

DATE SUBMITTED 12/11/15
 SUBMITTED BY PLANNING DIRECTOR
 DATE ACTION REQUIRED 12/16/15

COUNCIL ACTION (X)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: DEVELOPMENT IMPACT FEE PROGRAM	
1. AWARD CONTRACT TO HOWES, WEILER, AND ASSOCIATES IN THE AMOUNT OF \$27,610.00 TO UPDATE THE CITY'S DEVELOPMENT IMPACT FEE PROGRAM	
DEPARTMENT INVOLVED:	
BACKGROUND/SUMMARY: Council directed Staff to pursue a Development Impact Fee Study. The City of Imperial adopted its current Development Impact Fee (DIF) schedule in 2002 and conducted an extensive update in 2010. The DIF Program ensures that future development projects pay their fair share of future public facilities. Facilities covered by the DIF program include administrative, fire, law enforcement, library, parks, and circulation (roadways). (Water and wastewater facilities are covered by another fee program and update of that program is currently underway.) Fees under the DIF program are based on buildout projections and recommendations from the 2002 Service Area Plan (SAP). The SAP was updated earlier this year and the DIF Program must follow suit. Howes, Weiler and Associates prepared our previous update and submitted a proposal in the amount of \$27,610.00. The fee will be paid out of existing DIF funds and will be incorporated into the new fee schedule.	
FISCAL IMPACT: \$27,610.00 from DIF Funds.	F.O. INITIALS: _____
STAFF RECOMMENDATION: Staff recommends award of contract to Howes, Weiler, and Associates in the amount of \$27,610.00 to update the City's Development Impact Fee Program.	
MANAGER'S RECOMMENDATION:	MANAGER'S INITIALS
MOTION:	
SECONDED:	APPROVED () REJECTED ()
AYES:	DISAPPROVED () DEFERRED ()
NAYES:	REFERRED TO:
ABSENT:	REFERRED TO:



December 7, 2015

Mr. Jorge Galvan
City of Imperial
420 Imperial Avenue
Imperial, CA 92251

SUBJECT: Scope of Work - Comprehensive Update of the Development Impact Fee Program

Dear Mr. Galvan,

Thank you for considering Howes, Weiler and Associates for the preparation of the update to the City of Imperial Development Impact Fee Program. The purpose of this letter is to provide a Scope of Work and cost for the services of Howes, Weiler and Associates.

Based on our conversation, we have provided a scope of work and cost to conduct a comprehensive update the existing impact fee program. The attached scope of work provides a list of the tasks to be completed along with the deliverables for the preparation of an updated impact fee report and any necessary revisions to the impact fee ordinance. We anticipate that the first draft of the impact fee program update can be completed within eight weeks after receipt of all requested information from the city.

The cost for our services is expected to be \$27,610 plus reimbursable expenses. In order for the city to recoup the cost for preparing the update, the fee amount will be inserted into the fee calculations. We will strive to be most efficient to keep the costs down, while still completing the tasks necessary to meet your objectives. We will provide invoices at the end of each month as services are rendered and upon completion of the project. All invoices will contain a description of all work completed, time spent, and the cost for services as well as any reimbursable items such as photo copies, mileage, deliveries, etc.

We can begin the updating the impact fee program immediately upon verbal authorization to proceed. Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "S. Weiler", is written over a light blue horizontal line.

Stan Weiler, AICP

Attachment



SCOPE OF WORK

Comprehensive Update to the Development Impact Fee Program

City of Imperial, California

This Scope of Work includes the tasks to be completed by Howes, Weiler & Associates to update the existing Development Impact Fee Program. The Scope of Work also includes updating the existing Development Impact Fee Ordinance for the City of Imperial to ensure that it complies with the California Government Code Section 66000.

The Development Impact Fee Program update will provide required background information, justification for necessary public facility improvements, and the costs for these improvements necessary to accommodate new development within the City. This information will be used to determine development impact fees to be paid by future development.

The following identifies the public facilities currently receiving development impact fee funds for which Howes, Weiler & Associates will be providing an updated report.

- Administrative Facilities
- Fire Protection Facilities
- Law Enforcement Facilities
- Library Facilities
- Park Facilities
- Circulation/Streets
- Water Treatment Facilities
- Water Conveyance
- Wastewater Treatment Facilities
- Wastewater Conveyance

Below is an outline of tasks to be completed by Howes, Weiler & Associates:

I. Land Use Survey and Build Out Analysis Review

Howes, Weiler and Associates will perform a comprehensive land use survey of the existing development within the boundaries of the City Limits and Sphere of Influence. The Land Use Survey and Build Out Analysis portion of this Development Impact Fee Program will be based on the updated survey. It is anticipated that this comprehensive survey can be completed within a two day period.

