INDEPENDENT TAXPAYER
OVERSIGHT COMMITTEE

May 12, 2010

AGENDA ITEM NO.: 3

Action Requested: ACCEPT

ANNUAL SUBMITTAL OF REGIONAL TRANSPORTATION
CONGESTION IMPROVEMENT PROGRAM FUNDING PROGRAMS
BY LOCAL JURISDICTIONS

File Number 1500100

Introduction

In accordance with the Regional Transportation Congestion Improvement Program (RTCIP) provisions in the TransNet Extension Ordinance (Attachment 1), local jurisdictions within the San Diego region were required to submit their initial RTCIP funding programs by April 1, 2008. The purpose of each jurisdiction’s funding program is to provide additional revenue to fund improvements to the Regional Arterial System necessitated by development of newly constructed residences. In 2008, all 18 cities and the County of San Diego submitted their initial RTCIP funding programs, and these were approved by the Board of Directors in April 2008 and were in place by July 1, 2008.

The TransNet Extension Ordinance further requires the submittal of the RTCIP funding programs to the ITOC on an annual basis by April 1. Failure by a local jurisdiction to submit its funding programs, results in a loss of eligibility to receive its TransNet local streets and roads funding for the upcoming fiscal year. All 19 local jurisdictions submitted their funding programs by the April 1, 2010, deadline, certifying in their correspondence that their RTCIP funding programs are still in place and include the necessary components to fulfill the TransNet Extension Ordinance requirements (Attachment 2). This will be verified as part of the annual fiscal and compliance audit process for the FY 2010.

Recommendation

The ITOC is asked to accept the RTCIP funding program submittals in accordance with the TransNet Extension Ordinance.

Attachments: 1. TransNet Extension Ordinance RTCIP Language
               2. Funding Program Submittals (from 19 jurisdictions)

Key Staff Contact: Kim Kawada, (619) 699-6994, kka@sandag.org
SECTION 9. REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM (RTCID):

A. New Development Exactions

Starting on July 1, 2008, each local agency in the San Diego region shall contribute $2,000 in exactions from the private sector for each newly constructed residential housing unit in that jurisdiction to the RTCIP. These exactions shall ensure future development contributes its proportional share of the funding needed to pay for the Regional Arterial System and related regional transportation facility improvements, as defined in San Diego Association of Governments’ (SANDAG’s) most recent, adopted Regional Transportation Plan. New residential housing units constructed for extremely low, very-low, low, and moderate income households, as defined in California Health and Safety Code Sections 50105, 50106, 50079.5 and 50093, will be exempted from the $2,000 per unit contribution requirement. The amount of contribution shall be increased annually, in an amount not to exceed the percentage increase set forth in the Engineering Construction Cost Index published by the Engineering News Record or similar cost of construction index. Each local agency shall establish an impact fee or other-revenue Funding Program by which it collects and funds its contribution to the RTCIP. Each local agency shall be responsible for establishing a procedure for providing its monetary contribution to the RTCIP. The RTCIP revenue will be used to construct improvements on the Regional Arterial System such as new or widened arterials, traffic signal coordination and other traffic improvements, freeway interchange and related freeway improvements, railroad grade separations, and improvements required for regional express bus and rail transit. This action is predicated on the desire to establish a uniform mitigation program that will mitigate the regional transportation impacts of new development on the Arterial system. While the RTCIP cannot and should not fund all necessary regional transportation network components and improvements, the RTCIP will establish a new revenue source that ensures future development will contribute its pro rata share towards addressing the impacts of new growth on regional transportation infrastructure.

B. Oversight, Audit and Funding Allocations

The Regional Transportation Congestion Improvement Program (RTCID) shall be overseen by SANDAG and implemented by each local agency, with the objective of developing a consolidated mitigation program for the San Diego region as a funding source for the Regional Arterial System. The RTCIP and each local agency’s Funding Program shall be subject to an annual review and audit to be carried out by the SANDAG and the Independent Taxpayers Oversight Committee, as defined in Section 11 of this Ordinance. Any local agency that does not provide its full monetary contribution required by Section 9(A) in a given fiscal year will not be eligible to receive funding for local streets and roads under section 4(D)(1) of the TransNet Ordinance for the immediately following fiscal year. Any funding not allocated under 4(D)(1) as a result of this requirement shall be reallocated to the remaining local agencies that are in compliance with this Section.

C. Implementation of the Regional Transportation Improvement Program (RTCID)

Provisions for implementation of the RTCIP are described in the document titled “TransNet Extension Regional Transportation Congestion Improvement Program,” which is hereby incorporated by reference as if fully set forth herein.
TransNet Extension
REGIONAL TRANSPORTATION
CONGESTION IMPROVEMENT PROGRAM

Providing new transportation services and facilities is an expensive undertaking. Not providing them, however, will result in a decreased quality of life due to significant increases in traffic congestion, degrading mobility throughout the San Diego region. As SANDAG’s Regional Transportation Plan explains, our challenge is especially critical for the Regional Arterial System, which is forecast to carry an increasingly significant amount of traffic volume. The SANDAG Board recognizes the need to establish a new Regional Transportation Congestion Improvement Program (RTCIP) that ensures future development will contribute its share toward funding and mitigating new traffic impacts on the Regional Arterial System.

A. Funding Program

1. Section 9 of the TransNet Ordinance requires that local jurisdictions establish a program or mechanism that provides $2,000 per new residential unit for the purpose of funding the Regional Arterial System, including SR 75. For purposes of the RTCIP, the Regional Arterial System is defined in SANDAG’s most recent and adopted Regional Transportation Plan. Each jurisdiction’s program or mechanism shall be known as a “Funding Program.” Local jurisdictions may choose to implement a Funding Program through a development impact fee program or other exactions from the private sector.

