

Annual Development Impact Fee Report  
(JPA and SPWA Funds)



Fiscal Year Ended June 30, 2015

## Table of Contents

Reporting Requirements for Development Impact Fees .....	1
Description of Development Impact Fees.....	2
<u>Fund Balance and Project Descriptions</u>	
Sewer Connection Fees.....	3
Traffic Mitigation Fees .....	5
Attachment 1: Fee Ordinances, Resolutions and Agreements.....	7

## Reporting Requirements for Development Impact Fees

In California, State legislation sets certain legal and procedural parameters for the charging of development impact fees (“DIFs”). This legislation was passed as AB1600 by the California Legislature and is now codified as California Government Code Sections (GC §) 66000 through 66008 (“Mitigation Fee Act”). This State law went into effect on January 1, 1989.

GC § 66006(b) states the following requirements as pertains to DIFs:

For each separate account or fund established, the local agency shall, within 180 days after the last day of each fiscal year, make available to the public the following information for the fiscal year:

- (A) A brief description of the type of fee in the account or fund.
- (B) The amount of the fee.
- (C) The beginning and ending balance of the account or fund.
- (D) The amount of the fees collected and interest earned.
- (E) An identification of each public improvement on which fees were expended and the amount of expenditures on each improvement including the total percentage of the cost of the public improvement that was funded with fees.
- (F) An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement and the public improvement remains incomplete.
- (G) A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan.
- (H) The amount of refunds made (as pursuant to GC § 66001(e)) due to sufficient funds being collected to complete financing on incomplete public improvements, and the amount of reallocation of funds made (as pursuant to GC § 66001(f)) due to administrative costs of refunding unexpended revenues exceeding the amount to be refunded.

GC § 65865(e) also requires that any development agreement entered into on or after January 1, 2004, the City shall comply with GC § 66006 with respect to any fee it receives or cost it recovers.

## Description of Development Impact Fees

### **Sewer Connection Fees**

Sewer connection fees are established pursuant to Municipal Code Chapter 14.16. Two sewer connection fees are collected when development occurs – a regional sewer connection fee and a local sewer connection fee. Additional fees may be applicable to properties within sewer special benefit assessment areas.

- *Regional Sewer Connection Fees* - The regional sewer connection fee is charged for each sewer unit required within the Regional Treatment Plan Service Area connected to the city-owned public sewer. The service area includes the City of Roseville and portions of Placer County and South Placer Municipal Utility District.

### **Traffic Mitigation Fees**

In 1988 the City of Roseville adopted a citywide Traffic Mitigation Fee Program, requiring new development within the City to pay traffic impact fees. The fees collected through this program, in addition to other funding sources, allows the City to construct transportation impacts identified in its Capital Improvement Program (CIP). The fee program assesses fair-share costs to each jurisdiction based on their impact on the individual roadways from new development.

This fee applies to all new development in the City. The developers in Specific Plan Areas have built, or will construct, more than the minimum amount of improvements from their funds and will receive a credit for those improvements. Additional fees collected by the City on behalf of regional fee programs:

- *Highway 65 Joint Powers Authority Fee Program* – The cities of Roseville and Rocklin, along with Placer County, formed a joint powers authority for the purpose of funding four interchanges on Highway 65. The interchanges include Stanford Ranch Road/Galleria Boulevard, Pleasant Grove Boulevard, Blue Oaks Boulevard and Sunset Boulevard. The fee program assesses fair-share costs to each jurisdiction based on their impact on the individual improvements from new development. City of Roseville serves as staff to the JPA and administers the fee program.

## Fund Balance Summary

Sewer Connection Fees										
Regional Sewer Connection Fees										
Document Establishing Fee	Project	Fee Formula	Starting Balance	Fees Collected (Refunded)	Interest Earned	Interfund Transfer In/(Out)*	Expenditures	Ending Balance as of June 30, 2015	Sufficient Funds to Complete Project?	% of CIP Funded by Fee
Roseville Municipal Code Chapters 14.16		Ordinances 4739 § 11, 2009; 4461 § 1 2006; 2855 § 1, 1995; 1744 § 1, 1983	\$99,032,591	15,908,037	791,962	(98,461)	(9,676,195)			
	PGW WTP Expansion						(382)		Project Complete	100%
	Radio Telemetry-Regional W/W						(35,360)		Yes-Started 2007	100%
	Grease Receiving Station						(21,151)		Project Complete	100%
	Dry Creek Bank Stabiliz.						(284,419)		Project Complete	100%
	Pleasant Grove WWTP Exp						(22,001)		Yes-Started 2015	100%
	Emergency Store Pond Flood Control						(66,781)		Yes-Started 1998	70%
								<b>\$105,527,840</b>		
*Transfers out: \$98,461 for indirect costs to the General Fund.										

### **Regional Sewer Connection Project Fee Project Descriptions**

**PGW WTP Expansion (Project# 073505)** - Replaced chlorine disinfection system with UV disinfection.

**Radio Telemetry-Regional W/W (Project# 073507)** – Implementing preliminary Radio Master Plan recommendations including redesign of SCADA radio system architecture to avoid interference from other regional utilities. Also relocating a key radio repeater from a City structure schedule to be demolished.

**Grease Receiving Station (Project# 073509)** - Study to evaluate feasibility of addition of grease receiving station.

**Dry Creek Bank Stabilization (Project# 133504)** – Improvements to halt bank erosion near a SPWA trunk sewer line are complete. Staff are working to close out the construction contracts.

**Pleasant Grove WWTP Exp (Project# 153507)** - Expand wastewater treatment plant capacity.

**Emergency Store Pond Flood Control (Project# 983507)** - Construct flood control related improvements for the DCWWTP.

<b>Traffic Mitigation Fees</b>										
<b>Highway 65 Joint Powers Authority Fee Program</b>										
<b>Document Establishing Fee</b>	<b>Project</b>	<b>Fee Formula</b>	<b>Starting Balance</b>	<b>Fees Collected (Refunded)</b>	<b>Interest Earned</b>	<b>Interfund Transfer In/(Out)*</b>	<b>Expenditures</b>	<b>Ending Balance as of June 30, 2015</b>	<b>Sufficient Funds to Complete Project?</b>	<b>% of CIP Funded by Fee</b>
Resolution No. 90-312		Joint Powers Agreement Oct, 15, 1990; Amended Aug. 18, 1992	(\$852,849)	1,208,603	10,702	(4,644)	(27,030)			
	Highway 65- Galleria/ Stanford						(36,886)		No	100%
	Highway 65- Reimb						(1,126,375)		No	100%
								(\$828,478)		
*Transfers out: \$4,644 for indirect costs to the General Fund.										

### **Traffic Mitigation Fee Project Descriptions**

**Highway 65-Galleria/Stanford (Project# 152515)** –The proposed project would modify the SR 65 NB ramps at the Galleria Boulevard/Stanford Ranch Road interchange as well as reconfigure the lanes along Galleria Boulevard/Stanford Ranch Road. The project would construct the following:

- Dual left turn lanes onto the NB SR 65 slip on-ramp.
- Protected median left turn pockets at the NB and SB ramp intersections, eliminating the inside trap lanes.
- Right turn pocket for the SB approach along Stanford Ranch Road to the NB slip on-ramp.
- Widened NB SR 65 to NB Stanford Ranch Road slip off-ramp from one to two lanes at the ramp terminus. Off-ramp will include a signalized intersection at Stanford Ranch Road.
- Widened NB slip on-ramp to two metered general purpose lanes plus an HOV preferential lane.
- Modified terminus of the NB loop off-ramp to reduce speeds and enhance safety for all modes utilizing the facility.

