

RESOLUTION STA 08-0_

**RESOLUTION APPROVING THE SACRAMENTO COUNTYWIDE
TRANSPORTATION MITIGATION FEE PROGRAM (SCTMFP)
AGREEMENT ON OPERATING PROTOCOLS**

WHEREAS,

- On July 29, 2004, the Sacramento Transportation Authority adopted Ordinance No. STA 04-01 (“the Ordinance”), including the Sacramento County Transportation Expenditure Plan 2009-2039 (“the Expenditure Plan”);
- The Ordinance was subsequently approved by the Board of Supervisors of the County of Sacramento and the City Councils of all of the Cities within the County of Sacramento;
- On November 2, 2004, the Ordinance was approved by a public vote of the County electorate;
- The Ordinance imposes a one-half of one percent retail transactions and use tax that is statutorily dedicated for transportation planning, design, construction, operation and maintenance only in Sacramento County and cannot be used for other governmental purposes or programs;
- The Ordinance establishes the 30-year Sacramento Countywide Transportation Mitigation Fee Program (SCTMFP), to be implemented by each of the local jurisdictions during the period April 1, 2009 through March 31, 2039;
- The Ordinance provides that each local jurisdiction must, as a condition of receiving its allocation of local road maintenance formula funds from the retail transactions and use tax revenues, adopt a 30-year SCTMFP Fee (“the Fee”) for the period April 1, 2009 through March 31, 2039 in accordance with guidelines adopted by the Sacramento Transportation Authority (STA) Governing Board;
- Each local jurisdiction shall implement the SCTMFP Fee no later than April 1, 2009, and remit the SCTMFP Fee revenues to the STA ;
- The Ordinance requires the STA to develop, in coordination with all local jurisdictions, a professional engineering and planning based process for charging new development with a portion of the cost of traffic impacts caused by each development during the period April 1, 2009 – March 31, 2039;

- On June 7, 2006, the STA approved Resolution No. STA 06-0006 adopting the Sacramento Countywide Transportation Mitigation Fee Program Fee Study;
- Consistent with the Ordinance, the Fee Study requires that the SCTMFP Fee be set at One Thousand Dollars (\$1,000.00) per new single family unit effective April 1, 2009;
- The Ordinance requires that the SCTMFP Fee for new multi-family units, retail building space, office space, and industrial or warehousing space, be proportionate to the trip generation rate of the affected land use relative to the trip generation rate of a single family unit;
- The Ordinance requires that the SCTMFP Fee be adjusted annually by action of the STA Governing Board to reflect changes in construction costs based on the McGraw-Hill Engineering News Record (ENR) 20-City Construction Cost Index;
- Resolution No. STA 06-0006 requires that protocols related to SCTMFP implementation issues shall be established by future resolution of the STA and contracts between the STA and the local jurisdictions;
- The STA has coordinated with the local jurisdictions to prepare an *Agreement on Operating Protocols* into which each local jurisdiction will be required to separately enter with the STA;
- The Sacramento Countywide Transportation Mitigation Fee Program *Agreement on Operating Protocols* has been submitted to the STA Governing Board for its review and approval.

NOW, THEREFORE, THE GOVERNING BOARD OF THE SACRAMENTO TRANSPORTATION AUTHORITY RESOLVES AS FOLLOWS:

1. The Sacramento Countywide Transportation Mitigation Fee Program *Agreement on Operating Protocols* is hereby approved.
2. Beginning April 1, 2009, the County and each incorporated city will impose the SCTMFP fee on applicable new development at the time a final building permit is issued.
3. The Board finds and determines that the *Agreement on Operating Protocols* sets forth how and when the County and each incorporated city will remit fee revenues and development activity reports to the STA.
4. Collection and remittance of SCTMFP Fee revenues by the County and incorporated cities, and accounting and expenditure of SCTMFP Fee revenues by the STA, will be subject to independent audit and review by the Measure A Independent Taxpayer Oversight Committee (ITOC) and the STA Governing Board.

On a motion by Member _____, seconded by Member _____, the foregoing resolution was passed and adopted by the Governing Board of the Sacramento Transportation Authority at a regular meeting thereof this 28th day of August, 2008, by the following vote, to wit

AYES:

NOES:

ABSTAIN:

ABSENT:

Roberta MacGlashan
Chair of the STA Governing Board

ATTEST:

Clerk of the Board