

**MEETING RECORD for TIM FEE Working Group Meeting**  
**March 20, 2008, 6:30-8:30pm**  
**Main Library**  
**345 Fair Lane, Placerville, CA.**

**I. Upcoming Meetings**

- A. Thursday, April 17<sup>th</sup> at 6:30pm, Main Library, 345 Fair Lane, Placerville
1. We will start to discuss the cost estimates that went into each of the top 20 projects (in terms of cost) on the list that DOT handed out in the 3/20 meeting. Start with: CIP Project #s 71328, 71376, 71335 Silva Valley Interchange (3 phases) \$73M, White Rock Road widening GP135 and Cam Park interchange 72361

**II. Homework**

- A. All: Review the 3/13 meeting record and let Val know of any changes by 3/27
- B. All: Review the 3/20 meeting record (it will be emailed out by Monday 3/24) and get back to Val with any changes by 3/31
- C. DOT:
1. Of the 32,000 projected units to be built in the General Plan, where are we at? How many of the 14K in development plans have been built and how many of the 18K of the other have been built? What's left? How long will it take to build the remainder?
  2. Look at what projects in the program were driven by situations where LOS was very close to the threshold point. Are there any that should be flagged for possible removal from the TIM fee program?
  3. Identify roads that we are planning improvements to, that we may be able to ask the property owners to pay for some/all of the improvements since they will benefit from the improvements. (from 3/13 mtg)
  4. Include a narrative in the Board presentation of what projects make up the large ROW acquisition costs). Richard would also like to see a project list sorted by construction costs (high to low). (from 3/13 mtg)
  5. Address the BIA letter. (from 3/13 mtg)
  6. Do the math that shows that residential is paying 60% of the total TIM Fee Program costs. (from 3/13 mtg)
  7. Quantify the % of TIM FEE revenue coming out of Zone 8 (from 2/21 mtg)
  8. What does the CIP look like if the Zone 8 fee is \$20K? What does the rest of the program look like? (from 2/21 mtg)

**III. Discussion**

A. *NOTE: THIS IS A RECORD OF WHAT WAS DISCUSSED. THE USE OF "WE" DOES NOT IMPLY CONSENSUS BUT, RATHER, IS JUST A STATEMENT BY THE SPEAKER. ALSO, THE COMMENTS REFLECT WHAT THE SPEAKER SAID AND MAY NOT REFLECT OTHERS' THOUGHTS OR OPINIONS. IN SOME INSTANCES, THE COMMENTS ATTRIBUTABLE TO SPECIFIC SPEAKERS WERE SUMMARIZED OR PARAPHRASED AND THEREFORE, ARE NOT DIRECT QUOTES.*

B. DOT proposal for Inflation Update for TIM Fees

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1. DOT handed out 3 scenarios for inflation index:
  - a. Caltrans 12 mos. index
  - b. Caltrans 15 mos. index
  - c. ENR 15 mos. index
2. DB: How does the inflation increase you are showing tie into project costs that I would think should have shown a 25% drop between 2007 and 2008, not an increase?
3. JW: The inflation adjustment is from '06 to '07, not '07 to '08.
4. CM: The period is 10/01/06 to 9/30/07 (for Caltrans 12 mos); 10/1/06 to 12/31/07 (for Caltrans and ENR 15 mos.)
5. DB: Did you look at assumptions for project cost, not the index? Are those numbers accurate?
6. JW: At a program level, we think they are as accurate as they can be in the near term, as you go out in time, there's more gray area...
7. AM: On our plate will be working on getting total cost down by \$150M minimum. The fees aren't going to generate what we would like. Before next April we'll have something figured out on Measure Y and that will inform some of the discussion that happens in the next year. We need to come up with a program that functions better. E.g., mixed use that would change the need for the number and type of projects we need in the program.
8. BC: The project as it was in 1996 we figured out wasn't affordable, wasn't buildable. We know there is significant housing provided on site for employees e.g., river community, Camino agricultural community. Mixed use has potential to do much of the same. As communities mature, some of the 4K sq ft houses grow 2 front doors. One of the issues we're going to have with that is CC&Rs - they're big and create some problems. But some of these issues if we step back in good conservative fashion, the marketplace tends to fix and we shouldn't be complaining too much about the 5 ski bums living in the house (working at a ski resort in South Lake Tahoe) because the market works. Some of this housing will be developed internally but we should not get in the way of the right thing happening. We're not talking about a paradigm of a 1200 sq ft Serrano housing complex because you still have a 3000 unit monoculture where everyone needs a car and if you can't drive any more, you have to have a chauffer or move. Building smaller houses is not solving the problem but there are places for infill, higher density, mixed use opportunities. It's a big deal that granny flats are charged less than single family homes (JW noted that the fee for granny flats is now about 65% of single family homes.) Traffic engineers are a little like economists. You pay them for their conclusions...
9. DB: How many building permits have been pulled in the last 60 days? Probably not very many so why does this inflation update have to go to the Board in the next 60 days since it is not going to affect anything.

