CITY COUNCIL AGENDA REPORT

CITY HALL

CITY OF SONORA 94 N. WASHINGTON STREET, SONORA, CA 95370 P: (209) 532-4541

SERVICE, INNOVATION, INTEGRITY, COLLABORATION, RESPECT, LEADERSHIP

DATE: December 16, 2024

TO: Honorable Mayor and Members of the City Council

FROM: Carlye Buchholz, PE, PLS, City Engineer; Chris Gorsky, Administrative Services Director

SUBJECT: Fiscal Year 2024 Traffic Impact Mitigation Report

RECOMMENDATION:

Consider Approval of the City of Sonora's Traffic Impact Mitigation Fund Report as Presented for the Fiscal Year Ended June 30, 2024.

DISCUSSION / ANALYSIS:

California Government Code Title 7. Division 1. Chapter 5. Section 66006. requires that a local agency requiring the payment of a fee in connection with the approval of a development project make available to the public certain information for each fund or separate account established by the collection of such fees within 180 days after the last day of each fiscal year.

The information available to the public shall include:

A brief description of the type of fee in the account or fund.

1. The amount of the fee.
2. The beginning and ending balance of the account or fund.
3. The amount of fees collected, and the interest earned.
4. An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.
5. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement and the public improvement remains incomplete.
6. A description of each interfund transfer or loan made from the account or fund.
7. The amount of refunds made.

The local agency shall review the information made available to the public at the next regularly scheduled public meeting not less than 15 days after this information is made available to the public.

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The Fiscal Year 2024 Traffic Impact Mitigation Fund Report is set forth in Attachment A. Project information related to the Traffic Impact Mitigation Fund is listed in Attachment B. This report was made available to the public on December 16, 2024. A complete copy of the report is available for review at City Hall Administration located at 94 N. Washington Street Monday through Friday between the hours of 8:00 AM and 4:00 PM and on the City's website.

FISCAL IMPACT:

No Fiscal Impact to the General Fund

ATTACHMENTS:

- Attachment "A" – Annual Report on Traffic Mitigation Fund FY 2024
- Attachment "B" - Project Information Related to Traffic Impact Mitigation Fund
- Resolution 11-16-98

CORE COUNCIL PRIORITIES:

Fiscal Responsibility and Stability, Infrastructure and Engineering, Public Safety and Disaster Preparedness, Economic Development/Growth and General Plan.

Attachment A

CITY OF SONORA
ANNUAL REPORT ON TRAFFIC IMPACT MITIGATION FUND
FISCAL YEAR 2024

Beginning Cash Balance July 1, 2023	1,102,271.66
Fees Collected	10,485.00
Interest Received	45,079.92
Ending Cash Balance June 30, 2024	1,157,836.58
Less encumbered amount (Signalization Sanguinette/Old Wards Ferry)	(353,650.00)
Net Funds Availbale for Projects	804,186.58

Traffic Impact Mitigation Fees are collected pursuant to Chapter 3.50 of the Sonora Municipal Code established in 1991 and City Council Resolution 11-16-98-A which adopted Traffic Impact Mitigation Fees based on an Updated Study of County Wide Circulation Improvement Needs.

Traffic Impact Mitigation Fees for individual development projects are determined by the Community Development Director from Exhibit B (Fee Schedule) of Resolution 11-16-98-A. The number of new trips per day for the development project is determined from the Fee Schedule and multiplied by the escalated fee per trip at the time of the Building Permit application in accordance with Resolution 11-16-98-A.

There were no loans made from the Traffic Impact Mitigation Fund during Fiscal Year 2024.

There were no refunds made from the Traffic Impact Mitigation Fund during Fiscal Year 2024.

ATTACHMENT B

Fiscal Year 2023-2024 Traffic Impact Mitigation Fund Report

This attachment addresses items 5) and 6) of the main report on the subject matter, and project expenditures listed on Attachment A

5) An identification of each public improvement on which fees were expended, and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

1. NONE

6) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, and the public improvement remains incomplete. Projects listed under the County-wide Traffic Impact Mitigation Fee Program which are within the County are programmed by the County, and those projects which are within the City are programmed by the City, all based upon available funding. For those incomplete projects on the list of improvements which are within the City, the following projects are scheduled based upon available funding, environmental, and anticipated property acquisition:

2. Other signalization projects and projects listed in the Traffic Impact Mitigation Fee program will be scheduled as traffic warrants are met and funding is available.

RESOLUTION NO. 11-16-98-A

A RESOLUTION OF THE SONORA CITY COUNCIL ESTABLISHING TRAFFIC IMPACT FEES BASED UPON AN UPDATED STUDY OF COUNTY WIDE CIRCULATION IMPROVEMENT NEEDS

WHEREAS, Ordinance No 669 adding Chapter 3.50 to the City of Sonora Ordinance Code has been adopted to establish traffic impact mitigation fees for development projects; and whereas a public hearing has been held on April 11, 1991, with notice having been provided pursuant to Government Code Section 6062; and

WHEREAS, a detailed study of the costs of providing traffic circulation facilities to future development projects and a projection of traffic facility needs throughout the next fifteen years has been prepared titled "Study of County-Wide Circulation Improvement Needs, " as supplemented by City and County Staff, in the document titled "County-wide Road Maintenance, Circulation and Financial Program" which was reviewed and approved by the Sonora City Council on February 21, 1991; and

WHEREAS, an update study known as the County-wide Traffic Circulation System Model, Transportation Improvement Program, and Funding Strategy, by TJKM Transportation Consultants was conducted in 1996; and

WHEREAS, said updated study was considered at a public hearing held jointly by the Sonora City Council and the Tuolumne County Board of Supervisors and the Tuolumne County and Cities Area Planning Council on July 22, 1997 and September 23, 1997; and

WHEREAS, on September 23, 1997, the Sonora City Council adopted, along with the Board of Supervisors and the Tuolumne County and Cities Area Planning Council, a "Tier I" Road Capacity Improvement Program Project List pursuant to said updated study, and deferred the adoption of a financial program to a future date; and

WHEREAS, after numerous public hearings and meetings of the Tuolumne County Board of Supervisors, on August 18, 1998, said Board adopted Tuolumne County Ordinance No. 2254 and Board Resolution No. 187-98, providing for updated traffic mitigation fees, elimination of a fee waiver program, amendment of a traffic impact fee exemption program , and adoption of a County-wide Circulation Program; and

WHEREAS, it is necessary and desirable that the City of Sonora as a member of the Tuolumne County and Cities Area Planning Council adopt the same program and traffic

mitigation fees as was adopted by the Tuolumne County Board of Supervisors; and

WHEREAS, notice and supporting data were made available to the public at least ten (10) days prior to the public hearing on the action herein.

THEREFORE, BE IT RESOLVED, the City Council of the City of Sonora determines as follows:

1. This resolution sets fee amounts for the purpose of funding traffic circulation facilities necessary to provide services to the population increases expected County-wide including the City through the year 2015. The payment of these fees is also necessary to comply with policies of the General Plan;

2. The fees will be used to finance Regional traffic circulation facilities identified in the aforementioned study;

3. Based on the updated study, and the public testimony at the hearings, future development in the City will generate additional demands for Regional traffic circulation facilities;

4. There is a reasonable relationship between the fee's use and the development projects on which the fee is imposed because the fee will be expended solely on Regional traffic circulation facilities that will provide services to the residents and employees occupying that development;

5. Continued growth and development without mitigating the cumulative impacts and providing for adequate roads is contrary to the expressed policies of the City of Sonora General Plan;

6. Continued growth and development without mitigation of impacts and without providing for adequate roads is also contrary to the general welfare of the citizens of the City of Sonora;

7. The County-wide Traffic Circulation System Model, Transportation Improvement Program, and Funding Strategy indicates that improvements are needed to the City's circulation system on a Regional basis. This study also demonstrates that a fair share of the funding for those improvements will have to come from fees charged to new development;

8. A reasonable relationship exists between the need for traffic facilities and the impacts caused by the type of development projects on which fees are imposed given that : a) trip generation tables sensitive to the variation in the amount of traffic generated by different types of developments were used in projecting

future year traffic loads on the road system; b) such traffic projections were used to determine circulation deficiencies; and c) the study's list of Regional traffic facility improvements was developed to mitigate identified circulation deficiencies;

9. A reasonable relationship exists between the amount of the fee and the cost of the Regional traffic facility improvements attributable to the development on which the fee is imposed, given that: a) the total cost of said improvements attributable solely to the new development was determined; b) said total cost was then divided by the projected increase in vehicle trips determined by the updated study to arrive at a cost per vehicle trip; c) the trip rates utilized to set the fee for the various uses and types of new development have been adjusted to consider pass by trips, diverted trips, trip length, peak hour impacts and other factors consistent with the computation of the projected increase in vehicle trips determined by the updated study.