**Highway 65-Reimb (Project# 942517)** – This is reimbursement to Roseville, Rocklin and Placer County for agency contributions to Highway 65 JPA projects as follows:

- Sunset Blvd Interchange – Roseville, Rocklin and Placer County each committed \$2.4 million (\$7.2 mil total) toward construction.
- Pleasant Grove Interchange Phase 2 – Roseville contributed \$10,039,250 toward construction.
- Galleria Boulevard Phase 2 – Roseville contributed \$1,139,973 toward construction.

**Attachment 1:  
Fee Ordinances, Resolutions and  
Agreements**

**Sewer Connection Fees:**

**Regional Sewer Connection Fees**

**Ordinance No. 4739**

ORDINANCE NO. 4739

ORDINANCE OF THE COUNCIL OF THE CITY OF ROSEVILLE AMENDING SECTIONS 4.37.140 OF CHAPTER 4.37; 4.38.090 OF CHAPTER 4.38; 4.44.140 OF CHAPTER 4.44, 4.45.140 OF CHAPTER 45; 4.48.140 OF CHAPTER 4.48; 4.49.170 OF CHAPTER 4.49; 4.52.140 OF CHAPTER 4.52; 4.53.140 OF CHAPTER 4.53; 4.54.140 OF CHAPTER 4.54 OF TITLE 4; SECTIONS 14.08.031 OF CHAPTER 14.08; 14.16.060, 14.16.070 AND 14.16.080 OF CHAPTER 14.16 OF TITLE 14 OF THE ROSEVILLE MUNICIPAL CODE REGARDING INFLATIONARY ADJUSTMENTS

THE CITY OF ROSEVILLE ORDAINS:

SECTION 1. Section 4.37.140 of Chapter 4.37 of Title 4 of the Roseville Municipal Code is hereby amended to read as follows:

**4.37.140 Inflationary adjustments.**

The fee established by this chapter shall be adjusted annually July 1<sup>st</sup> beginning on July 1, 2010 by a percentage equal to the adjustment rate for the prior year for construction costs as determined by the director in the preceding June. The director's determination shall be based upon averaging the Construction Cost Index (CCI) for twenty cities and for San Francisco, as published in the Engineering News Record publication for the preceding 12 months ending in May. The resultant fee shall be rounded to the nearest dollar (\$1.00) figure.

SECTION 2. Section 4.38.090 of Chapter 4.38 of Title 4 of the Roseville Municipal Code is hereby amended to read as follows:

**4.38.090 Inflationary adjustments.**

The fee established by this chapter shall be adjusted annually July 1<sup>st</sup> beginning on July 1, 2010 by a percentage equal to the adjustment rate for the prior year for construction costs as determined by the director in the preceding June. The director's determination shall be based upon averaging the Construction Cost Index (CCI) for twenty cities and for San Francisco, as published in the Engineering News Record publication for the preceding 12 months ending in May. The resultant fee shall be rounded to the nearest dollar (\$1.00) figure.

SECTION 3. Section 4.44.140 of Chapter 4.44 of Title 4 of the Roseville Municipal Code is hereby amended to read as follows:

**4.44.140 Inflationary adjustments.**

The fee established by this chapter shall be adjusted annually July 1<sup>st</sup> beginning on July 1, 2010 by a percentage equal to the adjustment rate for the prior year for construction costs as determined by the director in the preceding June. The director's determination shall be based upon averaging the Construction Cost Index (CCI) for twenty cities and for San Francisco, as

published in the Engineering News Record publication for the preceding 12 months ending in May. The resultant fee shall be rounded to the nearest dollar (\$1.00) figure.

SECTION 4. Section 4.45.140 of Chapter 4.45 of Title 4 of the Roseville Municipal Code is hereby amended to read as follows:

**4.45.140 Inflationary adjustments.**

The fee established by this chapter shall be adjusted annually on July 1<sup>st</sup> by a percentage equal to the adjustment rate for the prior year for construction costs as determined by the director in the preceding June. The director's determination shall be based upon averaging the Construction Cost Index (CCI) for twenty cities and for San Francisco, as published in the Engineering News Record publication for the preceding 12 months ending in May. The resultant fee shall be rounded to the nearest dollar (\$1.00) figure.

SECTION 5: Section 4.48.140 of Chapter 4.48 of Title 4 of the Roseville Municipal Code is hereby amended to read as follows:

**4.48.140 Inflationary adjustments.**

The fee established by this chapter shall be adjusted annually July 1<sup>st</sup> beginning on July 1, 2010 by a percentage equal to the adjustment rate for the prior year for construction costs as determined by the director in the preceding June. The director's determination shall be based upon averaging the Construction Cost Index (CCI) for twenty cities and for San Francisco, as published in the Engineering News Record publication for the preceding 12 months ending in May. The resultant fee shall be rounded to the nearest dollar (\$1.00) figure.

SECTION 6. Section 4.49.170 of Chapter 4.49 of Title 4 of the Roseville Municipal Code is hereby amended to read as follows:

**4.49.170 Inflationary adjustments.**

The fee established by this chapter shall be adjusted annually on July 1<sup>st</sup> by a percentage equal to the adjustment rate for the prior year for construction costs as determined by the director in the preceding June. The director's determination shall be based upon averaging the Construction Cost Index (CCI) for twenty cities and for San Francisco, as published in the Engineering News Record publication for the preceding 12 months ending in May. The resultant fee shall be rounded to the nearest dollar (\$1.00) figure.

SECTION 7. Section 4.52.140 of Chapter 4.52 of Title 4 of the Roseville Municipal Code is hereby amended to read as follows:

**4.52.140 Inflationary adjustments.**

The fee established by this chapter shall be adjusted annually July 1<sup>st</sup> beginning on July 1, 2010 by a percentage equal to the adjustment rate for the prior year for construction costs as determined by the director in the preceding June. The director's determination shall be based upon averaging the Construction Cost Index (CCI) for twenty cities and for San Francisco, as published in the Engineering News Record publication for the preceding 12 months ending in May. The resultant fee shall be rounded to the nearest dollar (\$1.00) figure.

SECTION 8. Section 4.53.140 of Chapter 4.53 of Title 4 of the Roseville Municipal Code is hereby amended to read as follows:

**4.53.140 Inflationary adjustments.**

The fee established by this chapter shall be adjusted annually July 1<sup>st</sup> beginning on July 1, 2010 by a percentage equal to the adjustment rate for the prior year for construction costs as determined by the director in the preceding June. The director's determination shall be based upon averaging the Construction Cost Index (CCI) for twenty cities and for San Francisco, as published in the Engineering News Record publication for the preceding 12 months ending in May. The resultant fee shall be rounded to the nearest dollar (\$1.00) figure.

SECTION 9. Section 4.54.140 of Chapter 4.54 of Title 4 of the Roseville Municipal Code is hereby amended to read as follows:

**4.54.140 Inflationary adjustments.**

The fee established by this chapter shall be adjusted annually July 1<sup>st</sup> beginning on July 1, 2010 by a percentage equal to the adjustment rate for the prior year for construction costs as determined by the director in the preceding June. The director's determination shall be based upon averaging the Construction Cost Index (CCI) for twenty cities and for San Francisco, as published in the Engineering News Record publication for the preceding 12 months ending in May. The resultant fee shall be rounded to the nearest dollar (\$1.00) figure.

SECTION 10. Section 14.08.031 of Chapter 14.08 of Title 14 of the Roseville Municipal Code is hereby amended to read as follows:

**14.08.031 Special area water connection fee.**

A. A special area water connection fee (for example, but not limited to, water pressure zone, waterline reimbursement and water benefit fees) shall be charged for each water unit connected to the city-owned public water system for infrastructure for areas of special

benefit as identified and in amounts as set forth by the city council by resolution, from time to time.

B. The fee established by this chapter shall be adjusted annually July 1<sup>st</sup> beginning on July 1, 2010 by a percentage equal to the adjustment rate for the prior year for construction costs as determined by the director in the preceding June. The director's determination shall be based upon averaging the Construction Cost Index (CCI) for twenty cities and for San Francisco, as published in the Engineering News Record publication for the preceding 12 months ending in May. The resultant fee shall be rounded to the nearest dollar (\$1.00) figure.