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- Why not wait a couple months so we can look at project costs.
10. CM: We need to go back to the Board because they told us to, and we are going to recommend no increase so why delay? If we look through the CIP and end up concluding that we need to reduce the fees because the costs were too high in the CIP, we can go back to the Board again and tell them we need to reduce the fees.
  11. DB: The Board will have to make a political decision about forgoing revenue if DOT subsidizes the fees. We should wait a couple months and really look at the cost estimates so they don't have to be in that position.
  12. BC: If we, after having met for 4 or 5 months, go back to the Board and ask for more time, that's not going to look good. We should be adult enough to allow the Board to make the policy decision. They'll be more than willing to say let's hold the fee, we're going to review it in a year. I hesitate because I've learned not to guess what my wife may want. In similar fashion, let's not 2<sup>nd</sup> guess the Board.
  13. JW: When Richard gives the CIP update, TIM fee update, he keeps doing the circle of life, and if it doesn't keep going around, we don't get things done.
  14. DB: We had issues with assumptions in the CIP, I thought the Board was giving us direction to go work this out and we seem to keep putting off talking about the cost estimating assumptions. I don't know how we can talk about an index without talking about assumptions in the CIP.
  15. JW: How would knowing the assumptions help us choose the inflation index?
  16. DB: The indices are all based on a program cost that I don't think is correct.
  17. CM: Don's concern is that the estimates are re-inflated and overstated and maybe it should be an \$800M program, not a \$1B program. I don't have answers to any of the suggestions people have raised here that would make the program less expensive (e.g., we should do other land use planning and the \$1B program will go to \$800M, or we don't believe all these projects should be done and therefore it's an \$800M program, or we don't believe these estimates are all correct so it's an \$800M program.) Some of these are policy suggestions the Board must make. Yes, we need to look at the cost estimates as part of this group and we are offering to look at specific projects beginning next meeting.
  18. MW: I would like to have the data on the top 20 projects so I can analyze whether the estimates are correct based on comparing to other jurisdictions' unit prices.
  19. CM: The danger in just sending you the information is that you don't know ROW includes buying a bank.
  20. MW: Send me everything but the ROW costs then. I am particularly

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interested in looking at unit prices. By looking at Yuba County's unit costs, we were able to get their fees down from roughly \$60K per unit to \$39K (their totals included everything- water/sewer hook up, TIM fees, etc.)

21. AM: I don't recall there being any info brought back on the ENR index – how do they normalize? We asked for that at a prior meeting.
22. CM: We can't have it because it's a propriety process.
23. AM: ENR is normalized and we don't know how. Caltrans index fluctuates in an equally indecipherable way. Should we go with the ENR index which is calculated mysteriously or Caltrans index which gyrates in ways we don't understand. I would support going to ENR; other jurisdictions have used it.
24. BC: If we went to 15 months Caltrans, would you then use 9 month next time?
25. CM: No, it would be 12 months from then on. We would move the timeframe from September to January, to January to January.
26. DH: Caltrans now is getting lots of bids that they weren't getting years ago. It seems that we could use a rolling average.
27. CM: Caltrans uses a rolling average but is very spikey. ENR smoothes their index out.
28. BC: Absent any motion to change recommendation, what I've seen here doesn't have compelling evidence that we ought to go to Caltrans. We said go to ENR with a recommendation not to increase the fee. I'm fine with that. Or you could pass the buck to the Board since this group seems ambivalent.
29. DH: The index isn't the issue; the CIP is too high is your contention.
30. AM: I support the ENR because it's not likely to be the big issue next time since it's normalized. It was mentioned that these minutes will go in the Board packet. Is this really the type of group that everything we hash out in here should go in the Board packet for everybody to nitpick it?
31. CM: Richard doesn't want to be at the Board telling the Board what you (e.g., Art) said. We will put in our staff report a bullet list of everything we talked about and haven't yet talked about. If the Board wants more detail, they can see the attached minutes.

