

RESOLUTION NO. ____

**RESOLUTION OF THE NAPA COUNTY BOARD OF SUPERVISORS
MAKING FINDINGS WITH RESPECT TO THE AIRPORT INDUSTRIAL
AREA SPECIFIC PLAN TRAFFIC MITIGATION FEE PROGRAM FOR
FISCAL YEARS 2013/2014 THROUGH 2017/2018 IN COMPLIANCE WITH
GOVERNMENT CODE SECTIONS 66001 AND 66006**

WHEREAS, on December 11, 1990, the Board of Supervisors adopted Resolution No. 90-152, imposing a Traffic Mitigation Fee upon development within the area subject to the Airport Industrial Area Specific Plan; and

WHEREAS, Government Code section 66001 requires that the Board of Supervisors make certain findings every five years with respect to fees imposed as a condition of approval of development projects such as the Traffic Mitigation Fee; and

WHEREAS, Government Code section 66006 requires that the Board of Supervisors make available certain information to the public and conduct a public hearing within 180 days of the close of the fiscal year detailing the collection and expenditures of the Traffic Mitigation Fee Program ("Program"); and

WHEREAS, on July 3, 2008, Napa County entered into Napa County Agreement No. 7070 with the City of American Canyon ("City"), which included in relevant part, that the City would transfer traffic impact fees to the County for developments that otherwise would have been subject to the above Traffic Mitigation Fee in an amount equivalent to those that otherwise would have been collected by the County; and

WHEREAS, the City issues its own reports on its traffic impact fees, including to the above transfers to the County, and the County desires to document its utilization of those fees in connection with the Traffic Mitigation Fee as part of the Program; and

WHEREAS, the Board desires to make the findings required by Government Code Section 66001 with respect to fiscal years 2013/2014 through 2017/2018, and make available and approve the information required by Government Code Section 66006(b)(1) and (2) with respect to fiscal year 2017/2018 as pertains to the Program; and

WHEREAS, on December 4, 2018 after the notice required by Government Code Section 66006(b)(2) was given, the Board reviewed the information presented in compliance Government Code Sections 66001 and 66006 and desires to make all findings required by those statutes in connection with the Program.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Napa, that it makes the following findings with respect to the Program:

1. The foregoing recitals are true and correct.

2. The Board approves the report for the Program for fiscal year 2017/2018 prepared in accordance with Government Code Section 66006(b)(1) attached hereto as Exhibit 1.
3. The Board makes the following findings with respect to the Program for fiscal years 2013/2014 through 2017/2018 in accordance with Government Code Section 66001(d):

A. The purpose of the fees is to assist in the funding of road improvement projects that need to be constructed in order to serve development in the Napa County Airport Industrial Area as more particularly described in Resolution No. 90-152 and the engineer's report of Lowell and Associates, September 1990, attached thereto. Resolution No. 90-152 is hereby incorporated herein by reference.

B. There is a reasonable relationship between the fee and the purpose for which it is charged. The fee is based on a proportionate amount of traffic each land development project adds to the neighboring roadway network. The current fee is \$3,551 per vehicle trip generated in the afternoon PM peak hour. The fee has been determined in accordance with the methodology established by Resolution No. 90-152 as amended (most recently by Resolution No. 08-146).

C.

(i) The capital improvement plan for which the funds are to be used is identified in Resolution No. 90-152. Projects identified include both local road improvement projects and state highway projects (including intersections at State Highways 12 and 29, and State Highways 29 and 221), as further identified in Exhibits 2 and 3 attached hereto. With respect to the state highway projects, the fee was designed to cover a portion of the local share of the costs attributable to development in the Airport Industrial Area.

(ii) Present ongoing projects utilizing funds of the Program, and their estimated costs, are identified in Exhibits 2 and 3 attached hereto.

(iii) An update to the Program has been prepared to more accurately ascertain the expected costs of the proposed state highway improvements that remain to be completed. Its results have been incorporated into the information presented in Exhibits 2 and 3. Costs associated with the state highway projects, which have yet to be built, have increased dramatically from the initial estimates contained in Resolution No. 90-152. In addition to the funds generated by the Program and other local county funds, possible sources of funding for the state highway projects include the Surface Transportation Program (STIP), Interregional Transportation Improvement Program (ITIP), Transportation Fund for Clean Air, Highway Bridge Replacement and Rehabilitation, and Congestion Mitigation Air Quality.

