



Legislation Text

File #: 09-0538, **Version:** 1

Hearing to consider adoption of Resolution amending the 2004 General Plan Traffic Impact Mitigation (TIM) Fee Program and Revised TIM Fee Rates.

Resolution 114-2009

Fiscal Impact/Change to Net County Cost:

There is no Fiscal Impact associated with this agenda item. There is no Net County Cost.

Background:

Adoption of the Resolution will allow the Traffic Impact Mitigation (TIM) Fee Program to continue to maintain fees, providing necessary funding for Capital Improvement Program (CIP) Projects as set forth in Resolution No. 266-2006 and as amended by Resolution No. 205-2008.

On August 22, 2006, the Board approved Resolution No. 266-2006 adopting the 2004 General Plan TIM Fee Program pursuant to a comprehensive review. The Board also adopted Resolution No. 265-2006, which certified the TIM Fee Program Supplement to the 2004 General Plan Environmental Impact Report, issued a Supplemental Statement of Overriding Considerations, and made Supplemental Findings of Fact.

Resolution 266-2006 requires the annual review of the TIM Fee Program and directs the Department of Transportation (Department) to return to the Board with a recommendation to adjust the TIM fees, up or down, based on changes in the cost of construction or other costs. On September 25, 2007, the Board adopted Resolution 243-2007 to adjust the fees based on inflation of construction costs during the proceeding year. The inflation index used in that adjustment was the Caltrans Price Index for Selected California Construction Items. On July 29, 2008, the Board adopted Resolution 205-2008 to:

- Adjust the fees based on inflation of construction costs during the proceeding year;
- Switch the inflation cost index from Caltrans to the Engineering News Record-Building Cost Index; and,
- Shift the index from third quarter (October) to fourth quarter (December).

Reason for Recommendation:

TIM Fee Analysis: The Department has reviewed all the projects contained in the TIM Fee Program and recommends that the fee rates be left unchanged as shown in Exhibit A of the attached Resolution. The list of projects included in the TIM Fee Program, the costs and allocations of those costs to the various components are shown in Exhibit B of the Resolution. A map showing the fee zones is attached to the Resolution as Exhibit C.

Exhibit B shows how the costs of the projects have been adjusted, up or down, using the most current detailed engineering cost estimates for those projects as shown in the Department's 2009 10-year CIP. Exhibit B shows the TIM Fee Program projects and their associated costs. The analysis shows an overall increase of 4.2% in the TIM Fee Program project costs. The total project costs for the TIM Fee Program have increased from \$942.9 million to \$982.1 million.

However, there are several projects (e.g., U.S. 50/Cameron Park Drive Interchange, U.S. 50/Silva Valley Interchange) that are driving the increase in the TIM Fee Program due to major cost increases, as more detailed traffic and engineering analyses have been completed, and therefore, these projects merit further discussion with the Board. The CIP currently includes these projects at their full Level of Service "E" build-out and costs. Instead of asking the Board to adopt new fees based on the full construction costs associated with these projects, the Department proposes to return to the Board at a subsequent meeting to begin a dialogue on these projects, to include the alternatives, costs, Level of Service trade-offs, and other issues associated with each project. Until the Board can review the alternatives for each project, and provide direction to the Department, the Department proposes to use "Other Agency" funds (i.e., State and Federal dollars) to cover any shortfall in funding that may arise due to increases in project costs incurred in the short term.

Action to be taken following Board approval:

- Authorize the Chairman to sign the Resolution adopting no change to the fees.
- The Department will continue to collect applicable 2004 General Plan TIM fees on residential and non-residential building permits pursuant to the existing fee schedule.
- The Department will return within the next several weeks to present options and issues related to the following projects:
 - U.S. 50/Cameron Park Drive Interchange,
 - U.S. 50/Silva Valley Interchange.

Contact:

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Concurrences: None