" of fees for required improvements. The Public Facilities Impact Fees are based on future infrastructure requirements because of future development projects. These future projects are included in the current General Plan boundary of the City. No funds are collected for existing deficiencies. The Fees include the cost of Master Plan and Fee updates.

An exhibit showing a summary of the current development impact fees are attached (“**EXHIBIT A**”).

Chapter 3.26.070 of the Marina Municipal Code requires all fees and charges adopted or increased set by ordinance pursuant to Government Code Section 66016 and shall take effect sixty (60) days following adoption of the ordinance.

It is anticipated that the regularly scheduled City Council meeting of April 19, 2016 will provide for the initial public meeting.

The introduction of the proposed ordinance amendment would proceed at the regularly scheduled meeting of May 3, 2016.

Second reading and adoption of the ordinance is anticipated at the regularly scheduled City Council meeting of May 17, 2016. The new fees would then become effective sixty (60) days after adoption.

FISCAL IMPACT:

Adoption of the proposed development impact fees will provide revenue to fund the development driven projects.

CONCLUSION:

This request is submitted for City Council’s approval.

Respectfully submitted,

Edrie Delos Santos, PE
Senior Engineer, Engineering Division
Community Development Department
City of Marina

REVIEWED/CONCUR:

Nourdin Khayata, PE
Acting City Engineer
City of Marina

Theresa Szymanis, AICP CTP
Community Development Director
City of Marina

Layne P. Long
City Manager
City of Marina