II. Public Facilities Analysis

A Public Facilities Analysis will need to be conducted that will address the current and future impacts and improvements needed for all the public facilities identified. The Public Facilities Analysis will provide a description of all existing facilities, provide the existing demand and facility capacities, and indicate improvements needed to meet existing and future demand. The Public Facility Analysis will be used as the base document for the determination of development impact fees.



Since there is an existing Development Impact Fee Program in place containing the following facilities, Howes, Weiler & Associates will update the impact fee report to account for the new development that has occurred and the new facilities that have been constructed.

Administrative, Fire Protection, Law Enforcement, Library, and Park Facilities

- A. Conduct interviews with applicable department heads to determine the status of each existing facility.
- B. Update inventory of existing facilities.
- C. Review the current level of service based on the current state of each facility.
- D. Update the facility location exhibits.
- E. Complete an existing level of adequacy analysis based on the current status of each facility.
- F. Determine facility build out requirements by comparing future population projections and nonresidential square footage projections to recommended levels of service.
- G. Establish costs necessary to satisfy future demand.

Circulation Facilities

Howes, Weiler and Associates will complete many of the tasks identified below, however, an asterisk (*) designates those tasks that we will need substantial input from the city and/or a qualified engineer.

- A. The existing levels of service for major street arterials and intersections will be determined.
 - 1. Based on the city's General Plan and staff input, the major roadways and intersections to be addressed by the facility analysis will be identified.
 - 2. The existing levels of service must be determined for these roadways and intersections. This requires the preparation of a comprehensive citywide traffic analysis. The duration of this task will be dependent upon the availability and ability of the traffic consultant to prepare such an analysis. A traffic consultant should be should hired as soon as possible.*
 - 3. Existing deficiencies must be identified and segregated from cost calculations of future projected deficiencies. This will ensure that the calculation of development impact fees does not include existing deficiencies, and guarantees compliance with State law.
 - 4. The costs required to correct existing deficiencies must be determined. These



include actual capital costs for construction of the facilities as well as any necessary right-of-way acquisition costs.*

- B. The future facility needs to service the build out of the city will be determined.
 - 1. As described in the build out analysis section, the projected number of dwelling units and the square footage of nonresidential land uses within the study zone will be made available to the traffic consultant. With this information, the build out level of service for each major roadway and intersection can be determined. This is an excellent technique to ensure that the planned circulation system will be adequate to handle the projected future traffic at build out.*
 - 2. The future improvements necessary to maintain the adopted level of service at build out will be determined.*
 - 3. The costs needed to build future facilities must be determined. These costs include actual capital costs for the construction of the facilities and any necessary right-of-way acquisition costs. Approximate costs will be projected and normal inflation factors will be applied.*

This methodology will also be helpful in determining future facilities constructed by city funding sources (e.g., impact fees, districts etc.) versus those facilities, which are normal subdivision or project exactions.

Water and Wastewater Facilities

The Public Facilities Analysis for water and wastewater facilities will require the participation of a civil engineer qualified to prepare the background information necessary to determine facility impacts and demands. The following tasks are necessary to adequately determine facility needs for capital improvement planning as well as formulating a development impact fee. Howes, Weiler and Associates will complete many of the tasks identified below, however, an asterisk (*) designates those tasks that will be completed by the city and/or a qualified engineer.

- A. Conduct interviews with applicable department heads to determine the status of each existing facility.
- B. Establish a comprehensive inventory of existing facilities.*
- C. Recommend a level of service based on the current state of each facility.
- D. Prepare Facility Location Exhibits.*
- E. Determine existing levels of service. This typically involves conducting actual demand and impact analysis and should be initiated as soon as possible.*



1. Existing deficiencies must be identified and segregated from cost calculations of future projected deficiencies. This will ensure that the calculation of development impact fees does not include existing deficiencies, and guarantees compliance with State law.
 2. The costs required to correct existing deficiencies must be determined. These include actual capital costs for construction of the facilities.*
- F. The future facility needs to service the build out of the city will be determined.
1. As described in the build out analysis section, the projected number of dwelling units and the square footage of nonresidential land uses will be made available to the engineer by Howes Weiler & Associates. With this information, the build out level of service can be determined. This is an excellent technique to ensure that the planned facility will be adequate to handle the projected future demand at build out.*
 2. The future improvements necessary to maintain the adopted level of service at build out will be determined.*
 3. The costs needed to build future facilities must be determined. These costs include actual capital costs for the construction of the facilities and any necessary right-of-way acquisition costs. Approximate costs will be projected and normal inflation factors will be applied.*
- G. Complete an existing level of adequacy analysis based on the current status of each facility.
- H. Determine facility build out requirements by comparing future population projections and nonresidential square footage projections to recommended levels of service.
- I. Establish costs necessary to satisfy future demand.