2. In the event a jurisdiction(s) chooses to establish a development impact fee program to meet its Funding Program requirements, said program shall be consistent with Government Code Section 66000 et seq.

3. SANDAG will be responsible for producing the required nexus study to satisfy the requirements of California Government Code Section 66000 et seq. for Funding Programs utilizing a development impact fee. The first draft of the regional nexus study shall be presented to the SANDAG Board within nine months of the successful reauthorization of TransNet.

4. In no case will non-residential development be subject to a development impact fee to meet the requirements of Section 9 of the TransNet Ordinance.

5. Each jurisdiction’s Funding Program shall be submitted for review by the Independent Taxpayer Oversight Committee (ITOC) referred to in Section 11 of the TransNet Ordinance prior to April 1, 2008, approved by Regional Transportation Commission by June 1, 2008 and shall become operative on July 1, 2008. Failure to submit a Funding Program for review by the ITOC by April 1 of any year beginning April 1, 2008 shall result in that jurisdiction losing eligibility to receive funding for local streets and roads under Section 4(D)(1) of the Ordinance until July 1 of the following year.
B. Purpose

1. The purpose of each jurisdiction’s Funding Program is to provide additional revenue to fund those facility and service improvements on the Regional Arterial System necessitated by development of newly constructed residences.

C. Fee Adjustment

1. The fee amount per residential unit shall be adjusted by SANDAG on July 1 of each year beginning July 1, 2009 based upon the Engineering Construction Cost Index as published by the Engineering News Record or similar cost of construction index.

2. Any increase shall not exceed the percentage increase set forth in the construction index. In no event, however, shall the increase be less than two percent per year. The purpose of this annual adjustment is to retain purchasing power in anticipation of future inflation.

D. Expenditure of Funding Program Revenues

1. Revenues collected under Section 9 of the TransNet Ordinance shall be deposited into each jurisdiction’s Funding Program for use on the Regional Arterial System as described in this Subsection D.

2. Revenue collected through the Funding Programs shall be used to construct transportation improvements on the Regional Arterial System such as new arterial roadway lanes, turning lanes, reconfigured freeway-arterial interchanges, railroad grade separations and new regional express bus services, or similar types of improvements, preliminary and final engineering, right of way acquisition, and construction that will be needed to accommodate future travel demand generated by new development throughout the San Diego region. A reasonable portion of the program revenue, up to a maximum of three percent, may be used for fund administration.

3. Expenditure of the Funding Program revenues shall be in a manner consistent with the expenditure priorities in SANDAG’s most recent and adopted long-range Regional Transportation Plan and with Section 5 of the TransNet Ordinance. To maximize the effective use of these Funding Program revenues, they may be transferred, loaned, or exchanged in accordance with the requirements of Section 7 of the TransNet Ordinance.

E. Exemptions

The following development types shall be exempt from the Funding Program requirements:

1. New moderate, low, very low, and extremely low income residential units as defined in Health & Safety Code sections 50079.5, 50093, 50105, 50106, and by reference in Government Code section 65585.1.
2. Government/public buildings, public schools and public facilities.

3. The rehabilitation and/or reconstruction of any legal, residential structure and/or the replacement of a previously existing dwelling unit.

4. All new, rehabilitated, and/or reconstructed non-residential structures.

5. Development Projects which are the subject of a Public Facilities Development Agreements (pursuant to applicable Government Code Sections) prior to the effective date of this ordinance, wherein the imposition of new fees are expressly prohibited, provided, however that, if the term of such a Development Agreement is extended after July 1, 2008, the requirements of this funding program shall be imposed.

6. Guest Dwellings

7. Additional residential units located on the same parcel regulated by the provisions of any agricultural zoning.

8. Kennels and Catteries established in conjunction with an existing residential unit.

9. The sanctuary building of a church, mosque, synagogue, or other house of worship, eligible for property tax exemption.

10. Residential units that have been issued a building permit prior to July 1, 2008.

11. Condominium conversions

F. Credits

1. If a developer funds or constructs improvements on the Regional Arterial System and/or as that arise out of SANDAG’s Congestion Management Program, the developer shall receive credit for the costs associated with the arterial improvements, offsetting the revenue requirements of the Funding Program. Such credits shall only apply to the Funding Program for the jurisdiction in which the residential unit was developed.

2. In special circumstances, when a developer constructs off-site improvements such as an interchange, bridge, or railroad grade separation, credits shall be determined by the local jurisdiction in consultation with the developer.

3. The amount of the credit shall not exceed the revenue requirements of the most current Funding Program or actual cost, whichever is less.

4. The local jurisdictions shall compare facilities in their Funding Program, against the Regional Arterial System and eliminate any overlap in its Funding Program except where there is a legally recognized benefit district established.
5. If there is a legally recognized benefit district established, the local agency may credit that portion of the facility identified in both programs against its Funding Program.

G. Procedures for the Levy, Collection and Disposition of Funding Program Revenues

1. Each jurisdiction shall establish and implement a procedure to levy and collect its required contribution to the RTCIP in its Funding Program document.

2. Each jurisdiction shall determine its own schedule for collecting and/or contributing private sector exactions to its Funding Program. This schedule shall be kept up-to-date and provided to SANDAG and the Independent Taxpayers Oversight Committee each year at the time of the annual review and audit. Each jurisdiction must submit its Funding Program documents, including an expenditure plan and financial records pertaining to its Funding Program, to the Independent Taxpayer Oversight Committee for a review and audit by July 1 of each year beginning July 1, 2009. The Taxpayer Independent Oversight Committee shall review each jurisdiction’s Funding Program consistent with its auditing role as described in Section 11 of the Ordinance and the Statement of Understanding referenced in that Section.

