



Contra  
Costa  
County

To: Board of Supervisors  
From: Brian M. Balbas, Public Works Director/Chief Engineer  
Date: October 8, 2019

Subject: Memorandum of Understanding with Contra Costa Transportation Authority for State Route 239, Byron area.

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**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chair, Board of Supervisors, to execute the amended and restated Memorandum of Understanding between Contra Costa County and the Contra Costa Transportation Authority related to the development and federal funding for the State Route 239 Project, as recommended by the Public Work Director, Byron area. (Project No. 0676-6P1012) (District III)

**FISCAL IMPACT:**

\$3.635 million -100% Local Road Fund. The Local Road Fund will be used to satisfy the match requirement for a \$14 million Federal appropriation to fund this project.

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☒ APPROVE ☐ OTHER  
☒ RECOMMENDATION OF CNTY ADMINISTRATOR ☐ RECOMMENDATION OF BOARD COMMITTEE

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Action of Board On: **10/08/2019** ☒ 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: October 8, 2019

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

By: Stacey M. Boyd, Deputy

Contact: Nancy Wein,  
925.313.2275

cc:

## BACKGROUND:

The County is a partner with the Contra Costa Transportation Authority (CCTA) and California Department of Transportation (Caltrans) to develop the State Route 239 (SR239) project. SR239 is a legislatively adopted but unconstructed route in the state highway system between State Route 4 (SR4) in Brentwood to Interstate 580 west of Tracy in San Joaquin County. SR239 is intended to improve access and regional connectivity between eastern Contra Costa County and San Joaquin County, support planned development, jobs, inter-regional goods movement, and improve access to the Byron Airport. A route was never formally adopted by the California Transportation Commission (CTC) or constructed.

In 2005, the County received two federal appropriations totaling \$14 million for the planning and construction of the SR239 project. The County initiated planning work for the project which was transferred to CCTA due to CCTA's broader geographic area of responsibility, and direct relationships with involved state and regional agencies. This was formalized in a Memorandum of Understanding (MOU) with CCTA in January 2012. Under the terms of the MOU, CCTA assumed responsibility for the planning and future phases of the Project with the County reimbursing CCTA for the local matching funds and project management costs up to a maximum amount of \$1.45 million. The Project Feasibility Study was completed in May 2014 and a Project Initiation Document (PID), with Caltrans oversight, was completed in August 2015.

The federal funds require that the project enter into the construction phase by 2024. CCTA, Caltrans and County staff met in 2018 to review previously completed work, current status, potential changes and project funding. There was agreement that the project is ready to proceed to the Project Approval and Environmental Document (PA&ED) phase of development. Completion of the PA&ED phase will identify the SR239 alignment and advance the first phase of the project to the “shelf ready” stage in order to compete for future funding opportunities. These are essential steps towards meeting the federal funding progress requirement. Both the County and CCTA would like to proceed with the PA&ED phase of the Project, which will allow for right of way protection and preservation of the corridor, and to obtain environmental clearance and perform engineering of an initial, fundable project segment (the Byron Highway – Vasco Road Connector). It will also allow for construction of the Byron Highway- Vasco Road Airport Connector, which is expected to eventually become part of SR239, should funding become available. The Byron Highway- Vasco Road Connector is already designated to receive \$10 million under Regional Measure 3 approved by voters in 2018. In March 2019, the CCTA entering into a Cooperative Agreement with Caltrans for the PA&ED for the Project

The MOU is amended and restated to include the updated requirements and responsibilities of both parties related to the Project Approval & Environmental Documentation (PA&ED) phase and to increase the County’s financial commitment for local matching funds and CCTA’s project management cost to \$3.635 million. The

County and CCTA will review CCTA's project management cost at least once every twelve months and the County's financial commitment may be revised by mutual agreement in the future.

CONSEQUENCE OF NEGATIVE ACTION:

If the recommended actions are not taken the Project will not have sufficient funding to complete the PA&ED phase.

ATTACHMENTS

MOU