D. At present, the Program has a balance of \$3,335,526.94 of Traffic Mitigation Fees and \$833,952.34 in traffic impact fees transferred from the City. While no precise amount or date when potential funding for the state highway improvements is available at this time, approximate dates based on current project planning and prioritization are set forth in the attached report and Exhibits 2 and 3. As to future fees generated by the Program, collection of funds is determined by the rate at which land is developed in the Airport Industrial Area and in the area annexed by the City subject to traffic impact fee transfers pursuant to Napa County Agreement No. 7070.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Napa County Board of Supervisors, State of California, at a regular meeting of said Board held on the _____ day of _____, _____, by the following vote:

AYES: SUPERVISORS _____

 NOES: SUPERVISORS _____

 ABSTAIN: SUPERVISORS _____

 ABSENT: SUPERVISORS _____

 BRAD WAGENKNECHT, Chair of the Board of Supervisors

<p>APPROVED AS TO FORM Office of County Counsel</p> <p>By: _____ Deputy County Counsel</p> <p>Date: _____</p>	<p>APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS</p> <p>Date: _____ Processed By: _____ _____ Deputy Clerk of the Board</p>	<p>ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors</p> <p>By: _____</p>
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EXHIBIT 1
(Attachment B to Staff Report)

AIRPORT INDUSTRIAL AREA SPECIFIC PLAN
TRAFFIC MITIGATION FEE PROGRAM

FISCAL YEAR 2017-18 REPORT
(Annual and Five Year Report)
California Government Code 66006

Pursuant to Government Code Section 66006, the following report is made with respect to the Airport Industrial Area Specific Plan (AIASP) Traffic Mitigation Fee (TMF) Program and for related traffic impact fees transferred to the County from the City of American Canyon (“City”) for Fiscal Year 2017-18:

- A. Description of the type of fee in the fund or account.** The TMF Program provides funding for road improvements necessitated by development within the AIASP area, as established by Resolution 90-152, and as subsequently amended. The amount of the fee, balances, amounts collected, expended, transferred amounts, etc. are described as “Industrial Area” in sections B-E below were collected by the County TMF Program.

In addition, the County from time to time receives transfers of traffic impact fees collected by the City of American Canyon (“City”). Pursuant to Napa County Agreement No. 7070 (the “Agreement”), the City transfers traffic impact fees equivalent in amount to those that the County otherwise would have collected under the AIASP TMF Program had the property remained in the unincorporated area. Those fees transferred by the City can only be used towards Devlin Road projects as specified in the Agreement. The amount of the fee, balances, amounts collected, expended, transferred amounts, etc. are described as “American Canyon” in sections B-E below.

- B. Amount of fee.** The AIASP TMF for Fiscal Year 2017-18 was \$3,551 per PM peak hour vehicle trip as determined in accordance with Resolution No. 08-146, and as subsequently amended.

The City sets its own traffic impact fee; however, as stated above, the amount transferred to the County is equivalent to what would have otherwise been collected under the AIASP TMF fee.

- C. Beginning and ending balance of account or fund.** These balances are reported as follows:

Industrial Area

Fiscal Year	Beginning Balance	Ending Balance
2013-14	\$1,143,143.97	\$1,564,729.47**
2014-15	\$1,564,729.47	\$2,256,942.87
2015-16	\$2,256,942.87	\$3,318.50*
2016-17	\$3,318.50	\$656,127.96**
2017-18	\$656,127.96	\$3,335,526.94***

* In 2015-16, a total of \$2,408,015.84 was transferred to the Roads Fund to pay the cost of Devlin Road Segment E project.

