PINOLE CITY COUNCIL
AGENDA

TUESDAY
OCTOBER 1, 2019

6:00 P.M.

2131 Pear Street, Pinole, California

Peter Murray, Mayor
Roy Swearingen, Mayor Pro Tem
Norma Martinez-Rubin, Council Member
Vincent Salimi, Council Member
Anthony Tave, Council Member

Public Comment: The public is encouraged to address the City Council on any matter listed on the agenda or on any other matter within its jurisdiction subject to the rules of decorum described in Council Resolution 2019-03. If you wish to address the City Council, please complete the gold card that is provided at the rear entrance to the Council Chambers and hand the card to the City Clerk. City Council will hear public comment on items listed on the agenda during discussion of the matter and prior to a vote. City Council will hear public comment on matters **not** listed on the agenda during Citizens to be Heard, Agenda Item 5.

Americans With Disabilities Act: In compliance with the Americans With Disabilities Act of 1990, if you need special assistance to participate in a City Meeting or you need a copy of the agenda, or the agenda packet in an appropriate alternative format, please contact the City Clerk's Office at (510) 724-8928. Notification at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service. Assisted listening devices are available at this meeting. Ask the City Clerk if you desire to use this device.

Note: Staff reports are available for inspection at the Office of the City Clerk, City Hall, 2131 Pear Street during regular business hours, 8:00 a.m. to 4:30 p.m. Monday – Thursday, and on the City Website at www.ci.pinole.ca.us. You may also contact the City Clerk via e-mail at hiopu@ci.pinole.ca.us

COUNCIL MEETINGS ARE TELEVISED LIVE ON CHANNEL 26. They are retelecast the following Thursday at 6:00 p.m. The Community TV Channel 26 schedule is published on the city's website at www.ci.pinole.ca.us. City Council meetings are video-streamed live on the City's website, and remain archived on the site for five (5) years.

Ralph M. Brown Act. Gov. Code § 54950. *In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly. The people of this State do not yield their sovereignty to the agencies, which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.*

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE IN HONOR OF THE US MILITARY TROOPS

2. ROLL CALL, CITY CLERK'S REPORT & STATEMENT OF CONFLICT

An official who has a conflict must, prior to consideration of the decision: (1) publicly identify in detail the financial interest that causes the conflict; (2) recuse himself /herself from discussing and voting on the matter; and (3) leave the room until after the decision has been made, Cal. Gov't Code § 87105.

3. CONVENE TO A CLOSED SESSION

Citizens may address the Council regarding a Closed Session *item prior to the Council adjourning into the Closed Session, by first providing a speaker card to the City Clerk.*

A. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Pursuant to Gov. Code § 54956.8
Property: APN 401-162-003 (Bank)
Negotiator: Assistant City Manager, Hector De La Rosa
Negotiating Parties: Marilyn Hansen, Tri Commercial
Under Negotiation: Price & Terms

OPEN SESSION WILL COMMENCE UPON COMPLETION OF CLOSED SESSION DISCUSSIONS, WHICH MAY OCCUR BEFORE 7:00 PM

4. RECONVENE IN OPEN SESSION TO ANNOUNCE RESULTS OF CLOSED SESSION

5. CITIZENS TO BE HEARD (Public Comments)

Citizens may speak under any item not listed on the Agenda. The time limit is 3 minutes, and is subject to modification by the Mayor. Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future Council meeting.

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

1. Recognizing Fire Prevention Week, October 6-12, 2019

B. Presentations / Recognitions

7. CONSENT CALENDAR

All matters under the Consent Calendar are considered to be routine and noncontroversial. These items will be enacted by one motion and without discussion. If, however, any interested party or Council member(s) wishes to comment on an item, they may do so before action is taken on the Consent Calendar. Following comments, if a Council member wishes to discuss an item, it will be removed from the Consent Calendar and taken up in order after adoption of the Consent Calendar.

A. Approve the Minutes of the Meeting of September 3 and 17, 2019

B. Receive the September 14, 2019 – September 27, 2019 List of Warrants in the Amount of $273,872.34 and the September 20, 2019 Payroll in the Amount of $426,698.56.

C. Approval Of The 2019 City Hall Closure - December 24th Through December 31st 2019 And The 2020 City Council Meeting Schedule Via Minute Motion **[Action: Approve Staff Recommendation (De La Rosa)]**

D. Fixing The Employer's Contribution At An Equal Amount For Employees And Annuitants Under The Public Employees' Medical And Hospital Care Act With Respect To AFSCME, Local 1, Elected Officials, Management And Unrepresented/Confidential Employees **[Action: Adopt Resolutions per Staff Recommendation (De La Rosa)]**

E. Update To The Measure S 2014 Five-Year Funding Plan **[Action: Adopt Resolution per Staff Recommendation (Fitzer)]**

F. Adopt A Resolution Ratifying The Acceptance And Filing Of A Notice Of Completion For 2018 Pavement Slurry Seal Project/Senior Center Parking Lot Pavement Maintenance Project **[Action: Adopt Resolution per Staff Recommendation (T. Miller)]**

G. Declare The Listed Property As Surplus And Designate A Purchasing Officer To Dispose Of The Listed Property In Accordance With The Procurement Policy **[Action: Adopt Resolution per Staff Recommendation (T. Miller)]**

8. PUBLIC HEARINGS

Citizens wishing to speak regarding a Public Hearing item should fill out a speaker card prior to the completion of the presentation, by first providing a speaker card to the City Clerk. An official who engaged in an ex parte communication that is the subject of a Public Hearing must disclose the communication on the record prior to the start of the Public Hearing.

NONE

9. OLD BUSINESS

A. Consideration And Adoption Of A Resolution Of Support For the Countywide Imposition Of One-Half Of One Percent Sales Tax to Fund Transportation Improvements in Contra Costa County and Adopting The Proposed Transportation Expenditure (TEP) Conditionally Amending the Growth Management Program (GMP), Which Includes Attachment A: Principles of Agreement For Establishing the Urban Limit Line (ULL) In The Measure J TEP To Match That Found In The 2020 TEP **[Action: Adopt Resolution per Staff Recommendation (Fitzer)]**

10. NEW BUSINESS

A. Potential Request To Renegotiate Property Tax Allocations **[Action: Discuss & Provide Direction (Fitzer)]**

11. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

B. Mayoral & Council Appointments

1. Create Ad Hoc Committee for City Beautification/Recycling Projects **[Action: Adopt Resolution per Staff Recommendation(Iopu)]**

C. City Council Committee Reports & Communications

D. Council Requests For Future Agenda Items

E. City Manager Report / Department Staff

F. City Attorney Report

12. **ADJOURNMENT** to the Regular City Council Meeting of October 15, 2019 In Remembrance of Amber Swartz.

I hereby certify under the laws of the State of California that the foregoing Agenda was posted on the bulletin board at the main entrance of Pinole City Hall, 2131 Pear Street Pinole, CA, and on the City's website, not less than 72 hours prior to the meeting date set forth on this agenda.

POSTED: September 26, 2019 at 4:00 P.M.

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Heather Iopu, CMC
City Clerk

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CITY COUNCIL MEETING
MINUTES
September 3, 2019

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE IN HONOR OF THE US MILITARY TROOPS

The City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Murray called the Regular Meeting of the City Council to order 6:05 p.m. and led the Pledge of Allegiance.

2. ROLL CALL, CITY CLERK'S REPORT & STATEMENT OF CONFLICT

A. COUNCILMEMBERS PRESENT

Peter Murray, Mayor
Roy Swearingen, Mayor Pro Tem
Norma Martinez-Rubin, Councilmember
Anthony Tave, Councilmember
Vincent Salimi, Councilmember (arrived at 8:52 p.m.)

B. STAFF PRESENT

Hector De La Rosa, Assistant City Manager
Heather Iopu, City Clerk
Eric Casher, City Attorney
Scott Kouns, Fire Chief
Neil Gang, Police Chief
Tamara Miller, Development Services Director/City Engineer

City Clerk Iopu announced the agenda was posted on August 15, 2019 at 4:00 p.m. All legally required notice was provided.

City Clerk Iopu announced that additional materials pertaining to Items 6B1 and 9A on the agenda were provided at the dais for the Council and copies were placed at the rear of the Chamber for the public,

Following an inquiry to the Council, the Council reported there were no conflicts with any items on the agenda.

3. CONVENE TO A CLOSED SESSION

The City Council convened into closed session at 6:08 p.m.

A. A. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Gov. Code § 54956.9(d)(2)
Number of Potential Cases: 1

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4. RECONVENE IN OPEN SESSION TO ANNOUNCE RESULTS OF CLOSED SESSION

At 6:54 p.m. Mayor Murray reconvened the meeting and announced that there was no reportable action.

5. CITIZENS TO BE HEARD (Public Comments)

At 6:55 pm, the Mayor inquired if there were any Public Comments. The following speakers addressed the City Council:

Chris Wimmer, resident of Pinole, spoke regarding the nuisance created by marijuana smoke drifting from neighboring properties into his own property. Requested that the Council consider amending the smoking ordinance to address this.

Jason Kishineff, Congressional Candidate in District 5, spoke regarding military spending bill that was voted for by the current District 5 representative. Expressed need to decrease amount of military spending.

Jeff Rubin, President of Pinole Historical Society, announced upcoming events: On September 6, Linda Lopes Rosedale to do a program on history of her home, 610 Quinan Street, at Kaiser Medical Office Building at 6:30 p.m. On September 23, Chipotle will hold fundraiser for the Pinole History Museum between 4-8 p.m. On November 2nd from 5-8 p.m., fundraising dinner will be held at St. Joseph's School.

David Bowman, resident of Pinole, asked question regarding financial options for further road construction using gas tax revenue.

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations

B. Presentations / Recognitions

1. Census 2020 Information by County & US Census Bureau Representatives

Presentation made by representatives of County and Census 2020 Steering Committee. Highlighted the strategies of the outreach efforts by the County and local Census representatives. Encouraged any community groups who have ideas to contact them and coordinate efforts. Reviewed the timeline of Census 2020 activities. Provided information regarding resources.

Questions by Council members. Census representative addressed the questions of Council.

The following speakers spoke to the City Council regarding this item:

Maria Allegria, spoke regarding her own Census outreach efforts and encouraged the participation and cooperation with the other cities in the region. Encouraged everyone to get involved in the process.

Rafael Menis, thanked the presenters and underlined the importance of an accurate count, and the funding implications for having all the people counted. Encouraged public participation.

2. Code Enforcement Quarterly Update by Community Development Services Director/City Engineer Tamara Miller

Community Development Services Director/City Engineer Tamara Miller provided an update on Code Enforcement activities.

Questions and comments from Council members regarding details of report. Staff addressed questions by Council. Discussion of the current recruitment process for the vacant Code Enforcement Officer position.

3. Public Works Update by Community Development Services Director/City Engineer Tamara Miller and Public Works Manager, Joe Bingaman

Community Development Services Director/City Engineer Tamara Miller and Public Works Manager, Joe Bingaman presented an update on the Public Works division.

Highlighted recent accomplishments, and ongoing activities, support functions, and future goals for Public Works Department.

Council members made comments and asked questions regarding report. Staff addressed the questions. Discussion by Council members and staff regarding new equipment that will be used for street repair.

The following speaker addressed the City Council:

Rafael Menis, resident of Pinole, thanked Public Works Department for implementing improvements on Pinole Valley Road. Asked regarding security and location of the 24 hour ballot box mentioned in the report.

Mayor Murray addressed the public comment.

4. Certificate of Recognition for Charles Christopher for Volunteer Services to the City of Pinole

In the event of his recent passing, Mayor Murray presented a Certificate of Recognition in honor of Charles Christopher for his Volunteer Services to the City of Pinole for many years in the Finance Department and Senior Center.

7. CONSENT CALENDAR

Councilmember Tave requested revision to Item 7A. Council gave consensus.

A. Approve the Minutes of the Meeting of July 16, 2019

B. Receive the August 17, 2019 – August 30, 2019 List of Warrants in the Amount of $645,513.40 and the August 23, 2019 Payroll in the Amount of $402,971.61

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C. Approve A Resolution Authorizing $8,079.36 In Asset Seizure Funds For A One-Time Expenditure For The Police Department For Thirty-Three Axon Signal Sidearm Mounts **[Action: Adopt Resolution per Staff Recommendation (Gang)]**

D. Receive the Quarterly Investment Report For The Quarter Ending June 30, 2019, And Authorize Staff To Invest Additional Funds In Long-Term Securities **[Action: Receive Report and Provide Authorization per Staff Recommendation (A. Miller)]**

E. Amending The Master Fee Schedule For The Recreation Department **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**

ACTION: Motion by Councilmembers Tave/Martinez-Rubin to approve Consent Calendar Items A-E with the approved revision of Item 7A.

Vote:	**Passed**	**5-0**
	Ayes:	**Murray, Swearingen, Tave, Martinez-Rubin, Salimi**
	Noes:	**None**
	Abstain:	**None**

8. PUBLIC HEARING

A. Ordinance Amending Chapters 9.28 & 9.30 Of The Pinole Municipal Code Regarding The Regulation Of Tobacco Products And Tobacco Retailers **[Action: Introduce Ordinance and Conduct Public Hearing (Casher)]**

Assistant City Attorney Casher presented a report and outlined the action. Highlighted the reasons for proposing this change in the municipal code.

Council members asked questions to clarify details of the report. Staff addressed questions.

At 8:59 p.m. Mayor Murray opened the Public Hearing.

The following speakers spoke to the City Council regarding this item:

Steve Manikhong, resident of Pinole, spoke in opposition regarding the flavor ban on his business, requests that the Council consider what action the State takes before moving forward on an ordinance change.

George Wineman, spoke in opposition to this action, business owner stated that this action will have a negative effect on his business. Stated that people who wish to purchase these products will find them elsewhere if ban is imposed.

Rafael Menis, resident of Pinole, stated being in favor of the ordinance. Made comments that advertising is geared towards children. Asked for clarification on one of the items. Expressed concern regarding the criminal enforcement of this ordinance.

Ajmal Numan, resident of Pinole, spoke in opposition to the ordinance, expressed the importance of good parenting with regard to this issue. Suggested that a portion of tobacco sales tax be used for tobacco prevention in schools. Suggested stricter age verification as priority.

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Andrew Weber, spoke in opposition to the ordinance, and stated that this would have a negative effect on his local business.

At 9:10 p.m. Mayor Murray closed the Public Hearing.

Council members asked questions and made comments. Staff responded to questions.

Discussion of options to address the concerns of the public with regard to the proposed ordinance Including the effect on local businesses, the public nuisance issue, and public health concerns.

A

ACTION: Motion by Councilmembers to Tave/Martinez/Rubin to Approve the Ordinance, with an Amdendment to Add 120 Days to the Effective Date of the Section of the Ordinance Regarding Flavored Tobacco Products; 9.30.066.

Vote:	**Passed**	**5-0**
	Ayes:	**Murray, Swearingen, Tave, Martinez-Rubin, Salimi**
	Noes:	**None**
	Abstain:	**None**

9. OLD BUSINESS

NONE

10. NEW BUSINESS

A. Review and Consideration Of A Letter Regarding Federal Immigration Detention Facilities Prepared By Councilmember Tave **[Action: Discuss and Provide Direction (Fitzer)]**

Assistant De La Rosa presented report and outlined the action.

Councilmember Martinez-Rubin read an alternate version of the proposed letter that she drafted and submitted to the Council on the evening of the meeting.

Discussion of the letter by the City Council.

The following speakers addressed the City Council:

David Ruport, resident of Pinole, spoke in favor of the letter. Stated that we should be concerned regarding human rights. Spoke regarding history of immigration issues in this country.

Maria Alegria, resident of Pinole, read on behalf of Miriam Wong, Executive Director of Latina Center, a letter directed to Martinez-Rubin, regarding treatment of people in territories along the Southern border. Expressed importance in speaking up regarding issues affecting the Latino community.

Kent Moriarty, resident of Pinole, spoke in favor of the letter. Expressed that immigrants who are coming to this country because they are being treated inhumanely in their own countries. Stated that this is a local issue because of the connections that residents have with people being detained.

Ann Moriarty, resident of Pinole, expressed importance of standing up for the rights of immigrants. Encouraged support of the letter.

Veronica Aguilar, spoke regarding her experience as an immigrant. Asked the Council to consider the circumstances that an immigrant faces when coming here, gave details of her entrance into the country. Expressed that the letter may help if the Cities got together to stand up against these practices.

Rafael Menis, resident of Pinole, suggested including portions of Councilmember Tave's letter in the final version. Spoke in support of sending the letter. Highlighted the practices of the detention centers as reason to support it.

Kristin Persely, spoke in favor of the letter, stated that we must consider that we are in perilous times and must act in instances of this type of inhumane treatment.

George Pursely, spoke in favor of the letter, expressed that this is a Pinole issue that the Council should address.

Sabrina Pacheco, resident of Pinole, spoke in favor of the letter and announced a rally hosted by A Day Without Immigrants on September 16th in San Francisco. Encouraged public to attend.

Irma Ruport, spoke regarding her own experience, stated that the immigration issues facing our country have been going on a long time. Encouraged all Council members to support the letter.

Mayor Murray made comments.

ACTION: Motion by Councilmembers Martinez-Rubin/Tave to to approve the revised letter.

Discussion on the motion.

Vote:	**Passed**	**5-0**
	Ayes:	**Murray, Swearingen, Tave, Martinez-Rubin, Salimi**
	Noes:	**None**
	Abstain:	**None**

B. Approve The City Of Pinole Fiscal Year (FY) 2019-20 THROUGH 2034-24 Five-Year Capital Improvement Plan and Adopt the FY 2019-20 Capital Budget **[Action: Adopt Resolution per Staff Recommendation (A. Miller)]**

Item continued to the next regular meeting of the City Council.

C. Discussion Of Potential Ordinance Restricting Oversized Vehicle Parking in the City of Pinole **[Action: Discuss and Provide Direction (Casher)]**

City Attorney Casher presented report and outlined the action.

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The following speakers addressed the City Council:

George Wineman, resident of Pinole, spoke regarding multiple 1-800 Got Junk trucks being parked on public streets and the issues it has created in the downtown area.

Development Services Director/City Engineer Miller made comments providing more context to the Council.

Joanne Bachand, spoke in favor of restricting parking for oversized vehicles. Spoke regarding the issues created by these trucks being parked in residential areas.

Council members asked questions. Staff addressed questions.

Council directed staff to work towards a City-wide ordinance, addressing the oversized vehicle parking issue.

11. REPORTS & COMMUNICATIONS

A. Mayor Report
1. Announcements

Mayor Murray announced a Pasta Dinner hosted by Congressman Thompson on Friday, September 13th at Viano Vineyards in Martinez.

Announced Coastal Clean Up on Saturday, September 21st at the Pinole Bay Front Park.

Announced Pinole Dumpster Day on October 5, 2019.

Council member Tave announced the opening of the Ace Hardware.

B. Mayoral & Council Appointments

C. City Council Committee Reports & Communications

Mayor Pro Tem Swearingen reported regarding transportation sales tax that will be on the March 2020 ballot.

Councilmember Salimi reported having meeting with French General Consulate and Senators and hoping that this will lead to investment in Pinole.

Announced free mattress and compost dumping program at the Richmond Sanitary Service on the 1st Wednesday of each month.

Council member Martinez-Rubin announced mailings to public from businesses regarding solar energy programs and asked residents to be cautious regarding what they receive in the mail. The City has not approved or endorsed these mailings.

D. Council Requests For Future Agenda Items

Councilmember Salimi asked for an update on the request for a discussion on property tax allocation. Assistant City Manager announced that this is on our agenda planner and will be coming forward next month.

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City Attorney Casher asked for the Council to confirm its consensus to direct the municipal code subcommittee to work on a public nuisance ordinance related to smoking marijuana in residential areas. Consensus given.

E. City Manager Report / Department Staff

No Report.

F. City Attorney Report

City Attorney Casher reported that he has issued a Cease and Desist Letter to the businesses who the City has identified as misrepresenting the City in its mailer solicitations.

12. ADJOURNMENT to the Regular City Council Meeting of September 17, 2019 In Remembrance of Amber Swartz.

At 11:43 p.m., Mayor Murray adjourned to the City Council Meeting of September 17, 2019 In Remembrance of Amber Swartz.

Submitted by:

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Heather Iopu, CMC
City Clerk

Approved by City Council:

Return to Agenda

CITY COUNCIL MEETING
MINUTES
September 17, 2019

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE IN HONOR OF THE US MILITARY TROOPS

The City Council Meeting was held in the Pinole Council Chambers, 2131 Pear Street, Pinole, California. Mayor Pro Tem Swearingen called the Regular Meeting of the City Council to order 6:05 p.m. and led the Pledge of Allegiance.

2. ROLL CALL, CITY CLERK'S REPORT & STATEMENT OF CONFLICT

A. COUNCILMEMBERS PRESENT

Roy Swearingen, Mayor Pro Tem
Norma Martinez-Rubin, Councilmember
Vincent Salimi, Councilmember

B. STAFF PRESENT

Michelle Fitzer, City Manager
Hector De La Rosa, Assistant City Manager
Heather Iopu, City Clerk
Eric Casher, City Attorney
Scott Kouns, Fire Chief
Tamara Miller, Development Services Director/City Engineer
Police Chief Gang

City Clerk Iopu announced the agenda was posted on September 12, 2019 at 4:00 p.m. All legally required notice was provided.

City Clerk Iopu announced that additional materials pertaining to Items 6B2, 6B3, 7A, 7A1 on the agenda were provided at the dais for the Council and copies were placed at the rear of the Chamber for the public,

Following an inquiry to the Council, the Council reported there were no conflicts with any items on the agenda.

3. CONVENE TO A CLOSED SESSION

The City Council convened into closed session at 6:04 p.m.

4. RECONVENE IN OPEN SESSION TO ANNOUNCE RESULTS OF CLOSED SESSION

At 7:15 p.m. Mayor Pro Tem reconvened the meeting and announced that there was no reportable action.

5. CITIZENS TO BE HEARD (Public Comments)

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At 7:16 pm, the Mayor inquired if there were any Public Comments. The following speakers addressed the City Council:

Jeff Rubin, President of the Pinole Historical Society, spoke regarding Stella Faria a Pinole resident who passed away and honored the contributions that she made to Pinole through her writing on local community issues and places.

Terri Nuss, spoke regarding opioid crisis and the effects of drug overdose on her family. Encouraged the City Council to take action to address this issue.

Chris Wimmer, resident of Pinole, spoke regarding the effect that the marijuana use of his neighbors has on his property. Encouraged the City Council to pursue a public nuisance ordinance to address the issue.

Ivette Ricco, Pinole 4 Fair Government, spoke regarding the Town Hall that was hosted by her organization on September 14th. Thanked the participants and attendees.

Marjorie Casimere, resident of Pinole, spoke regarding trash and debris along roadways in Pinole and encouraged the City Council to take action to keep Pinole clean.

Donald Casimere, resident of Pinole, made comments regarding trash along the roads and highway. Stated the importance of cleaning the on and off ramps to the free way to improve the image of Pinole.

Bob Kopp, resident of Pinole, announced the Coastal Clean Up Day on September 21st and Dumpster Day on October 5th. Encouraged the public to participate.

Rafael Menis, resident of Pinole, spoke regarding the importance of the flu vaccine. Encouraged public to attend the Coastal Clean Up Day.

Marie Bowles, spoke regarding the trash along the highway. Recognized the high school students for helping to clean up the community and asked the Council to also take action to resolve the issue.

6. RECOGNITIONS / PRESENTATIONS / COMMUNITY EVENTS

A. Proclamations
   1. California Firefighters Memorial Day

Mayor Pro Tem Swearingen read the Proclamation and presented it to Fire Chief Kouns. Encouraged the City to honor the committment of all Firefighters.

B. Presentations / Recognitions
   1. Recognition of Pinole Valley High School Art Students for Mural in PD Building

Police Chief Gang introduced the project and gave an overview of the collaboration with Pinole Valley High School staff and students.

Student project leader Alejandra Simon gave a report on the project and explained the inspiration and work that went into it. Spoke regarding the connection it created with the Police Department.

Police Chief Gang presented a video of the mural, recognized the people who contributed, and spoke regarding the importance of relationship-building with the community.

Police Officer Witschi & Community Safety Specialist Valdepena presented certificates of participation to each of the students.

2. Police Department Update by Chief Gang

Chief Gang gave an update of the Police Department. Provided statistics for crime in Pinole. Provided update on 2019 Goals and highlighted achievements of the department.

Council members made comment.

Ivette Ricco, resident of Pinole, spoke regarding the statistics provided by Chief Gang.

Council members recognized Chief Gang and the work of the Department as a whole.

3. Republic Services Annual Report by Bielle Moore

Republic Services representatives Bielle Moore and Terri Singleton gave report on the high level of recycling contamination. Highlighted proper and improper ways to dispose of materials in provided trash and recycle bins.

Council members made comments and asked questions. Republic Services staff responded to questions.

Rafael Menis, resident of Pinole, asked if there was a specific point at which the increased cost of recycling would cause Republic Services to landfill the material rather than recycle it.

Council members asked questions. Republic Services staff responded to questions.

Ivette Ricco, resident of Pinole, suggested signs on the top of bins to help customers know what items are acceptable in the different types of bins.

7. CONSENT CALENDAR

The following speakers addressed the City Council:

Rafael Menis, resident of Pinole, spoke regarding Consent Calendar Item 7E, asked for clarification regarding the cost of the contractor in comparison to cost for a regular staff person.

Ivette Ricco, resident of Pinole, spoke regarding Consent Calendar Item 7G, spoke regarding the increase in the amount of the Faria House contract. Asked what the process is and stated that this should have been approved by Council before the work was done.

City Manager Fitzer made comments in response to the public comments.

Return to Agenda

A. Approve the Minutes of the Meetings of August 20, and August 27, 2019

B. Receive the August 31, 2019 – September 13, 2019 List of Warrants in the Amount of $542,513.53 and the September 6, 2019 Payroll in the Amount of $392,469.12

C. Receive The Development Impact Fee Report For The Fiscal Year Ended June 30, 2019 **[Action: Receive Report and Adopt Resolution per Staff Recommendation (A. Miller(]**

D. Authorize Council Member Salimi To Vote Yes On The League Of California Cities Annual Conference Resolutions **[Action: Provide Authorization per Staff Recommendation (Fitzer)]**

E. Approve An Amendment To The Contract And Issue A Task Order For CSG For Staff Augmentation For An Interim Planning Manager And Building Inspector In An Amount Not To Exceed $151,000 **[Action: Adopt Resolution per Staff Recommendation (T. Miller)]**

F. Ordinance Amending Chapters 9.28 & 9.30 Of The Pinole Municipal Code Regarding The Regulation Of Tobacco Products And Tobacco Retailers **[Action: Conduct Second Reading and Adopt Ordinance, per staff Recommendation (Mog)]**

G. Approve An Amendment To The Contract With Interactive Resources For Preparation Of Design And Specifications For The Faria House In An Additional Amount Of $6,017 For A Total Contract Amount Not To Exceed $91,397, And Amend The Budget Appropriation **[Action: Adopt Resolution per Staff Recommendation (De La Rosa)]**

ACTION: Motion by Councilmembers Martinez-Rubin/Salimi to approve Consent Calendar Items A-G.

Vote:	**Passed**	**3-0**
	Ayes:	**Swearingen, Martinez-Rubin, Salimi**
	Noes:	**None**
	Abstain:	**Non**
	Absent:	**Murray, Tave**

8. PUBLIC HEARING

NONE

9. OLD BUSINESS

NONE

10. NEW BUSINESS

A. Approve The City Of Pinole Fiscal Year (FY) 2019-20 through 2023-24 Five-Year Capital Improvement Plan And Adopt the FY 2019-20 Capital Budget **[Action: Approve CIP Plan and Adopt Budget per Staff Recommendation (A. Miller)]**

Finance Director Miller introduced the item and presented staff report.

Council members asked questions regarding the details of the report. Staff responded to questions clarifying the report.

The following speakers addressed the City Council:

Rafael Menis, resident of Pinole, recognized staff for their work and asked question regarding SB1 funds that are referenced in the staff report. Asked for clarification regarding the use of fund balance.

Staff responded to questions.

Maureen Toms, resident of Pinole, suggested EV charging stations in public lots be considered in the Capital Improvement Plan. Also stated that the Development Services division needs to be better-staffed in order to help bring these projects to completion.

ACTION: Motion by Councilmembers Martinez-Rubin/Tave to approve the The City Of Pinole Fiscal Year (FY) 2019-20 through 2023-24 Five-Year Capital Improvement Plan And Adopt the FY 2019-20 Capital Budget

Vote:	**Passed**	**3-0**
	Ayes:	**Swearingen, Martinez-Rubin, Salimi**
	Noes:	**None**
	Abstain:	**None**
	Absent:	**Murray, Tave**

11. REPORTS & COMMUNICATIONS

A. Mayor Report

1. Announcements

Mayor Pro Tem announced on behalf of Mayor Murray the Coastal Clean Up on September 21 from 9:00 a.m to Noon.

B. Mayoral & Council Appointments

None.

C. City Council Committee Reports & Communications

Councilmember Salimi announced that the HdL report was published on the City website for review. Also announced the community Town Hall that took place on September 14th and stated that about 50 questions were introduced and will be shared with the Council and staff.

Martinez-Rubin reported on the WestCat meeting in September that she attended with Council member Tave. There will be five replacement buses that were recently approved and will be on the roads soon. Announced that new software was acquired to receive client feedback on their experience with bus service.

Reported that the CA Arts Council has a grant program that opens up this month to support arts in the community. Encouraged members of the public to apply.

Announced that Project Second Chance, an Adult Literacy Program is available through the library for any adults that want to improve reading and writing skills.

Announced St. Joseph School will host its Octoberfest on October 5th and 6th and Pasta Dinner and Dance on September 28th.

Announced Bay Front Chamber of Commerce will host a Chili Cook-Off and Car Show on September 22nd.

D. Council Requests For Future Agenda Items

Council member Salimi requested an update on from the library programs. City Manager Fitzer stated that we have the library representatives already scheduled to return to Council with an update report.

Council member Martinez-Rubin asked for a discussion item on collaborative projects on recycling effort and City beautification projects. Suggested by Mayor Pro Swearingen to form Ad Hoc Committee to address these issues. Council gave consensus to create an Ad Hoc Committee and City Manager Fitzer stated that it will be put on the October 1st agenda.

Mayor Pro Tem Swearingen requested an agenda item to discuss addition of police officers. Consensus given by Council.

Mayor Pro Tem Swearingen requested a future agenda item to discuss drug addiction. Suggested a committee to work with high school on options for afterschool programs. Consensus not given by Council.

Maureen Toms, resident of Pinole, spoke regarding the issue that was raised regarding opiod addiction. Explained that the City can assist with outreach and education.

Ivette Ricco, resident of Pinole, asked Council member Salimi to submit the questions that were raised at the recent community Town Hall to the City Council.

Council member Salimi stated that he will provide the information to Council and staff.

E. City Manager Report / Department Staff

At the October 15th Council meeting the City will bring forward a resolution regarding the Census 2020 appointing Council member Martinez-Rubin and City Clerk Iopu as the agency representatives.

Announced that a mailer was sent to residents regarding the Strategic Planning meetings. The public is encouraged to participate in the Strategic Planning process by attending any of the following meetings.

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Meeting Dates:

September 25	9:00 a.m.	Pinole Library
September 25	6:00 p.m.	East Bluff Apartments, Clubhouse
October 7	12:00 p.m	Pinole Youth Center
October 7	7:00 p.m.	Pinole Middle School

Announced the Special Meeting of the City Council on October 8th at 6:00 p.m. which will be a workshop meeting to review the Draft Fire Study Report.

F. City Attorney Report

No report.

12. ADJOURNMENT to the Regular City Council Meeting of October 1, 2019 In Remembrance of Amber Swartz.

At 10:53. p.m., Mayor Murray adjourned to the City Council Meeting of October 1, 2019 In Remembrance of Amber Swartz.

Submitted by:

Heather Iopu, CMC
City Clerk

Approved by City Council:

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7B

WARRANT LISTING

City of Pinole, CA

By Vendor Name

Payment Dates 09/14/2019 - 09/27/2019

Payable Number	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: 4LE00 - 4LEAF, INC.					
J0605-19A	92059	09/20/2019	100-231-42101	FIRE PORTECTION PLAN REVIEWS APPROVED THR 7/31/19	465.00
J3681J	92059	09/20/2019	100-231-42101	FIRE INSPECTIONS AUG 1-31, 2019	15,960.00
				Vendor 4LE00 - 4LEAF, INC. Total:	**16,425.00**
Vendor: AIR10 - AIRGAS USA, LLC					
9964742639	92060	09/20/2019	100-343-42514	RENT CYL MED LARGE AIR	163.30
				Vendor AIR10 - AIRGAS USA, LLC Total:	**163.30**
Vendor: ALH01 - ALHAMBRA & SIERRA SPRINGS					
19593757 090519	92061	09/20/2019	100-222-42201	DRINKING WATER- PD	223.27
5025531 090619	92108	09/27/2019	100-343-42101	DRINKING WATER FOR COPR YARD	66.26
				Vendor ALH01 - ALHAMBRA & SIERRA SPRINGS Total:	**289.53**
Vendor: 1487 - ALICE SANKEY					
83019	92109	09/27/2019	209-20015	GIFT SHOP SENIOR CENTER	21.00
				Vendor 1487 - ALICE SANKEY Total:	**21.00**
Vendor: 1685 - Alta Planning + Design, Inc.					
00-2019-191-1	92110	09/27/2019	212-461-42101	OTP Parking and Pedestrian Safety Study Services	1,895.54
				Vendor 1685 - Alta Planning + Design, Inc. Total:	**1,895.54**
Vendor: 1680 - ARMAND GREGORIO					
91619	92062	09/20/2019	209-20309	PYC MAIN HALL RENTAL 9/14/19 DEPOSIT REFUND	250.00
				Vendor 1680 - ARMAND GREGORIO Total:	**250.00**
Vendor: ARM09 - ARMOUR PETROLEUM SVC/EQUP					
WO-13796	92063	09/20/2019	500-641-42107	REPAIR/MAINTENACE- TP	527.30
				Vendor ARM09 - ARMOUR PETROLEUM SVC/EQUP Total:	**527.30**
Vendor: ATT01 - AT&T					
000013605634	92112	09/27/2019	525-118-43101	1099BAN CABLE SERVICES- IT	1,728.43
000013609976	92112	09/27/2019	525-118-43101	9347BAN CABLE SERVICES- IT	641.33
000013609982	92112	09/27/2019	525-118-43101	9349BAN CABLE SERVICES- IT	522.53
000013609983	92112	09/27/2019	525-118-43101	9346BAN CABLE SERVICES- IT	1,783.96
000013609984	92112	09/27/2019	525-118-43101	9348BAN CABLE SERVICES- IT	717.28
000013609985	92112	09/27/2019	525-118-43101	9351BAN CABLE SERVICES- IT	543.28
000013610510	92112	09/27/2019	525-118-43101	9017BAN CABLE SERVICES- IT	208.77
00001369987	92112	09/27/2019	525-118-43101	9345BAN CABLE SERVICES- IT	158.19
SEP 08 19-2820	92111	09/27/2019	525-118-43101	TINY TOTS SOLAR	50.50
				Vendor ATT01 - AT&T Total:	**6,354.27**
Vendor: AVE03 - AVERY ASSOCIATES					
2811	92064	09/20/2019	100-116-42101	Search expenses for the recruitment of City Manage	4,086.81
				Vendor AVE03 - AVERY ASSOCIATES Total:	**4,086.81**
Vendor: 1144 - AXON ENTERPRISE, INC.					
SI-1611868	92113	09/27/2019	225-221-47101	SIGNAL SIDEARM ADHESIVE MOUNT- PD	8,079.36
				Vendor 1144 - AXON ENTERPRISE, INC. Total:	**8,079.36**

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Payable Numb	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: ESP01 - BELINDA ESPINOSA					
OCT 2019	92114	09/27/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR OCT 2019	86.41
				Vendor ESP01 - BELINDA ESPINOSA Total:	**86.41**
Vendor: BIR05 - BIRITE FOODSERVICE DISTRIBUTORS					
5807513	92065	09/20/2019	209-552-43804	FOOD PROGRAM- SC	678.58
5812767	92065	09/20/2019	209-552-43804	FOOD PROGRAM- SC	782.20
5812768	92065	09/20/2019	209-552-43804	FOOD PROGRAM- SC	1,076.63
				Vendor BIR05 - BIRITE FOODSERVICE DISTRIBUTORS Total:	**2,537.41**
Vendor: BLU03 - BLUE LAGOON POOL SERVICE					
14848	92066	09/20/2019	209-557-42108	POOL SERVICE- SWIM CENTER	1,440.25
				Vendor BLU03 - BLUE LAGOON POOL SERVICE Total:	**1,440.25**
Vendor: BOU01 - BOUND TREE MEDICAL, LLC					
63074430	92067	09/20/2019	100-231-42104	SUPPLIES- FD	67.20
				Vendor BOU01 - BOUND TREE MEDICAL, LLC Total:	**67.20**
Vendor: 1654 - BRINK'S INCORPORATED					
10851585	92068	09/20/2019	100-115-42101	TRANSPORTATION PERIOD 9/01-9/30/19	171.84
2850749	92068	09/20/2019	100-115-42101	TRANSPORTATION EXCESS TIME PERIOD 8/01-8/31/19	26.28
				Vendor 1654 - BRINK'S INCORPORATED Total:	**198.12**
Vendor: CAL01 - CALTEST ANALYTICAL LAB					
602052	92069	09/20/2019	500-641-44305	SUPPLIES- TP	557.65
				Vendor CAL01 - CALTEST ANALYTICAL LAB Total:	**557.65**
Vendor: CAP10 - CAP-HILLTOP					
31190	92070	09/20/2019	100-345-42514	AUG 2019 OUTDOOR CLEANING OF PARKS	1,337.50
				Vendor CAP10 - CAP-HILLTOP Total:	**1,337.50**
Vendor: 1635 - CHECKERS TOWING					
6526	92115	09/27/2019	100-221-42107	TOWING SERVICES- PD	85.00
				Vendor 1635 - CHECKERS TOWING Total:	**85.00**
Vendor: CIT08 - CITY MECHANICAL, INC					
58235	92116	09/27/2019	106-343-47201	WORK ORDER 35798 HVAC	27,401.00
				Vendor CIT08 - CITY MECHANICAL, INC Total:	**27,401.00**
Vendor: ANT05 - CITY OF ANTIOCH					
91819	92071	09/20/2019	100-110-42303	THIRD DINNER @ OCT 3RD CCC MAYORS' CONFERENCE	55.00
				Vendor ANT05 - CITY OF ANTIOCH Total:	**55.00**
Vendor: CIT14 - CITY OF WALNUT CREEK					
2019	92072	09/20/2019	100-111-42401	2019 ANNUAL DUES FOR PUBLIC MANAGERS' ASSOCIATIION	510.00
				Vendor CIT14 - CITY OF WALNUT CREEK Total:	**510.00**
Vendor: COM20 - COMCAST					
6 19-0511SEP 19	92117	09/27/2019	100-222-42514	BUSINESS CABLE- PD	176.35
SEP 09 19-3131	92073	09/20/2019	100-231-43105	COMCAST BUSINESS CABLE- FIRE	7.85
				Vendor COM20 - COMCAST Total:	**184.20**
Vendor: COM42 - COMMERCIAL SUPPORT SERVICES					
57850	92118	09/27/2019	100-117-42101	MAILING SERVICES	282.46
				Vendor COM42 - COMMERCIAL SUPPORT SERVICES Total:	**282.46**
Vendor: CON56 - CONCENTRA MEDICAL CENTERS					
65326542	92074	09/20/2019	100-221-42101	Non Reg UDS Prepl Exams	75.00
65326542	92074	09/20/2019	100-231-42101	Non Reg UDS Prepl Exams	746.00
				Vendor CON56 - CONCENTRA MEDICAL CENTERS Total:	**821.00**

Return to Agen

Payable Numb	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: CCC13 - CONTRA COSTA COUNTY PUBLIC WORKS DEPARTMENT					
702664	92119	09/27/2019	100-343-42101	traffic signal maintenance for the month of Aug 20	11,057.10
702664	92119	09/27/2019	310-347-42101	traffic signal maintenance for the month of Aug 20	801.12
702664	92119	09/27/2019	310-348-42101	traffic signal maintenance for the month of Aug 20	133.52
				Vendor CCC13 - CONTRA COSTA COUNTY PUBLIC WORKS DEPARTMENT Total:	**11,991.74**
Vendor: CON79 - CONTRA COSTA COUNTY, OFFICE OF THE SHERIFF-CORONER					
19/20 Pinol	92120	09/27/2019	100-222-42106	ARIES Maintenance- FY 19/20 2562/9739	8,770.00
				Vendor CON79 - CONTRA COSTA COUNTY, OFFICE OF THE SHERIFF-CORONER Total:	**8,770.00**
Vendor: CONA7 - CONTRA COSTA FAMILY JUSTICE ALLIANCE					
2019PIN-03	92121	09/27/2019	100-222-42101	CONTRIBUTION TO FAMILY JUSTICE CENTER- PD	483.47
				Vendor CONA7 - CONTRA COSTA FAMILY JUSTICE ALLIANCE Total:	**483.47**
Vendor: 1278 - CRISTINA AHLSTRAND					
71819	92122	09/27/2019	209-555-36405	PETTY CASH REIMBURSEMENT FOR PYC	345.00
				Vendor 1278 - CRISTINA AHLSTRAND Total:	**345.00**
Vendor: CSG01 - CSG CONSULTANTS INC.					
26386	92123	09/27/2019	212-462-42101	BUILDING INSPECTIIONS	14,630.00
				Vendor CSG01 - CSG CONSULTANTS INC. Total:	**14,630.00**
Vendor: CSM01 - CSMFO					
INV-454	92124	09/27/2019	100-115-42514	FY19/20 BUDGET AWARD APPLICATION	150.00
				Vendor CSM01 - CSMFO Total:	**150.00**
Vendor: CUN01 - CUNHA ENGINEERING, INC					
16062	92125	09/27/2019	100-341-42101	Licensed Surveyor Review Documents Lot Savage Ave.	780.00
16070	92125	09/27/2019	100-341-42101	Licensed surveyor review Parcel Map TaraHills@Appl	1,560.00
				Vendor CUN01 - CUNHA ENGINEERING, INC Total:	**2,340.00**
Vendor: 1403 - DALILA SANCHEZ					
92019	92075	09/20/2019	209-20308	UNCLAIMED PROPERTY- PSC MAIN HALL DEPOSIT REFUND	750.00
92019	92075	09/20/2019	209-552-38112	UNCLAIMED PROPERTY- PSC MAIN HALL DEPOSIT REFUND	-60.00
				Vendor 1403 - DALILA SANCHEZ Total:	**690.00**
Vendor: COO13 - DANA COOK					
OCT 2019	92126	09/27/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR OCT 2019	351.82
				Vendor COO13 - DANA COOK Total:	**351.82**
Vendor: BRO19 - DENISE BROWN					
83019	92127	09/27/2019	209-20015	GIFT SHOP SENIOR CENTER	58.00
				Vendor BRO19 - DENISE BROWN Total:	**58.00**
Vendor: 1443 - DIESEL DIRECT WEST, INC.					
83233109	92076	09/20/2019	100-10601	GAS FOR COPR YARD	1,924.74
83241187	92076	09/20/2019	100-10601	GAS FOR THE COPR YARD	2,477.70
83249858	92076	09/20/2019	100-10601	GAS FOR COPR YARD	1,909.30
83267824	92076	09/20/2019	100-10601	GAS FOR CORP YARD	2,620.09
83283405	92128	09/27/2019	100-10601	GAS FOR THE CORP YARD	2,519.29
				Vendor 1443 - DIESEL DIRECT WEST, INC. Total:	**11,451.12**
Vendor: 1684 - DONALD P. KINYON					
92719	92129	09/27/2019	100-000-31510	OVERPAYMENT OF BL R19-9859	36.00
				Vendor 1684 - DONALD P. KINYON Total:	**36.00**

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Payable Numb	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: EBM01 - EBMUD					
39199-90419	92077	09/20/2019	500-642-43102	05005 HYDRAND PERMIT-CONSTRUCTION	439.94
				Vendor EBM01 - EBMUD Total:	**439.94**
Vendor: 1655 - ENDRESS + HAUSER, INC.					
6002088758	92078	09/20/2019	500-641-42107	SUPPLIES- TP	2,168.40
				Vendor 1655 - ENDRESS + HAUSER, INC. Total:	**2,168.40**
Vendor: ERI03 - ERICK WILSON					
83019	92079	09/20/2019	505-119-42101	PROFESSIONAL SERVICES- CTV	1,334.80
				Vendor ERI03 - ERICK WILSON Total:	**1,334.80**
Vendor: FAS02 - FASTENAL					
CAS1716892	92080	09/20/2019	500-641-42107	SUPPLIES/PARTS- TP	643.44
				Vendor FAS02 - FASTENAL Total:	**643.44**
Vendor: FIS01 - FISHER SCIENTIFIC					
3189849	92081	09/20/2019	500-641-44303	LAB SUPPLIES- TP	125.27
				Vendor FIS01 - FISHER SCIENTIFIC Total:	**125.27**
Vendor: GAT07 - GATEWAY PINOLE VISTA, LLC					
OCT 2019	92130	09/27/2019	201-343-42513	OCT 19 1340 FITZGERALD DR LEASE PAYMENT	100.00
				Vendor GAT07 - GATEWAY PINOLE VISTA, LLC Total:	**100.00**
Vendor: 1653 - GOT POWER, INC.					
01-21246	92131	09/27/2019	100-222-42108	ON SITE SERVICE INSPECTIONS	2,728.54
				Vendor 1653 - GOT POWER, INC. Total:	**2,728.54**
Vendor: GRA03 - GRAINGER					
9286716098	92132	09/27/2019	500-642-42107	SUPPLIES/PARTS- TP	189.02
				Vendor GRA03 - GRAINGER Total:	**189.02**
Vendor: KEN14 - GREG KENNEDY RN					
75	92082	09/20/2019	100-231-42101	EMS CQI DUTIES- FD	2,000.00
				Vendor KEN14 - GREG KENNEDY RN Total:	**2,000.00**
Vendor: HAC01 - HACH COMPANY					
11594715	92083	09/20/2019	500-641-44305	SUPPLIES- TP	2,508.04
				Vendor HAC01 - HACH COMPANY Total:	**2,508.04**
Vendor: HEA01 - HEALTH CARE DENTAL TRUST					
OCT 2019	92133	09/27/2019	100-110-41002	DENTAL PREMIUMS FOR OCT 2019	581.32
OCT 2019	92133	09/27/2019	100-111-41002	DENTAL PREMIUMS FOR OCT 2019	133.72
OCT 2019	92133	09/27/2019	100-112-41002	DENTAL PREMIUMS FOR OCT 2019	156.94
OCT 2019	92133	09/27/2019	100-113-41002	DENTAL PREMIUMS FOR OCT 2019	62.18
OCT 2019	92133	09/27/2019	100-115-41002	DENTAL PREMIUMS FOR OCT 2019	470.82
OCT 2019	92133	09/27/2019	100-116-41002	DENTAL PREMIUMS FOR OCT 2019	219.12
OCT 2019	92133	09/27/2019	100-117-41002	DENTAL PREMIUMS FOR OCT 2019	219.12
OCT 2019	92133	09/27/2019	100-221-41002	DENTAL PREMIUMS FOR OCT 2019	2,553.40
OCT 2019	92133	09/27/2019	100-221-41002	DENTAL PREMIUMS FOR OCT 2019	156.94
OCT 2019	92133	09/27/2019	100-222-41002	DENTAL PREMIUMS FOR OCT 2019	352.84
OCT 2019	92133	09/27/2019	100-223-41002	DENTAL PREMIUMS FOR OCT 2019	1,624.10
OCT 2019	92133	09/27/2019	100-231-41002	DENTAL PREMIUMS FOR OCT 2019	1,388.98
OCT 2019	92133	09/27/2019	100-341-41002	DENTAL PREMIUMS FOR OCT 2019	447.60

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Payable Numb	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
OCT 2019	92133	09/27/2019	100-343-41002	DENTAL PREMIUMS FOR OCT 2019	1,075.36
OCT 2019	92133	09/27/2019	105-221-41002	DENTAL PREMIUMS FOR OCT 2019	447.60
OCT 2019	92133	09/27/2019	105-231-41002	DENTAL PREMIUMS FOR OCT 2019	133.72
OCT 2019	92133	09/27/2019	106-231-41002	DENTAL PREMIUMS FOR OCT 2019	156.94
OCT 2019	92133	09/27/2019	204-227-41002	DENTAL PREMIUMS FOR OCT 2019	313.88
OCT 2019	92133	09/27/2019	209-551-41002	DENTAL PREMIUMS FOR OCT 2019	156.94
OCT 2019	92133	09/27/2019	209-552-41002	DENTAL PREMIUMS FOR OCT 2019	124.36
OCT 2019	92133	09/27/2019	209-552-41002	DENTAL PREMIUMS FOR OCT 2019	156.94
OCT 2019	92133	09/27/2019	500-641-41002	DENTAL PREMIUMS FOR OCT 2019	1,430.08
OCT 2019	92133	09/27/2019	500-642-41002	DENTAL PREMIUMS FOR OCT 2019	281.30
OCT 2019	92133	09/27/2019	505-119-41002	DENTAL PREMIUMS FOR OCT 2019	156.94
OCT 2019	92133	09/27/2019	998-20105	DENTAL PREMIUMS FOR OCT 2019	62.18
OCT 2019	92133	09/27/2019	998-20105	DENTAL PREMIUMS FOR OCT 2019	438.24
				Vendor HEA01 - HEALTH CARE DENTAL TRUST Total:	**13,301.56**
Vendor: 1665 - HEATHER IOPU					
92719	92134	09/27/2019	100-112-42302	REIMBURSEMENT CAB FARE FROM ONT TO MMCA TRAINING	85.50
				Vendor 1665 - HEATHER IOPU Total:	**85.50**
Vendor: 1098 - HILLYARD, INC					
603575292	92084	09/20/2019	209-552-43811	CLEANING SUPPLIES- SC	659.00
				Vendor 1098 - HILLYARD, INC Total:	**659.00**
Vendor: 1683 - HydroScience Engineers, Inc.					
459001001	92085	09/20/2019	500-642-42101	Hazel & San Pable Ave Sewer PS Upgrades	5,530.00
				Vendor 1683 - HydroScience Engineers, Inc. Total:	**5,530.00**
Vendor: SMI23 - IRINA SMIRNOVA					
83019	92135	09/27/2019	209-20015	GIFT SHOP SENIOR CENTER	39.50
				Vendor SMI23 - IRINA SMIRNOVA Total:	**39.50**
Vendor: MEL05 - JAMES MELVIN					
OCT 2019	92136	09/27/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR OCT 2019	135.50
				Vendor MEL05 - JAMES MELVIN Total:	**135.50**
Vendor: ROS13 - JAMES W. ROSE					
OCT 2019	92137	09/27/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR OCT 2019	566.90
				Vendor ROS13 - JAMES W. ROSE Total:	**566.90**
Vendor: 1681 - JANET HAME					
91019	92086	09/20/2019	209-20308	PSC MAIN HALL RENTAL 9/7/19 DEPOSIT REFUND	500.00
				Vendor 1681 - JANET HAME Total:	**500.00**

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Payable Numb	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: MIS01 - JULIAN MISRA					
OCT 2019	92138	09/27/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR OCT 2019	135.50
				Vendor MIS01 - JULIAN MISRA Total:	**135.50**
Vendor: ROG06 - JUSTIN ROGERS					
91619	92139	09/27/2019	100-221-42302	REIMBURSEMENT PER DIEM AND HOTEL EXPENSES	396.68
91619	92139	09/27/2019	100-221-42303	REIMBURSEMENT PER DIEM AND HOTEL EXPENSES	135.00
91819	92087	09/20/2019	100-221-42302	REIMBURSEMENT FOR PARKING FOR THE SLI TRAINING	55.19
				Vendor ROG06 - JUSTIN ROGERS Total:	**586.87**
Vendor: 1682 - KAY SHEN					
80119	92088	09/20/2019	209-552-43802	EVENING/DAY TAI CHI CLASSES-SC	280.35
83019	92088	09/20/2019	209-552-43802	EVENING/DAY TAI CHI CLASSES-SC	359.80
				Vendor 1682 - KAY SHEN Total:	**640.15**
Vendor: COP02 - KENETH COPPO					
OCT 2019	92140	09/27/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR OCT 2019	1,230.95
				Vendor COP02 - KENETH COPPO Total:	**1,230.95**
Vendor: LAN01 - LANER ELECTRIC SUPPLY,INC					
896025	92089	09/20/2019	310-348-42108	SERVICE/MAINTENACE	64.24
				Vendor LAN01 - LANER ELECTRIC SUPPLY,INC Total:	**64.24**
Vendor: LAN15 - LANGUAGE LINE SERVICES					
4606469	92141	09/27/2019	100-223-42101	OVER THE PHONE INTERPRETATION- PD	53.56
4627316	92141	09/27/2019	100-223-42101	OVER THE PHONE INTERPRETATION- PD	39.48
				Vendor LAN15 - LANGUAGE LINE SERVICES Total:	**93.04**
Vendor: LIE01 - LIEBERT CASSIDY WHITMORE					
1485480	92090	09/20/2019	100-117-42101	PROFESSIONAL SERVICES RENDERED THROUGH 8/31/19	1,458.00
				Vendor LIE01 - LIEBERT CASSIDY WHITMORE Total:	**1,458.00**
Vendor: BRU10 - LINDA BRUNS					
OCT 2019	92142	09/27/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR OCT 2019	33.61
				Vendor BRU10 - LINDA BRUNS Total:	**33.61**
Vendor: CUR03 - LN CURTIS & SONS					
INV311763	92091	09/20/2019	100-231-44410	SAFETY CLOTHING- FD	3,795.35
				Vendor CUR03 - LN CURTIS & SONS Total:	**3,795.35**
Vendor: MAN01 - MANNA FOODS, INC.					
902701	92092	09/20/2019	209-552-43804	FOOD PROGRAM- SC	218.27
				Vendor MAN01 - MANNA FOODS, INC. Total:	**218.27**
Vendor: 1545 - Maritza Sanchez					
91819	92093	09/20/2019	100-221-42514	REIMBURSEMENT PURCHASE OF SUPPLIES FOR PATRIOT DAY	109.27
				Vendor 1545 - Maritza Sanchez Total:	**109.27**
Vendor: DRA01 - MARY DRAZBA					
OCT 2019	92143	09/27/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR OCT 2019	103.16
				Vendor DRA01 - MARY DRAZBA Total:	**103.16**