10. The fee amount imposed on each project has a fair and reasonable relationship to that project's expected burden on, and benefit from, the Regional traffic circulation facilities to be funded by the fee;

11. The fees will be collected and deposited into a City Regional Road Fund from which funds may annually be appropriated to advance work towards the delivery of traffic facilities listed herein;

12. The City Council hereby adopts the list of Regional Traffic Facilities Improvements identified as Table 1 "County-wide Traffic Circulation Improvement Program", attached hereto as Exhibit A, as the list of projects eligible for the appropriation of traffic impact mitigation fee collected pursuant to this Resolution.

BE IT FURTHER RESOLVED that the amount of fees imposed on each type of project shall be the applicable sum computed by the Planning and Building Department based on the schedule attached hereto as Exhibit B and administered as follows:

1. THE FEE; the fee shall be applied to all structures, and in addition to such other improvements with the potential to generate traffic as determined by the Planning and Building Department. Where more than one use is included within any one building or on any single parcel, the fee shall be the sum total of the requirements for the various uses; provided, however, where the operation of these different uses is such that the operation of uses complement each other insofar as traffic generation is concerned, the Community Development Director may authorize a reduction in these fees.

2. CREDIT FOR CERTAIN IMPROVEMENTS: A credit against payment of the fee shall be granted based on the value of (1) transportation improvements, or (2) donation or dedication of land or facilities, which improvements, land or facilities are included in the County-wide Traffic Circulation Improvement Program, or directly reduce the costs of any improvement identified in that program. Transportation improvements are any improvements associated with a roadway widening, roadway extension, capacity improvement or traffic signal installation on the County-wide Traffic Circulation Improvement Program, and includes, grading, paving, curb and gutter, sidewalks, transit stops, median islands, channelization, interchanges, relocation of utilities, over crossings, sound walls, bridges, lighting, landscaping, right of way and mitigation of environmental impacts. The eligibility for and amount of credit shall be determined by the Community Development Director.

3. ALTERNATIVE TO REQUIRED FEES: No fee shall be imposed on a development project if (1) a traffic study, approved by the City Engineer and the Community Development Director has been completed which identifies and addresses the project's direct and cumulative impacts on traffic, and (2) all measures (including any improvements and monetary payments), identified in the study as necessary to mitigate traffic impacts, are implemented. The scope , form and content of said traffic study shall be pre-approved by the City Engineer and the Community Development Director.

4. AUTOMATIC ADJUSTMENT OF FEES: On July 1, of each year, the fee shall be automatically increased or decreased by the percentage increase or decrease in the San Francisco Consumer Price Index, All Items, all Urban Consumers, published by the U. S. Department of Labor, for the preceding 12 month period.

5. STATEMENT OF FEES: The Planning and Building Department shall issue or cause to be issued to the project applicant a written notice at the time of final approval which shall state the fee amount (including the automatic adjustment factor) and notification of the commencement of the protect period as required by Government Code 66020 (d) (1).

6. ADMINISTRATIVE FEE: An additional amount of 1% of the traffic mitigation fee is established for administration of the fee program. Said additional 1% shall be deposited in the City's General Fund account.

7. EXEMPTIONS TO TRAFFIC MITIGATION FEE: The following projects are exempt from a fee:

   A. Accessory buildings to residential development.

B. A facility owned by a "Public Agency" and built with public funds, or a facility leased to and occupied by a "Public Agency". This exemption does not apply to a project constructed on county owned or leased land unless it qualifies as provided herein.

C. Crisis Center providing free temporary services to individuals or families to assist them in responding to a physical, emotional, or family emergency.

D. State or Federal facilities exempt from local fees by law.

E. Homeless Shelter providing free temporary housing and ancillary services for one or more individuals or families who are otherwise homeless.