**\$1,220,000 was loaned from the TMF to the Community Facilities District No. 2013-1 (Devlin Road-Segment C) (the "CFD"), which then was to be paid back by two properties which are responsible for a portion of the cost of construction Devlin Road-Segment C. The loan was repaid in full by June 30, 2018 (2013-14: \$657,000, 2016-17: \$464,485.63, 2017-18: \$98,514.37). The loan accrued interest at a rate of 1.25% per annum, which is included in the "Interest Earned" reported in Section D of this report.

***In 2017-18, unused funds from Devlin Road Segment E project was moved back to the TMF fund until project is ready to move into the construction phase. It is anticipated that the construction phase will begin in 2018-19.

American Canyon

Fiscal Year	Beginning Balance	Ending Balance
2013-14	\$96,651.55	\$97,051.06
2014-15	\$97,051.06	\$97,532.58
2015-16	\$97,532.58	\$840.16*
2016-17	\$840.16	\$845.73
2017-18	\$845.73	\$833,952.34**

*In 2015-16, the fund received a fee of \$735,510. With the interest and already available balance, a total of \$833,098 was transferred to the Roads Fund to pay the cost of Devlin Road Segment E project.

**In 2017-18, unused funds from Devlin Road Segment E project was moved back to the TMF fund until project is ready to move into the construction phase. It is anticipated that the construction phase will begin in 2018-19.

D. Amount of fees collected and interest earned. These amounts are reported as follows:

Industrial Area

Fiscal Year	Fees Collected	Interest Earned	Total
2013-14	\$186,281.91	\$5,421.04	\$191,702.95
2014-15	\$744,289.52	\$18,382.83	\$762,672.35
2015-16	\$136,535.95	\$21,126.58	\$157,662.53
2016-17	\$182,272.83	\$8,076.08	\$190,348.91
2017-18	\$576,069.73	\$35,420.23	\$611,489.96

American Canyon

Fiscal Year	Fees Collected	Interest Earned	Total
2013-14	\$0	\$399.51	\$399.51
2014-15	\$0	\$481.52	\$481.52
2015-16	\$734,897.00	\$1,508.58	\$736,405.58
2016-17	\$0	\$5.57	\$5.57
2017-18	\$0	\$8.61	\$8.61

- E. **Identification of public improvements on which fees were expended, amount of expenditure on each improvement, and percentage of the cost that was funded with the fees.** These amounts are reported for Fiscal Years 2013-14 through 2017-18 as follows:

Industrial Area

Project	Amount Expended	Percentage from Fees
Devlin Road Segment E	\$811,843.19*	100%

*There's \$87,749.74 available fund balance in the Devlin Road Segment E project at the end of 2017-18.

American Canyon

Project	Amount Expended	Percentage from Fees
Devlin Road Segment E	\$0	

- F. **Identification of approximate dates by which construction of public improvements will commence if the local agency determines sufficient funds have been collected to complete financing on an incomplete public improvement.** This information is reported in Exhibit 2, which follows.

- G. **Description of interfund transfers or loans made from the account or fund.** These amounts are reported as follows:

Industrial Area

Fiscal Year	Transfers	Loans
2013-14	\$20,000.00* \$407,117.45**	(\$657,000.00)***
2014-15	\$12,337.31* \$58,121.64**	\$0
2015-16	\$3,271.06* \$2,408,015.84**	\$0
2016-17	\$2,025.08*	(\$464,485.63)***
2017-18	\$4,267.35* (\$1,973,662.00)**	(\$98,514.37)***

*A total of \$41,900.80 have been transferred from the fund to pay the cost of Public Works staff administering the TMF program.

**A total of \$899,592.93 have been transferred to the Roads Fund to pay the cost of Devlin Road Segment E project. In 2015-16, all available funds were transferred to the Roads Fund to pay the cost of Devlin Road Segment E project. However, in 2017-18, unused funds from Devlin Road Segment E project was moved back until project is ready to move into the construction phase. It is anticipated that the construction will begin in 2018-19.

***A total of \$1,220,000 was loaned from the TMF to the Community Facilities District No. 2013-1 (Devlin Road-Segment C) (the "CFD"), which then was to be paid back by two properties which are responsible for a portion of the cost of construction Devlin Road-Segment C. The loan was repaid in full by June 30, 2018 (2013-14: \$657,000, 2016-17: \$464,485.63, 2017-18: \$98,514.37). The loan accrued interest at a rate of 1.25% per annum, which is included in the "Interest Earned" reported in Section D of this report.

