



**SOUTH YUBA TRANSPORTATION
IMPROVEMENT AUTHORITY
915 Eighth Street, Suite 109A
Marysville, California**



OCTOBER 5, 2021 – 4:00 P.M.

In person meeting: This meeting will be open to in-person attendance. To remain in compliance with the state's public health guidance and CalOSHA COVID-19 Emergency Temporary Regulations [8 CCR §3205], **masks are encouraged to be worn by individuals who are not fully vaccinated while inside the Government Center and while in the Board Chambers.**

Zoom meeting: The Board proceedings are available via Zoom and you may participate in Public Comment by using the "raise hand" function. Executive Order N-08-21 paragraph 42 authorizes local legislative bodies to hold public meetings via teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public. Members of the public are encouraged to observe and participate in the teleconference.

Join Zoom Meeting

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Meeting ID: 892 8063 7055

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Meeting ID: 892 8063 7055

Welcome to the South Yuba Transportation Improvement Authority meeting. As a courtesy to others, please turn off cell phones or other electronic devices, which may disrupt the meeting. If attending via Zoom, please have your microphones muted at times when you are not speaking. The public will be given opportunity to comment on action items on the agenda when the item is heard and comments shall be limited to three minutes per individual or group.

CALL TO ORDER: Welcome. As a courtesy to others, please turn off cell phones or other electronic devices which might disrupt the meeting. Thank you.

I **ROLL CALL** – Directors Bradford, Pendergraph, Vasquez, West

II **PUBLIC COMMUNICATIONS:** Any person may speak about any subject of concern within the jurisdiction of the authority which is not on today's agenda. The total amount of time allotted shall be limited to a total of 15 minutes and each individual or group will be limited to no more than 3 minutes. Prior to this time, speakers are requested to fill out a "Request to Speak" card and submit it to the secretary.

III **ACTION ITEMS**

A. Approve meeting minutes of August 3, 2021.

B. Adopt resolution updating South Yuba Transportation Improvement Authority (SYTIA) traffic impact fee structure.

C. Approve Budget for Fiscal Year 2021/2022.

V **BOARD AND STAFF MEMBERS REPORTS**

VI **ADJOURN**

In compliance with the Americans with Disabilities Act, the meeting room is wheelchair accessible and disabled parking is available. If you have a disability and need disability-related modifications or accommodations to participate in this meeting, please contact the Clerk of the Board's office at (530) 749-7510 or (530) 749-7353 (fax). Requests must be made two full business days before the start of the meeting.



SOUTH YUBA TRANSPORTATION IMPROVEMENT AUTHORITY

MINUTES
AUGUST 3, 2021



Call to order 4:01 p.m. with a quorum being present as follows: Directors Bradford, Pendergraph, Vasquez, and West. Also present were County Administrator Kevin Mallen and Secretary/Clerk of the Board Rachel Ferris. Chair Bradford presided.

I ROLL CALL – Directors Bradford, Pendergraph, Vasquez, West – all present

II PUBLIC COMMUNICATIONS: None

III ACTION ITEMS

A. Approve meeting minutes of February 2, 2021.

MOTION: Move to approve

MOVED: Rick West SECOND: Jay Pendergraph

AYES: Gary Bradford, Jay Pendergraph, Andy Vasquez, Rick West

NOES/ABSENT/ABSTAIN: None

Approved via unanimous Roll Call Vote

B. Receive presentation and approve Draft Comprehensive Implementation Strategy; and

- Direct staff to issue Request for Proposal to prepare Project Study Reports; and
- Direct staff to work with Sacramento Area Council of Governments to update programming in the Metropolitan Transportation Plan and Transportation Improvement Program; and
- Direct staff to present to the Board of Supervisors a funding proposal to fund right of way acquisition for Plumas Lake Boulevard Extension and State Route 70 South Bound Loop on ramp.

Community Development and Services Director Mike Lee and Liz Diamond with Dokken Engineering provided a PowerPoint presentation including a brief recap of previous actions and strategies.

