



Board Agenda Item 14

DATE: September 12, 2017

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Draft Capital Improvement Plan for the Public Facilities Impact Fees Study Update

RECOMMENDED ACTION(S):

Provide direction to staff on an updated Capital Improvement Plan prepared by the Department of Public Works and Planning.

Staff seeks the Board's direction on a draft update to the County's Capital Improvement Plan (CIP). An updated CIP is required for the County to impose Public Facilities Impact Fees (PFIF or impact fees) that may be collected prior to the issuance of a building permit for new residential development. Impact fees would only fund those portions of the public facilities in the CIP whose costs are attributable to increased demand for services caused by future development. Impact fees would not fund the entirety of the projects in the CIP. Staff will return at a later date to present a draft updated impact fee study that is supported by the updated CIP, as well as an ordinance amendment to establish an updated impact fee schedule.

ALTERNATIVE ACTION(S):

No alternative actions as the Board is being asked to provide direction to staff on the CIP. Upon receiving direction, staff will revise the draft CIP.

FISCAL IMPACT:

There is no fiscal impact regarding today's recommended action.

DISCUSSION:

State law provides a process by which the Board may establish public facilities impact fees. Such fees are charged to development projects, and may only be imposed for the purpose of defraying that portion of the cost of public facilities that is attributable to that development. For impact fees to be lawful, the public facilities to be partially financed by the fees must be identified. The proposed CIP is intended to serve that identification purpose. In addition to the proposed CIP, impact fees, if the Board chooses to impose them, would be supported by a fee study prepared by an expert consultant.

In 2008, the Board approved the prior CIP and passed an ordinance imposing impact fees in Fresno County. The study supporting the 2008 impact fees, which was prepared by MuniFinancial, identified six categories (or "silos") for the collection and allocation of the fees. Those silos were: (1) countywide public protection; (2) general government; (3) libraries; (4) health and human services; (5) sheriff's patrol and investigation; and (6) county parks and open space.

Following the Board's adoption of the 2008 impact fees, business and individuals experienced extraordinary and unforeseen adverse financial conditions that substantially impacted the economy in the State of California and in Fresno County. As a result, after holding public hearings in each instance, the Board imposed successive temporary suspensions of collecting the 2008 impact fees (November 10, 2010, through November 9, 2012, then November 10, 2012, through November 9, 2015, and then November 10, 2015, through November 9, 2017). Fees collected before the temporary suspensions have not yet been spent.

On June 7, 2016, the Board directed staff to move forward with a request for proposal to engage a consultant to provide options available to establish impact fees with only two silos (namely, "General Government" and "Countywide Public Protection") and to prepare an updated impact fee study. The County has engaged Taussig and Associates for that purpose, and Taussig is preparing a draft study. Staff is also preparing a baseline inventory of the County's public facilities as they exist today, to inform Taussig's study.

Also in connection with the direction provided on June 7, 2016, was the need for staff to develop a draft updated CIP. The draft updated CIP now contains two silos whereas the original CIP contained six. In addition, the draft CIP now includes estimates relating building cost, site development cost, delivery cost, and design, furniture, fixtures, and equipment and administrative costs for each of the listed projects. A summary, as well as the full report, is provided as Attachment A. A summary of each project on the draft updated CIP follows. (Note: The project numbering order does not signify the priority of the projects.)

General Government

1. Public Works and Planning Customer Service Center, Offices and Field Shop

All public parking adjacent the County Plaza building is City of Fresno-owned parking. Currently Public Works and Planning (PWP) occupies the sixth, seventh, and eighth floors of the Plaza Tower and Suites A and B, which are the two floors in the outbuilding at the corner of Tulare and M Streets. This is the only location in Fresno County where the public comes to obtain permits. Additionally, four PWP Divisions closely associated with the activities at the County Plaza are located several miles away at Hamilton Yard. Acquisition and renovation a single building that would allow all of PWP to be housed at a single location with adequate public parking to better serve the public.

2. County Counsel

County Counsel currently occupies the fifth floor of the County Plaza Tower. Possible options would be to expand into the sixth floor. A second alternative proposes moving County Counsel to the sixth and seventh floors to allow the Public Defender to expand into the fifth floor (see below).

3. Board of Supervisors

Currently the Board of Supervisors offices are located at the Hall of Records. This project is proposed to renovate and expand into the vacated Recorder's space.

4. Agricultural Commissioner

Currently the Agricultural Department's offices are located on Maple Avenue within the Hamilton Yard. The Department occupies six buildings in the complex. The approximate square footage of the current facilities is 22,000 square feet.

