

RESOLUTION 2022 - 241

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LINCOLN APPROVING CHANGES TO THE PUBLIC FACILITIES ELEMENT FEE SCHEDULE FOR DEVELOPMENT IMPACT FEES

WHEREAS, on June 28, 2022 the City Council of the City of Lincoln adopted Resolution 2022-162, adopting the City of Lincoln Public Facilities Element Fee Program Nexus Study Update, date June 10, 2022, that produced a comprehensive update to the Public Facilities Fees that were last updated in 2012; and

WHEREAS, minor calculation revisions and deletion of some facilities have been made to the City of Lincoln Public Facilities Element Fee Program Nexus Study Update, dated August 15, 2022; and

WHEREAS, City staff have worked with the development community to create a phased in approach to update fees to the full amount identified in the Nexus Study Update; and

WHEREAS, the proposed fees do not exceed the estimated costs required to construct projects to serve new development within our community; and

WHEREAS, the City of Lincoln includes the adoption of a capital improvement plan annually as a part of its annual budget that includes Public Facilities Element facility improvements, and

WHEREAS, members of the development community have actively participated in the preparation of the Public Facilities Element Fee Program Nexus Study Update; and

WHEREAS, the increase in the Public Facilities Element Fee Schedule shall be phased in, with 1/3 increase applied on January 1, 2023, 1/3 increase applied on July 1, 2024, and 1/3 increase applied on July 1, 2024; and

WHEREAS, annual inflationary adjustments shall be applied on July 1st of each year based on changes to the Engineering News Record – Construction Cost Index between April to April of each year; and

WHEREAS, the Nexus Study proposed to implement fees for two geographic areas, Area No. 1 and Area No. 2; and

WHEREAS, the exception to the Area No. 1 and Area No. 2 delineation is Village 1, which shall pay the Area No. 1 Community Services – Fire PFE fee; and

WHEREAS, Areas No. 1 is broken into North of Auburn Ravine and South of Auburn Ravine for the purposes of allocating the drainage facilities component of the impact fee; and

WHEREAS, Equivalent Dwelling Unit allocation factors for different use types are identified in the Nexus Study Update and relevant Ordinances; and

WHEREAS, the City has published notice of the October 25, 2022 public hearing in the Lincoln News Messenger on October 6, 2022; and

WHEREAS, enactment of this resolution does not constitute a “Project” as that term is defined under the California Environmental Quality Act (CEQA), CEQA Guidelines Section 16060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and Section 15060(c)(3) (the activity is not a project as defined in Section 15378). Furthermore, the City Council finds that there is no possibility that the adoption of these fees could have a significant effect on the environment, therefore, no further environmental review is necessary in accordance with CEQA Guidelines Section 15061(b)(3).

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Lincoln as follows:

1. Approves the following changes to the Public Facilities Element Fee Schedule for 1.00 Equivalent Dwelling Units of impact, effective January 1, 2023:

	Area No. 1 North of Auburn Ravine	Area No. 1 South of Auburn Ravine	Area No. 2	Area No. 2 - Village 1
Sanitary Sewer Treatment	\$7,699.00	\$7,699.00	\$7,699.00	\$7,699.00
Sanitary Sewer Collections	\$2,731.45	\$2,371.45	\$3,332.11	\$3,332.11
Water Storage	\$1,024.00	\$1,024.00	\$933.00	\$933.00
Water Transmission	\$1,975.00	\$1,975.00	\$1,150.00	\$1,150.00
Traffic	\$4,582.85	\$4,582.85	\$4,036.51	\$4,036.51
Area Drainage	\$2,096.87	\$264.00		
Citywide Drainage	\$255.67	\$767.00	\$811.00	\$811.00
Parks and Trails	\$4,706.03	\$4,706.03		
Neighborhood Parks			\$3,847.00	\$3,847.00
Regional Parks			\$1,738.37	\$1,738.37
Trails			\$239.67	\$239.67
Recreational Facilities	\$252.67	\$252.67	\$275.33	\$275.33
Police	\$757.00	\$757.00	\$841.00	\$841.00
Fire	\$601.51	\$601.51	\$658.51	\$601.51
City Administration	\$1,014.77	\$1,014.77	\$1,014.77	\$1,014.77
Library			\$494.00	\$494.00
Solid Waste	\$682.00	\$682.00	\$665.00	\$665.00

2. Fees shall be adjusted annually for inflation based on the full amount of each fee identified in the City of Lincoln Public Facilities Element Fee Program Nexus Study Update, date August 15, 2022 based on the change of the Engineering News Record – Construction Cost Index for San Francisco on April of each year, to go into effect on July 1st of each year.
3. All line items of fees shall that are increasing from the Fee Schedule in place on July 1, 2022 shall be increased by 1/3 the difference between the previous fee rate and the fee rate identified in the City of Lincoln Public Facilities Element Fee Program Nexus Study Update, date August 15, 2022.
4. Changes to the Public Facilities Element Fee Schedule shall become effective on January 1, 2023 and no less than sixty (60) days following the adoption of this resolution.

5. Staff will meet with the North State BIA to discuss additional nexus comments and collaborate on the 2nd and 3rd phase increases in advance of implantation.

PASSED AND ADOPTED this 25th day of October, 2022, by the following roll call vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ATTEST:



Gwen Scanlon, City Clerk


Holly Andreatta, Mayor

APPROVED AS TO FORM:


Kristine Mollenkopf, City Attorney