

**Fresno County Regional Transportation Mitigation Fee Agency
Notice and Agenda for Special Meeting [Gov. Code § 54956]
Issued by Mayor Cardenas, FCOG Board Chair**

Date: Wednesday, December 11, 2019

Time: 9:00 AM

**Place: COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA**

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Regional Transportation Mitigation Fee Agency Agenda in pdf format

Exhibits:

Agenda Annotated Agenda

FRESNO COUNTY RTMF AGENCY AGENDA

I. Executive Minutes for October 25, 2018 [APPROVE]

Exhibits:

October 25, 2018 Minutes

II. Regional Transportation Mitigation Fee Nexus Update (Les Beshears) [APPROVE]

Exhibits:

RTMF Report BIA Letter BIA Response RTMF Resolution 2019-01

Summary: Consistent with the requirements of Section 66019 of the California Government Code, Staff 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 on November 25, 2019. Furthermore, the Nexus Study has been available for public review at the Fresno COG offices at 2035 Tulare Street, Suite 201, Fresno CA 93721 at least 15 days prior to this hearing.

The Fresno County Transportation Authority (FCTA) levies the Regional Transportation Mitigation Fee (RTMF) countywide under the 2007 Measure C extension ballot and Fresno COG administers through the Fresno County Regional Transportation Mitigation Fee agency (RTMFA). Fresno COG is performing a statutorily required update to the program that could change the fee structure. WSP (formerly Parsons Brinkerhoff) is providing the technical expertise for this update.

Both FCTA and the Mitigation Fee Agency must adopt the update by January 1, 2020, to continue the fee. To meet that deadline, the first committee meeting was convened on January 17, 2019, to give the consultant direction. A subcommittee reviewed WSP's initial recommendations meeting on July 3, 2019, which were conveyed to the Board in September. A follow-up subcommittee was held on October 3, 2019, to finalize the recommendations.

In October 2019, Fresno COG's Policy Advisory Committee (PAC) and the Board received the draft report. During the PAC meeting, the City of Reedley objected to the proposed increase on the basis it placed an unnecessary burden on development in Reedley. The BIA presented a letter dated, November 7, 2019, opposing the proposed RTMF fee increase. That letter and staff response is included in the agenda package.

The final report and BIA letter were presented to the Transportation Technical Committee (TTC) and PAC on November 8, 2019. At the TTC the County of Fresno questioned how the cost of the SR 99 North/Cedar project increased significantly from the amount in the 2007 ballot. Staff explained the initial \$25 million cost was a preliminary estimate developed over fifteen years ago to reserve a place on the ballot, however; the ballot also included an inflated cost of \$44 million which was used in the initial expenditure plan. When the original Nexus was adopted in 2010, a more detailed engineering estimate of \$82 million was used, which included significant right of way. The current cost is \$96 million.

The City of Clovis inquired if the proposed increase would offset fees proposed by Caltrans on development projects. Staff replied the RTMFA had no agreements with Caltrans in place to generate such offsets.

FCTA Executive Director, Mike Leonardo pointed out that the framers of the ballot felt strongly enough about the RTMF that they included provisions in the ballot requiring the fee to be levied or in the absence, an appropriate amount shall come out of the Local Transportation Fund which is passed through to member agencies. After discussion, the TTC adopted the proposed recommendation. The PAC adopted the proposed recommendation with the cities of Reedley and San Joaquin opposed.

The final proposed Nexus includes three recommendations vetted through the subcommittee.

WSP's first recommendation is to extend the fee program's planning horizon to 2035 to be consistent with Fresno COG's normal planning horizon, as well as the legal and financial environment under which the mitigation fees exist. By expanding the planning horizon, early development is not unnecessarily burdened by high project costs that will benefit future development.

The second recommendation is to use Synchro software for intersection-specific analysis and to include the City of Fresno's estimates for the South Industrial Priority Area instead of land use assumptions in Fresno COG's Sustainable Communities Strategy. Fresno COG's traffic model is not designed to perform intersection-specific analysis, and Synchro is a standard engineering tool for most common traffic analysis situations. This recommendation makes the State Route 99 North/Cedar interchange eligible for the fee calculation.

The third recommendation is to continue using ITE floor-space ratios. The ITE method has been standard industry practice and is consistent with the original nexus and 2015 update. The full schedule of the proposed RTMF fees is included as an attachment.

Including the SR 99 North/Cedar interchange in the fee calculation increases eligible project costs 40 percent; however, the average fee increases 34 percent because the composition of various fee categories has changed and trip generation varies among categories. The single-family residential rate increases by \$481 from \$1,637 to \$2,118, which is significantly lower than the five other transportation mitigation fees levied in the San Joaquin Valley.

Action: Staff and the TTC/PAC recommend the Policy Board make findings as required under Government Code Section 66001, subd. (d)(1) and Section 66001 subd. (a) by adopting Resolution 2019-01 updating the Regional Transportation Mitigation Fee Nexus and authorizing the proposed fee schedule.

III. **OTHER BUSINESS**

A. Items from Staff

B. Items from Members

IV. **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 Agency on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to 3 minutes.**

***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**