

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CHULA VISTA TOLLING THE DEVELOPMENT IMPACT, IN-  
LIEU, AND CAPACITY FEE AUTOMATIC ANNUAL  
INFLATIONARY ADJUSTMENTS FOR 2020

WHEREAS, the City of Chula Vista requires the payment of various development impact, in-lieu, and capacity fees in order to mitigate the impacts of development on public infrastructure;

WHEREAS, the majority of these fees are subject to an annual inflationary adjustment based on established construction and consumer pricing indices, effective each October 1<sup>st</sup>;

WHEREAS, in recognition of the significant and ongoing economic impacts of the COVID-19 pandemic, staff recommends tolling the October 2020 automatic annual inflationary adjustments;

WHEREAS, the next automatic increase would occur in October 2021, as currently authorized, unless the City Council were to take a subsequent tolling action;

WHEREAS, in order to ensure the ongoing sustainability of the subject fee programs, the October 2021 increase will reflect the cumulative change in the subject indices for the two-year period of July 2019 through July 2021;

WHEREAS, Chula Vista Municipal Code (CVMC) Chapter 3.50 establishes Development Impact Fees to Pay for Various Public Facilities (PFDIF);

WHEREAS, CVMC Section 3.50.090(A) provides that the PFDIF shall be adjusted, starting on October 1, 2020, and on each October 1<sup>st</sup> thereafter, and that such adjustments of the PFDIF shall be automatic, shall not require further action by the City Council, and shall be published in the City's Master Fee Schedule;

WHEREAS, CVMC Chapter 3.54 establishes Transportation Development Impact Fees, including the Eastern Transportation Development Impact Fee (ETDIF), Western Transportation Development Impact Fee (WTDIF), and the Bayfront Transportation Development Impact Fee (BFDIF);

WHEREAS, CVMC Section 3.54.090(A) provides that the ETDIF shall be adjusted, starting on October 1, 2018, and on each October 1<sup>st</sup> thereafter, and that such adjustments shall be automatic and shall not require further action by the City Council;

WHEREAS, CVMC Section 3.54.090(A) provides that the WTDIF and BFDIF shall be adjusted on October 1, 2018, and on each October 1<sup>st</sup> thereafter, and that such adjustments shall be automatic in accordance with annual action taken by the San Diego Association of

Governments (SANDAG) Board of Directors and shall not require further action by the City Council;

WHEREAS, CVMC Section 13.14.090(A) establishes the City's Sewer Capacity Fee;

WHEREAS, CVMC Section 13.14.090(B) provides that the amount of the Sewer Capacity Fee shall be adjusted, starting on October 1, 2015, and on each October 1<sup>st</sup> thereafter, and that such adjustments shall be automatic and shall not require further action of the City Council;

WHEREAS, CVMC Chapter 17.10 establishes in-lieu fees for Parkland Acquisition and Development (PAD);

WHEREAS, CVMC Section 17.10.110 provides that the development portion of the PAD fee shall be adjusted, starting on October 1, 2004, and on each October 1<sup>st</sup> thereafter, and that such adjustments shall be automatic and shall not require further action by the City Council;

WHEREAS, Ordinance No. 2767 established the original Otay Ranch Pedestrian Bridge Development Impact Fee to fund the construction of pedestrian bridges between Otay Ranch Village 1 and 5;

WHEREAS, Ordinance No. 2892 amended Ordinance No. 2767 to include Otay Ranch Village 6 and its fair share of the cost of pedestrian bridge improvements;

WHEREAS, Ordinance No. 3064 amended Ordinance No. 2892 to include Otay Ranch Village 2 and its fair share of the cost of pedestrian bridge improvements;

WHEREAS, Ordinance No. 3360 amended Ordinance No. 3064 to reflect additional units in Otay Ranch Village 2;

WHEREAS, Ordinance No. 3360 provides that that the Pedestrian Bridge Development Impact Fee for Otay Ranch Villages 1, 2, 5, & 6 shall be adjusted, starting on October 1, 2016, and on each October 1<sup>st</sup> thereafter, and that such adjustments shall be automatic and shall not require further action of the City Council;

WHEREAS, Ordinance No. 2898 established the Pedestrian Bridge Development Impact Fee Program for Otay Ranch Village 11;

WHEREAS, Ordinance No. 3017 amended Ordinance No. 2898, providing that the Pedestrian Bridge Development Impact Fee for Otay Ranch Village 11 shall be adjusted, starting on October 1, 2006, and on each October 1<sup>st</sup> thereafter, and that such adjustments shall be automatic and shall not require further action by the City Council;

WHEREAS, Ordinance No. 2617 established the Salt Creek Sewer Basin Development Impact Fee to pay for sewer improvements within the Salt Creek Sewer Basin as a condition of issuance of building permits;

WHEREAS, Ordinance No. 2974 amended Ordinance No. 2617, increase the Salt Creek Sewer Basin Development Impact Fee to cover costs associated with the financing and construction of sewer improvements identified in the ordinance;

WHEREAS, Ordinance No. 3350 amended Ordinance No. 2974, providing that the Salt Creek Sewer Basin Development Impact Fee shall be adjusted, starting on October 1, 2015 and on each October 1<sup>st</sup> thereafter, and that such adjustments shall be automatic and shall not require further action of the City Council;

WHEREAS, Resolution No. 9221 adopted City Council Policy 478-01 (Participation of Private Developers in the Financing and/or Installation of Traffic Signals) establishing the Traffic Signal Participation Fee;

WHEREAS, Resolution No. 2001-385 amended City Council Policy 478-01 (Participation of Private Developers in the Financing and/or Installation of Traffic Signals), providing that the Traffic Signal Participation Fee shall be adjusted, starting on October 2, 2002, and on each October 1<sup>st</sup> thereafter, and that such adjustments shall be automatic and shall not require further action of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it tolls the development impact, in-lieu, and capacity fee automatic annual inflationary adjustments for 2020.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista, that the next automatic annual inflationary adjustment shall occur October 1, 2021, at which time the fees will be adjusted to reflect the two-year change in their respective indices.

Presented by

Approved as to form by

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Tiffany Allen  
Director of Development Services

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Glen R. Googins  
City Attorney