American Canyon

Fiscal Year	Transfers	Loans
2013-14	\$0	\$0
2014-15	\$0	\$0
2015-16	\$833,098.00**	\$0
2016-17	\$0	\$0
2017-18	(\$833,098.00)**	\$0

**In 2015-16, these amounts were transferred to the Roads Fund to pay the cost of Devlin Road Segment E project. In 2017-18, funds were moved back from Devlin Road Segment E project until project is ready to move into the construction phase. It is anticipated that the construction will begin in 2018-19.

H. The amount of refunds made pursuant to subdivision (e) of Section 66001 and any allocations pursuant to subdivision (f) of Section 66001. Subdivision (e) of Section 66001 of the statute refers to a local agency identifying an approximate date for the construction of any of the fee-funded capital improvements which are not yet completed, or otherwise refunding the unexpended portion of the fees collected. No refunds have been made pursuant to this subdivision, because the Board of Supervisors has identified, in Resolution No. 08-147, the approximate dates for the construction of the remaining capital improvements funded by the TMF.

Subdivision (f) of Section 66001 of the statute refers to a local agency determining that unexpended fee revenues may be allocated to some other purpose, if the cost of making refunds per subsection (e) exceeds the amount to be refunded. No such allocations have been made pursuant to this subdivision, because no change has been made to the purpose for which the fee is being collected.

Traffic Mitigation Fee History

The following table provides the combined summary of the AIASP Traffic Mitigation Fee fund:

Industrial Area

Year	Mitigation Fee	Interest	Expenditures	PW Staff Cost	Refunds/Loan	Totals
pre 2013	\$5,153,747.51	\$1,345,820.47	(\$3,942,233.64)	(\$84,288.53)	(\$1,329,901.84)	\$1,143,143.97
2013-2014	\$186,281.91	\$5,421.04	(\$407,117.45)	(\$20,000.00)	\$657,000.00	\$421,585.50
2014-2015	\$744,289.52	\$18,382.83	(\$58,121.64)	(\$12,337.31)	\$0	\$692,213.40
2015-2016	\$136,535.95	\$21,126.58	(\$2,408,015.84)	(\$3,271.06)	\$0	(\$2,253,624.37)
2016-2017	\$182,272.83	\$8,076.08	\$0	(\$2,025.08)	\$464,485.63	\$652,809.46
2017-2018	\$576,069.73	\$35,420.23	\$1,973,662.00*	(\$4,267.35)	\$98,514.37	\$2,679,398.98
Total	\$6,979,197.45	\$1,434,247.23	(\$4,841,826.57)	(\$126,189.33)	(\$109,901.84)	\$3,335,526.94

American Canyon

Year	Mitigation Fee	Interest	Expenditures	Totals
pre 2013	\$96,215.80	\$435.75	\$0	\$96,651.55
2013-2014	\$0	\$399.51	\$0	\$399.51
2014-2015	\$0	\$481.52	\$0	\$481.52
2015-2016	\$734,897.00	\$1,508.58	(\$833,098.00)	(\$96,692.42)
2016-2017	\$0	\$5.57	\$0	\$5.57
2017-2018	\$0	\$8.61	\$833,098.00*	\$833,106.61
Total	\$831,112.80	\$2,839.54	\$0	\$833,952.34

Total available from both funds: \$4,169,479.28

*In 2017-18, unused funds from Devlin Road Segment E project was moved back to the TMF funds until project is ready to move into the construction phase. It is anticipated that the construction phase will begin in 2018-19.