**C. Cost Estimates and the CIP**

1. DB: What about the BIA questions: assumptions on ROW costs \$per acre, etc.? Will you be addressing these?
2. CM/JW: Yes, ROW in particular was in the handouts from a couple meetings ago. About ¾ of projects are cost estimates from consultant or project manager, etc. If you want to pick 3 or 4 projects, we'll bring the Project Manager in and let you grill them and they can walk you through the whole estimate.
3. AM: What is this #129 on your list? It says it's for various locations for

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traffic signals; the average is \$2.1M each based on 12% inflation estimate. But they are now coming in less than that...

4. JW/CM: Those include intersection improvements, ITS, safety, etc.; we put them in there as part of the line item but didn't increase the total \$ for the line item. Traffic signals are not coming in less than that.
5. AM: You have X number of dollars for traffic improvements but if the alternative is not for traffic mitigation, it shouldn't be in there (for example to justify shifting \$250,000 up to Camino for no particular reason). It was never justified based on the total cost of meeting capital obligation. I think that aside, the Board members are very interested in reducing the \$1B program down with lower cost projects and may not be just lowering the estimate to build but perhaps change the nature of some of these improvements to lower their costs.
6. JW: For example, we're looking at having developers do some of these improvements, as we discussed at last meeting. But we can't make that assumption for all projects. We also talked about ROW. If we assume everyone will give us ROW but then what about the guy that isn't coming forward to do a project, do we just take his land? We can't legally. A lot of these become policy issues for the Board. We've created a system and if the Board decides to make a policy change, we will adjust the program accordingly. We can sit down with a map with a small enough scale where we can highlight properties with potential for development and where we can get owner to give the ROW and where we think we can't. Then we'll have to figure out for what portion of the roads we'll have to spend to buy ROW from the guys that don't come forward to do development.
7. DB: \$90M ROW acquisition cost – I want to understand what ROW acquisition costs are. Is the assumption \$30/sq ft.? I'll sell you all our land for that price.
8. CM: ROW includes more than just the dirt in some instances. We have projects in our list that require moving or eliminating existing buildings e.g., banks and you have to buy the bank, building, relocation, fund the cost of building the bank elsewhere. It doesn't take many interchange projects where you have to buy a few buildings to start adding up to a \$40M or \$50M project. If you want to know more, we'll bring the ROW folks in.
9. MW: Let's see a breakdown of every component of the cost estimate – e.g., AC, design, engineering, etc.
10. DB: We just don't get your numbers and understand how they add up. Until we can really understand how you've gotten here...if you're off by 25% that's a lot of money (off \$1B program). We're not questioning every job, but certain assumptions e.g., ROW.
11. MW: lower existing and add frontage improvements
12. JW: We're happy to have your engineers do estimates on our projects and happy to open our books. Pick out some and we'll bring them in.

