

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

RESOLUTION NO. RES-09-0121

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH ADOPTING THE CITY OF LONG
BEACH PARK IMPACT FEE REPORT FOR FISCAL YEAR
2007/2008; AMENDING THE PARK IMPACT FEE
DEVELOPMENT PROGRAM TO ADD RECOMMENDED
CHANGES; AND MAKE FINDINGS RELATIVE THERETO IN
ACCORDANCE WITH LONG BEACH MUNICIPAL CODE
CHAPTER 18.18 AND GOVERNMENT CODE SECTIONS
66001 AND 66006

WHEREAS, on February 7, 1989, the City Council adopted Ordinance No.
C-6567 (as amended by Ordinance No. C-7094), to establish and impose a Park and
Recreation Facilities Impact Fee ("Park Impact Fee") on certain new residential
development in the City for the purpose of assuring that park land and recreational facility
standards established by the City are met with respect to the additional needs created by
such residential development; and

WHEREAS, on March 7, 1989, the City Council adopted Resolution No.
C-24638 (superceded by Resolution No. C-25040 adopted on May 7, 1991) establishing
a Park Fee on new residential development; and

WHEREAS, on July 24, 2007, the City Council adopted Ordinance No.
ORD-07-0036 amending Chapter 18.18 of the Long Beach Municipal Code relating to
Park and Recreation Facilities fees, and likewise adopted Resolution No. RES-07-0100
relating to an increase in Park and Recreation Facilities Fees imposed on certain
residential development in the City; and

WHEREAS, Long Beach Municipal Code Section 18.18.160 requires that at
least once each year the Director of Parks, Recreation and Marine shall prepare a report

1 to the City Council to evaluate progress in the implementation of the Park and Recreation
2 Facilities Fee Program; recommend amendments, if appropriate, to said program;
3 recommend amendments to resolutions establishing Park Impact Fee amounts and
4 identify capital improvements to be funded by said impact fees; and

5 WHEREAS, the Director of Parks, Recreation and Marine has prepared the
6 report required pursuant to Sections 18.18.160 of the Long Beach Municipal Code which
7 report incorporates, among other things, the following information:

- 8 1. Park Impact Fee revenues and expenditures;
- 9 2. The Program of Planned and Completed Projects;
- 10 3. A comparison of the accomplishments of the Program
11 compared to the original goals of the Program;
- 12 4. A comparison of the original Plan to the currently adopted
13 Plan;
- 14 5. Recommended changes to the Park Impact Fee Development
15 Program; and

16 WHEREAS, Government Code Section 66001(d) requires the City to make
17 certain findings for the fifth fiscal year following the first deposit into the account or fund,
18 and every five years thereafter, with respect to that portion of the Park Impact Fee
19 account, fund, or sub-fund ("the funds") remaining unexpended, whether committed or
20 uncommitted.

21 NOW, THEREFORE, the City Council of the City of Long Beach does
22 hereby find, determine and declare:

23 Section 1. That the City Council does hereby adopt that certain City of
24 Long Beach Park Impact Fee Report for Fiscal Year 2007/2008 ("the Report"), a copy of
25 which is attached hereto and incorporated herein by this reference as Exhibit "A".

26 Section 2. That the Report attached hereto as Exhibit "A" contains all of the
27 information required pursuant to Long Beach Municipal Code Sections 18.18.160 as well
28 as the information required by California Government Code Sections 66001 and 66006.

1 Section 3. In reference to Government Code Section 66001(d)(1), and with
2 respect to only that portion of the Park Impact Fee Fund remaining unexpended at the
3 end of the 2007/2008 Fiscal Year whether committed or uncommitted, the City Council
4 finds that the purpose of the fees is to assure that the park land and recreational facility
5 standards established by the City are met with respect to the additional needs created by
6 new residential development in the City.