Return to Agen

Payable Numb	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: ROG02 - MILES ROGERS					
OCT 2019	92144	09/27/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR OCT 2019	437.73
				Vendor ROG02 - MILES ROGERS Total:	**437.73**
Vendor: MUN07 - MUNICIPAL POOLING AUTH.					
A081912	92094	09/20/2019	100-221-46201	UNMET LIABILITY DEDUCTIBLE AUG 2019	3,061.86
				Vendor MUN07 - MUNICIPAL POOLING AUTH. Total:	**3,061.86**
Vendor: 1036 - NANCY VOISEY					
OCT 2019	92145	09/27/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR OCT 2019	351.82
				Vendor 1036 - NANCY VOISEY Total:	**351.82**
Vendor: 1686 - NAYELI HERNANDEZ					
92419	92146	09/27/2019	209-551-38112	REIMBURSEMENT FOR RENTAL 10/12/19 CANCELATION	150.00
				Vendor 1686 - NAYELI HERNANDEZ Total:	**150.00**
Vendor: OLI01 - OLIVERS TOWING INC					
19-2749	92095	09/20/2019	100-343-42107	TOWING SERVICES- PW	110.00
				Vendor OLI01 - OLIVERS TOWING INC Total:	**110.00**
Vendor: PAC41 - PACIFIC ECORISK					
15767	92096	09/20/2019	500-641-44305	NPDES TOXICITY TESTING- TP	1,046.00
				Vendor PAC41 - PACIFIC ECORISK Total:	**1,046.00**
Vendor: ATH02 - PATRICIA ATHENOUR					
OCT 2019	92147	09/27/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR OCT 2019	202.00
				Vendor ATH02 - PATRICIA ATHENOUR Total:	**202.00**
Vendor: CLA17 - PAUL CLANCY					
OCT 2019	92148	09/27/2019	100-117-41101	RETIREE MEDICAL REIMBURSEMENT FOR OCT 2019	352.33
				Vendor CLA17 - PAUL CLANCY Total:	**352.33**
Vendor: PGE01 - PG&E					
SEP 08 19-3834	92097	09/20/2019	100-231-43103	3790 PINOLE VALLEY RD FIRESTATION	34.04
SEP 11 19-1801	92097	09/20/2019	209-553-43103	2454 SIMAS AVE REC CTR & POOL	21.58
SEP 12 19-0498	92097	09/20/2019	100-231-43103	3790 PINOLE VALLEY RD FIRESTATION	633.32
SEP 12 19-4157	92149	09/27/2019	100-222-43103	809 CITY HALL	22.92
SEP 12 19-6043	92097	09/20/2019	100-231-43103	3790 PINOLE VALLEY RD	24.52
SEP 12 19-8517	92097	09/20/2019	500-642-43103	FRT OF 3490 SAVAGE AVE PUMP FOR SEWER	10.20
SEP 13 19-0883	92149	09/27/2019	100-222-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	386.41
SEP 13 19-0883	92149	09/27/2019	100-223-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	77.28
SEP 13 19-0883	92149	09/27/2019	100-231-43103	800 TENNENT AVE PUBLI C SAFETY FACILITY	309.13
SEP 13 19-1156	92149	09/27/2019	209-554-43103	635 TENNENT AVE YOUTH CTR/CATV	19.68
SEP 13 19-1156	92149	09/27/2019	505-119-43103	635 TENNENT AVE YOUTH CTR/CATV	29.52
SEP 13 19-1462	92149	09/27/2019	209-552-43103	2500 CHARLES ST SENIOR CENTER	204.71
SEP 13 19-3029	92149	09/27/2019	100-345-43103	1270 ADOBE RD @ OUTSIDE BATHROOMS	85.30

Return to Agen

Payable Numb	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
SEP 13 19-7186	92149	09/27/2019	209-558-43103	601 TENNENT AVE PUBLIC MEETING HALL	8.39
SEP 13 19-8716	92149	09/27/2019	500-641-43103	SEWAGE PLNT-FT OF TENNENT	1,350.92
SEP 17 19-5137	92149	09/27/2019	209-557-43103	2450 SIMAS AVE SWIM CTR	382.67
SEP 18 19-0217	92149	09/27/2019	100-345-43103	TENNENT & PARK ST CLUB HOUSE	27.95
SEP 18 19-0813	92149	09/27/2019	200-342-43103	2149 1/2 APPIAN WAY TRAFFIC SIGNAL	43.44
SEP 18 19-0923	92149	09/27/2019	100-110-43103	2131 PEAR ST	102.35
SEP 18 19-0923	92149	09/27/2019	100-111-43103	2131 PEAR ST	134.67
SEP 18 19-0923	92149	09/27/2019	100-112-43103	2131 PEAR ST	148.15
SEP 18 19-0923	92149	09/27/2019	100-115-43103	2131 PEAR ST	369.00
SEP 18 19-0923	92149	09/27/2019	100-116-43103	2131 PEAR ST	107.74
SEP 18 19-0923	92149	09/27/2019	100-117-43103	2131 PEAR ST	1,198.59
SEP 18 19-0923	92149	09/27/2019	100-343-43103	2131 PEAR ST	2,232.88
SEP 18 19-0923	92149	09/27/2019	200-342-43103	2131 PEAR ST	390.55
SEP 18 19-0923	92149	09/27/2019	212-461-43103	2131 PEAR ST	161.61
SEP 18 19-0923	92149	09/27/2019	212-462-43103	2131 PEAR ST	406.71
SEP 18 19-0923	92149	09/27/2019	285-464-43103	2131 PEAR ST	134.67
SEP 18 19-2506	92149	09/27/2019	215-341-43103	701 Pinon/2489 San Pablo-Electric CHGS	40.68
SEP 18 19-2969	92149	09/27/2019	201-343-43103	600 Tennent Ave-Blackies Storage	19.72
SEP 18 19-3537	92149	09/27/2019	100-343-43103	659 TENNENT AVE PARKING LOT LIGHTS	69.41
SEP 18 19-3850	92149	09/27/2019	100-345-43103	601 TENNENT AVE CARETAKER'S SHED	105.79
SEP 18 19-3914	92149	09/27/2019	100-345-43103	FERNANDEZ PARK BALLPARK LIGHTING	317.86
SEP 18 19-4065	92149	09/27/2019	209-559-43103	2937 PINOLE VALLEY RD TENNIS CT LIGHTS	225.70
SEP 18 19-4368	92149	09/27/2019	200-342-43103	APPIAN WAY & TARA HILLS TRAFFIC SIGNAL	106.23
SEP 18 19-4612	92149	09/27/2019	201-343-43103	2100 SAN PABLO AVE FARIA HOUSE	46.16
SEP 18 19-5274	92149	09/27/2019	201-343-43103	2361 SAN PABLO AVE OLD BANK BUILDING	38.90
SEP 18 19-6969	92149	09/27/2019	201-343-43103	2361 SAN PABLO AVE PARKING LOT LIGHTS	78.68
SEP 18 19-7509	92149	09/27/2019	200-342-43103	TARA HILLS DR 500 FT APPIAN WAY TRAFFIC SIGNAL	47.21
SEP 18 19-7964	92149	09/27/2019	310-348-43103	2680 PINOLE VALLEY RD MEDIAN IRRIGATION SHOPPING C	10.71
SEP 18 19-9985	92149	09/27/2019	201-343-43103	NEAR 795 FERNANDEZ PARKING LOT LIGHTS	139.84
				Vendor PGE01 - PG&E Total:	**10,305.79**
Vendor: PIT01 - PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC					
3103378758	92098	09/20/2019	525-118-42107	DIGITAL MAILING SYSTEM LEASE- IT	441.57
				Vendor PIT01 - PITNEY BOWES GLOBAL FINANCIAL SERVICES LLC Total:	**441.57**
Vendor: 1009 - PRECISION IT CONSULTING					
10155	92099	09/20/2019	525-118-42105	MAIL SERVER HARD DRIVE- IT	100.47
10156	92151	09/27/2019	525-118-42101	UPGRADE COPR YARD NETWORK EQUIPMENT- IT	2,312.35
10193	92099	09/20/2019	525-118-42105	SURFACE PRO FOR HR APPLICANTS- IT	330.00
10198	92151	09/27/2019	525-118-47102	COMPUTER UPGRADES- BATCH 1	30,167.34
10207	92151	09/27/2019	525-118-42105	CITY HALL SWITCHES EQUIPMENT- IT	20,223.57
				Vendor 1009 - PRECISION IT CONSULTING Total:	**53,133.73**

Return to Agen

Payable Numb	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: RAN06 - RANEY PLANNING & MANAGEMENT, INC.					
1937E-4	92152	09/27/2019	212-20340	Pinole Square Redevelopment Labor for Aug 2019	6,282.50
1940E-4	92152	09/27/2019	212-461-42101	Extra Space Storage IS/MND Labor For Aug 2019	1,452.17
1959E-1	92152	09/27/2019	212-20330	Making Waves Academy IS/MND Labor for Aug 2019	2,930.25
				Vendor RAN06 - RANEY PLANNING & MANAGEMENT, INC. Total:	**10,664.92**
Vendor: WAL13 - ROBERT WALKER					
92319	92153	09/27/2019	500-642-42101	DOT PHYSICAL REIMBURSEMENT	79.50
				Vendor WAL13 - ROBERT WALKER Total:	**79.50**
Vendor: ROS06 - ROSS RECREATION EQUIPMENT					
I15649	92100	09/20/2019	100-345-42108	FULL-BUCKET SEAT	1,725.04
				Vendor ROS06 - ROSS RECREATION EQUIPMENT Total:	**1,725.04**
Vendor: ROS08 - RSG, INC.					
I005124	92101	09/20/2019	285-464-42101	Compliance Monitoring- Year 3	2,822.50
I005126	92101	09/20/2019	285-464-42101	Affordable Housing RFP and Developer Selection	135.00
				Vendor ROS08 - RSG, INC. Total:	**2,957.50**
Vendor: 1679 - SAFEbuilt, LLC					
PIN-190831	92102	09/20/2019	212-462-42101	2401Appian Way Const of New Convenience Store	13,480.32
				Vendor 1679 - SAFEbuilt, LLC Total:	**13,480.32**
Vendor: STA25 - STATE WATER RESOURCES CONTROL BOARD					
92019	92103	09/20/2019	500-641-42401	OPERATOR CERTIFICATION RENEWAL- RONALD TOBEY	150.00
				Vendor STA25 - STATE WATER RESOURCES CONTROL BOARD Total:	**150.00**
Vendor: OFF11 - THE OFFICE CITY					
AUG 30 19	92104	09/20/2019	100-117-42201	AUG 19 STATEMENT FULL PAYMENT	67.06
AUG 30 19	92104	09/20/2019	500-641-42201	AUG 19 STATEMENT FULL PAYMENT	128.30
				Vendor OFF11 - THE OFFICE CITY Total:	**195.36**
Vendor: TRA20 - TRANSUNION RISK AND ALTERNATIVE DATA					
2633397-201908-1	92154	09/27/2019	525-118-42510	TLO SUBSCRIPTION PERIOD 8/01- 8/31/19 w/i July	125.00
				Vendor TRA20 - TRANSUNION RISK AND ALTERNATIVE DATA Total:	**125.00**
Vendor: UNI07 - UNIVERSAL BUILDING SVCS.					
249677	92105	09/20/2019	100-231-42108	SANITARY SUPPLIES- FD	668.17
249940	92105	09/20/2019	500-641-42108	SANITARY SUPPLIES- COPR YARD	240.45
249944	92105	09/20/2019	100-343-42108	SANITARY SUPPLIES- CITY HALL	223.55
249958	92105	09/20/2019	100-222-42108	SANITARY SUPPLIES- PD	327.86
250063	92105	09/20/2019	209-554-42108	SANITRAY SUPPLIES- YOUTH CENTER	55.28
452908	92105	09/20/2019	209-557-42108	FROM INVOICE 452232 SWIM CENTER	-1,271.00
467143	92105	09/20/2019	100-343-42108	AUG 2019 JANITORIAL SERVICES- CITY HALL	1,039.00
467144	92105	09/20/2019	100-222-42108	AUG 2019 JANITORIAL SRVCS PD/PUBLIC SAFETY BLDG	1,826.40
467144	92105	09/20/2019	100-223-42108	AUG 2019 JANITORIAL SRVCS PD/PUBLIC SAFETY BLDG	456.60
467145	92105	09/20/2019	209-557-42108	AUG 2019 JANITORIAL SERVICES- SWIM CENTER	1,270.00
467150	92105	09/20/2019	500-641-42108	AUG 2019 JANITORIAL SERVICES- TP 11 TENNENT	493.00
				Vendor UNI07 - UNIVERSAL BUILDING SVCS. Total:	**5,329.31**

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Payable Numb	Payment Number	Payment Date	Account Number	Description (Payable)	Amount
Vendor: VAL04 - VALLEJO FIRE EXTINGUISHER					
87400	92106	09/20/2019	100-222-42514	MAINTENANCE	820.82
				Vendor VAL04 - VALLEJO FIRE EXTINGUISHER Total:	**820.82**
Vendor: WKH00 - W K HYDRAULICS INC					
5545	92107	09/20/2019	500-641-42107	PARTS/LABOR SERVICE- TP	1,977.96
				Vendor WKH00 - W K HYDRAULICS INC Total:	**1,977.96**
Vendor: WES01 - WESTERN EXTERMINATOR CO.					
AUG 19- 11 TENNENT AVE	92155	09/27/2019	500-641-42108	PEST CTRL SVCS FOR 11 TENNENT--CORP YARD	69.00
AUG 19-SC	92155	09/27/2019	209-552-42108	PEST CTRL SVCS FOR 2500 CHARLES ST-SNR CTR	71.00
				Vendor WES01 - WESTERN EXTERMINATOR CO. Total:	**140.00**
Vendor: ZOL02 - ZOLL					
INV00047387	92156	09/27/2019	525-118-42106	FireRMS Enterprise Edition Per Station Qtr Mainten	157.50
				Vendor ZOL02 - ZOLL Total:	**157.50**
				Grand Total:	**273,872.34**

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Report Summary

Fund Summary

Fund	Payment Amount
100 - General Fund	99,793.22
105 - Measure S -2006	581.32
106 - MEASURE S-2014	27,557.94
200 - Gas Tax Fund	587.43
201 - Restricted Real Estate Maintenance Fund	423.30
204 - Police Grants	313.88
209 - Recreation Fund	8,974.83
212 - Building & Planning	41,239.10
215 - Measure C and J Fund	40.68
225 - Asset Seizure-Adjudicated Fund	8,079.36
285 - Housing Land Held for Resale	3,092.17
310 - Lighting & Landscape Districts	1,009.59
500 - Sewer Enterprise Fund	19,945.77
505 - Cable Access TV	1,521.26
525 - Information Systems	60,212.07
998 - Payroll Clearing	500.42
Grand Total:	**273,872.34**

Account Summary

Account Number	Account Name	Payment Amount
100-000-31510	Other Tax/Business License	36.00
100-10601	Gas Tanks/Corp Yard	11,451.12
100-110-41002	Emp Benefits/Dental	581.32
100-110-42303	Travel & Training/Meal Al...	55.00
100-110-43103	Utilities/Electricity & Pow...	102.35
100-111-41002	Emp Benefits/Dental	133.72
100-111-42401	Dues & Pub/Memberships	510.00
100-111-43103	Utilities/Electricity & Pow...	134.67
100-112-41002	Emp Benefits/Dental	156.94
100-112-42302	Travel & Training/Mileage,..	85.50
100-112-43103	Utilities/Electricity & Pow...	148.15
100-113-41002	Emp Benefits/Dental	62.18
100-115-41002	Emp Benefits/Dental	470.82
100-115-42101	Prof Svcs/Professional Ser...	198.12
100-115-42514	Admin Exp/Special Depart	150.00
100-115-43103	Utilities/Electricity & Pow...	369.00
100-116-41002	Emp Benefits/Dental	219.12
100-116-42101	Prof Svcs/Professional Ser...	4,086.81
100-116-43103	Utilities/Electricity & Pow...	107.74
100-117-41002	Emp Benefits/Dental	219.12
100-117-41101	Retiree Benefits/Medical-...	3,987.73
100-117-42101	Prof Svcs/Professional Ser...	1,740.46
100-117-42201	Office Expense	67.06
100-117-43103	Utilities/Electricity & Pow...	1,198.59
100-221-41002	Emp Benefits/Dental	2,710.34
100-221-42101	Prof Svcs/Professional Ser...	75.00
100-221-42107	Prof Svcs/Equipment Mai...	85.00
100-221-42302	Travel & Training/Mileage,..	451.87
100-221-42303	Travel & Training/Meal Al...	135.00
100-221-42514	Admin Exp/Special Depart	109.27
100-221-46201	Insurance/General Liability	3,061.86
100-222-41002	Emp Benefits/Dental	352.84
100-222-42101	Prof Svcs/Professional Ser...	483.47
100-222-42106	Prof Svcs/Software Maint...	8,770.00
100-222-42108	Prof Svcs/Building-Structu...	4,882.80
100-222-42201	Office Expense	223.27
100-222-42514	Admin Exp/Special Depart	997.17

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Account Summary

Account Number	Account Name	Payment Amount
100-222-43103	Utilities/Electricity & Pow...	409.33
100-223-41002	Emp Benefits/Dental	1,624.10
100-223-42101	Prof Svcs/Professional Ser...	93.04
100-223-42108	Prof Svcs/Building-Structu...	456.60
100-223-43103	Utilities/Electricity & Pow...	77.28
100-231-41002	Emp Benefits/Dental	1,388.98
100-231-42101	Prof Svcs/Professional Ser...	19,171.00
100-231-42104	Prof Svcs/Paramedic Servi...	67.20
100-231-42108	Prof Svcs/Building-Structu...	668.17
100-231-43103	Utilities/Electricity & Pow...	1,001.01
100-231-43105	Utilities/Cable	7.85
100-231-44410	Safety Clothing	3,795.35
100-341-41002	Emp Benefits/Dental	447.60
100-341-42101	Prof Svcs/Professional Ser...	2,340.00
100-343-41002	Emp Benefits/Dental	1,075.36
100-343-42101	Prof Svcs/Professional Ser...	11,123.36
100-343-42107	Prof Svcs/Equipment Mai...	110.00
100-343-42108	Prof Svcs/Building-Structu...	1,262.55
100-343-42514	Admin Exp/Special Depart	163.30
100-343-43103	Utilities/Electricity & Pow...	2,302.29
100-345-42108	Prof Svcs/Building-Structu...	1,725.04
100-345-42514	Admin Exp/Special Depart	1,337.50
100-345-43103	Utilities/Electricity & Pow...	536.90
105-221-41002	Emp Benefits/Dental	447.60
105-231-41002	Emp Benefits/Dental	133.72
106-231-41002	Emp Benefits/Dental	156.94
106-343-47201	Improvements/Building	27,401.00
200-342-43103	Utilities/Electricity & Pow...	587.43
201-343-42513	Admin Exp/Rent	100.00
201-343-43103	Utilities/Electricity & Pow...	323.30
204-227-41002	Emp Benefits/Dental	313.88
209-20015	Accounts Payable/Vendor...	118.50
209-20308	Deposits Payable/Recreat...	1,250.00
209-20309	Deposits Payable/Recreat...	250.00
209-551-38112	Rental Income/Facility Re...	150.00
209-551-41002	Emp Benefits/Dental	156.94
209-552-38112	Rental Income/Facility Re...	-60.00
209-552-41002	Emp Benefits/Dental	281.30
209-552-42108	Prof Svcs/Building-Structu...	71.00
209-552-43103	Utilities/Electricity & Pow...	204.71
209-552-43802	Program Cost/Class Fees	640.15
209-552-43804	Program Cost/Food Progr...	2,755.68
209-552-43811	Program Cost/Supplies	659.00
209-553-43103	Utilities/Electricity & Pow...	21.58
209-554-42108	Prof Svcs/Building-Structu...	55.28
209-554-43103	Utilities/Electricity & Pow...	19.68
209-555-36405	Recreation Chg/Summer P..	345.00
209-557-42108	Prof Svcs/Building-Structu...	1,439.25
209-557-43103	Utilities/Electricity & Pow...	382.67
209-558-43103	Utilities/Electricity & Pow...	8.39
209-559-43103	Utilities/Electricity & Pow...	225.70
212-20330	Developer Deposit/Miscel...	2,930.25
212-20340	Developer Deposit/Appian..	6,282.50
212-461-42101	Prof Svcs/Professional Ser...	3,347.71
212-461-43103	Utilities/Electricity & Pow...	161.61
212-462-42101	Prof Svcs/Professional Ser...	28,110.32
212-462-43103	Utilities/Electricity & Pow...	406.71
215-341-43103	Utilities/Electricity & Pow...	40.68

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Account Summary

Account Number	Account Name	Payment Amount
225-221-47101	FF&E/Equipment	8,079.36
285-464-42101	Prof Svcs/Professional Ser...	2,957.50
285-464-43103	Utilities/Electricity & Pow...	134.67
310-347-42101	Prof Svcs/Professional Ser...	801.12
310-348-42101	Prof Svcs/Professional Ser...	133.52
310-348-42108	Prof Svcs/Building-Structu...	64.24
310-348-43103	Utilities/Electricity & Pow...	10.71
500-641-41002	Emp Benefits/Dental	1,430.08
500-641-42107	Prof Svcs/Equipment Mai...	5,317.10
500-641-42108	Prof Svcs/Building-Structu...	802.45
500-641-42201	Office Expense	128.30
500-641-42401	Dues & Pub/Memberships	150.00
500-641-43103	Utilities/Electricity & Pow...	1,350.92
500-641-44303	Other Materials Supp/Ch...	125.27
500-641-44305	Other Materials Supp/Lab...	4,111.69
500-642-41002	Emp Benefits/Dental	281.30
500-642-42101	Prof Svcs/Professional Ser...	5,609.50
500-642-42107	Prof Svcs/Equipment Mai...	189.02
500-642-43102	Utilities/Water	439.94
500-642-43103	Utilities/Electricity & Pow...	10.20
505-119-41002	Emp Benefits/Dental	156.94
505-119-42101	Prof Svcs/Professional Ser...	1,334.80
505-119-43103	Utilities/Electricity & Pow...	29.52
525-118-42101	Prof Svcs/Professional Ser...	2,312.35
525-118-42105	Prof Svcs/Network Maint...	20,654.04
525-118-42106	Prof Svcs/Software Maint...	157.50
525-118-42107	Prof Svcs/Equipment Mai...	441.57
525-118-42510	Admin Exp/Software Purch	125.00
525-118-43101	Utilities/Telephone	6,354.27
525-118-47102	FF&E/Computer Equipme...	30,167.34
998-20105	Sal & Ben Payable/Dental ...	500.42
	Grand Total:	**273,872.34**

Project Account Summary

Project Account Key		Payment Amount
None		273,872.34
	Grand Total:	**273,872.34**

Approved By: _____ Date: 9/26/19

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CITY COUNCIL REPORT

7C

DATE: OCTOBER 1, 2019

TO: MAYOR AND COUNCIL MEMBERS

FROM: MICHELLE FITZER, CITY MANAGER
HECTOR DE LA ROSA, ASSISTANT CITY MANAGER

SUBJECT: APPROVAL OF THE 2019 CITY HALL CLOSURE - DECEMBER 24TH THROUGH DECEMBER 31st 2019 AND THE 2020 CITY COUNCIL MEETING SCHEDULE VIA MINUTE MOTION

RECOMMENDATION

It is recommended that the City Council approve by minute order, the closure of City Hall on December 24 through 31, 2019 and approve the 2020 City Council meeting schedule.

BACKGROUND

- *December Closure*

Following our past practice since 2009, Staff recommends closing City Hall this year from Tuesday, December 24th through Tuesday, December 31st, 2019. Wednesday December 25th and Wednesday January 1st will already be closed as regularly scheduled holidays. Other cities in Contra Costa are also closed during this holiday/winter break period.

Management staff has advised the bargaining units (AFSCME and Local 1) of the proposed closure of City Hall, and also those employees at City Hall affected by the closure. Employees will be required to use their accrued leave for those days not recognized as approved holidays. All other service operations, including Police, Fire, Public Works Corporation Yard and the Waste Water Treatment Plant will remain open.

The closure will be duly noticed and posted outside City Hall, on our website, and the TV scroll.

- *2020 Council Meeting Schedule*

The proposed 2020 Council meeting schedule includes cancellation of the January 7th, and August 4th meetings.

Since most of the preparation for the January 7, 2020 City Council meeting is conducted during the two weeks prior, this meeting will need to be canceled due to the December closure.

Staff anticipates conducting both December 2019 Council meetings, unless directed otherwise by Council.

The first meeting in August has historically been cancelled to allow Council and staff to participate in National Night Out.

FISCAL IMPACT

There will be no fiscal impact associated with cancellation of the meetings. There will be some savings from reduced utility and compensated absence leave use during the closure period.

ATTACHMENT

A 2020 City Council Meeting Schedule

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2020 Council Meeting Schedule

January 7
Meeting Cancelled-due to Holidays

January 21
Draft Report Due- January 9
Final Report Due to Clerk —January 15

February 4
Draft Report Due- January 23
Final Report Due to Clerk —January 29

February 18
Draft Report Due - February 6
Final Report Due to Clerk —February 12

March 3
Draft Report Due- February 20
Final Report Due to Clerk —February 26

March 17
Draft Report Due- March 5
Final Report Due to Clerk —March 11

April 7
Draft Report Due- March 26
Final Report Due to Clerk —April 1

April 21
Draft Report Due- April 9
Final Report Due to Clerk —April 15

May 5
Draft Report Due- April 23
Final Report Due to Clerk —April 29

May 19
Draft Report Due- May 7
Final Report Due to Clerk —May 13

June 2
Draft Report Due- May 21
Final Report Due to Clerk —May 27

June 16
Draft Report Due- June 4
Final Report Due to Clerk—June 10

FIFTH TUESDAYS

March 31	September 29
June 30	December 29

July 7
Draft Report Due- June 25
Final Report Due to Clerk—July 1

July 21
Draft Report Due- July 9
Final Report Due to Clerk—July 15

August 4
Meeting Cancelled - National Night Out

August 18
Draft Report Due- August 6
Final Report Due to Clerk—August 12

September 1
Draft Report Due- August 20
Final Report Due to Clerk—August 26

September 15
Draft Report Due - September 3
Final Report Due to Clerk—September 9

October 6
Draft Report Due-September 24
Final Report Due to Clerk—September 30

October 20
Draft Report Due- October 8
Final Report Due to Clerk—October 14

November 3
Draft Report Due- October 22
Final Report Due to Clerk—October 28

November 17
Draft Report Due- November 5
Final Report Due to Clerk— November 11

December 1 –Council Reorganization
Draft Report Due –November 19
Final Report Due to Clerk-November 24 (Tuesday)
(Thursday Nov. 26 is Thanksgiving)

December 15
Draft Report Due- December 3
Final Report Due to Clerk—December 9

DRAFT

Return to Agenda

CITY COUNCIL REPORT

7D

DATE: **OCTOBER 1, 2019**

TO: **MAYOR AND COUNCILMEMBERS**

FROM: **HECTOR DE LA ROSA, ASSISTANT CITY MANAGER**

SUBJECT: **FIXING THE EMPLOYER'S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO AFSCME, LOCAL 1, ELECTED OFFICIALS, MANAGEMENT AND UNREPRESENTED/CONFIDENTIAL EMPLOYEES**

RECOMMENDATION

It is recommended that the City Council adopt Resolutions:

1. Fixing the Employer's Contribution at an equal amount for Employees and Annuitants under the Public Employees' Medical and Hospital Care Act with respect to Management Employees; and

2. Fixing the Employer's Contribution at an equal amount for Employees and Annuitants under the Public Employees' Medical and Hospital Care Act with respect to Unrepresented /Confidential Employees; and

3. Fixing the Employer's Contribution at an equal amount for Employees and Annuitants under the Public Employees' Medical and Hospital Care Act with respect to Elected Officials; and

4. Fixing the Employer's Contribution at an equal amount for Employees and Annuitants under the Public Employees' Medical and Hospital Care Act with respect to AFSCME, Local 512 Employees; and

5. Fixing the Employer's Contribution at an equal amount for Employees and Annuitants under the Public Employees' Medical and Hospital Care Act with respect to Public Employees Union, Local 1 Employees.

BACKGROUND

Through an agreement with CalPERS, the City Council elected to cover employees under the Public Employees' Medical and Hospital Care Act as well as to pay for a portion of the premiums for employees and dependents. Under the agreement, the City

designated seven groups, which would be eligible to participate in the CalPERS Health plans. The groups were Local 1, AFSCME, PPEA, IAFF, Management, Unrepresented/Confidential and Elected. According to CalPERS, any changes to the Health Plan premiums paid by the City for any group must be done through a Resolution approved by the Council.

On January 1st of each year, CalPERS implements its medical premiums for that particular calendar year. Per the negotiated MOU's for the above bargaining units, in 2020 the City agreed to pay up to the 2019 Kaiser premiums towards the employee's health plan based on family status. For calendar year 2020, the CalPERS Kaiser monthly medical premiums increased by .03% from the prior year. Other CalPERS Medical Plans reflect both decreases and increases in premiums.

REVIEW AND ANALYSIS

The City has negotiated a successor Memorandum of Understanding (MOU) with the majority of the represented employees group, which provide for the City to pay up to the 2019 Kaiser monthly health premiums for the employees effective January 1, 2020. The attached resolutions exclude PPEA and IAFF as they have negotiated a separate action. The language in the MOU's reads as follows:

> *Effective January 1, 2020 the City's contribution toward the employee's health premium will reflect the 2019 Kaiser rate at each level of coverage*

The 2020 Kaiser monthly premiums are as follows.

One Party Coverage:	$ 768.48
Two Party Coverage:	$1,536.98
Family Coverage:	$1,998.07

Traditionally Management, Elected and Unrepresented/Confidential Employees have received the same benefits as AFSCME and Local 1. Therefore, attached are resolutions authorizing payment up to the 2019 Kaiser premiums for those groups.

The MOU's between the City and PPEA and IAFF are set to expire on June 30, 2020 and as such, there is no provisions in their existing MOU's for an increase in the City's contribution towards Medical premiums effective January 1, 2020.

The California Public Employees' Retirement System (CalPERS) requires that the new cap be formally adopted by resolution for each bargaining unit or group and then all resolutions forwarded to their office for official notification and processing. Approval of the attached Resolutions will become effective January 1, 2020.

FISCAL IMPACT

In FY 2019-20, the City's net annual medical cost for active employees is $1,307,557. Under the negotiated terms, the City's net annual medical cost for active employees is estimated at $1,313,165, an increase of $5,607.80 a year.

ATTACHMENTS:

A Resolution for Management Employees
B Resolution for Unrepresented/Confidential Employees
C Resolution for Elected Officials
D Resolution for AFSCME Employees
E Resolution for Local 1 Employees

Return to Agenda

ATTACHMENT A

RESOLUTION NO. 2019-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, IN THE MATTER OF FIXING THE EMPLOYER'S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

(Management Employees)

WHEREAS, (1) the City of Pinole is a contracting agency under Government Code Section 22920 and subject to the Public Employees' Medical and Hospital Care Act (the "Act") for participation by members of Management Employees; and

WHEREAS, (2) Government Code Section 22892(a) provides that a contracting agency subject to the Act shall fix the amount of employer contribution by resolution; and

WHEREAS, (3) Government Code Section 22892(b) provides that the employer contribution shall be an equal amount for both employees and annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act.

NOW, THEREFORE, BE IT RESOLVED (a) that the employer's contribution, effective January 1, 2020, for each employee or annuitant shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of family members in a health benefits plan up to a maximum of $768.25 per month with respect to employee or annuitant enrolled for self alone, $1,536.50 per month for employee or annuitant enrolled for self and one family member, and $1997.45 per month for employee or annuitant enrolled for self and two or more family members, plus administrative fees and Contingency Reserve Fund assessments; and be it further resolved

Section 1. that the City of Pinole has fully complied with any and all applicable provisions of Government Code 7507 in electing the benefits set forth above.

Section 2. that the participation of the employees and annuitants of the City of Pinole shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that the City of Pinole would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.

Section 3. that the executive body appoint and direct, and it does hereby appoint and direct, the City Manager of the City of Pinole, to file with the Board a verified copy of this resolution, and to perform on behalf of the City Council all functions required of it under the Act.

Return to Agenda

ATTACHMENT A

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole on this **1st** day of **October 2019** by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

I hereby certify that the foregoing resolution was introduced, passed and adopted on adopted on this 1st day of October, 2019.

_____
Heather Iopu, CMC
City Clerk

Return to Agenda

ATTACHMENT B

RESOLUTION NO. 2019-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, IN THE MATTER OF FIXING THE EMPLOYER'S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

(Unrepresented/Confidential Employees)

WHEREAS, (1) the City of Pinole is a contracting agency under Government Code Section 22920 and subject to the Public Employees' Medical and Hospital Care Act (the "Act") for participation by members of the Unrepresented/Confidential Employees; and

WHEREAS, (2) Government Code Section 22892(a) provides that a contracting agency subject to the Act shall fix the amount of employer contribution by resolution; and

WHEREAS, (3) Government Code Section 22892(b) provides that the employer contribution shall be an equal amount for both employees and annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act; and

NOW, THEREFORE, BE IT RESOLVED (a) that the employer's contribution, effective January 1, 2020, for each employee or annuitant shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of family members in a health benefits plan up to a maximum of $768.25 per month with respect to employee or annuitant enrolled for self alone, $1,536.50 per month for employee or annuitant enrolled for self and one family member, and $1997.45 per month for employee or annuitant enrolled for self and two or more family members, plus administrative fees and Contingency Reserve Fund assessments; and be it further resolved

Section 1. that the City of Pinole has fully complied with any and all applicable provisions of Government Code 7507 in electing the benefits set forth above.

Section 2. that the participation of the employees and annuitants of the City of Pinole shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that the City of Pinole would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.

Section 3. that the executive body appoint and direct, and it does hereby appoint and direct, the City Manager of the City of Pinole, to file with the Board a verified copy of this resolution, and to perform on behalf of the City Council all functions required of it under the Act.

ATTACHMENT B

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole on this **1st** day of **October 2019** by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

I hereby certify that the foregoing resolution was introduced, passed and adopted on adopted on this 1st day of October, 2019.

_____

Heather Iopu, CMC
City Clerk

Return to Agenda

ATTACHMENT C

RESOLUTION NO. 2019-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, IN THE MATTER OF FIXING THE EMPLOYER'S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

(Elected Officials)

WHEREAS, (1) the City of Pinole is a contracting agency under Government Code Section 22920 and subject to the Public Employees' Medical and Hospital Care Act (the "Act") for participation by Elected Official members; and

WHEREAS, (2) Government Code Section 22892(a) provides that a contracting agency subject to the Act shall fix the amount of employer contribution by resolution; and

WHEREAS, (3) Government Code Section 22892(b) provides that the employer contribution shall be an equal amount for both employees and annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act; and

NOW, THEREFORE, BE IT RESOLVED (a) that the employer's contribution, effective January 1, 2020, for each employee or annuitant shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of family members in a health benefits plan up to a maximum of $768.25 per month with respect to employee or annuitant enrolled for self alone, $1,536.50 per month for employee or annuitant enrolled for self and one family member, and $1997.45 per month for employee or annuitant enrolled for self and two or more family members, plus administrative fees and Contingency Reserve Fund assessments; and be it further resolved

Section 1. that the City of Pinole has fully complied with any and all applicable provisions of Government Code 7507 in electing the benefits set forth above.

Section 2. that the participation of the employees and annuitants of the City of Pinole shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that the City of Pinole would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.

Section 3. that the executive body appoint and direct, and it does hereby appoint and direct, the City Manager of the City of Pinole, to file with the Board a verified copy of this resolution, and to perform on behalf of the City Council all functions required of it under the Act.

Return to Agenda

ATTACHMENT C

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole on this **1st** day of **October 2019** by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

I hereby certify that the foregoing resolution was introduced, passed and adopted on adopted on this 1st day of October, 2019.

_____
Heather Iopu, CMC
City Clerk

Return to Agenda

ATTACHMENT D

RESOLUTION NO. 2019-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, IN THE MATTER OF FIXING THE EMPLOYER'S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

(AFSCME, Local 512)

WHEREAS, (1) the City of Pinole is a contracting agency under Government Code Section 22920 and subject to the Public Employees' Medical and Hospital Care Act (the "Act") for participation by members of the AFSCME, Local 512; and

WHEREAS, (2) Government Code Section 22892(a) provides that a contracting agency subject to the Act shall fix the amount of employer contribution by resolution; and

WHEREAS, (3) Government Code Section 22892(b) provides that the employer contribution shall be an equal amount for both employees and annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act; and

NOW, THEREFORE, BE IT RESOLVED (a) that the employer's contribution, effective January 1, 2020, for each employee or annuitant shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of family members in a health benefits plan up to a maximum of $768.25 per month with respect to employee or annuitant enrolled for self alone, $1,536.50 per month for employee or annuitant enrolled for self and one family member, and $1997.45 per month for employee or annuitant enrolled for self and two or more family members, plus administrative fees and Contingency Reserve Fund assessments; and be it further resolved

Section 1. that the City of Pinole has fully complied with any and all applicable provisions of Government Code 7507 in electing the benefits set forth above.

Section 2. that the participation of the employees and annuitants of the City of Pinole shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that the City of Pinole would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.

Section 3. that the executive body appoint and direct, and it does hereby appoint and direct, the City Manager of the City of Pinole, to file with the Board a verified copy of this resolution, and to perform on behalf of the City Council all functions required of it under the Act.

Return to Agenda

ATTACHMENT D

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole on this **1st** day of **October 2019** by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

I hereby certify that the foregoing resolution was introduced, passed and adopted on adopted on this 1st day of October, 2019.

_____
Heather Iopu, CMC
City Clerk

Return to Agenda

ATTACHMENT E

RESOLUTION NO. 2019-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, IN THE MATTER OF FIXING THE EMPLOYER'S CONTRIBUTION AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS UNDER THE PUBLIC EMPLOYEES' MEDICAL AND HOSPITAL CARE ACT WITH RESPECT TO A RECOGNIZED EMPLOYEE ORGANIZATION

(Public Employees Union, Local One)

WHEREAS, (1) the City of Pinole is a contracting agency under Government Code Section 22920 and subject to the Public Employees' Medical and Hospital Care Act (the "Act") for participation by members of the Public Employees Union, Local One; and

WHEREAS, (2) Government Code Section 22892(a) provides that a contracting agency subject to the Act shall fix the amount of employer contribution by resolution; and

WHEREAS, (3) Government Code Section 22892(b) provides that the employer contribution shall be an equal amount for both employees and annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act; and

NOW, THEREFORE, BE IT RESOLVED (a) that the employer's contribution, effective January 1, 2020, for each employee or annuitant shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of family members in a health benefits plan up to a maximum of $768.25 per month with respect to employee or annuitant enrolled for self alone, $1,536.50 per month for employee or annuitant enrolled for self and one family member, and $1997.45 per month for employee or annuitant enrolled for self and two or more family members, plus administrative fees and Contingency Reserve Fund assessments; and be it further resolved

Section 1. that the City of Pinole has fully complied with any and all applicable provisions of Government Code 7507 in electing the benefits set forth above.

Section 2. that the participation of the employees and annuitants of the City of Pinole shall be subject to determination of its status as an "agency or instrumentality of the state or political subdivision of a State" that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that the City of Pinole would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer.

Section 3. that the executive body appoint and direct, and it does hereby appoint and direct, the City Manager of the City of Pinole, to file with the Board a verified copy of this resolution, and to perform on behalf of the City Council all functions required of it under the Act.

Return to Agenda

ATTACHMENT E

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole on this **1st** day of **October 2019** by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:

I hereby certify that the foregoing resolution was introduced, passed and adopted on adopted on this 1st day of October, 2019.

_____
Heather Iopu, CMC
City Clerk

Return to Agenda

CITY COUNCIL REPORT

7E

DATE: OCTOBER 1, 2019

TO: MAYOR AND COUNCIL MEMBERS

FROM: MICHELLE FITZER, CITY MANAGER

SUBJECT: UPDATE TO THE MEASURE S 2014 FIVE-YEAR FUNDING PLAN

RECOMMENDATION

It is recommended that the City Council approve the updated Measure S 2014 Five-Year Funding Plan.

BACKGROUND

In November 2014, the Pinole voters approved Measure S 2014 which included a general sales tax measure of ½ cent. The City Council recognized that it would be financially prudent to approve a five-year spending plan, and to maintain these funds in a separate fund from the General Fund. The City council approved the initial five-year plan on May 5, 2015. The Measure S 2014 Five-Year Funding Plan has been amended each subsequent fiscal year on June 21, 2016, June 20, 2017, and on June 19, 2018.

REVIEW AND ANALYSIS

Appropriations for a new Five-Year Plan were approved by City Council June 18, 2019 with the adoption of the FY2019-20 Operating Budget. The new Measure S 2014 Five-Year Funding Plan covers fiscal years 2019-20 through 2023-24. While preparing the Proposed FY2019-20 through 2023-24 Five-Year Capital Improvement Plan, it was determined that adjustments are necessary to the Measure S 2014 Five-Year Funding Plan to account for projects proposed.

Measure S 2014 has a Fund Balance of $3,001,854 as of June 30, 2018, which is the most recent audited number. The revised 5-Year Funding Plan reflects updates to the cost allocations for three (3) projects and the addition of three (3) projects, all using Fund Balance. The project details are:

- $200,000 – Add Fowler House Lot Reuse project;
- $50,985 – Fernandez Park Restrooms carryover amount revised;
- $67,196 – Senior Center Parking Lot Pavement Maintenance carryover;
- $200,000 – Add Pinole Valley Park Soccer Field Maintenance;
- $200,000 – Add Fernandez Park Baseball Field Maintenance;
- $42,000 – Additional funding for Hazel Street Drainage Improvements.

The revised plan before Council for consideration now includes a total of $1,692,599 in requested use of Fund Balance. Given the modification, the estimated Fund Balance at June 30, 2020 is projected to be $1,309,255.

FISCAL IMPACT

The updates proposed to the Measure S 2014 5-Year Funding Plan were approved by the Council with the Capital Improvement Plan on September 17, 2019. All of the changes are utilizing Fund Balance, which will reduce the available balance from that originally anticipated and approved by Council in June 2019.

ATTACHMENTS

A Resolution
B Updated Measure S 2014 Five-Year Funding Plan

Return to Agenda

ATTACHMENT A

RESOLUTION NO. 2019-___

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, APPROVING THE UPDATED MEASURE S 2014 FIVE-YEAR FUNDING PLAN

WHEREAS, the Council approved a new Measure S 2014 Five-Year Funding Plan as part of the City's Operations Budget on June 18, 2019; and

WHEREAS, the approval of the Fiscal Year 2019-20 through 2023-24 Capital Improvement Plan and budget for FY 2019-20 on September 17, 2019, included additional allocation of Measure S 2014 funding not known as of June 18, 2019; and

WHEREAS, an amendment is needed to the Measure S 2014 Five-Year Funding Plan to accommodate the additional funding allocations.

NOW THEREFORE, BE IT RESOLVED that the Pinole City Council does hereby approve the updated Measure S 2014 Five-Year Funding Plan.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 1st day of October 2019 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on the 1st day of October 2019.

_____
Heather Iopu, CMC
City Clerk

Return to Agenda

CITY OF PINOLE
MEASURE S 2014 FIVE-YEAR FUNDING PLAN
ADOPTED JUNE 18, 2019 / REVISED OCTOBER 1, 2019

Annual Available Funding Approx $1.9 Million based on 95% of HdL Projections
Had to move $100,000 in MS 06 allocation to MS 14 due to the loss of 3 large retailers

Functional Area	Notes	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
Cable Television						
Operating Contribution		$ 55,000	$ 55,000	$ 55,000	$ 55,000	$ 55,000
Total		**$ 55,000**	**$ 55,000**	**$ 55,000**	**$ 55,000**	**$ 55,000**
City Facilities						
Roof Repairs/Replace Roof Flashing - All City Facilities	[1]	$ -	$ 272,000	$ 140,000	$ -	$ -
Replace HVAC & Associated Roof at Senior Center	[1]	$ 110,000	$ -	$ -	$ -	$ -
Replace HVAC at City Hall	[2]	$ 120,000	$ -	$ -	$ -	$ -
Paint City Hall Inside and Outside	[1]	$ -	$ 70,000	$ -	$ -	$ -
Fowler House Lot Reuse	[2]	$ 200,000	$ -	$ -	$ -	$ -
Total		**$ 430,000**	**$ 342,000**	**$ 140,000**	**$ -**	**$ -**
City Hall						
Annual Measure S 2014 Audit		$ 1,200	$ 1,200	$ 1,200	$ 1,200	$ 1,200
Management Partners Contract - Council Team Building & Community Strategic Planning Projects	[2]	$ 57,200				
Laserfiche Training in IT budget	[1]	$ 3,600	$ -	$ -	$ -	$ -
Replacement of document scanner in IT budget	[2]	$ 20,000	$ -	$ -	$ -	$ -
HdL Contract for Sales Tax Analysis		$ 1,233	$ 1,250	$ 1,250	$ 1,250	$ 1,250
Total		**$ 83,233**	**$ 2,450**	**$ 2,450**	**$ 2,450**	**$ 2,450**
Recreation						
Operating Subsidy - Swim Center		$ 45,000	$ 45,000	$ 45,000	$ 45,000	$ 45,000
Ancillary Equip/Software for Rec Desk	[1]	$ 39,000				
Summer Sounds in the Park- Twice a Summer		$ 2,500	$ 3,000	$ 3,500	$ 4,000	$ 4,500
Cinema in the Park-3 Times a Summer		$ 2,000	$ 2,000	$ 2,500	$ 2,500	$ 2,500
Community Service Commission		$ 2,000	$ 2,000	$ 2,000	$ 2,000	$ 2,000
Annual Tree Lighting		$ 1,000	$ 2,000	$ 2,500	$ 2,500	$ 2,500
Replace Senior Center Equipment: FY 19/20 = Dishwasher; 20/21 = Tables; 21/22 = Chairs		$ 7,000	$ 23,000	$ 28,000	$ -	$ -
Replace Commercial Refrigerator, Freezer & Stove at Youth Center		$ 8,200	$ -	$ -	$ -	$ -
Replace Vinyl Floor at Youth Center		$ -	$ -	$ 10,000	$ -	$ -
Tiny Tots: FY 19/20 = Furniture, Tables, Shelves Replacement; 20/21 = Dishwasher; 21/22 = Shade; 22/23 = Countertop; 23/24 = Restroom Walls/Floor Repair/Replace.		$ 14,800	$ 550	$ 2,400	$ 1,900	$ 11,000
Total		**$ 121,500**	**$ 77,550**	**$ 95,900**	**$ 57,900**	**$ 67,500**
Development Services						
Project Manager (Full Time 50% Measure S and 50% from Other Funding Sources)		$ 77,810	$ 83,257	$ 89,085	$ 95,321	$ 101,993
Initiate Internal Services Fund-Depreciation to Replace 2 Vehicles/Year Excludes Heavy Equipment		$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 5,000
Downtown Parking & Pedestrian Safety Improvements Study	[2]	$ 100,000	$ -	$ -	$ -	$ -
Code Enforcement Vehicle		$ 30,000	$ -	$ -	$ -	$ -
Tablet for Code Enforcement		$ 2,000	$ -	$ -	$ -	$ -
Total		**$ 214,810**	**$ 88,257**	**$ 94,085**	**$ 100,321**	**$ 106,993**
Parks						
Annual re sod @ two Soccer Fields		$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000
Replace Chips/Rubber Matting at various locations (carryover)	[1]	$ 50,000	$ -	$ -	$ -	$ -
Annual bench/table repairs/replacement		$ 5,000	$ 5,000	$ 5,000	$ 5,000	$ 5,000
Replace Fernandez Park turf & annual repairs		$ -	$ 5,000	$ 5,000	$ 5,000	$ 5,000
New Restrooms at Fernandez Park	[1]	$ 333,603	$ -	$ -	$ -	$ -
Senior Center Parking Lot Pavement Maintenance	[1]	$ 67,196	$ -	$ -	$ -	$ -
Pinole Valley Park Soccer Field Rehabilitation	[2]	$ 200,000	$ -	$ -	$ -	$ -
Fernandez Park Baseball Field Rehabilitation	[2]	$ 200,000	$ -	$ -	$ -	$ -
Total		**$ 865,799**	**$ 20,000**	**$ 20,000**	**$ 20,000**	**$ 20,000**

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CITY OF PINOLE
MEASURE S 2014 FIVE-YEAR FUNDING PLAN
ADOPTED JUNE 18, 2019 / REVISED OCTOBER 1, 2019

Annual Available Funding Approx $1.9 Million based on 95% of HdL Projections
Had to move $100,000 in MS 06 allocation to MS 14 due to the loss of 3 large retailers

Functional Area	Notes	FY 2019-20	FY 2020-21	FY 2021-22	FY 2022-23	FY 2023-24
Public Works						
1 Maintenance Worker (Full Time)		$ 108,991	$ 116,620	$ 124,784	$ 133,519	$ 142,865
Initiate Internal Services Fund-Depreciation to Replace 2 Vehicles/Year Excludes Heavy Equipment		$ 30,000	$ 30,000	$ 30,000	$ 30,000	$ 30,000
Initiate Internal Services Fund-Depreciation for Heavy Equipment		$ 50,000	$ 50,000	$ 50,000	$ 50,000	$ 50,000
Residential/Arterial Street Maintenance Program		$ 500,000	$ 500,000	$ 500,000	$ 500,000	$ 500,000
Storm Drainage Master Plan - Phased		$ 25,000	$ 25,000	$ 25,000	$ -	$ -
Storm Drainage Annual Rehabilitation			$ 150,000	$ 150,000	$ 150,000	$ 150,000
Hazel Street Drainage Improvements	[4]	$ 192,000				
Replacement of Traffic Signs		$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000
Public Tree Maintenance		$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000
Sidewalk Maintenance		$ 20,000	$ 20,000	$ 20,000	$ 20,000	$ 20,000
Pedestrian Bridge Inspection & Maintenance	[2]	$ 100,000	$ -	$ -	$ -	$ -
Total		**$ 1,065,991**	**$ 931,620**	**$ 939,784**	**$ 923,519**	**$ 932,865**
Police						
Community Safety Specialist (1 Full Time)	[3]	$ 103,087	$ 110,303	$ 118,024	$ 126,286	$ 135,126
1 Vehicle Replacement		$ 55,000	$ 55,000	$ 55,000	$ 55,000	$ 55,000
Patrol Overtime (reallocated from MS '06)		$ 100,000	$ 100,000	$ 100,000	$ 100,000	$ 100,000
Dispatch Overtime		$ 25,000	$ 25,000	$ 25,000	$ 25,000	$ 25,000
Emergency Preparedness	[1]	$ 50,000				
Total		**$ 333,087**	**$ 290,303**	**$ 298,024**	**$ 306,286**	**$ 315,126**
Fire						
Full Time Fire Chief		$ 263,628	$ 282,082	$ 301,828	$ 322,956	$ 345,563
Station 73 & 74 Maintenance		$ -	$ 10,000	$ 10,000	$ 10,000	$ 10,000
Fire Training Academy		$ 30,000	$ 30,000	$ 30,000	$ 30,000	$ 30,000
Annual Dept Training Requirements		$ 10,000	$ 10,000	$ 10,000	$ 10,000	$ 10,000
Replace Training Props		$ 2,500	$ -	$ -	$ -	$ -
Total		**$ 306,128**	**$ 332,082**	**$ 351,828**	**$ 372,956**	**$ 395,563**
City Attorney						
Municipal Code Update		$ 35,000	$ 35,000	$ 35,000	$ 35,000	$ 35,000
Total		**$ 35,000**	**$ 35,000**	**$ 35,000**	**$ 35,000**	**$ 35,000**
Grand Total		**$ 3,510,548**	**$ 2,174,262**	**$ 2,032,070**	**$ 1,873,431**	**$ 1,930,497**
One-time use of Fund Balance		$ 1,692,599	$ 342,000	$ 140,000		
Net Current FY Revenue Required		**$ 1,817,949**	**$ 1,832,262**	**$ 1,892,070**	**$ 1,873,431**	**$ 1,930,497**

Total Fund Balance as of 6/30/18	**$ 3,001,854**
Net Allocated Fund Balance as of 3/31/19	**$ 535,218**
Estimated Unallocated Fund Balance as of 6/30/19	**$ 2,466,636**
Requested Use of Unallocated Fund Balance for FY 19/20	**$ 1,157,381**
Estimated Fund Balance as of June 30, 2020	**$ 1,309,255**

NOTES:

[1] Carried over from prior FYs; to be paid out of Fund Balance.
[2] One-time expense recommended to be paid from Fund Balance
[3] Was funded as 2 part-time in prior years; requesting to make it 1 F/T
[4] $150,000 transferred from Storm Drain Annual Rehab Allocation; Additional $42,000 requested from Fund Balance.