3. Funding Program revenue requirements shall not be waived.

4. Each jurisdiction shall have up to but no more than seven fiscal years to expend Funding Program revenues on the Regional Arterial Systems projects. The seven year term shall commence on the first day of July following the jurisdiction’s receipt of the revenue. At the time of the review and audit by the Independent Taxpayer Oversight Committee, each jurisdiction collecting a development impact fee to meet the requirements of its Funding Program shall provide the Committee with written findings for any expended, unexpended and uncommitted fees in their Program Fund and demonstrates a reasonable relationship between the fee and the purpose for which it was charged, consistent with the requirements of Government Code Section 66000 et seq. Unless a planned need for such fees can be demonstrated and a justification for the delay can be provided that is acceptable to the Taxpayer Independent Oversight Committee, the unexpended or uncommitted portion of the Funding Program revenues shall be transferred to the Regional Transportation Commission (SANDAG) to be expended within three years on qualified projects within the same subregion. Contributions to the Funding Program not committed or expended by the tenth anniversary date of the July 1 following collection shall be refunded to the current record owner of the development project on a prorated basis. In no case will a refund be more than was initially contributed to the Funding Program.

5. The Independent Taxpayers Oversight Committee identified in Section 11 of the Ordinance shall be responsible for issuing an annual audit statement on each jurisdiction’s compliance with requirements of Section 9 of the TransNet Ordinance by October 1 of each year beginning October 1, 2009. SANDAG will report to the Board on the RTCIP and the annual audit statement in November of each year beginning in November 2009.
March 8, 2010

Hamid Bahadori, Chair  
TransNet Independent Taxpayer Oversight Committee  
c/o San Diego Association of Governments  
401 B Street, Suite 800  
San Diego, CA 92101

REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM - FUNDING PROGRAM

Dear Mr. Bahadori:

The City of Carlsbad submitted a funding program to the TransNet Independent Taxpayer Oversight Committee (ITOC) on March 26, 2008 in accordance with the Regional Transportation Congestion Improvement Program (RCTIP) requirements contained within the TransNet Extension Ordinance. The City of Carlsbad Traffic Impact Fee (TIF) was increased 2% for fiscal year 2008/09 in accordance with the City of Carlsbad Municipal Code section associated with the TIF program. The fee adjustment component of the TIF program was designed to mimic the inflation factor in the RTCIP to ensure that the fees collected would enable the City to satisfy the RTCIP contribution requirements on an ongoing basis.

In accordance with the reporting requirements of the Ordinance, this letter confirms that the approved program as submitted to you in 2008 is still in effect and has not materially changed.

Should you have any questions regarding our RTCIP funding program, please contact Marshall Plantz, Senior Civil Engineer, at (760) 602-2766.

[Signature]

CONRAD HAMMANN, P.E.  
Transportation Director

c: Finance Director  
Senior Civil Engineer, Transportation Department/Planning and Programs
February 12, 2010

Hamid Bahadori, Chair
*TransNet* Independent Taxpayer Oversight Committee
c/o San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Bahadori:

The City of Chula Vista submitted a funding program to the *TransNet* Independent Taxpayer Oversight Committee (ITOC) prior to April 1, 2008, in accordance with the Regional Transportation Congestion Improvement Program (RTCIP) requirements contained within the *TransNet* Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you last year is still in effect and has not materially changed.

Should you have any questions regarding our RTCIP funding program, please contact Frank Rivora, Principal Civil Engineer, at (619) 691-5045.

Sincerely,

[Signature]

R. A. Hopkins
Director of Public Works/City Engineer
March 30, 2010

Hamid Bahadori, Chair
TransNet Independent Taxpayer Oversight Committee
c/o San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Bahadori:

The City of Coronado submitted a funding program to the TransNet Independent Taxpayer Oversight Committee (ITOC) on March 18, 2008 in accordance with the Regional Transportation Congestion Improvement Program (RCTIP) requirements contained within the TransNet Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you last year is still in effect and has not materially changed.

Should you have any questions regarding our RTCIP funding program, please contact Ed Walton at 522-7385.

Sincerely,

Ed Walton
Director

cc: Rachel Hurst, Director of Community Development
April 1, 2010

Hamid Bahadori, Chair
TransNet Independent Taxpayer Oversight Committee
c/o San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Bahadori:

The City of Del Mar submitted a funding program to the TransNet Independent Taxpayer Oversight Committee (ITOC) on March 25, 2008 in accordance with the Regional Transportation Congestion Improvement Program (RCTIP) requirements contained within the TransNet Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you last year is still in effect and has not materially changed.

Should you have any questions regarding our RTCIP funding program, please contact Brian Mooney at (858) 755-9313.

Sincerely,

Brian F. Mooney, AICP
Interim Planning and Community Development Director
March 17, 2010

Hamid Bahadori, Chair
TransNet Independent Taxpayer Oversight Committee
c/o San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Bahadori:

The City of El Cajon submitted a funding program to the TransNet Independent Taxpayer Oversight Committee (ITOC) on April 9, 2008 in accordance with the Regional Transportation Congestion Improvement Program (RTCIP) requirements contained within the TransNet Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you last year is still in effect and has not materially changed.

Should you have any questions regarding our RTCIP funding program, please contact Mario Sanchez of my staff at (619) 441-1651

Sincerely,

Rob Turner
Deputy City Manager/ Director of Public Works/ City Engineer
February 15, 2010

Hamid Bahadori, Chair
TransNet Independent Taxpayer Oversight Committee
c/o San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Bahadori:

The City of Encinitas submitted a funding program to the TransNet Independent Oversight Committee (ITOC) on March 27, 2008 in accordance with the Regional Transportation Congestion Improvement Program (RCTIP) requirements contained within the TransNet Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you in 2008 is still in effect and has not materially changed.

Should you have any questions regarding our RTCIP funding program, please contact Jennifer Smith, Director of Finance at (760) 633-2772.

