

## City Council takes cautious attitude toward traffic fees



Written by Elizabeth Larson

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LAKEPORT – The Lakeport City Council decided on Tuesday to direct the city engineer to continue working with the county on traffic impact fees that would support future transportation projects.

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City Engineer Scott Harter reported to the council on his work with county Public Works Director Brent Siemer to adjust the traffic impact fees for the Lakeport area.

When the traffic impact fee study and its proposed fees were presented to the county last year, the new fees would have added just over \$24,000 in fees on a home building project, as Lake County News has reported.

However, Siemer and Harter came up with a new, much more affordable proposal, which would have put the fees for city projects at about \$6,000 and added another \$2,000 for regional projects, Siemer told the council during a presentation Tuesday.

Before the discussion began, Councilman Jim Irwin said he was recusing himself from taking part in the discussion as a council member on the advice of City Attorney Steve Brookes.

Irwin cited a potential conflict of interest, since his father, Bill Irwin, is a developer. Bill Irwin is building the Victorian Village condominiums, a 95-lot subdivision located at 1930 S. Main Street, a project on which Jim Irwin has been general contractor.

Jim Irwin did not recuse himself from discussions on the traffic impact fees that went before the council last year.

Siemer emphasized his working relationship with Harter as well as the relationship between the city and county in crafting the traffic impact fees, which are meant to support road projects.

Formerly a city engineer for Eureka, Siemer said he had previously been in the position of working with a county that refused to mitigate the traffic issues it was causing for his city. So he wanted to work with Lakeport to look at projects that make sense for the city and avoid being adversaries.

Siemer said the county needs to pay its fair share when it comes to projects that will impact Lakeport.

He suggested looking at a large Lakeport area, where major projects included 11<sup>th</sup> Street, Lakeport Boulevard and High Street.

Siemer said he believed he had the Board of Supervisors' support in his work with Lakeport.

"Scott and I have a great working relationship," he said. "What we're looking for from you is encouragement for that relationship," as well as working with the Lake County City/Area Planning Council.

With there now being a lull in development, Siemer said the time is right to study the issues surrounding the traffic impact fees and make good choices.

Siemer suggested that the fee program can help developers move more quickly through the process of getting approvals since it will facilitate road and street improvements.

Councilman Bob Rumpfelt said the fee system has seemed both complicated and cumbersome, divided as it is into six regions. He said he always wondered why there wasn't just one fee for all areas, and worried about how Lakeport was becoming more expensive with respect to fees that some other places in the county.

Siemer said it goes to the heart of the question, "How complicated do you need to be?"

It's important to focus on what benefit an area gets from its fees, he said. Lakeport won't benefit from some projects in other areas, which justifies reducing its fees.

He agreed that the whole subject is "a little bit complex."

"I really appreciate seeing the county here, and the county being willing to work with us," said Council member Suzanne Lyons, noting that \$6,000 is a far better figure than the previous proposed fee.

Councilman Roy Parmentier asked about the regional fees. Siemer said having those fees will be important when approaching Caltrans for assistance because Caltrans looks at those fees as a sign of participation in regional projects.

Phil Dow of the Area Planning Council, which funded the study for the fees, said a big part of arriving at the original study and suggestions for fee levels was based in large part on a countywide traffic model.

The study, he said, suffered about a year in delays, much of it because the council needed information from the county, which was finalizing its general plan.

That delay may have worked out for the best, he said. "Now is a good time to be talking about these things."

Dow said the study was completed by technical experts, but the ultimate decision about whether or not to accept the fees was a political decision that belonged to local leaders. "At no time did I ever expect you would be happy about \$21,000 per unit," he said.

But it was important for them to know that's the way the numbers to cover all of the needed

projects in the county came out.

He said they were lucky to have Siemer available to work on the fees, a process which Dow said is evolving.

Dow said traffic mitigation fees have been around for 25 to 30 years. "It's the wave of the future."

And they're needed locally, said Dow. "We don't have enough revenue to take care of the existing transportation needs in this county."

Irwin, who sat in the audience for most of the discussion, then spoke as a member of the public, questioning Siemer about how the traffic impact fees would help developers, since no steps are removed from the development approval process.

Siemer replied that development triggers road improvement projects, and if developers pay their fair share through the fees, it will help expedite their plans since the road upgrades already would have been paid for in advance and couldn't be held up.

Irwin, referring to comments made by Rumfelt, said it already costs more to develop in Lakeport due to curb and sidewalk requirements.

If the city wants to drive growth they need to keep competitive, and they're already behind, Irwin said.

He said the city should be cautious about being a partner in area projects, and would be better served by keeping control of its funds.

Irwin further suggested that the fees hurt existing landowners. The large percentage of the estimated 12 new homes built in Lakeport each year are built on previously developed land, he said.

"I struggle with hurting the existing landowners and people who have been invested in this community for some time already," he said.

Irwin said the new \$6,000 fee was a huge increase, and sends a mixed message to the local business community, many of whose members are in the building trades.

Mayor Ron Bertsch asked Irwin if he was opposed to any fee. Irwin said no, he was just opposed to a high dollar amount.

"I'm opposed to it on the lots that exist already within the city," he said.

Based on the combined \$8,000 figure for city and regional fees that was being used as the basis for the Tuesday discussion, Irwin's father's development could face about \$728,000 in

extra costs for the 91 lots in the subdivision that are so far undeveloped.

Councilman Roy Parmentier said he would like to see a lower fee structure, with the city fees set at \$5,000 with \$1,000 for the regional fees, and then wait two years before putting it into effect.

Rumfelt said he liked that the fees were reduced, but he didn't want Lakeport to be the first of any of the local governments to accept the fees. Lyons agreed that she didn't want Lakeport to be the only one with traffic impact fees in place.

Harter said he believed it was the county's intention to be collaborative and try to accept the fees at the same time.

Bertsch asked if the county would adopt the fees if the city didn't. Harter said he believes that's possible based on the county's support for the fees.

"We don't want to be the first. We want to see what everyone else is going to pay," said Bertsch.

He said he felt it was a "terrible time" to even consider adding new fees onto development.

Harter asked the council for direction – did they want to throw out the entire fee discussion or give him direction to continue working with Siemer?

Bertsch asked if any of the regional road projects might be supported through President Barack Obama's stimulus package. Siemer said the county as a whole may only get \$1.2 million from the stimulus legislation, which requires projects be ready to go immediately.

Dow added that when it comes to the stimulus, "We don't know what's going to happen."

He suggested the stimulus money, combined with state funds, could amount to about \$4 million for Lake County.

Irwin said he keeps hearing that the city needs to do something for the coming traffic problems. "The city has done something in the last few years, and that was to adopt the Measure I," which he said is brings in a ballpark amount of about \$800,000 a year.

Based on the estimate of 12 new houses being built in Lakeport each year, the \$6,000 in city fees only would bring in about \$72,000 a year, said Irwin. He suggested the city would be in better shape if it kept its Measure I funds for road projects – an allusion to his ongoing opposition to using the funds to bridge the city's budget shortfalls.

Parmentier suggested Harter continue working on the fees with the county. He added that he wants the fees to be cut down further.

The council voted 4-0 to direct Harter to continue working with Siemer on the fee proposal.

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