



CITY COUNCIL STAFF REPORT

DATE: MAY 18, 2011

LEGISLATIVE

SUBJECT: CONSIDERATION OF AN ORDINANCE EXTENDING THE DEFERRAL OF PAYMENT OF CERTAIN DEVELOPMENT IMPACT FEES BY ORDINANCE NO. 1757

FROM: David H. Ready, City Manager

BY: James Thompson, City Clerk

SUMMARY

The City Council will consider introducing an ordinance that would extend the provisions of Ordinance No. 1757 deferring the payment of Quimby Park Fees (In Lieu of Dedication) and Public Art Fees, to be payable upon the earlier of final inspection or certificate of occupancy.

RECOMMENDATION:

1. Waive reading of the full text of the Ordinance and introduce by title only.
2. Introduce for first reading Ordinance No. _____, "AN ORDINANCE OF THE CITY OF PALM SPRINGS, CALIFORNIA, PROVIDING FOR THE DEFERRAL OF PAYMENT OF CERTAIN DEVELOPMENT IMPACT FEES AND EXTENDING ORDINANCE NO. 1757."

STAFF ANALYSIS:

Due to the condition of the economy in 2009, the City Council requested staff prepare an ordinance that provided for the deferral of Quimby Park Fees and Public Art Fees. The City Council adopted Ordinance No. 1757 which expired on July 1, 2010, and the City Council requested staff prepare an Ordinance extending the deferral for an additional year. The City Council adopted Ordinance No. 1775 extending the deferral to July 1, 2011.

Normally, these two fees would be payable to the City upon the issuance of a permit. The extension would provide for the continued deferral of Quimby Park Fees and Public Art Fees to be payable upon the earlier of final inspection or certificate of occupancy.

ALTERNATIVES:

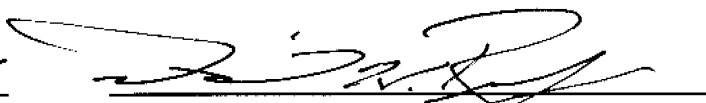
The City Council could take no action to extend the deferral of fees; and July 1, 2011, the fees would be payable pursuant to the applicable provisions of the Palm Springs Municipal Code.

FISCAL IMPACT:

No fiscal impact, the proposed ordinance does not waive fees, merely defers the payment of the fees; and requires a security instrument be provided by the applicant to secure the City's interest in the final collection of the fees.



JAMES THOMPSON, CITY CLERK



DAVID H. READY, CITY MANAGER

ORDINANCE APPROVED AS TO FORM:



Douglas C. Holland, City Attorney

Attachments:
Proposed Extension Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PALM SPRINGS,
CALIFORNIA, PROVIDING FOR THE DEFERRAL OF
PAYMENT OF CERTAIN DEVELOPMENT IMPACT FEES,
AND EXTENDING ORDINANCE NO. 1757.

City Attorney Summary

Ordinance No. 1757 provided for the temporary deferral of payment of Quimby park fees (in Lieu of Dedication) and Public Art Fees, to be payable upon the earlier of final inspection or certificate of occupancy. This Ordinance extends Ordinance No. 1757 to July 1, 2012.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY
ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby reaffirms the findings as contained in Ordinance No. 1757.

SECTION 2. Section 4 of Ordinance No. 1757 is hereby amended to read as follows:

This Ordinance shall automatically expire and be of no force and effect on July 1, 2012, unless the City Council shall have first acted to extend or otherwise alter the provisions of this Ordinance prior to that time.

SECTION 3. Except as otherwise amended by this Ordinance, all other terms, provisions and conditions of Ordinance No. 1757 shall remain in full force and effect.

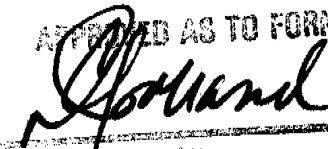
SECTION 4. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law, and this Ordinance shall take effect thirty (30) days after adoption.

PASSED, APPROVED, AND ADOPTED BY THE PALM SPRINGS CITY
COUNCIL THIS 1ST DAY OF JUNE, 2011.

STEPHEN P. POGNET, MAYOR

ATTEST:

JAMES THOMPSON, CITY CLERK

APPROVED AS TO FORM


City Attorney
05.11.2011

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. _____ is a full, true, and correct copy, and was introduced at a regular meeting of the Palm Springs City Council on the 18th day of May, 2011, and adopted at a regular meeting of the City Council held on 1st day of June, 2011, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

JAMES THOMPSON, CITY CLERK
City of Palm Springs, California