Sincerely,

Phil Cotton
City Manager
April 1, 2010

Hamid Bahadori, Chair  
TransNet Independent Taxpayer Oversight Committee  
c/o San Diego Association of Governments  
401 B Street, Suite 800  
San Diego, CA 92101  

Dear Mr. Bahadori:

The City of Escondido submitted a funding program to the TransNet Independent Taxpayer Oversight Committee (ITOC) on March 26, 2008 in accordance with the Regional Transportation Congestion Improvement Program (RCTIP) requirements contained within the TransNet Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you last year is still in effect and has not materially changed.

Should you have any questions regarding our RTCIP funding program, I may be reached at 760-839-4001 or rzaino@escondido.org.

Sincerely,

[Signature]

Robert J. Zaino, P.E.  
Deputy Director of Engineering Services

Cc: Edward Domingue  
Fred Luedtke
March 15, 2010

Hamid Bahadori, Chair
TransNet Independent Taxpayer Oversight Committee
c/o San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Bahadori:

The City of Imperial Beach submitted a funding program to the TransNet Independent Taxpayer Oversight Committee (ITOC) on March 27, 2008 in accordance with the Regional Transportation Congestion Improvement Program (RTCIP) requirements contained within the TransNet Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you last year is still in effect and has not material changed.

Should you have any questions regarding our RTCIP funding program, please contact Hank Levien, Public Works Director at telephone no. 619-628-1369 or via e-mail at hlevien@cityofib.org.

Sincerely,

[Signature]
Gary Brown
City Manager
HAL

cc: Public Works Director
    Finance Director
    Community Development Director
February 8, 2010

Hamid Bahadori, Chair  
TransNet Independent Taxpayer Oversight Committee  
c/o San Diego Association of Governments  
401 B Street, Suite 800  
San Diego, CA  92101

Dear Mr. Bahadori:

The City of La Mesa submitted a funding program to the TransNet Independent Taxpayer Oversight Committee (ITOC) on April 28, 2008 in accordance with the Regional Transportation Congestion Improvement Program (RCTIP) requirements contained within the TransNet Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you last year is still in effect and has not materially changed.

Should you have any questions regarding our RTCIP funding program, please contact Dann E. Marquardt at 619-667-1337.

Sincerely,

[Signature]

Gregory P. Humora  
Director of Public Works/City Engineer

CC: 0150-40
RESOLUTION NO. 2010-___

RESOLUTION ADOPTING THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) ANNUAL FEE UPDATE TO THE REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM (RTCIP) DEVELOPMENT IMPACT FEE TO COMPLY WITH THE REQUIREMENTS OF SANDAG COMMISSION ORDINANCE 04-01 AND THE TRANSNET EXTENSION ORDINANCE AND EXPENDITURE PLAN

WHEREAS, SANDAG Commission Ordinance 04-01 and TransNet Extension Ordinance and Expenditure Plan requires that each local agency in San Diego County contribute exactions from the private sector to the Regional Transportation Congestion Improvement Program (RTCIP) for each newly constructed residential housing unit;

WHEREAS, SANDAG commissioned a RTCIP Impact Fee Nexus Study to assist local agencies in complying with the legal requirements governing development impact fees in California;

WHEREAS, Ordinance No. 2008-2791 establishes a residential traffic impact mitigation fee program in compliance with the requirements of SANDAG Commission Ordinance 04-01, the TransNet Extension Ordinance and Expenditure Plan and the RTCIP Impact Fee Nexus Study;

WHEREAS, Resolution No. 2009-063 sets the residential traffic impact mitigation fee at two thousand sixty dollars ($2,060), inclusive of a 1% administrative fee, for newly constructed residential housing units, in compliance with the SANDAG RTCIP Fee Nexus Study;

WHEREAS, SANDAG Commission Ordinance 04-01 requires that the amount of contribution shall be increased annually in an amount not to exceed the percentage increase set forth in the Engineering Construction Cost Index published by the Engineering News Record;

WHEREAS, SANDAG has set the rate increase for the new residential traffic impact mitigation fee at 2%, as approved by their Board of Directors on February 26, 2010: and

NOW, THEREFORE, the City Council of the City of La Mesa, California does hereby resolve as follows:

SECTION 1. Pursuant to Ordinance No. 2008-2791, the amount of the traffic mitigation impact fee shall be two-thousand one hundred and two dollars ($2,102), inclusive of a 1% administrative fee, per residential unit.

SECTION 2. An administrative fee in an amount of 1 percent of the required exaction pursuant to Section 1 of this Resolution shall be paid to the City to be submitted to SANDAG for the costs of the administration of the San Diego County Regional Transportation Commission Act.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California, held the 23rd day of March 2010, by the following vote to wit:

AYES:
NOES:

ABSENT:

CERTIFICATE OF CITY CLERK

I, MARY J. KENNEDY, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2010-_______, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.

MARY J. KENNEDY, CMC, CITY CLERK,

(SEAL OF CITY)
March 17, 2010

Hamid Bahadori, Chair
TransNet Independent Taxpayer Oversight Committee
c/o San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Bahadori:

The City of Lemon Grove submitted a funding program to the TransNet Independent Taxpayer Oversight Committee (ITOC) on April 15, 2008 in accordance with the Regional Transportation Congestion Improvement Program (RCTIP) requirements contained within the TransNet Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you last year is still in effect and has not materially changed.

Should you have any questions regarding our RTCIP funding program, please contact Patrick A. Lund at 619-825-3810.

Sincerely,

Graham Mitchell
City Manager
March 23, 2010

Hamid Bahadori, Chair
TransNet Independent Taxpayer Oversight Committee
c/o San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Bahadori:

The City of National City submitted a funding program to the TransNet Independent Taxpayer Oversight Committee (ITOC) on March 26, 2008 in accordance with the Regional Transportation Congestion Improvement Program (RCTIP) requirements contained within the TransNet Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you is still in effect and has not materially changed.

