

THE BOARD OF SUPERVISORS OF CONTRA COSTA COUNTY, CALIFORNIA
and for Special Districts, Agencies and Authorities Governed by the Board

Adopted this Resolution on 07/12/2016 by the following vote:

AYE:

NO:

ABSENT:

ABSTAIN:

RECUSE:



Resolution No. 2016/449

Resolution supporting a Countywide one-half of one percent sales tax to fund transportation improvements in Contra Costa, and approving a transportation expenditure plan and related actions.

WHEREAS, the Contra Costa Transportation Authority (hereinafter "Authority") proposes the countywide imposition of a one half of one percent sales tax for transportation purposes for a period of thirty years effective on April 1, 2017 through March 31, 2047; and

WHEREAS, the Authority has administered a one half of one percent sales tax for transportation purposes since its inception on April 1, 1989; and

WHEREAS, the Authority conducted extensive consultations with local governments and conducted outreach to a wide variety of interest groups and the public in order to develop a Transportation Expenditure Plan ("TEP") proposing a potential mix of projects and programs to be funded by the proposed sales tax; and

WHEREAS, on May 18, 2016 the Authority authorized the release of a proposed TEP reflecting the results of that consultation and outreach, and seeking concurrence on the proposed TEP from Contra Costa County and the cities and towns within Contra Costa County; and

WHEREAS, on May 18, 2016 the Authority adopted Ordinance 16-01 to conditionally amend the Growth Management Program, which includes Attachment A: Principles of Agreement for Establishing the Urban Limit Line in the Measure J Transportation Expenditure Plan ("Measure J TEP") to match that found in the 2016 TEP. This amendment would only apply if the one-half of one percent local transportation sales tax is placed on the ballot and successfully approved by the electors on the November 8, 2016 ballot.

WHEREAS, the proposed TEP includes measures that help reduce future congestion, manage the impacts of growth, and expand alternatives to the single-occupant vehicle; and

WHEREAS, if the proposed TEP is ultimately adopted by the Authority and approved by the voters, the TEP would guide the use of the proposed sales tax revenues; and

WHEREAS, pursuant to Public Utilities Code Section 180206(b) a Transportation Expenditure Plan may not be adopted by the Authority until and unless the proposed TEP has received the approval of the County Board of Supervisors and city and town councils representing both a majority of the cities in Contra Costa County and a majority of the population residing in the incorporated areas of Contra Costa County; and

WHEREAS, the proposed TEP has received the approval of city and town councils representing both a majority of the cities in Contra Costa County and a majority of the population residing in the incorporated areas of Contra Costa County;

NOW THEREFORE BE IT RESOLVED, that the County Board of Supervisors (BOS) finds that the proposed TEP is not subject to the California Environmental Quality Act ("CEQA") because the proposed TEP is not a "project" within the meaning of CEQA, and the BOS adoption of this Resolution does not commit the BOS to a definite course of action with regard to any specific transportation improvements set forth in the proposed TEP. (See 14 C.C.R., §§ 15378, 15352.) Specifically, the BOS adoption of this Resolution does not constitute the approval of a CEQA project for reasons that include, but are not limited to, the following: (1) the proposed TEP does not authorize the construction of any projects that may result in any direct or indirect physical change in the environment; (2) the proposed TEP is a mechanism for funding potential future transportation projects, the timing, approval, and construction of which may be modified or not implemented depending on a number of factors, including

future site-specific CEQA environmental review; and (3) the proposed TEP is subject to further discretionary approvals insofar as it may not be adopted until and unless the pre-conditions set forth in the Public Utilities Code are satisfied. (See 14 C.C.R., §§ 15378, 15352; Public Utilities Code, § 180206(b).)

BE IT FURTHER RESOLVED, that the BOS supports the Countywide imposition of an additional one-half of one percent sales tax for transportation purposes for a period of thirty years effective on April 1, 2017, through March 31, 2047.

BE IT FURTHER RESOLVED, that the BOS approves, for the limited purpose identified in Public Utilities Code Section 180206(b), the proposed TEP released by the Authority on May 18, 2016; and

BE IT FURTHER RESOLVED, that the BOS urges the Authority, consistent with the provisions of Public Utilities Code Section 180206, to adopt the proposed TEP; and

BE IT FURTHER RESOLVED, that the BOS approves the conditional amendment to the Growth Management Program, which includes Attachment A: Principles of Agreement for Establishing the Urban Limit Line in the Measure J TEP to match that found in the 2016 TEP, acknowledging that this amendment would only apply if the one-half of one percent local transportation sales tax is placed on the ballot and successfully approved by the electors on the November 8, 2016 ballot.

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

Contact: John Cunningham, 925-674-7833

ATTESTED: July 12, 2016

David J. Twa, County Administrator and Clerk of the Board of Supervisors

By: , Deputy

cc: