

RESOLUTION NUMBER 2908

**AN URGENCY RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF PERRIS, CALIFORNIA, INCREASING THE
INFRASTRUCTURE FEE FOR FIRE SAFETY PENDING
COMPLETION OF AN IMPACT STUDY**

WHEREAS, the City of Perris (“City”) imposes development impact fees (the “Infrastructure Fee”) on residential, commercial, and industrial development projects pursuant to the Mitigation Fee Act (Government Code Section 66000, et seq.) and Ordinance No. 877, to fund the public improvements made necessary by such development projects. The City’s Infrastructure Fee consists of six separate components, including Community Facilities, Police, Fire, Parks and Recreation, Library, and Streets; and

WHEREAS, the portion of the total Infrastructure Fee imposed on each development project for Fire safety purposes is as follows:

Single Family Dwelling	\$54.00 per unit
Multi-Family Dwelling (2-4 units)	\$38.00 per unit
Multi-Family Dwelling (5+ units)	\$38.00 per unit
Commercial	\$00.03 per square foot
Industrial	\$00.03 per square foot; and

WHEREAS, the City’s Infrastructure Fee for Fire safety was set at the foregoing current levels in 1991 by Resolution No. 2030, and has not been increased for over 10 years; and

WHEREAS, over the last several years the City has been slowly recovering financially from the severe economic impacts caused by the recessionary times of the 1990’s, and until recently has experienced a general shortage of new residential, commercial, and industrial development compared to surrounding communities; and

WHEREAS, improvements in the economy and other factors have led to a dramatic increase in the number of development projects being initiated, or recommenced after being put on hold during the economic slowdown. For example, as of December 31, 2001, the City’s Community Development Department had applications on file for approximately 73 new single family residential units, including units that have been approved but not constructed. The City anticipates it will receive applications for building permits for approximately 150 residential units in the next 12 months. In addition, the City recently approved two large industrial/warehouse development projects and anticipates additional applications for similar projects; and

WHEREAS, the City receives only one percent of the one percent county property tax that will be assessed on the proposed development projects, which will not be sufficient to meet the demand for public services, including fire safety, that will be created by such new development; and

WHEREAS, the City has a severe shortage of equipment, facilities, and personnel resources required to provide fire services in the developing areas of the City, especially the north end. The City’s single fire station is the busiest station in Riverside County in terms of responses to requests for assistance, with approximately 4,225 responses in 2001 compared to the County average of 1,144. Response times to the north end of the City are not considered to be within acceptable or widely practiced standards; and

WHEREAS, construction costs for a new fire station in the north end of the City are estimated to be \$1.6 million to \$2 million, not including property acquisition costs. The cost of acquiring the necessary fire protection apparatus is estimated to be \$320,000 for a type I fire engine and up to approximately \$1 million for a 102-foot ladder truck; and

WHEREAS, a recent survey revealed that the City’s impact fee for fire safety for residential projects is far lower than the fee charged in surrounding communities:

Riverside County:	\$438.00
Moreno Valley:	\$234.00
Murrieta:	\$410.42
Hemet:	\$363.00
San Jacinto:	\$577.00; and

WHEREAS, the City is currently in the process of conducting an impact study to determine the appropriate level of fire safety impact fee reasonably required to meet the demands created by proposed new development projects; and

WHEREAS, for the foregoing reasons the City finds there is a current and immediate threat to the public safety and welfare in that the ongoing construction of new development projects at the current level of fire safety impact fees will only increase the shortfall of funds required to provide fire safety services to such new development. The City therefore desires to immediately increase the portion of the development impact fees charged for fire safety on all new residential development projects, pending completion of the impact study and adoption of a new fee schedule, in order to protect the health, safety, and welfare of the community; and

WHEREAS, Government Code Section 66017(b) specifically authorizes the City Council to adopt an urgency measure as an interim authorization for an increase in a development impact fee to protect the public health, welfare and safety; provided that such measure shall require four-fifths vote of the City Council for adoption, and further provided that such measure shall expire 30 days after its adoption unless extended.

THE CITY COUNCIL OF THE CITY OF PERRIS DOES HEREBY ORDAIN
as follows:

Section 1. Fee Increase. Effective immediately, the portion of the total Infrastructure Fee imposed for Fire safety purposes on each single family dwelling in each new residential development project shall be increased to \$454.00.

Section 2. No Change to Remainder of Infrastructure Fee. The foregoing increase in the Fire safety component of the City's Infrastructure Fee shall have no effect on the other components of the Infrastructure Fee.

Section 3. Application. This Resolution shall apply to all units in residential development projects for which the development impact fee has not been paid as of the Effective Date of this Resolution, excepting only those units in development projects that are subject to an existing development agreement or owner participation agreement, and where such agreement expressly provides for the amount and timing of fire safety impact fees.

Section 4. Urgency. The City Council adopts the recitals set forth above as legislative findings of the current and immediate threat to the public health, safety, and welfare, and declares that such threat requires the immediate adoption of this Resolution on an urgency basis pursuant to Section 66017(b) of the Government Code.

Section 5. Time. This Resolution shall take effect immediately upon adoption and shall be of no further force and effect 30 days after its adoption, unless extended by the City Council in accordance with Government Code Section 66017(b).

Section 6. Severability. If any section, subsection, subdivision, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council hereby declares that it would have adopted this Resolution, and each section, subsection, subdivision, sentence, clause, phrase, or portions thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences clauses, phrases or portions thereof be declared invalid or unconstitutional.

Section 7. Certification. The City Clerk shall certify as to the passage and adoption of this Resolution and shall cause the same to be posted at the designated locations in the City of Perris.

ADOPTED, SIGNED, and APPROVED this 8th day of January, 2002.

Mayor, Daryl R. Busch

ATTEST:

City Clerk, Margaret Rey

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 2908 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 8th day of January, 2002, and that it was so adopted by the following called vote:

AYES: Motte, Rogers, Yarbrough, Landers, Busch
NOES:
ABSENT:
ABSTAIN:

City Clerk, Margaret Rey