



# CITY OF LODI

# COUNCIL COMMUNICATION

**AGENDA TITLE:** Continued Public Hearing to Consider Update of Development Impact Mitigation Fees

**MEETING DATE:** February 3, 1993

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** That the City Council conduct a public hearing to consider updating the City's Development Impact Mitigation Fees and adopt a resolution updating the fees.

**BACKGROUND INFORMATION:** The City's Development Impact Mitigation Fee Program, adopted in 1991, provides for an annual update of the fees based on the Engineering News Record (ENR) 20 Cities Construction Cost Index. Further adjustments can be made if there are substantial changes in the fee program projects, their costs, or other factors. The City has used the ENR for updating the storm drainage impact fee since 1972.

On November 18, 1992, the City Council conducted a hearing on increasing the fees 3.61% based on the change in the ENR Index. At the hearing, a number of people spoke in opposition to the increase. They generally felt the use of a national index was inappropriate for recent conditions in the Lodi area. The Council requested additional background information in response and continued the public hearing to February 3, 1993.

To more accurately address this "index" issue, the projects which the impact fees are financing must be broken down into categories. The fees are paying for a wide variety of capital facilities ranging from water wells to police cars, each with their own market conditions. The following discussion focuses on each category in order of their proportion of the total fee.

### Buildings

The cost of various public buildings accounts for nearly one-quarter of the total fee. Since no buildings have been constructed under the fee program, we cannot compare actual costs to the program estimates. There is no local "index" for building costs. In December 1992, the Engineering News Record published a summary of various cost indexes (Exhibit A). Increases range from 1.2% to 2.9%. A local architect's office felt an increase of between 2% and 3% was appropriate. The recommended adjustment for buildings is an increase of 2% except for the City Hall project. The recent changes in the plan for expansion of City Hall are substantially different from the original, underestimated project which was included in the fee program. Based on the latest plans and cost estimates, the cost of the portion of the project included in the fee program should be increased 22%.

APPROVED \_\_\_\_\_

THOMAS A. PETERSON  
City Manager



CC-1

### Street Improvements

Typical street improvements, i.e., paving for wide streets, basin and park frontage improvements and miscellaneous street and park improvements, account for just over 20% of the total fee. These prices have declined since the fee study. This is confirmed by local engineers and the Caltrans Construction Cost Index. However, this has been partially offset by two factors. One is that the City has paid for more street work than estimated in the program, primarily on Kettleman Lane near Lower Sacramento Road. The other is that the cost of excess right of way was not consistently included in the estimates for new "wide" streets. Under the City's fee and reimbursement program ordinance, right of way dedications in excess of 68 feet are to be reimbursed under the fee program.

The recommended adjustment for these improvements is a decrease of 2%.

Other special or large-scale street improvements, including the Highway 12/99 interchange, WID Canal crossing widenings, railroad crossings and traffic signals, account for nearly 7% of the fee. The only work paid by the fees in this category has been the signal work at Highway 12/Lower Sacramento Road, and the signal at Highway 12/Tienda Drive. Both were added to the program after the fee was set. These two projects would increase the fee by 1.5%. Preliminary discussions with Caltrans indicate that the cost of the Highway 12/99 interchange will substantially exceed the cost included in the fee program. On the other hand, the cost of signals has not increased over the past year, and may be decreasing.

It is recommended there be no adjustment for these projects.

### Land

The cost of land for storm drainage basins and parks is approximately 22% of the total fee. The cost of land was estimated in the study to be \$100,000 per acre. Only one acquisition has been made (E-Basin/Westgate Park) in which the price was set at \$115,000 per acre. In addition, nearly 2 acres (14%) more land was acquired than was estimated in the fee calculations. However, this should not be a typical occurrence once the Parks Master Plan is adopted. We also have an appraisal on another basin which is slightly lower than \$100,000 per acre.

The recommended adjustment for land is an increase of 4%.

### Water Wells

New wells account for 11% of the total fee. A significant portion (40%) of this cost is for granular activated carbon (GAC) treatment units for DBCP. In order to provide proper system operation, we will have to drill some new wells in areas with DBCP levels exceeding the allowable limit. Whether or not we will need the number of estimated treatment units is unknown at this time. City well costs are showing a slight increase.

The recommended adjustment for wells is an increase of 1/2%.

#### Underground Utilities

Oversizing credits for water and sewer lines and the cost of master storm lines account for 5% of the total fee. Based on local engineers' estimates and data provided by local contractors, these prices have either declined or stayed the same. However, in the few projects in which the City has paid credits, or for master storm drains, the footages have exceeded those included in the original estimates.

The recommended adjustment for underground utilities is a decrease of 1%.

#### Equipment

Police cars, fire fighting equipment and other miscellaneous vehicles and equipment account for approximately 4% of the total fee. Although no purchases have been made under the fee program, we do know costs have continued to increase. A fully equipped police car, estimated to cost \$18,000 in January 1990, now costs \$21,000; roughly a 5% per year increase. Cost increases for fire fighting equipment have been lower.

The recommended adjustment for equipment is an increase of 4%.

#### Miscellaneous

This category includes program administration and the various studies for the next two General Plan updates. The fee study consultants estimated the equivalent of two full-time positions would be needed to administer the program. With slow development, it has not been necessary to add positions although some existing staff time and equipment has been charged to this account. Given this, but assuming additional staff will be needed in the future, a decrease of 1.5% is recommended. For other studies yet to be done, an increase of 3% is recommended.

#### Agreements

The City has a number of formal agreements and adopted policies providing for reimbursements to either developers or the City for past expenses. These account for just under 3% of the total fee. These agreements specifically call for an adjustment based on the ENR Index. This adjustment should be 3.61% as indicated in the previous staff report.

Lift Stations

There are three separate sanitary sewer service areas identified in the fee study with their own supplemental fee for lift stations. In one case, a development has paid the fee and installed temporary facilities. It is likely this will occur again before it is necessary to construct the permanent lift station. When it is finally necessary to construct the permanent lift station, the actual costs will be apportioned to the areas served. If the fees previously collected are less than the amount needed, the City will have to make up the difference. Thus, it is important that the fee be kept up to date.

The recommended adjustment for lift stations is a 3.5% increase.

Summary

The City-wide fee categories and subcategories, along with their relative percentages and the recommended adjustments, are shown on Exhibit B. The total adjustment is a 1.99% increase which is less than the 3.61% previously recommended. Exhibit C summarizes all the fees and compares the proposed fees to the existing fees and the previously recommended fees. The total increase is \$800 per acre of low-density residential use, or roughly \$160 per single-family dwelling.

FUNDING: None required.



Jack L. Ronsko  
Public Works Director

Prepared by Richard C. Prima, Jr., Assistant City Engineer

JLR/RCP/lm

Attachments

cc: City Attorney  
Finance Director  
Mailing list

## Builders' construction cost indexes

Name, area and type	Oct. 1991	Jan. 1992	Apr. 1992	July. 1992	Oct. 1992	Percent change qtr.	yr.
<b>General-purpose cost indexes</b>							
ENR 20-city: Construction Cost	451.41	455.08	460.46	464.72	470.33	+1.2	+3.3
ENR 20-city: Building Cost	412.32	412.04	415.85	421.12	424.44	+0.8	+2.9
Commerce Dept.: fixed-weighted <sup>1</sup>	111.30	110.10	111.20	112.10	112.40	+0.4	+1.2
Commerce Dept.: price deflator <sup>1</sup>	111.80	110.60	111.40	113.20	113.60	+0.4	+1.6
BuRec: general buildings <sup>2</sup>	184.00	185.00	185.00	187.00	na	na	na
Factory Mutual: industrial <sup>3</sup>	na	356.00	na	361.00	na	na	na
Handy-Whitman: general building <sup>4</sup>	na	233.17	na	242.16	na	na	+1.7
Lee Saylor Inc.: material/labor	439.10	444.91	445.08	444.20	449.91	+1.2	+2.2
Means: construction cost <sup>5</sup>	222.80	224.20	225.10	227.60	228.10	+0.2	+2.4
<b>Selling price indexes—building</b>							
The Austin Co.: industrial	426.96	428.08	427.72	426.97	426.97	0.0	0.0
Fru-Con Corp. St. Louis industrial	417.79	420.04	420.61	429.86	na	na	na
Lee Saylor Inc.: subcontractor	421.80	424.46	416.61	421.86	426.99	+1.2	+1.4
Turner: general building <sup>6</sup>	448.00	448.00	448.00	450.00	453.00	+0.7	+1.1
Smith, Hinchman & Grylls: general	364.28	364.55	366.13	368.24	371.13	+0.8	+1.9
<b>Valuation indexes</b>							
Boeckh: commercial/manufacturing	447.56	450.72	453.21	455.75	456.16	+0.1	+1.9
Marshall & Swift: industrial	383.50	383.80	383.40	390.10	389.10	-0.3	+1.5
<b>Special-purpose indexes</b>							
Nelson-Farrar Refinery Cost	440.70	441.51	442.97	445.59	na	+0.6	+1.7
Chemical Engineering: plant cost <sup>6</sup>	361.60	359.80	356.60	356.10	357.10	+0.3	-1.2