SECTION 11. Sections 14.16.060, 14.16.070 and 14.16.080 of Chapter 14.16 of Title 14 of the Roseville Municipal Code are hereby amended to read as follows:

**14.16.060 Local sewer connection fee.**

A. A local sewer connection fee shall be charged in accordance with Section 14.16.010 for each connection to the city-owned public sewer.

B. The local sewer connection fee shall be \$200.00 per sewer unit.

C. The fee established by this chapter shall be adjusted annually July 1<sup>st</sup> beginning on July 1, 2010 by a percentage equal to the adjustment rate for the prior year for construction costs as determined by the director in the preceding June. The director's determination shall be based upon averaging the Construction Cost Index (CCI) for twenty cities and for San Francisco, as published in the Engineering News Record publication for the preceding 12 months ending in May. The resultant fee shall be rounded to the nearest dollar (\$1.00) figure.

**14.16.070 Special area sewer connection fee.**

A. A special area sewer connection fee (for example, but not limited to, special benefit fees) shall be charged in accordance with Section 14.16.010 for each sewer unit connected to the city-owned public sewer for sewer line replacement, enlargement, lift stations or other improvements for areas of special benefit as identified and in amounts as set forth by the city council by resolution, from time to time.

B. The fee established by this chapter shall be adjusted annually on July 1<sup>st</sup> by a percentage equal to the adjustment rate for the prior year for construction costs as determined by the director in the preceding June. The director's determination shall be based upon averaging the Construction Cost Index (CCI) for twenty cities and for San Francisco, as published in the Engineering News Record publication for the preceding 12 months ending in May. The resultant fee shall be rounded to the nearest dollar (\$1.00) figure.

**14.16.080 Regional sewer connection fee.**

A. Regional sewer connection fee shall be charged in accordance with Section 14.16.010 for each sewer unit connected to the city-owned public sewer.

B. The regional sewer connection fee shall be \$5,500.00.

C. The fee established by this chapter shall be adjusted annually on July 1<sup>st</sup> by a percentage equal to the adjustment rate for the prior year for construction costs as determined by the director in the preceding June. The director's determination shall be based upon averaging the Construction Cost Index (CCI) for twenty cities and for San Francisco, as published in the Engineering News Record publication for the preceding 12 months ending in May. The resultant fee shall be rounded to the nearest dollar (\$1.00) figure.

SECTION 12. This ordinance shall be effective at the expiration of thirty (30) days from the date of adoption.

SECTION 13. The City Clerk is hereby directed to cause this ordinance to be published in full at least once within fourteen (14) days after it is adopted in a newspaper of general circulation in the City, or shall within fourteen (14) days after its adoption cause this ordinance to be posted in full in at least three (3) public places in the City and enter in the Ordinance Book a certificate stating the time and place of said publication by posting.

PASSED AND ADOPTED by the Council of the City of Roseville this 20<sup>th</sup> day of May, 2009, by the following vote on roll call:

AYES	COUNCILMEMBERS:	Allard, Gray, Garbolino
NOES	COUNCILMEMBERS:	Roccucci
ABSENT	COUNCILMEMBERS:	Garcia

  
MAYOR

ATTEST:

  
City Clerk

**Traffic Mitigation Fees**

**Highway 65 Joint Powers Authority Fee Program**

**Joint Powers Agreement**

**October 15, 1990**

**As Amended August 18, 1992**

9169

JOINT POWERS AGREEMENT FOR THE FINANCING AND  
CONSTRUCTION OF INTERCHANGES ON STATE HIGHWAY 65  
CITY OF ROCKLIN CITY OF ROSEVILLE  
COUNTY OF PLACER

This Agreement is entered into as of October 15, 1990  
by and between the County of Placer, a political subdivision  
of the State ("County"), and the City of Rocklin and the  
City of Roseville, municipal corporations organized and  
existing under the laws of the State of California  
("Cities").

RECITALS

1. The County and Cities have the common powers to ac-  
quire real property and, with the consent and cooperation of  
the California State Department of Transportation, to  
finance and construct freeway interchanges.

2. The County and Cities have determined that the  
public interest will be served by the joint exercise of  
these powers through this Agreement and the creation of a  
joint powers authority to plan for, finance, and construct  
four interchanges on State Highway 65 to serve their  
respective jurisdictions and spheres of influence.

AGREEMENT

3. Authority and Purpose.

This Agreement is made pursuant to Chapter 5 of  
Division 7 of the Title 1 of the California Government Code  
(commencing with section 6500) (the "Law") relative to the  
joint exercise of powers common to the County and Cities.  
The purpose of this Agreement is to provide for the  
planning, financing, and construction of four interchanges  
to State Highway 65 located in the jurisdictions of the  
County and Cities through the creation of a joint powers  
authority. The four interchanges and their approximate  
location are shown on Exhibit A attached to this Agreement  
and incorporated herein.

4. Creation of Authority and Jurisdiction.

There is hereby created the "Bizz Johnson" Highway  
Interchange Joint Powers Authority ("Authority") a public  
entity separate from the County and Cities, whose

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CITY OF ROSEVILLE  
BY Malik

jurisdiction is as shown and described in Exhibit B, attached hereto and by this reference incorporated herein.

5. Term and Termination.

This Agreement shall be effective as of that date first stated above. It shall remain in effect until the purpose stated in paragraph 3 is fully accomplished and all bonds or other instruments of indebtedness issued by the Authority, if any, have been paid, or until terminated by the unanimous agreement of the respective governing bodies of the County and Cities in accordance with the law.

6. Powers

The Authority shall have all powers necessary or reasonably convenient to carry out the purpose stated in paragraph 3, including but not limited to the following:

A. Administration:

1) to secure administrative office space and furnishings;

2) to contract for or employ administrative, technical, and support staff;

3) to acquire, operate, maintain, and dispose of materials, supplies, equipment and insurance of all types to effect or facilitate achievement of the Authority's purpose;

4) all powers incidental to the foregoing.

B. Interchange Construction:

1) To develop a plan or formula for determining the timing and sequence of construction of the four interchanges;

2) to contract for or employ staff to conduct studies and surveys; to prepare reports; to prepare plans, specifications, and other bid documents; to administer construction contracts; and to coordinate the construction projects with all affected governmental agencies;

3) to lease, acquire or dispose of real property by negotiation, dedication, or eminent domain;

4) to lease, acquire, operate, maintain and dispose of materials, supplies, and equipment of all types to effect the construction of the four interchanges;

5) to construct or cause to be constructed the four interchanges and all related or appurtenant structures;

6) all powers incidental to the foregoing.

C. Financing:

1) to accept, hold, invest (pursuant to section 6509.5 of the Law), manage, and expend monies for administrative purposes and for construction of the interchanges;

2) to levy fees and taxes, enter into lease-purchase agreements, and to issue bonds and incur other forms of indebtedness as provided in sections 6547.1, 6547.5, and 6547.6 of the Law to fund the construction of the interchanges and all related costs, including all administrative costs;

3) to form a special assessment district under the Improvement Act of 1911, the Municipal Improvement Act of 1913, the Improvement Bond Act of 1915, or any other authority that exists now or in the future;

4) to form a special tax district under the Mello-Roos Community Facilities District Act or any other authority that may exists now or in the future;

5) to negotiate and enter into reimbursement agreements when monies to construct one or more interchanges are advanced;

6) to develop and adopt an interchange construction financing plan that may include a mechanism for borrowing funds collected for one interchange to fund another;

7) all powers incidental to the foregoing.