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13. AM: That there's going to be \$700M in TIM fees from residential is an inconceivable assumption. What kind of dollars can we generate, state/fed, other, and what can we build with those monies? Simply ratcheting down Silva Valley interchange by \$5M is not going to get us to where the program can work in my mind.
14. KR: Board of Realtors did study that showed that larger homes had fewer people living in them than the smaller houses.
15. JW: If we built smaller houses on smaller lots, we'd hit the 20,000 number sooner than if we build all larger houses. Traffic is a function of the number of homes and thus the number of trips. It could be that it changes your model and that you need bigger roads to get to the freeway and may need more lanes on the freeway.
16. AM: The General Plan is a 32,000 unit plan (not a 20 yr plan). 14K were assumed to be in development agreements and the rest future. The Plan would be flexible in terms of time. My question is within development agreements, how many of those 14K have been built and how many of the 18K of the other have been built? What's left? Where are we at? How long will it take to build the remainder?
  - a. CM: It may or may not be difficult to get. Craig thinks it's a grueling job that could take several months.
  - b. AM: One of the policies of the General Plan is that we're supposed to be tracking this.
  - c. JB: As of last year, in the affordable housing study, they came up with 20K left to build.
  - d. CM: It's not just the number; we have to know how many and where they are being built since roads are spatially based. We need to know what type of units are being built also (e.g., Multi-Family, Single Family, what TAZ they are in, etc.).
17. DB: I would like to see the cost estimates for CIP Project #s 71328, 71376, 71335 Silva Valley Interchange (3 phases) \$73M
18. DB: Also, White Rock Road widening GP135 and Cam Park interchange 72361
19. KB: I would like to look at capacity improvement projects that have very small exceedance that the Board adopted for LOS reasons e.g., El Dorado Hills Blvd/St Andrews Dr to Francisco, Francisco to Green Valley Road, El Dorado Hills Blvd to Green Valley, Salmon Falls to Green Valley, Silva Valley Parkway, Harvard to Green Valley Road (Kirk emailed these to Richard today). There are some roads where you tick over just a little bit and we added 2 lanes. The way to have a conversation about big chunks is about facilities.
20. CM: If threshold is for example, LOS F and we analyzed it and it's just a little over F w/o the improvement, should the improvement be done or not? Where to draw the line? Kirk is not asking staff to draw the line. You hope that your estimating process is good enough that you estimate about the same low as high so overall, you're on at the

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- program level. The same holds for LOS, there are some slightly over and some slightly under the LOS threshold.
21. CM: Of the list Kirk rattled off, there may not be any in the Fee program.
  22. AM: Measure Y comes into play in some of this too. There are policies; the difficulty is that they are not always being answered the same way. When you do have real/pretend exceedances, some applicants are being told you have to do it (i.e., improve the road) and others are not. It needs to be articulated so we can talk about it and deal with it. If you've got major sections of arterials that are approaching a 1.0 volume capacity, why aren't they in the TIM fee program.
  23. CM: The TIM Fee program applies to new development. There are some roads out there that need improvements but not due to new development. GP policies – some of them trip over – and you have to widen because of the GP policies. But they're not in the TIM Fee program. If you do need it wider, how do you pay for it if it's in General Plan but not in the TIM Fee program?
  24. KB: Cut costs = build less.
  25. AM: There are some Board members who want to take a hard look at things like this. Where do you draw those lines? There are some problems out there that we need to arrive at some sort of consensus as to what policy will be.
  26. KR: Can we revisit issues we've had with the TIM Fee program all along or only focused on things on the initial list?
  27. CM: We have been adding questions like Kirk just raised all along into the "Parking Lot" that we can discuss at some point in future meetings.
  28. AM: Any major update will depend on clarification of policy. We need to help bring issues if we want to get the fees down; these are the chunks we need to look at e.g., reducing sidewalk widths, eliminating center median landscaping. The Board has to make the policy decisions.
  29. CM: The Board can make the decision as to when they want to take things out of the program (like Kirk raised). Maybe if you're really close to the threshold, you relax the LOS just a bit, knowing that you will revisit that in the future anyway.
  30. KR: Since the policy came from Measure Y, I thought part of why we are together is to see what we might be able to discuss with the spokesperson from Measure Y...I would like to know what Bill thinks?
  31. BC: Concurrency is not in Measure Y specifically but is in the General Plan. When the 1<sup>st</sup> TIM Fee program rolled out by Randy; he had 4 lanes for Hwy 49 between Pilot Hill and Coloma. There was a violation of LOS policy on an uphill travel lane on a State Highway that could have been addressed by another alternative instead of the 4 lanes. The outcome was undesirable. But we have to avoid the last 20 houses not being built because of large improvement costs, or having that developer being responsible for \$20M worth of improvements.