7 Section 4. In reference to Government Code Section 66001(d)(2), and with
8 respect to only that portion of the Park Impact Fee Fund remaining unexpended at the
9 end of the 2007/2008 Fiscal Year, whether committed or uncommitted, the City Council
10 finds that the findings and facts as set forth in Ordinance No. C-6967 and Ordinance No.
11 ORD-07-0036 and Resolution No. RES-07-0100 which findings and facts are
12 incorporated by reference herein, amply demonstrate that there is a reasonable
13 relationship and nexus between the fees imposed and the purpose for which said fees
14 are charged.

15 Section 5. In reference to Government Code Section 66001(d)(3), and with
16 respect to only that portion of the Park Impact Fees Fund remaining unexpended at the
17 end of the 2007/2008 Fiscal Year, whether committed or uncommitted, the City Council
18 finds that all of the sources and amounts of funding anticipated to complete financing for
19 any incomplete improvements are identified and described in Exhibit "A".

20 Section 6. In reference to Government Code Section 66001(d)(4), and with
21 respect to only that portion of the Park Impact Fees Fund remaining unexpended at the
22 end of the 2007/2008 Fiscal Year, whether committed or uncommitted, the City Council
23 finds that said funds have already been deposited in the City's Capital Projects Fund.

24 Section 7. That during the 2007/2008 fiscal year no refunds or allocations
25 were made pursuant to subdivision (e) or (f) of Government Code Section 66001.

26 Section 8. That the City's Park Impact Fee Development Program is hereby
27 amended in accordance with the provisions of Long Beach Municipal Code Section
28 18.18.160 to add the following projected improvements:

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

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- (a) Molina Park
- (b) Golden Shore Marine Reserve
- (c) Bixby Park Band Shell

each of which programs are more fully described and detailed in Exhibit "A" to this resolution, which descriptions and details are incorporated herein by reference as though set forth in full, word for word.

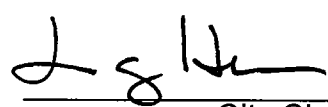
Section 9. This resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall certify to the vote adopting this resolution.

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of October 20, 2009, by the following vote:

Ayes: Councilmembers: Garcia, Lowenthal, DeLong,
O'Donnell, Schipske, Reyes Uranga,
Gabelich, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: Andrews.



City Clerk



EXHIBIT A

CITY OF LONG BEACH

DEPARTMENT OF PARKS, RECREATION & MARINE



October 20, 2009

2760 N. Studebaker Road, Long Beach, CA 90815-1697
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HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt Resolution and Findings approving the Park Impact Fee Report for Fiscal Year 2008. (Citywide)

DISCUSSION

The Fiscal Year 2008 (FY 08) Park Impact Fee Annual Report was prepared in accordance with Municipal Code Section 18.18.160, and California Government Code Section 66006, to update the City Council on the status of the Park Impact Fee Fund. This report covers the fiscal year ending September 30, 2008.

In February 1989, the Long Beach City Council established the Park Impact Fee for parkland acquisition and improvements. The Park Impact Fee was originally imposed on all new residential development to mitigate the impact of increased population from those new developments on parks and park facilities. The fees were based on a citywide recreation standard, the projected growth in population, and the estimated cost to provide the new and expanded recreational facilities needed to serve the increased population at the citywide standard.¹

Since inception and through September 30, 2008, \$13,151,570 in fees, interest, and "in lieu" contributions have been received. Park Impact Fees are typically used for small park improvement projects for which no other funding is available, or are used to fill in gaps in other funding to bring a project to completion. The fees have purchased 15.24 acres of new or expanded parks, built 9,382 square feet of community recreation center buildings, developed a one-third-acre nature reserve, and provided the equivalent of one new soccer field through lighting night play. Three new projects received Park Impact Fee funding during FY 08: Molina Park, Golden Shore Marine Reserve, and the band shell in Bixby Park. Attachment A summarizes Park Impact Fee revenues and

¹ A service level standard of 1.35 acres of park space per 1,000 persons was adopted in 1989. This ratio was one-half the citywide average service level of 2.7 acres per 1,000 persons that was estimated to exist at the time. The standard for the Park Impact Fee was set at half the cost of providing the then existing service level because it was believed the same level of service could be achieved more efficiently by utilizing school land for public recreation and by providing recreational equipment to allow more intense park use. The current level of service is 3.1 acres per 1,000 residents, as determined from data in the Open Space and Recreation Element of the General Plan, October 2002.

expenditures. Attachment B is the development impact fee program plan progress, including the projects originally planned to be funded by this fee and modifications to the plan since its inception.

