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Much at stake with development fee vote

BY JAMES BURGER, Californian staff writer
jburger@bakersfield.com | Saturday, May 16 2009 01:50 PM

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The battle over Bakersfield's traffic impact fee has waged for a year.

Action to raise the fee from \$7,066 to \$14,940 has been delayed for 12 months and the maximum fee has already been chopped by just less than \$2,000.

But the fight is far from over.

City and county leaders say that more than half a billion dollars of federal and state road construction money, and the community's transportation future, may be at risk if an adequate fee isn't passed.

But the land developers who would have to pay the higher fees say their businesses and industry are in jeopardy if the increase is approved in the city of Bakersfield.

On Tuesday the Kern County Board of Supervisors takes up this sticky conundrum again.

Developers are asking the county to lower the fee by slashing road construction projects off the list of work the fee is supposed to pay for.

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If they can win at the county, land developers gain momentum where it really counts, with the Bakersfield City Council. Most land development is in the city and most impact fees come from that development.

The city of Bakersfield and the county have to approve an identical fee program to govern growth in the awkward mash-up of city and county turf that is metropolitan Bakersfield.

Without a city-county agreement, the fee doesn't increase.

ON THE EDGE

Builder Matt Towery pleads his case against the fee with simple eloquence.

He's contracted to build 30 homes in the four neighborhoods where he is offering to build new custom homes for local buyers.

But he hasn't pulled permits yet. If the fee goes up, he argues, he'll lose most or all of those buyers.

And if he doesn't sell homes, the city doesn't get its fee money.

"It would be economic suicide for us to implement the fee," he said.

LONG-TERM VISION

City engineers and council members understand Towery's thoughts.

But the city isn't operating on a two-year time line, as Towery is. The impact fee is designed to raise road money over the next 25 years, said city engineer Marian Shaw.

While the vision may be long, the need for money is immediate.

Councilman Zack Scrivner said the city plans to bond for the local money needed to match the \$630 million in federal cash brought to Bakersfield by former Rep. Bill Thomas, R-Bakersfield.

That money is at risk if the city doesn't use it to build freeways.

But to start to bond for the road, the city needs a five-year cash flow from the impact fee program that

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HOW TO GO

The Kern County Board of Supervisors meets for morning and afternoon sessions at 9 a.m. and 2 p.m. Tuesday at the county administrative center, 1115 Truxtun Ave., across N Street from the Rabobank Arena downtown.

You can also watch the meeting live on KGOV, the county's local cable television station. The station lists available channels at www.co.kern.ca.us/gsd/KGOV.

The board's agenda as well as some background materials are available online at www.co.kern.ca.us/bos.

is big enough to support the bond payments, he said.

"The one issue that I want to take another look at is the timing. I think we need to take a hard look at what's going on in the market," Scrivner said.

But, he said, "you have to backload future fees if you're going to do any current economic incentive."

REAL WORLD IMPACT

Towery argues that developers are no longer the monied, politically influential lobby that everyone believes them to be.

This debate with government isn't a political game builders are playing to

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National builders parachuted into Bakersfield in the boom, bought land like it was pure gold and then defaulted on their commitments and left town when the market tanked, he said.

Local builders, he said, bought into the frenzy and put their businesses on the line.

"For us local guys, we had no choice but to put it into land because we thought the nationals were going to take all of it," he said. "Every dime I made I put it back into land."

When the market tanked, he said, those investments tanked, too.

Now local builders are just trying to keep their businesses afloat until a turnaround comes.

Kern Council of Governments executive Ron Brummett said most of Bakersfield's major road projects need to be topped off with traffic impact fee money before the state and federal cash in the project can trigger a groundbreaking.

If Bakersfield can show it can raise the cash over time, Brummett said, then the feds will feel comfortable that everything will be built and federal money will flow.

Without a solid financial plan, backed by an adequate fee, he said the federal money could be in jeopardy.

And without that money Bakersfield doesn't build the roads it needs to serve new homes and shopping centers.

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