With regard to future potential facility needs, it is noted that with the conversion of land to non-agricultural

uses, there is frequently a resulting demand for service to the Agricultural Commissioner's office. This occurs when urban uses are developed in proximately to existing agricultural operations. The Agricultural Commissioner's office is charged with enforcement of regulations related to application of pesticides in relation to sensitive areas (residences, schools, etc.). If the intended pesticide is a restricted material, the Agricultural Commissioner's office is required to inspect the conditions of the site to attempt to mitigate environmental concerns prior to the application. In addition, upcoming regulations will require notification to schools and day care operations of all pesticide applications within a quarter mile of said operations. The Agricultural Commissioner's office is tasked by regulation to ensure that all pesticide applications are in compliance. The draft CIP proposes construction and parking to address anticipated service needs.

5. County Clerk's Warehouse

Currently, the County Clerk's warehouse is located at Hamilton Yard. The County Clerk stores the bulk of County documents and surplus materials at this location, and it has nearly reached capacity. In addition to the storage of materials, the current facility supports County Purchasing, County voting materials, ballot counting facilities and a large training room. The draft CIP proposes to construct or relocate into an existing facility capable of meeting anticipated additional storage needs.

Countywide Public Protection

1. District Attorney's Offices

Currently the District Attorney occupies three floors of the Fresno County Plaza Tower and several leased facilities at various locations within the County. The draft CIP proposes to relocate the District Attorney to a single location that would allow for addition of staff.

2. Public Defender

Currently the Public Defender occupies the third and fourth floors of the County Plaza Tower. The draft CIP proposes to have the Public Defender expand to the fifth floor vacated by County Counsel to allow for addition of staff.

3. Coroner's Administration Facility

The County morgue is located at the Juvenile Justice Campus. The current facility is half of the originally planned facility intended to provide disaster support for Fresno County and the surrounding Kings, Tulare, Madera, Mariposa and Merced Counties.

4. Multi-Agency Dispatch Center

Currently the County Dispatch Center is located at Hamilton Yard. The construction of a new facility would allow for expanded multi-agency services and staff as needed to accommodate the consolidation of dispatch services for greater response efficiencies.

5. County Forensic Lab, Offices and Warehouse

Currently the County houses Forensic services in a leased facility.

6. Sheriff Area 2 Substation

It is anticipated that the Sheriff Area Substation 2 will not be large enough to serve increasing demand. The

draft CIP proposes to relocate the Area 2 Substation to a larger facility to serve two large patrol areas in the eastern portion of the County and provide increased capacity for storage of specialty equipment serving those needs.

7. County Sheriff Selma Substation

The construction of a new Sheriff Selma Substation would fill the increased needs of the public in the southern portion of the County.

8. County Animal Control Facility

The Animal Control Facility is housed on the grounds of the old County morgue. The existing facility was constructed as an emergency temporary response to losing the agreement with the SPCA to provide County animal control services. A new facility would provide adequate space and support.

After the Board provides direction regarding the draft updated CIP, staff will revise the CIP and return to the Board on September 26, 2017, for a hearing on formal approval. Notice of that hearing will be published in a newspaper of general circulation at least 10 days before the hearing, and mailed to the 15 cities, as required by statute and by the County's tax-sharing MOUs with the cities. On September 26, 2017, staff and Taussig will also present a draft updated impact fee study for direction from the Board.

Following approval of the updated CIP, and upon receiving direction from the Board regarding the draft updated impact fee study staff will return to the Board on October 17, 2017, for approval of the final updated impact fee study and public hearing on proposed impact fees under the study. Staff will also present for first reading an ordinance amending the County's current PFIF ordinance to provide for impact fees under the updated impact fee study. Notice of that hearing will be published in a newspaper of general circulation at least 10 days before the hearing, and mailed to the 15 cities, as required by statute and by the County's tax-sharing MOUs with the cities. The second reading of that ordinance would occur at the October 31, 2017 meeting of the Board.

Staff will also be returning to the Board at a later date with a recommendation regarding the expenditure or refund of the impact fees that were collected prior to the first temporary suspension.

NOTICING:

On September 1, 2017, notification of today's meeting was provided to the 15 cities within Fresno County, the Building Industry Association of Fresno and Madera Counties, and the Fresno County Farm Bureau.

REFERENCE MATERIAL:

BAI # 10 June 7, 2016

BAI #17 December 13, 2016

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A

CAO ANALYST:

John Hays