Exhibit 2. Capital Improvement Plan Update (Attachment C to Staff Report)
Airport Industrial Area Specific Plan (AIASP)
Traffic Mitigation Fee (TMF) – 2018 Update

Road segment improvements

Road	From	To	"Segment" designation	Recommended Improvement	Cost Estimate	Funding from Impact Fees	**Funding from Other Sources	Approximate Construction	Status
Devlin Road	Soscol Ferry Road	Sheehy Court	A	4 lanes (includes bridge widening)	\$ 7,500,000	\$ -	\$ 7,500,000	June 30, 2030	
Devlin Road	Sheehy Court	Airport Boulevard	B	4 lanes					complete
Devlin Road	Airport Boulevard	Aviation Way	C	3 lanes	\$ 2,500,000	\$ 136,428	\$ 2,363,572		complete
Devlin Road	Aviation Way	S/Biagi	D	3 lanes	\$ 1,000,000	\$ -	\$ 1,000,000		complete
Devlin Road	S/Biagi	Tower Road	E	3 lanes (includes creek bridge)	\$ 6,000,000	\$ 6,000,000	\$ -	June 30, 2020	Design Complete
Devlin Road	Tower Road	South Kelly Road	F	3 lanes					complete
Devlin Road	South Kelly Road	Union Pacific RR	G	2 lanes (includes RR overcrossing)					complete
Devlin Road	Union Pacific RR	Green Island Road	H	2 lanes	\$ 5,363,000	\$ -	\$ 5,363,000	March 3, 2020	American Canyon in progress
				<i>Total</i>	\$ 22,363,000	\$ 6,136,428	\$ 16,226,572		

Intersection improvements

Road	Intersecting Road	Recommended Improvement	Cost Estimate	Funding from Impact Fees	**Funding from Other Sources	Approximate Construction	Status
Devlin Road	Soscol Ferry Road	Traffic Signal	\$ 179,000	\$ 40,000	\$ 139,000	June 13, 2030	
Devlin Road	Airport Boulevard	Traffic Signal					complete
Devlin Road	Airport Boulevard	Extend LT lanes	\$ 1,400,000	\$ 800,000	\$ 600,000	June 30, 2019	
SR 29 *	SR 12/Airport Boulevard	Interchange	\$ 73,137,000	\$ 15,834,000*	\$ 57,303,000	June 30, 2030	
SR 12/29*	SR 221/Soscol Ferry	Roundabout Intersections	\$ 40,000,000	\$ 1,353,000*	\$ 38,647,000	June 30, 2020	
SR 12	Kelly Road	Traffic Signal					complete
SR 12	Kelly Road	Extend LT lanes	\$ 700,000	\$ 100,000	\$ 600,000	June 30, 2020	
SR 29	South Kelly Road	Add NB RT and 2nd NB LT lanes; Add SB RT lane and extend SB LT lane; Add 2nd WB LT lane; Add 2nd EB LT lane	\$ 4,900,000	\$ 2,100,000	\$ 2,800,000	June 30, 2020	
		<i>Total</i>	\$ 120,316,000	\$ 20,227,000	\$ 100,089,000		

* - TMF dedicated to county match.