7. Duties.

The Authority shall have the duty to do the following within the times specified or, if no time is specified, within a reasonable time:

A. to retain legal counsel for all Authority business, including litigation;

B. to secure liability and errors and omission insurance;

C. to develop and adopt, within 12 months of the date of this Agreement, a plan or formula for determining the timing and sequence of construction of the four interchanges, and an interchange construction financing plan. The plan or formula for determining the timing and sequence of construction shall provide that the Harding Boulevard interchange shall be the first to be constructed. The construction financing plan shall acknowledge the payment of any fees transferred to the Authority under paragraph 8.D.6) and any reimbursement obligations relating thereto, and shall incorporate the relevant terms and conditions of any agreement entered into by the County or either member City with a landowner under which funds were advanced for the construction of one or more of the four interchanges, or a waiver of protest rights was made.

8. Administration.

A. Governing Board -- Membership. The Authority shall be administered by a board of directors ("Board") consisting of three directors and three alternates. One director and one alternate shall be current members of the County's Board of Supervisors; one director and one alternate shall be current members of the Rocklin City Council; and one director and one alternate shall be current members of the Roseville City Council. Each director and each alternate shall be appointed by the Board of Supervisors or the City Council of which he or she is a member and shall serve at the pleasure of the appointing body. Alternates shall serve as directors in the absence of the director representing the same jurisdiction as the alternate.

B. Meetings.

1) Regular Meetings. The Board shall by resolution establish the number of regular

meetings to be held each year and the date, hour, and location at which such regular meetings shall be held; provided, however, that the resolution shall provide for at least one (1) regular meeting quarterly.

2) Special Meetings. Special meetings of the Board may be called in accordance with the provisions of section 54956 of the California Government Code.

3) Conduct of Meetings. All meetings of the Board shall be held in accordance with Chapter 9 of Part 1 of Division 2 of Title 5 of the California Government Code (commencing with 54950) (California Open Meeting Law).

4) Minutes. The Secretary of the Authority shall cause minutes of all meetings of the Board to be kept and shall, as soon as possible after each meeting, cause a copy of the minutes to be forwarded to each member of the Board and to the County and Cities.

5) Quorum. Two (2) directors of the Board shall constitute a quorum for the transaction of business, except that less than a quorum may adjourn from time to time. Except as provided in paragraph 9, actions of the Board shall require the affirmative vote of a majority of the entire Board.

C. Procedures.

1) The Board shall elect a Chair from among its membership to preside at meetings and shall select a Secretary who may, but need not, be a member of the Board.

2) The Board may adopt by resolution rules of procedure not inconsistent with the provisions of this Agreement to govern the conduct of its meetings.

3) Members of the Board of Directors shall comply with Title 9 of the California Government Code (commencing with 81000) (Political Reform Act of 1974).

D. Fiscal Matters.

1) Treasurer and Auditor.

a) Except as provided in b) below, the treasurer and auditor of County are designated the treasurer and auditor of the Authority with the powers, duties, and responsibilities specified in section 6505 and 6505.5 of the Law.

b) In lieu of the designations in a), above, the Board may appoint one or more of its employees to either or both of the positions of treasurer or auditor as provided in section 6505.6 of the Law. Such appointment shall supersede the designation made in a), above. The persons or persons appointed by the Board under this paragraph shall have the powers, duties and responsibilities specified in sections 6505 and 6505.5 of the Law.

2) Custodian of Property. The treasurer and auditor of the Authority shall be the public officers who have charge of, handle, and have access to the Authority's property and shall file with the Authority an official bond in the amount fixed by the County and Cities.

3) Accounts and Reports. The Board shall establish and maintain such funds and accounts as may be required by good accounting practice. The books and records of the Authority shall be open to inspection at all reasonable times to the County and Cities and their respective representatives. The Authority, within 120 days after the close of each fiscal year, shall give a complete written report of all financial activities for such fiscal year to the County and Cities. The accounts shall be prepared and maintained by the treasurer and auditor of the Authority. The written reports shall be prepared by an independent certified public accountant employed by the Authority.

4) Budgets. The Board shall adopt a budget no later than 90 days after the effective date of this Agreement and no later than June 30 of each year thereafter.

5) Contributions. Within 90 days of the effective date of this Agreement the County and Cities shall contribute to the Authority start-up funds in the amounts determined by the Board. The Board may request additional amounts to be contributed in the future from the County and the Cities which amounts shall be allocated proportionately among the County and Cities based on the traffic trip ends contained in the report entitled "Final Report Interagency Plan for the Financing of Highway 65 Interchange Improvements" dated July 1, 1988 and prepared by Ralph Andersen & Associates or based on another allocation method adopted by the Board. The Board may provide for the reimbursement of all funds contributed by the County and Cities under this Agreement from funds collected for the interchange construction projects.

6) Assignment and Transfer of Funds. Within 90 days of the effective date of this Agreement, the County and each member City shall assign or otherwise transfer to the Authority its rights and obligations relating to the financing and construction of one or more of the four interchanges in connection with the payment of any fee or under any agreement with a landowner under which funds were advanced for the construction of one or more of the four interchanges or a waiver of protest rights was made. The County and each member City shall, concurrent with the assignment or other method of transfer, transfer to the Authority any funds received from a landowner.

9. Voting.

Notwithstanding paragraph 8.B.5), the following actions require three votes of the Board, with each director or alternate voting in accordance with the direction given by his or her appointing body:

- A. To acquire real property by eminent domain;
- B. To levy a tax;
- C. To order formation of an assessment or special tax district;
- D. To authorize the sale of bonds;
- E. To award contracts in excess of \$1,000,000.00;

F. To approve the annual budget.

G. To make a financial commitment with a term of more than one year;

H. To establish limits of liability and errors and omissions insurance;

I. To adopt or amend the plan or formula for determining the timing and sequence of construction of the four interchanges, or to approve construction that is at variance with the approved plan or formula;

J. To determine the amount of the initial contributions of start-up funds, and to adopt or to amend the method of allocating contribution obligations under paragraph 8.D.5).

10. Exercise of Powers.

The powers and duties described in this Agreement shall be exercised and carried out subject only to such restrictions upon the manner of exercising such powers or carrying out such duties as are imposed upon the City of Roseville in the exercise of similar powers or in carrying out similar duties as provided in section 6509 of the law.

11. Debts and Liabilities.

The debts, liabilities and obligations of the Authority shall not constitute a debt, liability or responsibility of the County or the Cities, either jointly or individually.

12. Liberal Construction.

The provisions of the Agreement, and in particular the provisions of paragraphs 6, 7 and 8, shall be liberally construed as necessary or reasonably convenient to achieve the purposes of the Authority.

13. Disposition of Property.

Prior to termination under paragraph 5 the Authority shall dispose of all of its property in a manner determined by the Authority to be most beneficial to the parties hereto. The proceeds of such disposal and any other surplus money shall be distributed to the parties in the same proportion as their original contribution.

14. Severability.

Should any part, term, or provisions of this Agreement be decided by the courts to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining portions or provisions shall not be affected thereby.

15. Successor and Assignment.

This agreement shall be binding upon and shall inure to the benefit of the successors of the parties. No party may assign any right or obligation hereunder without the consent of the others.

16. Amendments.

This Agreement may be amended only by the unanimous agreement of the County and Cities.

The parties have executed and attested this Agreement as of the date first above written.

