



Contra
Costa
County

To: Board of Supervisors
From: John Kopchik, Director, Conservation & Development Department
Date: July 12, 2016

Subject: Resolution Supporting a One-half of One Percent Sales Tax for Countywide Transportation Improvements

RECOMMENDATION(S):

ADOPT Resolution No. 2016/449 supporting a Countywide one-half of one percent sales tax to fund transportation improvements in Contra Costa County, approving a transportation expenditure plan, and conditionally amending the Measure J growth management program.

FISCAL IMPACT:

No immediate impact. The recommendation addresses an outside agency's actions and the subject sales tax must ultimately be approved through a countywide vote. If approved, approximately an additional \$2.9 billion would be available for transportation projects and programs throughout the County.

BACKGROUND:

The Contra Costa Transportation Authority (Authority) is responsible for maintaining and improving the county's transportation system by planning, funding, and delivering critical transportation infrastructure projects and programs that connect communities, foster a strong economy, increase sustainability, and safely and efficiently get people where they need to go.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **07/12/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: Candace Andersen, District II
Supervisor
Mary N. Piepho, District III
Supervisor
Karen Mitchoff, District IV
Supervisor
Federal D. Glover, District V
Supervisor

ABSENT: John Gioia, District I
Supervisor

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.

ATTESTED: July 12, 2016

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

By: June McHuen, Deputy

Contact: John Cunningham,
925-674-7833

cc:

As discussed at previous Board of Supervisor (BOS) meetings, the Authority is proposing the imposition of a countywide one-half of one percent sales tax for transportation purposes for a period of thirty years through March 31, 2047. Over the past two years, the Authority conducted extensive consultations with local governments and outreach to a wide variety of interest groups and the public in order to develop a mix of projects and programs to be funded by the proposed sales tax. On May 18, 2016, the Authority released a proposed final Transportation

BACKGROUND: (CONT'D)

Expenditure Plan (TEP) to guide the use of the proposed sales tax revenues. The TEP is attached to this report: *CCTA TEP*. The proposed final TEP also includes a revised Growth Management Program (GMP), a new Complete Streets Policy, and a new Advance Mitigation Program to help the Authority achieve its goals to reduce future congestion, manage the impacts of growth, and expand alternatives to the single-occupant vehicle.

The Authority also adopted Ordinance 16-01 on May 18, 2016 to conditionally amend the existing GMP inclusive of GMP Attachment A: Principles of Agreement for Establishing the Urban Limit Line (ULL) in the Measure J Transportation Expenditure Plan ("Measure J TEP"), to match that found in the 2016 TEP. Measure J is the existing sales tax. This amendment would only apply if the one-half of one percent local transportation sales tax is placed on the ballot as a new measure and successfully approved by the electors on the November 8, 2016 ballot.

The conditional amendment is included in the attached *CCTA TEP* and can be seen beginning on Page 37. During the TEP development, there was discussion by the BOS on the proposed changes to the ULL policies. "*Revisions to the ULL*" can be seen in the attached *CCTA TEP* beginning on Page 41 and explained in detail in the attached Authority document, *CCTA GMP (Background & Changes)*.

Currently, transportation needs significantly exceed projected revenues. Over the next 30 years, Contra Costa population will continue to grow, resulting in new demands on the transportation infrastructure and additional mobility needs. The new sales tax measure is needed to address these demands and needs as well as to assist in developing livable and sustainable communities.

The Board of Supervisors letters to the Authority (October 21, 2014 and November 3, 2015) related to the development of the TEP stressed the importance of increased funding to local streets maintenance, improved transit service, safe routes to schools, bicycle facilities and major projects such as the Vasco-Byron highway connector, and Kirker Pass truck climbing lanes. The letters also emphasized the need to develop and fund programs for countywide mobility management as well as improved land use coordination to address the jobs/housing balance in the County.

With nearly \$2.9 billion (current dollars) expected to be generated by the new sales tax measure, the proposed final TEP is responsive to county recommendations by setting aside 23.8% for local streets maintenance (up from 18% in Measure J), over 10.09% for complete streets projects, 4% for pedestrian and bicycle facilities (up from 1.5% in Measure J), 2.2% for safe transportation for children, 10.25% for bus and non-rail transit enhancements, \$117 million for Vasco Road, Byron Highway and the Vasco Rd-Byron

Highway Connector, and creates a new community development transportation program that is aimed at encouraging infill development and attracting jobs. In addition, the TEP sets aside 4% for transportation for seniors and people with disabilities, including the requirement to develop an Accessible Transportation Service (ATS) Strategic Plan prior to allocation of funding.

Furthermore, significant funding is assigned in the new Measure to smooth traffic flow on major commute corridors such as I-680, I-80, Route 242 and Route 4, and also to improve the capacity of the BART system.

The TEP has a strong focus on technology and innovation, and will deliver a more efficient, cleaner and faster transportation system. The TEP will help reduce emissions through a higher emphasis on transit, technology, and alternative modes of transportation.

The TEP also sets forward clear policies to ensure that while communities grow, the growth is kept within clear urban limit lines. This will allow the county to continue growing while protecting vital open space for parks, farmland, and critical habitat. Furthermore, increased investments in bike and pedestrian facilities bring access to the outdoors to every community.

Process

Pursuant to Public Utilities Code Section 180206(b), a Transportation Expenditure Plan may not be finally adopted and placed before the voters until it has received the approval of the County Board of Supervisors and city/town councils which in aggregate represent both a majority of the cities/towns in Contra Costa, and a majority of the population residing in the incorporated areas of Contra Costa. All jurisdictions have been asked to adopt the proposed final TEP as presented. The Authority received approval of the proposed final TEP from 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 is currently seeking approval of the County Board of Supervisors. The Authority will consider approving the Final TEP and accompanying ordinance in order to impose the sales tax at its meeting on July 20, 2016, or at a special meeting.

The conditional amendment (Page 37 of the attached *CCTA TEP*) to the existing GMP, inclusive of GMP Attachment A: Principles of Agreement for Establishing the Urban Limit Line in the Measure J TEP to Match That Found in the 2016 TEP, 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.

For the limited purpose identified in Public Utilities Code Section 180206(b), the Authority seeks the County Board of Supervisors support of the new Measure by adopting the attached Resolution of Support for the Countywide Imposition of One Half

of One Percent Sales Tax to Fund Transportation Improvements in Contra Costa.

Adopting the attached Resolution is not subject to the California Environmental Quality Act (“CEQA”) because the TEP is not a “project” within the meaning of CEQA. (See 14 C.C.R., §§ 15378, 15352.) Specifically, the Board of Supervisor's adoption of the Resolution of Support does not constitute the approval of a CEQA project for reasons that include, but are not limited to, the following: (1) the TEP does not authorize the construction of any projects that may result in any direct or indirect physical change in the environment; (2) the 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 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).)

CONSEQUENCE OF NEGATIVE ACTION:

If the BOS does not take the recommended actions, the Contra Costa Transportation Authority's (Authority) process to bring the TEP to the voters as a measure on the November 8, 2016 ballot would effectively end. The Authority cannot adopt a TEP until it has received approval of the BOS. (Public Utilities Code, § 180206(b))

ATTACHMENTS

Resolution No. 2016/449

CCTA TEP

CCTA GMP (Background & Changes)