F. Medical clinic providing exclusively out patient medical services, and which is constructed exclusively with government funding.

G. Museum for the procurement, care or study of objects of historical or other lasting interest which also exhibits the objects for public viewing.

H. Nursing Home or Convalescent Home providing medical and ancillary care services for ill or injured persons who are unable to care for themselves, and which is constructed exclusively with government funding.

I. Park or recreational facility owned by Tuolumne County, or City, or a Special District which district is located within the City.

J. Public library where literary, musical, artistic or educational materials are maintained for public use, but not for sale.

K. Religious facility designed, constructed, intended and used primarily for conducting organized religious activities.

L. School providing one or more courses of study in any branch of knowledge, that is operated on a non-profit basis.

M. Youth recreational facility providing recreational opportunities for minors that is operated on a non-profit basis.

N. The substantially equivalent reconstruction, on the same parcel, of any development that was unintentionally damaged or destroyed; provided, and reconstruction which is not substantially equivalent (within the meaning of Government Code 66011), other than a single family

residential development project, shall be deemed to be a new development project and subject to the applicable fee for the excess portion.

O. The replacement, on the same parcel, of an existing development unless the development replaced had been unoccupied for 18 months or more.

P. The relocation on a different parcel, of any development without a net increase in size (except single family residential), provided the existing development, on the parcel from which the relocation occurs, is demolished within six months of the date of project commencement, or the ownership or possession of which has been transferred to the federal, state, county or city government.

Q. Buildings, structures, growing areas, and open space related to the production, raising, or storage of agricultural products and which do not include retail sales or an agricultural manufacturing or processing facility.

8. APPEALS: Any discretionary determinations of the Planning and Building Department as described above may be appealed to the Sonora City Council within ten (10) days of the Department's decision. Such appeal shall set forth in writing the reasons for the appeal and shall be submitted to the City Clerk. A copy of the appeal shall be sent to the Planning and Building Department and the City Administrator. The City Clerk shall schedule the matter for a public meeting before the City Council within thirty (30) days and send a notice to the appealing person at least ten (10) days before the meeting. Within, forty five (45) days of receipt of the appeal, the City Council shall approve, conditionally approve or deny the appeal.

IT IS FURTHER RESOLVED that the impact fee computed by the Planning and Building Department shall be paid to the Planning and Building Department by the applicant for a development project prior to the issuance of a building permit or other entitlement to construct a development, unless otherwise specified in a contract in accordance with Sonora Municipal Code 3.50.050 (B);

IT IS FURTHER RESOLVED that the payment of these fees does not exempt a development project from payment of additional fees or from additional exactions necessary to mitigate impacts not provided for by payment of the fees set forth herein;

IT IS FURTHER RESOLVED that the fee amount shall be reviewed on a yearly basis. The City Finance Director shall, sixty (60) days before the review date, provide to the Community Development Director a report of the traffic facilities paid for. The

Community Development Director shall report to the Council on these matters, whether a modification of the fee amount is recommended and if so what costs, traffic facility needs, or inflation factors support the proposed modification. If such a recommendation is made, the Community Development Director shall notify the City Clerk who shall set the matter or a public hearing and provide the notice set forth above. After a public hearing, the City Council may modify the fee amount.

IT IS FURTHER RESOLVED that for each separate account or fund established for these fees, the City Finance Director shall, within forty five (45) days of the close of each fiscal year, make available to the Community Development Director and to the public upon request, a report on the beginning and ending balances for the fiscal year and the fee, interest, and other income and the amount of each expenditure by traffic facility and the amount of refunds (if any) made during the fiscal year. The Community Development Director shall schedule this matter for review by the City Council within fifthteen (15) days of the availability of this information.

Passed and adopted as a resolution of the Sonora City Council at a regular meeting held on the 16th day of November, 1998 by the following vote:

AYES: Mayor Ronald Stearn, Mayor Pro-Tem Elizabeth Bass, and Councilmembers Claude Addison and Marlee Powell

NOES: None

ABSENT: Councilmember John Rucker

Dated: November 16, 1998

APPROVED AS TO FORM: _____
Richard Matranga, City Attorney

Ron Stearn 11-16-98 _____ 11/16/98
Ron Stearn, Mayor Date Marijane Cassinetto, City Clerk Date