



## Legislation Details (With Text)

**File #:** 22-1653      **Version:** 3

**Type:** Agenda Item      **Status:** Approved

**File created:** 9/6/2022      **In control:** Board of Supervisors

**On agenda:** 2/14/2023      **Final action:** 2/14/2023

**Title:** Department of Transportation recommending the Board Approve the Final Passage (Second Reading) of Ordinance 5173 amending County Code Chapter 12.28, Traffic Impact Fee (TIF) Program, Ordinance 5144, to revise the cost index used to calculate annual updates to the TIF Program Fee Schedule. (Cont. 1/10/2023, Item 25)

FUNDING: TIF Program.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2A - Counsel Approval, 2. 2B - Proposed Ordinance 12.28.050, 3. 2C - Proposed Ordinance 12.28.050 with Redline Changes, 4. A - Presentation, 5. Executed Ordinance 5173

Date	Ver.	Action By	Action	Result
2/14/2023	3	Board of Supervisors	Approved	Pass
1/10/2023	2	Board of Supervisors	Continued	Pass
11/15/2022	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board Approve the Final Passage (Second Reading) of Ordinance **5173** amending County Code Chapter 12.28, Traffic Impact Fee (TIF) Program, Ordinance 5144, to revise the cost index used to calculate annual updates to the TIF Program Fee Schedule. (Cont. 1/10/2023, Item 25)

**FUNDING:** TIF Program.

### DISCUSSION / BACKGROUND

On January 10, 2023, the Board heard the Introduction (First Reading) of Ordinance 5173 and continued the matter to February 14, 2023 for Final Passage (Second Reading).

On November 15, 2022 (Item 30, Legistar 22-1653), in accordance with Board Policy A-3, the Board gave conceptual approval to amend County Ordinance 5144, Chapter 12.28, Traffic Impact Fee (TIF) Program, Section 12.28.050 to revise the cost index used to calculate annual updates to its fee schedule. Per the Board’s direction, and based on analysis performed by Department of Transportation (Transportation) staff, the cost index will be changed from the Engineering News-Record (ENR) Building Cost Index to the ENR Construction Cost Index. Additional analysis supporting the change can be found attached to the November 15, 2022 item.

### ALTERNATIVES

The Board could choose not to approve this recommendation, which would result in no change to Ordinance 5144.

### **PRIOR BOARD ACTION**

December 13, 2016 (Item 43, Legistar 14-0245 v23) - The Board approved the Final Passage (Second Reading) of Ordinance 5045 amending Chapter 12.28 of the Ordinance Code for El Dorado County, California that provides for a General Plan Traffic Impact Mitigation Fee Program, consistent with California Government Code Section 66000. Ordinance 5045 went into effect on February 11, 2017.

August 31, 2021 (Item 24, Legistar 21-0749) - The Board approved the Final Passage (Second Reading) of Ordinance 5144 amending Chapter 12.28 Traffic Impact Mitigation (TIM) Fee Program to update the program name to the TIF Program. Ordinance 5144 went into effect on September 30, 2021 and superseded Ordinance 5045 in its entirety.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

The change in the chosen cost index is used to adjust the projected costs of projects in the TIF Program, and the traffic impact fees are then calculated to cover those costs. This change to the cost index used will affect the percentage used to make such adjustments. Per the requirements of the General Plan, the TIF Program will remain fully funded regardless of the cost index used for annual adjustments. The revenues from TIF collected will still match the anticipated expenditures for projects included in the TIF Program. Based on the data available to date, changing to the ENR Construction Cost Index will mean a smaller increase in fees for the 2023 TIF Schedule annual update than if the ENR Building Cost Index is used, but there will be no change to the methodology used to calculate estimated project costs or fees to be collected. There is no change to Net County Cost as a result of this item.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

### **STRATEGIC PLAN COMPONENT**

Good Governance

### **CONTACT**

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Department of Transportation