During FY 08, \$765,268 was received from fees and \$13,557 from interest. During FY 08, \$706,031 of Park Impact Fees collected from multiple years was expended in the Capital Improvement Program (CIP). This was expended as indicated in the following table:

FY 08 Expenditures:

Project	Amount	District
Bixby Band Shell Rehabilitation	\$27,788	2
Cal Rec Teen Center	\$12,140	6
Drake/Chavez Greenbelt Project	\$2,789	1
Golden Shore Marine Reserve	\$2,477	1
Livingston Tot Lot (Matching Funds)	\$120,218	3
Molina Park	\$211	1
Davenport Park	\$31,102	9
Grace Park	\$7,683	8
MLK Pool	(\$19,162)	6
Rose Park	\$258,562	2
Rosie The Riveter Park	\$11,255	5
Scherer Park Renovation	\$74,497	8
Seaside Park	\$165,470	1
Silverado Park Pool Rehab	\$11,001	7
Total	\$706,031	

The number of projects receiving park impact fees, listed in the table above, illustrates the critical role that Park Impact Fees play in funding costs not eligible for reimbursement in State grant-funded projects. In addition, Park Impact Fees pay approximately one-quarter of the Open Space Bond repayments (\$289,420), which is the first priority for any Park Impact Fee funds received.

The Parks and Recreation Commission received and filed the Park Impact Fee Report for FY 08 on February 19, 2009. This matter was reviewed by Assistant City Attorney Michael J. Mais on March 12, 2009, and Budget and Performance Management Bureau Manager David Wodynski on March 20, 2009.

TIMING CONSIDERATIONS

City Council action is requested on October 20, 2009, in order to submit the report to the State in a timely manner.

FISCAL IMPACT

There is no fiscal impact associated with the suggested action.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,




PHIL T. HESTER
DIRECTOR OF PARKS, RECREATION AND MARINE

PTH:SJG:sg

Attachments: Resolution
Summary of Collections and Expenditures
Parks and Recreation Development Impact Fee Program Progress

APPROVED:



PATRICK H. WEST
CITY MANAGER

ATTACHMENT A

SUMMARY OF COLLECTIONS AND EXPENDITURES

From Inception – February 1989 to September 30, 2008

Resources

Fees Collected and Interest

Value of in lieu Projects¹

Loan²

	\$12,163,570
	\$988,000
Total Value of Receipts	\$13,151,570
	\$117,519
Total Resources	\$13,269,089

Expenditures

Projects	Impact Fee Allocations	Total Project Cost	PIF % of Project Cost	Council District
Burnett School/Park Master Plan	\$10,270	\$10,270	100%	6
Ramona Park Community Center	\$170,771	\$683,084	25%	9
Cesar E. Chavez Land Acquisition	\$4,307,944	\$15,902,597	27%	1
Cesar E. Chavez Park Development	\$224,594	\$4,534,600	5%	1
Cesar E. Chavez Community Center	\$540,112	\$3,636,006	15%	1
Mary Butler School Play Fields	\$90,000	\$180,000	50%	6
Orizaba Park Improvements	\$88,412	\$88,412	100%	4
Jack Dunster Reserve ³	\$174,428	\$2,294,314	8%	3
East Village Arts Park	\$300,000	\$400,000	75%	2
Rotary Centennial Park	\$1,574,000	\$2,270,277	69%	4
Homeland @ MacArthur Park	\$252,415	\$704,348	36%	6
Admiral Kidd Park Expansion 2004	\$295,429	\$1,477,145	20%	7
Admiral Kidd Teen Center	\$329,905	\$2,705,000	12%	7
Miracle on 4 th Street Mini-park	\$168,343	\$168,343	100%	2
Grace (Plymouth and Elm) Mini-park	\$89,382	\$1,434,237	6%	8
Davenport (55 th Way) Park Site	\$252,091	\$2,473,587	10%	9
Houghton Skate Park	\$268,654	\$1,118,459	24%	9
MLK Pool	\$340,170	\$2,310,040	15%	6
Silverado Pool Classrooms	\$40,505	\$2,913,699	1%	7