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CITY COUNCIL REPORT

7F

DATE: **OCTOBER 1, 2019**

TO: **MAYOR AND COUNCIL MEMBERS**

FROM: **TAMARA MILLER, DEVOLPMENT SERVICES DIRECTOR/CITY ENGINEER**

SUBJECT: **ADOPT A RESOLUTION RATIFYING THE ACCEPTANCE AND FILING OF A NOTICE OF COMPLETION FOR 2018 PAVEMENT SLURRY SEAL PROJECT / SENIOR CENTER PARKING LOT PAVEMENT MAINTENANCE PROJECT**

RECOMMENDATION

It is recommended that the City Council adopt a resolution ratifying the acceptance and filing of a Notice of Completion for the 2018 Pavement Slurry Seal Project / Senior Center Parking Lot Pavement Maintenance Project.

BACKGROUND

The adopted Capital Improvement Plan includes the Pavement Maintenance and Rehabilitation Program #RO1707. The 2018 Pavement Slurry Seal Project falls within the Program. This project is the City's first SB1 funded pavement maintenance project.

The City's Pavement Maintenance Program follows the "Fix it First" recommendations within the City's Pavement Management Report released in January of 2018. The areas included in the 2018 Pavement Slurry Seal Project are detailed in the report to be selected first.

The Senior Center Parking Lot Pavement Maintenance Project, #PA1709, is also in the approved Capital Improvement Plan. This project was funded by Measure S 2014.

Coastland Engineering prepared the plans and specifications for both projects. Coastland was further tasked with analyzing the best pavement preservation approach for the Senior Center parking lot. The recommendation for the parking lot was a slurry seal with isolated dig outs. Because the two projects are similar the projects were combined for bidding purposes.

This 2018 Pavement Slurry Seal and Senior Center Parking Lot Pavement Maintenance combined project was awarded to Bond Blacktop, Inc. on February 5, 2019 by the City Council.

REVIEW & ANALYSIS

The Notice to Proceed was issued on June 27, 2019. Construction began on July 2, 2019 and was completed on September 5, 2019.

A Notice of Completion was prepared on September 19, 2019 and has been filed with the County Clerk Recorder in accordance with the Public Contract Code.

FISCAL IMPACT

The following table shows the budget impacts on the completed projects.

Project #	Project Name	Approved Budget	Contract Value	Remaining Budget
RA1707	2018 Pavement Slurry Seal Project	$203,524.70	$158,959.00	$44,565.70
PA1709	Senior Center Parking Lot Pavement Maintenance Project	$67,196.30	$ 58,396.30	$8,800.00

ATTACHMENT(S):

A Resolution

B Notice of Completion

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ATTACHMENT A

RESOLUTION NO. 2019-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, ACCEPTING THE COMPLETION OF THE 2018 PAVEMENT SLURRY SEAL PROJECT AND THE SENIOR CENTER PARKING LOT PAVEMENT MAINTENANCE PROJECT AND RATIFYING THE FILING OF A NOTICE OF COMPLETION

WHEREAS, the City of Pinole entered into an Agreement with Bond Blacktop, Inc. for the 2018 Pavement Slurry Seal Project and the Senior Center Parking Lot Pavement Maintenance Project; and

WHEREAS, construction began on July 3, 2019 and was completed on September 5, 2019; and

WHEREAS, all work was successfully completed in accordance with the approved contract.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Pinole does hereby:

Section 1: Accept the 2018 Pavement Slurry Seal Project and the Senior Center Parking Lot Pavement Maintenance Project as complete; and

1. Section 2: Ratify the filing of the Notice of Completion.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 1st day of October 2019 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on the 1st day of October 2019.

_____

Heather Iopu, CMC
City Clerk

Return to Agen

ATTACHMENT B

copy/duplicate has not been
compared to original document

Recording Requested By and Return To:

City of Pinole
Public Works
2131 Pear Street
Pinole, CA 94564

09/19/2019,20190155861

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN of completion of the following public work, generally described as 2018 Pavement Slurry Seal Project / Senior Center Parking Lot:

1. Description of public work improvement:

   Name of Project: 2018 Pavement Slurry Seal Project / Senior Center Parking Lot
   Contract No.: RO1707 / PA1709
   Location of Work: Nob Hill Avenue, Fith Avenue, Major Vista Court, Crestview Drive, Valley Avenue, Valley Ave / Senior Center Parking Lot

2. Contract for the performance of such work was awarded to

   Bond Blacktop Inc
   27607 Industrial Blvd
   Hayward, CA 94545

3. Value of the work is $ 174,129.00

4. Project Owner:

   City of Pinole
   2131 Pear Street
   Pinole, CA 94564

5. The real property described herein is owned by the City of Pinole in fee.

6. Construction Lender: None

7. Date of Completion: September 5, 2019

I declare under penalty of perjury that the foregoing is true and correct.

Recording of this document is requested for and on behalf of the City of Pinole pursuant to Section 6103 and 27383 of the Government Code.

CITY OF PINOLE
A Municipal Corporation

Tamara Miller
Development Services Manager/ City Engineer

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CITY COUNCIL REPORT

7G

DATE: OCTOBER 1, 2019

TO: MAYOR AND COUNCIL MEMBERS

FROM: TAMARA MILLER, DEVELOPMENT SERVICES DIRECTOR / CITY ENGINEER

SUBJECT: DECLARE THE LISTED PROPERTY AS SURPLUS AND DESIGNATE A PURCHASING OFFICER TO DISPOSE OF THE LISTED PROPERTY IN ACCORDANCE WITH THE PROCUREMENT POLICY

RECOMMENDATION

It is recommended that the City Council adopt a resolution declaring the listed property as surplus and designating the listed staff member to serve as the Purchasing Officer to dispose of the listed property in accordance with the Procurement Policy.

BACKGROUND

As per Section VIII of the current Procurement Policy, “the Purchasing Officer is responsible for the transfer and disposition of surplus City property. ’Surplus Property’ is used generically to describe any City property that is no longer needed or useable by the holding department. The City Council shall declare item(s) surplus prior to disposal.”

REVIEW & ANALYSIS

All of the listed property is obsolete, broken, unreliable, or excessively costly to continue to operate.

The Purchasing Officer will, as per the Purchasing Policy, determine the most appropriate method of disposal that best serves the interest of the City. The policy details appropriate methods as follows:

1. Public Auction - Surplus property may be sold at public auction. City staff may conduct public Auctions, or the City may contract with a professional auctioneer including professional auction services.

2. Bids - Bids may be solicited for the sale of surplus property. Surplus property disposed of in this manner shall be sold to the highest responsible bidder.

3. Selling for Scrap - Surplus property may be sold as scrap if the Purchasing Officer deems that the value of the raw material exceeds the value of the property as a whole.

4. Negotiated Sale - Surplus property may be sold outright if the Purchasing Officer determines that only one known buyer is available or interested in acquiring the property.

5. No Value Item – Where the Purchasing Officer determines that specific supplies or equipment are surplus and of minimal value to the City due to spoilage, obsolescence or other cause or where the Purchasing Officer determines that the cost of disposal of such supplies or equipment would exceed the recovery value, the Purchasing Officer shall dispose of the same in such a manner as he or she deems appropriate and in the best interest of the City.

FISCAL IMPACT

Hector De La Rosa will serve as the Purchasing Officer for the disposal of these assets. As per the Exhibit, none of the assets have any value.

ATTACHMENT

A Resolution, with Exhibit of Surplus Equipment List

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ATTACHMENT A

RESOLUTION NO. 2019-___

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, DECLARING THE LISTED PROPERTY AS SURPLUS AND DESIGNATING A PURCHASING OFFICER TO DISPOSE OF THE LISTED PROPERTY IN ACCORDANCE WITH THE PROCUREMENT POLICY

WHEREAS, the City has equipment that is obsolete and/or too costly to repair; and

WHEREAS, the City needs to surplus this equipment to free up much needed space; and

WHEREAS, a list of equipment to be declared as surplus property is attached as Exhibit A; and

WHEREAS, the Purchasing Officer assigned to dispose of this equipment will be Hector De La Rosa who, in accordance with the Procurement Policy, will determine the best means of disposal.

NOW THEREFORE, BE IT RESOLVED that the Pinole City Council does hereby declared the listed property as surplus and designates Hector De La Rosa as the Purchasing Officer to dispose of the listed property in accordance with the Procurement Policy.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 1st day of October 2019 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on the 1st day of October 2019.

_____

Heather Iopu, CMC
City Clerk

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Obsolete Asset Inventory

Manufacturer/Model	Asset Description	Service Tag / Asset ID	Serial #	Notes	Value
Dell Optiplex 330	CPU	7L5XDH1	N/A	Obsolete	Hard Drive Removed. No effective value
Dell Optiplex 330	CPU	GK5XDH1	N/A	Obsolete	Hard Drive Removed. No effective value
Dell Optiplex 330	CPU	878GYF1	N/A	Obsolete	Hard Drive Removed. No effective value
Dell Optiplex 330	CPU	38T2VG1	N/A	Obsolete	Hard Drive Removed. No effective value
Dell Optiplex 330	CPU	2DTYFK1	N/A	Obsolete	Hard Drive Removed. No effective value
Dell Optiplex 330	CPU	J2WNKH1	N/A	Obsolete	Hard Drive Removed. No effective value
Dell Optiplex 330	CPU	29T2VG1	N/A	Obsolete	Hard Drive Removed. No effective value
Dell Optiplex 330	CPU	278GYF1	N/A	Obsolete	Hard Drive Removed. No effective value
Dell Optiplex 330	CPU	33WNKH1	N/A	Obsolete	Hard Drive Removed. No effective value
Dell Precision 1650	CPU	1XGPVV1	N/A	Obsolete	Hard Drive Removed. No effective value
Dell Precision 1650	CPU	1XGLVV1	N/A	Obsolete	Hard Drive Removed. No effective value
Dell Optiplex 3010	CPU	F96XNW1	N/A	Obsolete	Hard Drive Removed. No effective value
Dell Optiplex 330	CPU	DL5XDH1	N/A	Obsolete	Hard Drive Removed. No effective value
Dell Optiplex 330	CPU	478GYF1	N/A	Obsolete	Hard Drive Removed. No effective value
Dell Optiplex 330	CPU	388GYF1	N/A	Obsolete	Hard Drive Removed. No effective value
ACMA C255	CPU		712338483	Obsolete	Hard Drive Removed. No effective value
ACMA C244	CPU		709334408	Obsolete	Hard Drive Removed. No effective value
ACMA C252	CPU		712338482	Obsolete	Hard Drive Removed. No effective value
ACMA C240	CPU	2605	612320671	Obsolete	Hard Drive Removed. No effective value
ACMA C217	CPU	2505	602308035	Obsolete	Hard Drive Removed. No effective value
ACMA N-30N	CPU	2178	2200872B1SA0113A	Obsolete	Hard Drive Removed. No effective value
Micron NBKU377	Laptop		NBK001537-01	Obsolete	Hard Drive Removed. No effective value
Panasonic CF-30	Laptop	3089	8KKYB03176	Obsolete	Hard Drive Removed. No effective value

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Manufacturer/Model	Asset Description	Service Tag / Asset ID	Serial #	Notes	Value
Panasonic CF-30	Laptop	3087	8KKYB03139	Obsolete	Hard Drive Removed. No effective value
Panasonic CF-30	Laptop	3093	8KKYB03035	Obsolete	Hard Drive Removed. No effective value
Panasonic CF-30	Laptop	3091	8KKYB03199	Obsolete	Hard Drive Removed. No effective value
Panasonic CF-30	Laptop	3090	8KKYB03178	Obsolete	Hard Drive Removed. No effective value
Panasonic CF-30	Laptop	3097	8KKYB03204	Obsolete	Hard Drive Removed. No effective value
Panasonic CF-30	Laptop		8KKYB03078	Obsolete	Hard Drive Removed. No effective value
Panasonic CF-29	Laptop	1571	5HKSA53455	Obsolete	Hard Drive Removed. No effective value
Panasonic CF-29	Laptop	Contra Costa Fire - 1747	6AKYB98829	Obsolete	Hard Drive Removed. No effective value
Cannon DR-9080c	Printer	2388	C2301071	Broken	$0
HP Laserjet P2015DN	Printer		CNBJP10112	Broken	$0
HPHSTNS	Server	2116	MXQ73403NU	Broken	$0
HP Laserjet4050TN	Printer	1817	USCC147075	Broken	$0
CannonLC710	Printer	3052	KAG58620	Broken	$0
HP Deskjet 5850	Printer	3004	MY39A1N4DN	Broken	$0
HP Deskjet 1120c	Printer		SG95413081	Broken	$0
Bravo II	Disc publisher	2603	N/A	Broken	$0
HP Scanjet 5590	Printer		SG7CG5R142	Broken	$0
Minolta RP503		646	N/A	Broken	$0
IBM Wheelwriter 10	Typewriter	502	N/A	Broken	$0
IBM Wheelwriter 6	Typewriter	28	N/A	Broken	$0
HP Deskjet 882c	Printer	1810	N/A	Broken	$0
Dell 1708	Monitor		CN-OG302H-74261-88L-1KWA-A00	Broken	$0
Dell 1708	Monitor		CN-0G302H-74261-88L-1L1A	Obsolete	$0
Dell 1708	Monitor		CN-0D54BH-71618-864-GBC4-A00	Broken	$0

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Manufacturer/Model	Asset Description	Service Tag / Asset ID	Serial #	Notes	Value
Dell 1708	Monitor		CN-0C552H-72872-877-180L-A00	Broken	$0
Dell 1708	Monitor		CN-0D548H-71618-88E-ADEV-A00	Broken	$0
Dell 1708	Monitor		CN-02552H-72872-877-2THL-A00	Obsolete	$0
Dell 1708	Monitor		CN-0FP816-74261-82D-1175	Broken	$0
Dell 1708	Monitor		CN-0D548H-71618-864-GBC3-A00	Broken	$0
Dell 1708	Monitor		CN-0D548H-71618-864-GBCB-A00	Obsolete	$0
Dell 1708	Monitor		CN-0D54811-71618-864-GBC0-A00	Broken	$0
Dell 1708	Monitor		CN-0G302H-74261-88L-1L2A-A00	Broken	$0
Dell E2210F	Monitor		CN-0T776R-72872-1F2L	Obsolete	$0
Samsung 9433wx	Monitor		MY19H9NS3109592	Obsolete	$0
Impressions 700P	Monitor	2539	N/A	Broken	$0
Impression 17LSP	Monitor		BBLAR73D000681	Broken	$0
NEC LCD2080UX+	Monitor		42002196YA	Broken	$0
NEC LCD2080UX+	Monitor		43002800YA	Broken	$0
Impression 700P	Monitor	2469	F6KU55252392U	Obsolete	$0
Impression 5LS	Monitor		GC232F0386	Broken	$0
Impression 700P	Monitor	2439	F6KU540598604	Broken	$0
Impression 700P	Monitor	2435	F6KU54059826U	Obsolete	$0
NEC LCD1700V	Monitor	2255	2902179GA	Broken	$0
ViewSonic VP201m	Monitor	2222	A0D023110031	Broken	$0
NEC LCD1700V	Monitor		2Y00166GA	Broken	$0
NEOVO X-174	Monitor		AX2012020010	Obsolete	$0
NEC LCD1700V	Monitor		2Y00131GA	Broken	$0
NEC LCD2090UXi	Monitor	3028	6X118888YA	Broken	$0

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Manufacturer/Model	Asset Description	Service Tag / Asset ID	Serial #	Notes	Value
Concertone M19GKE	Monitor		M19G5BCEZ003804	Broken	$0
HP Scanjet 4570c	Scanner	2314	CN2AYT51G9	Broken	$0

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CITY COUNCIL REPORT

9A

DATE: **OCTOBER 1, 2019**

TO: **MAYOR AND COUNCIL MEMBERS**

FROM: **MICHELLE FITZER, CITY MANAGER**

SUBJECT: **CONSIDERATION AND ADOPTION OF A RESOLUTION OF SUPPORT FOR THE COUNTYWIDE IMPOSITION OF ONE-HALF OF ONE PERCENT SALES TAX TO FUND TRANSPORTATION IMPROVEMENTS IN CONTRA COSTA COUNTY AND ADOPTING THE PROPOSED TRANSPORTATION EXPENDITURE PLAN (TEP) CONDITIONALLY AMENDING THE GROWTH MANAGEMENT PROGRAM (GMP), WHICH INCLUDES ATTACHMENT A: PRINCIPLES OF AGREEMENT FOR ESTABLISHING THE URBAN LIMIT LINE (ULL) IN THE MEASURE J TEP TO MATCH THAT FOUND IN THE 2020 TEP**

RECOMMENDATION

It is recommended that the City Council consider and adopt a Resolution of Support for the Countywide imposition of one-half of one percent sales tax to fund transportation improvements in Contra Costa County and adopting the Proposed Transportation Expenditure Plan (TEP) conditionally amending the Growth Management Program (GMP), which includes Attachment A: Principles of Agreement for Establishing the Urban Limit Line (ULL) in the Measure J TEP to match that found in the 2020 TEP.

BACKGROUND

The Contra Costa Transportation Authority (Authority) is responsible for maintaining and improving Contra Costa County's transportation system by planning, funding, and delivering critical transportation infrastructure projects and programs that connect communities, foster a strong economy, increase sustainability, and safely and efficiently get people where they need to go.

Contra Costa County passed its first transportation sales tax measure in 1988 known as Measure C. Measure C created the Authority and provided critical transportation funding for projects throughout Contra Costa County. Recognizing the pending expiration of Measure C, voters overwhelmingly approved Measure J extending funding to 2034. Measures C and J provided stable funding to cities/towns and Contra Costa County to maintain local streets and roads and established the GMP and ULL Compliance Requirements to preserve and enhance our quality of life and promote a strong economy. Funding was allocated to public transportation and bus operators, to service providers that assisted students to go to school and seniors and people with

disabilities to go where they needed to go. Marque projects included the Bay Area Rapid Transit (BART) extensions to Pittsburg/Bay Point and Antioch, the Caldecott Tunnel Fourth Bore, Highway 4 widening, train stations and intermodal transit centers, and improvements to bicycle and pedestrian trails. Equally important, local funding from Measures C and J were able to attract $4.1 billion in outside funding from state, federal and regional sources. These leveraged funds combined with sound financial management have enabled the Authority to complete the major projects in Measure J significantly ahead of schedule.

Despite this success, the demand for transportation services and new funding continue to grow. New transportation technology is offering unprecedented opportunities to streamline travel, smooth traffic flow and reduce emissions. People are increasingly valuing alternative ways to get around, such as transit, walking and biking. As Contra Costa County's population grows, more people are using our highways, roads and transit. Contra Costa County's population is also aging. Currently, about 14% of the population is age 65 or older. By 2035, this population is expected to double to about 30%. As the agency responsible to maintain and improve Contra Costa County's transportation system, the Authority envisions a future where all of our transportation systems work together for more streamlined, safe, efficient, and convenient travel.

REVIEW AND ANALYSIS

The Authority is proposing the imposition of a countywide one-half of one percent sales tax for transportation purposes for a period of 35 years starting July 1, 2020 through June 30, 2055. Over the past year, the Authority conducted consultations with local governments and outreach to a wide variety of interest groups and the public in order to develop a mix of projects and programs to be funded by the proposed sales tax. On August 28, 2019, the Authority released a proposed TEP to guide the use of the proposed sales tax revenues. The proposed TEP also includes a revised 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.

A set of Guiding Principles were used to develop the TEP. The Guiding Principles are collectively a statement of values to ensure a new TEP provides transportation solutions that meet the transportation needs of Contra Costa County's residents, businesses and travelers. The Guiding Principles consist of (see Attachment B):

- Relieve Traffic Congestion;
- Transit First;
- Performance Orientation;
- Economic Opportunity to partially fund transportation infrastructure that is likely to result in significant job growth;
- Public Participation that collects input from Stakeholders;
- Accountability and Transparency;
- A Balanced and Equitable Approach to benefit all residents and regions;

- Maximize Available Funding;
- Commitment to Technology and Innovation to improve transportation;
- Protecting the Environment and
- Commitment to Growth Management.

The Authority also adopted Ordinance 19-01 on August 28, 2019 to conditionally amend the GMP, which includes Attachment A: Principles of Agreement for Establishing the ULL in the Measure J TEP (Measure J TEP) to match that found in the 2020 TEP. This amendment would only apply if the one-half of one percent local transportation sales tax is placed on the ballot and successfully approved by the electors on the March 3, 2020 ballot.

Currently, transportation needs significantly exceed projected revenues. Over the next 35 years, Contra Costa County population will continue to grow, resulting in new demands on the transportation infrastructure and additional mobility needs. The new sales tax measure is needed to keep Contra Costa County moving and to create livable and sustainable communities.

The proposed sales tax measure is expected to generate $3.6 billion (current dollars). The TEP consists of a set of transportation investments (funding categories), taxpayer safeguards and accountability measures, and pertinent policies. The transportation investments are split roughly equally between funding categories targeted at congestion relief on major commute corridors throughout Contra Costa County and funding categories intended to improve transportation in all our communities. Overall, approximately 54.6% of transportation investments are to be used for transit and alternative modes; 26.7% for local streets and roads; and 18.7% for Highways and Freeways.

The TEP includes stable and reliable funding (17.4% of overall funding) to each city and town and Contra Costa County for maintenance and improvement of local roads. This is equivalent to 18% of the sales tax revenues for the Central, East, and Southwest subregions and 15.2% of sales tax revenues for the West subregion of Contra Costa County. The Authority used input from the Regional Transportation Planning Committee (RTPC) for each subregion, as well as input from other stakeholders, public opinion surveys and public comments to further allocate funding to priority projects and programs in each subregion. Other community-based funding included bus and public transit, pedestrian and bicycle improvements on trails and streets, safe transportation for students, seniors and people with disabilities, and technology solutions to reduce emission and improve air quality.

The TEP also sets forward clear policies that ensure that while communities grow, the growth is kept within clear ULL. This will allow Contra Costa County to continue growing in a smart way, while protecting vital open space for parks and farmland. Furthermore, increased investments in bicycle and pedestrian facilities bring access to the outdoors to every community.

The plan, if enacted, will provide the following benefits:

- Smooth-flowing traffic along highways and roads;
- Quicker trips and less time sitting in traffic;
- Smoother pavement and fewer potholes;
- Transit, where and when it's needed;
- Easier ways to get from home or work to transit stops and back home again;
- Cleaner air due to reduced vehicle emissions;
- More bicycle lanes and walking paths to support an active lifestyle; and
- Free or reduced transit fares for students.

The proposed TEP is organized to focus on congestion relief along three signature corridors and on countywide programs intended to improve transportation in local communities. A brief overview of the major focus of the TEP follows:

A. Relieving Congestion on Highways, Interchanges and Major Roads ($1.484 billion)

- Improve State Route 242 (SR242), Highway 4, Transit and the Bay Area Rapid Transit Corridor in East County – (eBART) ($705 million);
- Modernize Interstate 680 (I-680), Highway 24, Transit and BART Corridor ($536 million); and
- Upgrade I-80 and I-580 (Richmond-San Rafael Bridge), Transit and BART Corridor ($243 million)

Easing traffic congestion is one of Contra Costa County residents' highest priorities. Accordingly, the proposed TEP invests nearly half of the new transportation sales tax revenue toward new, modern tools and strategies to improve traffic flow and reduce traffic congestion on Contra Costa County's major corridors and roads. These strategies include highway and road improvements thoughtfully integrated with transit improvements and alternative modes.

Each of Contra Costa County's corridors contains a major interstate or highway, a major transit line, local roads and streets, paths, bus lines, and transit stations. Everyone is impacted by the performance of each component of the corridor as each impacts the corridor as a whole. For example, improving transit and transit connections will lessen traffic congestion on Contra Costa County highways. As transit service is improved and more people take transit, fewer cars on the road translates to less traffic.

B. Improving Transportation Countywide in all of our Communities ($1.98 billion)

The proposed TEP includes many projects throughout Contra Costa County to improve our local communities and protect Contra Costa County's environment and quality of life. This funding spreads into every community, through local projects and programs that improve Contra Costa County's vast transportation network. Funding will be allocated towards improving local roads and streets to make them safer for all travelers. Smaller projects, such as removing bottlenecks, improving

traffic signal operations, installing traffic calming measures, and making streetscape improvements, which can make big improvements in a community's quality of life.

Funding will be allocated toward substantial investments in a robust transit system that provides affordable, efficient, convenient, and accessible transit to travelers throughout Contra Costa County. These projects will result in cleaner, safer, and more reliable trips on BART, buses, and ferries. The transit systems will extend into parts of Contra Costa County that are currently lacking frequent transit service. When more people take transit, traffic congestion on Contra Costa County roads and highways will decrease, traffic will flow more smoothly, and air emissions will decrease, thereby improving air quality in Contra Costa County. The Initial Draft TEP continues to allocate funding towards a wide array of programs for students, seniors, veterans, and people with disabilities, aimed at offering safe transportation options and improving mobility.

The following countywide programs are included in the "Improving Transportation Countywide in all of our Communities":

- Modernize Local Roads and Improve Access to Jobs and Housing (17.4%) – The TEP provides funding directly to every city, town and Contra Costa County so that they may make improvements to their own local roads and streets. This is equivalent to 18% of the sales tax revenues for the Central, East, and Southwest subregions and 15.2% of sales tax revenues for the West subregion of Contra Costa County.
- Provide Convenient and Reliable Transit Service in Central, East and Southwest Contra Costa County (10.9% of total funding) – Funding will be provided to public transit operators in the central, east, and southwest subregions to provide cleaner, safer, and more reliable trips on buses or shuttles. This funding will enable transit operators to improve the frequency of service on existing routes, especially high-demand routes, increase ridership, and incentivize transit use by offsetting fares.
- Increase Bus Services and Reliability in West Contra Costa County (6.9%) – Similar to above, but with a larger share of the West County allocation to focus on expanding transit services to unserved or underserved areas, along with more frequent and reliable bus service to all.
- Improve Walking and Biking on Streets and Trails (6.0%) – The TEP contains unprecedented levels of funding to improve safety for bicyclists and pedestrians in every part of Contra Costa County.
- Accessible Transportation for Seniors, Veterans, and People with Disabilities (5.0%) – Funding in this category will be used for affordable and safe countywide transportation for seniors, disabled veterans, and other people with disabilities who cannot drive or take other transit options.

- Cleaner and Safer BART (3.3%) – Funding for a suite of modernization projects at select stations to increase safety, security, and cleanliness, and to improve the customer experience.
- Safe Transportation for Youth and Students (2.9%) – The TEP allocates funding towards a wide array of transportation projects and programs for students and youth, aimed at offering safe transportation options, such as walking, and cycling, and improving mobility.
- Reduce and Reverse Commutes (1.5%) – Funding to provide transportation infrastructure to incentivize employers to create jobs in housing-rich areas, and promote transit, shared trips, telecommuting and shifting work schedules, all with the intent of reducing commuter traffic at peak commute times and better utilizing available reverse commute capacity in the existing transportation infrastructure.
- Reduce Emissions and Improve Air Quality (1.0%) – Funding for technology solutions to help solve the challenges of the lack of connectivity between transportation options, resulting in reduced emissions, and improved air quality.

Taxpayer Safeguards and Accountability:

The Authority has approved various administrative, financial and accountability policies beginning with the passage of Measure C in 1988 and the approval of Measure J in 2004. Certain policies relate to administrative and accounting practices, committee structures, local hiring preference, allocation of funds, and maintenance-of-effort are common in local transportation sales tax measures.

The major change proposed in the proposed TEP relates to the Authority's commitment that the TEP be a performance-based, outcome-oriented plan. Several sections were added to the Taxpayer Safeguards for performance standards to be considered before certain projects can be funded from sales tax revenue. The Authority envisions a process that consists of project nomination, project performance review, and full funding commitment for the highest performing projects. The intent is to prioritize the highest performing projects and work with project sponsors to fully fund them from one or more TEP funding categories combined with other state, federal or regional funding sources available to the Authority.

The proposed TEP also establishes a Public Oversight Committee (POC) (replacing the current Citizens Advisory Committee (CAC)) with prescribed additional responsibilities, including oversight of fiscal and performance audits.

Other Pertinent Policies:
The proposed TEP includes a mix of policies included in the existing Measure J, as well as four proposed new policies.

- GMP/ULL Compliance Requirements;
- Complete Streets Policy;

- Advance Mitigation Program;
- Transit Policy; and
- Road Traffic Safety aka “Vision Zero” Policy.

The GMP/ULL Compliance Requirements continue these policies with minor changes. Any jurisdiction with a developable hillside, ridgeline, wildlife corridor or creek is required to approve a corresponding development and protection policy. The process to approve minor amendments to the ULL has also been revised.

The other listed policies are new to the proposed TEP. The Complete Streets Policy, Transit Policy and Road Traffic Safety Policy are intended to provide an overall framework for a transportation system that is safe, sustainable, equitable, and provides for the needs of all users.

Transportation Benefits for My Community:

Authority staff will provide an overview of the projects and programs that will benefit the City of Pinole.

Requested Action:

Pursuant to Public Utilities Code § 180206(b) a TEP may not be finally adopted and placed before the voters until it has received the approval of the County Board of Supervisors and City/Town Councils, which in aggregate represent both a majority of the cities/towns in Contra Costa County and a majority of the population residing in the incorporated areas of Contra Costa County. All jurisdictions will be asked to adopt the proposed TEP as presented. The Authority is seeking approval of the proposed TEP from all cities/towns and County Board of Supervisors by October 22, 2019. The Authority will consider approving the TEP and accompanying ordinance to impose the sales tax at a special meeting of the Authority Board on October 30, 2019. The conditional amendment to the GMP, which includes Attachment A: Principles of Agreement for Establishing the ULL in the Measure J TEP to Match that Found in the 2020 TEP would only apply if the one-half of one percent local transportation sales tax is placed on the ballot and successfully approved by the electors on the March 3, 2020 ballot. For the limited purpose identified in Public Utilities Code § 180206(b), the Authority seeks the City of Pinole’s support of the new Measure, by adopting the attached Resolution of Support for the Countywide Imposition of One-Half of One Percent Sales Tax to Fund Transportation Improvements in Contra Costa County and approval of the TEP and Adopting the Proposed Transportation Expenditure Plan (TEP) Conditionally Amending the Growth Management Program (GMP), which includes Attachment A: Principles of Agreement for Establishing the Urban Limit Line (ULL) in the Measure J TEP to Match that Found in the 2020 TEP.

CEQA

Adopting the attached Resolution of Support is not subject to the California Environmental Quality Act of 1970 (CEQA) because the TEP is not a project within the

meaning of CEQA. (See 14 California Code of Regulations (CCR), § 15378, 15352). Specifically, the Council's adoption of the Resolution of Support does not constitute the approval of a CEQA project for reasons that include, but are not limited to: (1) the TEP does not authorize the construction of any projects that may result in any direct or indirect physical change in the environment; (2) the TEP is a mechanism for funding potential future transportation projects, the timing, approval, and construction of which may be modified or not implemented depending on a number of factors, including future site-specific CEQA environmental review; and (3) the TEP is subject to further discretionary approvals insofar as it may not be adopted until and unless the pre-conditions set forth in the Public Utilities Code are satisfied (See 14 CCR., § 15378, 15352; Public Utilities Code § 180206(b)).

FISCAL IMPACT

There is no direct fiscal impact of approving this resolution. Should the proposed measure pass, the City of Pinole can expect to receive approximately $322,452 annually in local return to source funding for street projects. Additional funding will also be available for projects on a competitive basis.

ATTACHMENTS

A Resolution
B CCTA 2020 Transportation Expenditure Plan
C CCTA Ordinance 19-01
D Power Point

ATTACHMENT A

RESOLUTION NO. 2019-___

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE, COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA, SUPPORT FOR THE COUNTYWIDE IMPOSITION OF ONE-HALF OF ONE PERCENT SALES TAX TO FUND TRANSPORTATION IMPROVEMENTS IN CONTRA COSTA COUNTY AND ADOPTING THE PROPOSED TRANSPORTATION EXPENDITURE PLAN (TEP) CONDITIONALLY AMENDING THE GROWTH MANAGEMENT PROGRAM (GMP), WHICH INCLUDES ATTACHMENT A: PRINCIPLES OF AGREEMENT FOR ESTABLISHING THE URBAN LIMIT LINE (ULL) IN THE MEASURE J TEP TO MATCH THAT FOUND IN THE 2020 TEP

WHEREAS, the Contra Costa Transportation Authority (hereinafter "Authority") proposes the countywide imposition of a one-half of one percent sales tax for transportation purposes for a period of 35 years effective July 1, 2020 through June 30, 2055; and

WHEREAS, the Authority has administered a one-half of one percent sales tax for transportation purposes since its inception on April 1, 1989; and

WHEREAS, the Authority conducted consultations with local governments and conducted outreach to a wide variety of interest groups and the public in order to develop a TEP proposing a potential mix of projects and programs to be funded by the proposed sales tax; and

WHEREAS, on August 28, 2019, the Authority authorized the release of a proposed TEP reflecting the results of that consultation and outreach, and seeking concurrence on the proposed TEP from Contra Costa County and the cities/towns within Contra Costa County; and

WHEREAS, on August 28, 2019, the Authority adopted Ordinance 19-01 to conditionally amend the GMP, which includes Attachment A: Principles of Agreement for Establishing the ULL in the Measure J Transportation Expenditure Plan ("Measure J TEP") to match that found in the 2020 TEP. This amendment would only apply if the one-half of one percent local transportation sales tax is placed on the ballot and successfully approved by the electors on the March 2020 ballot; and

WHEREAS, the proposed TEP includes measures that help reduce future congestion, manage the impacts of growth, and expand alternatives to the single-occupant vehicle; and

WHEREAS, if the proposed TEP is ultimately adopted by the Authority and approved by the voters, the TEP would guide the use of the proposed sales tax revenues; and

WHEREAS, pursuant to Public Utilities Code § 180206(b), a TEP may not be adopted by the Authority until and unless the proposed TEP has received the approval of the County Board of Supervisors and city/town councils representing both a majority of the cities/towns in Contra Costa County and a majority of the population residing in the incorporated areas of Contra Costa County.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Pinole finds that the proposed TEP is not subject to the California Environmental Quality Act of 1970 ("CEQA") because the proposed TEP is not a project within the meaning of CEQA, and the Council's adoption of this resolution does not commit the Council to a definite course of action with regard to any specific transportation improvements set forth in the proposed TEP (See 14 California Code of Regulations (CCR), § 15378, 15352). Specifically, the Council's adoption of this resolution does not constitute the approval of a CEQA project for reasons that include, but are not limited to: (1) the proposed TEP does not authorize the construction of any projects that may result in any direct or indirect physical change in the environment; (2) the proposed TEP is a mechanism for funding potential future transportation projects, the timing, approval, and construction of which may be modified or not implemented depending on a number of factors, including future site-specific CEQA environmental review; and (3) the proposed TEP is subject to further discretionary approvals insofar as it may not be adopted until and unless the pre-conditions set forth in the Public Utilities Code are satisfied. (See 14 CCR, § 15378, 15352; Public Utilities Code § 180206(b)).

BE IT FURTHER RESOLVED, that the City Council of the City of Pinole approves, for the limited purpose identified in Public Utilities Code, § 180206(b), the proposed TEP released by the Authority on August 28, 2019.

BE IT FURTHER RESOLVED, that the City Council of the City of Pinole urges the Authority, consistent with the provisions of Public Utilities Code § 180206, to adopt the proposed TEP.

BE IT FURTHER RESOLVED, that the City Council of the City of Pinole urges the County Board of Supervisors, consistent with Public Utilities Code, § 180203, to place the one-half of one percent local transportation sales tax on the March 3, 2020 ballot.

BE IT FURTHER RESOLVED, that the City Council of the City of Pinole approves of the conditional amendment to the GMP, which includes Attachment A: Principles of Agreement for Establishing the ULL in the Measure J TEP to Match that Found in the proposed TEP, acknowledging that this amendment would only apply if the one-half of one percent local transportation sales tax is placed on the ballot and successfully approved by the electors on the March 3, 2020 ballot.

PASSED AND ADOPTED at a regular meeting of the Pinole City Council held on the 1st day of October 2019 by the following vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

ABSTAIN: COUNCILMEMBERS:

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on the 1st day of October 2019.

_____
Heather Iopu, CMC
City Clerk

CONTRA COSTA transportation authority

Draft
Published September 4, 2019

A TRANSFORMATIVE PLAN FOR CONTRA COSTA'S FUTURE

2020 Transportation Expenditure Plan

September 2019

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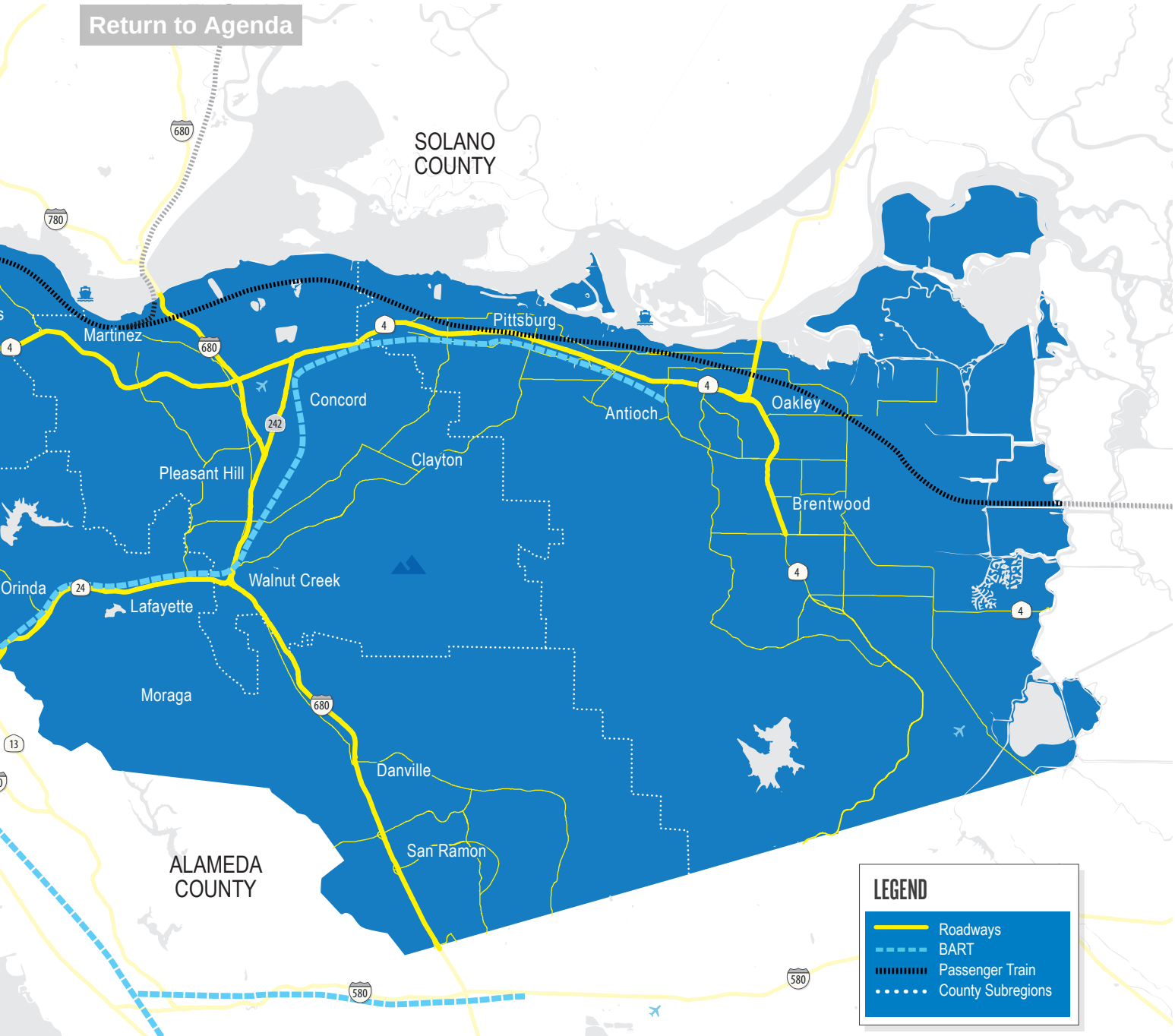

» Contra Costa is a county as unique and diverse as its residents. Our communities stretch from the Richmond coastline to Discovery Bay, from Port Chicago to the San Ramon Valley, and from Mount Diablo to Crockett Hills.

» ALL FUNDING AMOUNTS presented in this Transportation Expenditure Plan are rounded.

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GUIDING PRINCIPLES USED TO DEVELOP THE TEP

CCTA is committed to funding an outcomes-based program that includes thoughtful projects that will relieve congestion countywide, reduce greenhouse gasses, enhance transit operations, and improve accessibility to jobs and housing. The 2020 Transportation Expenditure Plan is a carefully curated set of solutions designed to bring Contra Costa's transportation system into the future by moving more people efficiently, encouraging mode shift, and promoting shared mobility options for all. The following set of principles will guide and inspire the planning, funding, and delivering of the 2020 TEP.

RELIEVE TRAFFIC CONGESTION

Funding will focus on making traveling through Contra Costa faster, more reliable, and more predictable by, for example, reducing travel times and moving more people with fewer cars.

ACCOUNTABILITY AND TRANSPARENCY

CCTA will ensure funding flows to opportunities that maximize and directly benefit your commute. CCTA strives for excellence in protecting the public's investments. We will routinely engage with partner organizations, advisory committees, and the County's residents and businesses to ensure full transparency. Our plans and results shall be easily available to the public, and we shall remain accessible to the public for questions and comments.

BALANCED AND EQUITABLE APPROACH

CCTA will balance the needs and benefits for all people and all areas of Contra Costa County to provide an equitable and sustainable transportation system that promotes transit options for all, social equity, and community stabilization.

ECONOMIC OPPORTUNITY

CCTA supports creating an economic environment that promotes job growth close to residents' homes or high-frequency public transit, thereby stabilizing communities, improving access for low-income populations and Communities of Concern, shortening commute times, reducing vehicle-miles traveled (VMTs), and improving air quality. CCTA will promote local contracting and good jobs in Contra Costa through funding of local infrastructure projects.

MAXIMIZE AVAILABLE FUNDING

CCTA will proactively seek regional, state, and federal funding, as well as private investments to supplement the County's local transportation sales tax revenue, thereby maximizing the total amount of funding for transportation projects in Contra Costa County.

PUBLIC PARTICIPATION

CCTA will meaningfully engage with county residents and respond to public priorities through a comprehensive public outreach program.

TRANSIT FIRST

CCTA commits to increasing transit use by funding solutions that reduce transit travel times, increase transit frequencies, and give transit vehicles priority in high-traffic periods. CCTA will enhance transit connectivity between modes to help promote car-free travel and the importance of providing adequate transit service to areas slated for significant employment and housing growth.

PERFORMANCE ORIENTATION

CCTA is committed to a performance-oriented approach with rigorous evaluation of transportation solutions that meet the goals of the TEP and state greenhouse gas (GHG) mandates. CCTA will use transportation sales tax funds to achieve defined outcomes and benefits most sought by residents and businesses. Funding will flow to the best opportunities consistent with other guiding principles and policies.

PROTECT THE ENVIRONMENT

CCTA commits to improving the air quality in our communities by funding projects and programs that relieve congestion, reduce vehicle-miles traveled (VMT) per capita, and reduce GHG.

COMMITMENT TO GROWTH MANAGEMENT

CCTA administers countywide policies that support thoughtful growth management to sustain Contra Costa's economy, preserve its environment, and support its communities. The advanced mitigation programs for environmental impacts and vehicle-miles traveled (VMTs) are some of the tools used to support the county's growth management policies.

COMMITMENT TO TECHNOLOGY AND INNOVATION

CCTA is committed to keeping Contra Costa County on the cutting edge of transportation technology by continuing to incorporate advanced technologies and emerging innovations pursuant to the goals of the TEP.

A NEW TRANSPORTATION FUTURE FOR CONTRA COSTA COUNTY

TRANSPORTATION EXPENDITURE PLAN FUNDING SUMMARY

The Contra Costa Transportation Authority (CCTA) envisions a future where all transportation systems work together for more streamlined, safe, efficient, and convenient travel. We've created a focused plan that ensures funds directly benefit your commute. CCTA is committed to outcomes-based delivery, where all projects meet performance targets for reduced traffic, shortened commute times, reduced greenhouse gas emissions (GHG), and other mandates and goals.

This 2020 Transportation Expenditure Plan (TEP) focuses on innovative strategies and new technologies that will relieve congestion, promote a strong economy, protect the environment, promote social equity, and enhance the quality of life for all of Contra Costa County's diverse communities. This plan outlines projects that will achieve a broad range of goals:

- **Relieve Traffic Congestion on Highways and Interchanges.** CCTA's goal is to smooth traffic flow and reduce congestion for people and goods through major corridors, to address bottlenecks and hot spots, and to make commutes smoother and more predictable.
- **Make Bus, Ferry, Passenger Train, and BART Rides Safer, Cleaner, and More Reliable.** Contra Costa County's residents and travelers value safe, clean, convenient, and affordable transit options. CCTA's goal is to support transit operators in providing more frequent and reliable transit services and to plan and build the infrastructure that improves connectivity countywide.
- **Provide Accessible and Safe Transportation for Children, Seniors, Veterans, and People with Disabilities.** CCTA will prioritize social equity and provide better mobility options for all, especially for those with the greatest transportation barriers such as youth, seniors, people of lower incomes, and people with disabilities.
- **Improve Transportation in Our Communities.** CCTA supports livable communities by providing local cities and towns with funding to fix and modernize local streets, offer safer places to walk and cycle, and improve air quality. We're committed to funding infrastructure that provides access to affordable housing and jobs. CCTA also helps manage urban sprawl through its advanced mitigation programs and the county's growth management program.

The TEP is intentionally designed to be equitable across the entire county, based on population. CCTA commits to delivering proportionally greater benefits to Communities of Concern (as defined by the Metropolitan Transportation Commission) and low-income residents. CCTA understands that access to quality transportation, jobs, housing, education, health care, and public safety contribute to residents' well-being. **All locally generated transportation revenue—plus any additional grant funding CCTA receives—will be spent on local projects in Contra Costa County.**

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TRANSPORTATION EXPENDITURE PLAN FUNDING SUMMARY

FUNDING CATEGORIES	SUBTOTALS	
	$ (millions)*	%
RELIEVING CONGESTION ON HIGHWAYS, INTERCHANGES, AND MAJOR ROADS	**$1,484**	**41.1**
Improve State Route 242 (SR-242), Highway 4, Transit, and eBART Corridor	**705**	**19.5**
Relieve Congestion and Improve Access to Jobs Along Highway 4 and SR-242	200	5.5
Improve Local Access to Highway 4 and Byron Airport	150	4.2
East County Transit Extension to Brentwood and Connectivity to Transit, Rail, and Parking	100	2.8
Improve Traffic Flow on Major Roads in East County	107	3.0
Enhance Ferry Service and Commuter Rail in East and Central County	50	1.4
Improve Transit Reliability Along SR-242, Highway 4, and Vasco Road	50	1.4
Additional eBART Trains Cars	28	0.8
Seamless Connected Transportation Options	20	0.6
Modernize I-680, Highway 24, Transit, and BART Corridor	**536**	**14.9**
Relieve Congestion, Ease Bottlenecks, and Improve Local Access Along the I-680 Corridor	200	5.5
Improve Traffic Flow on Major Roads in the Central County and Lamorinda	145	4.0
Improve Transit Reliability along the I-680 and Highway 24 Corridors	50	1.4
Provide Greater Access to BART Stations Along I-680 and Highway 24	49	1.4
Improve Traffic Flow on Highway 24 and Modernize the Old Bores of Caldecott Tunnel	35	1.0
Improve Traffic Flow on Major Roads in San Ramon Valley	32	0.9
Seamless Connected Transportation Options	25	0.7
Enhance I-80, I-580 (Richmond-San Rafael Bridge), Transit, and BART Corridor	**243**	**6.7**
Improve Transit Reliability Along the I-80 Corridor	90	2.5
Relieve Congestion and Improve Local Access Along the I-80 Corridor	57	1.6
Improve Traffic Flow on Major Roads in West County	38	1.1
Enhance Ferry Service and Commuter Rail in West County	34	0.9
Improve Traffic Flow and Local Access to Richmond-San Rafael Bridge Along I-580 and Richmond Parkway	19	0.5
Seamless Connected Transportation Options	5	0.1
IMPROVING TRANSIT AND TRANSPORTATION COUNTYWIDE IN ALL OUR COMMUNITIES	**$1,980**	**54.9**
Modernize Local Roads and Improve Access to Job Centers and Housing	628	17.4
Provide Convenient and Reliable Transit Services in Central, East, and Southwest Contra Costa	392	10.9
Increase Bus Services and Reliability in West Contra Costa	250	6.9
Improve Walking and Biking on Streets and Trails	215	6.0
Accessible Transportation for Seniors, Veterans, and People with Disabilities	180	5.0
Cleaner, Safer BART	120	3.3
Safe Transportation for Youth and Students	104	2.9
Reduce and Reverse Commutes	54	1.5
Reduce Emissions and Improve Air Quality	37	1.0
SUBTOTAL	**$3,464**	**96%**
Transportation Planning, Facilities & Services	$108	3.0
Administration	$36	1.0
TOTAL	**$3,608**	**100%**

**Funding amounts are rounded*

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BART	Bicycle/ Pedestrian	Local Transit	Local Roads &Streets	Highways &Freeways
				●
				●
		●		
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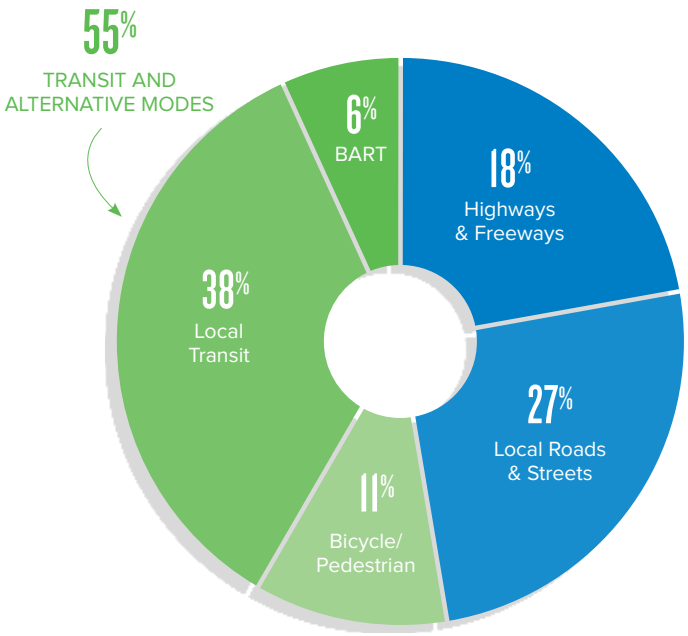
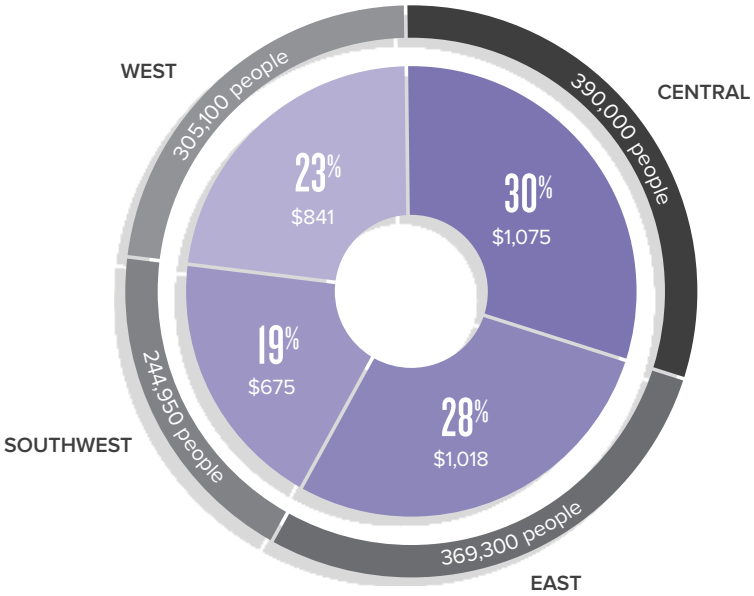
$197	**$363**	**$1,333**	**$925**	**$647**
6%	**11%**	**38%**	**27%**	**18%**

EXPENDITURES BY FACILITY TYPE AND MODE



NOTE: Percentages do not include Transportation Planning and Administration

EXPENDITURES BY SUBREGION AND POPULATION



** Population based on Association of Bay Area Governments (ABAG) Projections 2013 for year 2037*
$ in millions

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OUR NEW TRANSPORTATION FUTURE

Carefully crafted to offer a broad array of tangible benefits to all, this Plan will bring:

- Smooth-flowing traffic along highways and roads
- Quicker trips and less time sitting in traffic
- Smoother pavement and fewer potholes
- Transit, where and when it's needed
- Easier ways to get from home or work to transit stops and back home again
- Cleaner air due to reduced vehicle emissions
- More bicycle lanes and walking paths to support an active lifestyle
- Free or reduced transit fares for students

DECADES OF TRANSPORTATION IMPROVEMENTS AND MANAGED GROWTH

WHO WE ARE AND WHAT WE DO

The Contra Costa Transportation Authority (CCTA) is responsible for **maintaining and improving the county's transportation system by planning, funding, and delivering critical transportation projects that connect our communities,** foster a strong economy, increase sustainability, and safely and efficiently get people where they need to go. CCTA is also responsible for putting solutions in place to help manage traffic by providing and connecting a wide range of transportation options.

We are proud of our accomplishments and we recognize the immense transportation challenges still faced by county residents and businesses—particularly considering population growth, continued development, and threats to the environment. CCTA works to advance transportation solutions, ease congestion, and prepare Contra Costa County for safe, future mobility.

CCTA is leading the way and presenting innovative solutions while protecting the qualities that make Contra Costa a wonderful place to call home. We present this Transportation Expenditure Plan (TEP), which reflects where we are now and, more importantly, our commitment to pursuing transportation policies, planning, and investments that will get us to where we want to be in the future.