COUNTY OF PLACER

By *Alfonso Ferreira*  
Chair, Board of Supervisors

10.3.89

ATTEST:

*Georgia Hake*  
Clerk Placer County

CITY OF ROCKLIN  
A MUNICIPAL CORPORATION

By *Carlos Dominguez*  
Mayor

ATTEST:

*Andrea Budweiser*  
City Clerk, City of Rocklin

CITY OF ROSEVILLE  
A MUNICIPAL CORPORATION

By *Alex Johnson*  
City Manager

ATTEST:

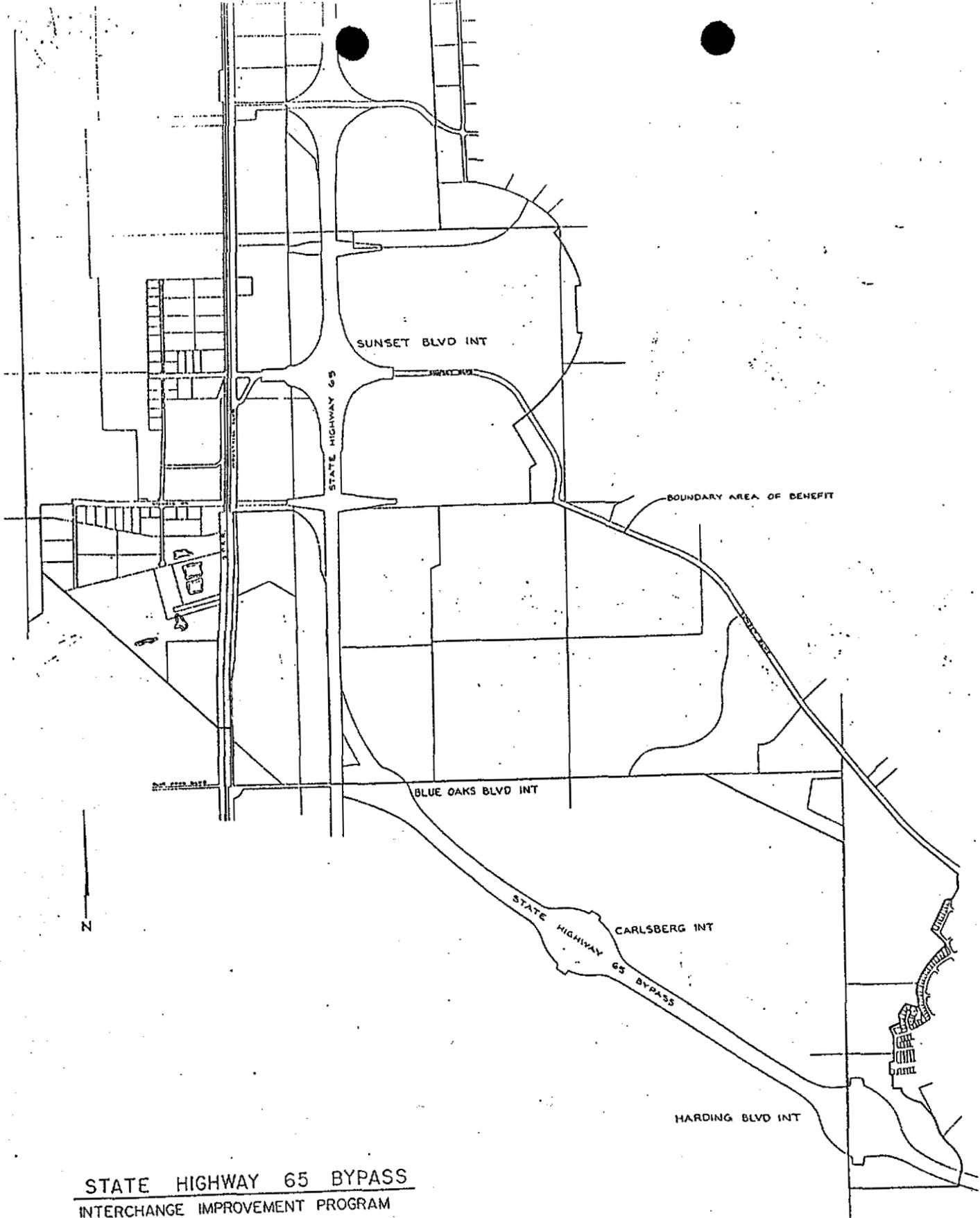
*Helene Florance*  
City Clerk, City of Roseville

*Michael Dees*

CITY ATTORNEY  
City of Roseville, Calif.

Date 12/4/90

JPAAGRMT092009



STATE HIGHWAY 65 BYPASS  
INTERCHANGE IMPROVEMENT PROGRAM

EXHIBIT A

0702 0000 0017 0025

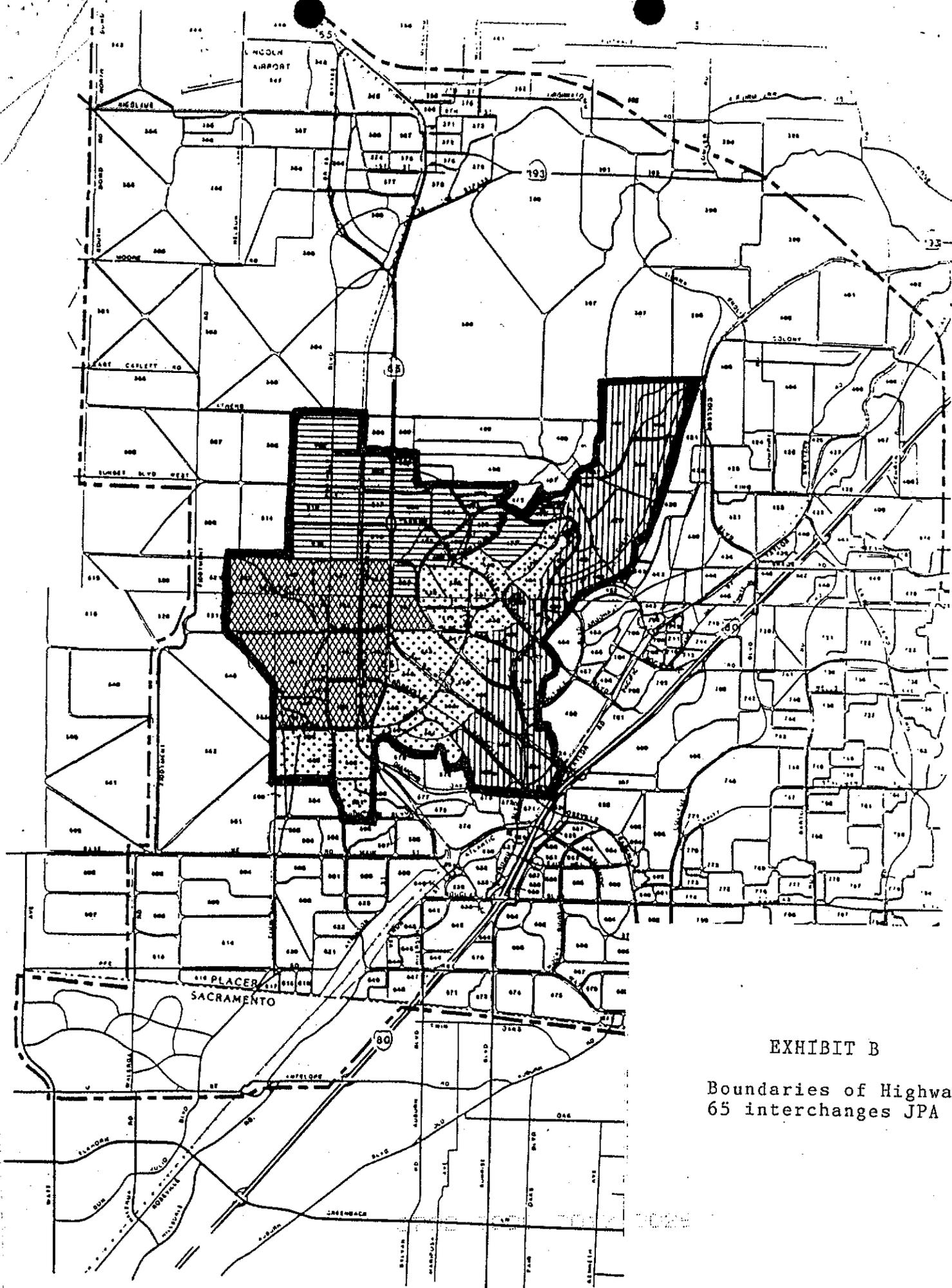


EXHIBIT B  
Boundaries of Highway  
65 interchanges JPA

RESOLUTION NO. 90-302

RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF ROCKLIN APPROVING AND AUTHORIZING  
THE MAYOR TO EXECUTE A JOINT  
POWERS AUTHORITY AGREEMENT  
FOR THE HIGHWAY 65 INTERCHANGES

BE IT RESOLVED by the City Council of the City of  
Rocklin as follows:

Section 1. The City Council of the City of Rocklin  
hereby approves and authorizes the Mayor to execute a Joint  
Powers Authority Agreement for the Highway 65 Interchanges,  
in the form attached hereto as Exhibit A and by this  
reference incorporated herein.