¹ Projects constructed by the housing developer instead of paying the fee.

² From Traffic Impact Fee

³ Park Impact Fees from one housing tract are dedicated to the Jack Dunster Marine Biological Reserve per agreement between City and State Lands Commission.

Projects	Impact Fee Allocations	Total Project Cost	PIF % of Project Cost	Council District
California Recreation Teen Center	\$500,000	\$6,400,126	8%	6
Chittick Field Land Purchase	\$40,000	\$500,000	8%	6
Rancho Los Cerrillos Visitor Center	\$200,000	\$200,000	100%	8
Seaside Park	\$687,655	\$756,260	91%	1
Drake/Chavez Greenbelt	\$30,763	\$8,394,907	0%	1
Stearns Restroom	\$10,000	\$142,432	7%	4
Molina Park	\$250,000			7
Golden Shore	\$100,000			2
Bixby Band Shell	\$75,500	\$291,716	26%	3
Open Space Bond Repayment	\$289,420			
Park Planning and Administrative Costs	\$462,807	\$462,807	NA	NA
Loans or Transfers from the Fund	\$0	NA	NA	NA
Refunds	\$0	NA	NA	NA
Project Expenditures	\$12,163,570	\$62,452,666		

"In Lieu" Projects ¹	"In Lieu" Project Value	% of Project Cost	Council District
Chittick Soccer Field Lighting	\$188,000	100%	6
Orizaba Park Acquisition	\$800,000	100%	4
Project Value Received	\$988,000		

Total Expenditures	\$13,151,570
Ending Balance	\$117,519
Total	\$13,671,838

¹ Projects constructed by the housing developer instead of paying the fee.