Should you have any questions regarding our RTCIP funding program, please contact Stephen Manganiello, Traffic Engineer at 619-336-4382.

Sincerely,

Maryam Babaki, P.E.
City Engineer

cc: Kim Kawada, TransNet and Legislative Affairs Program Director
Jeanette Ladrado, City Finance Director
March 16, 2010

Hamid Bahadori, Chair
TransNet Independent Taxpayer Oversight Committee
c/o San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Bahadori:

The City of Oceanside submitted a funding program to the TransNet Independent Taxpayer Oversight Committee (ITOOC) on March 31, 2008 and again on March 24, 2009, in accordance with the Regional Transportation Congestion Improvement Program (RCTIP) requirements contained within the TransNet Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you last year is still in effect and has not materially changed.

Should you have any questions regarding our RCTIP funding program, please contact me at gkellison@ci.oceanside.ca.us or at 760-435-5112.

Gary Kellison
Senior Civil Engineer

cc: Scott Smith, City Engineer
Hand-Delivered by Zoubir Ouadah

February 10, 2010

Hamid Bahadori, Chair  
TransNet Independent Taxpayer Oversight Committee  
c/o San Diego Association of Governments  
401 B Street, Suite 800  
San Diego, CA 92101

Dear Mr. Bahadori:

The City of Poway submitted a funding program to the TransNet Independent Taxpayer Oversight Committee (ITOC) on April 2, 2008, in accordance with the Regional Transportation Conestion Improvement Program (RTCIP) requirements contained within the TransNet Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you two years ago year is still in effect and has not materially changed.

Should you have any questions regarding our RTCIP funding program, please contact Zoubir Ouadah, Senior Traffic Engineer, at (619) 660-4040 or 668-4668, or via email at zouadah@poway.org.

Sincerely,

DEVELOPMENT SERVICES DEPARTMENT

Robert J. Mann
Director of Development Services

c: Peter Moote, Assistant Director of Administrative Services  
    Frank Castileno, City Engineer  
    Steve Crosby, Principal Civil Engineer  
    Zoubir Ouadah, Senior Traffic Engineer  
    Pam Gravel, Senior Management Analyst
March 1, 2010

John Meyer, Chair
TransNet Independent Taxpayer Oversight Committee
c/o San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Meyer:

The City of San Diego submitted a funding program to the TransNet Independent Taxpayer Oversight Committee (ITOC) on March 20, 2009 in accordance with the Regional Transportation Congestion Improvement Program (RCTIP) requirements contained within the TransNet Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you last year is still in effect, and we have enclosed documentation regarding changes made to the program, specifically Council Resolution R-304831 approving a 2% increase to the RTCIP fees for fiscal year 2010.

Should you have any questions regarding our RTCIP funding program, please contact Megan Sheffield at 619-533-3672 or Pam Bernasconi at 619-3677.

Sincerely,

[Signature]

William Anderson, FAICP
City Planning & Community Investment Director

Enclosed: Council Resolution R-304831

cc: Megan Sheffield, Facilities Financing Program
RESOLUTION NUMBER R-304831
DATE OF FINAL PASSAGE APR 28 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ADOPTING AN ANNUAL TWO PERCENT INCREASE TO THE REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM DEVELOPMENT IMPACT FEES.

WHEREAS, in November 2004, voters approved Proposition A to extend the TransNet half-cent sales tax for transportation projects through 2048; and

WHEREAS, the passage of Proposition A resulted in the establishment of the Regional Transportation Congestion Improvement Program; and

WHEREAS, on April 15, 2008, the City Council adopted Resolution No. R-303554 thereby approving and adopting the City’s Regional Transportation Congestion Improvement Program [RTCIP], including the associated nexus study and development impact fees;

WHEREAS, the purpose of the RTCIP is to ensure new development directly invests in the region’s transportation system to offset the negative impact of growth on congestion and mobility; and

WHEREAS, the RTCIP provides for the collection of a development impact fee per new dwelling unit to ensure future development contributes its proportional share of the funding needed to pay for the Regional Arterial Systems [RAS] and related transportation facility improvements, as identified and defined in SANDAG’s most recently adopted Regional Transportation Plan [RTP]; and

WHEREAS, the City must take annual administrative action to ensure compliance with the TransNet Ordinance, including annual increases to the associated development impact fee; and

-PAGE 1 OF 5-
WHEREAS, the City Council has reviewed and considered the “RTCIP Impact Fee Nexus Study-Final Report,” dated November 26, 2007 [Nexus Study] and the SANDAG Board of Directors March 27, 2009, Agenda Item No. 09-03-13 [SANDAG Analysis] included the Report to the City Council No. 08-049, a copy of which is on file in the Office of the City Clerk as Document No. 304831, and

WHEREAS, based on the SANDAG Analysis of construction cost trends over the past year, the appropriate annual fee adjustment for Fiscal Year 2010 is two percent (2%), resulting in an RTCIP DIF increase per multi-family unit from $1,865 to $1,902 and per single family unit from $2,331 to $2,378; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego:

1. That above recitals are true, correct, and incorporated by reference herein.

2. That, in accordance with Mitigation Fee Act as set forth in California Government Code section 66000, et seq., it finds as follows:

   (a) The purpose of the RTCIP DIF as fully stated in the SANDAG policy and expressed in the TransNet Extension Ordinance and Expenditure Plan (Commission Ordinance 04-01) is that new development shall contribute towards the RAS through the RTCIP. The purpose of the RTCIP DIF is to implement this policy. The RTCIP DIF advances the public interest by enabling SANDAG to fund improvements to transportation infrastructure required to accommodate new development as more fully set forth in the Nexus Study.