PASSED AND ADOPTED this 25th day of September, 1990, by  
the following roll call vote:

AYES: Councilmembers: Hill, Lund, Huson, Mitchell,  
Dominguez  
NOES: Councilmembers: None  
ABSENT: Councilmembers: None  
ABSTAIN: Councilmembers: None

Leanne Dominguez  
Mayor

ATTEST:

Balove  
City Clerk

CERTIFICATION OF RESOLUTION NO. 90-302

I hereby certify that the foregoing is a full, true and  
correct copy of Resolution No. 90-302 passed  
and adopted by the City Council of Rocklin at a regular  
meeting thereof, held 25 Sept. 1990

Balove  
City Clerk of the City of Rocklin

RESOLUTION NO. 90-312

RESOLUTION OF THE COUNCIL OF THE CITY OF ROSEVILLE  
APPROVING A JOINT POWERS AGREEMENT WITH THE CITY OF  
ROCKLIN AND COUNTY OF PLACER FORMING THE BIZZ JOHNSON  
HIGHWAY INTERCHANGE JOINT POWERS AUTHORITY, AND  
AUTHORIZING THE CITY MANAGER TO EXECUTE IT ON BEHALF  
OF THE CITY OF ROSEVILLE

WHEREAS, a joint powers agreement between the Cities of Roseville and Rocklin and the County of Placer ("the JPA") for the purpose of forming the Bizz Johnson Highway Interchange Joint Powers Authority ("the Authority") has been prepared and reviewed by the City Council, and

WHEREAS, the City Council has previously approved and authorized the City Manager to execute said JPA in October, 1989 and said JPA has now been executed by the other public agencies who will be members of the Authority, and

WHEREAS, the City Council now desires to re-approve the said JPA, thereby signifying its continued support and approval of the Authority,

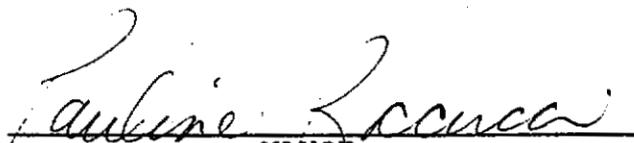
NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Roseville that the said JPA forming the Bizz Johnson Highway Interchange Joint Powers Authority is hereby approved and that the City Manager is authorized to execute it on behalf of the City of Roseville.

PASSED AND ADOPTED by the Council of the City of Roseville this 12th day of December, 1990, by the following vote on roll call:

AYES COUNCILMEMBERS: Bill Santucci, Harry Crabb, Jr., John Byouk  
Mel Hamel, Pauline Roccucci

NOES COUNCILMEMBERS: None

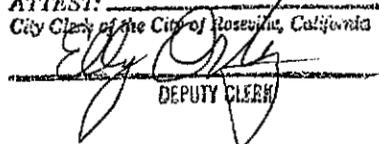
ABSENT COUNCILMEMBERS: None

  
MAYOR

ATTEST:

  
City Clerk

The foregoing instrument is a correct copy of the original on file in this office.

ATTEST  
City Clerk of the City of Roseville, California  
  
DEPUTY CLERK

Before the Board of Supervisors  
County of Placer, State of California

In the matter of: A RESOLUTION APPROVING  
AND AUTHORIZING EXECUTION OF A  
JOINT POWERS AUTHORITY (JPA)  
AGREEMENT FOR FUNDING AND  
CONSTRUCTION OF INTERCHANGES  
ALONG STATE HIGHWAY 65

Resol. No: 89-358

Ord. No: .....

First Reading: .....

The following RESOLUTION was duly passed by the Board of Supervisors  
of the County of Placer at a regular meeting held October 3, 1989,  
by the following vote on roll call:

Ayes: MAHAN, BELAND, HOGG, FLUTY, FERREIRA

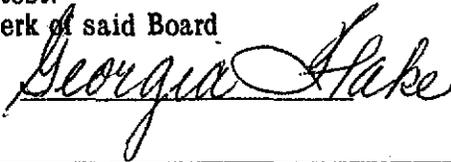
Noes: NONE

Absent: NONE

Signed and approved by me after its passage.

  
Chairman, Board of Supervisors

Attest:  
Clerk of said Board



BE IT HEREBY RESOLVED by the Board of Supervisors, County of  
Placer, State of California, that this Board approves and  
directs the Chairman to sign the attached Joint Powers Authority  
(JPA) Agreement for Funding and Construction of Interchanges  
Along State Highway 65.

FIRST AMENDMENT TO JOINT POWERS AGREEMENT  
FOR THE FINANCING AND CONSTRUCTION OF  
INTERCHANGES ON STATE HIGHWAY 65  
CITY OF ROCKLIN                      CITY OF ROSEVILLE  
COUNTY OF PLACER

This First Amendment to the Joint Powers Agreement for the Financing and Construction of Interchanges on State Highway 65 ("Joint Powers Agreement"), dated October 15, 1990, by and between the County of Placer, a political subdivision of the State ("County"), and the City of Rocklin and the City of Roseville, municipal corporations organized and existing under the laws in the State of California ("Cities"), is entered into as of August 18, 1992.

RECITALS

WHEREAS, County and Cities desire to amend the Joint Powers Agreement; and

WHEREAS, County and Cities have determined that the jurisdiction of the Joint Powers Authority should be larger than initially agreed by the County and Cities, the County and Cities desire to revise and amend the area of jurisdiction, to include all of the city limits of Roseville, and Rocklin and parts of Placer County shown and described on Exhibit B, to the original Joint Powers Agreement for the financing and construction of interchanges on State Highway 65.

WITNESSETH: NOW, THEREFORE, County and Cities do mutually agree as follows;

Section 1: Exhibit B to the Joint Powers Agreement for the Financing and Construction of Interchanges on State Highway 65, dated October 15, 1990, is hereby deleted in its entirety and substituted with a new Exhibit B, which is attached hereto and, by this reference, incorporated herein.

Section 2: All remaining provisions of the Joint Powers Agreement shall remain the same and in full force and effect.

IN WITNESSETH WHEREOF, the parties have entered into this agreement as of the date and year above provided.