FULFILLING OUR PROMISE TO CONTRA COSTA COUNTY VOTERS

Contra Costa County voters passed **Measure C** in 1988, sending a clear message that recognized the immense need to improve the way people travel around Contra Costa County. Voters authorized a 20-year (1989-2009) half-cent transportation sales tax to finance improvements to the county's overburdened transportation infrastructure. In 1989, CCTA was born.

Measure C expired in 2009 but much was accomplished, including widening Highway 4 from Hercules to Martinez, the BART extension to Pittsburg/Bay Point, Richmond Parkway construction, and new transit programs for seniors and people with disabilities.

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In 2004, Contra Costa County voters approved **Measure J**. The measure provided for the continuation of the county's half-cent transportation sales tax for twenty-five more years (2009-2034) beyond the Measure C expiration date. Without Measures C and J funding, CCTA would not have qualified to receive additional federal, state, or regional funds. With a total of $1.4 billion in Measure C and J project funds, a total of more than $5.5 billion will be invested in vital transportation projects in Contra Costa County through 2034, leveraging Measure C and J funding at about a three-to-one ratio.

CCTA has delivered most of the major infrastructure improvement projects in Measure J—such as the fourth bore of the Caldecott Tunnels, Highway 4 East widening, eBART extension from the Pittsburg/Bay Point BART station to Antioch, and I-680 and I-80 corridor improvements—on an accelerated timeline to deliver its promises to voters. CCTA periodically issues bonds to provide advance funding to design and build major infrastructure projects. Then, the revenue generated from the transportation sales tax is used to pay back the bonds. By turning future Measure J revenue into capital dollars and accelerating design and construction, transportation projects are put into place sooner to alleviate transportation challenges. Designing and building the projects earlier costs less money, because the added cost of future inflation is avoided.

As of 2018, about 80 percent of the Measure J project funds have been expended. Remaining revenues are now going toward repayment of bonds, fixing local streets, continuing programs, and supporting public transportation. **Without a new TEP, the CCTA will be unable to fund any new major projects to address pressing mobility needs.**

TRANSPORTATION FOR THE NEXT THREE-AND-A-HALF DECADES

While the existing Measure J will remain intact through 2034, this new TEP has been developed for several reasons:

- All of the planned major capital improvement projects funded by Measure J are either complete or in construction, ahead of schedule.
- New transportation technology is offering unprecedented opportunities to streamline travel and traffic and to reduce emissions.
- The gap between transportation needs and available funding is large and requires a bold solution. The new TEP will allow local funding to keep needed services in place and alleviate congestion by attracting other funding sources.

- The demand on Contra Costa County's roads, highways, BART stations, and buses is increasing. The county's population is growing and more people are using roads and transit. Investments are needed to maintain and improve the current transportation system to ensure it can effectively accommodate growth and prepare the system for the future.
- People are increasingly valuing alternative ways to get around, such as transit, walking, and biking. Our roads need to safely accommodate all users.
- Contra Costa County's population is aging. Currently, about 14 percent of the population is age 65 or older.* By 2035, this population is expected to double to about 30 percent. Additionally, poverty has risen faster in suburban areas, particularly in Solano, Contra Costa, and Marin counties. Low-income populations increasingly have less access to public transit and services.** New and different transportation solutions are needed to keep our older residents mobile, living independently, and to maintain quality of life for all, including low-income residents.

LOCAL FUNDING FOR LOCAL PROJECTS

Measures C and J local transportation sales taxes have provided a substantial and steady share of the total funding available for transportation projects in Contra Costa County. State and federal sources have targeted some major projects, but local funding is needed to attract and supplement those sources. Our local transportation sales tax has been indispensable in helping to meet the county's growing needs in an era of unpredictable resources.

** Population based on Association of Bay Area Governments (ABAG) Projections 2013*
*** Coordinated Public Transit – Human Services Transportation Plan (Metropolitan Transportation Commission, 2018)*

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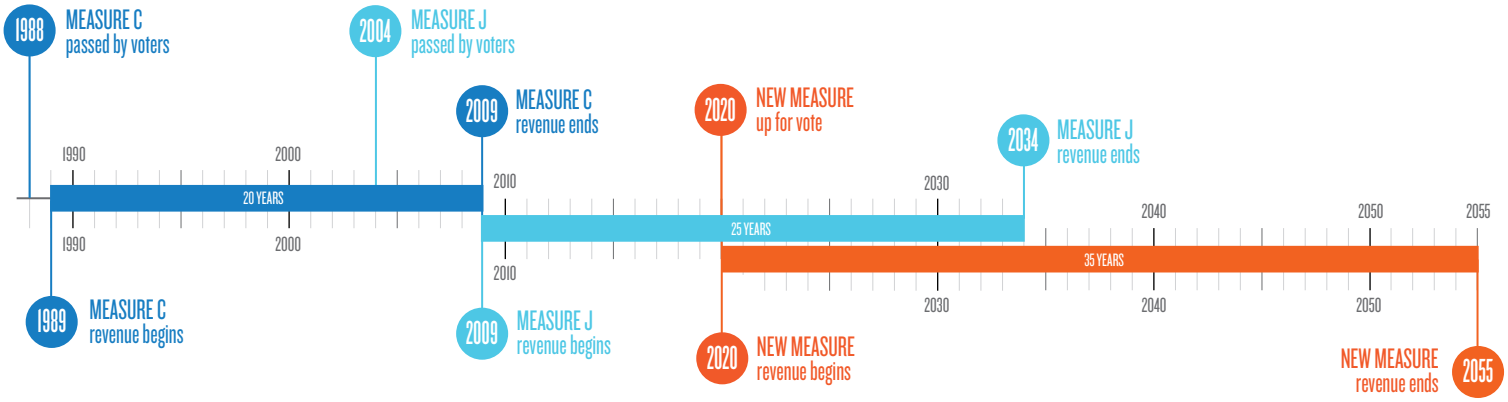
Timeline of Local Funding
Contra Costa County Transportation Improvements



The funding for this TEP will augment the existing Contra Costa County Measure J half-cent transportation sales tax by a half-cent until Measure J expires in 2034, then continue the half-cent transportation sales tax until 2055. A sales tax will generate approximately $3.6 billion for essential transportation improvements that touch every city, town, and community in Contra Costa County.

These local funds have allowed CCTA to compete effectively for outside funds by providing a local matching fund source, as required by most grants. Measures C and J, for example, will attract $4.1 billion of additional funds for Contra Costa County transportation projects through 2034, providing a total investment of $5.5 billion in vital transportation improvements.

CCTA will continue to use local transportation sales tax revenue to attract outside funds for projects already identified in regional and state funding measures. In fiscal year 2017-2018 alone, more than $77 million of California's Senate Bill 1 (SB-1), the Road Repair and Accountability Act of 2017, transportation funding was earmarked for projects sponsored by CCTA. The required local match for the grant was $35 million. In other words, for every dollar Contra Costa County taxpayers paid for these projects, the state paid two more dollars.

Similarly, voters approved Regional Measure 3 (RM3), which was authorized and signed into law in 2018 to fund major roadway and public transit improvements via an increase in tolls on the Bay Area's seven state-owned toll bridges. Contra Costa County projects that may benefit from RM3 include:

- Interstate 80 Transit Improvements: expand bus service along the Interstate 80 corridor
- Interstate 680 Transit Improvements: enhance transit service along the Interstate 680 corridor, including bus operations, transit centers, and real-time travel information
- East Contra Costa County Transit Intermodal Station: construct a transit intermodal center to enhance access to eBART and the Mokelumne Bike Trail/Pedestrian Overcrossing at Highway 4
- Contra Costa Interstate 680/Highway 4 Interchange Improvements: reduce congestion and improve safety by widening Highway 4 and adding new direct connectors between I-680 and Highway 4
- Richmond-San Rafael Bridge Access (Contra Costa approach): make improvements to reduce delays on bridge approaches and at the toll plaza, including improvements to the Richmond Parkway
- Byron Highway-Vasco Road Connector: improve access, safety, airport connectivity, and economic development with a new connector between Byron Highway and Vasco Road

RM3 provides only partial funding for these projects. Additional funding is needed to make them a reality.

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A ROADMAP FOR THE FUTURE

WHAT THIS TRANSPORTATION EXPENDITURE PLAN WILL ACCOMPLISH

Contra Costa Transportation Authority's (CCTA's) 2020 Transportation Expenditure Plan (TEP) serves as both a roadmap and an itinerary that will guide transportation investments for the coming 35 years. Throughout the 35-year duration of this Plan, Contra Costa County's population is expected to grow and change, infrastructure will continue to age and wear out, new forms of travel will emerge, and the environment will need continued protection. Such changes will place even more strain on the County's transportation systems. **Without new investments in transportation, Contra Costa will face a future with distressed and outdated infrastructure, increased traffic on already-congested roadways, and a decrease in critical transportation services to those with the greatest need.**

CCTA strives to preserve and enhance an excellent quality of life for Contra Costa County's residents, businesses, and communities with convenient, reliable, and accessible transportation. We do this through optimizing the existing transportation system, leveraging emerging technologies, offering meaningful programs and services, and providing seamless connections between various forms of transportation (for example, cars, transit, cycling, and walking).

The projects in this Plan will benefit all who live and travel within Contra Costa County. The projects will help improve the transportation network over the coming decades to meet growing needs, while supporting economic vitality and an environmentally sustainable future.

CCTA is an internationally recognized leader in implementing transportation-related technological solutions to help ease traffic congestion, offer alternative mobility options for travel, provide valuable information to travelers, make it easier and more efficient to maintain our transportation infrastructure, and many other applications that may be currently under development. This TEP reflects CCTA's commitment to fully integrate applicable transportation technologies with traditional infrastructure for the benefit of residents and travelers.

When implemented, the projects in this TEP will accomplish an array of major transportation improvements throughout the county. These projects serve to enhance people's transportation options and reduce congestion on every major transportation corridor in the county. The funding will also reach deep into the local communities to improve residents' quality of life and protect the County's natural environment.

COMMITMENT TO PERFORMANCE

The 2020 Transportation Expenditure Plan (TEP) will be governed by strong performance criteria against which funding, projects, and programming will be evaluated and scored to ensure maximum contribution to the guiding principles and goals of the Plan. Guidelines will be developed through meaningful community engagement and engagement with cities and towns, Contra Costa County, Regional Transportation Planning Committees, and the Public Oversight Committee to establish the performance criteria for evaluation of programs identified in the Policy Statements. In addition, the Plan will meet the Governor's Executive Order B-16-2012 to reduce transportation-related GHG emissions to 80% below 1990 levels by 2050. To achieve this, CCTA commits to a goal of accelerating zero emission vehicle (ZEV) penetration and a 15% reduction in vehicle-miles traveled (VMTs) per capita.

ACHIEVING INTENDED OUTCOMES

The 2020 TEP was created for Contra Costa County residents, businesses, and travelers by the communities and people it serves. Key stakeholder groups were convened and community outreach conducted to understand what guiding principles, priorities, outcomes, and results are most important to the residents and businesses of Contra Costa County.

CCTA is fully committed to an outcomes-based approach that includes measurable performance targets for all principles and criteria. The TEP presents a suite of transportation solutions that align with guiding principles and will offer a transportation system that supports a vibrant, modern, equitable, and livable Contra Costa County.

CCTA will ensure funding in the TEP will achieve the outcomes identified in the 2017 Countywide Transportation Plan (CTP). The TEP offers equitable transportation opportunities for all residents of Contra Costa. In evaluating detailed funding proposals, CCTA will ensure that expenditures benefit those living in Communities of Concern and for minority and low-income residents.

Every project with total costs of more than $10 million will undergo a performance analysis and review prior to funding being allocated. Implemented projects and programs will also undergo a thorough analysis of their performance to initiate program modification where needed and/or changes in evaluation methods.

A Public Oversight Committee will provide input for developing specific performance criteria by which projects can be evaluated and measured. In this way, county taxpayers can be assured that the funding is spent responsibly to meet the county's transportation goals.

TAXPAYER SAFEGUARDS

Over the past thirty years, CCTA has operated under a system of rigorous taxpayer safeguards to protect the county's investments and to ensure that transportation sales tax revenue is invested wisely, equitably, and transparently. CCTA consistently achieves the highest standards in its governmental accounting and financial reporting and ensures full accountability in its programs and projects.

With the 2020 TEP, CCTA is fully committed to continuing our strong accountability to Contra Costa taxpayers through many safeguards:

- CCTA will continue to publish an annual budget and strategic delivery plan that estimates expected transportation sales tax receipts, other anticipated revenue, and planned expenditures for the year.
- CCTA's Public Oversight Committee will continue to provide diligent oversight of all CCTA expenditures and report its oversight activities and findings to the public through annual audits that focus on the allocation of funding, project performance, tracking of TEP goals, local jurisdiction compliance, and growth management performance.
- CCTA will routinely inform, communicate with, and engage its partner organizations, advisory committees, and the County's residents and businesses to ensure that its programs and projects are fully transparent and best meet the needs of its residents.
- CCTA will strive to balance the needs of all people and areas of Contra Costa County to support an equitable and sustainable transportation system for all, while ensuring proportionally greater benefits to Communities of Concern and low-income residents.
- CCTA's regional transportation planning committees will continue to ensure cohesion with local and subregion planning and implementation efforts and adherence to adopted policies.

In July 2019, CCTA was the proud recipient of Contra Costa Taxpayers Association Silver Medal Award for Good Governance.

PERTINENT POLICIES

CCTA implements and follows several key policies to ensure that Contra Costa's transportation systems are in alignment with the County's established future vision. Full text of these policies is included in the Policy Statements section at the end of this document. In summary, these key policies are as follows:

Growth Management Program
establishes principles that preserve and enhance the county's quality of life and promotes a healthy and strong economy through a cooperative, multijurisdictional process for managing growth while maintaining local authority over land use decisions.

Urban Limit Line Compliance Policy
requires each jurisdiction to adopt and comply with a voter-approved Urban Limit Line, which defines the physical limits of a jurisdiction's future urban development.

Both the Growth Management Program and Urban Line Limit Compliance policies, which have been in place since Measure J began in 2009, have been enhanced in this TEP.

CCTA, with input from many stakeholders, has developed the following **additional four policies** to ensure that projects align with the vision, guidelines, and requirements for fund expenditures.

Transit Policy
sets out goals for improving, coordinating, and modernizing transit service—along with first- and last-mile connections to transit—thereby increasing the percentage of residents and commuters that may travel conveniently by public transit.

Complete Streets Policy
encourages making local streets more efficient and safe for all users—including drivers, pedestrians, bicyclists, and transit riders—and giving travelers convenient options while minimizing the need to widen roadways.

Advanced Mitigation Program
provides innovative ways to advance needed infrastructure projects more efficiently and provides more effective conservation of natural resources such as watersheds, wetlands, and agricultural lands. CCTA will also begin development of a countywide vehicle-miles traveled (VMT) mitigation program.

Road Traffic Safety
requires all funding recipients to systemically apply planning and design practices that quantifiably reduce the risk of traffic-related deaths and severe injuries.

These policies, along with the guiding principles, will govern the funding and implementation of the 2020 TEP.

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PROPOSED TRANSIT AND TRANSPORTATION INVESTMENTS

PLANNING FOR THE FUTURE

This Transportation Expenditure Plan (TEP) includes transportation-related projects and programs to be planned, designed, funded, constructed, and/or delivered in Contra Costa County over the next thirty-five years. This plan anticipates an investment of approximately $3.6 billion of revenue generated from the half-cent transportation sales tax. Contra Costa County's local sales tax revenue will help Contra Costa Transportation Authority (CCTA) attract additional local, regional, state, and federal funding to augment the sales tax revenue.

The project descriptions that follow are purposefully brief and offer general overviews of the purpose and nature of the projects. Several projects (such as affordable transit for students, seniors, and people with disabilities) are continuations or enhancements to ongoing work performed under Measure J. Many other projects included in this Plan are still in the concept or planning stages. Stakeholders and the public will have plenty of future opportunities to help shape these projects so that they are most useful and beneficial to residents, commuters, and visitors.

In its role as the administrator of Contra Costa County's transportation sales tax revenue, CCTA has instituted requirements so that taxpayer's revenue is invested per established policies, as presented in the Policy Statements section of this TEP. The policy statements generally require that recipients of funding perform advance performance assessments and comply with applicable laws and other CCTA policies. The Taxpayer Safeguards and Accountability Policy in the Policy Statements section includes the full statement of funding requirements and restrictions, as applicable.

CCTA sets aside funding to implement the countywide Growth Management Program, prepare the countywide transportation plan, and support the programming and monitoring of federal and state funds, as well as CCTA's Congestion Management Agency functions. A very small percentage of the funding also covers basic administrative functions (such as salaries) and basic expenses (such as rent).

$1.48 BILLION

IN 2017, FOUR MAJOR FREEWAYS IN CONTRA COSTA COUNTY RANKED IN THE TOP 10 WORST COMMUTES: I-680, I-80, HIGHWAY 24 AND HIGHWAY 4.*

RELIEVING CONGESTION ON HIGHWAYS, INTERCHANGES, AND MAJOR ROADS

More than 79 percent of Contra Costa County's residents drive to work; several of Contra Costa County's highways have been identified as the "most congested in the San Francisco Bay Area."**

Easing traffic congestion is one of Contra Costa County residents' highest priorities. Accordingly, CCTA will invest nearly half of the new transportation sales tax revenue toward new, modern tools and strategies to improve traffic flow and reduce traffic congestion on the county's major corridors and roads. These strategies include highway and road improvements thoughtfully integrated with transit improvements and alternative modes.

Improving transit and transit connections will lessen traffic congestion on the County's highways; as transit service is improved and more people take transit, fewer cars on the road translates to less traffic.

CCTA is committed to improving access to jobs throughout Contra Costa and supporting economic development through programs and projects in this Transportation Expenditure Plan such as the Northern Waterfront Initiative. Programs and projects will support housing within planned or established job centers that are served by transit, or that aid economic development and job creation.

Projects will be subject to applicable policies as presented in the Policy Statements section at the end of this document.

SOURCE: Metropolitan Transportation Commission, Vital Signs - https://mtc.ca.gov/sites/default/files/top_10_congestion_locations-2017.pdf
***SOURCE: Metropolitan Transportation Commission, Vital Signs, 2016-2017 data*

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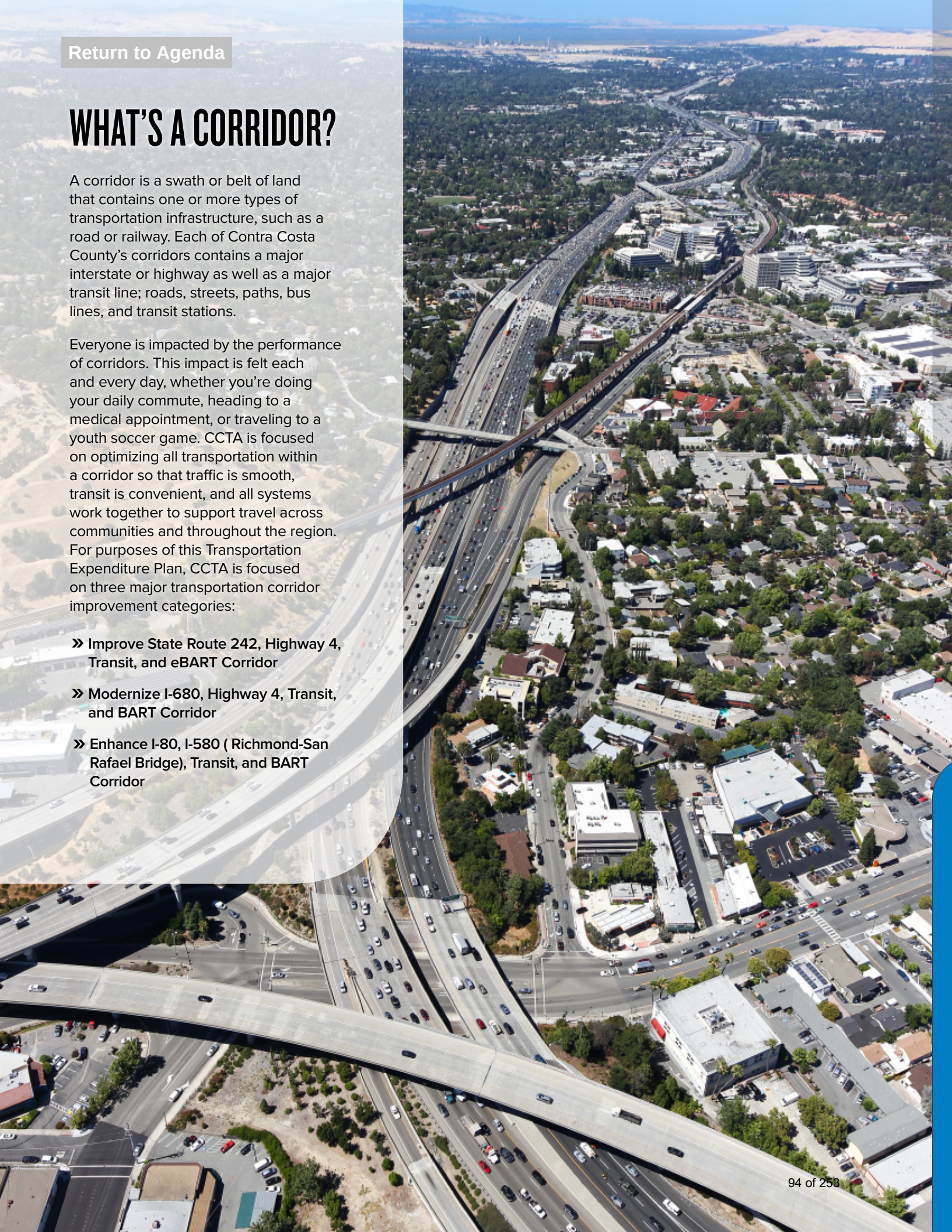
WHAT'S A CORRIDOR?

A corridor is a swath or belt of land that contains one or more types of transportation infrastructure, such as a road or railway. Each of Contra Costa County's corridors contains a major interstate or highway as well as a major transit line; roads, streets, paths, bus lines, and transit stations.

Everyone is impacted by the performance of corridors. This impact is felt each and every day, whether you're doing your daily commute, heading to a medical appointment, or traveling to a youth soccer game. CCTA is focused on optimizing all transportation within a corridor so that traffic is smooth, transit is convenient, and all systems work together to support travel across communities and throughout the region. For purposes of this Transportation Expenditure Plan, CCTA is focused on three major transportation corridor improvement categories:

- **Improve State Route 242, Highway 4, Transit, and eBART Corridor**
- **Modernize I-680, Highway 4, Transit, and BART Corridor**
- **Enhance I-80, I-580 (Richmond-San Rafael Bridge), Transit, and BART Corridor**



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Improve SR-242, Highway 4, Transit, and eBART Corridor

4 242

RELIEVE CONGESTION AND IMPROVE ACCESS TO JOBS ALONG HIGHWAY 4 AND SR-242

CCTA is continuing its work in **easing traffic congestion**, smoothing traffic flow, and reducing travel time along Highway 4 and SR-242 with a blend of projects that may be considered:

- Improving access to jobs and support economic development along the northern waterfront
- Improving access to local key destinations, including business districts and BART stations
- Reconfiguring interchanges along SR-242
- Managing traffic flow on Highway 4 by connecting and **synchronizing traffic on freeways**, local roads, and freeway ramps
- Completing operational improvements at the I-680/Highway 4 interchange
- Addressing bottlenecks and cooling hot spots caused by high-volume weaving areas and **adding auxiliary lanes** and improving ramps between SR-242 and Bailey Road
- Providing incentives to encourage the use of transit and alternative transportation options

5th *most* **CONGESTED HIGHWAY in the Bay Area**

*Eastbound Martinez to Pittsburg**

IMPROVE LOCAL ACCESS TO HIGHWAY 4 AND BYRON AIRPORT

CCTA has developed a multipronged approach to **reducing traffic congestion and improving safety** and **travel time reliability** on the roads through and around Byron. These projects will also facilitate economic development and goods movement in East Contra Costa County. Key projects may consider:

- A new limited-access connector between Byron Highway and Vasco Road south of Camino Diablo to **improve access to Byron Airport**, making it a more useful transportation hub
- Improvements to Vasco Road and Byron Highway, and other safety improvements
- Interchange improvements along Highway 4 at Balfour Road, Marsh Creek Road, Walnut Boulevard, and Camino Diablo
- Enhancements to the Byron Airport
- Improve access to jobs and support economic development along the Northern Waterfront

These projects will include measures to prevent growth outside predefined urban limit lines, for example, prohibitions on roadway access from adjacent properties, permanent protection and/or acquisition of agricultural lands or critical habitat, and habitat conservation measures.

ADDITIONAL eBART TRAIN CARS

Trains are full with standing room only during commute hours. Funding will be considered for allocation toward **purchasing additional eBART train cars** so that trains can carry more passengers on this popular route.

**Source: Metropolitan Transportation Commission, "Vital Signs: Bay Area Freeway Locations with most Weekday Traffic Congestion, 2017" - https://mtc.ca.gov/sites/default/files/top_10_congestion_locations-2017.pdf*

SEAMLESS CONNECTED TRANSPORTATION OPTIONS

Contra Costa County's transportation system is a mix of freeways to bike paths, trains to shuttles, and many other modes in between. Providing **seamless connectivity among these many travel options** will ensure that our system can meet the future needs of our growing and aging population.

CCTA will develop guidelines and implement systems to promote connectivity between all users of the transportation network (vehicles, pedestrians, bicycles, buses, trucks, etc.) using automation technology and taking advantage of future transportation technology trends.

ENHANCE FERRY SERVICE AND COMMUTER RAIL IN EAST AND CENTRAL COUNTY

To help travelers make convenient connections between the Capitol Corridor and San Joaquin train system and the BART system, CCTA proposes to **fund new stations and improvements to existing stations** and rail facilities. Some example projects may include a new train station for the San Joaquin line and a park-and-ride lot in Oakley, new connections between the new Oakley station and Antioch eBART, and a transit connection from the Martinez Amtrak station to the North Concord BART station.

CCTA is also considering expanding ferry service between Martinez and Antioch. As more people use ferries and the passenger train, traffic congestion on Contra Costa County's roads and highways will decrease, **traffic will flow more smoothly, and air emissions will decrease**, thereby improving the County's air quality.

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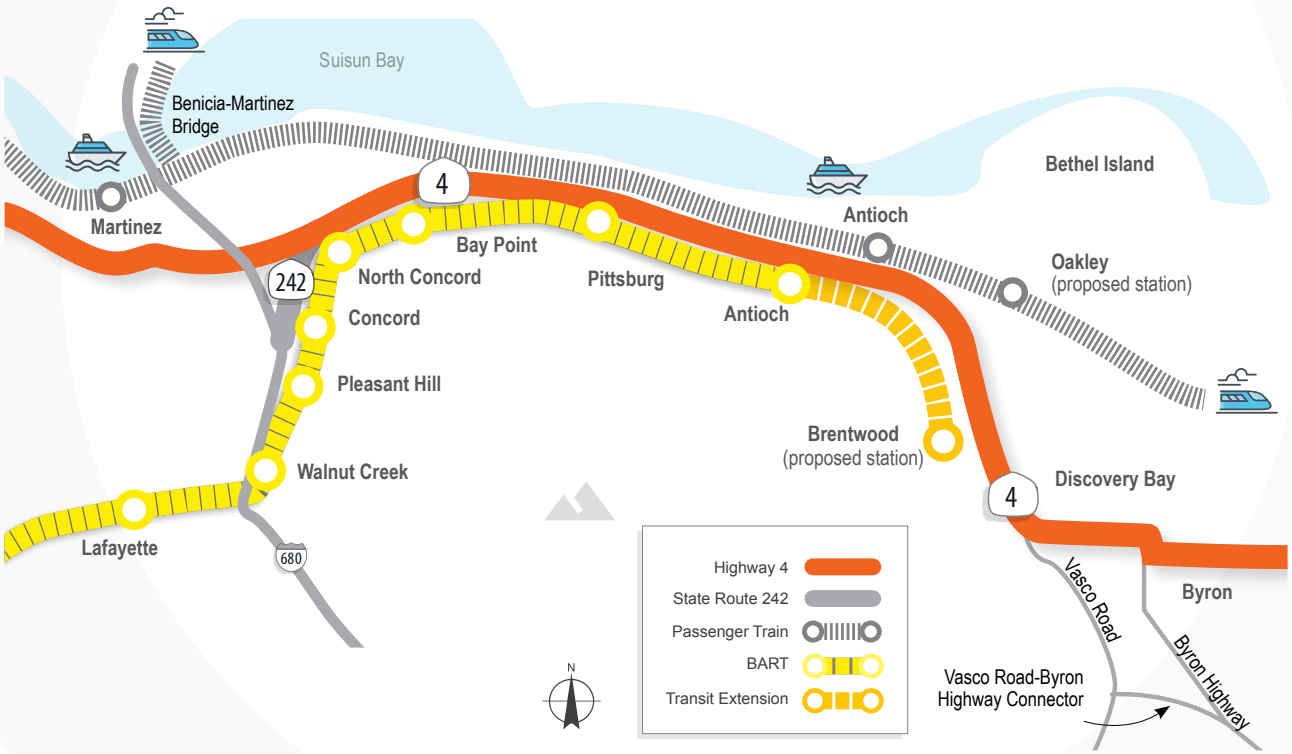
» TOTAL INVESTMENTS: $705 million



IMPROVE TRAFFIC FLOW ON MAJOR ROADS IN EAST COUNTY

CCTA is committed to relieving congestion on major roads and **implementing modern systems** that provide safe, efficient, and reliable movement of buses, vehicles, bicyclists, and pedestrians. Projects will range in size and type, and may consider the following:

- New and/or wider lanes or shoulders
- **New bicycle and pedestrian facilities**
- Installation of "smart" parking management programs
- **Traffic signal synchronization** and other innovative technologies
- Traffic calming measures and roundabouts
- Shoulders, sidewalks, curbs and gutters, and streetscapes
- Bus transit facility enhancements, such as bus turnouts and passenger amenities
- Close gaps and extend major roads to relieve congestion and improve safety

EAST COUNTY TRANSIT EXTENSION TO BRENTWOOD AND CONNECTIVITY TO TRANSIT, RAIL, AND PARKING

Expanding transit service throughout East Contra Costa County will enable more people to travel conveniently to the Antioch eBART station and other destinations served by transit. The TEP may consider funding a direct link between a new intermodal center in Brentwood to the Antioch eBART station.

Funding will also be considered to **improve transit service throughout Brentwood, Oakley, and nearby communities** via new shuttle service, bus service, and transit hubs such as a new Tri Delta park-and-ride lot to service eBART and a new Amtrak San Joaquin station in Oakley. Funding will help integrate existing transit services using new technologies, so that people have smooth and convenient connections with less wait time.

IMPROVE TRANSIT RELIABILITY ALONG SR-242, HIGHWAY 4, AND VASCO ROAD

One of CCTA's strategies to smoothing traffic along SR-242, Highway 4, and Vasco Road is to **improve and enhance transit service** to give travelers viable and convenient options to driving. When more people take transit, there will be fewer cars on the road and traffic congestion will be reduced. Possible projects that CCTA may consider:

- Increased express bus service
- Improved interchanges and local access for buses so they can utilize the highways more efficiently
- **Dedicated part-time transit lanes** to bypass congestion
- Improved transit connections between transit stations (including BART stations and ferry terminals), schools, housing, and employment centers, thereby addressing transit users' first-mile/last-mile challenges

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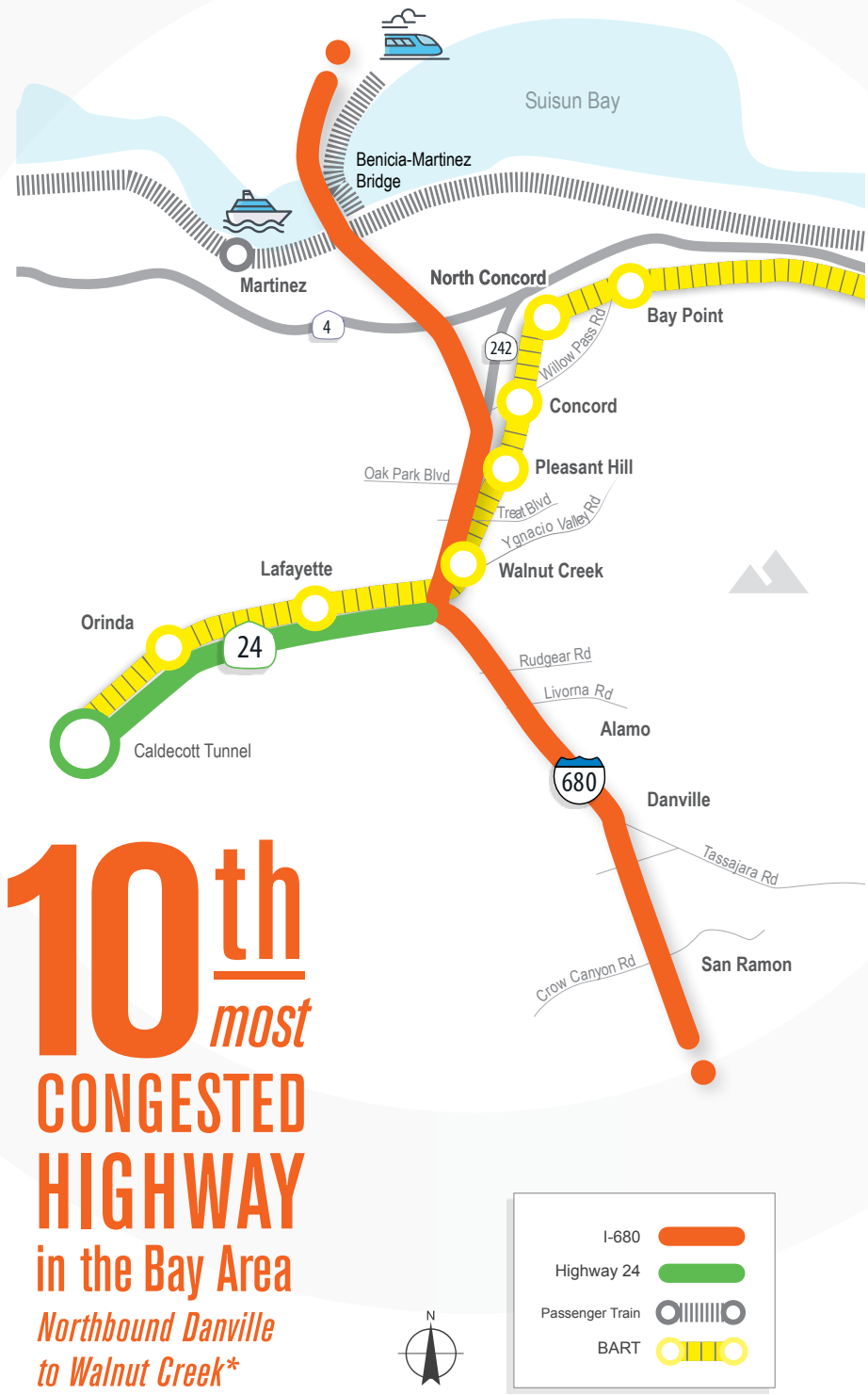
Modernize I-680, Highway 24, Transit, and BART Corridor

680

RELIEVE CONGESTION, EASE BOTTLENECKS, AND IMPROVE LOCAL ACCESS ALONG THE I-680 CORRIDOR

Improvements to the I-680 corridor will work together to address bottlenecks, **relieve traffic congestion**, smooth traffic flow, reduce travel times, **improve air quality**, and offer efficient transportation choices to all travelers. Key strategies to be considered include:

- **Complete express lanes** in both directions from Rudgear Road in Walnut Creek to the Benicia-Martinez Bridge, to provide twenty-five miles of continuous southbound express lanes and nearly continuous northbound express lanes
- Address congestion hot spots caused by high-volume weaving areas such as between Livorna Road and Treat Blvd. Additional merge lanes and ramp improvements at these locations **will provide safe merging for motorists and ease bottlenecks** that currently create chronic delays
- Implement innovative technology solutions to manage traffic flow by connecting and synchronizing traffic on local arterials, freeway ramps, and freeways
- Transform park-and-ride facilities into **shared mobility hubs** that provide multimodal transportation options and amenities to encourage transit use
- Implement transportation demand management programs to reduce single-occupancy vehicle travel
- Provide incentives for using alternative transportation options



10th most CONGESTED HIGHWAY in the Bay Area

*Northbound Danville to Walnut Creek**

**Source: Metropolitan Transportation Commission, "Vital Signs: Bay Area Freeway Locations with most Weekday Traffic Congestion, 2017" - https://mtc.ca.gov/sites/default/files/top_10_congestion_locations-2017.pdf*

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»TOTAL INVESTMENTS: $536 million

IMPROVE TRAFFIC FLOW ON MAJOR ROADS IN CENTRAL COUNTY AND LAMORINDA

CCTA is committed to relieving congestion on major roads and implementing modern systems that provide **safe, efficient, and reliable movement of buses, vehicles, bicyclists, and pedestrians.** Projects will range in size and type, and may consider the following:

- New and/or wider lanes or shoulders
- New bicycle and pedestrian facilities
- Installation of "smart" parking management programs
- Traffic signal synchronization and other innovative technologies
- Traffic calming measures and roundabouts
- Shoulders, sidewalks, curbs, gutters, and streetscapes
- Bus transit facility enhancements, such as bus turnouts and passenger amenities

24

IMPROVE TRAFFIC FLOW ON HIGHWAY 24 AND MODERNIZE THE OLD BORES OF CALDECOTT TUNNEL

CCTA has plans to improve traffic flow and access along Highway 24 in Orinda, Lafayette, and Moraga through a suite of projects that could include improving interchanges, modifying major roads to reduce highway access delays, and other congestion-reducing improvements. CCTA will also **develop transit and shared trip incentives** for drivers in lieu of single-occupant vehicle travel.

The original two-bore Caldecott Tunnel opened in 1937. CCTA will implement improvements that may include increased lighting and visibility, improved traffic alerts for crashes or stalled vehicles, and other physical or technological solutions to improve safety and help improve traffic flow in the tunnels.

IMPROVE TRANSIT RELIABLITY ALONG THE I-680 AND HIGHWAY 24 CORRIDORS

One of CCTA's strategies to smoothing traffic along the I-680 and Highway 24 corridors is to improve and **enhance transit service** to give travelers viable and convenient alternatives to driving in their vehicles. When more people take transit, there will be fewer cars on the road and traffic will be reduced. Funding may consider the following:

- Implement and increase express bus service along the I-680 and Highway 24 corridors
- Improve interchanges and local access so buses can utilize the highways more efficiently
- Provide **dedicated part-time transit lanes** to bypass congestion
- **Improve transit connections** between transit stations, schools, housing, and employment centers, thereby addressing first-mile/last-mile challenges for transit users

P

PROVIDE GREATER ACCESS TO BART STATIONS ALONG I-680 AND HIGHWAY 24

In addition to making shuttle service to and from BART more frequent, CCTA will consider allocating funding toward making **parking and access improvements** that serve BART stations, so that buses and people in vehicles—along with people arriving by walking or bicycling—can get to the station more easily and conveniently. Funding may be considered for constructing satellite parking lots with frequent direct shuttle service to BART.

SEAMLESS CONNECTED TRANSPORTATION OPTIONS

Contra Costa County's transportation system is a mix, from freeways to bike paths, trains to shuttles, and many other modes in between. **Providing seamless connectivity** among these many travel options will ensure that our system can meet the future needs of our growing and aging population.

CCTA will develop guidelines and implement systems to promote connectivity between all users of the transportation network (vehicles, pedestrians, bicycles, buses, trucks, etc.) using automation technology and **taking advantage of future transportation technology trends.**

IMPROVE TRAFFIC FLOW ON MAJOR ROADS IN SAN RAMON VALLEY

CCTA is committed to relieving congestion on major roads and implementing modern systems that provide **safe, efficient, and reliable movement of buses, vehicles, bicyclists, and pedestrians.** Projects will range in size and type, and may consider the following:

- New and/or wider lanes or shoulders
- New bicycle and pedestrian facilities
- Installation of "smart" parking management programs
- Traffic signal synchronization and other innovative technologies
- Traffic calming measures and roundabouts
- Shoulders, sidewalks, curbs, gutters, and streetscapes
- Bus transit facility enhancements, such as bus turnouts and passenger amenities

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Enhance I-80, I-580, Transit, and BART Corridor

RELIEVE CONGESTION AND IMPROVE LOCAL ACCESS ALONG THE I-80 CORRIDOR

Improvements to the I-80 corridor will address bottlenecks, relieve traffic congestion, smooth traffic flow, reduce travel times, improve air quality, and offer efficient transportation choices to all travelers. Key improvements may include:

- Several innovative strategies and operational improvements will be implemented to **reduce travel time, improve air quality, reduce weaving at interchanges,** and smooth traffic flow
- Expand intelligent transportation systems and advanced technology strategies along I-80 to **maximize system efficiency** and prepare the corridor for future advances in transportation technology
- Increase travel time reliability in the carpool lanes through cost-effective **managed lane strategies** and enforcement
- Improve and expand express transit service through the corridor
- Transform park-and-ride facilities into **shared mobility hubs** that provide multimodal transportation options and amenities to encourage transit use
- Provide incentives to encourage the use of transit and alternative transportation options.

AN ADDITIONAL

$250M

WILL BE SPENT TO INCREASE BUS SERVICES AND RELIABILITY IN WEST CONTRA COSTA COUNTY.

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» TOTAL INVESTMENTS: $243 million

IMPROVE TRAFFIC FLOW ON MAJOR ROADS IN WEST COUNTY

CCTA is committed to relieving congestion on major roads and implementing modern systems that provide safe, efficient, and reliable movement of buses, vehicles, bicyclists, and pedestrians. Projects will range in size and type, and may consider the following:

- Railroad grade separations
- New and/or wider lanes or shoulders
- **New bicycle and pedestrian facilities**
- Installation of "smart" parking management programs
- **Traffic signal synchronization** and other innovative technologies
- Traffic calming measures and roundabouts
- Shoulders, sidewalks, curbs and gutters, and streetscapes
- Bus **transit facility enhancements,** such as bus turnouts and passenger amenities

ENHANCE FERRY SERVICE AND COMMUTER RAIL IN WEST COUNTY

To help travelers make convenient connections with the Capitol Corridor and San Joaquin train systems, CCTA will consider funding **a new regional intermodal station** in Hercules, along with new or improved ferry services in Hercules with connections to the train. As more people use ferries and the train, traffic congestion on Contra Costa County's roads and highways will decrease, traffic will flow more smoothly, and air emissions will be reduced thereby improving the county's air quality.

SEAMLESS CONNECTED TRANSPORTATION OPTIONS

Contra Costa County's transportation system is a mix, from freeways to bike paths, trains to shuttles, and many other modes in between. **Providing seamless connectivity** among these many travel options will ensure that our system can meet the future needs of our growing and aging population.

CCTA will develop guidelines and implement systems to promote connectivity between all users of the transportation network (vehicles, pedestrians, bicycles, buses, trucks, etc.) using automation technology and **taking advantage of future transportation technology trends.**

IMPROVED TRAFFIC FLOW AND LOCAL ACCESS TO RICHMOND-SAN RAFAEL BRIDGE ALONG I-580 AND RICHMOND PARKWAY

CCTA plans to relieve traffic congestion and reduce traffic delays by **modernizing facilities,** expanding pedestrian and bicycling options, improving transit reliability, and encouraging the use of carpools and buses.

Specific improvements to be considered:

- **Extending the carpool lane along I-580** from the toll plaza at the Richmond-San Rafael Bridge to Central Avenue in El Cerrito
- Making improvements so that pedestrians and cyclists can better access the Richmond-San Rafael bridge, Richmond Parkway, Richmond Ferry Terminal, and Richmond BART Station
- Improving the interchange at Richmond Parkway and I-580
- **Providing incentives** for using alternative transportation options

IMPROVE TRANSIT RELIABILITY ALONG THE I-80 CORRIDOR

One of CCTA's strategies to smoothing traffic along the I-80 corridor is to improve and **enhance transit service** to give travelers viable and convenient options to driving. When more people take transit, there will be fewer cars on the road and traffic will be reduced. Funding is planned to:

- Increase express bus service along the corridor
- Improve interchanges and local access for buses so they can utilize the highways more efficiently
- Provide dedicated part-time transit lanes along I-80 to bypass congestion
- **Improve transit connections** between transit stations (including BART stations and ferry terminals), schools, housing, and employment centers, thereby addressing first-mile/last-mile challenges for transit users
- Provide incentives to travelers to use alternative transportation options

$1.98 BILLION

IMPROVING TRANSIT AND TRANSPORTATION COUNTYWIDE IN ALL OUR COMMUNITIES

The quality of roads and availability of transportation options are two major factors in making our communities great places to live, as are the availability of jobs, safety, access to parks and trails, and good clean air and water. CCTA will implement many projects throughout the county to improve our local communities and **protect Contra Costa County's environment and quality of life.**

The previous section of this TEP presented investments focused on Contra Costa County's major corridors. This section describes funding that spreads into every community, through local projects and programs that improve the County's vast transportation network.

Funding will be allocated toward improving local roads and streets to make them safer for all travelers. Smaller projects—such as removing bottlenecks, improving traffic signal operations, installing traffic calming measures, and making streetscape improvements—can make big improvements in a community's quality of life.

Funding will be allocated toward substantial investments in a **robust transit system** that provides affordable, efficient, convenient, and accessible transit to travelers throughout the county. These projects will result in cleaner, safer, and more reliable trips on BART, buses, and ferries. The transit systems will extend into parts of the county that are currently lacking frequent transit service. When more people take transit, traffic congestion on the County's roads and highways will decrease, traffic will flow more smoothly, and **air emissions will decrease**, thereby improving the county's air quality.

CCTA is committed to supporting accessible and safe transportation for all Contra Costa County residents. CCTA will allocate funding toward a wide array of **programs for students, seniors, veterans, and people with disabilities,** aimed at offering safe transportation options and improving mobility.

Projects will be subject to applicable policies as presented in the Policy Statement section.

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SOLANO COUNTY

Hercules
Martinez
Pinole
San Pablo
Pittsburg
Concord
Antioch
Oakley
Clayton
Pleasant Hill
Brentwood
El Cerrito
Orinda
Walnut Creek
Lafayette
Moraga
Danville
San Ramon

ALAMEDA COUNTY

LEGEND
Roadways
BART
Passenger Train
County Subregions

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Improving Transit and Transportation Countywide In All Our Communities

MODERNIZE LOCAL ROADS AND IMPROVE ACCESS TO JOB CENTERS AND HOUSING

Smooth, pothole-free roads, safe intersections, pleasant sidewalks, safe bike lanes, and clean air are some of the important features that make Contra Costa County a great place to live and work.

CCTA will provide funding directly to the county's cities, towns, and unincorporated areas so that they may make improvements to their own local roads, streets, and access to job centers and housing.

To ensure transparency and accountability, local agencies report annually on the amount spent on roadway maintenance, bicycle and pedestrian facilities, transit facilities, and other roadway improvements. Local agencies must also meet the requirements set forth in the Growth Management Program, Urban Limit Line Compliance Requirements, Transit Policy, Complete Streets Policy, Road Traffic Safety Policy, and other applicable policies in the Policy Statements section.

SAFE TRANSPORTATION FOR YOUTH AND STUDENTS

Drop-off and pick-up at schools often creates traffic jams on local streets and unsafe conditions for children. CCTA will allocate funds toward a wide array of transportation projects and programs for students and youth, aimed at relieving congestion, offering safe transportation options—such as walking and cycling—and improving mobility.

Funding will also be used for **reduced fare transit passes**, transit incentives, and school bus programs to encourage more youth and students to use transit to attend school and afterschool programs.

In cooperation with project sponsors in each subregion, CCTA will establish guidelines to define priorities and maximize effectiveness. The guidelines may require provisions such as operational efficiencies, performance criteria, parent contributions, and reporting requirements.

IMPROVE WALKING AND BIKING ON STREETS AND TRAILS

Numerous studies and research across many different communities have demonstrated the benefits of creating an environment where walking and bicycling are safe, comfortable, and convenient. For example, **increased walking and bicycling can improve air quality by reducing emissions and energy use** from motor vehicles, improving access by foot or bike can make transit more convenient, and regular walking and bicycling can improve people's health and reduce mortality rates and health care costs.

This TEP contains **unprecedented levels of funding to improve safety for bicyclists and pedestrians in every part of the county**—from local street improvements to trail enhancements and similar projects. Funding will be considered to implement projects in the Contra Costa Countywide Bicycle and Pedestrian Plan. CCTA will develop program guidelines for a competitive project-selection process that maximizes benefits for all users. All funding will be consistent with CCTA's Complete Streets, Road Traffic Safety, and other applicable policies.

Approximately one-fifth of the funds will be considered for allocation to the East Bay Regional Park District for the development, maintenance, and rehabilitation of paved regional trails.

REDUCE AND REVERSE COMMUTES

If people live closer to their jobs and transit, they have less need to commute long distances, thereby reducing traffic congestion, vehicle-miles traveled (VMT), and greenhouse gas (GHG) emissions. Transportation programs and projects funded out of this category will support economic development and job creation in Contra Costa County. All expenditures in this category will be used to reduce or reverse commutes.

Funding will also incentivize employers to create local jobs in housing-rich areas and to promote transit, shared trips, telecommuting, and shifting work schedules, all with the intent of reducing commuter traffic at peak commute times and better utilizing available reverse commute capacity in the existing transportation infrastructure. Funding is intended to match regional, state, or federal grants and private-sector investment to achieve maximum benefits and may be spent on other regional transportation priorities at the request of the subregion. Examples of projects that may be funded include new or upgraded rail crossings to "unlock" development potential for employment centers, rail-based goods movement improvements, bike lanes and bike facilities in business parks and on routes from transit stations and/or housing to employment centers, and other new or upgraded transportation infrastructure intended to strategically attract jobs to housing-rich areas. Transit service to new employment centers could also be funded under this category.

» TOTAL INVESTMENTS: $1.98 billion

ACCESSIBLE TRANSPORTATION FOR SENIORS, VETERANS, AND PEOPLE WITH DISABILITIES

Contra Costa County's population is aging. As people get older or become disabled and can no longer drive, they will increasingly rely on other ways to get around. Funding in this category will be used for **affordable, accessible, cost-effective, and safe countywide transportation** for seniors, disabled veterans, and other people with disabilities who, due to age or disability, cannot drive or take other transit options.

In collaboration with stakeholders, transit and non-profit service providers, CCTA will develop an Accessible Transportation Strategic Plan to implement a customer-focused, user-friendly, seamless coordinated system using these funds. The Planwill be developed based on the characteristics and abilities of all system users and identify options including traditional and beyond traditional paratransit services.

INCREASE BUS SERVICES AND RELIABILITY IN WEST CONTRA COSTA

Many people in West Contra Costa County rely on buses and transit as their primary means of travel. CCTA will focus on expanding transit services to unserved or underserved areas, along with more frequent and reliable bus service to all. Funding will be provided to public transit operators in the west subregion of Contra Costa County (including AC Transit and WestCAT) to **provide cleaner, safer, and more reliable trips on buses.** This funding will enable transit operators to improve the frequency of service, especially on high-demand routes, increase ridership and incentivize transit use by offsetting fares.

PROVIDE CONVENIENT AND RELIABLE TRANSIT SERVICES IN CENTRAL, EAST, AND SOUTHWEST CONTRA COSTA

Although BART and rail service offers backbone transit options to residents in central, southwest, and east County, many neighborhoods and communities are unserved or underserved by bus or other transit options, meaning that transit is not close enough to people who want to use it and not frequent enough to be convenient. Funding will be provided to public transit operators in the central, east, and southwest subregions to provide **cleaner, safer, and more reliable trips on buses or shuttles**. This funding will enable transit operators to improve the frequency of service, especially on high-demand routes, increase ridership, and incentivize transit use by offsetting fares.

CLEANER, SAFER BART

BART began operating in the early 1970s and its stations and station equipment are showing their age. There are eleven BART stations located in Contra Costa County.

CCTA plans to fund a suite of modernization projects at select stations to **increase safety, security, and cleanliness,** and to improve customer experience. Several projects will focus on improving reliability of fare gates and reducing fare evasion. Many of these projects are eligible for Measure RR (BART's $3.5 billion general obligation bond). CCTA will provide no more than a dollar-for-dollar match for BART projects. BART and CCTA will develop a countywide program to determine how funding is allocated, evaluated, and tracked for effectiveness. Specific funding and maintenance of effort requirements are required and identified in the Taxpayers Safeguards and Accountability Policy section.

REDUCE EMISSIONS AND IMPROVE AIR QUALITY

CCTA is a nationwide leader in sustainable, technology-enabled transportation. We integrate innovative technological solutions into Contra Costa County's transportation network to improve traffic flow and safety, reduce greenhouse gas emissions, and offer improved travel options. Technology solutions can help solve the challenges of the lack of connectivity between transportation options, resulting in reduced emissions and improved air quality. Eligible expenditures in this category include:

- Implementing the strategies developed in the 2019 Contra Costa Electric Vehicle Readiness Blueprint and subsequent updates
- Reducing transportation-related greenhouse gases through the utilization of a cleaner vehicle fleet, including alternative fuels and/or locally produced energy
- Preparing for a growing fleet of zero-emission vehicles by facilitating the installation of electric charging stations or alternative fuels
- Increasing utilization of nonautomobile types of transportation by expanding walking and biking paths and transit options
- Using demand management strategies designed to reduce congestion, increase use of nonautomobile transportation, increase occupancy of autos, manage existing infrastructure, and reduce greenhouse gas emissions
- Managing parking supply to improve availability, utilization, and to reduce congestion and greenhouse gas production

Funding is intended to match regional, state, or federal grants and private-sector investment to achieve maximum benefits. CCTA will develop and adopt guidelines for a competitive project-selection process for the use of these funds.

