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Notice of Public Meeting:

Fresno County Regional Transportation Mitigation Fee Agency

On October 29, 2009 the Fresno County Regional Transportation Mitigation Fee Agency passed resolution 2009-01 adopting the Regional Transportation Mitigation Fee.

A public meeting has been scheduled for Thursday, June 24, 2010 to adopt Resolution 2010-01 implementing technical clarifications to the language of resolution 2009-01 concerning vesting of Parcel and Sub Division Maps. The proposed language does not effect the collection of the fee. The proposed language is available for review at the Fresno COG office and on the Fresno COG website at www.fresnocog.org.

Date: Thursday, June 24, 2010
Time: 5:30 pm to 7:30 p.m.
Location: Council of Fresno County Governments, 2035 Tulare Street, Suite 201
Fresno, California

Oral and written comments may be presented at the meeting. Written comments can also be sent via e-mail to beshears@fresnocog.org or by regular mail to: Les Beshears, Council of Fresno County Governments, 2035 Tulare Street, Suite 201, Fresno, California. Individuals with disabilities may call Fresno COG (with 3 working days advance notice) to request auxiliary aids necessary to participate in the public meeting. Translation services are available (with 3 working days advance notice) to participants speaking any language with available professional translation services.

Public written comments will be accepted through June 18, 2010.

Any questions regarding these hearings should be directed to Tony Boren, Executive Director at (559) 233-4148 Ext. 204.

/s/ TONY BOREN, Executive Director
Council of Fresno County Governments
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Resolution No. 2010-01

A RESOLUTION OF THE FRESNO COUNTY REGIONAL TRANSPORTATION
MITIGATION FEE AGENCY

AMENDING THE FRESNO COUNTY REGIONAL TRANSPORTATION
MITIGATION FEE RESOLUTION OF 2009

WHEREAS on October 29, 2009, the Regional Transportation Mitigation Fee Agency adopted Resolution 2009-01 establishing and authorizing the collection of the Regional Transportation Mitigation Fee.

WHEREAS it was the intention of the Regional Transportation Mitigation Fee Agency to grant limited vesting rights to all tentative subdivision and tentative parcel maps filed and deemed complete by local agencies prior to January 1, 2010, in accordance with statutory vesting rights conferred on vested tentative subdivision and tentative parcel maps.

WHEREAS the language in section **H.a Vesting - Tentative Maps - Vesting Rights**, is not clear in that it references only a small portion of the Map Act (California Government Code Sections 66410 et seq.).

NOW, THEREFORE, The Board of Directors of the Fresno County Regional Transportation Mitigation Fee Agency ordain as follows:

I. **Section H.a Vesting -Tentative Maps - Vesting Rights** of Resolution 2009-01 shall be deleted in its entirety and replaced with the following:

“H. **Vesting**

a **Tentative Maps - Vesting Rights**

For the purposes of the RTMF program, all tentative subdivision maps, tentative parcel maps, vesting tentative subdivision maps, and vesting tentative parcel maps that have been filed and deemed complete by the local agency prior to January 1, 2010 will be considered to have limited vesting rights and the provisions of the California Government Code Sections 66410 et seq. will apply with respect only to the RTMF in determining when vesting rights have expired.

If the vesting tentative subdivision map, tentative subdivision map, tentative parcel map or vesting tentative parcel map expires or the developer requests a specific action of the local agency to renew the map beyond the statutorily defined approval and extension periods (as defined in the California Government Code Sections 66410 et seq. or any subsequent local adopted vesting tentative

map ordinance), the previously vested rights would no longer apply as the ordinances in effect at the time of the renewed approval would become those in effect and therefore the RTMF could be charged.”

II. Except as hereinabove amended, Resolution No. 2009-01 shall remain in full force and effect.

III. This Resolution No. 2010-01 shall become effective September 1, 2010.

By: _____
TRINIDAD RODRIGUEZ
CHAIRMAN, BOARD OF DIRECTORS

ATTEST:

By: _____
TONY BOREN
EXECUTIVE DIRECTOR