   (b) That the RTCIP DIF’s shall be used to fund expanded facilities on the RAS to serve new development, including: roadway widening; roadway extension; traffic signal coordination and other traffic improvements; freeway interchanges and related freeway
improvements; railroad grade separations; and improvements required for regional express bus
and rail transit as more fully set forth in the Nexus Study.

(c) That the Nexus Study further establishes a reasonable relationship
between the RTCIP DIF's use and the type of development project on which the RTCIP DIF is
imposed.

(d) That the City of San Diego will restrict the RTCIP DIF revenues to capital
projects that expand capacity on the RAS to serve new development; that improvements funded
by the RTCIP DIF will expand a region-wide arterial system accessible to the additional
residents associated with new developments; and that SANDAG determined the planned projects
identified in the Nexus Study will expand the capacity of the RAS to accommodate the increased
trips generated by new development; thus there is a reasonable relationship between the use of
the fee revenues and the residential types of new development that will pay the fee.

(e) That the Nexus Study further establishes a reasonable relationship
between the need for the RAS and related transportation facility improvements (as defined in the
RTP) and the type of development project on which the RTCIP DIF is imposed.

(f) That new dwelling units are indicators of the demand for transportation
improvements needed to accommodate growth; that as additional dwelling units are created, the
occupants of these structures generate additional vehicle trips and place additional burdens on
the transportation system; that the need for the RTCIP DIF is based on SANDAG transportation
model projections of growth that show an increase in vehicle hours of delay on the RAS
primarily as a result of new development even with planned improvements to that system; thus
providing a reasonable relationship between the residential development and the need for
improvements.
(g) That the Nexus Study further establishes a reasonable relationship between the amount of the RTCIP DIF and the cost of the RAS and related transportation facility improvements (as defined in the RTP) attributable to the development on which the RTCIP DIF is imposed.

(h) That the reasonable relationship between the RTCIP DIF for residential development and the cost of the facilities attributable to that development is based on the estimated vehicle trips the development will add to the RAS; and that the fee for a residential development is based on the number and type of new dwelling units; thus, the RTCIP DIF schedule ensures a reasonable relationship between the RTCIP DIF for residential development and the cost of the RAS improvements facilities attributable to that development.

(i) A two percent (2%) increase to the current RTCIP DIF is appropriate based on the SANDAG Analysis.

(3) That it approves and adopts a two percent (2%) increase to the current RTCIP DIF resulting in an RTCIP DIF increase per multi-family unit from $1,865 to $1,902 and per single family unit from $2,331 to $2,378, effective July 1, 2009.

BE IT FURTHER RESOLVED, that this activity is not subject to CEQA pursuant to State Guidelines Section 15060(c)(3).

APPROVED: JAN I. GOLDSMITH, City Attorney

By

Jana L. Garmo
Deputy City Attorney

JLG:cfq
04/15/09
Or.Dept:Facilities Financing/ mms#8624

-PAGE 4 OF 5-
I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of __APR 27 2009__.

Approved: __4-29-09__
(date)

Vetoed: ____________
(date)

ELIZABETH S. MALAND
City Clerk

By ______________
Deputy City Clerk

JERRY SANDERS, Mayor

JERRY SANDERS, Mayor
February 10, 2010

Hamid Bahadori, Chair
TransNet Independent Taxpayer Oversight Committee
c/o San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Bahadori:

The City of San Marcos Public Facilities Financing (PFF) Plan is consistent with the Regional Transportation Congestion Improvement Program (RTCIP) requirements contained within the TransNet Extension Ordinance and was submitted to the TransNet Independent Taxpayer Oversight Committee (ITOC) on March 26, 2008 and later approved by the Board of Directors on April 25, 2008. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted is still in effect and has not materially changed.

Should you have any questions regarding our RTCIP funding program, please contact me at (760) 744-1050 ext. 3235.

Sincerely,

Mike Edwards
City Engineer

Cc: Paul Vo, Principal Engineer; Liliane Serio, Finance Director; Alicia Brenner, Administrative Analyst
March 15, 2010

Hamid Bahadori, Chair
TransNet Independent Taxpayer Oversight Committee
c/o San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Bahadori:

The City of Santee submitted a funding program to the TransNet Independent Taxpayer Oversight Committee (ITO) in May 2000 in accordance with the Regional Transportation Congestion Improvement Program (RCTIP) requirements contained within the TransNet Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you in May 2008 is still in effect and has not materially changed. A copy of the Council agenda dated April 23, 2008, approving the funding program is enclosed.

Should you have any questions regarding our RTCIP funding program, please contact me at 619-258-4100 extension 167 or at POrho@ci.santee.ca.us.

Sincerely,

Pedro Orso-Delgado
Director of Development Services

Cc: Tim McDermott, Santee Director of Finance
    Carl Schmitz, Santee Principal Civil Engineer
    Minjie Mei, Santee Principal Traffic Engineer

Enclosure
RESOLUTION TO ADOPT THE RTCIP MITIGATION FEE PURSUANT TO SECTION 16.26.050 OF THE SANTEE MUNICIPAL CODE.

Gary Halbert/Development Services

SUMMARY
This item requests City Council adopt the attached resolution establishing the fee rate for the RTCIP Mitigation Fee and adjusting the Traffic Mitigation Fee rate for single and multi-family residential pursuant to Section 16.26.050 of the Santee Municipal Code.

A staff report detailing the fee methodology is attached for City Council’s consideration.

ENVIRONMENTAL REVIEW
Adoption of the resolution is exempt from review under the California Environmental Quality Act (“CEQA”) pursuant to California Public Resources Code sections 21080(a) and 21080(b)(13) and California Code of Regulations, Title 14, Chapter 3 (“CEQA Guidelines”) sections 15002(i), 15357 and 15276.