- ♦ Plumas Lake Boulevard Extension
- ♦ South Beale Road interchange
- ♦ State Route 65 realignment
- ♦ East Wheatland expressway
- ♦ Traffic Assessment
- ♦ Develop Costs
- ♦ Funding Challenges and Strategies
- ♦ Project Development Process

MOTION: Move to approve Draft Comprehensive Implementation Strategy

MOVED: Andy Vasquez SECOND: Rick West

AYES: Gary Bradford, Jay Pendergraph, Andy Vasquez, Rick West

NOES/ABSTAIN/ABSENT: None

Approved via Roll Call Vote

MOTION: Move to issue Request for Proposal to prepare Project Study Report for East Wheatland Expressway

MOVED: Jay Pendergraph SECOND: Andy Vasquez

AYES: Gary Bradford, Jay Pendergraph, Andy Vasquez, Rick West

NOES/ABSTAIN/ABSENT: None

Approved via Roll Call Vote

MOTION: Move to issue Request for Proposal to prepare Project Study Report for State Route 65/South Beale Road Interchange with extension to Forty Mile Road

MOVED: Jay Pendergraph SECOND: Andy Vasquez

AYES: Gary Bradford, Jay Pendergraph, Andy Vasquez, Rick West

NOES/ABSTAIN/ABSENT: None

Approved via Roll Call Vote

MOTION: Direct staff to work with Sacramento Area Council of Governments to update programming in the Metropolitan Transportation Plan and Transportation Improvement Program

MOVED: Jay Pendergraph SECOND: Andy Vasquez

AYES: Gary Bradford, Jay Pendergraph, Andy Vasquez, Rick West

NOES/ABSTAIN/ABSENT: None

Approved via Roll Call Vote

MOTION: Direct staff to present to the Board of Supervisors a funding proposal to fund right of way acquisition for Plumas Lake Boulevard Extension and State Route 70 South Bound Loop on ramp

MOVED: Jay Pendergraph SECOND: Rick West

AYES: Gary Bradford, Jay Pendergraph, Andy Vasquez, Rick West

NOES/ABSTAIN/ABSENT: None

Approved via Roll Call Vote

- C. Receive presentation regarding Administrative component, and Program/Project Management components for South Yuba Transportation Improvement Authority operations, and provide direction to staff. Community Development and Services Director Mike Lee recapped various costs including the following and responded to Board inquiries:

- ♦ Administrative, Project, and Program costs
- ♦ Resolution to update Administrative components
- ♦ Proposed Budget
- ♦ Impact fee account balance

V BOARD AND STAFF MEMBERS REPORTS

Director West: Thanked staff and Dokken Engineering

Director Vasquez – commended staff

Director Bradford – commended staff

VI ADJOURN: 4:37 p.m.

Chair

SECRETARY ATTEST:
RACHEL FERRIS
CLERK OF THE BOARD OF SUPERVISORS

Approved: _____

The County of Yuba

Community Development & Services Agency

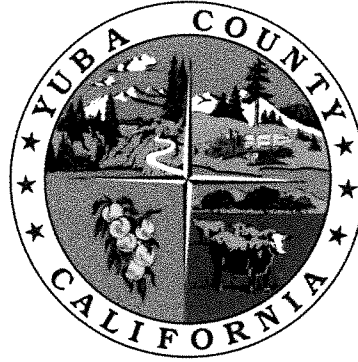
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To: South Yuba Transportation Improvement Authority (SYTIA)

From: Michael Lee, CDSA Director

Subject: Adopt resolution updating traffic impact fee structure

Date: October 5, 2021

RECOMMENDATION:

Adopt resolution updating SYTIA traffic impact fee structure.

