

ORDINANCE NO. 3214

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING  
CHULA VISTA MUNICIPAL CODE SECTION 3.55.090  
CONCERNING THE WESTERN TRANSPORTATION  
DEVELOPMENT IMPACT FEE PROGRAM

WHEREAS, on March 4th and 8th, 2008, the City of Chula Vista adopted Ordinances 3106 thru 3110 establishing a Western Transportation Development Impact Fee (WTDIF) program in order to collect fees to help pay for development impacts to the City's west side transportation system; and

WHEREAS, in establishing the WTDIF fee in 2008, the fee was comprised of four individual components, each attributing to the fund; and

WHEREAS, the four individual components included: a Regional Arterial System (RAS), a Non-Regional Arterial System (Non-RAS), a City of Chula Vista Administration cost of 2% of total fee paid, and a SANDAG Administration cost of 1% of RAS; and

WHEREAS, SANDAG had initially anticipated that they would incur 1% of the Regional Arterial Streets component of each agency's Development Impact Fee (DIF) program to fund the annual Independent Taxpayer Oversight Commission's review of the DIF programs, but subsequently decided not to pass these costs on to the local agencies; and

WHEREAS, a letter from SANDAG was received as formal notification of the decision not to collect the 1% fee; and

WHEREAS, City Council must take action to ratify the deletion of the SANDAG 1% Administration fee by amending Chula Vista Municipal Code Section 3.55.090.

I. NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Chula Vista does hereby amend Chula Vista Municipal Code Section 3.55.090 as follows:

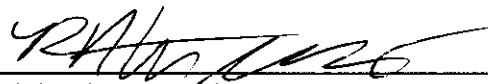
A. The fee shall be the amounts as set forth below in Table 1. The fee shall be adjusted on July 1st of each year beginning in 2009. The annual inflation adjustment will be two percent or based on Caltrans highway construction cost index, whichever is higher. The program collects two percent of the total improvement cost estimate for staff administration ~~and an additional one percent for SANDAG Administrative costs.~~

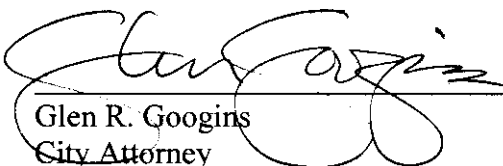
II. EFFECTIVE DATE

This ordinance shall take effect and be in full force on the thirtieth day from and after its second reading.

Presented by

Approved as to form by

  
Richard A. Hopkins  
Director of Public Works

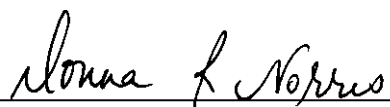
  
Glen R. Googins  
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 25th day of October 2011, by the following vote:

AYES: Councilmembers: Aguilar, Bensoussan and Cox  
NAYS: Councilmembers: None  
ABSENT: Councilmembers: Castaneda and Ramirez

  
Cheryl Cox, Mayor

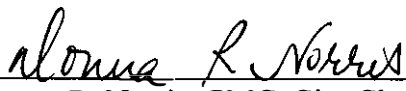
ATTEST:

  
Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF SAN DIEGO    )  
CITY OF CHULA VISTA     )

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3214 had its first reading at a regular meeting held on the 11th day of October 2011 and its second reading and adoption at a regular meeting of said City Council held on the 25th day of October 2011; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

November 15, 2011  
Dated

  
Donna R. Norris, CMC, City Clerk