



**Contra
Costa
County**

To: Board of Supervisors

From: John Kopchik, Director, Conservation & Development Department

Date: November 12, 2019

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

RECOMMENDATION(S):

INTRODUCE Ordinance No. 2019-33 calling a special election for voter approval of a 35-year countywide transportation transaction and use tax, and consolidating the special election with the statewide primary election on March 3, 2020; WAIVE reading; and FIX November 19, 2019 for adoption.

FISCAL IMPACT:

The Authority has committed to reimbursing the County for all costs of conducting this election.

BACKGROUND:

Ordinance No. 2019-33 calls a special election for the purpose of submitting a 35-year countywide transportation transaction and use tax (sales tax) to the voters of 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 primary election on March 3, 2020.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY

☐ RECOMMENDATION OF BOARD

ADMINISTRATOR

COMMITTEE

Action of Board On: **11/12/2019** ☒ 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: November 12, 2019

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

Contact: John Cunningham
(925) 674-7833

By: Stephanie Mello, Deputy

Over the past several months, the Authority has undertaken actions necessary to have a measure placed on the March 2020 primary 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

BACKGROUND: (CONT'D)

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 "A Transformative Plan For Contra Costa's Future, 2020 Transportation Expenditure Plan", that sets forth the use of the approximately \$3.6 billion expected to be derived from the 35-year sales tax. The proposed TEP also includes a revised Growth Management Program (GMP), a new Complete Streets Policy, a new Road Traffic Safety Policy, a new Transit 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 August 28, 2019 and released the TEP for approval by city/town councils and the County Board of Supervisors. By October 22, 2019, 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 (the Board approved the TEP on September 24, 2019).

Following approval of the TEP by the governing boards of Contra Costa County and its cities/towns, the Authority approved the TEP on October 30, 2019 by Authority Ordinance 19-02. Ordinance 19-02 and the associated TEP are attached to this report. At the same time, it adopted Authority Ordinance No. 19-03, which establishes a transportation sales tax for the period from July 1, 2020 to June 30, 2055, subject to the approval of two-thirds of the voters. Through Authority Resolution 19-55-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 sections 180201 and 180203 require the election to be called by a county ordinance. At least five days must elapse between introduction and adoption of the ordinance. The Board's action today introduces the ordinance, waives its reading, and fixes adoption of the ordinance for November 19, 2019. The Board's adoption of this ordinance is a ministerial activity that is exempt from CEQA (Public Resources Code section 21080(b)(1)).

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. 19-03, which establishes the sales tax.

Pursuant to Public Utilities Code section 180203(a) and Authority Resolution 19-55-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 35-year countywide transportation sales tax will not be submitted to the voters as a measure on the March 3, 2020 ballot.

ATTACHMENTS

CC County Ord 2019-33 TEP-Election

CCTA Ordinance 19-02 Adopting the 2020 Transportation Expenditure Plan