BACKGROUND:

Administrative Costs

Inherent with any impact fee program there are administrative costs associated with running the program. These include, but are not limited to, the collection of money, deposit of money, financial tracking for audit purposes, annual Mitigation Fee Act reporting, scheduling and clerking meetings, A-87 costs, etc... To date, the County has been handling all these functions without recouping any of our costs of administration. All of the other fee programs in which the County administers have an administrative fee component. However, the implementing resolution for this fee program did not contemplate such an administrative fee and it remained silent in that regard.

In addition to the administrative component, there are also costs associated with program and project management. Since the SYTIA JPA is in its infancy, the JPA does not have any dedicated staff. Instead, County staff have taken on the responsibility of managing the Program Management of SYTIA operations, while both County and City staff have assumed responsibility of Project Management duties. To date, this workload has been absorbed without reimbursement for staff time.

Program Management Costs

Program Management duties have been handled by County staff, and it is contemplated that will continue until such time that the JPA has its own dedicated staff. Typical Program Management duties include, but are not limited to, preparing staff reports, coordinating Board meetings, negotiating and/or conditioning proposed development projects such as the casino, preparing and updating implementing resolutions, periodically updating the Nexus Study, etc...

Project Management Costs

Project Management duties have been handled by both County and City staff, and it is contemplated that this will continue to be a shared duty. Typical Project Management duties include, but are not limited to, preparing Requests for Proposals from qualified consultants, Project Development Team (PDT) meetings, consultant interaction and management, preparing and awarding consultant contracts, reviewing consultant invoices and processing for payment, attending Board meetings, etc...

These matters were discussed with your Board during the last board meeting and direction was provided to staff to return with an updated resolution accounting for the proposed new fee structure.

DISCUSSION:

Administrative Fee

The typical administrative component on other fee programs the County administers is 3% of the gross impact fees collected, so the attached resolution proposes the same amount for the SYTIA impact fee program. Staff recommends that this administrative component take effect on July 1, 2021, or the beginning of the current fiscal year, for cleaner tracking/auditing purposes.

Program and Project Management Fees

For the Program Management and Project Management components, the resolution specifies reimbursement of actual costs or the labor and materials billed against the program for work products as identified above.

Both County and City staff are mindful of limiting the amount of staff time billed to SYTIA to preserve the revenues and maximize the amount of funds that can be allocated toward project delivery. Staff will report to your Board annually a summary of these charges.

One additional change incorporated into the updated fee resolution is a demolition and destruction offset. This provision is included in the County's other development impact fee programs and for consistency we wanted to include it in the SYTIA fee program as well. The provision provides for the following. Where a permit to construct a project is issued within two years after the final inspection of a demolition permit on the same parcel, or where new construction replaces within two years a structure on the same parcel which was damaged or destroyed by fire, earthquake, or other causes similarly beyond the owner's control, the amount of new construction taken into account under this resolution shall be reduced by the square footage or per unit which was demolished or destroyed, as determined by the CDSA Director.

FISCAL IMPACT:

The fiscal impact will vary based on revenues collected and amount of staff time charged to project activities. Exact fiscal impact is unknown.

RESOLUTION UPDATING)
SOUTH YUBA TRANSPORTATION)
IMPROVEMENT AUTHORITY (SYTIA))
TRAFFIC IMPACT FEE STRUCTURE)

WHEREAS, costs of construction will continue to escalate and annual adjustments to traffic impact fees are necessary to keep pace with such construction cost increases. Such annual adjustments for construction cost escalation do not represent a

relative increase in the amount of any development fee but rather a method of retaining parity between the amount of the fee and the costs of construction.

