



Contra
Costa
County

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: May 8, 2018

Subject: FIX a hearing to consider adopting Ordinance No. 2018-16, Discovery Bay AOB, Discovery Bay area.

RECOMMENDATION(S):

FIX a Public Hearing for May 22, 2018, at 9:30 AM, to consider adopting Ordinance No. 2018-16 to adjust transportation mitigation fees and update the project list for the Discovery Bay Area of Benefit, and to reestablish the boundaries of that 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:

100% Discovery Bay Area of Benefit funds.

BACKGROUND:

The Discovery Bay Area of Benefit ("Discovery Bay AOB") was last reestablished on July 22, 1997, when the Board of Supervisors adopted Ordinance No. 97-27, to reestablish the boundaries of the area of benefit, and to adjust transportation mitigation fees imposed on

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/08/2018** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, 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: May 8, 2018

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

By: June McHuen, Deputy

Contact: Mary Halle,
925.313.2327

cc:

new development within the area of benefit.

BACKGROUND: (CONT'D)

Since Ordinance No. 97-27 was adopted, the Discovery Bay AOB fee revenues have funded construction projects that have mitigated traffic demands, and have improved transportation safety, within the Discovery Bay AOB.

Transportation mitigation fees imposed on new development in the Discovery Bay AOB have not been adjusted by this Board since 1997. In recent years, the development potential and traffic circulation needs have changed within the Discovery Bay AOB. County staff and consultants have identified transportation improvements that are necessary to serve transportation demands within the Discovery Bay AOB through 2040, including transportation demands attributable to new development. 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 Discovery Bay AOB. This board order fixes the hearing on May 22, 2018, at 9:30 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 imposed on new development within the Discovery Bay AOB. Fees would continue to be imposed under Ordinance No. 97-27. 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 Discovery Bay AOB through 2040.