COUNTY OF PLACER

By *William J. [Signature]* 8-18-92  
Chair, Board of Supervisors

ATTEST:

Georgia Pike  
Clerk, Placer County

CITY OF ROCKLIN  
A MUNICIPAL CORPORATION

By [Signature]  
Mayor

ATTEST:

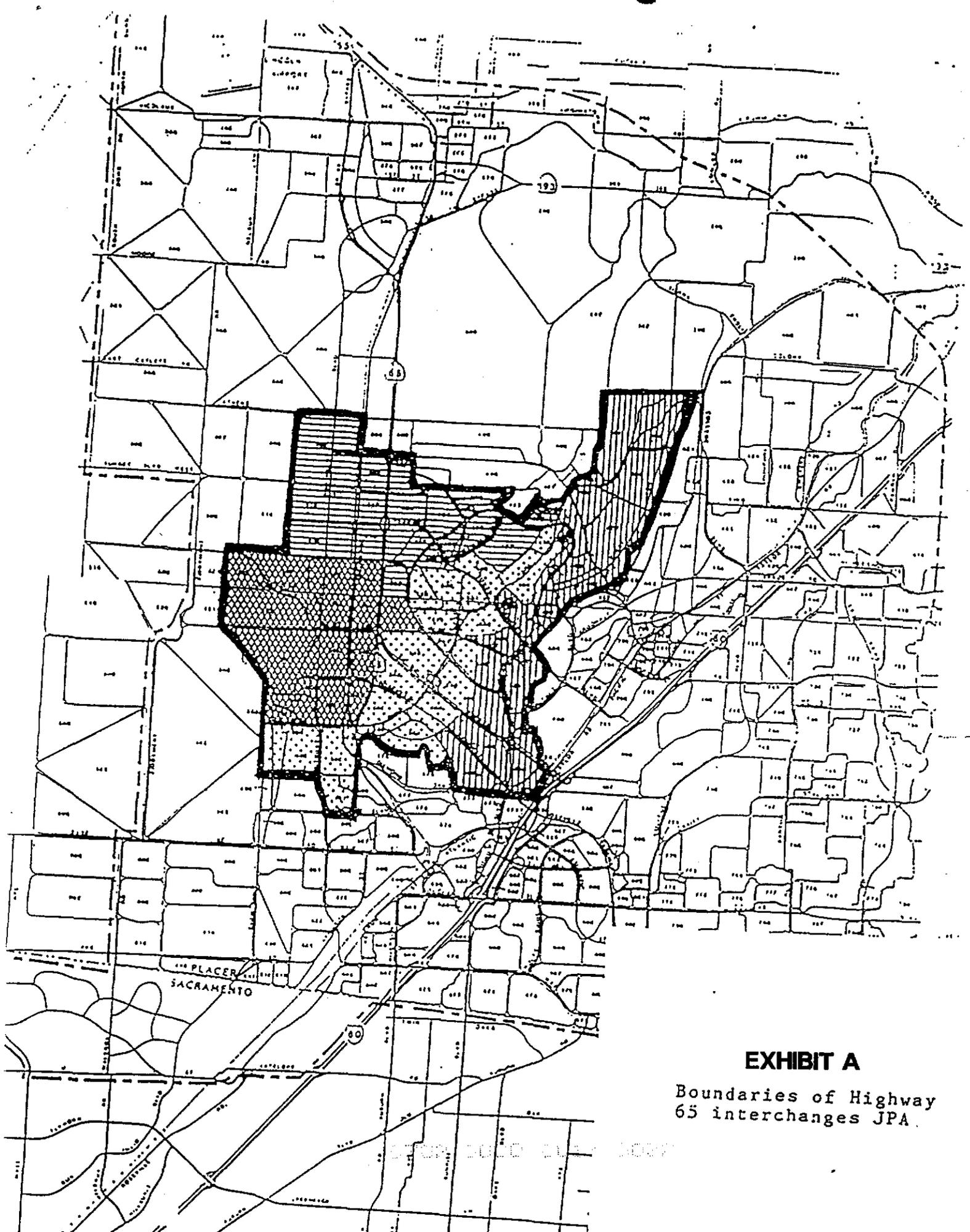
[Signature]  
City Clerk, City of Rocklin

CITY OF ROSEVILLE  
A MUNICIPAL CORPORATION

By [Signature]  
City Manager

ATTEST:

Helene Florence  
City Clerk, City of Roseville

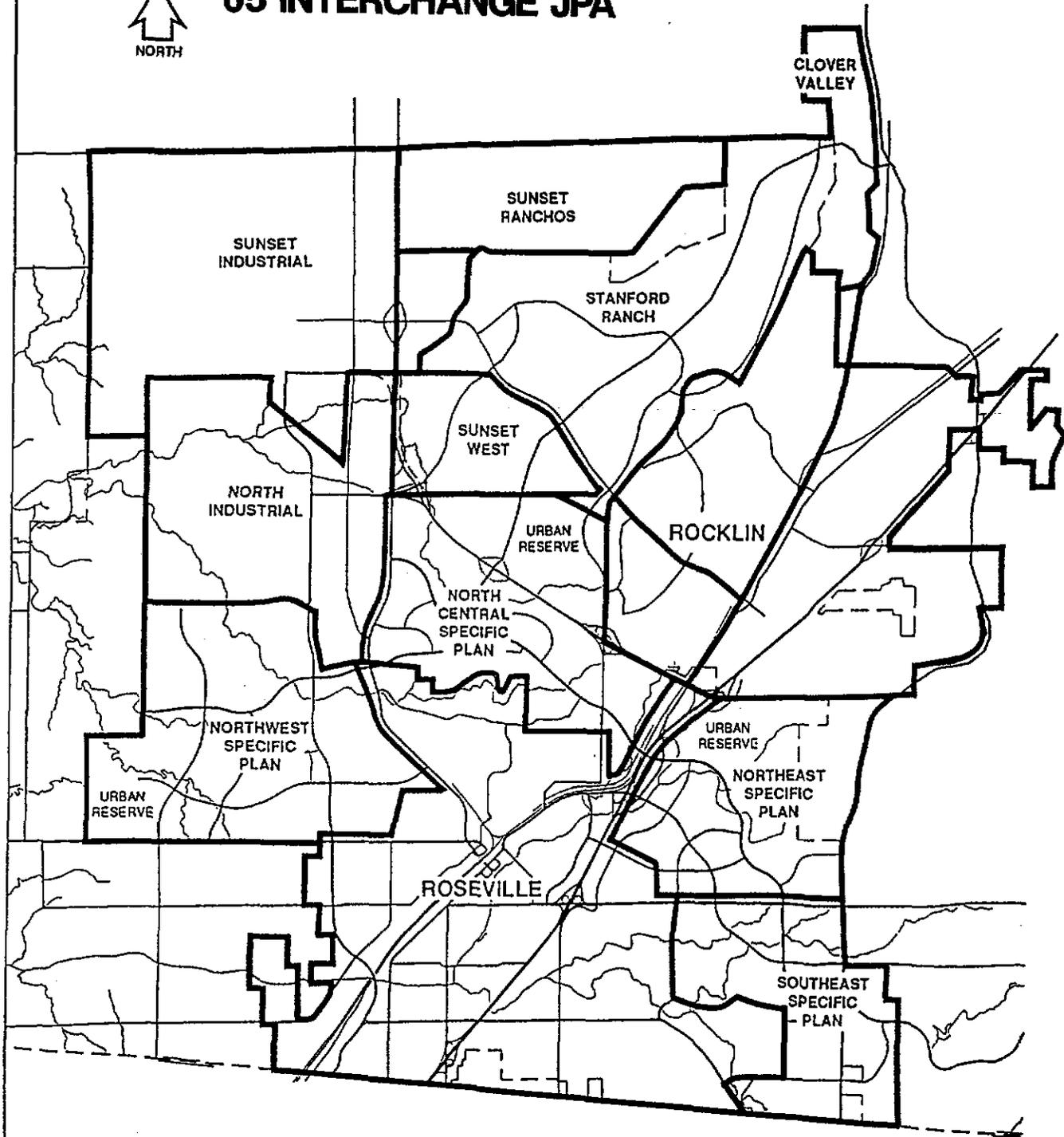


**EXHIBIT A**

Boundaries of Highway  
65 interchanges JPA.