WHEREAS, administrative costs as well as program management and project management costs are fair and appropriate to charge to the impact fee program;

WHEREAS, the original fee imposition was adopted by the SYTIA Board as Resolution No. 1-2019, and it is intended that this resolution will supersede the prior;

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of the South Yuba Transportation Improvement Authority:

Section 1 Purpose and Findings

A. Purpose: In order to comply with the requirements of the Mitigation Fee Act (Gov. Code, § 66000 et seq.) SYTIA has caused to be prepared the SYTIA Traffic Impact Fee Study (herein “Study”), a copy of which is on file with the Clerk of the Board of Supervisors. This report sets forth the public facilities and equipment that would likely be required to be constructed/acquired, or which have already been constructed/acquired, in order to meet the needs caused by new development. The Board of Directors of SYTIA does hereby accept the Study and in so doing determines that SYTIA Traffic Impact Fees are needed to be imposed upon persons obtaining building permits for new or expanded structures within the boundaries of the Study area (herein “Developers”) in order to finance these public facilities and equipment, and to pay for new development’s fair share of the acquisition/construction cost of these improvements.

B. Findings: The Board of Directors of SYTIA finds and determines:

1. The facilities set forth in the Study are representative of the facilities required to implement the circulation elements of the Yuba County and City of Wheatland General Plans.
2. The Study and related information, including the basis upon which the fees are calculated, has been available to the public at the Yuba County Community Development & Services Agency for a minimum of 14 days.
3. In establishing the fees described in the following Sections, the Board of Directors has found the fees to be consistent with the Yuba County and City of Wheatland General Plans and assist with implementation of the County’s and City’s Circulation Elements. In addition, pursuant to Government Code section 65913.2, the Board of Directors have considered the effects of the fee with respect to the County’s and City’s housing needs as established in the respective Housing Elements of the General Plans.

4. The Board of Directors of SYTIA hereby incorporates as though fully set forth herein the findings and supporting statements regarding the purpose of the fee, the use of the fee revenues, the reasonable relationship between the fee and the type of development project on which the fee is imposed, and the reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed, as contained in the SYTIA Traffic Impact Fee Study, Chapter 5, pages 11-12.

These determinations are incorporated by reference into this resolution.

Section 2 Levy of Fee

- A. Traffic Impact Fee: SYTIA Traffic Impact Fees are calculated at the time of issuance of the building permit triggering their collection and due prior to final inspection of said building permit for development within the boundaries of the Study (the unincorporated areas of Yuba County south of the Yuba River and within the City of Wheatland), for the purpose of paying new development's fair share of SYTIA facilities. The revenues raised from SYTIA Traffic Impact Fees, shall be held, maintained, used and accounted for by SYTIA as required in section 66013 of the Fee Mitigation Act. The initial amount of the fee shall be as set forth in "Table 1: Fee Schedule" in the Study, which Study is incorporated herein by reference.

SYTIA reserves the right to use the proceeds of the fee on other circulation improvements so long as the expenditures are consistent with the goals, intent and purposes of SYTIA, the circulation objectives of the County and City General Plans, and the circulation objectives identified in the Study.

- B. Calculation/Classification of Uses: For purposes of calculating the applicable fee, SYTIA adopts the uses identified in "Table 1: Fee Schedule" of the Study, which Study is incorporated herein by reference. For uses not listed on the table, the Yuba County Community Development and Services Agency (CDSA) Director shall make a determination as to the most similar use. For unique circumstances on uses listed on the table, the Community Development and Services Agency Director may make a determination as to an appropriate adjustment to the amount of use that is applicable.
- C. Administrative Fee: Yuba County CDSA shall be responsible for administration of the Development Impact Fee, including the calculation and collection of the fees, tracking deposits, and preparation of required reports. As such, a 3% administrative fee will be added to the Development Impact Fee and retained by CDSA.

Section 3 Collection of the Fee

The fees shall be collected prior to issuance of final building permit.

Section 4 Credits

Dedicated Facilities: A Developer may request a credit against the SYTIA Traffic Impact Fee for improvements constructed and accepted by SYTIA. Credits will only be given for improvements which would have been constructed and accepted by SYTIA. Any request for a credit shall be in writing on such forms as may be acceptable to the Yuba County CDSA Director. Administration of credits shall be consistent with the principles set forth in the Study.

In the event that a Developer is entitled to credits in excess of SYTIA Traffic Impact Fees otherwise due, the Developer and SYTIA may enter into a reimbursement agreement by which the Developer is reimbursed from future SYTIA Traffic Impact Fees.