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POLICY STATEMENTS

The Growth Management Program (GMP)

Coupled with the Transportation Expenditure Plan (TEP) is Contra Costa's unique and well-tested program for managing growth. The overall goal of the GMP is to preserve and enhance the quality of life and promote a healthy, strong economy to benefit the people and areas of Contra Costa through a cooperative, multijurisdictional process for managing growth, while maintaining local authority over land-use decisions.[1]

The objectives of the GMP are to:

- Assure that new residential, business, and commercial growth pays for the facilities required to meet the demands resulting from that growth
- Require cooperative transportation and land-use planning among Contra Costa County, cities/towns, and transportation agencies
- Support land-use patterns within Contra Costa that make more efficient use of the transportation system, consistent with the General Plans of local jurisdictions
- Support infill and redevelopment in existing urban and brownfield areas

The Measure J GMP, which includes Principles of Agreement for Establishing the Urban Limit Line (ULL), is augmented and superseded by this 2020 TEP.

1. The Authority will, to the extent possible, attempt to harmonize the GMP and the State-mandated Congestion Management Program (CMPs). To the extent they conflict, CMP activities shall take precedence over the GMP activities.

COMPONENTS

To receive its share of funding from the following categories:

- 2020 TEP Modernize Local Roads & Improve Access to Job Centers and Housing
- Measure J Local Streets Maintenance & Improvements
- Measure J Transportation for Livable Communities (TLC)

each jurisdiction must:

1. **Adopt a Growth Management Element (GME)**
   Each jurisdiction must adopt, or maintain in place, a GME as part of its General Plan that outlines the jurisdiction's goals and policies for managing growth and requirements for achieving those goals. The GME must show how the jurisdiction will comply with sections 2–9 below. The Contra Costa Transportation Authority (Authority) will refine its model GME and administrative procedures in consultation with the Regional Transportation Planning Committees (RTPCs) to reflect the revised GMP.

   Each jurisdiction is encouraged to incorporate other standards and procedures into its GME to support the objectives and required components of this GMP.

2. **Adopt a Development Mitigation Program**
   Each jurisdiction must adopt, or maintain in place, a Development Mitigation Program to ensure that new growth is paying its share of the costs associated with that growth. This program shall consist of both a local program to mitigate impacts on local streets and other facilities, and a regional program to fund regional and subregional transportation projects, consistent with the Countywide Transportation Plan (CTP).

   The jurisdiction's local Development Mitigation Program shall ensure that revenue provided from this measure shall not be used to replace private developer funding that has or would have been committed to any project.

   The regional Development Mitigation Program shall establish fees, exactions, assessments, or other mitigation measures to fund regional or subregional transportation improvements needed to mitigate the impacts of planned or forecast development. Regional mitigation programs may adjust such fees, exactions, assessments or other mitigation measures when developments are within walking distance of frequent transit service or are part of a mixed-use development of sufficient density and with necessary facilities to support greater levels of walking and bicycling.

   Each RTPC shall develop the regional Development Mitigation Program for its region, taking account of planned and forecast growth and the Multimodal Transportation Service Objectives (MTSOs) and actions to achieve them established in the Action Plans for Routes of Regional Significance. RTPCs may use existing regional mitigation programs, if consistent with this section, to comply with the GMP.

3. **Address Housing Options**
   Each jurisdiction shall demonstrate reasonable progress in providing housing opportunities for all income levels as part of a report on the implementation of the actions outlined in its adopted Housing Element. The report will demonstrate progress by one of the following:

   a. Comparing the number of housing units approved, constructed, or occupied within the jurisdiction over the preceding five years with the average number of units needed each year to meet the housing objectives established in the jurisdiction's Housing Element

   b. Illustrating how the jurisdiction has adequately planned to meet the existing and projected housing needs through the adoption of land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development

   c. Illustrating how a jurisdiction's General Plan and zoning regulations facilitate the improvement and development of sufficient housing to meet those objectives

   Jurisdictions will provide prepared reports regarding the production and preservation of affordable units as provided for in the Annual Housing Elements Progress Report and subsequent reports.

   Each jurisdiction shall demonstrate meaningful progress in preserving existing affordable units for lower-income residents by adopting and implementing locally appropriate antidisplacement and affordable housing policies, for example, preservation of affordable housing, density bonus ordinance and/or inclusionary zoning, to support community stabilization.

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Jurisdictions are subject to California's Surplus Land Act, which includes the disposition of surplus land, and each jurisdiction will affirm whether it complies with the surplus Land Act and whether it maintains an inventory of all public land in its jurisdiction that adheres to applicable Surplus Land Act and Government Code 50569 requirements and makes the inventory available to the public.

Each jurisdiction will indicate whether it adheres to applicable local, state, or federal policies or laws regarding tenant protection and whether it has prepared the reports required by such polices or laws and made the reports available to the public.

In addition, each jurisdiction shall consider the impacts that its land use and development policies have on the local, regional, and countywide transportation system, including the level of transportation capacity that can reasonably be provided, and shall incorporate policies and standards into its development approval process that support transit, bicycle, and pedestrian access in new developments.

4. **Participate in an Ongoing Cooperative, Multijurisdictional Planning Process**
   Each jurisdiction shall participate in an ongoing process with other jurisdictions and agencies, the RTPCs and the Authority to create a balanced, safe, and efficient transportation system and to manage the impacts of growth. Jurisdictions shall work with the RTPCs to:

   a. Identify Routes of Regional Significance and MTSOs or other tools adopted by the Authority for measuring performance and quality of service along routes of significance—collectively referred to as MTSOs—for those routes and actions for achieving those objectives

   b. Apply the Authority's travel demand model and technical procedures to the analysis of General Plan Amendments and developments exceeding specified thresholds for their effect on the regional transportation system, including on Action Plan objectives

   c. Create the Development Mitigation Programs outlined in section 2 above

   d. Help develop other plans, programs, and studies to address other transportation and growth management issues

   In consultation with the RTPCs, each jurisdiction will use the travel demand model to evaluate changes to local General Plans and the impacts of major development projects for their effects on the local and regional transportation system and the ability to achieve the MTSOs established in the Action Plans.

   Jurisdictions shall also participate in the Authority's ongoing countywide comprehensive transportation planning process. As part of this process, the Authority shall support countywide and subregional planning efforts, including the Action Plans for Routes of Regional Significance, and shall maintain a travel demand model. Jurisdictions shall help maintain the Authority's travel demand modeling system by providing information on proposed improvements to the transportation system and planned and approved development within the jurisdiction.

5. **Continuously Comply with an Urban Limit Line (ULL)**
   To be found in compliance with this element of the Authority's GMP, all jurisdictions must continually comply with an applicable voter approved ULL. Said ULL may either be the Contra Costa County voter approved ULL (County ULL) or a locally initiated, voter approved ULL (LV-ULL).

   Additional information and detailed compliance requirements for the ULL are fully defined in the ULL Compliance Requirements, which are incorporated herein.

   Either of the following actions by a local jurisdiction will constitute noncompliance with the GMP:

   a. The submittal of an annexation request to the Local Agency Formation Commission (LAFCO) for lands outside of a jurisdiction's applicable ULL.

   b. Failure to conform to the Authority's ULL Compliance Requirements.

6. **Develop a Five-Year Capital Improvement Program (CIP)**
   Each jurisdiction shall prepare and maintain a CIP that outlines the capital projects needed to implement the goals and policies of the jurisdiction's General Plan for at least the following five-year period. The CIP shall include approved projects and an analysis of the costs of the proposed projects as well as a financial plan for providing the improvements. The jurisdiction shall forward the transportation component of its CIP to the Authority for incorporation into the Authority's database of transportation projects.

7. **Adopt a Transportation Systems Management (TSM) Ordinance or Resolution**
   To promote carpools, vanpools, and park-and-ride lots, each jurisdiction shall adopt a local ordinance or resolution that conforms to the model TSM ordinance that the Authority has drafted and adopted. Upon approval of the Authority, cities/towns with a small employment base may adopt alternative mitigation measures in lieu of a TSM ordinance or resolution.

8. **Adopt Additional Growth Management Policies, as applicable**
   Each jurisdiction shall adopt and thereafter continuously maintain the following policies (where applicable):

   a. Hillside Development Policy
   b. Ridgeline Protection Policy
   c. Wildlife Corridor Policy
   d. Creek Development Policy

   Where a jurisdiction does not have a developable hillside, ridgeline, wildlife corridor, or creek, it need not adopt the corresponding policy. An ordinance that implements the East Contra Costa Habitat Conservation Plan (HCP)/Natural Community Preservation Plan Act (NCCP) shall satisfy the requirement to have an adopted Wildlife Corridor Policy and Creek Development Policy. In addition to the above, jurisdictions with Prime Farmland and Farmland of Statewide Importance (Prime/Statewide)—as defined by the California Department of Conservation and mapped by the Farmland Mapping and Monitoring Program—within their planning areas but outside of their city/town shall adopt and thereafter continuously maintain an Agricultural Protection Policy. The policy must ensure that potential impacts of converting Prime/Statewide outside the ULL to other uses are identified and disclosed when considering such a conversion. The applicable policies are required to be in place by no later than July 1, 2022.

9. **Adopt a Complete Streets Policy and Vision Zero Policy**
   Each jurisdiction shall adopt a Complete Streets Policy, consistent with the California Complete Streets Act of 2008 (AB 1358) and with the Authority's Complete Streets Policy, which accommodates all users of travel modes in the public right-of-way. Each jurisdiction shall also adopt a Vision Zero Policy that substantially complies with the Authority's Model Vision Zero Policy and reflects best practices for street design elements and programs to mitigate human error and quantifiably improve the traffic safety of all users in the planning, design, and construction of projects funded with Measure funds. Jurisdictions shall document their level of effort to implement these policies, including during requests for funding, peer review of project design, and as part of the newly added compliance requirement in the biennial GMP Checklist.

ALLOCATION OF FUNDS

Portions of the monies received from the retail transaction and use tax will be returned to the local jurisdictions (the cities/towns and County) for use on local, subregional, and/or regional transportation improvements and maintenance projects. Receipt of all such funds requires compliance with the GMP and the allocation procedures described below. The funds are to be distributed on a formula based on population and road miles.

Each jurisdiction shall demonstrate its compliance with all of the components of the GMP in a completed compliance checklist. The jurisdiction shall submit, and the Authority shall review and make findings regarding the jurisdiction's compliance with the requirements of the GMP, consistent with the Authority's adopted policies and procedures.

If the Authority determines that the jurisdiction complies with the requirements of the GMP, it shall allocate to the jurisdiction its share of 2020 TEP funding from the Modernize Local Roads & Improve Access to Job Centers and Housing category and its share of Measure J Local Streets Maintenance & Improvements funding. Jurisdictions may use funds allocated under this provision to comply with these administrative requirements.

If the Authority determines that the jurisdiction does not comply with the requirements of the GMP, the Authority shall withhold funds and also make a finding that the jurisdiction shall not be eligible to receive Measure J TLC funds until the Authority determines that the jurisdiction has achieved compliance. The Authority's findings of noncompliance may set deadlines and conditions for achieving compliance.

Withholding of funds, reinstatement of compliance, reallocation of funds, and treatment of unallocated funds shall be as established in adopted Authority policies and procedures.

Urban Limit Line (ULL) Compliance Requirements

Definitions—the following definitions apply to the GMP ULL requirement:

1. **Urban Limit Line (ULL):**
   A ULL, urban growth boundary, or other equivalent physical boundary judged by the Authority to clearly identify the physical limits of the local jurisdiction's future urban development.
2. **Local Jurisdictions:**
   Includes Contra Costa County, the 19 cities and towns within Contra Costa, plus any newly incorporated cities or towns established after July 1, 2020.
3. **County ULL:**
   County ULL: A ULL placed on the ballot by the Contra Costa County Board of Supervisors, approved by voters at a countywide election, and in effect through the applicable GMP compliance period. The current County ULL was established by Measure L and approved by voters in 2006.

   The following local jurisdictions have adopted the County ULL as their applicable ULL:

City of Brentwood	Town of Moraga
City of Clayton	City of Oakley
City of Concord	City of Orinda
Town of Danville	City of Pinole
City of El Cerrito	City of Pleasant Hill
City of Hercules	City of Richmond
City of Lafayette	City of San Pablo
City of Martinez	City of Walnut Creek
4. **Local Voter ULL (LV-ULL):**
   Local Voter ULL (LV-ULL): A ULL or equivalent measure placed on the local jurisdiction ballot, approved by the jurisdiction's voters, and recognized by action of the local jurisdiction's legislative body as its applicable, voter-approved ULL. The LV-ULL will be used as of its effective date to meet the Authority's GMP ULL requirement and must be in effect through the applicable GMP compliance period.

   The following local jurisdictions have adopted a LV-ULL:

City of Antioch	City of Pittsburg
City of San Ramon	
5. **Minor Adjustment:**
   An adjustment to the ULL of 30 acres or less is intended to address unanticipated circumstances.
6. **Other Adjustments:**
   Other adjustments that address issues of unconstitutional takings and conformance to state and federal law.

REVISIONS TO THE ULL

1. A local jurisdiction that has adopted the County ULL as its applicable ULL may revise its ULL with local voter approval at any time during the term of the Authority's GMP by adopting a LV-ULL in accordance with the requirements outlined for a LV-ULL contained in the definitions section.
2. A local jurisdiction may revise its LV-ULL with local voter approval at any time during the term of the Authority's GMP if the resultant ULL meets the requirements outlined for a LV-ULL contained in the definitions section.
3. If voters, through a countywide ballot measure, approve a revision to the County ULL, the legislative body of each local jurisdiction relying on the County ULL shall:

   a. Accept and approve its existing ULL to continue as its applicable ULL, or

   b. Accept and approve the revised County ULL as its applicable ULL, or

   c. Adopt a LV-ULL in accordance with the requirements outlined for a LV-ULL contained in the definitions section

   However, if any Countywide measure to approve a revision to the County ULL fails, then the legislative body of each local jurisdiction relying on the prior County ULL may accept and approve the existing County ULL.
4. Local jurisdictions may, without voter approval, enact Minor Adjustments to their applicable ULL subject to a vote of at least 4/5 of the jurisdiction's legislative body and meeting the following requirements:

   a. Minor adjustment shall not exceed 30 acres.

   b. Adoption of at least one of the findings listed in the County's Measure L (§82-1.018 of County Ordinances 200606 § 3, 91-1 § 2, 90-66 § 4), which include:

- A natural or man-made disaster or public emergency has occurred that warrants the provision of housing and/or other community needs within land located outside the ULL
- An objective study has determined that the ULL is preventing the jurisdiction from providing its fair share of affordable housing or regional housing, as required by state law, and the governing elected legislative body finds that a change to the ULL is necessary and is the only feasible means to enable the County jurisdiction to meet these requirements of state law
- A majority of the cities/towns that are party to a preservation agreement and the County have approved a change to the ULL affecting all or any portion of the land covered by the preservation agreement
- A minor change to the ULL will more accurately reflect topographical characteristics or legal boundaries
- A five-year cyclical review of the ULL has determined, based on the criteria and factors for establishing the ULL set forth in Contra Costa County Code (Section 82-1.010), that new information is available (from city/town, County growth management studies, or otherwise) or circumstances have changed, warranting a change to the ULL
- An objective study has determined that a change to the ULL is necessary or desirable to further the economic viability of the East Contra Costa County Airport, and either (i) mitigate adverse aviation-related environmental or community impacts attributable to Buchanan Field, or (ii) further the County's aviation related needs
- A change is required to conform to applicable California or Federal law

c. Adoption of a finding that the proposed Minor Adjustment will have a public benefit. Said public benefit could include, but is not necessarily limited to, enhanced mobility of people or goods, environmental protections or enhancements, improved air quality or land use, enhanced public safety or security, housing or jobs, infrastructure preservation, or other significant positive community effects as defined by the local land use authority. If the proposed Minor Adjustment to the ULL is proposed to accommodate housing or commercial development, said proposal must include permanent environmental protections or enhancements, such as the permanent protection of agricultural lands, the dedication of open space or the establishment of permanent conservation easements.

d. The Minor Adjustment is not contiguous to one or more non-voter approved Minor Adjustments that in total exceeds 30 acres.

e. The Minor Adjustment does not create a pocket of land outside the existing ULL, specifically to avoid the possibility of a jurisdiction wanting to fill in that land subsequently through separate adjustments.

f. Any jurisdiction proposing to process a Minor Adjustment to its applicable ULL that impacts FMMP is required to have an adopted Agricultural Protection Ordinance or must demonstrate how the loss of these agricultural lands will be mitigated by permanently protecting farmland.

5. A local jurisdiction may revise its LV-ULL, and the County may revise the County ULL, to address issues of unconstitutional takings or conformance to State or Federal law.

CONDITIONS OF COMPLIANCE

1. Submittal of an annexation request by a local jurisdiction to LAFCO outside of an approved ULL will constitute non-compliance with the GMP.
2. For each jurisdiction, an applicable ULL shall be in place through each GMP compliance reporting period for the local jurisdiction to be found in compliance with the GMP requirements.
3. Submittal of an annexation request for land outside an approved ULL by a third party to LAFCO will constitute noncompliance with the GMP, if the local jurisdiction: (1) submits a "will serve" letter to LAFCO. A "will serve" letter determines the applicant's ability and willingness to serve the subject area and any further development, (2) utilizes an existing applicable tax sharing agreement, and/or (3) enters into a new tax sharing agreement for the annexation request.

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Transit Policy

VISION

This Transportation Expenditure Plan (TEP) envisions a transportation system that provides reliable, safe, comfortable and convenient access for all users of the transportation system, regardless of mode choice and travel characteristics. The TEP further envisions a public transit system that provides convenient, safe, affordable, and reliable service and which offers an attractive alternative to private automobile usage. The Transit Policy Vision includes the infrastructure needed to accommodate a more robust transportation system for Contra Costa County that promotes greater use of transit and other shared mobility alternatives by prioritizing the movement of people rather than single-occupancy vehicles across the network. The TEP aims to improve transit countywide and reduce commute travel times, deliver more frequent and reliable service, expand transit service areas, and provide better connections to and from transit by various modes of mobility options. Improving the coordination among transit operators and integrating the existing transit systems with new technological tools and platforms to enhance customer access and experience should increase the share of residents and employees who choose public transit. Doing so will reduce congestion, improve air quality, and accommodate a growing population.

To achieve this vision, the TEP allocates more than one-half of the expected sales tax revenue to Transit and Alternative Modes and approximately one-quarter for local road improvements. To provide the maximum benefits to Contra Costa residents, the Contra Costa Transportation Authority (Authority) adopts the following policies and principles for use of transit funds authorized in the TEP:

POLICY

1. The Policy shall promote Transit First and guide the development of an Integrated Transit Plan (ITP). In the context of this Policy, Transit First considers the following to provide a seamless and integrated transportation system:

   a. Decisions regarding the use of limited public street and sidewalk space shall prioritize the use of public rights-of-way by pedestrians, bicyclists, and public transit, and shall strive to reduce traffic and improve public health and safety.

   b. Transit-priority improvements, such as designated transit lanes and streets and improved signalization, shall be made to expedite the movement of public transit vehicles and to improve safety for people who bike and walk.

   c. Pedestrian areas shall be enhanced wherever possible to improve the safety and comfort of pedestrians and to encourage travel by foot.

   d. Bicycling shall be promoted by encouraging safe streets for riding, providing convenient access to transit, and increasing the availability of bicycle lanes and secure bicycle parking.

   e. Parking policies for areas well served by public transit shall be designed to encourage travel by public transit and alternative transportation.

   f. The ability to reduce traffic congestion depends on the adequacy of regional public transportation. The cities/towns and County shall promote the use of transit and the continued development of an integrated and reliable regional public transportation system.

   g. The cities/towns and County shall encourage innovative solutions to meet public transportation needs wherever possible.

2. All transit operators that receive funding from the TEP shall participate in the development of an ITP to identify how to utilize funding to better coordinate and integrate transit services countywide. The ITP should guide how the TEP funding dedicated to Transit and Alternative Modes categories can be used to implement the Transit Policy Vision:

   a. The ITP will be developed and managed under the leadership of the Authority and the County's transit operators. The Authority and the transit operators shall coordinate with transportation service providers in Contra Costa to inform the development of the ITP. Transit operators shall consult with the Regional Transportation Planning Committees (RTPCs) in developing the ITP.

   b. The ITP will focus on delivering a streamlined and unified experience for the customer across all modes

and transit operators should identify transit service investments (i.e., new routes, service hours, frequency), capital projects/assets (i.e., transit centers, bus stops, stop amenities, vehicles), and transit priority measures (i.e., transit signal priority, bus lanes, queue jumps) to be funded from the TEP.

c. The ITP shall demonstrate reduction in vehicle-miles traveled (VMT) per capita and greenhouse gas (GHG) emissions to meet the Authority's countywide goals. Transit service investments, capital projects/assets, and transit priority measures to be funded from the TEP shall reduce VMT and GHG emissions or participate in the VMT Mitigation Program.

d. Prioritization for TEP funding should consider projects that can leverage other state, federal, or local funding.

e. The ITP shall be updated at least every five years to address new technology opportunities, any changes in demand, and other conditions.

3. Transit operators in Contra Costa County shall incorporate the findings and recommendations of the ITP pertinent to each operator's service area into their respective Short-Range Transit Plans (SRTP). The SRTPs shall be reviewed for consistency with the ITP associated with this TEP.

4. Allocations pursuant to this TEP will be made in support of the recommendations in the ITP. Any recommendations in the ITP shall include performance measures to achieve continued funding.

5. The Authority expects transit operating funds from the TEP to be used to support the vision of this policy. In the event that TEP funds must be used to support other transit services as a result of reduction of operating funds from other sources or due to other financial concerns, the transit operator shall update its SRTP and submit to the Authority.

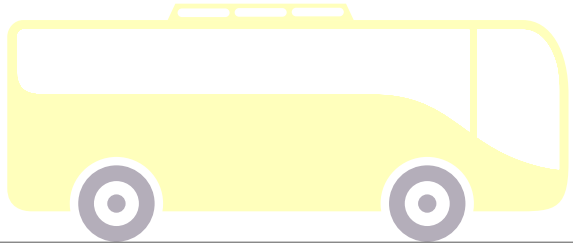
6. The Authority expects that public agencies and transit operators leverage new and emerging technologies to improve service and to address first-mile/last-mile connections between transit stops and other traveler destinations. These technologies may include, but not be limited to, ride hailing partnerships, autonomous shuttles, shared mobility (bikes, scooters, cars), and mobility-on-demand platforms that best fit within each transit operator's service area. The ITP should address how these technology services function within and among service boundaries and provide a seamless experience countywide for customers.

7. The Authority expects that recipients of TEP funding create, analyze, and seize opportunities for fare and schedule integration among transit operators and any technology services adopted. Focus should be placed on reducing inconveniences associated with transferring between services and on having a cost-effective, universally accepted digital payment method. The ITP should address how Contra Costa transit operators can maximize benefits of fare payment and schedule integration while acknowledging current efforts by various agencies to achieve the same goal.

8. The Authority will not fund construction of any transit capital improvement until the project sponsor demonstrates how the project would increase ridership and/or decrease VMT. Funding for planning and design—including demonstration pilots—is not subject to this requirement.

9. All recipients of funding through this TEP shall consider and accommodate, wherever possible, the principles of Transit First in the planning, design, construction, reconstruction, rehabilitation, and maintenance of the transportation system.

10. All transit operators that receive funding from the TEP shall report how received funding benefits Communities of Concern and low-income residents in their jurisdictions and service areas. The ITP should ensure proportionally greater benefits to Communities of Concern and low-income residents.



Complete Streets Policy

VISION

This Plan envisions a transportation system and infrastructure in which each component provides safe, comfortable, and convenient access for users of all ages and abilities. These users include pedestrians, bicyclists, transit riders, automobile drivers, taxis, Transportation Network Companies (TNCs) and their passengers, and truckers as well as people of varying abilities, including children, seniors, people with disabilities, and able-bodied adults. The goal of every transportation project is to provide safer, more accessible facilities for all users. All projects shall be planned, designed, constructed, and operated to prioritize users' life safety and accommodate the Complete Streets concept.

By making streets more efficient and safer for all users, a Complete Streets approach will expand capacity and improve mobility for all users, giving commuters convenient options for travel and minimizing the need to widen roadways.

POLICY

To achieve this vision, all recipients of funding through this Plan shall consider and accommodate, wherever possible and subject to the exceptions listed in this Policy, the needs of all users in the planning, design, construction, reconstruction, rehabilitation, and maintenance of the transportation system. This determination shall be consistent with the exceptions listed below. Achieving this vision will require balancing the needs of different users and may require reallocating existing rights-of-way (ROW) for different uses.

The Authority shall revise its project development guidelines to require the consideration and accommodation of all users in the design and construction of projects funded with measure funds and shall adopt peer review and design standards to implement that approach. The guidelines will allow flexibility in responding to the context of each project and the needs of users specific to the project's context and will build on accepted best practices for complete streets and context-sensitive design.

To ensure that this policy is carried out, the Authority shall prepare a checklist that project sponsors using measure funds must submit. This checklist will document how the needs of all users were considered and how they were accommodated in the design and construction of the project. In the checklist, the sponsor will outline how they provided opportunity for public input, in a public forum, from all users early in the project development and design process. This includes regular public review of agency repaving programs. If the proposed project or program will not provide context-appropriate conditions for all users, the sponsor shall document the reasons why in the checklist, consistent with the following section on "exceptions" below. The completed checklist shall be made part of the approval of programming of funding for the project or the funding allocation resolution.

Recipients of 2020 TEP funding for the Modernize Local Roads and Improve Access to Job Centers and Housing category and Measure J TEP Funding from Local Maintenance and Improvements shall adopt procedures that ensure that all agency departments consider and accommodate the needs of all users for projects or programs affecting public ROW for which the agency is responsible. These procedures shall:

1. Be consistent with the California Complete Streets Act of 2008 (AB 1358)
2. Be consistent with and be designed to implement each agency's General Plan Policies once that plan has been updated to comply with the California Complete Streets Act of 2008 and the Authority's Complete Streets Policy
3. Involve and coordinate the work of all agency departments and staff whose projects will affect the public ROW
4. Meet or exceed the Complete Street design standards adopted by the Authority
5. Be consistent with the adopted Local Jurisdiction Complete Streets Policy and Authority's Complete Street Policy herein
6. Promote proactive data collection and traffic system monitoring using next generation technology, such as advance detection systems
7. Provide opportunity for public review by all potential users early in the project development and design phase so that options can be fully considered. This review could be done through an advisory committee such as a Bicycle and Pedestrian Advisory Committee or as part of the review of the agency's CIP

As part of their biennial GMP checklist, agencies shall list projects funded by the Measure and detail how those projects accommodated users of all modes by applying Transit, Complete Streets, and Vision Zero Policies.

As part of the multijurisdictional planning required by the GMP, agencies shall work with the Authority and the RTPCs to harmonize the planning, design, and construction of transportation facilities for all modes within their jurisdiction with the plans of adjoining and connecting jurisdictions.

EXCEPTIONS

Project sponsors may provide a lesser accommodation or forgo Complete Street accommodation components when the public works director or equivalent agency official finds that:

1. Pedestrians, bicyclists, or other users are prohibited by law from using the transportation facility
2. The cost of new accommodation would be excessively disproportionate to the need or probable use. If meeting adopted design standards is cost prohibitive, the proposed project improvements should be phased, or a more cost-effective solution should be provided
3. The sponsor demonstrates that such accommodation is not needed based on objective factors including:
   a. Current and projected user demand for all modes based on current and future land use
   b. Lack of identified conflicts, both existing and potential, between modes of travel

Project sponsors shall explicitly approve exception findings as part of the approval of any project using measure funds to improve streets classified as a major collector or above.[1] Prior to this project, sponsors must provide an opportunity for public input at an approval body (that regularly considers design issues) and/or the governing board of the project sponsor.

[1] *Major Collectors and above, as defined by the California Department of Transportation (Caltrans) California Road System (CRS) map.*

Advance Mitigation Program

The Authority is committed to participate in the creation and funding of an Advance Mitigation Program (AMP) as an innovative way to advance needed infrastructure projects more efficiently and provide more effective conservation of our natural resources, watersheds and wetlands, and agricultural lands. As a global biodiversity hot spot, the Bay Area and Contra Costa County host an extraordinarily rich array of valuable natural communities and ecosystems that provides habitat for rare plants and wildlife and supports residents' health and quality of life by providing clean drinking water, clean air, opportunities for outdoor recreation, adaptation to climate change, and protection from disasters like flooding and landslides.

Assembly Bill No. 2087 (AB 2087) outlines a program for informing science-based, nonbinding, and voluntary conservation actions and habitat enhancement actions that would advance the conservation of focal species, natural communities, and other conservation elements at a regional scale. The AMP used AB 2087 and subsequent guidance to integrate conservation into infrastructure agencies' plans and project development well in advance and on a regional scale to reduce potential impacts of transportation projects, as well as to drive mitigation dollars to protect regional conservation priorities and protect important ecological functions, watersheds and wetlands, and agricultural lands that are at threat of loss. The AMP will provide environmental mitigation activities specifically required under the California Environmental Quality Act of 1970 (CEQA), National Environmental Policy Act of 1969 (NEPA), Clean Water Act Section 401 and Section 404, and other applicable regulations in the implementation of the major highway, transit, and regional arterial and local streets and roads projects identified in the Plan. Senate Bill 1 (SB 1) (2017) created the AMP at Caltrans to enhance opportunities for the department to work with stakeholders to identify important project mitigation early in the project development process and improve environmental outcomes by mitigating the effects of transportation projects. The Authority's AMP compliments advance mitigation funding from SB 1.

The Authority's participation in an AMP is subject to the following conditions:

1. Development and approval of a Regional Conservation Investment Strategy (RCIS) that identifies conservation priorities and mitigation opportunities for all of Contra Costa County. The RCIS established conservation goals and includes

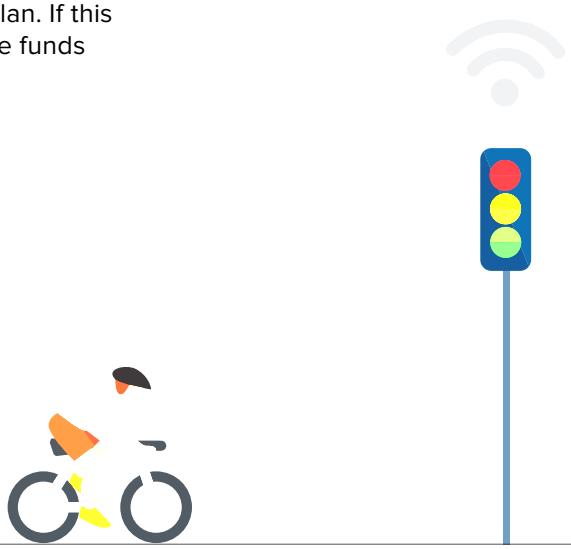
countywide opportunities and strategies that are, among other requirements, consistent with and that support the East Contra Costa Habitat Conservation Plan (HCP)/Natural Community Preservation Plan Act (NCCP). The RCIS will identify mitigation opportunities for all areas of the County to ensure that mitigation occurs in the vicinity of the project impact to the greatest extent possible. The Authority will review and approve the RCIS, in consultation with the RTPCs, prior to the allocation of funds for the AMP.

2. Development of a Project Impacts Assessment (PIA) that identifies the portfolio of projects to be included in the Advance Mitigation Program and the estimated costs for mitigation of the environmental impacts of the projects. The Authority will review and approve the PIA prior to the allocation of funds for the AMP. The PIA and estimated costs do not in any way limit the amount of mitigation that may be necessary or undertaken for the environmental impacts of the projects.
3. Development of the legislative and regulatory framework necessary to implement an AMP in Contra Costa County.
4. The identification of the Implementing Agency to administer the AMP for Contra Costa County or portions of the Bay Area, including Contra Costa County.

The Authority will determine the amount of funds to be dedicated to this program following the satisfaction of the above conditions. Funds from the Plan will be allocated consistent with the Regional Conservation Assessment/Framework to fund environmental mitigation activities required in the implementation of the major highway, transit and regional arterial and local streets and roads projects identified in the Plan. If this approach cannot be fully implemented, these funds shall be used for environmental mitigation purposes on a project-by-project basis. Mitigation required for future transportation improvements identified in the Plan are not limited by the availability of funding or mitigation credits available in the Program.

All projects funded from the TEP are eligible for inclusion in the AMP. Note that some projects are within the East Contra Costa County HCP/NCCP. The AMP provides an opportunity to meet species mitigation needs on projects that cannot be met by East Contra Costa County HCP/NCCP.

Pursuant to Senate Bill No. 743, which reformed the process for California Environmental Quality Act (CEQA) review of transportation impacts to align with greenhouse gas emissions reduction goals, the Governor's Office of Planning and Research (OPR) identified vehicle-miles traveled (VMT) as the key metric to measure transportation impacts under CEQA. As a result, projects will be expected to demonstrate a reduction in VMT to meet the Authority's goal to reduce VMT per capita and GHG emissions countywide. The Authority will begin development of an innovative countywide program to identify a broad portfolio of mitigation measures that will be funded through aggregation of funds and deployed to support top-priority VMT reducing projects and strategies throughout the County. The VMT Mitigation Program will consider the structure of the program, legal framework to comply with CEQA and Mitigation Fee Act, and program design, such as project selection and prioritization, measurement, evaluation, verification, reporting, equity, and monitoring. The amount of VMT mitigated will be for the planning horizon for each project.



Taxpayer Safeguards and Accountability Policy

GOVERNING STRUCTURE

Governing Body and Administration

The Authority is governed by a Board composed of 11 members, all elected officials, with the following representation:

- Two members from the Central County Regional Transportation Planning Commission (RTPC), also referred to as Transportation Partnership and Cooperation (TRANSPAC)
- Two members from the East County RTPC, also referred to as East County Transportation Planning Committee (TRANSPLAN)
- Two members from the Southwest County RTPC, also referred to as Southwest Area Transportation Committee (SWAT)
- Two members from the West County RTPC, also referred to as West County Contra Costa County Transportation Advisory Committee (WCCTAC)
- One member from the Conference of Mayors
- Two members from the Board of Supervisors

The Authority Board also includes three (3) ex officio, non-voting members that are appointed by the MTC, BART, and the Public Transit Operators in Contra Costa County.

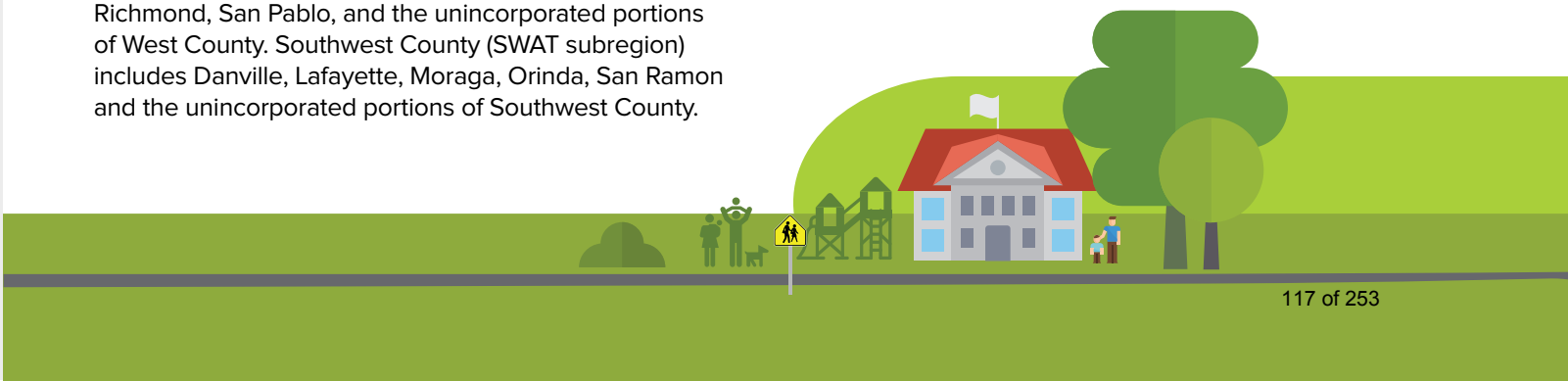
The four subregions within Contra Costa—Central, West, Southwest and East County—are each represented by a Regional Transportation Planning Commission (RTPC). Central County (TRANSPAC subregion) includes Clayton, Concord, Martinez, Pleasant Hill, Walnut Creek, and the unincorporated portions of Central County. West County (WCCTAC subregion) includes El Cerrito, Hercules, Pinole, Richmond, San Pablo, and the unincorporated portions of West County. Southwest County (SWAT subregion) includes Danville, Lafayette, Moraga, Orinda, San Ramon and the unincorporated portions of Southwest County. East County (TRANSPLAN subregion) includes Antioch, Brentwood, Oakley, Pittsburg, and the unincorporated portions of East County.

Public Oversight Committee

The Public Oversight Committee (POC) shall provide diligent, independent, and public oversight of all expenditures of Measure funds by Authority or recipient agencies (County, cities/towns, transit operators, etc.). The POC will report to the public and focus its oversight on the following:

- Review of allocation and expenditure of Measure funds to ensure that all funds are used consistent with the Measure
- Review of fiscal audits of Measure expenditures
- Review of performance audits of projects and programs relative to performance criteria established by the Authority, and if performance of any project or program does not meet its established performance criteria, identify reasons why and make recommendations for corrective actions that can be taken by the Authority Board for changes to project or program guidelines
- Review of application of the performance-based review policy and provide input and recommendations for the development of associated guidelines
- Review of the maintenance of effort compliance requirements of local jurisdictions for local streets, roads, and bridges funding
- Review of each jurisdiction's GMP Checklist and compliance with the GMP Policies

The POC shall prepare an annual report that includes an account of the POC's activities during the previous year, its review and recommendations relative to fiscal or performance audits, and any recommendations made to the Authority Board for implementing the TEP. The



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report will be noticed in local media outlets throughout Contra Costa County, posted to the Authority website, and made continuously available for public inspection at Authority offices. The report shall be composed of easy-to-understand language that is not produced in an overly technical format. The POC shall make an annual presentation to the Authority Board summarizing the annual report subsequent to its release.

POC members shall be selected by the Authority to reflect community, business organizations, and other interests within the County. The goal of the membership makeup of the POC is to provide a balance of viewpoints, including, but not limited to, geography, age, gender, ethnicity, and income status to represent the different perspectives of the residents of Contra Costa County. One member will be nominated by each of the four subregions by the RTPCs representing the subregion nominating the member. The Board of Supervisors will nominate one member residing in and representing the County. Twelve members will be nominated by respective organizations representative of interest groups, such as civic and governance involvement, taxpayer advocate, businesses, construction and trades labor, general labor, building and development, disabled, biking and pedestrian, transit, low income, climate change, seniors, environmental, and/or open space organizations operating in Contra Costa County (specific organizations may vary during the life of the Measure). The Authority will consult with the public and active interest groups to solicit, identify nominees, and nominate POC members that represent those areas listed above. The Authority will accept nominations from any member of the public. The Authority will create a process to review possible POC members, including interviews. An interest area will be represented by no more than one POC member. About one-half of the initial member appointments will be for two years and the remaining appointments will be for three-year terms. Thereafter, members will be appointed to two-year terms. Any individual member can serve on the POC for no more than six consecutive years.

POC members will be Contra Costa County residents who are not elected officials at any level of government, or public employees from agencies that either oversee or benefit from the proceeds of the Measure. Membership is restricted to individuals with no economic interest in any of the Authority's projects or programs. If a member's status changes so that he/she no longer meets these requirements, or if a member resigns his/her position on the POC, the Authority Board will issue a new statement of interest from the same stakeholder category to fill the vacant position.

The POC shall meet up to once per month to carry out its responsibility and shall meet at least once every three months. Meetings shall be held at the same location as the Authority Board meetings are usually held, shall be open to the public, and must be held in compliance with California's open meeting law (the Brown Act). Meetings shall be recorded and the recordings shall be posted for the public.

Members are expected to attend all meetings. If a member, without good reason acceptable to the Chair of the POC, fails to attend either (a) two or more consecutive meetings or (b) more than three meetings a year, the Authority Board will request a replacement from the interest group listed above.

The Authority commits to support the oversight process through cooperation with the POC by providing access to project and program information, audits, and other information available to the Authority, and to logistical support so that the POC may effectively perform its oversight function. The POC will have full access to the Authority's independent auditors and may request Authority staff briefings for any information that is relevant to the Measure. The Authority will provide resources for meeting design and process, facilitation, and skill and knowledge building to foster and support the POC's ability to provide meaningful input and recommendations. The POC Chair shall inform the Authority Board Chair and Executive Director of any concern regarding Authority staff's commitment or performance regarding open communication, the timely sharing of information, and teamwork.

The POC shall not have the authority to set policy or to appropriate or withhold funds, nor shall it participate in or interfere with the selection process of any consultant or contractor hired to implement the TEP.

The POC shall not receive monetary compensation except for the reimbursement of travel or other incidental expenses in a manner consistent with other Authority advisory committees. Exceptions may be made by the Authority to reasonably assist members to participate in POC meetings.

To ensure that the oversight by the POC continues to be as effective as possible, the efficacy of the POC Charter (i.e., this document) will be evaluated on a periodic basis and a formal review will be conducted by the Authority Board, Executive Director, and the POC a minimum of every five years to determine if any amendments to this Charter should be made. The formal review will

include a benchmarking of the Committee's activities and Charter with other best-in-class oversight committees. Amendments to this Charter shall be proposed by the POC and adopted or rejected by the Authority Board.

The POC replaces the Authority's existing Citizens Advisory Committee (CAC).

Advisory Committees

The Authority will continue the committees that were established as part of the Transportation Partnership Commission organization as well as other committees that have been utilized by the Authority to advise and assist in policy development and implementation. The committees include:

The RTPCs that were established to develop transportation plans on a geographic basis for subareas of the County, and

- The Technical Coordinating Committee (TCC) that will serve as the Authority's technical advisory committee
- Paratransit Coordinating Council (PCC)
- The Countywide Bicycle and Pedestrian Advisory Committee (CBPAC)
- Bus Transit Coordinating Committee (BTCC)

IMPLEMENTING GUIDELINES

This TEP is guided by principles that ensure the revenue generated by the sales tax is spent only for the purposes outlined in this TEP in the most efficient and effective manner possible, consistent with serving the transportation needs of Contra Costa County. The following Implementing Guidelines shall govern the administration of sales tax revenues by the Authority. Additional detail for certain Implementing Guidelines is found elsewhere in this TEP.

Duration of the TEP

The duration of the TEP shall be for 35 years from July 1, 2020, through June 30, 2055.

Administration of the Plan

1. **Funds Only Projects and Programs in the TEP**
   Funds collected under this Measure may only be spent for purposes identified in the TEP, as it may be amended by the Authority governing body. Identification of Projects or Programs in the Plan does not ensure their implementation. As authorized, the Authority may amend or delete Projects and Programs identified in the Plan to provide for the use of additional federal, state, and local funds, to account for unexpected revenue, to maintain consistency with the current Contra Costa Countywide Transportation Plan (CTP), to take into consideration unforeseen circumstances, and to account for impacts, alternatives, and potential mitigation determined during review under the California Environmental Quality Act (CEQA) at such time as each project and program is proposed for approval.
2. **All Decisions Made in Public Process**
   The Authority is given the fiduciary duty of administering the transportation sales tax proceeds in accordance with all applicable laws and with the TEP. Activities of the Authority will be conducted in public according to state law, through publicly noticed meetings. The annual budgets of Authority, strategic delivery plans, and annual reports will all be prepared for public review. The interest of the public will be further protected by the POC, described previously in the TEP.
3. **Salary and Administration Cost Caps**
   Revenues may be expended by the Authority for salaries, wages, benefits, overhead, and those services, including contractual services, necessary to administer the Measure. However, in no case shall the expenditures for the salaries and benefits of the staff necessary to perform administrative functions for the Authority exceed one percent (1%) of revenues from the Measure. The allocated costs of Authority staff who directly implement specific projects or programs are not included in the administrative costs.
4. **Expenditure Plan Amendments Require Majority Support**
   The Authority may review and propose amendments to the TEP and the GMP to provide for the use of additional federal, state, and local funds, to account for unexpected revenues, or to take into consideration unforeseen circumstances. Affected RTPCs and Public Oversight Committee (POC) will participate in the development of the proposed amendment(s). A supermajority (66%) vote of the Authority Board is required to approve an amendment. Any amendment to the TEP that is administrative or less than $50 million to the Expenditure Plan will require a 45-day period

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to comment on the proposed amendment. Any amendments to expenditure categories that total $50 million or greater, whether submitted as one amendment or a series of related amendments, will require the following:

a. The need for such amendment shall be properly demonstrated in a regularly scheduled public meeting of the Authority Board.

b. The Authority shall make a presentation at the earliest possible POC and RTPC meetings outlining the details of the proposed amendment and allow for POC and RTPC input.

c. No fewer than two special public information and comment sessions shall be held and publicized by the Authority within 90 days following the initial Authority Board meeting.

d. The proposed amendment will be given a 90-day public comment period.

e. The proposed amendment shall be voted on during a regularly scheduled Authority Board meeting.

5. **Augment Transportation Funds**
Funds generated pursuant to the Measure are to be used to supplement and not replace existing local revenues used for transportation purposes. Any funds already allocated, committed, or otherwise included in the financial plan for any project in the TEP shall be made available for project development and implementation as required in the project's financial and implementation program.

6. **Jurisdiction**
The Authority retains sole discretion regarding interpretation, construction, and meaning of words and phrases in the TEP.

Taxpayer Safeguards, Audits and Accountability

7. **Public Oversight Committee (POC)**
The POC will provide diligent, independent, and public oversight of all expenditures of Measure funds by Authority or recipient agencies (County, cities/towns, transit operators, etc.). The POC will report to the public and focus its oversight on annual audits, the review and allocation of Measure funds, the performance of projects and programs in the TEP, and compliance by local jurisdictions with the maintenance of effort and GMP described previously in the TEP.

8. **Fiscal Audits**
All funds expended by the Authority directly and all funds allocated by formula or discretionary grants to other entities are subject to fiscal audit. Recipients of Measure funds (including but not limited to County, cities/towns, and transit operators) will be audited at least once every five years, conducted by an independent CPA. Any agency found to be in noncompliance shall have its formula sales tax funds withheld until such time as the agency is found to be in compliance.

9. **Performance Audits**
All funding categories shall be subject to performance audits by the Authority. Each year, the Authority shall select and perform a focused performance audit on two or three of the funding categories so that at the end of the fourth year, all funding categories are audited. This process shall commence two years after passage of the new sales tax measure. Additional Performance Audits shall continue on a similar cycle for the duration of the TEP. The performance audits shall provide an accurate quantitative and qualitative evaluation of the funding categories to determine the effectiveness in meeting the performance criteria established by the Authority. In the event that any performance audit determines that a funding category is not meeting the performance requirements established by the Authority, the audit shall include recommendations for corrective action including but not limited to revisions to Authority policies or program guidelines that govern the expenditure of funds.

10. **Maintenance of Effort (MOE)**
Funds generated by the new sales tax Measure are to be used to supplement and not replace existing local revenues used for streets and highways purposes. The basis of the MOE requirement will be the average of expenditures of annual discretionary funds on streets and highways, as reported to the Controller pursuant to Streets and Highways Code Section 2151 for the three most recent fiscal years before the passage of the Measure, where data is available. The average dollar amount will then be increased once every three years by the construction cost index of that third year. Penalty for noncompliance of meeting the minimum MOE is immediate loss of proportional amount of 2020 TEP funding from Modernize Local Roads and Improve Access to Job Centers and Housing and Measure J TEP funding from Local Streets Maintenance and Improvements funds until MOE compliance is achieved. The audit of the MOE contribution shall be at

least once every five years. Any agency found to be in noncompliance shall be subject to an annual audit for three years after they come back into compliance.

Any local jurisdiction wishing to adjust its MOE requirement shall submit a request for adjustment to the Authority and the necessary documentation to justify the adjustment. The Authority staff shall review the request and shall make a recommendation to the Authority Board. Taking into consideration the recommendation, the Authority Board may adjust the annual average of expenditures reported pursuant to Streets and Highways Code Section 2151. The Authority shall make an adjustment if one or more of the following conditions exists:

a. The local jurisdiction has undertaken one or more major capital projects during those fiscal years that required accumulating unrestricted revenues (i.e., revenues that are not restricted for use on streets and highways, such as general funds) to support the project during one or more fiscal years.

b. A source of unrestricted revenue used to support the major capital project or projects is no longer available to the local jurisdiction and the local jurisdiction lacks authority to continue the unrestricted funding source.

c. One or more sources of unrestricted revenues that were available to the local jurisdiction is producing less than 95 percent of the amount produced in those fiscal years and the reduction is not caused by any discretionary action of the local jurisdiction.

d. The local jurisdiction Pavement Condition Index (PCI) is 70 or greater, as calculated by the jurisdiction Pavement Management System and reported to the MTC, and the jurisdiction has implemented its synchronized signals plan, and its Complete Streets, Vision Zero, and Transit First policies.

11. **Annual Budget and Strategic Delivery Plan**
Each year, the Authority will adopt an annual budget that estimates expected sales tax receipts, other anticipated revenue, and planned expenditures for the year. On a periodic basis, the Authority will also prepare a Strategic Delivery Plan that will identify the priority for projects; the date for project implementation based on project readiness and availability of project funding; the state, federal, and other local funding committed for project implementation; and other relevant criteria. The annual budget and Strategic Delivery Plan will be adopted by the Authority Board at a public meeting.

12. **Requirements for Fund Recipients**
All recipients of funds allocated in this TEP will be required to sign a Master Cooperative Agreement that defines reporting and accountability elements as well as other applicable policy requirements. All funds will be appropriated through an open and transparent public process.

13. **Geographic and Social Equity**
The proposed projects and programs to be funded through the TEP constitute a proportional distribution of funding allocations to each subregion in Contra Costa County. The subregional share of projected revenue is based on each subregion's share of the projected overall population in Contra Costa County at the midpoint of the measure. RTPCs must approve any revisions to the proportional distribution of funding allocations in the TEP and Strategic Delivery Plan.

The Authority commits that the TEP will deliver proportionally greater benefits to Communities of Concern (as defined by the Metropolitan Transportation Commission) and low-income residents.

Restrictions on Funds

14. **Expenditure Shall Benefit Contra Costa County**
Under no circumstance may the proceeds of this transportation sales tax be applied for any purpose other than for transportation improvements benefiting residents of Contra Costa County. Under no circumstance may these funds be appropriated by the State of California or any other local government agency as defined in the implementing guidelines.

15. **Environmental Review**
All projects funded by sales tax proceeds are subject to laws and regulations of federal, state, and local government, including the requirements of the California Environmental Quality Act (CEQA). Prior to approval or commencement of any project or program included in the TEP, all necessary environmental review required by CEQA shall be completed.

16. **Performance-based Project Review**
Before the allocation of any Measure funds for the construction of a project with an estimated cost in excess of $10 million (or elements of a corridor project with an overall estimated cost in excess of $10 million), the Authority will 1) verify that the project is consistent with the approved CTP, as it may be

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amended, 2) verify that the project is included in the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), and 3) require the project sponsor to complete a performance-based review of project alternatives prior to the selection of a preferred alternative. Said performance-based review will include, but not necessarily be limited to, an analysis of the project impacts on greenhouse gas (GHG) emissions, vehicle-miles traveled (VMT), goods movement effectiveness, travel mode share, delay (by mode), safety, maintenance of the transportation system, impact on displacement, affordable housing, social equity, any other environmental effects, and consistency with adopted Authority plans. The Authority may require the evaluation of other performance criteria depending on the specific need and purpose of the project. The Authority will perform review and independent verification of performance-based review submitted by project sponsors.

The Authority is committed to meet the Governor's Executive Order B-16-2012 to reduce transportation-related GHG emissions to 80% below 1990 levels by 2050 and will establish overall VMT per capita and GHG goals countywide. The Authority will expect project sponsors to identify and select a project alternative that reduces GHG emissions as well as VMT per capita to meet the Authority's adopted countywide VMT and GHG goals. Limited exceptions will be identified and a process created to select a project alternative that does not decrease VMT and GHG sufficiently but has other substantial benefits. The Authority will require the project sponsors that select a project alternative that does not decrease VMT and GHG sufficiently to make findings for an exception and require participation in a VMT mitigation program to be developed by the Authority.

Funding for projects that do not decrease VMT and GHG sufficiently will not be allocated until the Authority develops a VMT mitigation program. The VMT mitigation program will define the limited exceptions, substantial benefits, and process to determine adequate findings for those exceptions. The purpose of the VMT Mitigation Program will be to fund projects and programs that reduce VMT, GHG emissions, and traffic congestion in Contra Costa County. The Authority will also prioritize and reward high performing projects by leveraging additional regional and other funding sources. The Authority shall employ a public process to develop and adopt detailed guidelines for evaluating project performance and applying performance criteria in the review and selection of a preferred project alternative no later than October 1, 2022. The performance criteria will include measurable performance targets and be developed per Section 43.

There will be additional performance-based reviews for actions in five categories of expenditure: Improve Walking and Biking on Streets and Trails, Countywide Major Road Improvement Program, Reduce Emissions and Improve Air Quality, Seamless Connected Transportation Options, and Reduce and Reverse Commutes. The additional review guidelines are outlined in Sections 31-35 of these Implementing Guidelines.

17. **Countywide Transportation Plan**
State law allows each county in the San Francisco Bay Area that is subject to the jurisdiction of the regional transportation planning agency to prepare a CTP for the county and cities/towns within the county. Both Measure C and Measure J also require the Authority to prepare and periodically update a CTP for Contra Costa County. State law also created an interdependent relationship between the CTP and regional planning agency. Each CTP must consider the region's most recently adopted Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) while the adopted CTPs must form the "primary basis" for the next RTP and SCS. The Authority shall follow applicable statutes and the most current guidelines for preparing the CTP, as established and periodically updated by the regional transportation planning agency. The Authority shall also use the CTP to convey the Authority's investment priorities, consistent with the long-range vision of the RTP and SCS.