FINANCIAL STATEMENT
The resolution will establish a new development impact fee that will be used to fund Regional Arterial improvements within the City.

RECOMMENDATION
1. Conduct and close the Public Hearing.
2. Find the resolution Exempt form CEQA based on the findings stated above.
3. Adopt the resolution as recommended by staff.

ATTACHMENTS (Listed Below)
Staff Report
Resolution
To simplify the accounting process and the annual reporting requirements under TransNet, staff is recommending the adoption of a RTCIP Mitigation Fee separate from the City’s Traffic Mitigation Fee. The RTCIP fee would go toward construction of improvements needed for the Regional Arterial System as defined by SANDAG. Arterials in the City of Santee that are in the Regional Arterial System include:

Mission Gorge Road between the west City limit and Magnolia Avenue
Woodside Avenue between Magnolia Avenue and SR 67
Mast Boulevard between SR 52 and Magnolia Avenue
Cuyamaca Street between Mission Gorge Road and the south City limit
Magnolia Avenue between Mast Boulevard and Prospect Avenue

To ensure development is not overcharged, we are recommending a proportional reduction in the Traffic Mitigation Fee for residential units for that portion of the fee attributable to regional arterial improvements. The current Traffic Mitigation Fee program identifies $130,913,109 in traffic improvements proposed City wide.

Of the projects identified, the following are regional arterial improvements with the exception of Mast Boulevard widening which has not been incorporated into the regional arterial system pending completion of SR 52. This connection provides an important east-west connection to Lakeside and would be considered a parallel capacity project. Staff has a high degree of confidence this improvement will be included into the regional system so it is included herewith for determining the fee adjustment amount:

**Widening Improvements**

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Magnolia Ave - Mission Gorge Rd to Chubb Lane</td>
<td>$3,395,300</td>
</tr>
<tr>
<td>Mast Blvd – Los Ranchitos Rd. to eastern City limit</td>
<td>$3,601,800</td>
</tr>
<tr>
<td>Mission Gorge Rd – Carlton Hills to SR 125</td>
<td>$9,447,309</td>
</tr>
</tbody>
</table>

**Intersection Improvements**

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Magnolia Avenue/Mission Gorge</td>
<td>$3,309,200</td>
</tr>
<tr>
<td>Magnolia Avenue/Prospect Avenue</td>
<td>$338,000</td>
</tr>
<tr>
<td>Mission Gorge/Cottonwood</td>
<td>$335,600</td>
</tr>
<tr>
<td>Mission Gorge/Cuyamaca</td>
<td>$382,000</td>
</tr>
<tr>
<td>Mission Gorge/Fanita</td>
<td>$338,100</td>
</tr>
</tbody>
</table>
Median Improvements

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Magnolia Ave – Chubb Ln to Braverman Dr</td>
<td>$ 1,200,000</td>
</tr>
<tr>
<td>Mast Blvd – Fanita Pkwy to Carlton Hills</td>
<td>$ 1,100,000</td>
</tr>
<tr>
<td>Mast Blvd – Cuyamaca St to Magnolia Ave</td>
<td>$ 983,000</td>
</tr>
<tr>
<td>Mission Gorge Rd – Riverview Pkwy to Magnolia</td>
<td>$ 1,857,000</td>
</tr>
<tr>
<td>Woodside Ave – Magnolia Ave to SR 67</td>
<td>$ 1,311,000</td>
</tr>
<tr>
<td>Mast Blvd – median enhancements</td>
<td>$ 1,250,000</td>
</tr>
</tbody>
</table>

TOTAL = $ 28,848,309

The Regional Arterial System improvements represent twenty-two percent (22%) of the total program costs.

Reducing the existing Traffic Mitigation Fee for single family residential and multi-family residential by 22% yields a new fee rate for single family residential of $2,857/unit and for multi-family residential $1,787/unit.

The RTCIP Mitigation Fee is recommended at $2,000/residential unit as determined in the SANDAG nexus study. The fee proposed by the nexus study is the same for single family and multi-family residential.

Staff recommends City Council adopt the new fee rates as identified above. The attached resolution reflects staff recommendation and the new fee rates.
March 1, 2010

Hamid Bahadori, Chair  
TransNet Independent Taxpayer Oversight Committee  
c/o San Diego Association of Governments  
401 B Street, Suite 800  
San Diego, CA 92101

Dear Mr. Bahadori:

On April 23, 2008, the Solana Beach City Council approved a funding program in accordance with the Regional Transportation Congestion Improvement Program (RCTIP) requirements contained within the TransNet Extension Ordinance. This funding program was forwarded to the San Diego Association of Governments (SANDAG) later that same month. In accordance with the reporting requirements of the Ordinance, this letter confirms that the program approved and submitted in 2008 is still in effect and has not materially changed.

Should you have any questions regarding our RTCIP funding program, please contact either myself or Dan Goldberg at (858) 720-2470.

Sincerely,

[Signature]

Mohammad Sammak  
Public Works Director/City Engineer

c. City Manager  
Finance Director
February 11, 2010

Hamid Bahadori, Chair  
*TransNet* Independent Taxpayer Oversight Committee  
c/o San Diego Association of Governments  
401 B Street, Suite 800  
San Diego, CA 92101

Dear Mr. Bahadori:

The City of Vista submitted a funding program to the *TransNet* Independent Taxpayer Oversight Committee (ITOC) in April, 2008, in accordance with the Regional Transportation Congestion Improvoment Program (RCTIP) requirements contained within the *TransNet* Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and previously submitted to you is still in effect and has not materially changed.

For clarification, the program that Vista adopted includes the collection of regional traffic fees for both residential and commercial development and, therefore, far exceeds the minimum payment of $2,000 per residential unit. The program also includes an annual fee escalator equivalent to the Engineering News Report (ENR) Construction Cost Index for Los Angeles. Considering the fee structure used by Vista and the annual adjustment, Vista will continue to collect regional traffic fees that exceed a two percent annual increase per SANDAG’s fee adjustment clause in the *TransNet* extension ordinance.