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# BOUNDARIES OF HIGHWAY 65 INTERCHANGE JPA



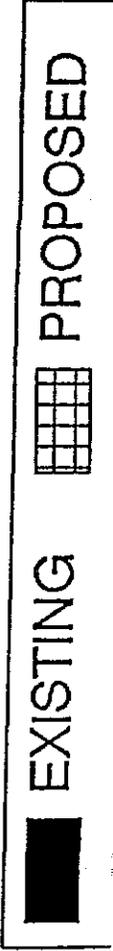
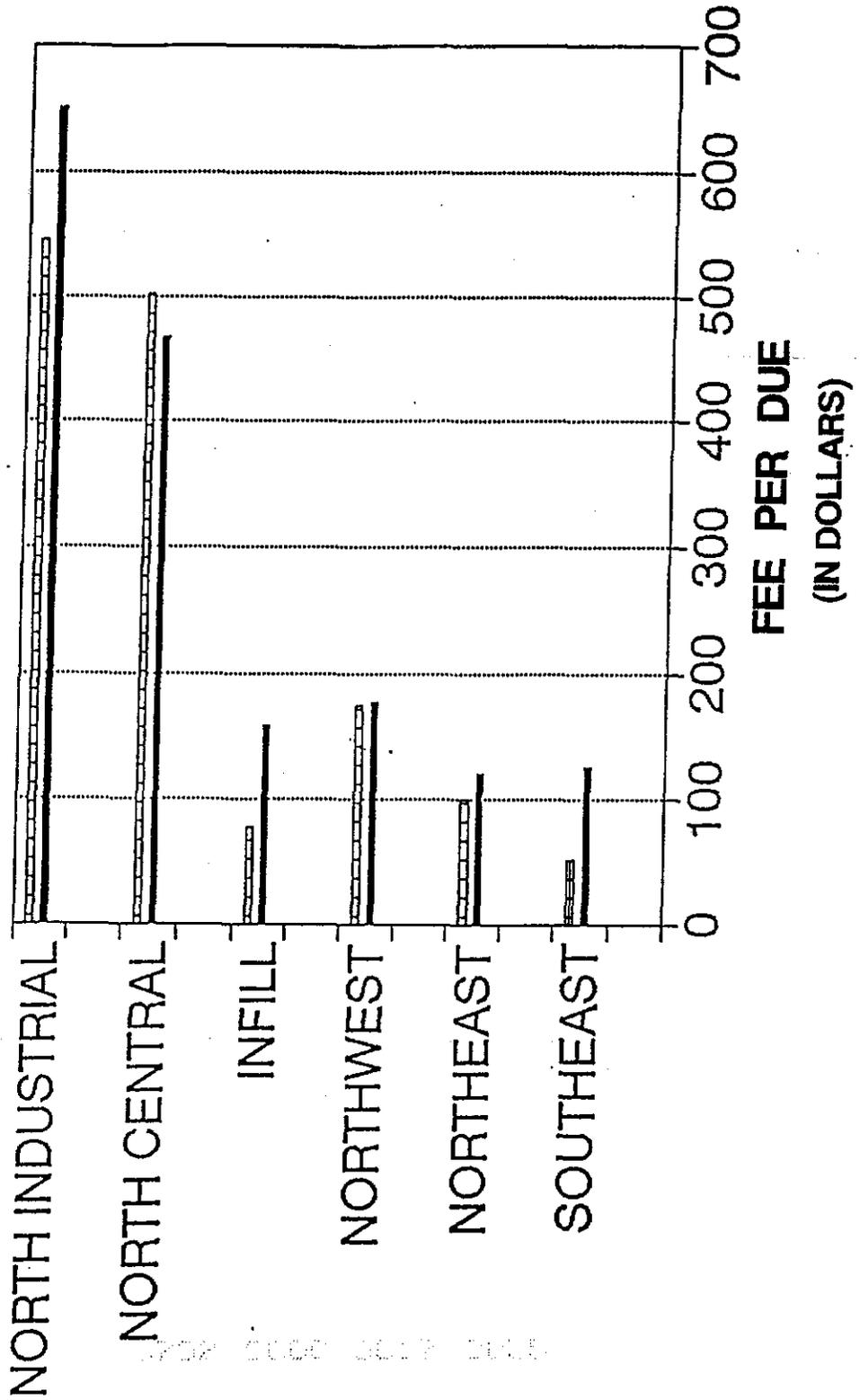
**EXHIBIT B**

**NOTE: The boundaries of the JPA shall include all of the city limits of Roseville and Rocklin.**

## PROPOSED JPA FEES

Summary of Costs Per DUE		
Jurisdiction	Fee District	Cost Per DUE
Roseville	Infill	\$101
	Northeast	112
	Southeast	69
	Northwest	220
	North Central	534
	North Industrial	<u>722</u>
	<i>Average</i>	<i>\$307</i>
Rocklin	Stanford Ranch/Clover Valley	\$514
	Sunset West	891
	South of Sunset	246
	North of Sunset	269
	East of SPRR	<u>127</u>
	<i>Average</i>	<i>\$441</i>
Placer County	Sunset Industrial	\$532
	Sunset Ranchos	762
	Atherton Tech	<u>696</u>
	<i>Average</i>	<i>\$618</i>
Overall Average		\$368

# COMPARISON OF EXISTING TMF V.S. PROPOSED JPA FEES



RESOLUTION NO. 92-161

RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF ROCKLIN APPROVING AND AUTHORIZING THE  
MAYOR TO EXECUTE A FIRST AMENDMENT  
TO JOINT POWERS AGREEMENT FOR THE FINANCING  
AND CONSTRUCTION OF INTERCHANGES ON HIGHWAY 65

BE IT RESOLVED by the City Council of the City of  
Rocklin as follows:

Section 1. The City Council of the City of Rocklin  
hereby approves and authorizes the Mayor to execute a First  
Amendment to Joint Powers Agreement for financing and  
construction of interchanges on Highway 65, in the form  
attached hereto as Exhibit A and by this reference  
incorporated herein.

PASSED AND ADOPTED this 14th day of July, 1992, by the  
following roll call vote:

AYES: Councilmembers: Lund, Huson, Magnuson, Hill

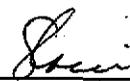
NOES: Councilmembers: None

ABSENT: Councilmembers: Dominguez

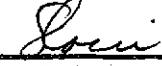
ABSTAIN: Councilmembers: None

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

The foregoing instrument is a  
correct copy of the original document  
on file in this office.

Attest:   
\_\_\_\_\_  
City Clerk, City of Rocklin

RESOLUTION NO. 92-205

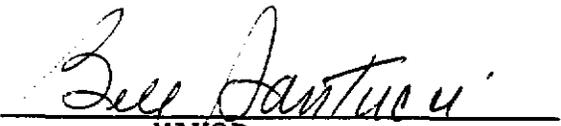
RESOLUTION OF THE COUNCIL OF THE CITY OF ROSEVILLE APPROVING AN AGREEMENT BETWEEN THE CITY OF ROSEVILLE AND COUNTY OF PLACER AND THE CITY OF ROCKLIN AND AUTHORIZING THE CITY MANAGER TO EXECUTE IT ON BEHALF OF THE CITY OF ROSEVILLE

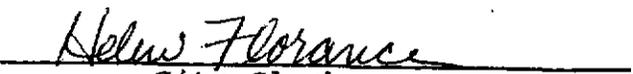
WHEREAS, an agreement -- First Amendment to Joint Powers Agreement for the Financing and Construction of Interchanges on State Highway 65 has been prepared and has been reviewed by the Council;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Roseville that said agreement is approved and that the City Manager is authorized to execute it on behalf of the City of Roseville.

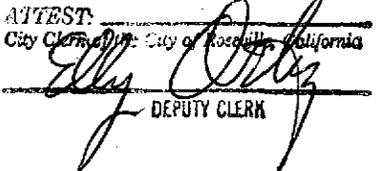
PASSED AND ADOPTED by the Council of the City of Roseville this 8th day of July , 1992, by the following vote on roll call:

AYES COUNCILMEMBERS: Pauline Roccucci, Fred M. Jackson, Harry Crabb, Jr.,  
Bill Santucci  
NOES COUNCILMEMBERS: None  
ABSENT COUNCILMEMBERS: Mel Hamel

  
MAYOR

ATTEST:  
  
City Clerk

The foregoing instrument is a correct copy of the original on file in this office.

ATTEST:  
City Clerk of the City of Roseville, California  
  
DEPUTY CLERK