

RESOLUTION NO. 2011-109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK ACCEPTING THE 2011 PUBLIC FACILITIES FINANCE PLAN UPDATE PREPARED BY WINZLER & KELLY WHICH RECOMMENDS CHANGES IN THE PUBLIC FACILITIES FEE PROGRAM AND INTEGRATION OF THE SEWER CAPACITY FEE

WHEREAS, the General Plan of the City of Rohnert Park requires that new development pay its fair share of costs for capital improvements made necessary by that new development; and

WHEREAS, in 2004, following preparation of a *Public Facility Finance Plan* the City Council adopted Ordinance No. 715 establishing a public facilities (PF) fee pursuant to Government Code Sections 61000 and following; and

WHEREAS, in 2006, the Public Facility Finance Plan and PF fee were updated, and following completion of a *Sewer Capacity Charge Analysis*, the City adopted Ordinance No. 772 establishing a sewer capacity fee pursuant to Government Code Section 66013 to cover the fair share costs of new development in the Santa Rosa Subregional System; and

WHEREAS, the City of Rohnert Park has retained the services of Winzler & Kelly to prepare the *2011 Update to the Public Facilities Finance Plan* (October 2011); a copy of which is on file in the office of the City Clerk and has been for fourteen days prior to the public hearing which preceded the adoption of this resolution; and

WHEREAS, the *2011 Update* identifies the estimated cost of infrastructure needed to maintain the levels of service specified in the General Plan and in the environmental studies for specific new development and the proportional share of each development that is subject to PF fees or sewer capacity charges; and

WHEREAS, the planning processes for the City's internal public improvements and the associate Subregional System are now sufficiently coordinated to permit the integration of the sewer capacity charges and the PF fee; and

WHEREAS, Mary Grace Pawson, P.E., of Winzler & Kelly, principal author of the *2011 Update*, is a licensed civil engineer in the State of California with expertise and experience in the preparation of nexus studies pursuant to the California Mitigation Fee Act and well-qualified to make recommendations with respect to the revenue required to meet the estimated costs of new infrastructure necessitated by new development, and the proportionate allocation of those costs over various types of new development; and

WHEREAS, the *2011 Update* recommends that the existing PF Fee be modified to reflect updated estimates of the costs of capital improvements as more particularly described in that report, and that the sewer capacity fee be replaced, going forward, with a new PF Fee that includes an appropriate share of costs for the Subregional System;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rohnert Park as follows:

Section 1. The City Council hereby accepts the *2011 Update to the Public Facilities Finance Fee* dated October 2011 and prepared by Winzler & Kelly as an accurate document identifying, in conjunction with the City's Capital Improvement Plan, the public facilities to be financed by the PF fee and the uses to which the fees will be put, and further establishes that there is a reasonable relationship between the need for the public facilities, and the fee's use, and the type of development project on which the fee is imposed.

Section 2. The City Council hereby finds that the new PF fee rates recommended in the *2011 Update to the Public Facilities Finance Fee* bear a reasonable relationship between the amount of the fee for each development project and the and cost of the public facility, or portion of the public facility, attributable to the development on which the fee is imposed.

DULY AND REGULARLY ADOPTED this 8th day of November, 2011.

ATTEST:

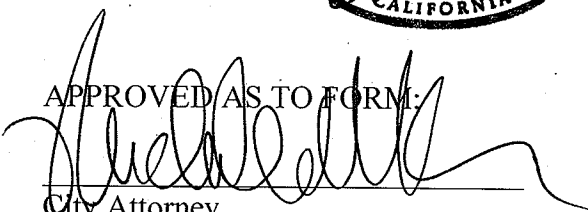

City Clerk



CITY OF ROHNERT PARK


Mayor

APPROVED AS TO FORM:


City Attorney

AHANOTU: <u>AYE</u> CALLINAN: <u>AYE</u> MACKENZIE: <u>AYE</u> STAFFORD: <u>AYE</u> BELFORTE: <u>AYE</u> AYES: (5) NOES: (0) ABSENT: (0) ABSTAIN: (0)
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