18. **Complete Streets**
The Authority has adopted a policy requiring all recipients of funding through this TEP to consider and accommodate, wherever possible, the needs of all users in the planning, design, construction, reconstruction, rehabilitation, and maintenance of the transportation system.

19. **Road Traffic Safety**
The Authority has adopted a policy requiring all recipients of funding through this TEP shall, wherever possible, systemically incorporate street design elements that quantifiably reduce the risk of traffic-related deaths and severe injuries in the public right-of-way and accommodate the needs of all users in the planning, design, construction, reconstruction, rehabilitation, and maintenance of the transportation system.

20. Compliance with the GMP

If the Authority determines that a jurisdiction does not comply with the requirements of the GMP, the Authority shall withhold funds and also make a finding that the jurisdiction shall not be eligible to receive 2020 TEP funding from Modernize Local Roads and Improve Access to Job Centers and Housing, Measure J TEP funding from Local Streets Maintenance & Improvements, and Measure J TLC funding until the Authority determines the jurisdiction has achieved compliance, as detailed in the GMP section of the TEP.

21. Local Contracting and Good Jobs

The purpose of the current section of the "Implementing Guidelines" portion of the Authority's Transportation Expenditure Plan (TEP) is to promote efficient and quality construction operations on the included projects, ensure an adequate supply of skilled craftspeople, provide a safe work place, ensure high quality construction, ensure uninterrupted construction projects, secure optimum productivity on schedule performance and Authority and citizen satisfaction, and increase access to quality jobs for Contra Costa residents.

The provisions and requirements found herein shall apply to each contractor and any subcontractors on projects approved by the TEP and administered by Authority.

Authority supports training and apprenticeship opportunities in the construction industry. As such, Authority requires apprentice labor enrolled in or graduated from joint labor-management apprenticeship programs on construction projects estimated to cost $1 million or greater. Authority will develop guidelines modeled after the California Department of Transportation's (Caltrans') Standard Specifications applicable to training an apprentice for the benefit of residents of Contra Costa County. Contractors will be required to comply with the guidelines on construction projects estimated to cost $1 million or greater.

All those employed on projects approved by the TEP and administered by Authority shall be classified and paid in accordance with the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations and comply with all applicable Labor Code provisions.

It is also the intent of Authority to create a policy that encourages contractors to hire residents of Contra Costa County and the other eight Bay Area counties.[2] Therefore, all Authority contracts in excess of $1 million shall be subject to provisions pursuant to which the contractor is required to make a good faith effort to hire qualified individuals who are residents of Contra Costa County or any of the other eight Bay Area counties in sufficient numbers so that no less than 40% of the contractor's total construction workforce, measured in labor work hours, is composed of residents of Contra Costa County or any of the other eight Bay Area counties. The contractor shall require all subcontractors to also make a good faith effort to hire qualified individuals who are residents of Contra Costa County and the other eight Bay Area counties.

The above provision will be implemented to the extent allowed by law and in compliance with funding agreements so as to not jeopardize any funding for the completion of the project.

[2]San Mateo, San Francisco, Alameda, Solano, Napa, Sonoma, Santa Clara, and Marin

22. New Agencies

New cities/towns or new entities (such as new transit agencies) that come into existence in Contra Costa County during the life of the TEP may be considered as eligible recipients of funds through a TEP amendment.

23. Integrated Transit Plan (ITP)

The Authority has adopted a Transit Policy that envisions a public transit system that provides convenient, safe, affordable, and reliable service that offers an attractive alternative to private automobile usage. All recipients of funding through this TEP shall consider and accommodate, wherever possible, the principles of Transit First in the planning, design, construction, reconstruction, rehabilitation, and maintenance of the transportation system. To achieve this vision, the Authority and transit operators will develop an ITP to identify how Contra Costa County transit operators can utilize TEP funding to better coordinate and integrate their services. This ITP will focus on delivering a streamlined and unified experience for the customer across all modes and transit operators. Allocations pursuant to this TEP will be made in support of the findings and recommendations included in the ITP.

All transit operators who receive funding from the TEP shall participate in the development of an ITP. Transit operators shall consult with the RTPCs in developing the ITP in cities, towns, and the County, as applicable, regarding TEP funding for signal synchronization, complete streets, and other investments that could benefit transit. Transit operators shall incorporate the findings and recommendations of the ITP into their respective Short-Range Transit Plans.

The Authority expects that transit operating funds from the Transportation Expenditure Plan be used to support transit service and the ITP. In the event that TEP funds must be used to subsidize existing services as a result of reduction of operating funds from other sources, or due

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to other financial concerns, the transit operator shall update its Short-Range Transit Plan and submit it to the Authority.

24. Accessible Transportation for Seniors, Veterans, and People with Disabilities

An Accessible Transportation Strategic (ATS) Plan will be developed and periodically updated during the term of the Measure. No funding under the Accessible Transportation for Seniors, Veterans, and People with Disabilities category will be allocated until the ATS Plan has been developed and adopted. No funds may be distributed to a service provider until it adopts the plan, except as noted below. The development and delivery of the ATS Plan will establish a user-focused system with a seamless coordinated system using mobility management to ensure coordination and efficiencies in accessible service delivery. The ATS Plan will address and direct funding to both traditional and beyond traditional paratransit services. The ATS Plan will deliver a streamlined, affordable, and unified experience for the customer and address how accessible services are delivered by all service providers where appropriate coordination can improve transportation services, eliminate gaps in service, and find efficiencies in the service delivered. The ATS Plan will identify where coordination can improve transportation services, eliminate gaps in service, and find efficiencies in the service delivered. The ATS Plan will also determine the investments and oversight of the program funding and identify timing, projects, service delivery options, administrative structure, and fund leverage opportunities.

The ATS Plan will be developed by the Authority in consultation with direct users of service; stakeholders representing seniors and people with disabilities who face mobility barriers and nonprofit and publicly operated paratransit service providers. Public transit operators in Contra Costa must participate in the ATS planning process to be eligible to receive funding in this category. The ATS Plan must be adopted no later than December 31, 2020. The development of the ATS Plan will not affect the allocation of funds to current operators as prescribed in the existing Measure J Expenditure Plan.

25. Safe Transportation for Youth and Children

Prior to an allocation of funds from the Safe Transportation for Youth and Children category, the Authority will employ a public process to develop and adopt program guidelines and performance assessment procedures to maximize effectiveness. The guidelines and performance assessment may require provisions such as operational efficiencies, performance criteria, parent contributions, and reporting requirements. The guidelines will be developed in coordination with the RTPCs to develop a program that meets the needs within each subregion. Funding will be allocated to subregions and program funding will be subject to the publicized performance assessment conducted by the Authority (see item 16 in this policy section). The development of the program guidelines and performance assessment procedures will not affect the allocation of funds to current programs as described in the existing Measure J expenditure plan.

26. Enhance Ferry Service and Rail Connectivity in Contra Costa County

All projects funded in the Enhance Ferry Service and Commuter Rail in Contra Costa category will be evaluated by the Authority and demonstrate progress toward the Authority's goals of reducing VMT and GHG emissions. Selection of final projects to be based on a performance analysis of project alternatives consistent with Authority requirements. Proposed projects must be included in and conform with the ITP. Project sponsors requesting funding from this category will be required to prepare a feasibility and operations plan and submit it to the Authority to demonstrate that there is sufficient funding available to operate the proposed project and/or service.

27. BART Maintenance of Effort (MOE)

Prior to any appropriation, allocation, or reimbursement of funds to BART, the Authority Board shall make a finding that BART has continued to use a proportional share of its operating allocations for capital projects. BART's preliminary FY 2019 Budget forecasts approximately $150 million of its operating allocations to capital projects. BART shall demonstrate that it continues to use an equivalent proportional share of it operating revenues for capital projects allowing for normal annual fluctuations in capital projects or maintenance expenditures. In years where BART fare revenues or other general fund revenues are reduced by a decrease in ridership or unforeseen economic circumstances, loss of regional, state, or federal funding, or where one-time costs are increased by a natural disaster, then the Authority may release funds only if the Authority Board makes findings that 1) BART has not reduced its capital project funding disproportionately to the total operating revenue and 2) BART made best efforts to fund capital projects that benefit Contra Costa County.

28. Cleaner, Safer BART

Prior to making an allocation of funds to BART for the Cleaner, Safer BART category, BART shall develop and submit a countywide plan to the Authority that proposes how these funds and other funds available to BART (including Measure RR, Regional Measure 3, and other funds) will be used as part of a systemwide effort to improve its stations to meet the goals described in the TEP. The funding from the Cleaner, Safer BART category will be used for improvements to stations in Contra Costa County and requires a minimum dollar-for-dollar match from other BART funds. The Planshould document how a systemwide program to improve BART stations benefits Contra Costa residents who travel outside the county. BART should consult with the Authority (in consultation with RTPCs) in the development of the countywide plan.

In the event BART completes the train control system and if BART has maintained the commitment to provide a minimum dollar-for-dollar match from other BART funds as describe above, the Authority (in consultation with RTPCs) and BART will jointly identify, and the Authority may allocate funds for the acquisition of additional new BART cars to increase frequency during periods of high demand. The allocation will be considered in conjunction with a periodic review of the TEP (see item 39 in this policy section) and available funding capacity in the TEP.

29. Improve Local Access to Highway 4 and Byron Airport

Prior to each allocation of funds from the Improve Local Access to Highway 4 and Byron Airport category, the Authority Board must make a finding that the project includes measures to prevent growth outside of the Urban Limit Lines (ULL). Such measures might include, but are not necessarily limited to, limits on roadway access in areas outside the ULL, purchase of abutters' rights of access, preservation of critical habitat and/or the permanent protection/acquisition of agricultural and open space, or performing conservation measures required to cover this project under the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). With the exception of the proposed new connection between Vasco Road and the Byron Highway, funding from this category shall not be used to construct new roadways on new alignments. The Authority will coordinate with Alameda and/or San Joaquin Counties relative to project improvements in those jurisdictions.

30. Modernize Local Roads and Improve Access to Jobs Centers and Housing

Each jurisdiction in Contra Costa County will receive their share of 15.2% of annual sales tax revenues, calculated using a base allocation of $100,000 per year plus additional funds distributed based half on relative population and half on road miles within each jurisdiction. In addition, jurisdictions in Central, East, and Southwest Contra Costa will receive their share of an additional allocation of 2.2% of annual sales tax revenue calculated using the same formula. This is equivalent to 18% of the sales tax revenues for the Central, East, and Southwest parts of the county for improvements under this category. Population figures used shall be the most current available from the State Department of Finance. Road mileage shall be from the most current information included in the Highway Performance Monitoring System (HPMS). Jurisdictions shall comply with the Authority's Maintenance of Effort (MOE) policy as well as Implementation Guidelines of this TEP. In addition to the requirements set forth in the Growth Management Program Urban Limit Line Compliance policies and other applicable policies, local jurisdictions will report on the use of these funds, such as the amount spent on roadway maintenance, bicycle and pedestrian facilities, transit facilities, and other roadway improvements, and benefits to social equity and Communities of Concern (as defined by the Metropolitan Transportation Commission) in their jurisdictions. A minimum of 15% of all local street funding be spent on project elements directly benefiting bicyclists and pedestrians.

31. Countywide Major Roads Improvement Program

Prior to an allocation of funds from the Improve Traffic Flow on Major Roads category, the Authority will develop a new countywide Major Roads Improvement Program to address congestion relief on major roads within each subregion. The program guidelines will include information regarding how to evaluate the range of possible components. Implementation guidelines and standards will be developed in coordination with the RTPCs and will be approved by the Authority Board. Project funding is subject to a performance assessment conducted by the Authority using approved and publicized guidelines. Funding will be allocated to subregions. If projects proposed by an RTPC do not meet performance standards, the project will either be modified or withdrawn in favor of another project from the same region. Funds in this category may be used for arterial refurbishment/redesign for Transit First and Complete Streets. Projects funded from the Improve

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Traffic Flow on Major Roads category must conform to the Transit, Complete Streets, Road Traffic Safety, and other related policies.

32. **Improve Walking and Biking on Streets and Trails**
Prior to an allocation of funds from the Improve Walking and Biking on Streets and Trails category, the Authority will develop and adopt program guidelines and standards for a competitive project-selection process. All projects will be selected through a competitive project-selection process with the Authority approving the final program of projects, allowing for a comprehensive countywide approach while recognizing subregional equity based upon the proportional funding share shown in the TEP. Project funding is subject to a performance assessment conducted by the Authority using approved and publicized guidelines. Projects funded from this category must comply with the Transit, Road Traffic Safety, and Complete Streets Policies and include complete street elements whenever possible.

    Up to $15 million within each subregion for a total of $60 million will be allocated to Complete Street demonstration projects. Each demonstration project will be recommended by the relevant Regional Transportation Planning Committees and approved by the Authority prior to allocation of funds to demonstrate the successful implementation of Complete Streets projects no later than July 1, 2024. Each demonstration project will be required to strongly pursue the use of separated bike lane facilities to be considered for funding. The purpose of these demonstration projects is to create examples of successful complete street projects in multiple situations throughout the County.

    Approximately one fifth of the funding is to be allocated to the East Bay Regional Park District (EBRPD) for the development, rehabilitation, and maintenance of paved regional trails. EBRPD is to spend its allocation proportionally in each subregion, subject to the review and approval of the conceptual planning/design phase by the applicable subregional committee, prior to funding allocation by the Authority. The Authority, in conjunction with EBRPD, will develop a maintenance-of-effort requirement for funds under this component of the funding category.

33. **Reduce Emissions and Improve Air Quality**
Prior to an allocation of funds from the Reduce Emissions and Improve Air Quality category, the Authority will develop and adopt program guidelines and standards for a competitive project-selection process. All projects will be selected through a competitive project-selection process with the Authority approving the final program of projects, allowing for a comprehensive countywide approach while recognizing subregional equity based upon the proportional funding share shown in the TEP. Project funding is subject to a performance assessment conducted by the Authority using approved and publicized guidelines. Projects funded from this category must comply with the Transit, Complete Streets, Road Traffic Safety, and other related policies.

34. **Seamless Connected Transportation Options**
Prior to an allocation of funds from the Seamless Connected Transportation Options category, the Authority will develop and adopt program guidelines and standards for a competitive project-selection process. All projects will be selected through a competitive project-selection process, with the Authority approving the final program of projects, and allowing for a comprehensive countywide approach while recognizing subregional equity based upon the proportional funding share shown in the TEP. Project funding is subject to a performance assessment conducted by the Authority using approved and publicized guidelines. Projects funded from this category must comply with the Transit, Complete Streets, Road Traffic Safety and other related policies.

35. **Reduce and Reverse Commutes**
Prior to an allocation of funds from the Reduce and Reverse Commutes category, the Authority will develop and adopt program guidelines and standards for a competitive project-selection process. All projects will be selected through a competitive project-selection process with the Authority approving the final program of projects, allowing for a comprehensive countywide approach while recognizing subregional equity based upon the proportional funding share shown in the TEP. Project funding is subject to a performance assessment conducted by Authority using approved and publicized guidelines. Projects funded from this category must comply with the Transit, Complete Streets, Road Traffic Safety, and other related policies.

Project Financing Guidelines and Managing Revenue

36. Fiduciary Duty
Funds may be accumulated for larger or longer-term projects. Interest income generated will be used for the purposes outlined in the TEP and will be subject to audits.

37. Project and Program Financing
The Authority has the jurisdiction to bond for the purposes of expediting the delivery of transportation projects and programs. The Authority will develop a policy to identify financing procedures for the entire plan of projects and programs.

38. Strategic Delivery Plan
On a periodic basis, the Authority will develop a Strategic Delivery Plan to distribute revenue from the Measure to TEP projects and programs. The Strategic Delivery Plan will allocate Measure funds as a firm commitment and will consider the amount of Measure funds and additional leveraged funds available to the project or program, expected cost and cash-flow needs, and project or program delivery schedule in allocating Measure funds. Recipients of Measure funds may seek an allocation for projects and programs included in the Strategic Delivery Plan.

39. Periodic Review of the 2020 Transportation Expenditure Plan (TEP)
The Authority may review the TEP to consider updating the financial forecast due to changing economic conditions and adjust funding, if necessary, due to revenue shortfalls. The project and program categories may need to be adjusted based on progress made in meeting the commitments and goals of the TEP. The review may determine that increased revenues be invested in projects and programs deemed by the Authority to address transportation needs that will best serve the residents of Contra Costa County. The review will provide the opportunity to adjust the TEP to adapt to the current state of transportation, leverage new funding opportunities, reflect changed conditions, adhere to state and federal requirements, track performance towards commitments and goals of the TEP, and to capture new opportunities that are becoming better defined. The Authority will review the TEP at a minimum of every ten years.

The Authority may review the performance of the TEP and progress towards meeting state transportation mandates for reduction in vehicle-miles traveled (VMT) per capita and greenhouse gas (GHG) emissions. Depending on progress, the Authority may adjust and approve new goals in the TEP with explicit findings, justification, and approach to meeting goals for State transportation mandates to reduce VMT per capita and GHG emissions.

Any amendments to the TEP must comply with the policy for Expenditure Plan Amendments Require Majority Support and the following related policies.

40. Programming of Excess Funds
Actual revenues may, at times be higher or lower than expected in this TEP due to changes in receipts. Additional funds may become available due to the increased opportunities for leveraging or project costs being less than expected. Revenue may be higher or lower than expected as the economy fluctuates. Determination of when the additional funds become excess will be established by a policy defined by the Authority. Funds considered excess will be prioritized first to the TEP projects and programs that are not fully funded and second to other projects deemed by the Authority to best serve the residents of Contra Costa County. Any new project or program will be required to be amended into the TEP pursuant to the Expenditure Plan Amendments Require Majority Support section above.

41. Reprogramming Funds
Through the course of the Measure, if any TEP project becomes undeliverable, infeasible, or unfundable due to circumstances unforeseen at the time the TEP was created, funding for that project will be reallocated to another project or program. The subregion where the project or program was located may request that the Authority reassign funds to another project category in the same subregion. In the allocation of the released funds, the Authority, in consultation with the subregion's RTPC, will consider:

a. A project or program of the same travel mode (i.e., transit, bicycle/pedestrian, or road) in the same subregion

b. A project or program for other modes of travel in the same subregion

c. Other TEP projects or programs

d. Other projects deemed by the Authority to best serve the residents of Contra Costa County

The new project, program, or funding level may require amending the TEP pursuant to the Expenditure Plan Amendments section above.

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Funds may require reallocation to meet state transportation policy for vehicle-miles traveled per capita and greenhouse gas emissions.

42. Leveraging Funds
Project proponents, including the Authority, are expected to apply for all available funds from other sources to maximize the leveraging of TEP funds. To the extent matching funds from the TEP are needed to complete a project or a phase of project, the Authority will approve funding from the applicable funding category in the TEP where the project is eligible for funding. If the project is determined not to be eligible for funding under any of the categories in the TEP, the Authority, in consultation with the respective RTPC, may approve matching funds from the Reduce and Reverse Commutes category. The Authority may utilize funding from the Transportation Planning, Facilities, and Services category, as needed, to attract other fund sources.

43. Development of Guidelines for Performance-Based Projects Review and Programs
The TEP requires development of procedures and guidelines to ensure the goals of the TEP are attained. To ensure high quality of the resulting guidelines and substantial public participation, the following procedures shall be used unless specifically replaced by the Authority.

a. **Scope**. The Authority will adopt the following implementation guidelines and procedures described in the TEP, herein referenced as Guidelines.

1. Performance-Based Project Review
2. Countywide Major Road Improvement Program
3. Safe Transportation for Youth and Children
4. Improve Walking and Biking on Streets and Trails
5. Reduce Emissions and Improve Air Quality
6. Seamless Connected Transportation Options
7. Reduce and Reverse Commutes
8. Integrated Transit Plan
9. Vehicle-Miles Traveled Mitigation Program

The Guidelines shall adhere to the following parameters:

1. Implement the overall guiding principles, goals, and policies of the TEP and the applicable funding category efficiently and effectively
2. Utilize other regulations and reporting requirements for funding recipients as possible to avoid additional work
3. Increase public confidence regarding the Authority and its actions
4. Shall be written concisely in plain language

b. **Schedule**. Before December 31, 2020, the Authority shall publish a public outreach and engagement process and a schedule for developing the Guidelines. Individuals and organizations shall be able to register their interest in development of the Guidelines and shall subsequently receive advance notification from the Authority of the steps described below and encouragement to participate.

c. **Public Review**. Using a structured public-engagement process, the Authority will publish the draft Guidelines for public comment and questions from residents, agencies, and interested parties. Cities/towns and Regional Transportation Planning Committees (RTPCs) may provide input and feedback on draft Guidelines. The public comment period will be at least 45 days. Public Meetings will be held to receive any input and requested modifications from the public.

d. **Public Oversight Committee (POC)**. The POC shall be convened and tasked with reviewing comments received during the public review period. The POC will provide input and recommendations regarding the Guidelines for consideration by the Authority.

e. **Approval**. The Authority shall discuss POC recommendations, public comments, requested modifications, or additional criteria at a public meeting. The Guidelines shall be approved by a supermajority (66%) vote of the Authority Board and published on the Authority's website. The Authority will send notices to all interested parties. The Guidelines shall be reviewed and approved by the Authority every five years if needed to achieve the goals of the Plan, with input and recommendations from the POC and other interested parties.

Road Traffic Safety Policy

VISION

In this Plan, the **Road Traffic Safety policy is intended to eliminate traffic-related deaths and severe injuries** within Contra Costa County by prioritizing a systemwide safety approach to transportation planning and design. Principally, the Road Traffic Safety policy treats personal mobility and accessibility as a fundamental activity of the general public to attend school, conduct business, and visit friends and family, free from the risk of physical harm due to traffic. This policy applies to all transportation system users, including pedestrians, bicyclists, transit riders, micromobility users, automobile drivers, taxis, ride-hailing services and their passengers, truckers, and people of varying abilities, including children, seniors, and people with disabilities. Implementation of the Road Traffic Safety policy is intended to reduce societal costs due to loss of life and injury, lessen congestion stemming from nonrecurring traffic collisions and incidents, and generally enhance the quality of life in Contra Costa.

POLICY

Achieving this vision will require shifting the paradigm of traditional transportation planning and engineering by following the principle of "Vision Zero," which is an internationally recognized approach to proactively preserving life safety in transportation planning and engineering decision making. All recipients of funding through this Plan shall systemically incorporate street design elements that quantifiably reduce the risk of traffic-related deaths and severe injuries in the public right-of-way and accommodate the needs of all users in the planning, design, construction, reconstruction, rehabilitation, operations, and maintenance of the transportation system.

In consultation with local jurisdictions, the RTPCs, and the public, the Authority shall develop and adopt a Model Vision Zero Policy that reflects best practices for street design elements and programs to mitigate human error and quantifiably improve the traffic safety of all users in the planning, design, and construction of projects funded with Measure funds. Key design elements of the Model Vision Zero Policy shall be incorporated into the Authority's project development guidelines as appropriate. To be eligible to receive Measure funds, local jurisdictions must adopt a Vision Zero Policy that substantially complies with the Authority's Model Vision Zero Policy. Jurisdictions that adopt a Vision Zero Policy prior to the Authority's adoption of the model Vision Zero Policy may be considered compliant with the Growth Management Program compliance requirements if the adopted policy substantially complies with the Authority's Model policy.

To ensure consistency with the Road Traffic Safety Policy vision, the Authority shall coordinate periodic traffic system and project monitoring with local jurisdictions and the RTPCs and utilize data collected over time to evaluate the effects of Vision Zero implementation on public health and safety. Emphasis shall be placed on proactive deployment of next-generation technology, such as advanced detection systems at major intersections and corridors identified in regional and local plans as having high collision density. Funding for this level of effort shall be made available to local jurisdictions and RTPCs through the Countywide Major Road Improvement Program and funding from the Improve Traffic Flow on Major Roads.

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Developed by the Contra Costa Transportation Authority Board
in partnership with the communities it serves.

Janet Abelson
Council Member, City of El Cerrito

Debora Allen (Ex Officio)
Director, BART Board of Directors

Newell Arnerich
Council Member, Town of Danville

Tom Butt
Mayor, City of Richmond

Teresa Gerringer
Council Member, City of Lafayette

Federal Glover
Board of Supervisors, Contra Costa County D5

Loella Haskew
Mayor Pro Tem, City of Walnut Creek

Dave Hudson
Council Member, City of San Ramon

Karen Mitchoff
Board of Supervisors, Contra Costa County D4

Julie Pierce (Vice Chair)
Vice Mayor, City of Clayton

Kevin Romick
Council Member, City of Oakley

Robert Taylor (Chair)
Mayor, City of Brentwood

Monica Wilson (Ex Officio)
Council Member, City of Antioch

Amy Worth (Ex Officio)
Council Member, City of Orinda

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CONTRA COSTA
transportation
authority

2999 Oak Road, #100
Walnut Creek, CA 94597
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ATTACHMENT C

CONTRA COSTA transportation authority

CONTRA COSTA TRANSPORTATION AUTHORITY

ORDINANCE 19-01

CONDITIONALLY AMENDING THE MEASURE J TRANSPORTATION EXPENDITURE PLAN (TEP) GROWTH MANAGEMENT PROGRAM (GMP), WHICH INCLUDES ATTACHMENT A: PRINCIPLES OF AGREEMENT FOR ESTABLISHING THE URBAN LIMIT LINE (ULL) TO MATCH THE PROPOSED 2020 TEP

WHEREAS, Public Utilities Code, §180207 and Section 8 of the Ordinance adopting Measure J provide for a mechanism to amend the Measure J TEP based upon unforeseen circumstances; and

WHEREAS, the Contra Costa Transportation Authority (Authority) is considering the countywide imposition of a one-half of one percent sales tax for transportation purposes for a period of 35 years effective on July 1, 2020 through June 30, 2055; and

WHEREAS, the Authority conducted extensive consultations with local governments and conducted outreach to a wide variety of interest groups and the public in order to develop a TEP proposing a potential mix of projects and programs to be funded by the proposed sales tax; and

WHEREAS, the Authority has concluded that due to the unforeseen circumstances of a new sales tax measure, it would be beneficial to manage one GMP for both Measures.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

1) The Measure J TEP GMP, which includes Attachment A: Principles of Agreement for Establishing the ULL is hereby replaced in its entirety as set forth in Exhibit 1, incorporated herein by reference and made a part of this Ordinance as if fully set forth.

The foregoing Ordinance was adopted by the Authority Board on August 28, 2019, and shall become effective only after the following: (1) the 45th day following notice by the Authority to Contra Costa County, the cities/towns, and the Conference of Mayors, unless overridden; and (2) if the proposed one-half of one percent local transportation sales tax is placed on the ballot and successfully approved by the electors on the March 3, 2020 ballot.

SEVERABILITY: If any provision or clause of this Ordinance or the application thereof is held unconstitutional or otherwise invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, clauses, or applications of this Ordinance which can be implemented without the invalid provision, clause, or application, it being hereby expressly declared that this Ordinance, and each section, subsection, sentence, clause, and phrase hereof would have been prepared, proposed, approved, adopted and/ or ratified irrespective of the fact that any one or more sections, subsections, sentences, clauses, and/or phrases may be declared invalid or unconstitutional.

EFFECTIVE DATE: This ordinance shall be effective immediately upon adoption.

PASSED AND ADOPTED by the Contra Costa Transportation Authority Board of Directors in Walnut Creek, State of California, on August 28, 2019, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

E-SIGNED by Robert Taylor
on 2019-09-03 22:07:29 GMT

Robert Taylor, Chair

This Ordinance 19-01 was entered into at a meeting of the Contra Costa Transportation Authority held on August 28, 2019, in Walnut Creek, California, and shall become effective as provided above.

Attest:

E-SIGNED by Tarienne Grover
on 2019-09-03 15:36:49 GMT

Tarienne Grover, Clerk of the Board

EXHIBIT 1
GROWTH MANAGEMENT PROGRAM

[Attached behind this page]

THE GROWTH MANAGEMENT PROGRAM

Coupled with the Expenditure Plan is Contra Costa's unique and well-tested program for managing growth. The overall goal of the Growth Management Program (GMP) is to preserve and enhance the quality of life and promote a healthy, strong economy to benefit the people and areas of Contra Costa County through a cooperative, multi-jurisdictional process for managing growth, while maintaining local authority over land-use decisions. [1]

The objectives of the GMP are to:

- Assure that new residential, business, and commercial growth pays for the facilities required to meet the demands resulting from that growth;
- Require cooperative transportation and land-use planning among Contra Costa County, cities/towns, and transportation agencies;
- Support land-use patterns within Contra Costa County that make more efficient use of the transportation system, consistent with the General Plans of local jurisdictions; and
- Support infill and redevelopment in existing urban and brownfield areas.

The Measure J TEP GMP, which includes Principles of Agreement for Establishing the Urban Limit Line (ULL), is augmented and superseded by this 2020 TEP.

COMPONENTS

To receive its share of funding from the following categories:

- 2020 TEP Modernize Local Roads & Improve Access to Housing and Job Centers;
- Measure J Local Streets Maintenance & Improvements (LSM); and
- Measure J Transportation for Livable Communities (TLC);

each jurisdiction must:

1. Adopt a Growth Management Element (GME)

Each jurisdiction must adopt, or maintain in place, a GME as part of its General Plan that outlines the jurisdiction's goals and policies for managing growth and requirements for achieving those goals. The GME must show how the jurisdiction will comply with sections 2–9 below. The Authority will refine its model GME and administrative procedures in consultation with the Regional Transportation Planning Committees (RTPCs) to reflect the revised GMP.

1. The Authority will, to the extent possible, attempt to harmonize the GMP and the State-mandated Congestion Management Program (CMP). To the extent they conflict, CMP activities shall take precedence over the GMP activities.

Each jurisdiction is encouraged to incorporate other standards and procedures into its GME to support the objectives and required components of this GMP.

2. Adopt a Development Mitigation Program

Each jurisdiction must adopt, or maintain in place, a Development Mitigation Program to ensure that new growth is paying its share of the costs associated with that growth. This program shall consist of both a local program to mitigate impacts on local streets and other facilities, and a regional program to fund regional and subregional transportation projects, consistent with the Countywide Transportation Plan (CTP).

The jurisdiction's local Development Mitigation Program shall ensure that revenue provided from this measure shall not be used to replace private developer funding that has or would have been committed to any project.

The regional Development Mitigation Program shall establish fees, exactions, assessments, or other mitigation measures to fund regional or subregional transportation improvements needed to mitigate the impacts of planned or forecasted development. Regional mitigation programs may adjust such fees, exactions, assessments or other mitigation measures when developments are within walking distance of frequent transit service or are part of a mixed-use development of sufficient density and with necessary facilities to support greater levels of walking and bicycling.

Each RTPC shall develop the regional Development Mitigation Program for its region, taking account of planned and forecasted growth and the Multimodal Transportation Service Objectives (MTSOs) and actions to achieve them established in the Action Plans for Routes of Regional Significance. RTPCs may use existing regional mitigation programs, if consistent with this section, to comply with the GMP.

3. Address Housing Options

Each jurisdiction shall demonstrate reasonable progress in providing housing opportunities for all income levels as part of a report on the implementation of the actions outlined in its adopted Housing Element. The report will demonstrate progress by:

a. Comparing the number of housing units approved, constructed or occupied within the jurisdiction over the preceding five years with the average number of units needed each year to meet the housing objectives established in the jurisdiction's Housing Element; or

b. Illustrating how the jurisdiction has adequately planned to meet the existing and projected housing needs through the adoption of land use plans and regulatory

systems which provide opportunities for, and do not unduly constrain, housing development; or

c. Illustrating how a jurisdiction's General Plan and zoning regulations facilitate the improvement and development of sufficient housing to meet those objectives.

Jurisdictions will provide prepared reports regarding the production and preservation of affordable units as provided for in the Annual Housing Element Progress Report and subsequent reports. Each jurisdiction shall demonstrate meaningful progress in preserving existing affordable units for lower-income residents by adopting and implementing locally appropriate anti-displacement and affordable housing policies, for example, preservation of affordable housing, density bonus ordinance and/or inclusionary zoning, to support community stabilization.

Jurisdictions are subject to California's Surplus Land Act, which includes the disposition of surplus land, and each jurisdiction will affirm whether it complies with the Surplus Land Act and whether it maintains an inventory of all public land in its jurisdiction that adheres to applicable Surplus Land Act and Government Code 50569 requirements and makes the inventory available to the public.

Each jurisdiction will indicate whether it adheres to applicable local, state, or federal policies or laws regarding tenant protection and whether it has prepared the reports required by such polices or laws and made the reports available to the public.

In addition, each jurisdiction shall consider the impacts that its land use and development policies have on the local, regional and countywide transportation system, including the level of transportation capacity that can reasonably be provided, and shall incorporate policies and standards into its development approval process that support transit, bicycle and pedestrian access in new developments. Each jurisdiction must participate in an Ongoing Cooperative, Multi-Jurisdictional Planning Process.

4. Participate in an Ongoing Cooperative, Multi-Jurisdictional Planning Process

Each jurisdiction shall participate in an ongoing process with other jurisdictions and agencies, the RTPCs and the Authority to create a balanced, safe and efficient transportation system and to manage the impacts of growth. Jurisdictions shall work with the RTPCs to:

a. Identify Routes of Regional Significance and MTSOs or other tools adopted by the Authority Board for measuring performance and quality of service along routes of

regional significance, collectively referred to as MTSOs for those routes and actions for achieving those objectives;

b. Apply the Authority's Travel Demand Model (TDM) and technical procedures to the analysis of General Plan Amendments and developments exceeding specified thresholds for their effect on the regional transportation system, including on Action Plan objectives;

c. Create a Development Mitigation Program as outlined in section 2 above; and

d. Help develop other plans, programs and studies to address other transportation and growth management issues.

In consultation with the RTPCs, each jurisdiction will use the TDM to evaluate changes to local General Plans and the impacts of major development projects for their effects on the local and regional transportation system and the ability to achieve the MTSOs established in the Action Plans.

Jurisdictions shall also participate in the Authority's ongoing countywide comprehensive transportation planning process. As part of this process, the Authority shall support countywide and subregional planning efforts, including the Action Plans for Routes of Regional Significance, and shall maintain a TDM. Jurisdictions shall help maintain the Authority's TDM system by providing information on proposed improvements to the transportation system and planned and approved development within the jurisdiction.

5. Continuously Comply with an Urban Limit Line (ULL)

In order to be found in compliance with this element of the Authority's GMP, all jurisdictions must continually comply with an applicable voter-approved ULL. Said ULL may either be the Contra Costa County voter-approved ULL (County ULL) or a locally initiated, voter-approved ULL (LV-ULL).

Additional information and detailed compliance requirements for the ULL are fully defined in the ULL Compliance Requirements (Attachment A), which are incorporated herein.

Any of the following actions by a local jurisdiction will constitute non-compliance with the GMP:

a. The submittal of an annexation request to the Local Agency Formation Commission (LAFCO) for lands outside of a jurisdiction's applicable ULL.

b. Failure to conform to the Authority's ULL Compliance Requirements.

6. Develop a Five-Year Capital Improvement Program (CIP)

Each jurisdiction shall prepare and maintain a CIP that outlines the capital projects needed to implement the goals and policies of the jurisdiction's General Plan for at least the following five-year period. The CIP shall include approved projects and an analysis of the costs of the proposed projects, as well as a financial plan for providing the improvements. The jurisdiction shall forward the transportation component of its CIP to the Authority for incorporation into the Authority's database of transportation projects.

7. Adopt a Transportation Systems Management (TSM) Ordinance or Resolution

To promote carpools, vanpools, and park-and-ride lots, each jurisdiction shall adopt a local ordinance or resolution that conforms to the model TSM ordinance that the Authority has drafted and adopted. Upon approval of the Authority Board, cities/towns with a small employment base may adopt alternative mitigation measures in lieu of a TSM ordinance or resolution.

8. Adopt Additional Growth Management Policies, as applicable

Each jurisdiction shall adopt and thereafter continuously maintain the following policies (where applicable):

a. Hillside Development Policy;
b. Ridgeline Protection Policy;
c. Wildlife Corridor Policy; and
d. Creek Development Policy.

Where a jurisdiction does not have a developable hillside, ridgeline, wildlife corridor or creek, it need not adopt the corresponding policy. An ordinance that implements the East Contra Costa Habitat Conservation Plan (HCP)/Natural Community Preservation Plan (NCCP) Act shall satisfy the requirement to have an adopted Wildlife Corridor Policy and Creek Development Policy. In addition to the above, jurisdictions with Prime Farmland and Farmland of Statewide Importance (Prime/Statewide), as defined by the California Department of Conservation and mapped by the Farmland Mapping and Monitoring Program within their planning areas but outside of their city/town shall adopt and thereafter continuously maintain an Agricultural Protection Policy. The policy must ensure that potential impacts of converting Prime/Statewide outside the ULL to other uses are identified and disclosed when considering such a conversion. The applicable policies are required to be in place by no later than July 1, 2022.

9. Adopt a Complete Streets Policy and Road Traffic Safety (aka Vision Zero) Policy

Each jurisdiction shall adopt a Complete Streets Policy, consistent with the California Complete Streets Act of 2008, Assembly Bill 1358 (AB 1358) and with the Authority's Complete Streets

Policy, which accommodates all users of travel modes in the public Right-of-Way (ROW). Each jurisdiction shall also adopt a Vision Zero Policy, which substantially complies with the Authority's Model Vision Zero Policy and reflects best practices for street design elements and programs to mitigate human error and quantifiably improve the traffic safety of all users in the planning, design and construction of projects funded with Measure funds. Jurisdictions shall document their level of effort to implement these policies, including during requests for funding, peer review of project design, and as part of the newly-added compliance requirement in the biennial GMP checklist.

ALLOCATION OF FUNDS

Portions of the monies received from the retail transaction and use tax will be returned to the local jurisdictions (the cities/towns and Contra Costa County) for use on local, subregional and/or regional transportation improvements and maintenance projects. Receipt of all such funds requires compliance with the GMP and the allocation procedures described below. The funds are to be distributed on a formula based on population and road miles.

Each jurisdiction shall demonstrate its compliance with all of the components of the GMP in a completed compliance checklist. The jurisdiction shall submit, and the Authority shall review and make findings regarding the jurisdiction's compliance with the requirements of the GMP, consistent with the Authority's adopted policies and procedures.

If the Authority determines that the jurisdiction complies with the requirements of the GMP, it shall allocate to the jurisdiction its share of 2020 TEP funding from the Fix and Modernize Local Roads category and its share of Measure J Transportation Sales Tax Expenditure Plan LSM funding. Jurisdictions may use funds allocated under this provision to comply with these administrative requirements.

If the Authority determines that the jurisdiction does not comply with the requirements of the GMP, the Authority shall withhold those funds and also make findings that the jurisdiction shall not be eligible to receive Measure J TLC funds until the Authority determines that the jurisdiction has achieved compliance. The Authority's findings of noncompliance may set deadlines and conditions for achieving compliance.

Withholding of funds, reinstatement of compliance, reallocation of funds, and treatment of unallocated funds shall be as established in adopted Authority policies and procedures.

ATTACHMENT A

Urban Limit Line Compliance Requirements

Definitions—the following definitions apply to the GMP/ULL requirement:

1. Urban Limit Line (ULL) – A ULL, urban growth boundary, or other equivalent physical boundary judged by the Authority to clearly identify the physical limits of the local jurisdiction's future urban development.

2. Local Jurisdictions – Includes Contra Costa County, the 19 cities and towns within Contra Costa County, plus any newly incorporated cities or towns established after July 1, 2020.

3. County ULL – A County ULL placed on the ballot by the County Board of Supervisors, approved by voters at a countywide election, and in effect through the applicable GMP compliance period. The current County ULL was established by Measure L approved by voters in 2006.

The following local jurisdictions have adopted the County ULL as their applicable ULL:

- City of Brentwood
- Town of Moraga
- City of Clayton
- City of Oakley
- City of Concord
- City of Orinda
- Town of Danville
- City of Pinole
- City of El Cerrito
- City of Pleasant Hill
- City of Hercules
- City of Richmond
- City of Lafayette
- City of San Pablo
- City of Martinez
- City of Walnut Creek

4. Local Voter ULL (LV-ULL) – A LV-ULL or equivalent measure placed on the local jurisdiction's ballot, approved by the jurisdiction's voters, and recognized by action of the local jurisdiction's legislative body as its applicable, voter-approved ULL. The LV-ULL will be used as

of its effective date to meet the Authority's GMP/ULL requirement and must be in effect through the applicable GMP compliance period.

The following local jurisdictions have adopted a LV-ULL:

- City of Antioch
- City of Pittsburg
- City of San Ramon

5. Minor Adjustment – An adjustment to the ULL of 30 acres or less is intended to address unanticipated circumstances.

6. Other Adjustments – Other adjustments that address issues of unconstitutional takings and conformance to State and Federal law.

REVISIONS TO THE ULL

1. A local jurisdiction, which has adopted the County ULL as its applicable ULL may revise its ULL with local voter approval at any time during the term of the Authority's GMP by adopting a LV-ULL in accordance with the requirements outlined for a LV-ULL contained in the definitions section.

2. A local jurisdiction may revise its LV-ULL with local voter approval at any time during the term of the Authority's GMP if the resultant ULL meets the requirements outlined for a LV-ULL contained in the definitions section.

3. If voters, through a countywide ballot measure, approve a revision to the County ULL, the legislative body of each local jurisdiction relying on the County ULL shall:

    a. Accept and approve its existing ULL to continue as its applicable ULL, or

    b. Accept and approve the revised County ULL as its applicable ULL, or

    c. Adopt a LV-ULL in accordance with the requirements outlined for a LV-ULL contained in the definitions section.

    d. However, if any countywide measure to approve a revision to the County ULL fails, then the legislative body of each local jurisdiction relying on the prior County ULL may accept and approve the existing County ULL.

4. Local jurisdictions may, without voter approval, enact minor adjustments to their applicable ULL subject to a vote of at least 4/5 of the jurisdiction's legislative body and meeting the following requirements:

a. Minor adjustment shall not exceed 30 acres;

b. Adoption of at least one of the findings listed in the County's Measure L (§82-1.018 of County Ordinances 200606 § 3, 91-1 § 2, 90-66 § 4) which includes:

- A natural or man-made disaster or public emergency has occurred, which warrants the provision of housing and/or other community needs within land located outside the ULL;
- An objective study has determined that the ULL is preventing the jurisdiction from providing its fair share of affordable housing, or regional housing, as required by State law, and the governing elected legislative body finds that a change to the ULL is necessary and the only feasible means to enable the jurisdiction to meet these requirements of State law;
- A majority of the cities/towns that are party to a preservation agreement and Contra Costa County has approved a change to the ULL affecting all or any portion of the land covered by the preservation agreement;
- A minor change to the ULL will more accurately reflect topographical characteristics or legal boundaries;
- A five-year cyclical review of the ULL has determined, based on the criteria and factors for establishing the ULL set forth in Contra Costa County Code (Section 82-1.010), that new information is available (from city/town, or Contra Costa County growth management studies or otherwise) or circumstances have changed, warranting a change to the ULL;
- An objective study has determined that a change to the ULL is necessary or desirable to further the economic viability of the East Contra Costa County Airport, and either (i) mitigate adverse aviation-related environmental or community impacts attributable to Buchanan Field, or (ii) further Contra Costa County's aviation related needs; or
- A change is required to conform to applicable California or Federal law.

c. Adoption of a finding that the proposed Minor Adjustment will have a public benefit. Said public benefit could include, but is not necessarily limited to, enhanced mobility of people or goods, environmental protections or enhancements, improved air quality or land use, enhanced public safety or security, housing or jobs, infrastructure preservation or other significant positive community effects as

defined by the local land use authority. If the proposed Minor Adjustment to the ULL is proposed to accommodate housing or commercial development, said proposal must include permanent environmental protections or enhancements such as the permanent protection of agricultural lands, the dedication of open space or the establishment of permanent conservation easements.

d. The Minor Adjustment is not contiguous to one or more non-voter approved Minor Adjustments that in total exceed 30 acres.

e. The Minor Adjustment does not create a pocket of land outside the existing ULL, specifically to avoid the possibility of a jurisdiction wanting to fill in those subsequently through separate adjustments.

f. Any jurisdiction proposing to process a Minor Adjustment to its applicable ULL that impacts FMMP is required to have an adopted Agricultural Protection Ordinance or must demonstrate how the loss of these agricultural lands will be mitigated by permanently protecting farmland.

5. A local jurisdiction may revise its LV-ULL, and Contra Costa County may revise the County ULL, to address issues of unconstitutional takings or conformance to State or Federal law.

CONDITIONS OF COMPLIANCE

1. Submittal of an annexation request by a local jurisdiction to LAFCO outside of an approved ULL will constitute non-compliance with the GMP.

2. For each jurisdiction, an applicable ULL shall be in place through each GMP compliance reporting period in order for the local jurisdiction to be found in compliance with the GMP requirements.

3. Submittal of an annexation request for land outside an approved ULL by a third party to LAFCO will constitute non-compliance with the GMP, if the local jurisdiction: (1) submits a will-serve letter to LAFCO. A will-serve letter determines the applicant's ability and willingness to serve the subject area and any further development; (2) utilizes an existing applicable tax sharing agreement; and/or (3) enters into a new tax sharing agreement for the annexation request.

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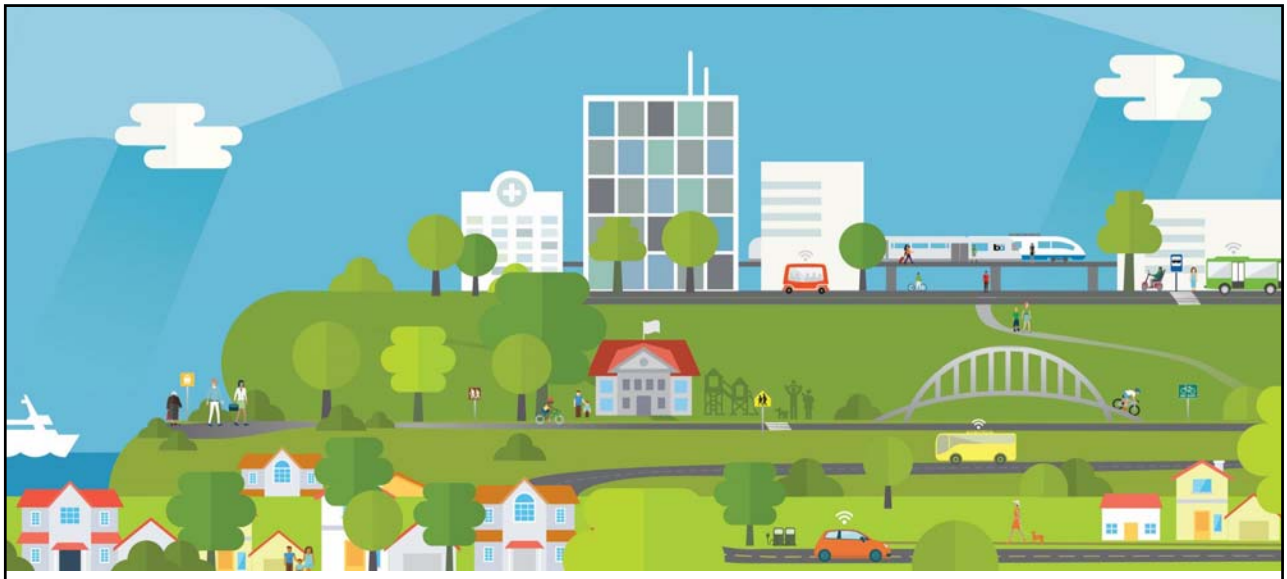
ATTACHMENT D



A Plan for Contra Costa's Future

2020 Transportation Expenditure Plan

CONTRA COSTA transportation authority

October 1, 2019

WHO WE ARE

- CCTA is a public agency formed by voters in 1988 to manage the county's transportation sales tax program and to lead transportation planning efforts.
- CCTA is responsible for maintaining and improving the county's transportation system by delivering critical transportation infrastructure projects to safely and efficiently get people where they need to go.

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WHAT WE DO

PEDESTRIAN
Make improvements to sidewalks, crosswalks, trails, and paths

LOCAL STREETS
Smooth traffic flow on major roads and invest in improvements such as repairing potholes and road surfaces

BUSES
Invest in a reliable, comfortable and convenient bus network

SAFE ROUTES TO SCHOOLS
Focus on programs and projects aimed at bicycle and pedestrian safety for K-12 students

FERRIES
Expand the Bay Area ferry system by looking to ferries as an alternate commute method between West County and San Francisco

BICYCLE
Invest in safe routes and infrastructure improvements for bicyclists

BART
Improve BART service and stations, extend routes and increase parking at stations

HIGHWAYS
Complete Contra Costa's highway system, and improve air quality and noise protection along these corridors

CARPOOL/RIDESHARE
Implement programs to reduce traffic congestion by encouraging carpooling and ridesharing

PROGRAMS FOR SENIORS AND PEOPLE WITH DISABILITIES
Enhance transit options to improve mobility for seniors and people with disabilities

Prudent Financial Stewardship

- Highly Rated
  - AA+ Bond Rating by Fitch
  - AA+ by Standard & Poor's
  - Recipient of "Excellence in Government Financial Reporting" by Government Finance Officers Association
  - **Good Governance Award from Contra Costa Tax Payers Association – July 2019**
- Responsible management through recession
  - 47% cumulative growth in sales tax revenues since 2010
- Lean Organization
  - 20 employees
  - Established budget controls – 1% limitation on administration costs
  - Conservative pension plan – no spiking, no unfunded liability
  - Low debt levels
- Last bond sale – August 2018
  - Restructured debt and saved $10.8 over the next 16 years
  - High California investor demand AA+ bonds

FitchRatings

STANDARD & POOR'S
RATINGS SERVICES

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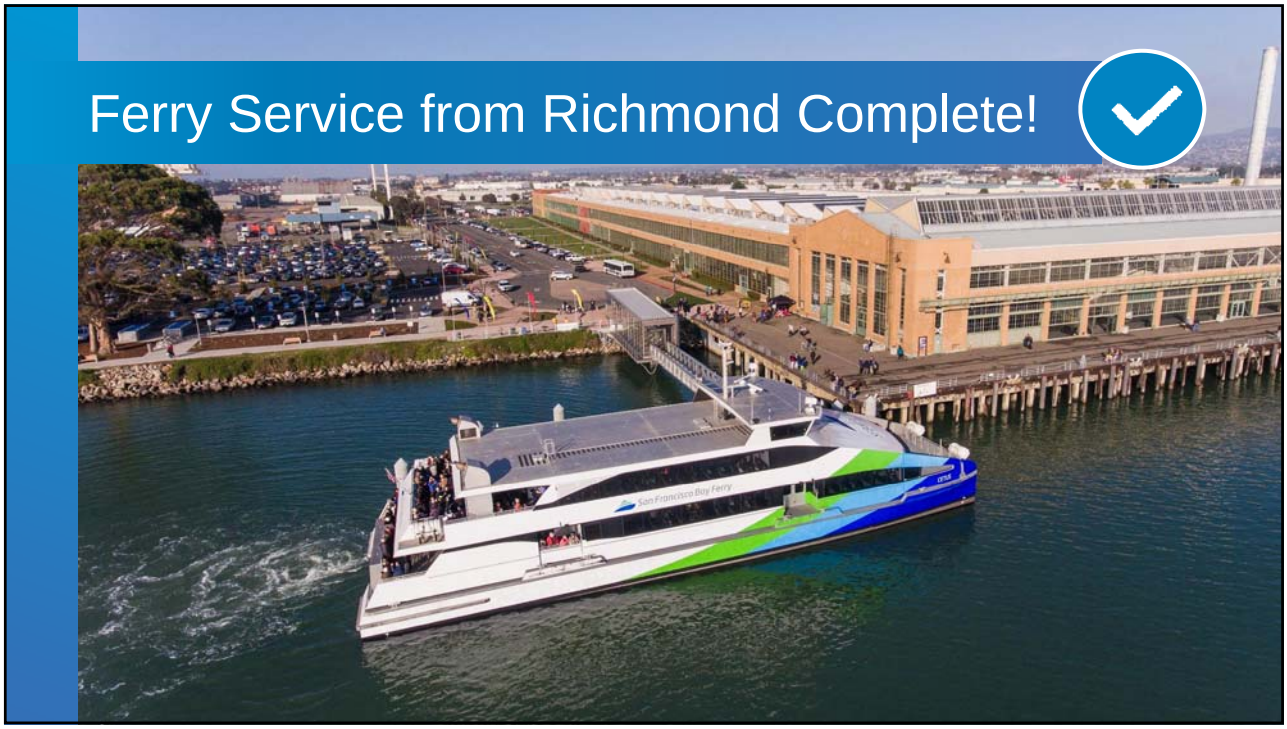

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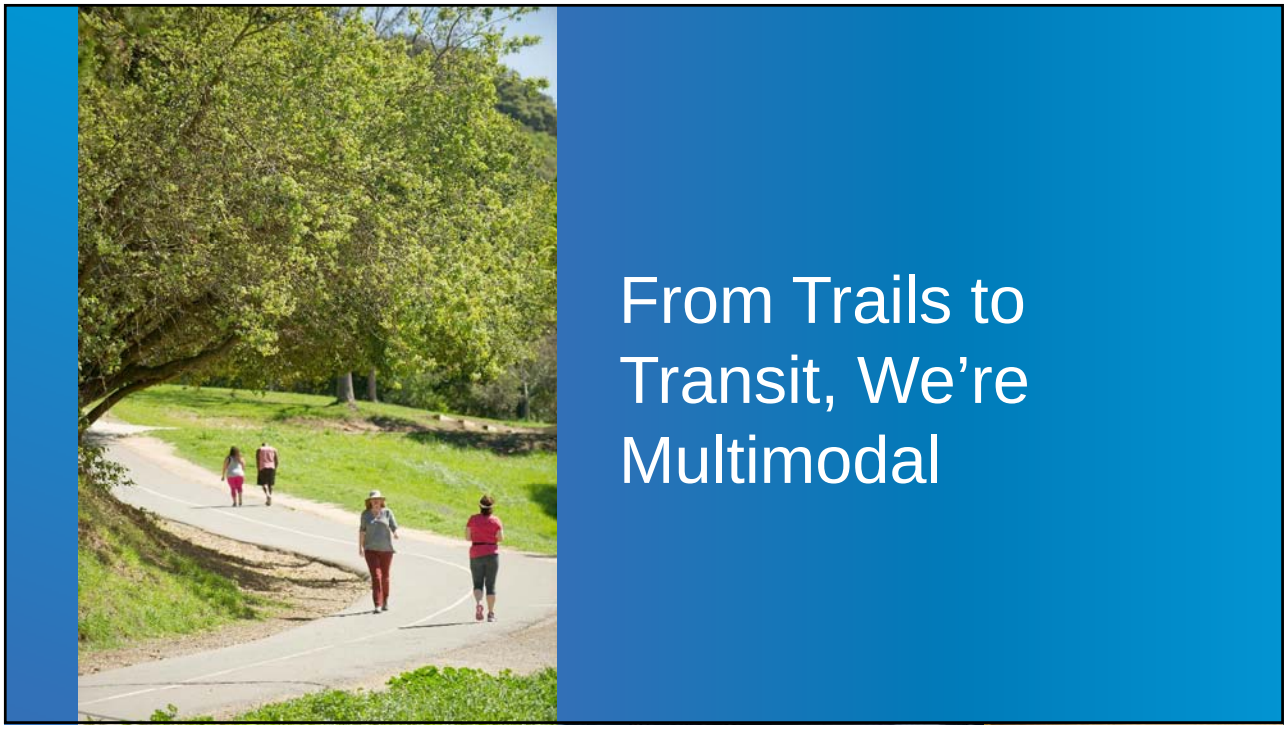

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Leverage Local Funding

MEASURE C/J » $1.4B

STATE / REGIONAL / FEDERAL FUNDS » $4.1B

TOTAL INVESTMENT » $5.5B

3:1
LEVERAGING RATIO

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Senate Bill 1

LOCAL PARTNERSHIP PROGRAM
Per Year
$2.3M

LOCAL STREETS AND ROADS
Per Year
$31.1M

Regional Measure 3

- I-680/SR-4 Interchange Improvements (Phase 1-2) ($210 million)
- Richmond – San Rafael Bridge Access Improvements ($75 million)
- I-80 Transit Improvements ($25 million)
- East County Intermodal Station ($15 million)
- Vasco Road Safety Improvements ($15 million)
- Byron Highway – Vasco Road Airport Connector ($10 million)
- I-680 Transit Improvements ($10 million)

$360 million investment in Contra Costa projects

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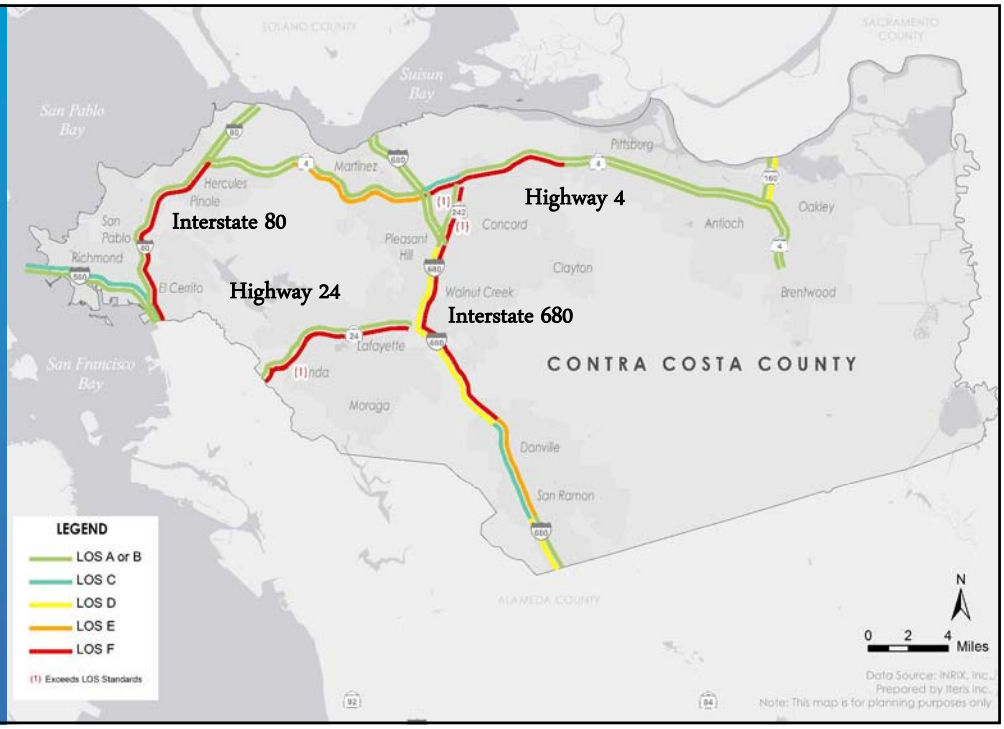
Top 10 Congested Corridors in the Bay Area



Transportation Needs

- **Gap between available funding and needs remains high.** Local funding will keep vital services in place and help attract other funding sources.
- **By 2035, 30 percent of the population is expected to be 65* or older.** New and alternative transportation solutions are needed to support the aging population.
- **Population in the county is increasing, as is the demand on roads, highways, and transit.** Investments are needed to maintain and improve the transportation system to effectively accommodate growth.