ATTACHMENT B

PARKS AND RECREATION DEVELOPMENT IMPACT FEE PROGRAM PROGRESS

ORIGINAL PLAN	COST	NUMBERS	UNITS	REVISED PLAN	NUMBERS	UNITS	COST	COMPLETION
Park Acquisition and Development Program								
Downtown Park	\$7,500,000	7.00		Cesar E. Chavez Park	1.75	acres	\$4,732,538	Nov-99
Downtown Park				East Village Arts Park	0.06	acres	\$300,000	Mar-04
Downtown Park				Cesar E. Chavez Park	1	acres	\$1,000,000	Future
Downtown Park				East Village Park	3.62	acres	\$1,010,000	Future
Orizaba Park Expansion	\$3,473,000	2.00	acres	Orizaba Park Expansion	1	acre	\$88,412	1998
Orizaba Park Expansion				Orizaba Park Expansion	1	acre	\$3,384,588	Future
M.L. King, Jr. Park Expansion	\$1,686,000	1.00	acres	M.L. King, Jr. Park Expansion	1	acre	\$1,686,000	Future
14th Street Park Expansion	\$4,016,000	2.00	acres	14th Street Park Expansion (Seaside)	2	acres	\$4,016,000	Future
Admiral Kidd Park Expansion	\$9,800,000	7.00	acres	Admiral Kidd Park Expansion	3.6	acres	\$295,429	Jan-04
Admiral Kidd Park Expansion				Admiral Kidd Park Expansion	2.28	acres	\$7,900,000	Future
Admiral Kidd Park Expansion				Rotary Centennial Park (A)	0.71	acres	\$750,000	Jan-02
Admiral Kidd Park Expansion				Rotary Centennial Park (D)	0.41	acres	\$824,000	Feb-05
Drake Park Expansion	\$3,828,000	2.00	acres	Drake Park Expansion	1.9	acres	\$3,750,000	Future
Drake Park Expansion				Drake/Chavez Greenbelt	0.1	acres	\$50,000	2005
Channel View Park	\$481,000	1.00	acres	Dunster Marine Reserve	0.36	acres	\$174,428	Nov-02
Channel View Park				Chittick Field Expansion	0.62	acres	\$40,000	Jan-06
Channel View Park				Chittick Field Development			\$265,000	Future
Funds from Regional Park Sports Park Program				Miracle on 4th St Mini-Park	0.14	acres	\$168,343	Jul-04
Funds from Regional Park Sports Park Program				Houghton Skate Park	0.35	acres	\$268,654	Sep-04
Funds from Regional Park Sports Park Program				Davenport Park (55th Way)	0.51	acres	\$252,091	Sep-06
Funds from Regional Park Sports Park Program				Grace (Plymouth and Elm) (D)	1.12	acres	\$89,382	Jul-05
Funds from Regional Park Sports Park Program				Bixby Bandshell			\$75,500	Sep-06
Funds from Regional Park Sports Park Program				Seaside Park (D)	2.16	acres	\$687,655	Jul-09
Funds from Regional Park Sports Park Program				Seaside Park	1 soccer field		\$500,000	Future
Funds from Regional Park Sports Park Program				Stearns Restrooms (D)			\$10,000	Jul-07
Funds from Regional Park Sports Park Program				Drake/Chavez Greenbelt (A)	1.2	acres	\$30,763	Mar-06

Parks and Recreation Development Impact Fee Program Progress
Attachment B
Page 2

ORIGINAL PLAN	COST	NUMBERS	UNITS	REVISED PLAN	NUMBERS	UNITS	COST	COMPLETION
School Site Development Program								
20th and Orange Elementary	\$324,000	3.30	acres	Mary Butler	3.3	acres	\$90,000	Oct-94
Vets (Robinson) Elementary	\$354,000	2.00	acres	Robinson Elementary	2	acres	\$354,000	Future
Burnett Elementary	\$286,000	2.40	acres	Burnett Elementary	0	acres	\$10,270	Oct-92
Burnett Elementary	\$794,000	3.50	acres	Burnett Elementary	2.4	acres	\$387,337	Future
Roosevelt Elementary	\$1,051,000	2.00	acres	Sutter Elementary	3.5	acres	\$794,000	Future
Birney Elementary	\$272,000	2.30	acres	Roosevelt Elementary	1	acres	\$884,514	Future
McKinley Elementary	\$322,000	2.00	acres	Birney Elementary	2.3	acres	\$272,000	Future
Stevenson Elementary	\$438,000	2.00	acres	McKinley Elementary	2	acres	\$322,000	Future
Lincoln Elementary	\$353,000	1.50	acres	Stevenson Elementary	2	acres	\$438,000	Future
Webster Elementary	\$803,000	4.00	acres	Lincoln Elementary	1.5	acres	\$353,000	Future
School Site Development: School Facility Lighting Program								
Hamilton Middle School	\$660,000	2 soccer, 1 restroom		Hamilton Middle School	3 basketball, 1 softball, 1 soccer		\$660,000	Future
Washington Middle School	\$263,000	6 basketball, 1 soccer		Washington Middle School	6 basketball, 1 soccer		\$263,000	Future
Poly High School	\$114,000	6 tennis courts		Poly High School	Six tennis courts		\$114,000	Future
Franklin Middle School	\$114,000	6 multipurpose courts		Franklin Middle School	6 basketball courts		\$114,000	Future
Lindbergh Middle School	\$376,000	1 soccer/softball		Lindbergh Middle School	1 soccer/softball		\$376,000	Future
Regional Park Development Program								
Sports Park	\$1,500,000	2 soccer and 2 softball fields		Transferred to Park Acquisition & Development Program				
Bicycle/Hiking Path	\$1,200,000	3.20	miles	Bicycle/Hiking Path	3.2	miles	\$1,200,000	Future
Bicycle/Hiking Path				PE ROW	0.01	acres	\$2,416,000	Aug-08
Local Park Development Program: Park Lighting								
Chittick Field	\$188,000	1 soccer field		Chittick Field	1 soccer field		\$188,000	Dec-91
Hearthwell Park	\$376,000	2 soccer fields		Hearthwell Park	2 soccer fields		\$376,000	Future
M.L. King, Jr. Park	\$188,000	1 softball field		M.L. King, Jr. Park	pool locker room		\$188,000	Jul-08
Cherry Park	\$188,000	1 softball field		Wardlow Park	1 soccer field		\$188,000	Future
Marina Vista Park	\$38,000	2 tennis courts		Replaced by Silverado				
DeForest Park	\$188,000	1 multipurpose field		Silverado Park	pool rehabilitation		\$226,000	May-07
Houghton Park	\$376,000	2 multipurpose fields		Houghton Park	1 multipurpose field		\$376,000	Future
Veterans Park	\$188,000	1 multipurpose field		Veterans Park	1 multipurpose field		\$188,000	Future
Hudson Park	\$188,000	1 multipurpose field		Hudson Park	1 multipurpose field		\$188,000	Future