Should you have any questions regarding our RTCIP funding program, please contact me at (760) 639-6100.

Sincerely,

[Signature]

John Conley  
Community Development Director

C: Rita Geldert, City Manager  
Larry Pierce, Director of Engineering  
Dale Nielsen, Finance Manager  
Charles "Muggs" Stoll, SANDAG
March 29, 2010

Hamid Bahadori, Chair
TransNet Independent Taxpayer Oversight Committee
c/o San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101

Dear Mr. Bahadori:

The County of San Diego submitted a funding program to the TransNet Independent Taxpayer Oversight Committee (ITOC) on January 30, 2008 in accordance with the Regional Transportation Congestion Improvement Program (RTCIP) requirements contained within the TransNet Extension Ordinance. In accordance with the reporting requirements of the Ordinance, this is to confirm that the program approved and submitted to you last year is still in effect and has not materially changed. We have enclosed documentation regarding the change made to the program by our Board of Supervisors to escalate the amount collected per residential unit as required by the Ordinance each year.

Should you have any questions regarding our RTCIP funding program, please contact please contact Terry Rayback, LUEG Program Manager at (858) 694-2622, or e-mail Terrence.Rayback@sdcounty.ca.gov.

Sincerely,

MOHAMAD K. FAHKRRIDDINE, Deputy Director

Enclosure(s)

cc: Terry Rayback, LUEG Program Manager, DPW
    Orelia DeBraal, CIP Program Coordinator, DPW
    Amparo Suter, Financial Services Manager, DPW

Kids • The Environment • Safe and Livable Communities
COUNTY OF SAN DIEGO
BOARD OF SUPERVISORS
WEDNESDAY, MARCH 24, 2010

MINUTE ORDER NO. 13

SUBJECT: ADOPT ANNUAL RESOLUTION AMENDING FUNDING PROGRAM FOR REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM (DISTRICTS: ALL)

OVERVIEW:
On November 2, 2004, San Diego County voters approved a 40-year extension to the TransNet funding program. San Diego Association of Governments (SANDAG) administers this major transportation funding program. Section 9 of the TransNet Extension Ordinance required the County to exact, starting on July 1, 2008, $2,000 from new developments for each constructed residential unit in unincorporated San Diego County to fund the Regional Transportation Congestion Improvement Program (RTCIP).

The TransNet Extension Ordinance requires annual adjustments, starting July 1, 2009. As required by SANDAG, on February 25, 2009 (4), your Board adopted a resolution making the first annual adjustment to $2,040. On February 26, 2010, SANDAG Board of Directors approved a two percent increase to the exaction amount, which will be effective July 1, 2010. This is a request to adopt a resolution to increase the exaction amount to $2,081 that will be collected to satisfy the SANDAG requirement. No new County fee or fee increase associated with this adjustment is necessary because the existing County Transportation Impact Fee is adequate.

FISCAL IMPACT:
N/A

BUSINESS IMPACT STATEMENT:
N/A

RECOMMENDATION:
CHIEF ADMINISTRATIVE OFFICER
1. Find that the recommended action is exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15273 (a)(4) of the State CEQA Guidelines.
RESOLUTION OF THE COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
AMENDING A FUNDING PROGRAM
FOR REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM

WHEREAS, on November 2, 2004, the voters of San Diego County approved the San Diego Transportation Improvement Program Ordinance and Expenditure Plan (04-01) extension (TransNet Extension); and

WHEREAS, said TransNet Extension includes provisions for funding a new Regional Transportation Congestion Improvement Program (RTCIP); and

WHEREAS, for the purposes of the RCTIP, the Regional Arterial System is defined as most recent and adopted Regional Transportation Plan; and

WHEREAS, the RTCIP funding program shall ensure that future developments will contribute its share toward funding and mitigating new traffic impacts on the Regional Arterial System; and

WHEREAS, the RCTIP funding program shall be adjusted annually using applicable construction cost index; and

WHEREAS, On April 13, 2005, the County of San Diego Board of Supervisors adopted the Transportation Impact Fee Program Ordinance, as per California Government Code Sections 66000 through 66025, to fund transportation improvements needed to support traffic generated by new developments by imposing a Traffic Impact Fee (TIF) on such development; and

WHEREAS, the County of San Diego has held required public hearing.

NOW THEREFORE:

BE IT RESOLVED that pursuant to Section 9 of the TransNet Extension Ordinance, the County of San Diego certifies that it will extract, starting on July 1, 2010 and continuing until such time as the amount is adjusted, $2,081 from new developments for each newly constructed, non-exempt residential unit in the unincorporated areas of the County for the RTCIP.

BE IT FURTHER RESOLVED that the contribution of $2,081 per non-exempt, residential unit towards the RCTIP shall be adjusted again on July 1, 2011, by an amount not to exceed the percentage increase set forth in the Engineering Construction Cost Index published by the Engineering News Record, or similar cost of construction index.

BE IT FURTHER RESOLVED that the County of San Diego will collect this revenue as a component of the TIF imposed on new residential units at building permit issuance.
ON MOTION of Supervisor Cox, seconded by Supervisor Roberts, the above Resolution was passed and adopted by the Board of Supervisors, County of San Diego, State of California, on this 24th day of March, 2010, by the following vote:

AYES: Cox, Jacob, Slater-Price, Roberts, Horn

STATE OF CALIFORNIA)
County of San Diego) SS

I hereby certify that the foregoing is a full, true and correct copy of the Original Resolution entered in the Minutes of the Board of Supervisors.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By: Catherine Santos, Deputy

Resolution No. 10-047
Meeting date: 3/24/10 (13)