**MEETING RECORD for TIM FEE Working Group Meeting  
March 20, 2008, 6:30-8:30pm  
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Those segments of road have gone from B to C to D to E with no dollars being collected over the last 20 years where development is dependent ultimately on a 4 lane road. If we wait until we're within plus or minus 10 cars per hour, and think we can wait another 5 yrs, then we're up against the wall. It needs to be a program that is predictable and recognized that we significantly invaded capital by using up capacity without paying for capacity. But on the other hand, I am interested in the underlying question if we projected 10K homes over the next 20 years, (instead of current projections) what would a side by side projection look like? Because that also is a question the Board is seriously considering driven by market and policy because we know it costs a lot to build the last 10% - it's almost always as expensive as the 1<sup>st</sup> 90%. One of the policy fixes for Measure Y, is unanimous vote of Board vs. vote of people. But the underlying question of building a reliable road system, we're all on the same page. E.g., we don't want situations where you sit in a left turn lane at a shopping center waiting for 4 light changes before it's your turn. We need to address how to deal with not just the supply side but also the demand side. Our hopes from the get-go is how dealing with a little bit on the demand side could make a huge impact on the supply side. The really difficult problem to solve is the homes are entirely commute dependent and have no functionality for people to walk or use school buses for school trips for example. We're trying to create policy to have people look at other ways (besides being dependent on the automobile). Given the political reality of how El Dorado County works right now, the last thing we want to see is where ministerial permits get put into a discretionary box due to traffic. I would hate to see people not be able to build out in Swansboro on a lot they've owned for years. We need to avoid worse consequences on the West Slope of what happened up in Tahoe in the '50s and '60s where the Supreme Court shut down development. We have a fiduciary responsibility to people who voted for Y and to keep things from getting so bad that people do worse stuff. We're somewhere in between developers and 1<sup>st</sup> class NIMBYs.

32. KBone: Almost every project is discretionary right now. I don't have a project because Eastbound 50 to Latrobe South is LOS F and no reasonable fix in sight and it's not due to residential growth on south side of highway (more due to the business park). The only way you can fix that problem is to tear down the EDH interchange and start over again.
33. AM: I agree with Bill; there are other solutions like looking at why people who work in EDC live in Galt. People who work here can't afford to live here. That's not their fault. It's a failure with planning. Years ago, there was an employer that wanted to come into the EDH Business Park but he was bringing minimum wage jobs and the County was proposing tax breaks for this employer – I didn't think we



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- should encourage that employer to come in because he was bringing jobs with wages for employees who then couldn't afford to live here.
34. BC: If the concurrency issue addressed within the 5 year CIP, that is what the TIM Fee is for.
35. KBone: If we live with concurrency the way we are doing it right now, that project (of mine) is stuck. No 6 acre office project is going to be able to afford those improvements (to the El Do Hills interchange). There's a chance to collect a fee from those who wait because everyone is going to wait until some crazy guy decides he's going to fix the interchange today.
36. DH: We missed the elephant in the room on the casino too. With the casino opening, we have some amount of tribal \$ coming in going to Hwy 50 but we're going to get into jobs/housing imbalance again not like TRPA but because we'll have people going to and from casino as users and employees and what happens to our local road network and is there any housing near they can afford? I'd like to see where the tribe \$ is going.
- a. JW: Casino is on the list to talk about at a future meeting.
37. JW: To add onto what Kirk and Bill said is the purpose of this group. 1) we don't want to be so stringent that we kill the goose but 2) we still need to look and ensure that the last 10% of houses isn't spending 90% of the money because improvements didn't get built before. If something comes up that is technical, we should opine on it. If it's policy, we should develop alternatives and pros and cons and take it to the Board which will then provide direction back to staff. If it starts picking off projects from the program, then let the Board say that.
38. BC: There's a political equation to be considered (e.g., if the traffic is eastbound on 50 coming into the county, the policymakers don't care because those people don't vote here, however if opposite, they do vote here and the policymakers then do care).
39. AM: A mechanism to be used in this group – it's not just a matter of relaxing a rigid requirement but also at the same time proposing what the long-term fix is; only relax if we adopt a long term fix. E.g., Carson Creek: no improvements were proposed by Sac Co and EDC just went "OK" and it's the worst answer I've ever seen re: CEQA in print by a government agency. We should be pushing for a long term connection to Sac Co. and if there is a long term solution on the table, this could be a reason for living with short term pain.
40. JW: On the Blackstone project, Don's company is doing a study to look at alternatives to make the connection and keep people off the freeway. E.g., Grant Line Road connector is an option. So we're trying to solve our regional problems at the County line. We need to look at the technical things and frame the policy questions and trot the latter back up the hill.
41. AM: We framed the CIP to leave the door open to alternative solutions

