

BEFORE THE BOARD OF SUPERVISORS
COUNTY OF AMADOR, STATE OF CALIFORNIA

RESOLUTION APPROVING THE FEBRUARY 2011)
LOCAL ROADS TRANSPORTATION IMPACT FEE)
NEXUS STUDY UPDATE AND LOCAL-ROADS) RESOLUTION NO. 11-018
CAPITAL IMPROVEMENT PLAN, AND)
ACCEPTING THE LOCAL ROADS MITIGATION)
FEE ANNUAL REPORT)

WHEREAS, pursuant to its authority under Government Code section 66000 *et seq.* the Board of Supervisors of the County of Amador adopted a public road impact fee and capital improvement plan by Resolution No. 99-359A on August 24, 1999; and

WHEREAS, the Board of Supervisors of the County of Amador consolidated the local and regional traffic fee accounts into a single account by Resolution No. 00-434 on August 22, 2000; and

WHEREAS, the Board or Supervisors of the County of Amador increased the public road impact fee according to the change in Engineering News Record, Construction Cost Index by Resolution No. 00-435 on August 22, 2000; and

WHEREAS, the Board of Supervisors of the County of Amador increased the public road impact fee to \$3,000 per each single-family dwelling unit equivalent by Resolution No. 05-164 on March 15, 2005, with six percent of the public road impact fee consisting of the local-road component (\$180), ninety-three percent consisting of the regional component (\$2,790), and one percent for program administration (\$30); and

WHEREAS, on July 22, 2008 the Board of Supervisors of the County of Amador adopted a Local Roads Transportation Impact Fee Program Nexus Study containing a capital improvement plan, separated out the Local Roads component of the Public Road Impact Fee, and increased the Local Roads Traffic Mitigation Fee to the amount of \$2,500/dwelling unit equivalent (\$250 per average daily trip) by adoption of Resolution No. 08-143; and

WHEREAS, the Board of Supervisors of the County of Amador is authorized to review periodically the adopted traffic mitigation fee; and

WHEREAS, the Board of Supervisors has reviewed the 2011 Update to the Local-Roads Transportation Impact Fee Program Nexus Study dated April 2008 (the "Nexus Study Update"), prepared as required pursuant to Chapters 5, 6, 7, 8, and 9 commencing with Section 66000 of the Government Code collectively entitled the "Mitigation Fee Act," which demonstrates that future development within the County will substantially adversely impact the local-road system and that unless such development contributes to the cost of improving the local-road system, said system will be unable to operate at acceptable levels and will be unable to sufficiently meet the needs of local residents; and

WHEREAS, failure to mitigate impacts on the local-road system will adversely effect the public health, safety, and welfare; and

WHEREAS, a reasonable and rational relationship exists between the use of the local-road traffic mitigation fee and the type of development projects on which the fees are imposed because the fees will be used to construct the local-road system improvements that are necessary for the safety, health and welfare of the residential and non-residential users of the development projects on which this local-road traffic impact fee will be levied; and

WHEREAS, the cost estimates set forth pursuant to the Nexus Study Update are reasonable cost estimates for constructing the local-road system improvements, and the amount of the local-road traffic impact mitigation fees expected to be generated by new development will not exceed the total fair share cost to such development; and

WHEREAS, the local-road traffic impact fees shall be used to help pay for the construction, acquisition, expansion and/or improvement of local-road system identified in the Nexus Study Update, and the need for the construction, acquisition, expansion and/or improvement is caused by new development because such development results in additional traffic on the local-road system thus creating the demand for the improvements; and

WHEREAS, the Nexus Study Update proposes a fair and equitable method for distributing a portion of the unfunded costs of improvements to the local-road system; and

WHEREAS, despite the demonstrated need for increase in the local road traffic impact fees as shown in the Nexus Study Update, the current state of the economy, both locally and regionally, makes it impractical to increase the local road traffic impact fees at this time; and

WHEREAS, prior to the adoption of this Resolution, the Board of Supervisors conducted a public hearing at which oral and written presentations were made as part of a regularly scheduled meeting, and that all statutory requirements for notice of the hearing have been satisfied; and

WHEREAS, the Board of Supervisors determines that any increase in the local road traffic mitigation fee should be postponed until such time as the economy can sustain an increase; and

WHEREAS, pursuant to Government Code section 66006 local agencies are required to provide annually certain information concerning the accumulation of mitigation fees and identification of projects on which fees are expended;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, that the recitals set forth above are hereby adopted as findings in support of this Resolution.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby adopts the Local-Roads Transportation Impact Fee Program Nexus Study Update and the included Capital Improvement Plan, which is attached hereto as Attachment A, and incorporates it herein as

though set forth in full, as an amendment to the original Nexus Study and included Capital Improvement Plan.

BE IT FURTHER RESOLVED that the Board accepts the annual report entitled Traffic Mitigation Fee Trust Fund Local Fee Account dated 2/16/2011, which is attached hereto as Attachment B, and incorporates it herein as though set forth in full.

BE IT FURTHER RESOLVED that the adoption of this Resolution is exempt from the California Environmental Quality Act pursuant to Public Resources Code Section 21080(b)(8) and Title 14 California Code of Regulations, Sections 15061(b)(3) and 15273(a)(4).


BE IT FURTHER RESOLVED that the local-road traffic mitigation fees charged for new development in Amador County shall remain at \$250.00 per average daily trip (ADT).

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 22nd day of February 2011 by the following vote:

AYES: John Plasse, Richard M. Forster, Theodore Novelli, Louis D. Boitano, and Brian Oneto

NOES: None

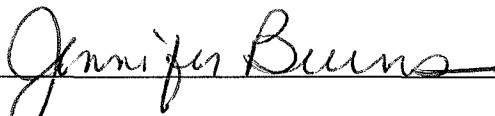
ABSENT: None



Chairman, Board of Supervisors

ATTEST:

JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California



~~Deputy~~