Demolition or Destruction Offset: Where a permit to construct a project is issued within two years after the final inspection of a demolition permit on the same parcel, or where new construction replaces within two years a structure on the same parcel which was damaged or destroyed by fire, earthquake, or other causes similarly beyond the owner's control, the amount of new construction taken into account under this resolution shall be reduced by the square footage or per unit which was demolished or destroyed, as determined by the CDSA Director. For purposes of determining square footage credit when use category of the new building differs from that of the demolished or destroyed building, the ratio of the existing to new use fee categories shall be applied to the square footage. Under circumstances wherein the credited square footage exceeds the replacement square footage, no reimbursement shall be paid to owner.

Section 5 Effective Date

Any fee imposed pursuant to this Resolution shall not take effect until sixty (60) days after the date of adoption by the SYTIA Board of Directors. It is the intent that this resolution will replace previously adopted Resolution No. 1-2019.

Section 6 Annual Adjustment

An annual adjustment to account for construction cost escalations shall be applied to SYTIA Traffic Impact Fees in the manner and time specified herein:

- A. Prior to the end of each fiscal year, the Yuba County Community Development and Services Agency Director shall report his or her finding on the annual escalation of construction costs for the prior twelve (12) months through May and the SYTIA Traffic Impact Fees shall be adjusted accordingly.
- B. The basis for this annual adjustment shall be the percentage increase in the average of the San Francisco and 20-Cities Construction Cost Index (CCI) as published by Engineering News Record, for the period ending May of the previous fiscal year, or other similar construction cost index.

- C. The Yuba County Community Development and Services Agency shall post the annual adjustment in fees as specified in this section.

Section 7 Annual Findings

The Yuba County CDSA Director shall prepare once each fiscal year for the SYTIA Board of Directors, the City Council of the City of Wheatland, and Yuba County, a report of any portion of the Development Impact Fee remaining unexpended or uncommitted five or more years after deposit of the Fee, identifying the purpose to which the Fee is to be put, and demonstrating a reasonable relationship between the Fee and the purpose for which it was charged.

Section 8 Referrals and Appeals

The Yuba County CDSA Director may refer any determination or approval required by this Resolution to the SYTIA Board of Directors.

Any party may appeal any decision of the Yuba County CDSA Director to the SYTIA Board of Directors by filing a written appeal with the Clerk of the Board within ten (10) days of any decision. For appeals that protest the imposition or amount of the fee pursuant to Government Code section 66020, the protested amount as determined by the Yuba County CDSA Director shall first be tendered to SYTIA. The SYTIA Board may adopt a fee schedule for considering appeals. The Clerk of the Board shall set the hearing within thirty (30) days of submission of the appeal and the hearing shall occur within ninety (90) days of its receipt. The SYTIA Board may continue the matter if necessary, however the Board shall issue a written decision no later than 30 days after making its decision. The written decision shall be final.

Section 9 Program Management Costs

Program management shall be administered by Yuba County until such time that SYTIA has dedicated staff. Program management includes duties such as preparing staff reports, coordinating Board meetings, negotiating and/or conditioning proposed development projects, preparing and updating implementing resolutions, and periodically updating the Nexus Study. These costs are reimbursable to Yuba County staff for time spent on said duties at the CDSA hourly rate identified in Title XIII of the Yuba County Ordinance Code. Program Management Costs will be approved by the SYTIA Board at a regularly scheduled meeting.

Section 10 Project Management Costs

Project management shall be administered by both Yuba County and City of Wheatland staff until such time that SYTIA has dedicated staff. Project management includes duties such as preparing Requests for Proposals from qualified consultants, Project Development Team (PDT) meetings, consultant interaction and management, preparing and awarding consultant contracts, reviewing consultant invoices and processing for

payment, and attending Board meetings. These costs are reimbursable to Yuba County and City of Wheatland staff for time spent on said duties. Yuba County staff reimbursement shall be at the CDSA hourly rate identified in Title XIII of the Yuba County Ordinance Code. City of Wheatland reimbursement shall be at the actual cost of consultant staff hired by the City for Engineering and Planning services. City of Wheatland staff time will be reimbursed at the hourly rate adopted annually by Council resolution. Project Management Costs will be approved by the SYTIA Board at a regularly scheduled meeting.

Section 11 Severability

If any provision, clause, sentence, or paragraph of this Resolution or the imposition of any fee authorized by this Resolution in its application to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Resolution which can be given effect without the invalid provisions or application of fees. To this end, the provisions of the Resolution are declared to be severable.

Section 12 Adoption

The foregoing Resolution was introduced at a regular meeting of the SYTIA Board of Directors this _____ day of _____, 2021, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Chair

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:



SYTIA Counsel

The County of Yuba

Community Development & Services Agency

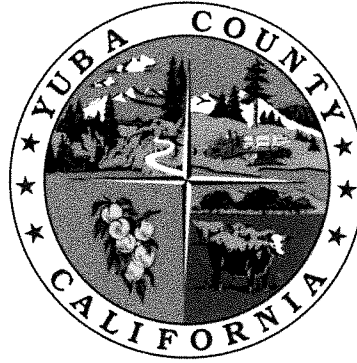
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To: South Yuba Transportation Improvement Authority (SYTIA)

From: Michael Lee, CDSA Director 

Subject: Approve FY 21/22 Budget

Date: October 5, 2021

RECOMMENDATION:

Approve the attached FY 21/22 Budget.

BACKGROUND:

At the last SYTIA meeting, your Board requested staff return with an operating budget for FY 21/22.

DISCUSSION:

At the current pace of development, staff is anticipating SYTIA revenues for FY 21/22 in the approximate amount of \$1,500,000. This is in line with the realized revenues in FY 20/21 of \$1.57 million.

Significant expenditures for FY 21/22 include consultant services for two Project Study Reports directed by your Board. One for the South Beale Road Interchange and one for the East Wheatland Expressway. Other significant expenditures include Project Management costs for staff to manage and administer these two projects.

FISCAL IMPACT:

There are adequate projected revenues for FY 21/22 to cover proposed expenditures, without using carryover funds currently in the SYTIA trust fund. With this, we anticipate a trust fund balance of approximately \$2 million at the end of FY 21/22.

SYTIA Budget
Fiscal Year 2021/22

Actual Carry Over Balance at 20/21 year-end \$ 1,764,937

Revenues	FY 2021/22	FY 2020/21	
	Annual Budget	Budget	Difference
SYTIA Fees	\$ 1,500,000		\$ 1,500,000
Grants	\$0		\$ -
Total Revenue	\$ 1,500,000		

Expenditures	FY 2021/22	FY 2020/21	
	Budget	Budget	Difference
Yuba County Administrative Work (3%)	\$ 45,000		\$ 45,000
Legal Services	\$ 10,000		\$ 10,000
Traffic Modeling/Nexus Analysis	\$0		\$ -
Consultant Services	\$1,200,000		\$ 1,200,000
Project Management (Yuba County & Wheatland staff)	\$80,000		\$ 80,000
Program Management (Yuba County staff)	\$10,000		\$ 10,000
A-87 Costs	\$10,000		\$ 10,000
Financial Audits	\$0		\$ -
Direct Expenses (note 1)	\$ 2,000		\$ 2,000
Accounting Services	\$0		\$ -
Contingency funds	\$0		\$ -
Total Expenditures	\$ 1,357,000	\$ -	\$ 1,357,000

Contingency Funds	Budget	Budget	Actual
	\$0		

Revenue to Expenditure Comparison			
Surplus/(Deficit)	\$ 143,000		

Forecasted Balance for FY 21/22 year-end \$ 1,907,937

Note 1: Direct expenses include postage, printing, advertising, etc...