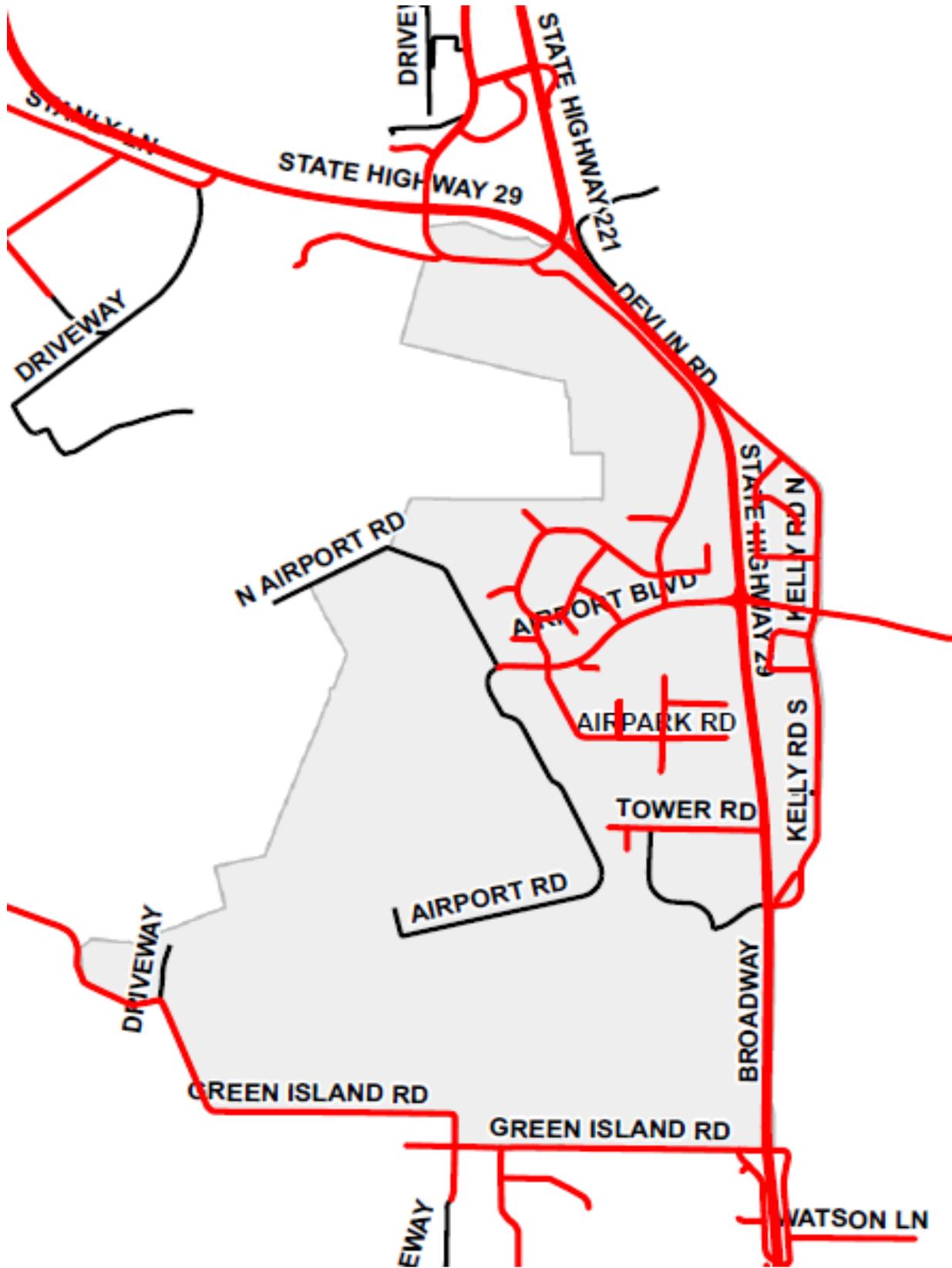
** - County continues to explore grant opportunities to provide other funding sources.

**Exhibit 3. Capital Improvement Plan Update (Attachment D to Staff Report)
 Airport Industrial Area Specific Plan (AIASP)
 Traffic Mitigation Fee (TMF) – 2017-18 Update**