** Population based on Association of Bay Area Governments (ABAG Projections 2013)*

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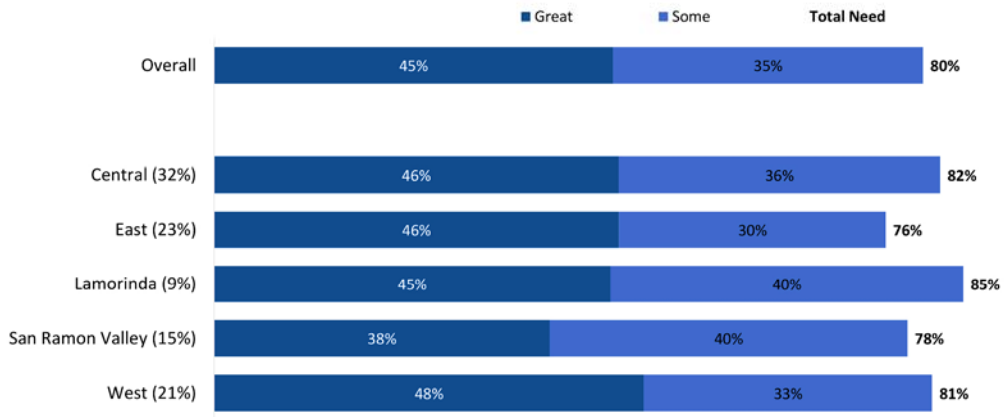
Need for Transportation Funding by Region

EMC research

Perception of need for funding is pervasive across the county, though intensity is lowest in the San Ramon Valley.



Q6. Thinking about the roads, highways, BART, buses, ferries, bike paths, and sidewalks in Contra Costa County, that is, the entire county transportation network, would you say that there is a great need for additional funding, some need, a little need, or no real need for additional funding?

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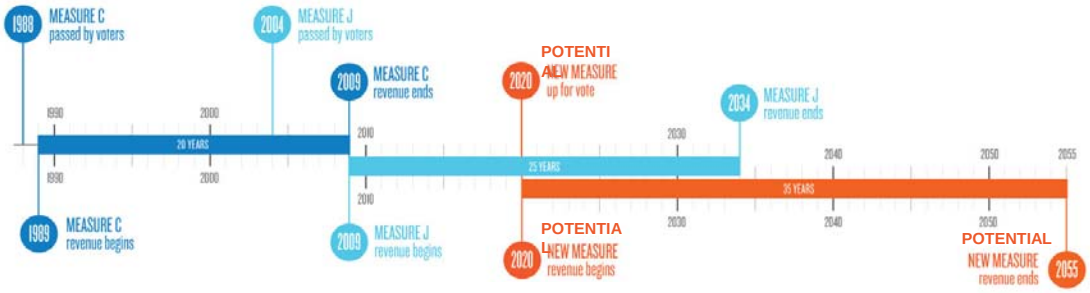
Timeline of Local Funding



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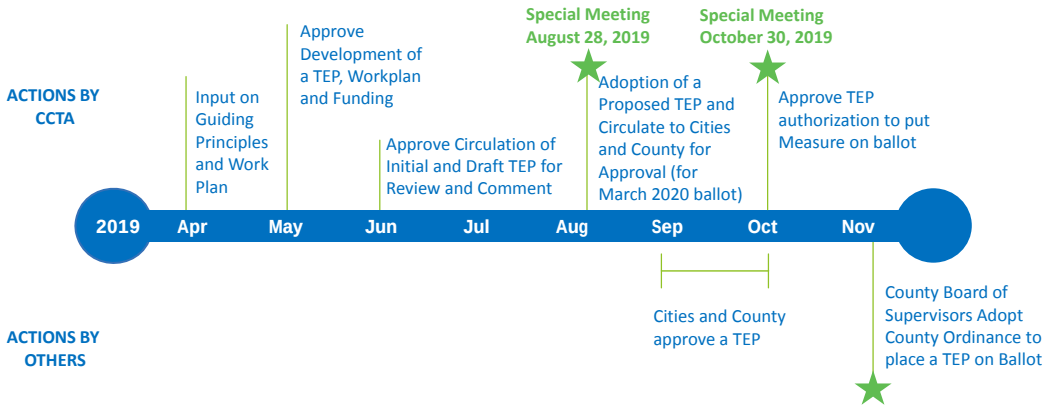
A Roadmap to Developing a Transportation Expenditure Plan



Sample Ballot Election Schedule
Subject to Change

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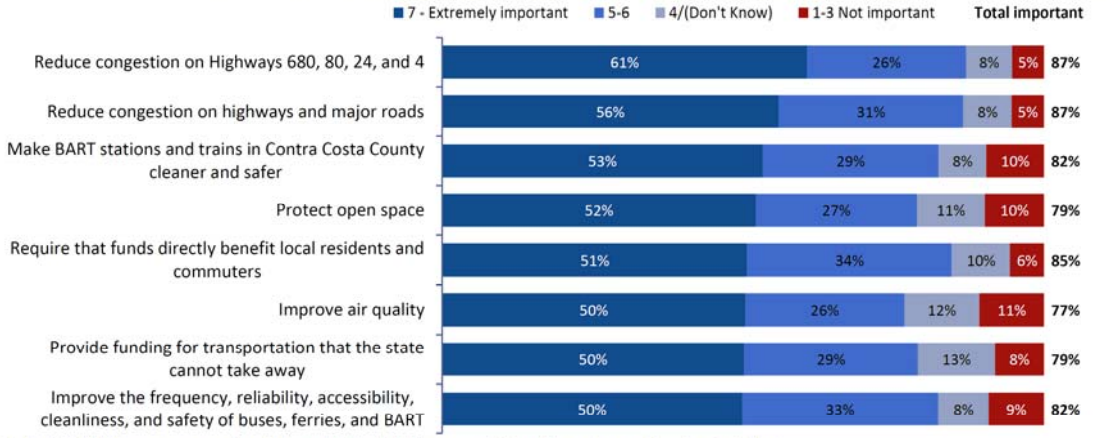
Top Potential Measure Elements

EMC research

Top-tier elements include congestion reduction, BART and other transit improvements, and environmental protections. Requiring funds directly benefit local residents and commuters is a key feature.



Q19-43. Next, I'd like to read you some items that may be included in this measure. After each one, please rate how important it is to you that it is included in the measure, using a scale of 1 to 7, where 1 means not at all important, and 7 means extremely important.

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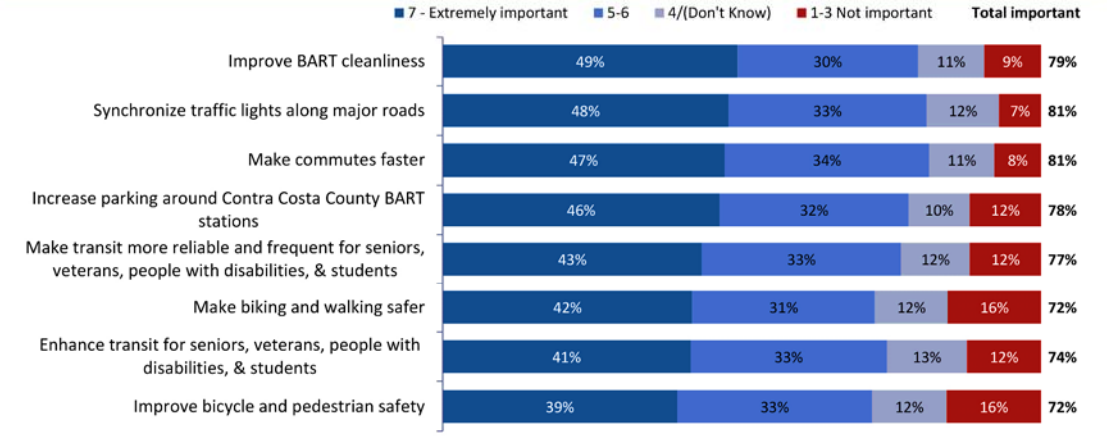
Potential Measure Elements *(cont.)*

EMC research

BART parking, better transit for seniors, veterans, people with disabilities, and students, and bike/ped improvements also hold appeal.



Q19-43. Next, I'd like to read you some items that may be included in this measure. After each one, please rate how important it is to you that it is included in the measure, using a scale of 1 to 7, where 1 means not at all important, and 7 means extremely important.

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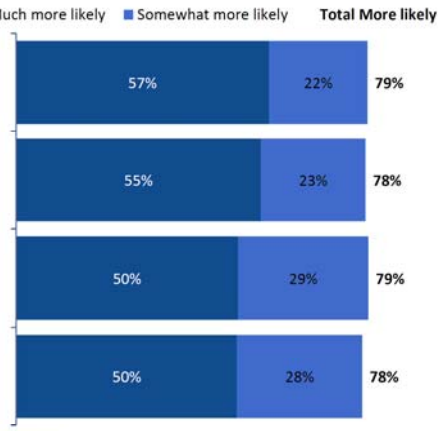
Top Measure Information

EMC research

Voters like the idea of an accountability mechanism that requires funds go to things that impact congestion.



Q44-58. Next, I'd like to read you some things people might say about the about the Contra Costa County Transportation Improvement Plan. After you hear each statement, please tell me if it makes you much more likely, somewhat more likely, somewhat less likely, or much less likely to support the measure, or if it makes no difference.

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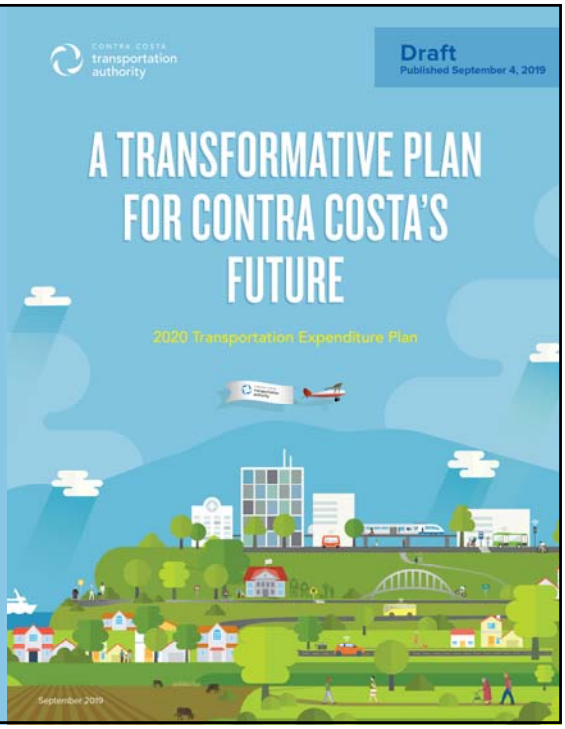
Expenditure Plan Overview

- CCTA has prepared a **transportation expenditure plan that focuses on innovative strategies and new technologies to relieve congestion, promote a strong economy, protect the environment, promote social equity, and enhance the quality of life** for all of Contra Costa's diverse communities.
- ½ Percent Sales Tax
- 35-Year Measure



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Guiding Principles

- Relieve Traffic Congestion
- Accountability and Transparency
- Balanced and Equitable Approach
- Economic Opportunity
- Maximize Available Funding
- Public Participation
- Transit First
- Performance Orientation
- Protect the Environment
- Commitment to Growth Management
- Commitment to Technology and Innovation

Expenditure Plan Funding Summary

Funding Categories	
Relieving Congestion on Highways, Interchanges, and Major Roads	$1.48B
Improve State Route 242, Highway 4, Transit, and eBART Corridor	
Modernize I-680, Highway 24, Transit, and BART Corridor	
Enhance I-80, I-580 (Richmond-San Rafael Bridge), Transit and BART Corridor	
Improving Transit and Transportation Countywide In All Our Communities	$1.98B
Planning and Administration	$144M

» $3.6B

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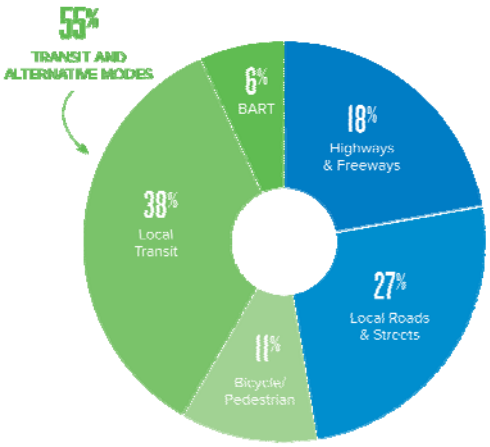
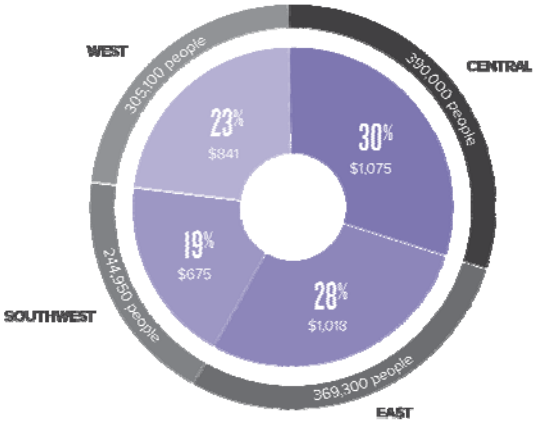
Expenditure Plan Overview





Total Funding » **$3.6B**

*population based on Association of Bay Area Governments (ABAG) Projections 2013 for year 2037

Leverage Local Funding

REGIONAL TRANSPORTATION PLAN » $3.6B

POTENTIAL FUTURE REVENUE FOR CAPITAL » $1.6B

ADDITIONAL STATE / REGIONAL / FEDERAL FUNDS » $4.8B

$10B
TOTAL INVESTMENT

3:1
LEVERAGING RATIO

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West County Investments

$841M

Cities and Towns: Crocket, El Cerrito, El Sobrante, Hercules, Pinole, Richmond, Rodeo, and San Pablo

Funding Category	
Relieve Congestion on Highways, Interchanges, and Major Roads	**$243M**
Upgrade I-80 and I-580 (Richmond Bridge), and BART Corridor	*$243*
Improving Transportation Countywide In All Our Communities	**$564M**
Modernize Local Roads and Improve Access to Jobs and Housing	*$119*
Improve Walking and Biking on Streets and Trails	*$51*
Increase Bus Service and Reliability in West Contra Costa	*$250*
Affordable Transportation for Seniors, Veterans, and People with Disabilities	*$48*
Cleaner, Safer BART	*$43*
Safe Transportation for Youth and Students	*$33*
Reduce and Reverse Commutes	*$13*
Reduce Emissions and Improve Air Quality	*$9*
Planning and Administration	**$33M**

*numbers may not add up due to rounding

City of Pinole

$11.3M

Modernize Local Roads and Improve Access to Jobs and Housing

	Potential Revenue (35 years)	Measure J (14 years*)
Total	**$11.3 million**	$4.8 million
	Potential Revenue (per year)	**Measure J (per year)**
Annually	**$322,000**	$341,000

*remaining duration

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Benefits to Pinole

- **$322,000 per year to Pinole** to modernize local roads and improve access to jobs and housing
- Improve transit reliability along I-80 Corridor such as the I-80 Transit Lane, Shared Mobility Hubs, and I-80 Express Bus service
- Relieve congestion along I-80 and improve local access to freeways such as improvements to I-80/Pinole Valley Road Interchange
- Funding to improve traffic flow on major roads such as San Pablo Avenue, Pinole Valley Road, and Appian Way
- Funding for Hercules Regional Intermodal Station and ferry service
- Bicycle and pedestrian improvements to streets and trails
- Affordable transportation for seniors, veterans, and people with disabilities
- Safe transportation for youth and students
- Investments to reduce emissions and improve air quality such as electric vehicle charging stations
- Funding to attract jobs to Contra Costa County

West County Investments

$841M

$250M

To Increase Bus Service

Improving Transit and Transportation Countywide in All Our Communities

$1.98B

Modernize Local Roads and Improve Access to Jobs and Housing	$628M
Providing Convenient and Reliable Transit Services in Central, East and Southwest Contra Costa	$392M
Increase Bus Services and Reliability in West Contra Costa	$250M
Improving Walking and Biking on Streets and Trails	$215M
Accessible Transportation for Seniors, Veterans, and People with Disabilities	$180M
Cleaner, Safer BART	$120M
Safe Transportation for Youth and Students	$104M
Reduce and Reverse Commutes	$54M
Reduce Emissions and Improve Air Quality	$37M

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Countywide and Regional Benefits

- Relieve Traffic Congestion on Highways and Interchanges
- Make Bus, Ferry, Passenger Train, and BART Rides Safer, Cleaner, and More Reliable
- Provide Accessible and Safe Transportation for Children, Seniors, Veterans, and People with Disabilities
- Improve Transportation and Enhance Quality of Life in Our Communities
- Improve Air Quality

Key Policy Considerations

- Growth Management Program
- Urban Limit Line Compliance Policy
- Transit Policy
- Advance Mitigation Program
- Complete Streets Policy
- Road Traffic Safety (aka Vision Zero) Policy
- Taxpayer Safeguards and Accountability Policy

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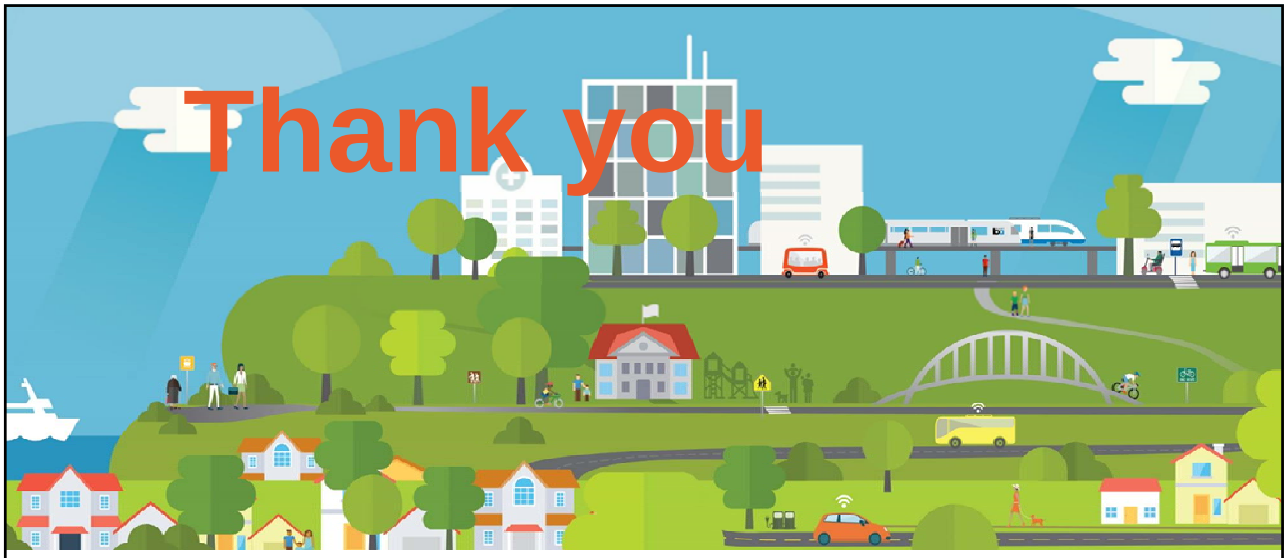

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CONTRA COSTA
transportation
authority

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CITY COUNCIL REPORT

10A

DATE: OCTOBER 1, 2019

TO: MAYOR AND COUNCIL MEMBERS

FROM: MICHELLE FITZER, CITY MANAGER

SUBJECT: POTENTIAL REQUEST TO RENEGOTIATE PROPERTY TAX ALLOCATIONS

RECOMMENDATION

It is recommended that the City Council discuss and provide direction to staff regarding the potential request to renegotiate Pinole's property tax allocations.

BACKGROUND

On December 18, 2018 a majority of the City Council directed the City Manager to submit a letter to the County Auditor-Controller asking several questions. The requested letter was sent to Robert Campbell, Auditor-Controller on December 20, 2018 (Attachment A).

Subsequently, Council member Salimi asked that the Council have a future agenda discussion regarding potential direction to staff to attempt to renegotiate the current property tax allocations. A majority of the Council agreed to this requested future agenda item, which is the basis for this report.

REVIEW AND ANALYSIS

Prior to 1978, cities and other local agencies imposed property taxes annually depending on particular needs. However, in 1978, voters adopted Proposition 13, which limited property taxes to one-percent (1%) of the assessed value of the property, with extremely limited exceptions not relevant here. The passage of Proposition 13 had significant impacts on local government revenues, as numerous agencies were forced to share a one-percent (1%) property tax allocation. In response to the passage of Proposition 13, the Legislature passed a series of laws that created rules and formulas for the distribution of property taxes to local agencies.

These rules are incredibly complex. However, in general, the greater the property taxes imposed by a local jurisdiction, in comparison to other local jurisdictions within the same area, in the years prior to 1978, the greater the share of the one percent property tax allocation that agency will receive. As an extremely oversimplified example, if prior to 1978 the City of Pinole imposed a 1% property tax, Contra Costa County imposed a 2% property tax, and WCCUSD imposed a 1% property tax, the current 1% property tax would be allocated with 0.25% for the City, 0.25% for

WCCUSD, and 0.5% for the County. In reality, the actual distribution involves more than just three public agencies, and the Legislature has made various adjustments that make the formulas significantly more complex. The County provided Attachment C as a reference.

Because of these funding formulas, each city receives a different portion of the property tax generated from property within its jurisdiction. The City of Pinole currently receives on average approximately 18.9% of the 1% property tax allocation (i.e. 18.9 cents for every dollar of property taxes on property in Pinole). As a point of comparison, the City of Hercules receives on average approximately 5.47% and the City of El Cerrito receives on average approximately 22.2%.

Per the Council's direction, the City Manager submitted a letter to the County Auditor-Controller asking several questions about property tax allocation. The response received from Contra Costa County is included as Attachment B. Basically, the statement is that the City would have to request for each of the taxing entities who currently receive a portion of the one-percent (1%) property tax collected from the City of Pinole property owners to agree to renegotiate their allocated share.

Specific to Pinole, as you can see in Attachment D, the largest recipients of property tax are WCCUSD, the City of Pinole, Contra Costa County, and K-12 School ERAF. This reflects merely one of the Tax Rate Areas, but should be representative of how the breakdown is on average. An individual city may contain multiple tax rate areas, depending on the boundaries of the other local agencies whose jurisdictions contain all or part of the city.

The two Education Revenue Augmentation Fund ("ERAF") allocations you see cannot be changed. The ERAF is a mechanism enacted by the State Legislature to shift local tax revenues to a state controlled fund that is distributed to school and community college districts. Those are set by State law. That leaves the remaining entities allocations to be discussed. State law authorizes local agencies to negotiate with each other to change the distribution of property taxes between the agencies party to that type of agreement.

It is staff's opinion, as well as many other municipal professionals, that the likelihood of successfully negotiating a reallocation away from any of the taxing entities to the City of Pinole is practically zero. The County's response email even includes a statement regarding "why reallocations are quite difficult within the constraints of our current system." Like the City of Pinole, most public agencies face tight budgets and would be unwilling to give up a portion of their property tax allocation, especially without the City offering something of value to the other agencies as a negotiating point. While we understand and share the interest in achieving additional General Fund revenue, this particular pursuit does not seem to be the highest and best use of staff time. This is especially true given that we currently have the Strategic Plan Project, Fire Service Delivery Study and potential ballot measure, and perhaps a Charter City ordinance and ballot question as priority projects.

Staff is looking for direction from the Council regarding this matter.

FISCAL IMPACT

If staff were successful in negotiating a change to the property tax allocation resulting in more of the 1% property tax going to the City, that would increase the General Fund revenue. The amount is unknown and would be dependent on the outcome of the negotiations.

There is anticipated to be a significant cost associated with the staff/City Attorney time required for this project, with little to no anticipated positive financial outcome.

ATTACHMENTS

A December 20, 2018 Letter to Robert Campbell
B Response E-mail from Contra Costa County
C Demystifying the California Property Tax Apportionment System
D Pinole Tax Rate Area 06030 Property Tax Allocation

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ATTACHMENT A

CITY OF PINOLE

2131 Pear Street
Pinole, CA 94564

Phone: (510) 724-9010
FAX: (510) 724-9826
www.ci.pinole.ca.us

December 20, 2018

Robert R. Campbell
Contra Costa County Auditor – Controller
625 Court Street
Finance Building
Martinez, CA 94553

RE: PINOLE PROPERTY TAX ALLOCATIONS

Dear Mr. Campbell:

At their December 18th meeting, the Pinole City Council raised some questions about the property tax distribution. Specifically we would like to know the following:

- How is the 1% property tax collected from Pinole allocated? Who are the taxing entities and what percentage of the 1% does each of them receive?

- How and when were the above percentage allocations determined? The discussion was around the matter that Pinole receives slightly less than 19%, El Cerrito receives about 24%, and I know that Antioch receives 10%. So we're interested in understanding why there are such large variations.

- If the City wanted to receive an increase in our share of the property tax allocation, what is the process and how do we initiate those discussions?

Thank you for your attention to our questions. I look forward to receiving a response from a representative in your office. If there are any questions, I may be reached by telephone directly at (510) 724-8933 or by email at mfitzer@ci.pinole.ca.us.

Happy Holidays!

Michelle Fitzer
City Manager

cc: City Council
Eric Casher, City Attorney

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ATTACHMENT B

Michell itzer

From: Chris Wong
Sent: Monday, February 11, 2019 9:47 AM
To: Michelle Fitzer
Cc: Joanne Bohren; Chris Averilla
Subject: Pinole Property Tax Allocations
Attachments: AB8.pdf

Good morning Michelle,

In regards to your letter dated December 20,2018, below are some answers I hope you will find helpful .

1. Contra Costa County participates in the Alternative Method of Tax Apportionment (Teeter Plan). The Teeter plan allows counties to allocate certain property taxes to jurisdictions at the billed amount rather than actual tax collections. The County apportions these taxes to all taxing jurisdictions although 100% of the taxes have not been collected. Contra Costa County allocates and distributes property taxes based on Assembly Bill 8 (AB8) in 1979. These allocations are codified in Revenue and Taxation Code Section 95 et seq. Please refer to the attached document of the taxing jurisdictions within Contra Costa County that receive allocations of the 1% property tax.

2. I don't know where the percentages that are specified in your letter are from. The original model for allocation was dictated by the State in the Proposition 13 enabling legislation. Basically, each local jurisdiction was allocated a share of the post Prop-13 tax base, and guaranteed that amount, plus a share of the growth in property taxes, in each year thereafter. Tax rate areas were developed so that the growth within each jurisdiction can be calculated and the allocation of that growth can be accomplished as required by law.

3. Over the years the AB8 process has also been modified by State actions. To understand the AB8 process and why the percentages change, I'd like to suggest a publication on the County of Santa Clara's website, called "Demystifying the California Property Tax Apportionment System" located here. Specifically Chapters 1-3 explains the apportionment process, Page 8 – 11 discusses the disparities in the process and page 66, paragraph 3 goes into why reallocations are quite difficult within the constraints of our current system. To increase your property tax allocations, Revenue and Taxation Code 99.02 allows for a transfer of property taxes amongst Taxing agencies within the same Tax Rate Areas, provided the conditions outlined in that code section are met. Basically you would identify the taxing agencies in the Tax Rate Areas, and negotiate with them to reallocate a portion of their share in that Tax Rate area to your agency.

Please let me know if you have any questions or would like clarification.

Thank you,
Chris Wong, Supervising Accountant
Property Tax Division
Office of the Auditor-Controller
Contra Costa County
Phone: (925) 335-8621

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ATTACHMENT C

Demystifying the California Property Tax Apportionment System

A Step-by-Step Guide through the AB 8 Process

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Demystifying the California Property Tax Apportionment System

A Step-by-Step Guide through the AB 8 Process

Prepared by:
David G. Elledge
Controller-Treasurer
County of Santa Clara

Thanks to the following who reviewed the document:

Robert Campbell, Assistant County Counsel, Santa Clara County

Irene Lui, Tax Apportionment Manager, Santa Clara County

Steve Ybarra, Auditor-Controller, Contra Costa County

Richard Arrow, Auditor-Controller, Marin County

Rod Dole, Auditor-Controller, Sonoma County

Annika Wilkes, Retired

And special thanks to Cecilia Delgado, who typed these numerous pages from hand written copy.

March 2006

Cover Created by Robin C. Bravo

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Introduction

The California property tax system is often perceived as a mysterious process understandable by only the technicians who work its applications. It is deemed by all to be complex with its complexity increasing with each related statutory change. There is no single feature of the apportionment system that is difficult to comprehend. In fact, each individual procedure would appear to be rather simple. The complexities lie with the multifarious procedures and formulas and how each procedure and formula interrelates and affects the final outcome.

In light of this, the most useful tool to enable the reader to understand the AB 8 process is a simple model demonstrating its important features and formulas. The model in this report provides that needed step-by-step approach. The foundation of the model was developed by Woody McWaters of Ventura County. California counties will have variations from the processes demonstrated by the model (as the saying goes, "there are 58 counties and 59 ways of doing things"), however, the essence will be the same.

This report also includes discussions on legislative history and the effect each change has made to the apportionment process. It does not include a history of events that led to the passage of Proposition 13. The best source to learn about the chain of events leading to the tax revolt is David Doerr's "California Tax Machine: A History of Taxing and Spending in the Golden State", published by the California Taxpayers' Association. Also, for a more detailed description and discussion on the intricacies of the property tax apportionment system, the reader should refer to the "California Property Tax Managers' Reference Manual" and various other uniform guidelines published by the State Association of County Auditors.

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Chapter One

The Provisions of Proposition 13

Prior to the passage of Proposition 13, local governments were authorized to levy individual property tax rates. The total tax rate applicable to any individual parcel was the total of the separate rates levied by each local taxing jurisdiction serving that property, i.e. county, city, special districts, school districts, community college, Office of Education. The average statewide combined tax rate in 1977/78 (the year of Proposition 13's passage) was equivalent to 2.67% of full cash value. For 1977/78, statewide property tax revenues totaled $10.3 billion and represented 57 percent of combined city and county general purpose revenues.

Proposition 13 limited the tax rate for each individual piece of property to one percent, exclusive of bonded indebtedness approved by the voters prior to adoption of the initiative or at the same election. Property would be valued for taxing purposes as of the 1975 lien date, or as of the date of ownership change or as newly constructed after the 1975 lien date. For subsequent lien dates, annual assessed value adjustments are limited to the lesser of the increase in the California consumer price index or two percent. State and local governments are prohibited from imposing any new ad valorem (based on value) taxes on real property. Proposition 13 reduced property taxes by $7 billion in the first year of its implementation.

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Chapter Two

SB 154 – The First Year

Immediate Issues.

Since Proposition 13 was passed on the first Tuesday in June, there were three weeks to implement the initiative for the upcoming fiscal year. The pressure on the legislature was intense. There were four key issues that needed to be resolved.

1) How to divide up the one percent property tax rate among all of the local governments.

2) How much state assistance (bailout) to give counties, cities and special districts.

3) How to fund schools.

4) How to implement the acquisition value assessment systems. *(Doerr, 2000, p.151)*

With a week to spare, SB 154 was passed followed by twelve more bills to add clarifying provisions. The legislature chose to divide up the one percent property tax rate based on an historical shares methodology to maintain an "as you were" approach. For example, if a city received five percent of the property taxes collected for all taxing jurisdictions in the county prior to the passage of Proposition 13, the city would receive five percent of the property taxes collected at the one percent rate.

SB 154 Apportionment Formula.

The mechanics of the SB 154 property tax apportionment system is illustrated in the following three schedules. The first schedule (Schedule 2.1) reflects the 1977/78 property taxes received by each taxing jurisdiction. You will notice that, with

redevelopment deducted from the total, local agencies received 40 percent of the property taxes collected and schools received 60 percent.

Schedule 2.1

	1977-78 Property Taxes Received	
County of Hewega	$ 20,000,000	
Knowbookiez County Library	3,250,000	
City of Maulsgalor	10,000,000	
City of Yucantkomen	5,000,000	
NoH2Ohoz Fire District	500,000	
Uliteumwesavum Fire District	150,000	
Weekillum Mosquito Abatement	350,000	
Yugottago Sanitation District	750,000	
Total Local Agencies	$ 40,000,000	40%
County Office of Education	$ 5,000,000	
Wrugrats Elementary School	26,500,000	
Nozaverythin High School	20,000,000	
Knotau Community College	8,500,000	
Total Schools Share	$ 60,000,000	60%
Redevelopment Agencies	$ 7,000,000	
Total 1977-78 Property Taxes Received	$ 107,000,000	

The next step, as illustrated in Schedule 2.2, determines the percentage to be used for each individual local agency (share of 40% split) and each individual school entity (share of 60 % split) based on prior year(s) property taxes received. It was argued that the local agencies' apportionment percentage should be based on a three-year average to minimize the affect of one-year anomalies. Each school's percentage was based on a one-year average since the state was obligated to fund fiscal requirements not met with property tax revenue.

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Schedule 2.2

COUNTY OF HEWEGA

PROPERTY TAX APPORTIONMENT
1978-79

	1975-76	1976-77	1977-78	Average	Percentage
County of Hewega	$ 19,000,000	$ 19,500,000	$ 20,000,000	$ 19,500,000	0.516419
Knowbookiez County Library	3,000,000	3,125,000	3,250,000	3,125,000	0.082760
City of Maulsgalor	9,000,000	9,500,000	10,000,000	9,500,000	0.251589
City of Yucantkomen	3,000,000	3,250,000	5,000,000	3,750,000	0.099311
NoH2Ohoz Fire District	1,000,000	450,000	500,000	650,000	0.017214
Uliteumwesavum Fire District	125,000	130,000	150,000	135,000	0.003575
Weekillum Mosquito Abatement	300,000	400,000	350,000	350,000	0.009269
Yugottago Sanitation District	750,000	750,000	750,000	750,000	0.019862
Total Local Agencies	$ 36,175,000	$ 37,105,000	$ 40,000,000	$ 37,760,000	1.000000
County Office of Education			$ 5,000,000	$ 5,000,000	0.083333
Wrugrats Elementary School			26,500,000	26,500,000	0.441667
Nozaverythin High School			20,000,000	20,000,000	0.333333
Knotau Community College			8,500,000	8,500,000	0.141667
Total Schools Share			$ 60,000,000	$ 60,000,000	1.000000

The final schedule pertaining to the SB154 apportionment (Schedule 2.3) provides the final apportionment percentages for all county taxing jurisdictions, net of redevelopment. These were the percentages to be used to apportion every dollar of property tax revenue received for the 1978/79 fiscal year.

Schedule 2.3

COUNTY OF HEWEGA

PROPERTY TAX APPORTIONMENT
1978-79

1978-79 Property Taxes Estimated (net RDA) =	$50,000,000
Local Agencies Share @ 40% =	$20,000,000
Schools Share @ 60% =	$30,000,000

	Three/One Year Average	1978-79 Property Taxes	Percent To Total
County of Hewega	0.516419	$ 10,328,380	0.206568
Knowbookiez County Library	0.082760	1,655,200	0.033104
City of Maulsgalor	0.251589	5,031,780	0.100636
City of Yucantkomen	0.099311	1,986,220	0.039724
NoH2Ohoz Fire District	0.017214	344,280	0.006886
Uliteumwesavum Fire District	0.003576	71,520	0.001430
Weekillum Mosquito Abatement	0.009269	185,380	0.003708
Yugottago Sanitation District	0.019862	397,240	0.007945
Total Local Agencies	1.000000	$ 20,000,000	0.400000
County Office of Education	0.083333	$ 2,499,990	0.050000
Wrugrats Elementary School	0.441667	13,250,010	0.265000
Nozaverythin High School	0.333333	9,999,990	0.200000
Knotau Community College	0.141667	4,250,010	0.085000
Total Schools Share	1.000000	$ 30,000,000	0.600000
			1.000000

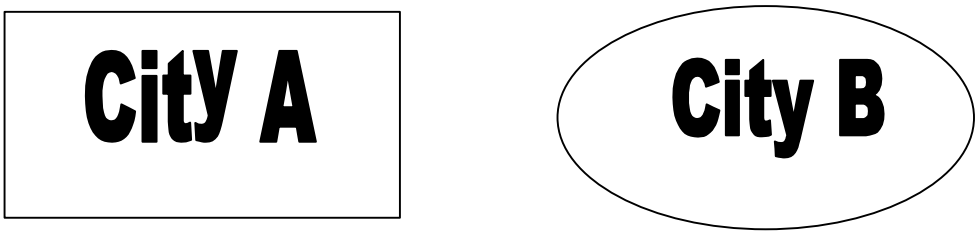
Apportionments Cross Geographical Boundaries.

One key concept of SB 154 needs to be recognized as it adds complexity to the property tax apportionment process, particularly when combined with the provisions of AB 8 which was enacted the following year. The apportionment of property tax revenue under SB 154, as illustrated above, was based on an entity's prior year taxes received on a countywide basis and not a geographical area within the county. Because of this, property taxes, within the county, cross geographical boundaries. The illustration shown below will help to understand why this is true.

The example in Figure 2.1 compares two hypothetical cities, each with a $1 million in assessed valuation. Prior to Proposition 13, the aggregate property tax rate levied by the taxing entities in City A was three percent, while those in City B levied one percent. The

City A area generated $30,000 in property tax revenue, City B $10,000. Of the total $40,000 of tax revenue, the City A entities are credited with 75 percent while those in City B are credited with 25 percent. Now, following the provisions of Proposition 13, (for simplistic purposes we keep the assessed value the same for both areas at $1 million) the tax rate is one percent. Thus the areas of City A and City B both generate $10,000 each for a total of $20,000. However, using the SB 154 apportionment formula based on the prior year share of countywide property tax revenue received, the entities in City A received $15,000 of the $20,000 and those in City B received $5,000.

Figure 2.1
PROPERTY TAXES CROSS GEOGRAPHICAL BOUNDARIES



	City A	City B
Pre Propostion 13		
	Assessed Value = $1,000,000	Assessed Value = $1,000,000
	Tax Rate = 3%	Tax Rate = 1%
	Tax Revenue = $30,000	Tax Revenue = $10,000
SB 154		
	Assessed Value = $1,000,000	Assessed Value = $1,000,000
	Tax Rate = 1%	Tax Rate = 1%
	Tax Revenue = $10,000	Tax Revenue = $10,000
	Apportionment = $15,000	Apportionment = $5,000

Each county had numerous taxing jurisdictions and hundreds to thousands of tax rate areas. Areas within the county also had high property values which yielded high property tax revenues when juxtaposed to other county areas. So the actual dollars that migrated from one area to another is not readily identifiable. **What can be concluded though, is generally the areas with a Pre Proposition 13 tax rate less than the countywide average lost tax dollars to the areas with a greater Pre Proposition 13 tax rate.** This is particularly true in regard to unincorporated areas which historically had lower tax rates as compared to incorporated areas.

The SB 154 apportionment formula based on each entity's property tax revenue to the county total rather than a distribution by specific geographical areas created complexity in the tax apportionment system later with the enactment of AB 8. Under SB 154, property taxes cross the geographical boundaries. Under AB 8, property tax growth is allocated strictly within a specified geographical area. The difference in methodologies is the reason why auditor-controllers have difficulty answering the simple questions from government officials of "where do my taxes come from?" or from taxpayers of "where do my taxes go?". Illustrations and discussions regarding the complexity created by the different methodologies will be included later in Chapter 3 under the AB 8 legislation. It should be noted, however, that with each passing year the annual allocation of growth by situs will gradually reduce the impact of the 1979 apportionment.

Disparities in Apportionment.

The SB154 provision that a local government's share of the property tax be based on the share of the property tax going to that local government before Proposition 13 became the foundation of the apportionment system subsequently enacted the following year under AB 8. Therefore, it is the basis of why some local governments receive a greater share of the property tax distribution than others. The legislature determined that in order to ensure that essential services be maintained, property taxes would not be subject to a redistribution process, but would be given proportionately to those local governments currently providing the services.

The most significant factor in explaining the differences among local governments' shares of tax dollars is the difference in service responsibility. Local governments that provided a full range of governmental services typically receive more property taxes than governments that provided fewer services. This salient point is exemplified by Michael Coleman, Special Consultant to the League of California Cities, when he reported that less than 1/3 of California cities are "full service". A "full service city" means a city that is financially responsible for the full set of basic tax-dependent municipal services within its jurisdiction including police, fire, parks and recreation, library, streets and land use planning. Twenty-eight percent of the cities are not responsible for fire protection. Sixty three percent are not responsible for library services. Cities relying on special districts to

provide local services are apt to receive a lesser share of the one percent distribution than full service cities. *(Coleman, 1999, pp.1-2)*

A lower share of property tax distribution can also be attributable to political decisions made in the 1970's.

For almost two decades prior to Proposition 13's passage, property tax reform was continually a hot button issue in California politics. In fact, the passage of SB 90 of 1972 imposed property tax rate limits on cities, counties, and special districts for the first time in California history. For schools, a system of revenue controls was devised to limit school property tax rates. Some local leaders aware of the increasing burden property taxes placed on its constituents made conscientious decisions to keep property taxes low and were subsequently stuck with a lower share.

For example, one official from Humboldt County testified that the County budgeted part of Federal Share Revenue Sharing funds for on-going operations. The county felt the hit with the lower share of property tax dollars under SB154 and then again in the mid 1980's after the demise of the Federal Revenue Sharing program. In Nevada County, the Penn Valley Fire District put on a rodeo show to subsidize funding for fire protection to keep property taxes manageable for its constituents. Three decades later, they are still in the rodeo business and recently expanded its business practices to a thrift store enterprise. In Siskiyou County, the Lake Shastina Community Services District was formed by petition in 1978. They promised their voters that they would not levy a tax rate until the district was fully established and then the tax rate would increase gradually commensurate with the services provided. The District under SB 154 was left out of the property tax apportionment equation and to this day district residents pay for municipal type services through special assessments in addition to paying Proposition 13's one percent rate. Implementation of SB 154 left 31 cities (called no tax cities) without a share of property tax apportionment. Their remedy is discussed in Chapter 4, Tax Equity Allocation (TEA).

Local governments on the winning side of the SB 154 provisions included those who subsidized enterprise and other user charge type activities with property tax dollars prior

to Proposition 13. Local governments who set a higher property tax rate to mitigate electric or sanitation fees, for example, could easily justify a post Proposition 13 increase in those user fees to fully recover the cost of providing the enterprise service while reaping the benefits of a higher property tax share. Conversely, the local governments who set a lower property tax rate and set the user charge commensurate with the costs of providing the enterprise activity did not have that option.

Other taxing entities who set a property tax rate during the three years window period (1975/76 to 1977/78) to finance one-time expenditures, were also on the winning SB 154 edge. For example, a cemetery district which set a high rate during one or two of those years to pay for a street overlay on their property, benefited on an on-going basis.

Examination of property tax receipts for individual county governments also reflect the disparity caused by SB 154. For 2003/04, the latest data available from the State Board of Equalization at the time of this writing, counties with a greater share of property tax apportionments include San Francisco (a city and county) at 64 percent, Alpine at 62 percent and Sierra at 51 percent. Counties on the low end include Orange County at six percent and Yolo at nine percent. The statewide average for counties was 18 percent. *(State Board of Equalization, 2004, p. A-19)*

A better representation of the disparities is shown, however, when comparing the percentage of property taxes apportioned to schools versus non-school entities. Since, as discussed above, there are manifold combinations of service providers by California's local governments, the non-school percentage reflect the property tax portion available for municipal type services within a county, regardless of which government sector provides the service. The low tax counties include Stanislaus at 25 percent and Lassen and Madera, each at 28 percent. The highs include Alpine at 74 percent and the City and County of San Francisco at 71 percent. The statewide average for non-school apportionments was at 47 percent. *(State Board of Equalization, 2004, p.A-19)* If by chance a redistribution to equalize property tax revenue on a statewide basis is entertained by the State legislature, the non-school apportionments should be the keystone of the change.

The apportionment percentages shown above do not include the transfers of property taxes resulting from the Triple Flip, VLF Swap, and ERAF III as described in Chapter 6.

SB 154 Base Year Errors.

Some taxing entities receive a higher share of property taxes due to errors in the SB 154 calculation. This came to light following the Carmen v Alford (1982) Supreme Court ruling.

According to reports filed by cities and counties to the State Controller for 1977/78, 53 cities and six counties levied separate property tax rates for voter approved pension obligations. Some cities and counties that levied the separate property tax rate to finance their pension systems before Proposition 13 counted the revenues from these rates for the SB 154 calculation and received a larger share of property tax revenues. A second group of cities and counties did not count these revenues for SB 154, paying their pension system costs out of their general funds as with any other local program. A third group of cities and counties excluded these revenues from their SB 154 base share but continued to levy a separate tax rate for their pension cost, in excess of the one percent limit. The City of San Gabriel was one of 13 cities in this last category. The Carmen decision interpreted the term "indebtedness" under Proposition 13 to cover the City of San Gabriel's pension obligations and therefore allowed the ad valorem tax in excess of the one percent limit. *(Detwiler, 1983, p.1)*

The Legislative Counsel and the Los Angeles County Counsel were each asked to render an opinion of the auditor-controller duties in this scenario. Both concluded that a local government which levied a separate tax rate to pay for the costs of their pension system prior to Proposition 13 could not inflate their share of property tax revenue under the SB 154 formula. The auditor-controller was obligated to recapture and reallocate the property tax revenues which had been incorrectly apportioned over the past five years (1978/79 to 1982/83). The Legislative Analyst estimated that, statewide, the reallocation for the five years amounted to $1.04 billion. *(Detwiler, 1983, p.2)*

Local water agency officials, during the Carmen discussions, reported similar issues. Under the Burns-Porter Act, approved by the voters at a statewide election in 1960, 30 water agencies signed binding water delivery contracts with the State of California. In Goodman v County of Riverside (1983), the Supreme Court considered the state contracts to be long term debts, permitting the water agencies to levy separate property tax rates in excess of the one percent rate. The court held that the indebtedness also included the cost of maintaining and operating the State Water Project. *(Detwiler, 1983, p.8)* In some cases, the property tax revenue generated from the separate tax rate for state water contracts made its way into the SB 154 calculations, allowing water districts to double dip from the one percent rate and the extraordinary rate.

The past misallocations were referred to as "an honest and colossal error". The legislature addressed the error with the passage of AB 377 which (1) placed a two year moratorium from increasing property tax rates above 1982/83 levels for indebtedness other than for bonds, water contracts or lease purchase obligations and (2) specified that the amount to be apportioned for 1983/84 and 1984/85 was to be based on the 1982/83 apportionments, even if they were incorrect. For 1985/86, the apportionments were to be corrected by computing a corrected amount for 1982/83 and then using that figure as a new base. *(Detwiler, 1983, p.7)*

AB 13, passed two years later in 1985, made the two year moratorium of the extraordinary property tax rates into a permanent freeze. It also specified that there was to be no reallocation of property tax revenue from the one percent rate for local agencies which had their one percent SB 154 base computed by using their pension override levy and also levied an indebtedness rate for pensions or "other" indebtedness in excess of the one percent. In other words, the past errors were permanently forgiven and no reallocations were to occur. Extraordinary property tax rate increases would be permitted to continue repayment of water contracts approved by the voters prior to Proposition 13, provided that the tax rate not exceed the 1983/84 rate if the rate increase is for the purpose of reducing water rates. *(Doerr, 1985, pp.1-2)*

State Assistance (Bailout).

SB 154 also provided for the distribution of state assistance (bailout) to make up, in part, for local property tax losses. The schedule on page 14 (Schedule 2.4) continues our model since it plays an integral role in the AB 8 process discussed in the next chapter.

The state assistance payments from the State to local agencies replaced nearly 60 percent of the Proposition 13 property tax losses in 1978/79. The cost to the state totaled $1.9 billion and was funded from the state surplus. Another $2.5 billion in state assistance was designated to replacing lost school property tax revenue to ensure 85 to 91 percent of anticipated revenue.

For cities, the State granted $250 million. The distribution was based on each city's property tax loss in relation to the property tax loss of all cities statewide. The actual allocation was reduced by one-third of the city's reserves which were in excess of 5 percent of its total 1977/78 revenues. Cities were required to use the funds to ensure continuation of the same level of police and fire protection as was provided in 1977/78.

