



**Contra  
Costa  
County**

To: Board of Supervisors  
From: John Kopchik, Director, Conservation & Development Department  
Date: August 9, 2016

Subject: Adoption of an Ordinance Calling for a Special Election for a Local Sales Tax for Transportation Improvements and Growth Management

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**RECOMMENDATION(S):**

1. FIND that adoption of Ordinance 2016-17 is exempt from the California Environmental Quality Act;
2. ADOPT Ordinance No. 2016-17 calling a special election for voter approval of a 30-year countywide transportation transaction and use tax and consolidating the special election with the statewide general election on November 8, 2016.
3. DIRECT staff from the Department of Conservation and Development to file the Notice of Exemption with the County Clerk and as appropriate post the Notice of Exemption.

**FISCAL IMPACT:**

The Contra Costa Transportation Authority will reimburse the County for all costs of conducting this election.

**BACKGROUND:**

Ordinance No. 2016-17 (Attachment 1) calls a special election for the purpose of submitting a 30-year countywide transportation transaction and use tax (sales tax) to the voters of

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☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **08/09/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I  
Supervisor  
Mary N. Piepho, District III  
Supervisor  
Karen Mitchoff, District IV  
Supervisor  
Federal D. Glover, District V  
Supervisor

ABSENT: Candace Andersen, District II  
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: August 9, 2016

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

By: June McHuen, Deputy

Contact: John Cunningham,  
674-7833

cc:

Contra Costa County, pursuant to Public Utilities Code section 180201 et seq. and Revenue and Taxation Code section 7291, as requested by the Contra Costa Transportation Authority (Authority). The ordinance also consolidates the special election with the statewide general election on November 8, 2016.

## BACKGROUND: (CONT'D)

Over the past several months, the Authority has undertaken actions necessary to have a measure placed on the November 2016 general election ballot that would establish an additional one-half of one percent sales tax for transportation purposes to meet the growing needs of Contra Costa County. If the tax passes, the revenues will supplement an existing one-half of one percent local transportation sales tax implemented by Measure C in 1988, which was extended until March 31, 2034 by Measure J in 2004.

As required by Public Utilities Code section 180206, the Authority prepared a Transportation Expenditure Plan (TEP), entitled "Transforming Contra Costa County, Our New 30-Year Transportation Expenditure Plan", that sets forth the use of the approximately \$2.9 billion expected to be derived from the 30-year sales tax. The TEP includes proposed project and program expenditures, including 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 approved the final language for the TEP on May 18, 2016 and released the TEP for approval by city/town councils and the County Board of Supervisors. By July 12, 2016, the TEP was approved by the city/town councils of all nineteen of the cities/towns in Contra Costa County and the County Board of Supervisors.

Following approval of the TEP by the governing boards of Contra Costa County and its cities/towns, the Authority approved the TEP, with corrections to the BART funding provisions, on July 20, 2016 by Authority Ordinance 16-02. Ordinance 16-02 and the associated TEP are attached to this report (Attachment 2). At the same time, it adopted Authority Ordinance No. 16-03 (Attachment 4), which establishes a transportation sales tax for the period from April 1, 2017 to March 31, 2047, subject to the approval of two-thirds of the voters. Through Authority Resolution 16-41-P, the Authority also requested that the Board of Supervisors call and consolidate an election for the purpose of submitting a ballot measure to the qualified voters seeking approval of the sales tax.

Public Utilities Code Section 180201 and 180203 requires the election to be called by a county ordinance. At least five days must elapse between introduction and adoption of the ordinance. On August 2, 2016, the Board introduced the ordinance, waived its reading and fixed adoption of the ordinance for August 9, 2016. The Board's action today adopts the ordinance. The Board's adoption of this ordinance is a ministerial activity that is exempt from CEQA (Public Resources Code section 21080(b)(1)). The Notice of Exemption is Attachment #3 to this report.

The sample ballot mailed to the voters will contain the full proposition, as set forth in Section III of Ordinance 2016-17, and the voter information handbook will include the entire TEP and Authority Ordinance No. 16-03, which establishes the sales tax.

Pursuant to Public Utilities Code section 180203(a) and Authority Resolution 16-41-P, the Authority will reimburse the County for all costs of conducting the election, including those relating to consolidation of the election.

CONSEQUENCE OF NEGATIVE ACTION:

If the Board of Supervisors does not take the recommended actions, the Authority's proposed 30-year countywide transportation sales tax will not be submitted to the voters as a measure on the November 8, 2016 ballot.

ATTACHMENTS

Attachment 1 - CCC Ordinance No 2016-17

Attachment 2 - CCTA Ord 16-02 and TEP

Attachment 3 - NOE TEP Sales Tax

Attachment 4 - CCTA Ord 16-03 Sales Tax