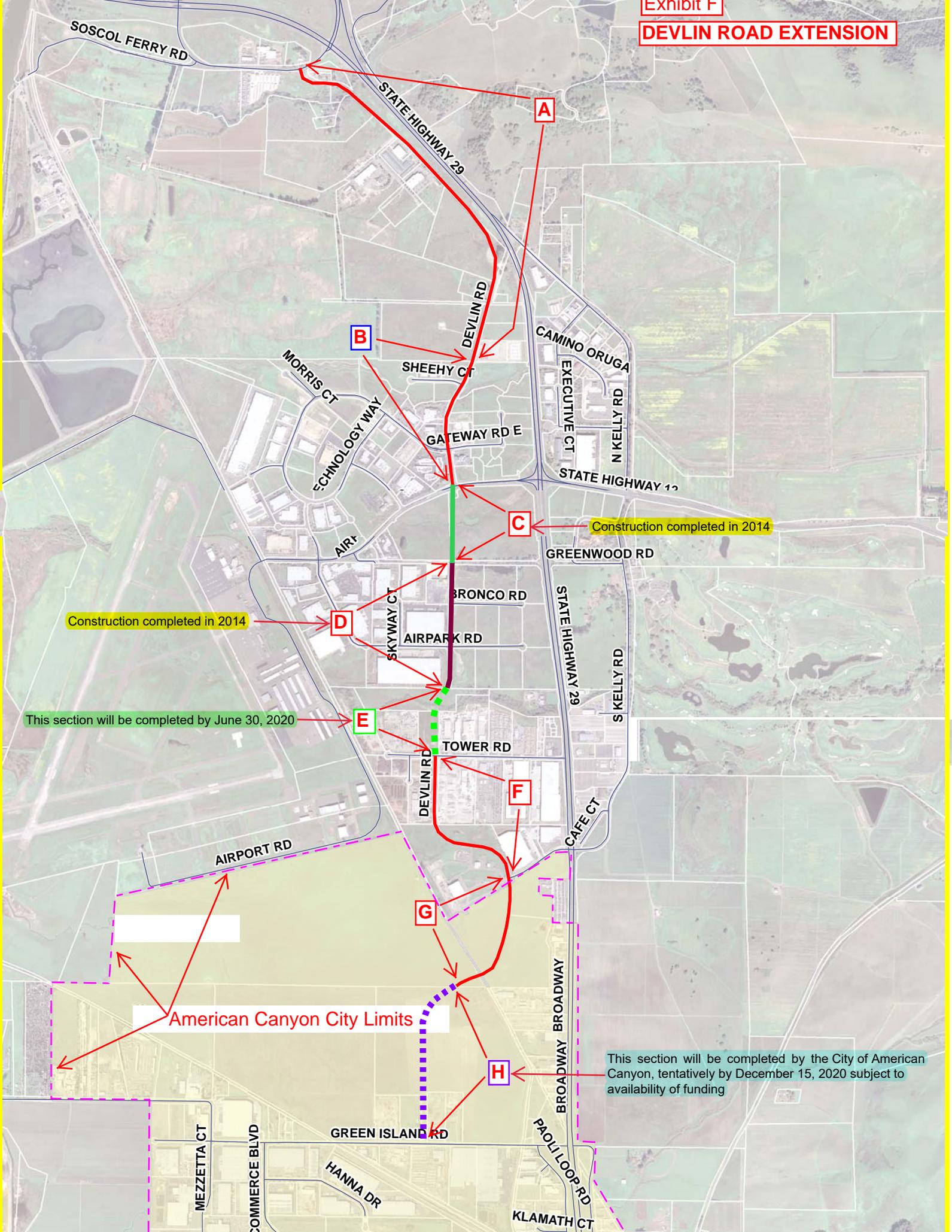
Intersection Details

<i>Intersection</i>	<i>Description</i>
Devlin Road Soscol Ferry Road	Install traffic signal
Devlin Road Airport Boulevard	Install traffic signal – COMPLETE
Devlin Road Airport Boulevard	Southbound: add second left turn lane, extend storage to 275 feet (Maintain minimum 100 ft storage for Gateway Road West) Eastbound: extend left turn storage to 575 feet Northbound: extend right turn storage to 380 feet Westbound: add second left turn lane, extend storage to 295 feet
SR 29 SR 12/Airport Blvd	Construct grade-separated interchange
SR 12/29 SR 221/Soscol Ferry	Construct two roundabout intersections
SR 12 Kelly Road	Install traffic signal – COMPLETE
SR 12 Kelly Road	Northbound: extend left turn storage to 505 feet Northbound: extend right turn storage to 505 feet Westbound: extend left turn storage to 885 feet
SR 29 South Kelly Road	Southbound: extend left turn storage to 1,735 feet Southbound: add right turn storage lane 1,275 feet (to Tower Road) Eastbound: add second left turn lane, extend storage to 590 feet Northbound: add second left turn lane, extend storage to 1,285 feet Westbound: add second left turn lane, extend storage to 705 feet

Attachment E
Airport Industrial Area Specific Plan Map (Original Outlines)



DEVLIN ROAD EXTENSION



Construction completed in 2014

Construction completed in 2014

This section will be completed by June 30, 2020

American Canyon City Limits

This section will be completed by the City of American Canyon, tentatively by December 15, 2020 subject to availability of funding