



**RESOURCE MANAGEMENT
AGENCY
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: June 21, 2011 - **REVISED**

Public Hearing Required	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Advertised Published Notice	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Celeste Perez PHONE: (559) 624-7000

SUBJECT: Legislative Authority To Collect Development Impact Fees/Public Facilities Impact Fees

REQUEST(S):

That the Board of Supervisors:

June 21, 2011

1. Introduce and waive the first reading of an Ordinance adding Chapter 27 to Part 1 Government and Administration of the Ordinance Code of Tulare County, Pertaining to County Public Facilities Impact Fees in the Incorporated and Unincorporated Areas of Tulare County.
2. Set a Public Hearing for July 12, 2011.
3. Approve the Summary of the Ordinance and direct the Clerk of the Board to publish the summary and post a certified copy of the complete ordinance five (5) days prior to the Ordinance adoption.

July 12, 2011

1. Hold a Public Hearing.
2. Waive the second reading and adopt Ordinance adding Chapter 27 to Part 1 Government and Administration of the Ordinance Code of Tulare County, Pertaining to County Public Facilities Impact Fees in the Incorporated and Unincorporated Areas of Tulare County.
3. Direct the Clerk of the Board of Supervisors to publish the adopted summary of the Ordinance and to post certified copy of the full ordinance with the names of the Board of Supervisors voting for and against within (15) days of adoption.

SUBJECT: Legislative Authority To Collect Development Impact Fees/Public Facilities Impact Fees
DATE: June 21, 2011

SUMMARY:

On November 30, 2010, your Board conducted a public hearing and adopted Resolution No. 2010-0927 requiring future development to participate in the Tulare County Development Impact Fee Program. On March 22, 2011, the Board Agenda proposed adoption of Chapter 27 to Part 1 Government and Administration of the Ordinance Code of Tulare County, Pertaining to County Public Facilities Impact Fees in the Incorporated and Unincorporated Areas of Tulare County. The Board continued the item to June 21, 2011. At the March hearing representatives from Visalia, Home Builders Association (HBA), and others spoke on the matter and requested that the item not be adopted. HBA submitted a letter dated, March 22, 2011, and identified concerns relating to the ordinance as presented to the Board. Staff provided a response to the HBA letter and has made some modifications to the proposed ordinance.

Fee Studies Outreach:

April 27 and April 29, 2011: RMA staff has conducted four workshops to date; April 27, 2011 on the Public Facilities Fee and April 29, 2011 on the Traffic Impact Fee Studies. These two workshops focused on the City representatives and the Visalia Chamber of Commerce. It was suggested by those in attendance that the development community – primary contactors and builders from each city should be contacted and give the opportunity to participate in the Development Impact Fee program being proposed by the County. RMA staff contacted each city as well as HBA and received their listing of contractors and builders.

June 10, 2011: The workshop conducted on June 10, 2011 presented the Traffic Impact Fee Study at 9:00 A.M and the Public Facilities Fee Study at 10:30 A.M. In addition, a schedule of the Development Impact Fee process was presented. Approximately 450 mailings of the notice was distributed on May 20, 2011 and on June 2, 2011 approximately 950 mailings occurred.

FISCAL IMPACT/FINANCING:

Impact to the General Fund is estimated at \$3,000 for public hearing notices and distribution of related information material.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five year strategic plan includes the "Economic Well being Initiative - to promote economic development opportunities, effective growth management and a quality standard of living." The proposed Development Impact Fees will ensure that new development in Tulare County will pay its fair share of needed new services and facilities.

SUBJECT: Legislative Authority To Collect Development Impact Fees/Public
Facilities Impact Fees

DATE: June 21, 2011

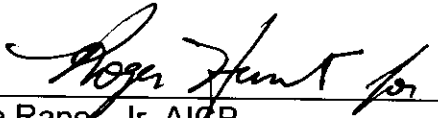
ALTERNATIVES:

1. The Board could choose not to consider or adopt legislative authority to collect development impact fees.
2. The Board could choose to refer the matter back to staff for further discussion and analysis and return to the Board prior to taking action.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

Tulare County Administrative Office, Fire, Sheriff, Library, Courts, Parks, Facilities, and incorporated cities.

ADMINISTRATIVE SIGN-OFF:



Jake Raper, Jr. AICP
Director

cc: Auditor/Controller
County Counsel
County Administrative Office (2)

Attachment(s)

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF LEGISLATIVE AUTHORITY
TO COLLECT DEVELOPMENT IMPACT FEES/
PUBLIC FACILITIES IMPACT FEES

)
) RESOLUTION NO. _____
) ORDINANCE NO. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD ON JULY 12, 2011,
BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Held a Public Hearing.
2. Waived the second reading and adopted Ordinance adding Chapter 27 to Part 1 Government and Administration of the Ordinance Code of Tulare County, Pertaining to County Public Facilities Impact Fees in the Incorporated and Unincorporated Areas of Tulare County.
3. Directed the Clerk of the Board of Supervisors to publish the adopted summary of the Ordinance and to post certified copy of the full ordinance with the names of the Board of Supervisors voting for and against within (15) days of adoption.

IN THE MATTER OF LEGISLATIVE AUTHORITY)
TO COLLECT DEVELOPMENT IMPACT FEES/)RESOLUTION NO. 2011-0466
PUBLIC FACILITIES IMPACT FEES)

AYES: SUPERVISORS ISHIDA, VANDER POEL, WORTHLEY AND ENNIS
NOES: SUPERVISOR COX
ABSTAIN: NONE
ABSENT: NONE

JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

Deputy Clerk

- DAY
6/21/11