ORIGINAL PLAN	COST	NUMBERS	UNITS	REVISED PLAN	NUMBERS	UNITS	COST	COMPLETION
Local Park Development Program: Park Buildings and Structures								
M.L. King, Jr. Park	\$650,000	5,000.00	sq. ft.	M.L. King, Jr. Pool	3,854	sq. ft.	\$340,170	Jan-07
M.L. King, Jr. Park				M.L. King, Jr. Park	1,146	sq. ft.	\$300,000	Future
Silverado Park	\$650,000	5,000.00	sq. ft.	Silverado Pool	303	sq. ft.	\$40,505	Oct-06
Silverado Park				Silverado Park	4,697	sq. ft.	\$600,000	Future
Ramona Park	\$390,000	3,000.00	sq. ft.	Ramona Park	1,125	sq. ft.	\$170,771	Jan-95
Ramona Park				Heartwell Park	1,875	sq. ft.	\$200,000	Future
El Dorado Park West	\$650,000	5,000.00	sq. ft.	Admiral Kidd Teen/Comm. Ctr	2,700	sq. ft.	\$329,905	Jan-07
El Dorado Park West				Heartwell Park	2,300	sq. ft.	\$75,000	Future
Coolidge Park	\$260,000	2,000.00	sq. ft.	MacArthur Park (Homeland)	1,406	sq. ft.	\$252,415	May-09
Coolidge Park				California Recreation Center				
California Recreation Center	\$130,000	1,000.00	sq. ft.	California Recreation Center	1244	sq. ft.	\$5,480,238	Oct-09
Neito Building	\$750,000	5,000.00	sq. ft.	Scherer Park	3,000	sq. ft.	\$550,000	Oct-10
Neito Building				Rancho Los Cerritos Visitor Center	3,700	sq. ft.	\$200,000	Jul-09
Downtown Park	\$750,001			Rose Park	0.57	acres	\$450,000	Mar-09
Webster Elementary				Molina Park	0.05	acres	\$150,000	Oct-10
				Matching Funds - Livingston Park	0.34	acres	\$150,000	Jan-09
				Matching Funds - Rosie the Riveter Park	0.05	acres	\$16,486	Oct-10
Transferred from Project Operational Cost Program				Cesar E. Chavez Community Center	1,400	sq. ft.	\$540,112	Aug-01
Transferred from Project Operational Cost Program				California Recreation Center	350	sq. ft.	\$919,888	Oct-10
Project Operational Costs								
	\$1,460,000			Reallocated to Park Buildings and Structures				
Total	\$47,616,001						\$54,733,394	