**MEETING RECORD for TIM FEE Working Group Meeting**  
**March 20, 2008, 6:30-8:30pm**  
**Main Library**  
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- that are cheaper e.g., a connector other than the 50 interchange.
42. JW: I'm not a big proponent of a \$50M roadway to solve a \$7M problem. We need to ensure the cure isn't worse than the disease.
  43. KR: Infill projects in Cameron Park for example – the policy is to provide sidewalks (to no where). Could we look at alternatives that look at contributions like the oak policy does, where we put in mitigation money and use that money elsewhere – i.e., where infill and sidewalks don't make sense, you don't do them but you have to pay a mitigation fee so that the sidewalk money goes to do sidewalks or something somewhere else. The applicants may be more willing to pay the mitigation rather than just putting in sidewalks that are just useless.
  44. JW: We could set up a blue ribbon panel to look at where we want sidewalks and not. You'll still have those who think "why pay anything if we're not going to get anything out of it"? However, we can look at it.
  45. KR: Jack has brought up the question of our evaluating what improvements we're doing where.
  46. JW: What is the cost of the project and are they comprised of the right components? A big component of the nut is curb, gutter, sidewalk. We can't be real efficient at building roads if we're not building the kinds of roads the community desires...e.g., building Serrano type roadways off Buck's Bar Rd does not make sense. I've had one person call me to put up a sound wall before closing escrow because she was concerned about lights and noise where she wanted to put up her custom house.
  47. CM: If we don't put up sidewalks on Cameron Park Drive, we'll hear about it from the Mom's and Dads who want their kids to be able to get to/from wherever safely. On smaller side roads, sidewalks are not in the TIM Fee program.
  48. BC: Are we going to get frontage improvements on discretionary projects on consistent basis? My horror story is Green Valley between Bass Lake Road and the school. You have 100 kids in the apartments that can't walk to school. This is where the money ought to go. It requires people going and saying if that comes in, this is what we're going to ask for. I think we'll be able to in 5 – 10 year discuss fine grain items like this. 10 yrs ago this kind of conversation would not have been possible. Sometimes we jump ahead to the unsolvable problems and avoid problems that are simply hard.

**IV. Topics for Discussion at Future Meetings**

**A. Additional sources of funding**

1. The Casino – What funds will be available, what additional projects need to be included and how will this impact the fee rates? (first check anticipated Fall 09)
2. Federal and State "matching dollar" opportunities – using TIM fee money to leverage other sources

**MEETING RECORD for TIM FEE Working Group Meeting**  
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3. Are we getting any kind of priority for \$ from state and federal because of our TIM fee program? What have we gotten to match the \$ we have contributed to TIM fees?
  4. Inclusion of Safety and Intelligent Transportation System (ITS) "local match share" items into project list along with other potential grant funding opportunities
- B. Impacts from the slow-down in residential development (e.g, growth in the County affects the road plan)
- C. Format/Style to be used for annual Government Code compliance Report.
- D. Can we discuss the "uniqueness" that affects the El Dorado County TIM FEE Program? Do we spend more or less for example because of the # of Highway 50 improvements than other counties do? Do others have other funding sources that we don't have?
- E. Parking Lot Items
1. The Variable Highway 50 Fee Program had three different levels of TIM fees for single family residential houses. Smaller houses paid a lower fee." (e.g., apt vs. granny flat)
  2. If the program becomes a 30 year program instead of a 20 year program, what does this imply for federal and state matching \$? Can we count on more coming in and thus, reduce the fees?
  3. Can we talk about shifting when we pay the fee from when the building permit is pulled to at occupancy.

**Attendees:**

- A. James Brunello (JB)
- B. Dave Harnagel, SAGE and URS Corporation (DH)
- C. Kathye Russell, El Dorado Business Alliance (KR)
- D. Bill Center, Measure Y Committee (BC)
- E. Don Barnett, Lennar (DB)
- F. Kirk Bone, Serrano Associates, LLC (KBone)
- G. Brian Allen, Cooper, Thorne & Associates (BA)
- H. Jim Miller, AKT Development/MJM Consulting (JM)
- I. Michael Whipple, Development Planning & Financing Group, Inc. (MW)
- J. Art Marinaccio, Taxpayers Association of El Dorado County (AM)
- K. Craig McKibbin, DOT (CM)
- L. Jim Ware, DOT (JW)
- M. Jim Schoeffling, DOT (JS)
- N. Val Akana, DOT (VA)