

RESOLUTION NO. 89-108

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF EL PASO DE ROBLES AMENDING
RESOLUTION NO. 3120
PERTAINING TO DEVELOPMENT FEES

WHEREAS, Resolution No. 3120 was adopted June 17, 1986 and set forth new development fees to be effective July 1, 1986; and

WHEREAS, while Resolution No. 3120 contained provisions for annual Consumer Price Index (CPI) adjustments, it also contained provisions for annual review prior to adoption of any adjustments; and

WHEREAS, it was determined upon each subsequent annual review that all development fees including the Bridge Development Fee were adequate and no adjustments were deemed necessary; and

WHEREAS, the City of El Paso de Robles has continued to collect the development fees as established by Resolution No. 3120; and

WHEREAS, bond counsel, Stradling, Yocca, Carlson and Rauth did conclude that the City of El Paso de Robles has no legal obligation to adjust development fees and was within its purview not to adjust development fees in spite of Resolution No. 3120.

NOW THEREFORE BE IT RESOLVED as follows:

1. That the City Council of the City of El Paso de Robles does hereby affirm the actions of prior City Councils not to adjust development fees solely on CPI; and
2. That Resolution No. 3120 is hereby amended as follows:
 - a.) The fees effective 7/1/86 shall remain in full force and effect until such time the City Council adopts a new fee setting resolution that also rescinds Resolution No. 3120 and this resolution; and
 - b.) All references to annual CPI adjustments contained in Resolution No. 3120 shall be considered null and void retroactively to 7/1/86.

PASSED AND ADOPTED this 15th day of August, 1989 by the City of El Paso de Robles by the following vote:

AYES: Russell, Dolan and Martin

NOES: None

ABSENT: Conway



STEVE MARTIN, MAYOR


JERRY BANKSTON, CITY MANAGER

89-2380