

ORDINANCE 2004-03

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF AMERICAN CANYON, STATE OF CALIFORNIA
APPROVING REVISIONS TO MUNICIPAL CODE, TITLE 15, CHAPTER 15.08
UPDATING THE CITY'S
PARKS AND CIVIC FACILITIES IMPACT FEES**

WHEREAS, pursuant to Section 66000 of the Government Code, the City Council in 1998 established Parks and Civic Facilities Development Impact Fees to recover costs associated with projected impacts that development will have on the City's park and civic facilities infrastructure and services; and

WHEREAS, in accordance with the regulations established in the Government Code, adjustments to the impact fees may be made from time to time to ensure that the fees reflect realistic construction costs; and

WHEREAS, it is common practice and equitable to tie a City's Development Impact Fee to the Engineering News Record 20-City Construction Cost Index (ENR Index) to ensure that any increases in construction costs can be accurately tracked by a nationally recognized benchmark; and

WHEREAS, the ENR Index in June 1998 was 5,895 and the ENR index as of November 2003 was 6,794, representing an increase in construction costs of 15.3%; and

WHEREAS, in order to ensure that the City's Development Impact Fees keep pace with current construction costs, the City's fees need to be increased by 15.3% above the fees approved in 1998, and

WHEREAS, attached and incorporated herein by references is Exhibit A as provided in Ordinance 98-03 but updated for inflation using the ENR Index, the projects cost estimates, and fee calculations for Parks and Civic Facilities Impact Fees, including a small amount to recover costs for future plan updates, and

WHEREAS, in accordance with Section 66016 of the Government Code the City of American Canyon has held a duly noticed Public Hearing to consider the recommendations of City Staff; and

WHEREAS, the City Council considered all testimony given at the Public Hearing on January 15, 2004 regarding a proposed Ordinance to amend the City of American Canyon Municipal Code Section 15.08

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON
DOES HEREBY ORDAIN THE FOLLOWING:**

Section 1: Section 15.08.050 B of the American Canyon Municipal Code is amended to read as follows:

Ordinance

Page 2

- B. The City of American Canyon at its sole discretion may adopt revised parks and civic facilities impact fees based on the proportionate effects of inflation or changes to the cost of living. For purposes of calculation, the Engineering News Record 20-City Construction Cost Index shall be used for adjusting said fees. Said adjustments in accordance with this section may be approved by a resolution of the City Council.

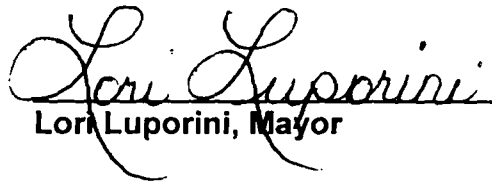
Section 2: Exhibit A of Chapter 15.08 of the American Canyon Municipal Code is amended to read per Attachment A of this Ordinance, "Exhibit A for Parks and Civic Facilities Impact Fees American Canyon Municipal Code Chapter 15.08."

Section 5: Effective Date. This ordinance shall take effect sixty (60) days after its adoption.

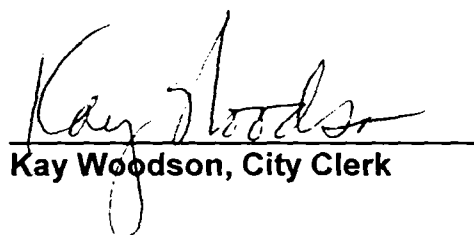
Section 6: Severability. This Ordinance shall be liberally construed to achieve its purposes and preserve its validity. If any provision or clause of this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are declared to be severable and are intended to have independent validity.

The foregoing ordinance was introduced and read at a regular meeting of the City Council of American Canyon, State of California, held on the 15th day of January, 2004 and was passed and adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 5th day of February, 2004, by the following vote:

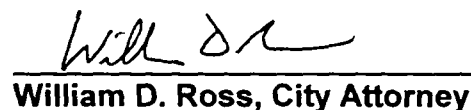
AYES: Shaver, Anderson, Garcia
NOES: Luporini, Colcleaser
ABSTAIN: None
ABSENT: None


Lori Luporini, Mayor

ATTEST:


Kay Woodson, City Clerk

APPROVED AS TO FORM:


William D. Ross, City Attorney

Parks and Civic Facilities Impact Fees, City of American Canyon, January 2004

Exhibit A

Parks & Recreation	Type of Fee/ (Residential's Share)		Total Cost	Existing	Growth's	Residential	Non-Res.	Resid. Per Unit	Industrial			
	PerSqFt	Office							Comm'l	PerSqFt	PerSqFt	PerSqFt
1	\$85,000/acre	38 acres at	0	3,230,000	3,230,000	3,230,000	0	\$1,203	\$0.00	\$0.00	\$0.00	\$0.00
2	\$96,600/acre	38 acres at	0	3,670,800	3,670,800	3,670,800	0	\$1,367	\$0.00	\$0.00	\$0.00	\$0.00
3	Community Gym (w/Debt)/100%		2,750,000	1,485,000	1,265,000	1,265,000	0	\$471	\$0.00	\$0.00	\$0.00	\$0.00
4	Aquatic Center/Pool (w/Debt)/100%		935,000	504,900	430,100	430,100	0	\$160	\$0.00	\$0.00	\$0.00	\$0.00
5	Aquatic Center-Slide and Receiving Pool/100%		200,000	108,000	92,000	92,000	0	\$34	\$0.00	\$0.00	\$0.00	\$0.00
Subtotal			10,785,800	2,097,900	8,687,900	8,687,900	0	\$3,235	\$0.00	\$0.00	\$0.00	\$0.00
Civic Facilities			1,250,000	650,000	420,000	180,000	180,000	\$156	\$0.16	\$0.08	\$0.16	\$0.06
6	City Hall Expansion/70% 10,000 sq ft at 125/sq ft		1,250,000	650,000	420,000	180,000	180,000	\$156	\$0.16	\$0.08	\$0.16	\$0.06
7	Police Station 70% 10,000 sq ft at 150 per sq ft		375,000	195,000	126,000	54,000	54,000	\$47	\$0.05	\$0.02	\$0.02	\$0.02
8	Aquatic Center/Offices (w/Debt)/90%		900,000	468,000	388,800	43,200	43,200	\$145	\$0.04	\$0.02	\$0.02	\$0.01
9	American Canyon Library/90%		3,405,000	1,770,600	1,634,400	1,470,960	163,440	\$548	\$0.14	\$0.08	\$0.05	\$0.05
9	Construction 12,500 @ 175/sf 2,187,500		3,405,000	1,770,600	1,634,400	1,470,960	163,440	\$548	\$0.14	\$0.08	\$0.05	\$0.05
9	Offsite improvements 650,000 Contingency		3,405,000	1,770,600	1,634,400	1,470,960	163,440	\$548	\$0.14	\$0.08	\$0.05	\$0.05
10	Corporation Yard Expansion/80% (at 20%) 567,500		300,000	156,000	115,200	28,800	28,800	\$43	\$0.02	\$0.01	\$0.01	\$0.01
10	Subtotal		6,230,000	3,239,600	2,990,400	2,520,960	469,440	\$939	\$0.40	\$0.22	\$0.15	\$0.01
General Plan Updates			300,000	100,000	50,000	50,000	50,000	\$50	\$0.01	\$0.01	\$0.01	\$0.01
11	Four @ 75,000 per update/75%		300,000	100,000	50,000	50,000	50,000	\$50	\$0.01	\$0.01	\$0.01	\$0.01
Grand Totals Updated for Inflation			17,315,800	5,437,500	11,878,300	11,358,860	519,440	\$4,223	\$0.23	\$0.41	\$0.16	\$0.16
Grand Totals Spring 1998			17,315,800	5,437,500	11,878,300	11,358,860	519,440	\$4,223	\$0.23	\$0.41	\$0.16	\$0.16
According to ENR 20 City Construction			Cost Index November 2003						\$0.48	\$0.26	\$0.18	\$0.18

Notes:

- Existing deficiency for Park Fees, where appropriate, calculated at 54% of total cost; for Civic Facilities, the ratio was 52%
- No allocation for Park Fees reassigned to Non-residential; the amount allocated to Civic Facilities varies between 10-30 percent.
- Residential rates were based on future population growth of 7,600 multiplied by 2.83 per household.
- Nonresidential rates were based on future population growth of 4,070; divided by 534 sq ft/employee (Commercial); 285 (office) or 794 (industrial)
- Commercial includes hotels and restaurants
- Parkland acquisition fee based on average developed lot costs, and will be used if actual land value is not available, for purposes of calculation of In-Lieu fee.