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**Fresno County Regional Transportation
Mitigation Fee Agency**

Date: Thursday, October 23, 2014

Time: 5:30 PM

**Place: COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA
IMMEDIATELY FOLLOWING THE FRESNO
COG POLICY BOARD MEETING - ALL POLICY
BOARD MEMBERS**

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RTMF Meeting Package in pdf format

FRESNO COUNTY RTMF AGENCY AGENDA

I. Minutes of July 31, 2014 [APPROVE]

Exhibits:

July 31 2014 Executive Minutes

II. RTMF Statutory Five Year Update [Beshears] [INFORMATION]

Exhibits:

ITEM II

Summary: State statute requires us to update the RTMF Nexus each five years. The update involves reviewing the project cost and incorporating the current SCS Traffic modeling assumptions into the fee calculation. The contract with Parsons Brinkerhoff was expanded to include this task. Initial calculations have been done and subcommittee meetings were held on March 17, 2014 and August 25, 2014. A follow up meeting was held with Caltrans and the City of Fresno on October 6 to address specific request for information. The consultant will incorporate additional input subsequent to that meeting into the calculation and have a staff recommendation for the board to act on in November so the Nexus will be updated by January 1, 2015 as required by state law to allow continued collecting of the fee. An October 6, 2014 Technical Memorandum discussing the first five years of fee collection is included as information.

During the subcommittee process two additional issues were discussed. The first issues relates to the exemption provided in the ballot for "Essential Public Facilities" to include public schools and institutions of higher education. The other issue incorporates a fee category for qualified infill developments per

section 66005.1 of the state code. Resolutions and staff reports for each of these items appear in the agenda.

Action: Information. Direction may be provided at the discretion of the Policy Board.

III. **Definition of Essential Public Facilities expanded for public education [Beshears] [ADOPT]**

Exhibits:

ITEM III MEMO ITEM III

Summary: The ballot provided an exemption to the RTMF fee for “Essential Public Facilities (as defined in state law)”. During the extensive committee process that occurred during the development of the Nexus and establishment of the RTMF JPA it was agreed that public schools should be considered essential public facilities hence exempt from the RTMF. The committee specifically considered whether churches should be included in this definition and concluded that they shouldn’t unless building a dedicated private school to teach state required educational criteria. Language was incorporated into the administrative manual and adopted by the board to this effect however no reference was made to specific statutes. The result was that various developments, including churches, attempted to stretch the definition of public education to include various kinds of teaching, training, course of instruction, religious orientation, or bible study that wasn’t required by state statute. The consultant has provided a definition of public education, based on curriculum defined in state code that is consistent with the intent to allow the exemption for public education. A technical memo from the consultant is included.

Action: Staff recommends that the Policy Board adopt Resolution 2014-01 establishing that facilities built for public education meet the definition of “Essential Public Facilities” as provided in the Measure “C” ballot.

IV. **Fee Reduction for Infill Development [Beshears] [ADOPT]**

Exhibits:

ITEM IV MEMO ITEM IV

Summary: Since the 1990’s research has indicated development in infill locations results in lower traffic impact. Early implementation of this concept created paradox’s because standards for trip generation rates and level of service developed of suburban areas overstated the impacts of infill requiring excessive mitigation through CEQA. Various methods were used to address this problem including incorporating section 66005.1 into the mitigation fee act. Resolution 2014-02 incorporates section 66005.1 into the RTMF mitigation fee structure by providing a 15% fee reduction for qualifying infill development. To qualify a development must;

- Be within ½ mile of a transit station and have direct walkable access.
- Be within ½ mile of retail and food stores.
- Have minimal parking required by local code.

Currently no locations in Fresno County meet the requirements because current Transit routes operate on 20 or 30 minute peak hour headways, however when the BRT is implemented with 10 minute peak hour headways there will be four locations in Fresno that qualify. The Down Town station, Manchester, Fresno State at Shaw, and River Park. A technical memo is included in the agenda.

Action: Staff recommends that the Policy Board adopt Resolution 2014-02 establishing a 15% fee reduction for qualifying infill Development per Section 66005.1.

V. **OTHER BUSINESS**

A. Items from Staff

B. Items from Members

VI. **PRESENTATIONS**

A. Public Presentations

This portion of the meeting is reserved for persons wishing to address the Board on items within its jurisdiction but not on this agenda. **Note: Prior to action by the Board on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to 3 minutes.**

FOR YOUR INFORMATION:

***Items listed as information still leave the option for guidance/direction actions by the Committee.**

****All enclosures are available on our website at www.fresnocog.org**