III. Development Impact Fee Report and Ordinance

Howes, Weiler and Associates will prepare a Development Impact Fee Report and Ordinance that complies with California Government Code Sections 66000 through 66009. These sections of state code dictate the legal and procedural parameters for the collection of impact fees. The Public Facilities Analysis conducted will be included as a part of the Development Impact Fee Report.

The Development Impact Fee Report will include the following Chapters:

- A. Introduction
- B. Build Out Projections
- C. Administrative Facility Analysis
- D. Fire Protection Facility Analysis

- E. Law Enforcement Facility Analysis
- F. Library Facility Analysis
- G. Park Facility Analysis
- H. Circulation Facility Analysis
- I. Water Treatment Facility Analysis
- J. Water Conveyance System Analysis
- K. Wastewater Treatment Facility Analysis
- L. Wastewater Conveyance System Analysis
- M. Fee Implementation

Additionally, Howes, Weiler and Associates will update the existing Impact Fee Ordinance to ensure compliance with California Government Code Section 66000 and to allow for the collection of impact fees for water and wastewater facilities pursuant to the new Development Impact Fee Report. This will be submitted to the City Attorney for his review and recommended changes to ensure consistency with the standard format used by the City. This ordinance will consider all applicable provisions of the State Code and specify the manner of fee collection, the requirements of accountability and any possible exceptions. The ordinance will also contain the provisions necessary to allow yearly review and modification to the impact fees.

IV. Local Meetings and Workshops

A number of meetings may be required at both the staff and management levels. The early meetings will be used to gain direction and information during the data collection phase. Later meetings will serve to update the City Council on the progress of the studies, determine Level of Service standards and receive additional direction. Later meetings will also be used to gain public input and make final decisions by the City Council. A total of four (4) meetings are assumed for this proposal. Any additional meetings as requested by the City will be assumed outside the scope of work for this contract and billed separately on a time and materials basis.

V. Deliverables

Howes, Weiler and Associates will provide the following:

First Draft of Development Impact Fee Report -	Five Copies for City Staff
Second Draft of Development Impact Fee Report -	Ten Copies for City Staff and Council
Final Development Impact Fee Report -	Five Copies for City Staff / City Clerk
Total Copies -	20 Copies
First Draft of Revised Impact Fee Ordinance -	Five Copies for City Staff
Second Draft of Revised Impact Fee Ordinance -	Ten Copies for City Staff and Council
Final Revised Impact Fee Ordinance -	Five Copies for City Staff / City Clerk
Total Copies -	20 Copies



SCHEDULE OF COST:

I.	Land Use Survey and Build Out Analysis	\$2,900
II.	Public Facility Analysis Update	\$10,250
III.	Development Impact Fee Study/Ordinance Update	\$10,250
IV.	Local Meetings and Workshops	\$4,200
	TOTAL	----- \$27,610
V.	Deliverables (as a reimbursement for actual cost)	\$2,000 (estimated)

PAYMENT SCHEDULE:

Howes, Weiler and Associates will submit invoices on a monthly basis as the work is completed. The City agrees to pay all invoices within 30 days of receipt of the invoice.

ASSUMPTIONS:

The above scope of work is based on the following assumptions:

1. The boundaries of the Sphere of Influence or the Areas of Annexation do not change.
2. There is no stop and start during the preparation of the plan.
3. No additional public facilities will be analyzed unless the scope of work is revised.
4. Any needed consultants, such as a civil engineer, will contract directly with and be managed by the City of Imperial.
5. Attendance at no more than two meetings with city staff.
6. Attendance at no more than two public hearings.
7. All graphics prepared by other members of the team.
8. No major issues to be resolved regarding facilities analysis.
9. No public opposition.

Services will be provided with integrity, honesty and client service as our top priorities. Invoices will be on a time and material basis provided monthly for all work completed. Full backup documentation will be provided with all invoices to identify all tasks completed. We will work to keep the project costs as low as practicable.