

RESOLUTION NO. 2006- 463

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
AMADOR CITY ADOPTING A REGIONAL TRAFFIC
MITIGATION FEE AND ITS SUPPORTING NEXUS PLAN**

WHEREAS, it is the policy of the City of Amador City and in the public interest, that developments in the City of Amador City shall pay its own way in an equitable and fair proportion to capacities consumed and need generated thereby; and

WHEREAS, existing funding sources are inadequate to provide the necessary improvements to the regional roadway system to address the impacts arising from new Development resulting in an unacceptably high level of traffic congestion and safety Concerns within and around the City of Amador City; and

WHEREAS, the Amador County Transportation Commission ("ACTC"), the Amador County Board of Supervisors and the Cities of Sutter Creek, Jackson, and Ione created a Regional Traffic Mitigation Fee Program designed to collect traffic mitigation fees from new development projects and administer those funds to pay for regional traffic mitigation projects; and

WHEREAS, the City of Amador City has decided to join in this existing Regional Traffic Mitigation Fee Program; and

WHEREAS, the first step of this participation requires the City Council to adopt the regional traffic mitigation fees; its supporting nexus plan which was prepared by ACTC pursuant to the requirements of Government Code Section 66000 *et. Seq.*; and the attachments to the nexus plan, including the fee schedule for the traffic mitigation fee; and

WHEREAS, the nexus plan prepared by the ACTC and its attachments were made available for public review prior to and during a duly noticed public hearing held before the City Council of the City of Amador City on February 16; and

WHEREAS, the nexus plan specifically defines traffic mitigation fees for new development projects and assigns these fees to specific regional transportation projects; and

WHEREAS, on September 15, 2004, the ACTC certified an Environmental Impact Report ("EIR") and adopted the 2004 Regional Transportation Plan ("RTP") which identifies the ACTC's contemplated future improvements to the regional system, including those listed in the nexus plan and the ACTC adopted a Notice of Determination which was filed on September 17, 2004 and which indicated that the ACTC had certified the EIR and approved the 2004 RTP; and

WHEREAS, no party filed any legal challenge to the EIR for the 2004 RTP within the statutory timeframe and the environmental analysis contained in that document is now conclusively presumed to be adequate; and

WHEREAS, the City Council finds that the nexus plan proposes a fair and equitable method for distributing a portion of the unfunded costs of regional roadway system improvements.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AMADOR CITY as follows:

1. The above recitals are true and represent findings of the City Council
2. The City Council hereby adopts the nexus plan which is attached hereto as Attachment 1 and its exhibits, and incorporates it herein as though set forth in full.
3. That the City Council hereby adopts the regional traffic mitigation fee described in Attachment 1 and the regional traffic mitigation fee schedule detailing the fee for various land use and construction project categories which is attached as Exhibit D to Attachment 1. Attachment 1 and its exhibits shall be kept on file in the Office of the City Clerk and be available for inspection by the public during normal business hours.
4. These fees shall be automatically increased (or decreased) on January 1 of each year for inflation (or deflation) based on the most recent annual Engineering News Record Construction Cost Index.

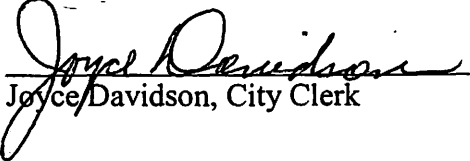
The foregoing resolution was duly passed and adopted by the City Council of the City of Amador City at a regular meeting thereof on the 16 day of Feb. 2006, by the following vote:

AYES: Knoff, Lynch, Rottman
NOES: 0
ABSENT: Stevens, McKenna
ABSTAIN: 0

CITY OF AMADOR CITY


Mayor

ATTEST:


Joyce Davidson, City Clerk