

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

IN THE MATTER OF:

RESOLUTION APPROVING THE FISCAL YEAR 2009/10) RESOLUTION NO. 11-035
REGIONAL TRAFFIC MITIGATION FEE PROGRAM ANNUAL)
REPORT AND FISCAL YEAR 2010/11 RECOMMENDATIONS)
FOR PROGRAMMING, EXPENDITURE AND)
PROGRAM CHANGES)

WHEREAS, pursuant to their authority under Government Code 66000 et. seq., the Board of Supervisors has previously imposed regional traffic mitigation fees and amended said fees pursuant to Resolution Nos. 99-359A, 00-434, 05-164, 08-094, 08-095, 09-057; and

WHEREAS, the purpose of said fees are to mitigate the impact of new developments on the regional transportation system of Amador County; and

WHEREAS, The County of Amador and the County's five incorporated cities have deposited all regional traffic mitigation fees with the Amador County Transportation Commission ("ACTC") which has maintained the funds in a separate non co-mingled capital facilities fund ("capital facilities fund") established for the above stated purpose pursuant to Government Code Section 66006(a) and (b); and

WHEREAS, the ACTC and the County of Amador has made available to the public an annual program implementation report for fiscal year 2009/10 ("Annual Report") which is attached hereto; and

WHEREAS, the Annual Report was prepared in accordance with Government Code Section 66001(d) and 66006(b)(1); and

WHEREAS, the County of Amador has reviewed the information provided in the Annual Report and determined the information contained therein is true and correct; and

WHEREAS, the Annual Report contains recommendations of the Regional Traffic Mitigation Fee Oversight Committee for programming and expending funds for projects consistent with the Memorandum of Understanding ("MOU") establishing the countywide Regional Traffic Mitigation Fee Program and the Regional Traffic Mitigation Fee Nexus Plan 2000-2025 ("Nexus Plan"); and

WHEREAS, County of Amador Board of Supervisors has agendized and considered the Annual Report at a regularly scheduled Board of Supervisors meeting and considered public comment concerning the Annual Report during said meeting.

NOW THEREFORE the Board of Supervisors, County of Amador, State of California, finds and determines the following:

1. The above recitals are true and represent findings of the Board of Supervisors.
2. The Board of Supervisors hereby approved the Annual Report for fiscal year 2009/10 as presented.
3. The Board of Supervisors hereby approves recommendations for programming and expending Regional Traffic Mitigation funds for fiscal year 2010/11 as recommended within the Annual Report.

4. That all recommendations for funding in fiscal year 2010/11 are consistent with the MOU and the Nexus Plan as required.
5. The approval of the Annual Report and programming and expenditure of funds consistent with the previously approved MOU and Nexus Plan is not a "project" or otherwise an act requiring environmental review pursuant to the California Environmental Quality Act.
6. That all Regional Traffic Mitigation Fees previously collected and not yet expended are accounted for and are still needed for the purposes for which they were collected.

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

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

NOES: None

ABSENT: None



Chairman, Board of Supervisors

ATTEST:

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



Deputy