

**BEFORE THE
FRESNO COUNTY REGIONAL TRANSPORTATION MITIGATION FEE AGENCY
RESOLUTION No. 2019-01**

In the Matter of:
Regional Mitigation Fee Nexus Update

RESOLUTION IN SUPPORT OF
REGIONAL MITIGATION FEE NEXUS
UPDATE

WHEREAS, FRESNO COUNTY REGIONAL TRANSPORTATION MITIGATION FEE AGENCY adopted Resolution 2009-01 establishing the "Fresno County Regional Transportation Mitigation Fee" (the "RTMF") as directed by the "Fresno County Transportation, Safety, Road Repair Measure" approved by the voters of Fresno County on November 7, 2006 (the "Measure 'C' Extension").

WHEREAS, the Mitigation Fee Act, as set forth in the California Government Code Sections 66000 through 66025, establishes the framework for mitigation fees in the State of California. The Act requires the FRESNO COUNTY REGIONAL TRANSPORTATION MITIGATION FEE AGENCY to make certain findings with respect to its proposed fees at intervals not-to-exceed five years.

WHEREAS, the FRESNO COUNTY REGIONAL TRANSPORTATION MITIGATION FEE AGENCY adopted Resolution 2014-03 updating the fee schedule pursuant to the Fresno County Transportation Mitigation Fee - 2014 Nexus Study Update.

WHEREAS, the Fresno Council of Governments has prepared "Fresno Regional Transportation Mitigation Fee – 2019 Nexus Study Update" to address the statutory requirements.

WHEREAS, the FRESNO COUNTY REGIONAL TRANSPORTATION MITIGATION FEE AGENCY provided notice of this proposed action to interested parties by regular mail on November 1, 2019, and to the public by published notice in the Fresno BEE.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the FRESNO COUNTY REGIONAL TRANSPORTATION MITIGATION FEE AGENCY (the RTMF Board) ordain as follows:

Section 1. Findings under Government Code section 66001, subd. (d)(1)

A. Purpose of the Fee

The purpose of the RTMF is to establish a uniform, cooperative program to mitigate cumulative indirect regional impacts of future developments on traffic conditions on high-priority state roadways in Fresno County. The fees will help fund improvements needed to maintain the target level of service in the face of the higher traffic volumes brought on by new developments.

B. Relationship between the fee and the purpose for which it is charged

RTMF funds shall be used to mitigate the impacts of new development on the regional state highway projects by funding new development's fair share of responsibility for projects on the Regional Transportation Program Tier 1 list and those identified in the Fresno-Madera County Freeway Interchange study (FIDS). These high priority projects were selected to insure that all of the county's residents and businesses will benefit from the maintenance of a reasonable level of service. The traffic demand for new development was compared to the demand without out new development to determine traffic impact. The differences in traffic generated by each type of development and the cost of each highway facility were factored into the fees for each type of development.

C. Sources and Amounts of Funding to Complete Financing

The funding from various state, federal, and local funding sources that are planned to be used for completion of the projects receiving RTMF funds are those found in the Fresno County Regional Transportation Mitigation 2019 Nexus Study.

D. Approximate Dates on which funds are available

The expected date to complete financing for eligible projects are those found in the Fresno County Regional Transportation Mitigation 2019 Nexus Study.

Section 2. Findings under Government Code Section 66001, subd. (a)

A. Purpose of the Fee

The purpose of the RTMF is to establish a uniform, cooperative program to mitigate cumulative indirect regional impacts of future developments on traffic conditions on high-priority state roadways in Fresno County. The fees will help fund improvements needed to maintain the target level of service in the face of the higher traffic volumes brought on by new developments.

B. Use of Fee Revenues

The RTMF will be used in the manner described by the Fresno County Regional Transportation Mitigation 2019 Nexus Study.

C. Use/Type-of-Development Relationship

There is a reasonable relationship between the fees' use and the types of development project on which the fees are imposed, as detailed in the Fresno County Regional Transportation Mitigation 2019 Nexus Study.

D. Need/Type-of-Development Relationship

There is a reasonable relationship between the need for public facilities and improvements and the types of development project on which the fees are imposed, as detailed in the Fresno County Regional Transportation Mitigation 2019 Nexus Study.

E. Proportionality Relationship

There is a reasonable relationship between the amount of the fees and the cost of the facilities or portion of the facilities attributable to the development on which the fees are imposed as detailed in the Fresno County Regional Transportation Mitigation 2019 Nexus Study.

Section 3. Fee Rates

The fee structure adopted in Resolution 2014-03 shall not be used after February 29, 2020, and instead shall be replaced with this fee structure:

Land Use Category	RTMF Fee
Residential Development Categories	
Single-Family Dwellings (market rate)	\$2,118 / DU
Single-Family Dwellings (affordable)	\$1,059 / DU
Multi-Family Dwellings (market rate)	\$1,642 / DU
Multi-Family Dwellings (affordable)	\$821/ DU
Non-Residential Development Categories	
Commercial/Retail	\$1.85 Sq. Ft.
Commercial/Office/Service	\$1.18 Sq. Ft.
Government	Exempt
Education	Exempt
Light Industrial	\$0.30 Sq. Ft.
Heavy Industrial	\$0.18 Sq. Ft.
Other Non-Residential	\$0.80 Sq. Ft.

Section 4. Effective Date

The fee rates imposed by Section 3 of this Resolution 2019-01 shall become effective March 1, 2020.

THE FOREGOING RESOLUTION was passed and adopted by the FRESNO COUNTY REGIONAL TRANSPORTATION MITIGATION FEE AGENCY this, 21st day of November 2019.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Signed: _____
David Cardenas, Chairman

I hereby certify that the foregoing is a true copy of the resolution of the FRESNO COUNTY REGIONAL TRANSPORTATION MITIGATION FEE AGENCY (duly adopted at a regular meeting thereof held on the 21st day of November, 2019.

Signed: _____
Tony Boren, Executive Director