



**Contra  
Costa  
County**

To: Board of Supervisors  
From: Julia R. Bueren, Public Works Director/Chief Engineer  
Date: September 13, 2016

Subject: FIX a public hearing date to consider adopting an ordinance establishing transportation fees to be imposed on new development within Bay Point

**RECOMMENDATION(S):**

FIX a Public Hearing for September 27, 2016, at 9:30 a.m., in Room 107, at the Board of Supervisors' Chambers, 651 Pine Street, Martinez, California, to consider adopting an ordinance establishing transportation mitigation fees to be imposed on new development within the Bay Point Area of Benefit, as recommended by the Public Works Director.

DIRECT the Clerk of the Board to publish, and the Public Works Director, or designee, to post and mail, the Notice of Public Hearing in accordance with Government Code Sections 6061, 65091, 54986, 66484, and Ordinance Code Section 913-6.014.

**FISCAL IMPACT:**

Costs to publish and mail the required notices of the hearing will be paid from the Bay Point AOB fund, pursuant to Government Code section 66018, subdivision (b)..

**BACKGROUND:**

On September 24, 1985, the Board of Supervisors passed a resolution forming

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/13/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Mary N. Piepho, District III Supervisor  
Karen Mitchoff, District IV Supervisor  
Federal D. Glover, District V 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: September 13, 2016

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

By: Stacey M. Boyd, Deputy

Contact: Mary Halle  
925.313-2327

cc: Mary Halle

### BACKGROUND: (CONT'D)

the West Pittsburg Area of Benefit, now known as the Bay Point Area of Benefit. At the time, there were many vacant parcels in the area with potential for residential development, and the existing transportation system was inadequate to handle the additional traffic generated from the projected development. In 1991, 1996 and again in 1998, the Area of Benefit program was revised to reflect the changing needs of the area.

Transportation mitigation fees imposed on new development in the Bay Point Area of Benefit were last updated in 1998, by the adoption of Ordinance No. 98-40. Since that time, the Bay Point AOB fee revenues have funded construction projects that have mitigated traffic demands, and have improved transportation safety, within the Bay Point AOB. Most significantly, the Bay Point Area of Benefit fees have helped pay for improvements to Willow Pass Road, Bailey Road, Port Chicago Highway, Pacifica Avenue, and Driftwood Drive.

With recent changes to traffic patterns and development within the area, the circulation and transportation improvement needs for the area have changed. County staff and consultants have identified transportation improvements that are necessary to serve transportation demands within the Bay Point AOB through 2040, including transportation demands attributable to new development through 2040. To ensure that new development pays its proportional share of the cost of these transportation improvements, the Board will need to hold a hearing to consider adopting an ordinance to adjust the existing transportation mitigation fees imposed on new development within the Bay Point AOB. This board order fixes the hearing on September 27, 2016, at 9:00 a.m., and directs staff to publish, post, and provide notice of the hearing, as required by the applicable Government Code statutes and the applicable provisions of the Ordinance Code.

### CONSEQUENCE OF NEGATIVE ACTION:

If a public hearing is not set, and notice is not given, as recommended, the Board could not adopt an ordinance to adjust the transportation mitigation fees or update the proposed project list within the Bay Point AOB. Fees could continue to be imposed under Ordinance No. 98-40. However, fee revenue could not be used to pay the costs to construct the new transportation improvement projects that the Public Works Department has determined are needed to satisfy traffic demands from development within the Bay Point AOB through 2040.