Base: 1957=100

na—not available

<sup>1</sup>Base: 1987=100; <sup>2</sup>Base: 1977=100; <sup>3</sup>Base: 1970=100; <sup>4</sup>Reinforced concrete six-region average. <sup>5</sup>Base: 1975=100; <sup>6</sup>Base: 1958=100; quarterly figures are Mar., June, Sept., Dec.

**Development Impact Mitigation Fee Update Analysis**

**Exhibit B**

Fee Category	% of total fee	Ex. Fee	% of category / total fee	Adj.	Avg. Adj.	New Fee
<b>Water</b>						
Water Wells			80%	11.4%	0.50%	
Oversize mains			9%	1.3%	-1.00%	
Service Center			8%	1.1%	2.00%	
Water Tank			2%	0.3%	3.61%	
CIP/Master Plan			1%	0.1%	3.00%	
	14%	\$5,710	100%		0.6%	\$5,740
<b>Sewer</b>						
Oversize mains			37%	1.0%	-1.00%	
Service Center			54%	1.5%	2.00%	
CIP/Master Plan			9%	0.2%	3.00%	
	3%	\$1,090	100%		1.0%	\$1,100
<b>Storm Drainage</b>						
Land			50%	9.8%	4.00%	
Basin Improvements			33%	6.5%	-2.00%	
Master Lines			14%	2.8%	-1.00%	
Reimb. Agreements			3%	0.6%	3.61%	
CIP/Master Plan			<1%		n/a	
	20%	\$7,910	100%		1.3%	\$8,010
<b>Streets</b>						
Traffic Signals			10%	1.4%	0.00%	
Street Widening			44%	6.0%	-2.00%	
Hwy 12/99 interchange			23%	3.1%	0.00%	
RR xing improvements			10%	1.4%	0.00%	
WID crossing widening			5%	0.7%	0.00%	
New Dev. share of past widening			8%	1.1%	3.61%	
CIP/Master Plan			<1%		n/a	
	14%	\$5,470	100%		-0.6%	\$5,440
<b>Police Protection</b>						
Police Station/Jail Expansion			88%	2.4%	2.00%	
New vehicles & Equipment			12%	0.3%	4.00%	
	3%	\$1,110	100%		2.2%	\$1,130
<b>Fire Protection</b>						
Station Construction			46%	0.6%	2.00%	
Equipment			54%	0.7%	4.00%	
	1%	\$520	100%		3.1%	\$540
<b>Parks &amp; Recreation</b>						
Land			40%	11.9%	4.00%	
Park Improvements			29%	8.6%	-2.00%	
Community Buildings			24%	7.2%	2.00%	
Admin./Corp. Yard			7%	2.1%	2.00%	
Master Plan			<1%		n/a	
	30%	\$11,980	100%		1.6%	\$12,180
<b>General City Facilities</b>						
City Hall			27%	4.3%	22.00%	
Library			25%	4.0%	2.00%	
Misc. Projects & Equipment			18%	2.9%	4.00%	
Future General Plan Updates			4%	0.6%	3.00%	
Program Admin.			22%	3.5%	-1.50%	
1991 General Plan Update			4%	0.6%	3.61%	
	16%	\$6,380	100%		7.1%	\$6,830
Totals:	100%	\$40,170		100.0%	2.0%	\$40,970

**1992 Development Impact Mitigation Fee Update**

	Fee per Residential Acre Equivalent per Resolution #:			
	91-172	Nov. 1992 proposal	Feb. 1993 proposal	% change
Water Facilities	\$ 5,710.	\$ 5,920.	\$5,740	0.5%
Sewer Facilities - General	\$ 1,090.	\$ 1,130.	\$1,100	0.9%
- Lift Station				
Kettleman Lane	\$ 1,610.	\$ 1,670.	\$1,670	3.5%
Harney Lane	\$ 830.	\$ 860.	\$860	3.5%
Cluff Ave	\$ 1,170.	\$ 1,210.	\$1,210	3.5%
Storm Drainage Facilities	\$ 7,910.	\$ 8,200.	\$8,010	1.3%
Street Improvements	\$ 5,470.	\$ 5,670.	\$5,440	-0.5%
Police Protection Facilities	\$ 1,110.	\$ 1,150.	\$1,130	1.8%
Fire Protection Facilities	\$ 520.	\$ 540.	\$540	3.8%
Parks & Recreation Facilities	\$ 11,980.	\$ 12,410.	\$12,180	1.7%
General City Fac. & Prog. Admin.	\$ 6,380.	\$ 6,610.	\$6,830	7.1%
<b>Total (without lift stations):</b>	<b>\$ 40,170.</b>	<b>\$ 41,630.</b>	<b>\$ 40,970.</b>	
<b>difference:</b>		<b>\$ 1,460.</b>	<b>\$ 800.</b>	
ENR	4818	4992	n/a	
% change		3.61%	1.99%	

Note: variation in percentages due to fee rounding to nearest \$10.00 per LMC \$15.64.060.

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DECLARATION OF MAILING

On November 24, 1992 in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a copy of the Notice attached hereto, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

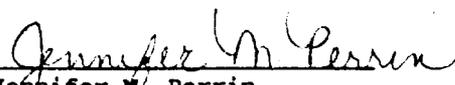
There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 24, 1992, at Lodi, California.

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Alice M. Reimche  
City Clerk

  
Jennifer M. Perrin  
Deputy City Clerk



**CITY OF LODI**  
CARNEGIE FORUM  
305 West Pine Street, Lodi

**NOTICE OF PUBLIC HEARING**

Date: February 3, 1993

Time: 7:30 p.m.

For information regarding this Public Hearing  
Please Contact:

Alice M. Reimche  
City Clerk  
Telephone: 333-6702

**NOTICE OF PUBLIC HEARING**

February 3, 1993

NOTICE IS HEREBY GIVEN that on Wednesday, at the hour of 7:30 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing to consider the following matter:

- a) to consider update of Development Impact Mitigation Fees.

Background information regarding this matter is on file in the City Clerk's office and can be reviewed by the public during regular business hours.

All interested persons are invited to present their views and comments on this matter. Written statements may be filed with the City Clerk at any time prior to the hearing scheduled herein, and oral statements may be made at said hearing.

If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice or in written correspondence delivered to the City Clerk, 221 West Pine Street, at or prior to the Public Hearing.

By Order Of the Lodi City Council:

Alice M. Reimche  
City Clerk

Dated: November 18, 1992

Approved as to form:

Bobby W. McNatt  
City Attorney

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RESOLUTION NO. 93-26

=====

A RESOLUTION OF THE LODI CITY COUNCIL  
UPDATING DEVELOPMENT IMPACT MITIGATION FEES  
FOR ALL DEVELOPMENTS WITHIN THE CITY OF LODI

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WHEREAS, the Lodi City Council has adopted Ordinance No. 1518 creating and establishing the authority for imposing and charging Development Impact Mitigation Fees in the City of Lodi; and

WHEREAS, said ordinance provides for an annual update based on the change in the Engineering News Record 20 Cities Construction Cost Index; and

WHEREAS, the Public Works Director has submitted additional information regarding project cost changes including public comments, all of which are included in the record of these proceedings; and

