

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AMENDING A POLICY TO REDUCE OR ELIMINATE SELECTED CITYWIDE IMPACT FEES FOR INDUSTRIAL AND LARGE OFFICE DEVELOPMENT PROJECTS THAT CREATE NEW JOBS, INCREASE ASSESSED PROPERTY VALUATION, AND PROMOTE ECONOMIC DEVELOPMENT

WHEREAS, by Resolution 2014-18 the City Council adopted a policy to provide incentives to facilitate industrial development and revitalization within the City of Fresno; and

WHEREAS, the term of the incentives was extended by Resolution 2015-6; and

WHEREAS, the City Council desires to repeal Resolutions 2014-18 and 2015-6 and replace them with the policy set forth herein; and

WHEREAS, the City Council desires to expand the incentives to facilitate industrial development and revitalization to include large office development including, but not limited to call centers, company headquarters, software companies, health care entities, and similar business types; and

WHEREAS, certain industrial and large office development creates permanent jobs, increases property taxes, and promotes additional business attraction, retention and expansion, which are the foundation of the financial well-being of the City; and

WHEREAS, the economic recession and the resulting slowdown has made it more difficult to finance industrial development projects; and

WHEREAS, the City has adopted various development impact fees to mitigate the impacts of new development and to fund infrastructure to serve new development,

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Resolution No.

including parks, trails, fire stations, police substations, street improvements, and traffic signals pursuant to the Mitigation Fee Act (Gov. Code 66000 et seq.); and

WHEREAS, in certain areas of the City, public infrastructure to support industrial and large office uses currently exists, so the need for additional development impact fees to pay for development impacts in those areas are reduced or eliminated; and

WHEREAS, the City recognizes that elimination of selected impact fees will reduce the amount of funds available for use on public facilities for each fee that is eliminated; and

WHEREAS, certain public facilities that were planned at the time of the adoption of the current impact fees may need to be reduced or eliminated as unnecessary, nonessential, or delayed; and

WHEREAS, the City recognizes a fee cannot be increased on other developments to make up for fees eliminated for certain development projects; and

WHEREAS, the City recognizes a portion of the eliminated fees may need to be offset by either reducing the public infrastructure investments that are the basis for the current fee schedule and/or identifying other legally available funding sources.

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

1. Resolutions 2014-18 and 2015-6 are hereby repealed.
2. The City Manager shall be authorized to reduce and/or eliminate the amount due for citywide Impact Fees of every type, except for water connection charges and sewer connection charges, if the following criteria are met:

a. Type of development project: The development is for an industrial or large office project and the business associated with the project supports, leverages, or creates expansion opportunities for Fresno's existing industrial or commercial base;

b. Permanency of the business: The development project is owner-occupied or subject to a long term lease;

c. Job Creation: The development project will create or retain jobs that are a good match for the available workforce in the four-county Fresno commute shed. For office projects, the development must generate a minimum of 250 net new full time jobs;

d. Location: The development project site is located in an area of the City where public infrastructure to support the proposed industrial or large office development currently exists;

e. Zoning: The site is currently zoned for industrial development or large office development, as appropriate; and

f. Overall revenue generation for the City: The development will create an increase in assessed valuation, and therefore property tax receipts due to the City, which combined with potential sales tax revenue and other revenue streams resulting from the job creation and economic activity of the development, help offset the reduced fees.

3. As impact fees are designed to pay for public infrastructure, the reduction in fees under this resolution shall not cause the payment of prevailing wage to be required

for the portion of any industrial or large office development that is not public infrastructure.

4. In addition to the annual report required under the Mitigation Fee Act, the Administration shall provide Council a quarterly report detailing the amount and type of development impact fees reduced for each development project, along with the running total of reduced fees that may need to be offset by other legally permissible City funding sources. The quarterly report shall also contain information about jobs created as a result of the incentives provided herein.

5. The City Manager's ability to reduce and/or eliminate selected impact fees shall apply to all new qualifying industrial or large office development projects upon which building permits are issued after the effective date of this resolution.

6. A Councilmember shall participate in the evaluation process for the life of the program.

7. This resolution shall remain in effect until such time Council takes action to repeal it.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the ___ day of _____, 2016.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2016
Mayor Approval/No Return: _____, 2016
Mayor Veto: _____, 2016
Council Override Vote: _____, 2016

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

BY: _____
Laurie Avedisian-Favini
Assistant City Attorney

LAF:ns [70749ns/LAF]- 3/9/16