WHEREAS, the relationship between new development, the needed facilities, and the estimated cost(s) of these improvements is substantially the same except for inflation as included in the study entitled "Development Impact Fee Study" prepared by Nolte and Associates and Angus McDonald & Associates dated August 1991; and

WHEREAS, the Lodi City Council has adopted Resolution No. 91-172 establishing Development Impact Mitigation Fees; and

WHEREAS, such information was available for public inspection and review 14 days prior to the public hearing;

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

1. FEES.

The City Council hereby amends the fees specified in Section 2 "FEES" of Resolution 91-172 as follows:

FEE CATEGORY                      FEE PER RESIDENTIAL ACRE EQUIVALENT (RAE)

City-Wide Fees

1. Water	\$ 5,690.00
2. Sewer	\$ 1,060.00
3. Storm Drainage	\$ 7,630.00
4. Streets	\$ 5,440.00
5. Police	\$ 1,130.00
6. Fire	\$ 540.00
7. Parks and Recreation	\$11,830.00
8. General City Facilities	\$ 6,830.00

FEE CATEGORY

FEE PER RESIDENTIAL ACRE EQUIVALENT (RAE)

Supplemental Specific Area Fees

A. Kettleman Lane Lift Station	\$ 1,670.00
B. Harney Lane Lift Station	\$ 860.00
C. Cluff Avenue Lift Station	\$ 1,210.00

2. All resolutions or portions of resolutions setting amounts for such Development Impact Mitigation fees are repealed. All other provisions of Resolution 91-172 remain in effect.

3. EFFECTIVE DATE

The Development Impact Fees adopted in this Resolution shall take effect 60 days after adoption. For projects in which fees have been deferred under the terms of a public improvement agreement per Lodi Municipal Code Section 15.64.040(E), these fees shall be effective one year from the date of the agreement.

Dated: February 3, 1993

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I hereby certify that Resolution No. 93-26 was passed and adopted by the Lodi City Council in a regular meeting held February 3, 1993 by the following vote:

- Ayes: Council Members - Davenport, Mann, Sieglock, Snider and Pennino (Mayor)
- Noes: Council Members - None
- Absent: Council Members - None

*Jennifer M. Perrin*  
 Jennifer M. Perrin  
 City Clerk

CITY COUNCIL

PHILLIP A. PENNINO, Mayor  
JACK A. SIEGLOCK  
Mayor Pro Tempore  
RAY G. DAVENPORT  
STEPHEN J. MANN  
JOHN R. (Randy) SNIDER

# CITY OF LODI

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI CALIFORNIA 95241-1910  
(209) 334-5634  
FAX (209) 333-6795  
January 26, 1993

THOMAS A. PETERSON  
City Manager

RECEIVED  
JENNIFER M. PERRIN  
City Clerk

3 JUN 26 PM 5:10  
BOB McHATT  
City Attorney

JOE A. REID  
CITY CLERK  
CITY OF LODI

*Mailing list attached*

**SUBJECT: Continued Public Hearing to Consider Update of Development Impact Mitigation Fees**

Enclosed is a copy of background information on an item that will be discussed at the City Council meeting on Wednesday, February 3, 1993, at 7:30 p.m. The meeting will be held in the City Council Chamber, Carnegie Forum, 305 West Pine Street. You are welcome to attend.

If you wish to communicate with the City Council, please contact Jennifer Perrin, City Clerk, at (209) 333-6702.

If you have any questions about the item, please call Richard Prima or me at (209) 333-6706.

  
Jack L. Ronsko  
Public Works Director

JLR/lm

Enclosure

cc: City Clerk ✓

MAILING LIST

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Lodi, CA 95242

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PO Box 1237  
Lodi, CA 95241

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222 W Lockeford St #9  
Lodi, CA 95240

Jerry Heminger  
619 Willow Glen Dr  
Lodi, CA 95240

Wentland-Snyder  
521 S Ham Ln #A  
Lodi, CA 95242

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CAMRAY DEVELOPMENT  
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WOODBIDGE, CA 95258

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SCHAFFER SUESS & BOYD  
122 N CHURCH ST  
LODI, CA 95240