The relief for counties equated to $436 million in cash grants plus state assumption of $1 billion associated with mandated health and welfare programs. The State assumed for one year the counties fiscal responsibility for Medi-Cal, $418 million; SSI/SSP, $168 million; and AFDC, $458 million. In addition, the state waived for 1978/79 the required 10 percent match by counties for mental health, alcohol, and drug abuse programs. The distribution of the cash grant was based on each county's net property tax loss after taking into consideration the assistance provided by the state assumption of health and welfare programs. Counties were subject to the same reductions due to general fund reserves as cities. Like cities, counties were required to use the state assistance payments to ensure the same level of sheriff and fire protection as provided in 1977/78.

Special districts received three separate appropriations totaling $192 million. The distribution of $125 million was based on the county's special districts' collective property tax loss in relation to statewide special district property tax loss. The county board of supervisors (or city councils having subsidiary districts within their jurisdictions) were given the discretion in determining the amount of state assistance

payments for each district. Priorities for police and fire services and criteria regarding reserves similar to cities and counties were required to be followed. For multi-county districts, the block grants were remitted directly to them.

Later $37 million was appropriated for special districts with "unmet needs". The funds were allocated by the State Department of Finance based upon the previously set procedures and criteria.

An additional $30 million was made available by legislation enacted in early 1979 to be distributed by boards of supervisors and city councils to districts found to have critical unmet funding needs and met other specified criteria. *(Assembly Office of Research, 1985, pp.232-233)*

Schedule 2.4 provides the state assistance (bailout) cash grants to the taxing entities in Hewega County that will be used for the AB 8 shift in the next chapter.

Schedule 2.4

COUNTY OF HEWEGA
1978-79 Bailout

		Statewide
County of Hewega	$1,550,000	Counties
		$436 Million + Buyout of Certain Health & Welfare Programs
City of Maulsgalor	$600,000	Cities
		$250 Million
City of Yucantkomen	$240,000	
Knowbookiez County Library	$335,000	Special Districts
		$192 Million
NoH2Ohoz Fire District	$86,000	Allocated by Board of Supervisors
Uliteumwesavum Fire District	$15,000	
Weekillum Mosquito Abatement	$15,000	
Yugottago Sanitation District	$0	
		Schools
County Office of Education		Total Appropriation of
Wrugrats Elementary School		$2.5 Billion
Nozaverythin High School		Ensuring 85% to 91%
Knotau Community College		of Anticipated Revenue

Chapter Three

AB 8 – The Long Term Solution

The second fiscal year under Proposition 13 provisions created new challenges. Specifically, the legislature had to address:

1) A long term solution to the state assistance (bailout) program.

2) How to distribute growth in assessed valuation.

3) How to redistribute property taxes resulting from changes in jurisdictional boundaries and/or services.

AB 8 Shift.

The AB 8 long term solution for the bailout program used to alleviate the effects of the property tax shortfall consisted of a one time adjustment ("shift"), which created a new property tax base for each local agency. Each county's, city's and special district's share of property taxes was increased by an adjusted amount of its' 1978/79 block grant and school districts' property tax shares were reduced by the same aggregate amount. Schools' share of the total property tax base declined from over 50 percent to 36 percent. School reductions were replaced with state funding.

The property tax base for each local agency was adjusted as follows. Cities received added property taxes equal to 82.91 percent of the city's 1978/79 block grant. Special districts received added property taxes equal to 95.24 percent of the district's 1978/79 block grant. Counties received 100 percent of the 1978/79 block grant plus a small adjustment for AFDC costs minus the amount of the indigent health block grant. Six counties (Alpine, Lassen, Mariposa, Plumas, Stanislaus, and Trinity) were not awarded additional property taxes under the AB 8 shift. The same calculation was applied to these counties as were applied to the others, however, the value of the indigent health block grant was so great in the six counties that it exceeded the value of the adjusted SB 154 block grant. The AB 8 shift in those six cases resulted in a reduction of property tax base

instead of an increase. These counties, therefore, were referred to as "negative bailout counties". *(Newman, 1996, p.11)*

The next two schedules reflect the County of Hewaga's AB 8 shift of property taxes from the school tax base and added to the local agencies' base as described above.

Schedule 3.1

COUNTY OF HEWEGA
1979-80 Adjusted Bailout

	1978-79 Bailout	Adjustments	Adjusted Bailout
County of Hewega	$ 1,550,000	(A)	$ 1,325,000
City of Maulsgalor	600,000	(B)	497,460
City of Yucantkomen	240,000	(B)	198,984
Knowbookiez County Library	335,000	(C)	319,054
NoH2Ohoz Fire District	86,000	(C)	81,906
Uliteumwesavum Fire District	15,000	(C)	14,286
Weekillum Mosquito Abatement	15,000	(C)	14,286
Yugottago Sanitation District	-	(C)	-
Totals	$ 2,841,000		$ 2,450,976

(A) Adjusted for State buyout of AFDC program and offset of state grant for health services
(B) Adjusted amount for cities = 82.91%.
(C) Adjusted amount for special districts = 95.24%.

	1978-79 Tax Revenue Received	Percent to Total	State Assistance
County Office of Education	$2,499,990	0.083333	($204,248)
Wrugrats Elementary School	13,250,010	0.441667	(1,082,515)
Nozaverythin High School	9,999,990	0.333333	(816,991)
Knotau Community College	4,250,010	0.141667	(347,222)
Totals	$30,000,000	1.000000	($2,450,976)

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Schedule 3.2

COUNTY OF HEWEGA
1979-80 Adjusted Base

	1978-79 Property Tax Revenue Received	State Assistance	Base Year Revenue For Allocation
County of Hewega	$ 10,328,380	$ 1,325,000	$ 11,653,380
Knowbookiez County Library	1,655,200	319,054	1,974,254
City of Maulsgalor	5,031,780	497,460	5,529,240
City of Yucantkomen	1,986,220	198,984	2,185,204
NoH2Ohoz Fire District	344,280	81,906	426,186
Uliteumwesavum Fire District	71,520	14,286	85,806
Weekillum Mosquito Abatement	185,380	14,286	199,666
Yugottago Sanitation District	397,240	-	397,240
Total Local Agencies	20,000,000	2,450,976	22,450,976
County Office of Education	2,499,990	(204,248)	2,295,742
Wrugrats Elementary School	13,250,010	(1,082,515)	12,167,495
Nozaverythin High School	9,999,990	(816,991)	9,182,999
Knotau Community College	4,250,010	(347,222)	3,902,788
Total Schools Share	30,000,000	(2,450,976)	27,549,024
	$ 50,000,000	$ -	$ 50,000,000

AB 8 Deflator.

One of the overriding concerns of the state legislature during the development of the AB 8 legislation was whether, over the long term, the state could afford to sustain the assistance program. For this reason, a mechanism known as the AB 8 Deflator was included stipulating that the total costs of the AB 8 program of any given year were to be automatically reduced if insufficient state funds were available.

For any fiscal year, if state revenues did not increase by the California Consumer Price increase (CPI) and population growth, the amount of the shortfall would be made up by reductions in state assistance. Fifty percent of the amount of the shortfall would be reflected in across the board percentage cuts in school assistance. Reductions for the remaining 50 percent would be effected through reductions in state subvention payments to local agencies. *(Assembly Office of Research, 1985, p.234)*

As a result of a flagging economy, for three straight years (1981/82 to 1983/84) the AB 8 Deflator was to trigger large reductions in local government aid. In each year, the legislature suspended the deflator and set targeted reductions at a lesser amount. The AB 8 Deflator was repealed later with the "Long Term Financing Plan" enacted with the passage of SB 794 and AB 1849 of 1984.

Special District Augmentation Fund (SDAF).

The California legislature created the Special District Augmentation Fund in AB 8 to maintain the authority of boards of supervisors and city council to continually determine the distribution of block grant payments to special districts solely within their boundaries. A conference committee, convened to find a solution to the continuing financial troubles of local governments, gave its staff members one-and-a-half hours during lunch to develop alternative methods for allocating special district money. The legislative staffers ate lunch at Original Mac's restaurant in downtown Sacramento. The formula developed and written on a napkin was immediately dubbed the "Mac's Factor". *(O'Brien, 1985, pp.2-3)*

Each year, the county auditor-controller would compute the size of the Special District Augmentation Fund. Using a ratio based on the district's bailout of 1978/79 and the growth in its assessed valuation, (the Mac's Factor) the auditor-controller would reduce the property tax apportionment to each district which received bailout monies, and place the amount in the Augmentation Fund (see schedule below). The board of supervisors or city council would then have discretion of the annual distribution. State statute which governed the Special District Augmentation Fund and its provisions was repealed for 1993/94 with the passage of SB 1135. Its' features, however, were used to determine special districts shifts to the Educational Revenue Augmentation Fund (ERAF) for 1993/94.

Schedule 3.3

COUNTY OF HEWEGA
Special District Augmentation Fund Formula

$$\frac{\text{95.24\% of State Bailout Amount}}{\text{95.24\% of State Bailout Amount + Property Tax Revenue}} = \text{Special District Augmentation Factor}$$

Knowbookiez County Library	319,054 / (319,054 + 1,655,200)	=	16.1607%
NoH2Ohoz Fire District	81,906 / (81,906 + 344,280)	=	19.2184%
Uliteumwesavum Fire District	14,286 / (14,286 + 71,520)	=	16.6492%
Weekillum Mosquito Abatement District	14,286 / (14,286 + 185,380)	=	7.1549%

Annual Tax Increment Allocation.

AB 8 established the basic property tax apportionment system ensuring that in any fiscal year, a local government will receive property tax revenue equal to what it received in the prior fiscal year (called "base") plus its share (whether positive or negative) of growth in revenue due to growth in assessed value within its boundaries (called increment). AB 8 stipulated that the property tax proceeds on value growth (whether due to change in ownership, new construction, or the 2 percent inflation factor) accrue only to those jurisdictions where the increase took place.

The 1979/80 base created for each taxing jurisdiction includes the combined amounts received the previous year under SB 154 plus the effects of the "AB 8 shift". Each year thereafter, the increment attributable to growth in assessed value is added to the previous year's base, which together become next year's base amount.

Annual Tax Increment Factors were created to enable county auditor-controllers to allocate increment within specified geographical areas (called tax rate areas). A "tax rate area" is a geographical area composed of a unique combination of taxing jurisdictions. The following four schedules illustrate the methodology used by most counties to establish the annual tax increment factors. The procedures mirror the model developed by Dwayne "Woody" McWaters of Ventura County and is known as the Ventura Model. Schedule 3.4 models the Blue Line chart provided to counties by the State Board of

Equalization. It denotes all of the taxing jurisdictions providing service in each tax rate area.

Schedule 3.4

COUNTY OF HEWEGA
Blue Line Chart

	TRA 01	TRA 02	TRA 03	TRA 04	TRA 05
County of Hewega	X	X	X	X	X
Knowbookiez County Library			X	X	X
City of Maulsgalor	X	X			
City of Yucantkomen			X	X	
NoH2Ohoz Fire District			X	X	
Uliteumwesavum Fire District					X
Weekillum Mosquito Abatement	X	X			X
Yugottago Sanitation District			X	X	
County Office of Education	X	X	X	X	X
Wrugrats Elementary School	X	X			
Nozaverythin High School			X	X	X
Knotau Community College	X	X	X	X	X

Schedule 3.5 determines the percentage of each taxing jurisdiction's assessed value by tax rate area (TRA). For example, the assessed value in TRA 01 is $1,700,000,000. The county's total assessed value is $5,000,000,000. Therefore, 34 percent (.34000000) of the county's total assessed value lies in TRA 01.

Schedule 3.6 allocates the 1979/80 Adjusted Base using the percentages from the previous schedule to each tax rate area as determined by the Blue Line. For example, the previous schedule established that 34 percent of the county's assessed value lies in TRA 01. Now 34 percent would be used to allocate the county's 1979/80 Adjusted Base of $11,653,380 for TRA 01. The result is $3,962,149.

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Schedule 3.5

COUNTY OF HEWEGA

Calculation of Annual Tax Increment Factors (1 of 3)

	1978-79 Assessed Valuation	TRA 01	TRA 02	TRA 03	TRA 04	TRA 05	Total
County of Hewega	$ 5,000,000,000	0.34000000	0.29000000	0.04400000	0.22200000	0.10400000	1.00000000
Knowbookiez County Library	$ 1,850,000,000			0.11891892	0.60000000	0.28108108	1.00000000
City of Maulsgalor	$ 3,150,000,000	0.53968254	0.46031746				1.00000000
City of Yucantkomen	$ 1,330,000,000			0.16541353	0.83458647		1.00000000
NoH2Ohoz Fire District	$ 1,330,000,000			0.16541353	0.83458647		1.00000000
Uliteumwesavum Fire District	$ 520,000,000					1.00000000	1.00000000
Weekillum Mosquito Abatement	$ 3,670,000,000	0.46321526	0.39509537			0.14168937	1.00000000
Yugottago Sanitation District	$ 1,330,000,000			0.16541353	0.83458647		1.00000000
County Office of Education	$ 5,000,000,000	0.34000000	0.29000000	0.04400000	0.22200000	0.10400000	1.00000000
Wrugrats Elementary School	$ 3,150,000,000	0.53968254	0.46031746				1.00000000
Nozaverythin High School	$ 1,850,000,000			0.11891892	0.60000000	0.28108108	1.00000000
Knotau Community College	$ 5,000,000,000	0.34000000	0.29000000	0.04400000	0.22200000	0.10400000	1.00000000
		$ 1,700,000,000	$ 1,450,000,000	$ 220,000,000	$ 1,110,000,000	$ 520,000,000	

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Schedule 3.6

COUNTY OF HEWEGA

Calculation of Annual Tax Increment Factors (2 of 3)

	1979-80 Adjusted Base Tax Revenue	TRA 01	TRA 02	TRA 03	TRA 04	TRA 05
County of Hewega	$ 11,653,380	3,962,149	3,379,480	512,749	2,587,050	1,211,952
Knowbookiez County Library	1,974,254			234,776	1,184,552	554,925
City of Maulsgalor	5,529,240	2,984,034	2,545,206			
City of Yucantkomen	2,185,204			361,462	1,823,742	
NoH2Ohoz Fire District	426,186			70,497	355,689	
Uliteumwesavum Fire District	85,806					85,806
Weekillum Mosquito Abatement	199,666	92,488	78,887			28,291
Yugottago Sanitation District	397,240			65,709	331,531	
County Office of Education	2,295,742	780,552	665,765	101,013	509,655	238,757
Wrugrats Elementary School	12,167,495	6,566,585	5,600,910			
Nozaverythin High School	9,182,999			1,092,032	5,509,799	2,581,167
Knotau Community College	3,902,788	1,326,948	1,131,809	171,723	866,419	405,890
	$ 50,000,000	$ 15,712,757	$ 13,402,057	$ 2,609,961	$ 13,168,438	$ 5,106,788

Annual Tax Increment Factors were now created by prorating the property taxes to the total for each tax rate area in Schedule 3.6. For example, for the county, $3,962,149 was attributable to TRA 01. The total property tax revenue attributable to TRA 01 is $15,712,757. That creates an annual tax increment factor of 25.216129 percent, for the county in TRA 01.

Schedule 3.7

COUNTY OF HEWEGA
Calculation of Annual Tax Increment Factors (3 of 3)

	TRA 01	TRA 02	TRA 03	TRA 04	TRA 05
County of Hewega	0.25216129	0.25216129	0.19645849	0.19645838	0.23732178
Knowbookiez County Library			0.08995383	0.08995387	0.10866419
City of Maulsgalor	0.18991155	0.18991159			
City of Yucantkomen			0.13849326	0.13849342	
NoH2Ohoz Fire District			0.02701075	0.02701072	
Uliteumwesavum Fire District					0.01680234
Weekillum Mosquito Abatement	0.00588617	0.00588619			0.00553988
Yugottago Sanitation District			0.02517624	0.02517618	
County Office of Education	0.04967632	0.04967633	0.03870288	0.03870277	0.04675287
Wrugrats Elementary School	0.41791431	0.41791421			
Nozaverythin High School			0.41840932	0.41840954	0.50543845
Knotau Community College	0.08445036	0.08445039	0.06579524	0.06579512	0.07948049
	1.00000000	1.00000000	1.00000000	1.00000000	1.00000000

The factors, as shown in the schedule above, are used each year to apportion increment to the respective taxing jurisdictions. For example, for every $1 of growth in TRA 01, the county receives a little over 25 cents, the City of Maulsgalor nearly 19 cents, etc.

A few counties re-compute the annual tax increment factors on an annual basis. For most counties, however, these factors remain constant and only change for jurisdictional changes. A jurisdictional change occurs when a taxing entity's boundaries change through annexations, detachments and incorporations. If a jurisdictional change affects local agencies, then the schools annual tax increment factors cannot change. Likewise, if

a jurisdictional change affects schools, then the factors for local agencies cannot change. A negotiated tax exchange between the affected local governments or the provisions of a previously negotiated master agreement through LAFCO is used as the basis to redistribute tax base, annual tax increment factors or both, resulting from changes in local governments' boundaries.

County auditor-controllers often use the annual tax increment factors to answer the question from their constituents, "where do my taxes go?" The results, however, can be misleading because of the effects of the SB 154 allocation of the one percent tax based on property taxes received relative to the countywide total. If the tax rate for the area was near the countywide average in 1978, then the results of using the annual tax increment factors will be close. If the tax rate was markedly higher or lower than the average, the results would be skewed. Remember, under SB 154, property taxes crossed geographical boundaries.

Some counties use a method (called the Tax Rate Area Method) that allocates the SB 154 base, and each newly established base for each year thereafter, to each tax rate area in the county. This provides accurate information of the distribution of property taxes by tax rate area. However, the property taxes attributable to each tax rate area will never equal the Assessor's assessed value for the tax rate area multiplied by the one percent tax rate.

The next schedule (Schedule 3.8) illustrates the mechanics used to allocate the property tax increment to each taxing entity. The first step determines the growth in tax for each tax rate area. Then, using the annual tax increment factors of Schedule 3.7, that growth is allocated within each tax rate area. The total increment is determined by adding the amounts from all tax rate areas for each entity.

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Schedule 3.8

COUNTY OF HEWEGA

Increment Calculation

Change in Assessed Value

	TRA 01	TRA 02	TRA 03	TRA 04	TRA 05	TOTAL
1978-79 A\V	$1,700,000,000	$1,450,000,000	$220,000,000	$1,110,000,000	$520,000,000	$5,000,000,000
1979-80 A\V	1,750,000,000	1,725,000,000	210,000,000	1,500,000,000	580,000,000	5,765,000,000
Change In A\V	50,000,000	275,000,000	(10,000,000)	390,000,000	60,000,000	765,000,000
1% Tax Rate	$500,000	$2,750,000	($100,000)	$3,900,000	$600,000	$7,650,000

Distribution of Tax Increment

County of Hewega	$126,081	$693,444	($19,646)	$766,188	$142,393	1,708,459
Knowbookiez County Library			(8,995)	350,820	65,199	407,023
City of Maulsgalor	94,956	522,257				617,213
City of Yucantkomen			(13,849)	540,124		526,275
NoH2Ohoz Fire District			(2,701)	105,342		102,641
Uliteumwesavum Fire District					10,081	10,081
Weekillum Mosquito Abatement	2,943	16,187			3,324	22,454
Yugottago Sanitation District			(2,518)	98,187		95,669
County Office of Education	24,838	136,610	(3,870)	150,941	28,052	336,570
Wrugrats Elementary School	208,957	1,149,264				1,358,221
Nozaverythin High School			(41,841)	1,631,797	303,263	1,893,219
Knotau Community College	42,225	232,239	(6,580)	256,601	47,688	572,173
	$500,000	$2,750,000	($100,000)	$3,900,000	$600,000	$7,650,000

Redevelopment.

The California Community Redevelopment Act of 1945 enables any city or county to establish a redevelopment agency to combat urban blight that hinders private development and growth within a community. The cost of eliminating blight is generally high and redevelopment agencies cannot levy taxes. Therefore, they incur debt to finance operations.

In 1951, when the Legislature re-codified the various redevelopment laws as the Community Redevelopment Law, it provided for tax increment financing. The following year, the voters ratified this action by passing a constitutional amendment authorizing the distribution of property tax revenues to redevelopment agencies from increased assessed values in project areas. The rationale behind the amendment was to relieve taxpayers of the costs of redevelopment by making projects self-supporting. Property tax increment financing is based on the assumption that a revitalized project area will generate more property taxes than were being generated before redevelopment.

When a redevelopment project has been approved, the base year valuations are established. The taxing jurisdictions continue to receive property taxes levied only on the base year valuation of the project. Any revenue resulting from the increase in assessed valuation is paid to the redevelopment agency.

Schedule 3.9 illustrates the processes involved with determining the annual increment for distribution of the increment from the taxing jurisdictions within the project area. Since increment is distributed to taxing entities using the annual tax increment factors, they are used to determine the charge to each entity for the payment to the redevelopment agency.

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Schedule 3.9

COUNTY OF HEWEGA

Calculation and Adjustment for RDA Increment

	RDA Base Year	TRA	Base Year A\V	Current Year A\V	Incremental A/V
Maulsgalor RDA Project	1975/76	02	1,325,000,000	1,725,000,000	400,000,000
Yucantkomen RDA Project	1969/70	04	1,000,000,000	1,500,000,000	500,000,000
Total					900,000,000

	TRA 02	RDA Adjustment	TRA 04	RDA Adjustment	Total RDA Adjustment
County of Hewega	0.25216129	$1,008,645	0.19645838	$982,292	$1,990,937
Knowbookiez County Library			0.08995387	449,769	449,769
City of Maulsgalor	0.18991159	759,646			759,646
City of Yucantkomen			0.13849342	692,467	692,467
NoH2Ohoz Fire District			0.02701072	135,054	135,054
Weekillum Mosquito Abatement	0.00588619	23,545			23,545
Yugottago Sanitation District			0.02517618	125,881	125,881
County Office of Education	0.04967633	198,705	0.03870277	193,514	392,219
Wrugrats Elementary School	0.41791421	1,671,657			1,671,657
Nozaverythin High School			0.41840954	2,092,048	2,092,048
Knotau Community College	0.08445039	337,802	0.06579512	328,976	666,777
	1.00000000	$4,000,000	1.00000000	$5,000,000	$9,000,000

Assembly Bill 1290, enacted in 1993, introduced significant changes to the redevelopment plan and amendment processes for projects that are adopted or amended after December 31, 1993. One of the major changes made by AB 1290 was that it replaced the fiscal review committee process and negotiated pass-through payments to affected taxing jurisdictions with a statutory schedule of mandatory pass-through.

A pass-through is the return of tax dollars from a redevelopment agency to affected taxing jurisdictions. Prior to January 1, 1994, taxing jurisdictions could either negotiate pass-through with an redevelopment agency or, before a project is adopted, elect to receive the annual inflationary increases in assessed valuation (up to 2%) and/or tax rates levied for voter-approved debt approved prior to January 1, 1989. Any redevelopment project adopted on or after January 1, 1994, including amendments to existing projects that add increment or territory, is subject to the mandatory pass-through provisions of AB 1290. County auditors distribute the calculated tax increment to redevelopment agencies. It is the responsibility of the redevelopment agencies to distribute pass-through payments to the taxing jurisdictions.

Two Attorney General opinions addressed the characteristics of pass-through payments from redevelopment agencies to taxing jurisdictions. Attorney General opinion # 90-501 dated October 25, 1990 made it clear that pass-through agreement payments do not constitute an allocation of property tax revenue. Also, Attorney General opinion #93-209 dated July 14, 1993 states that “although a pass-through agreement may provide for a taxing agency to be paid directly by the auditor, such arrangement would only be for sake of convenience and would not affect the legal character of the funds” to the redevelopment agency. Per the opinions, it is readily apparent that pass-through agreements do not alter the amount of increment funds to be allocated to a redevelopment agency. This fact is the basis for county auditors to use gross tax increment for calculation of property tax administration charges (discussed in Chapter Nine) and for various property tax revenue reports.

AB 8 Master Apportionment Schedule.

Schedule 3.10 derives the final product of the processes of the AB 8 property tax apportionment system as it looked in 1979. The base year allocation reflects the provisions of SB 154 and the AB 8 tax shift from schools to local agencies. The1979/80 tax increment was calculated using the annual tax increment factors. For special districts, adjustments were made to contribute to the Special District Augmentation Fund and then redistributed by the county board of supervisors or city councils. Adjustments were also made to provide tax increment to redevelopment agencies.

The result provides the net due to each taxing entity which then allows for the calculation of the "AB 8 Factors" used to apportion property tax dollars. The model shows redevelopment agencies receiving an AB 8 Factor. Many counties exclude redevelopment agencies from this worksheet and do not assign them a factor, but make a separate allocation apart from the AB 8 Master Apportionment Schedule. Either method results in the same outcome.

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Schedule 3.10

COUNTY OF HEWEGA

Schedule of Property Tax Apportionment Factors

	Base Year Revenue For Allocation	1979-80 Increment	Gross Levy Prior To Adjustments	SDAF Factor	Amount	Redistribution of SDAF Funds	RDA Increment Adjustment	1979-80 Net Due Each Jurisdiction	AB 8 Factors
County of Hewega	$11,653,380	$1,708,459	$13,361,839				(1,990,937)	$11,370,902	0.19724028
Knowbookiez County Library	1,974,254	407,023	2,381,277	0.161607	(384,831)	350,000	(449,769)	1,896,677	0.03289986
City of Maulsgalor	5,529,240	617,213	6,146,453				(759,646)	5,386,807	0.09343984
City of Yucantkomen	2,185,204	526,275	2,711,479				(692,467)	2,019,012	0.03502189
NoH2Ohoz Fire District	426,186	102,641	528,827	0.192184	(101,632)	100,000	(135,054)	392,141	0.00680210
Uliteumwesavum Fire District	85,806	10,081	95,887	0.166492	(15,964)	68,320	-	148,243	0.00257143
Weekillum Mosquito Abatement	199,666	22,454	222,120	0.071549	(15,892)	-	(23,545)	182,683	0.00316882
Yugottago Sanitation District	397,240	95,669	492,909			-	(125,881)	367,028	0.00636649
County Office of Education	2,295,742	336,570	2,632,312				(392,219)	2,240,093	0.03885677
Wrugrats Elementary School	12,167,495	1,358,222	13,525,717				(1,671,657)	11,854,060	0.20562116
Nozaverythin High School	9,182,999	1,893,220	11,076,219				(2,092,048)	8,984,170	0.15583990
Knotau Community College	3,902,788	572,173	4,474,961				(666,777)	3,808,184	0.06605696
Maulsgalor RDA Project	-		-				4,000,000	4,000,000	0.06938422
Yucantkomen RDA Project	-		-				5,000,000	5,000,000	0.08673027
	$50,000,000	$7,650,000	$57,650,000		($518,320)	$518,320	-	$57,650,000	1.00000000

Chapter Four

Tax Equity Allocation (TEA)

The 1981/82 Budget Year was the first year in which the state began to experience significant fiscal problems since the passage of Proposition 13. It was projected that the AB 8 Deflator would trigger, resulting in substantial reductions in state funding to schools and local agencies. The AB 8 Deflator was suspended in favor of a permanent repeal of three local subventions and a one-time reduction in the Vehicle License Fund Subvention. The three subventions repealed were the Liquor License Fee, Highway Carrier's Uniform Business Tax and the Financial Aid to Local Agencies (FALA) Fund.

Thirty-one cities which existed prior to Proposition 13 never levied a property tax (other than for voter approved indebtedness). Therefore, under SB 154, they did not share in the property tax apportionment. It was argued that since these cities did not sustain a property tax loss under Proposition 13, and thus did not receive any state assistance under the AB 8 shift, it was inequitable to include them in any reductions in local government assistance which results from the state's inability to continue to finance the AB 8 program. Accordingly, an in-lieu appropriation of $2.2 million was provided for the "no property tax cities" to offset their revenue losses from the repeal of the three subventions. *(Assembly Local Government Committee, 1983, pp.17-19)*

In 1984, historic legislation was passed in an attempt to remove local government financing from the state budget debate. Two bills, AB 1849 and SB 794 enacted the local government financing program for 1984/85. These two bills were foreseen to fulfill cities and counties top goal of the year to restore local control over traditional sources of funding for local governments and return predictability of the local budget process. Two primary features of the bills included the repeal of the AB 8 Deflator and restoring the Vehicle License Fee as a local agency revenue source.

At the time, the state received an 18 ¾ percent share of the Vehicle License Fee. AB 1849 transferred the $210 million that would have gone to the state General Fund to the no property tax cities ($2 million) and to counties ($208 million).

The City of Yorba Linda (Orange County) was one of the 31 no property tax cities. Yorba Linda officials contended that by not receiving local property tax revenues, they had a difficult time paying for public facilities and services needed to keep up with population growth. An agreement was reached and carried in SB 794.

SB 794 created a "Tax Equity Allocation" (TEA) formula for the city providing 10 percent of the property taxes generated within the city. The shift provided an estimated $1.2 million to the city for the fiscal year. The shift created a loss to the County of Orange of $700,000 and a loss to other special districts of $500,000. The property tax apportionments to schools and the redevelopment agency was not affected. By getting a share of the property tax revenue, the City of Yorba Linda would not receive any part of the State's share of Vehicle License Fees. *(Senate Committee on Local Government, 1984, p.4)*

The action of SB 794 sparked a hot button political issue for the next four years. The remaining 30 no property tax cities and a number of cities receiving some but less than 10 percent of the property taxes generated within their boundaries strove to receive the new 10 percent mark. SB 794 opened the door for change in the SB 154 property tax guiding principle of the "as you were" approach based on services provided to the taxing area. Arguments against a property tax redistribution were made based on the same points discussed in Chapter 2. Cities' property tax shares were attributable to the services that were provided prior to Proposition 13. Many of the municipal type services were provided by special districts who share in the tax distribution. In addition, many of these cities had disproportionate shares of other revenue sources that should be considered in a redistribution discussion such as sales taxes and vehicle license fees.

The issue was resolved during the midnight hour with the passage of the Brown-Presley Trial Court Funding Act of 1988. The original Trial Court Funding legislation provided for over $400 million in state appropriation to partially fund the trial courts, including the addition of judicial positions. In order to qualify for Trial Court Funding dollars, counties were required to make payments out of the county share of property taxes to cities deemed "no and low property tax cities".

AB 709, the first TEA legislation, required 17 counties to shift some of their property taxes to 49 qualifying cities. The original plan was to shift 10 percent of the taxes generated within the city boundaries to the cities over a 10-year period. AB 1197 amended TEA legislation providing that most qualifying cities receive 7 percent of the property tax revenues generated within their boundaries phased in over a 7-year period, beginning in 1989/90. In addition, AB 1197 took into account the impact of redevelopment and growth, and added certain other adjustments to the calculation.

Several additional bills have been passed over the years, primarily to clarify implementation issues or provide special provisions for particular cities and counties. The two bills above, however, provide the basic framework still in effect today.

Most county auditors have incorporated the TEA transfers within the AB 8 process. The qualifying cities receiving the TEA allocation participate in the ERAF shift discussed in the following chapter but their property tax shares are not to be negatively affected by the Triple Flip or VLF Swap as described in Chapter 6.

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Chapter Five

Educational Revenue Augmentation Fund (ERAF)

In 1992/93 and 1993/94, to resolve serious budget deficits, the State legislature permanently shifted $3.6 billion of annual AB 8 property tax revenue from counties, cities, and special districts to the Educational Revenue Augmentation Fund (ERAF). Statewide, this represented approximately 17% of AB 8 property tax revenue. ERAF also receives its share of each year's annual tax increment (growth). For 2004/05 and 2005/06, a temporary shift of an additional $1.3 billion was enacted by the legislature.

The state budget benefits because California schools are guaranteed a minimum amount of funding based on their average daily attendance (ADA). To the extent that property tax revenues do not meet this minimum requirement, the State must cover the difference from its general fund revenues. Thus the increased property tax revenue apportioned to schools decreased the State's obligation to support schools, but provided no increase in school revenue. The ERAF shift is sometime perceived as a revenue transfer to the State because it freed State general fund revenues for discretionary purposes.

The sections below detail the provisions of the 1992/93 shift (ERAF I) and the 1993/94 shift (ERAF II). The 2004/05 and 2005/06 temporary ERAF shift (ERAF III) will be discussed in the following chapter under the enactment of SB 1096.

1992/93 ERAF Shift (ERAF I).

A deep recession in the early 1990's created hard times for State government. For 1992/93 the State legislature and Governor struggled to balance an $11 billion budget deficit. The State increased taxes by $7.3 billion in 1991, so politically it was not realistic to ask for further tax increases. The budget bills were finally passed in an unprecedented 64 days passed its due date. The final resolution was to significantly limit growth in state spending and shift costs to local government.

The intent of the 1992/93 ERAF shift was to reverse a portion of the property tax shift of 1979 (AB 8) and relieve the state budget deficit by $1.3 billion. The formulas used to reverse the AB 8 shift in part for local government sectors and individual taxing entities was dissimilar to the 1979 shift.

The largest and permanent component of the 1992/93 ERAF shift for counties was an amount specified in State code multiplied by .953649. How the State derived the specified amount was not revealed. In addition, a per capita reduction for each county, applicable only for 1992/93, was determined by multiplying the given populations (for both the incorporated and unincorporated areas) by $1.92.

Disaster relief was granted for counties affected by a federally declared disaster between October 1989 and October 1992. These were primarily associated with the Northridge and Loma Prieta earthquakes and the Oakland Hills fire. The ERAF shift was reduced by an amount provided by the State Department of Finance. The relief was reversed in 1997/98.

The largest and permanent component for cities consisted of a nine percent shift of city property taxes to ERAF. A per capita reduction for each city, applicable only for 1992/93, was determined by multiplying the given population by $1.65. The same disaster relief provisions also applied to cities.

The 1992/93 special district shift concluded at the lesser of 40 percent of the prior year AB 8 revenue or 10 percent of total annual revenues as reported in the 1989/90 State Controller's Report on Financial Transactions Concerning Special Districts. Property tax

revenues pledged for debt service payments could be excluded if the debt was issued for the acquisition of capital assets. Exemptions from the 1992/93 shift were granted to multi-county districts, local hospital districts, and city dependent districts. For a countywide water agency that did not sell water at retail, the shift was limited to 10 percent of taxes.

The State Department of Finance determined the amount that each redevelopment agency paid to ERAF. Each redevelopment agency made the cash payment to the county auditor-controller by May 15. The amount remitted by the redevelopment agencies was not included in the AB 8 apportionment formula, but was handled strictly as a cash payment to ERAF.

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Schedule 5.1 provides the ERAF I calculations for the taxing jurisdictions of Hewega County.

Schedule 5.1

COUNTY OF HEWEGA

1992-93 ERAF Shift

	Reported Population	Per Resident Amount	Per Resident Tax Shift	Section 95.2 Amount	95.3645% of Sec. 95.2	9% of 1991-92 P/T Revenue	Less DOF Disaster Share	Net 1992-93 ERAF Shift
County of Hewega	11,653	1.92	$22,374	2,058,633	$1,963,205		($524)	$1,985,055
City of Maulsgalor	5,529	1.65	$9,123			$854,957	($269)	$863,811
City of Yucantkomen	2,185	1.65	$3,605			$482,357	($137)	$485,825

	1989-90 SCO Reported Revenue	Less Debt	10%	1991-92 AB 8 Amount Net RDA	Less Debt	40% of P/Y Amount Less Debt	Lesser of 10% Rev 40% P/T	Net 1992-93 ERAF Shift
Knowbookiez County Library	2,563,750		256,375	2,355,289		942,116	256,375	$256,375
NoH2Ohoz Fire District	1,158,247		115,825	1,000,624		400,250	115,825	$115,825
Uliteumwesavum Fire District	166,847		16,685	145,367		58,147	16,685	$16,685
Weekillum Mosquito Abatement	259,632		25,963	199,852		79,941	25,963	$25,963
Yugottago Sanitation District	2,520,489	(100,000)	242,049	525,698	(98,000)	171,079	171,079	$171,079

1993/94 ERAF Shift (ERAF II).

Shortly after the passage of the 1992 budget, state officials realized that they would encounter the third straight year of unprecedented shortfalls. Legislative Analyst, Elizabeth Hill predicted a deficit ranging from $7.5 billion to $9 billion. The key provisions of the 1993 budget included a $2.6 billion shift of property taxes from cities, counties and special districts to schools. The $2.6 billion shift was in addition to the permanent ERAF shift from the year before. The budget also extended a 0.5 percent sales tax rate for six months to provide funding for local public safety services. Proposition 172 was placed on the ballot box that November to ask the voters to extend the 0.5 percent sales tax for public safety in perpetuity.

The 1993/94 ERAF shift for counties was targeted for $1.998 billion, cities were to shift $288 million. The amounts of the ERAF shift for each individual city and county was to be determined by the State Department of Finance. A permanent shift based on population was also featured. Counties shifted $0.78 per person and cities $0.99 per person.

Counties implementing the “alternate method of apportionment” (Teeter Plan) were allowed a one-time credit to the ERAF shift. The Teeter Plan is an alternative procedure for the distribution of property tax on the secured roll. It is an accrual method that recognizes taxes receivable as an expendable resource and subsequently simplifies the tax apportionment process. The one-time credit was equivalent to the net benefit of the Teeter buy-out of delinquencies to schools receiving state funding. The five counties already using the Teeter method of apportioning (Contra Costa, Solano, El Dorado, Siskiyou, Modoc) could not take advantage of the one-time credit to the ERAF shift.

Special districts were earmarked for a $244 million ERAF shift that was based on a “net bailout equivalent”. A special district’s net 1992/93 AB 8 share was multiplied by its Special District Augmentation Fund (SDAF) factor to determine the current value of the 1979 bailout. The 1992/93 ERAF shift was deducted from this amount to determine the remaining bailout equivalent to shift in 1993/94. If a special district did not receive a

1979 bailout allocation, hence had no SDAF factor, it had no additional 1993/94 ERAF shift. It was still subject, however, to the 1992/93 ERAF shift. The SDAF was henceforth permanently abolished.

Provisions were included in the ERAF shift legislation to maintain the tax revenue for fire protection districts at their 1992/93 levels, including revenues received from SDAF. Many fire districts received a positive ERAF shift (shift from ERAF to the district) as a result of this provision.

Exemptions from the 1993/94 ERAF shift were given to hospital districts, transit districts, police protection districts, memorial districts, multi-county districts, and water agencies that did not sell water at retail, but excluding those whose revenues were substantially for flood control. Exemptions were granted to certain library districts. The library districts not exempted were statutorily protected from future ERAF shifts.

Schedule 5.2 provides the ERAF II calculations for the taxing jurisdictions of Hewega County.

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Schedule 5.2

COUNTY OF HEWEGA

1993-94 ERAF Shift

	Section 95.3 Amount	Per Capita Offset	Reported Population	Per Capita Amount	Net 1993-94 ERAF Shift
County of Hewega	$ 8,225,875	0.78	11,653	$ 9,089	$ 8,234,964
City of Maulsgalor	$ 1,258,963	0.99	5,597	$ 5,541	$ 1,264,504
City of Yucantkomen	$ 599,623	0.99	2,305	$ 2,282	$ 601,905

	1992-93 AB 8 Allocation (pre ERAF) (Net RDA)	Less 92-93 Shift to ERAF (Fire Dist)	SDAF Ratio	Current Bailout Equivalent	Less 92-93 Shift to ERAF (Other Dist)	Net C/Y Bailout Equivalent	Contribution to SDAF 92-93	92-93 SDAF Received	Net Loss from Oper of SDAF	Amounts due ERAF To/(From)
Knowbookiez County Library	2,449,500		0.161607	395,856	(256,375)	139,481				$ 139,481
NoH2Ohoz Fire District	758,325	(115,825)	0.192184	123,478		123,478	88,957	100,000	34,521	$ (11,043)
Uliteumwesavum Fire District	166,847	(16,685)	0.166492	25,001		25,001	20,125	20,000	4,876	$ 125
Weekillum Mosquito Abatement	356,982		0.071549	25,542	(25,963)	(421)				$ -
Yugottago Sanitation District	583,615			-	(171,079)	(171,079)				$ -

* Net Loss from Operations of SDAF for NoH2Ohoz Fire = 123,478 - 88,957
Amounts due ERAF To/(From) for NoH2Ohoz Fire = 123,478 - 100,000 - 34,521

ERAF Growth.

Each year beginning with 1992/93, ERAF receives its share of growth in assessed valuation. For counties that apportion based on the jurisdictional methodology, as reflected in the model, growth is determined using the following formula.

$$\frac{\text{Current Year Property Tax minus redevelopment increment}}{\text{Prior Year Property Tax minus redevelopment increment}} \times \text{Prior Year ERAF}$$

For counties that use the tax rate area methodology, ERAF owns an annual tax increment factor within each tax rate area that is used to determine ERAF's annual share of growth.

AB 8 Master Apportionment Schedule.

Schedule 5.3 illustrates a typical master apportionment schedule as it would have appeared in 1993/94. The schedule includes the base and adds tax increment. It also deducts redevelopment funds from the prior year tax and the current year tax to determine the percentage to use for ERAF's share of growth. The outcome is the AB 8 Factors used to apportion the current year one percent tax. Property Tax apportionment to redevelopment agencies in this example is handled separately outside of the AB 8 schedules.

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Schedule 3

COUNTY OF HEWEGA

Schedule of Property Tax Apportionment Factors

	(Column A) Equalized Roll Base Tax	(Column B) Redevelopment Project Increment	(Column C) Net Tax (Column A + B)	(Column D) AB 8 Tax Increment	(Column E) Equalized Roll (Column A + D)	(Column F) Redevelopment Project Increment	(Column G) Net Tax (Column E + F)	(Column H) Prior Year ERAF	(Column I) Ratio for ERAF Growth (Column G / C)	(Column J) ERAF Shift w/ Growth (Column H * I)	(Column K) AB 8 Tax Before Redevelopment (Column E + J)	(Column L) Current Year AB 8 Factors (Column K / Total)
County of Hewega	$ 22,653,380	$ (3,851,562)	$ 18,801,818	$ 1,016,578	$ 23,669,958	$ (4,324,489)	$ 19,345,469	$ (10,833,467)	1.028915	$ (11,146,715)	$ 12,523,243	0.12165174
Knowbookiez County Library	3,474,254	(825,367)	2,648,887	159,525	3,633,779	(929,339)	2,704,440	(419,607)	1.020972	(428,407)	3,205,372	0.03113723
City of Maulsgalor	10,529,240	(1,492,578)	9,036,662	527,115	11,056,355	(1,684,902)	9,371,453	(2,256,192)	1.037048	(2,339,780)	8,716,575	0.08467347
City of Yucantkomen	4,185,204	(1,500,005)	2,685,199	145,264	4,330,468	(1,551,210)	2,779,258	(1,153,067)	1.035029	(1,193,457)	3,137,011	0.03047316
NoH2Ohoz Fire District	826,186	(248,996)	577,190	28,544	854,730	(268,877)	585,853	(114,469)	1.015009	(116,187)	738,543	0.00717426
Uliteumwesavum Fire District	165,806	-	165,806	6,958	172,764	-	172,764	(17,819)	1.041965	(18,567)	154,197	0.00149788
Weekillum Mosquito Abatemen	399,666	(48,567)	351,099	19,564	419,230	(53,279)	365,951	(27,521)	1.042301	(28,685)	390,545	0.00379378
Yugottago Sanitation District	597,240	(299,997)	297,243	20,634	617,874	(310,239)	307,635	(256,572)	1.034961	(265,542)	352,332	0.00342258
County Office of Education	4,295,742	(995,228)	3,300,514	192,912	4,488,654	(1,046,742)	3,441,912				4,488,654	0.04360313
Wrugrats Elementary School	24,167,495	(4,189,357)	19,978,138	1,209,873	25,377,368	(4,436,794)	20,940,574				25,377,368	0.24651768
Nozaverythin High School	19,182,999	(5,383,997)	13,799,002	881,535	20,064,534	(5,614,654)	14,449,880				20,064,534	0.19490841
Knotau Community College	7,902,788	(1,700,005)	6,202,783	354,898	8,257,686	(1,779,475)	6,478,211				8,257,686	0.08021579
ERAF	-		-		-	-	-	15,078,714		15,537,340	15,537,340	0.15093090
	$ 98,380,000	$ (20,535,659)	$ 77,844,341	$ 4,563,400	$ 102,943,400	$ (22,000,000)	$ 80,943,400	$ 0		$ 0	$ 102,943,400	1.00000000

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Chapter Six

Triple Flip, VLF Swap and ERAF III

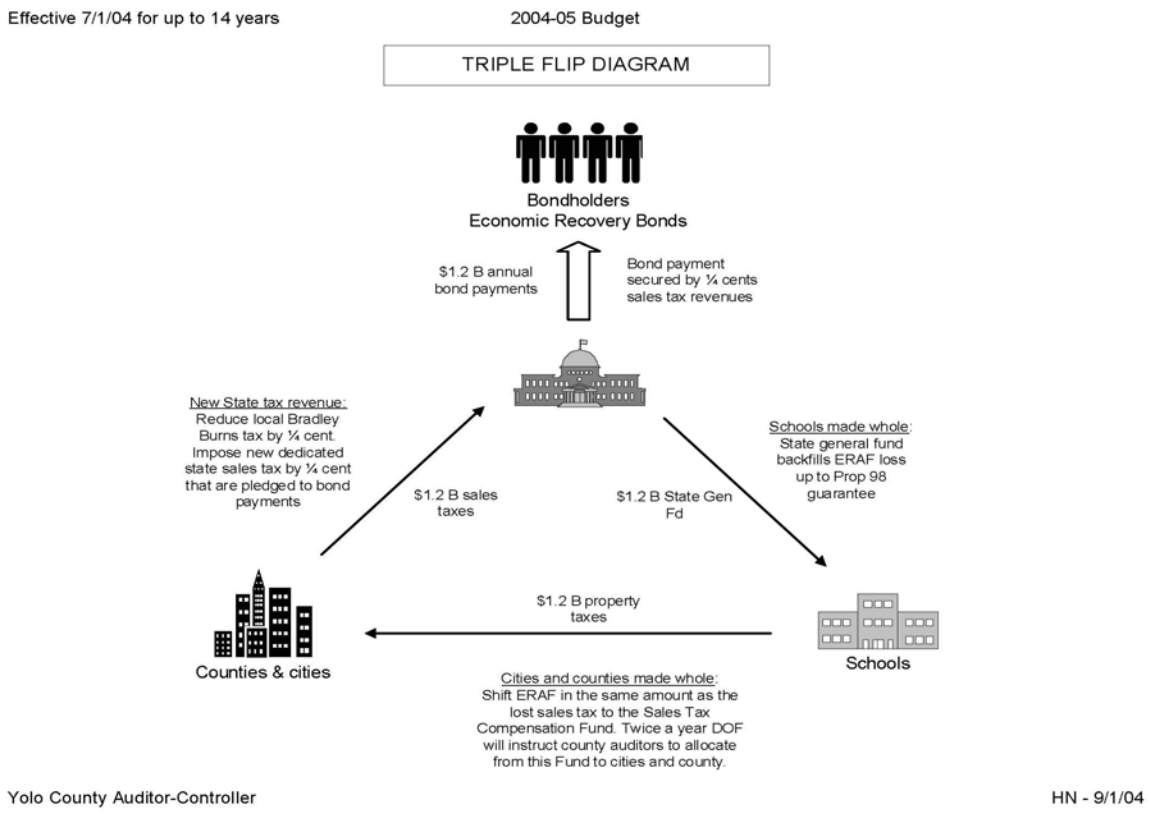
Triple Flip.

During the State of California Budget process for FY 2003/04 and FY 2004/05, there were three significant financial transactions legislated to cope with the State's recurring fiscal problems. The first set of transactions to occur was a mechanism known as the Triple Flip.

The Triple Flip was first enacted in 2003 as part of the California Fiscal Recovery Financing Act (ABX1 7, Statutes of 2003). The bonds authorized by that Act were never issued, largely because of legal concerns over the fact that the debt financing was not approved by the California voters. Later, Proposition 57, the Economic Recovery Bond Act, was proposed by the legislature in ABX5 9 in December 2003 to address the voter approval issue. Proposition 57 was passed by the voters on March 2, 2004.

The Triple Flip is purely an exchange of revenues generated from 0.25% of the Bradley-Burns sales and use tax that was previously credited to the general funds of all cities and counties within the State of California. The idea here was that in order to pledge a sales tax revenue stream to the bondholders who purchase the State Economic Recovery Bonds, the state "flipped" the sales and use tax from the counties and cities to the bond trustee for debt service payments. To compensate lost revenue to cities and counties, a direct dollar for dollar replacement is made to the county and each city in the county from the county Education Revenue Augmentation Fund (ERAF). Since local ERAF fund amounts would be reduced, any additional revenue that would be lost from each ERAF would be replaced by direct subventions from the State of California's General Fund to each school, community college, and office of the county superintendents to maintain their respective funding levels.

Below is a diagram prepared by Howard Newens, Yolo County Auditor-Controller picturizing the effects of the Triple Flip.



The State of California first imposed the sales tax in 1933 at a rate of 2 ½ percent. By the 1940's, many cities began to impose their own sales taxes, without legislative authority. Each city tax was administered separately by each city. California retailers were faced with filing a multitude of local tax returns and complained of unfair competition from merchants in non-taxed jurisdictions.

In 1955, the State legislature responded with the passage of the Bradley-Burns Uniform Local Sales Tax Act. *(Revenue and Taxation Code Section 7200 et seq.)* The Act allowed counties to impose a sales tax rate of one percent, and allowed a city to levy a tax up to one percent as a credit against the county tax. If a city adopted a one percent rate,

the county would not receive sales tax revenue within the city. The combined state-local sales tax was four percent, three percent to the state and one percent for local government. (*Doerr, 2000, pp.53-54*)

Today, California has a statewide sales and use tax rate of 7.25 percent that is reduced 0.25 percent if the state reserves exceed three percent of general fund revenues in the prior fiscal year. The distribution of the 7.25 is as follows:

State general fund	5.00%
Incorporated/Unincorporated (Bradley Burns)	1.00%
Countywide Transportation fund (Transportation Development Act)	0.25%
County mental health/welfare	0.50%
Public safety augmentation fund (Prop 172)	0.50%
Total	7.25%

Additional sales and use taxes referred to as "transaction taxes" can be authorized in 0.25 percent increments for special districts and authorities. These are often imposed for transportation purposes. More than one transaction tax may be imposed although the total in any jurisdiction may not exceed 2 percent for a total rate of 9.25 percent. (*HdL Companies, 2004, p.1*)

The sales tax applicable to the Triple Flip provisions are strictly from the 1.00 percent incorporated/unincorporated (Bradley Burns) rate.

The State Department of Finance notifies county auditors by September 1 of the Triple Flip adjustment amount for each city and county for that fiscal year. The adjustment amount will be based on the actual sales and use taxes received by the entity for the prior fiscal year and any projected growth for the current fiscal year. The statewide total adjustment amount will match the estimate included in the State Budget. Each December and April, county auditors process the standard allocation and transfer adequate ERAF funds to the Sales and Use Tax Compensation Fund. County auditors then allocate to cities and the county one half of the State Department of Finance specified amount each January and the balance of that amount each May.

The September 1 notification from the Department of Finance will also include reconciliation between the prior year's sales and use tax adjustments and the actual losses of sales and use tax due to the Triple Flip. If the allocations from the Sales and Use Tax Compensation Fund for the prior years, as determined by the reconciliations are more or less than the actual loss, the adjustment to actual loss will be completed during the January allocation.

Our model shows the Triple Flip transferable amounts for the County of Hewega below.

	DOF Estimated 1% Bradley-Burns Sales Tax	Sales Tax Rate to State (0.25%)
County of Hewega	$4,500,000	$1,125,000
County of Maulsgalor	12,000,000	3,000,000
City of Yucantkomen	9,000,000	2,250,000
Total		$6,375,000

VLF Swap.

The second set of financial transactions enacted during the fiscal year 2004/05 was the "swapping" of the discretionary motor vehicle license fees (VLF) from cities and counties to the State of California. To ensure that no cities and counties were financially impacted, a dollar for dollar amount of funds was replaced to each county and city in FY 2004/05 only. The source of these funds is similar to the sales tax exchange in that each county's ERAF is the source of these payments. Unlike the triple flip, however, the "swap" for FY 2004/05 is permanent. The growth of the "in lieu VLF" corresponds to the annual local growth of each city and county increases in assessed valuation of taxable property. If the ERAF in any county is insufficient to satisfy the VLF for property tax swap, any additional amounts required will be drawn from the non-basic aid schools share of property tax, which will then be replenished by the State General Fund.

The VLF, also referred to as the automobile in-lieu tax, is assessed for the privilege of operating a vehicle on the public highways of California. The in-lieu tax is so called because it is imposed in lieu of a local personal property tax on automobiles. The VLF

was equal to 2 percent of a vehicle's market value. The market value is the manufacturer's suggested base price plus options, adjusted by a depreciation schedule. The fee is paid annually and administered by the Department of Motor Vehicles. (*Assembly Revenue and Taxation Committee, 1984, pp.72-73*)

VLF revenues were historically allocated to local governments. The amount returned to local governments, however, were affected by the post Proposition 13 state local government fiscal arrangements. In 1981/82 through 1983/84, VLF subventions to local governments were reduced as an alternative to triggering the AB 8 Deflator. On July 16, 1984, Governor Duukmejian signed into law AB 1849 guaranteeing that VLF would be returned in total to local governments for 1984/85 and thereafter. At that time, the net VLF revenues (after the deduction of administration costs) were distributed at 81.25 percent, half to cities and half to counties on the basis of population and 18.75 percent to no property tax cities ($2 million) and counties. (*Assembly Office of Research, 1985, p.169*)

In 1991, the state enacted a major change in the state and local relationship known as realignment. In the areas of mental health, social services and public health, realignment shifted program responsibilities from the state to counties and adjusted cost-sharing ratios. The state increased the sales and use tax and amended the VLF depreciation schedule and dedicated the increased revenues for the increased financial obligations of counties. The VLF earmarked for health and welfare realignment now composed 24.33 percent of the total. (*Cohen, 2001, p.2*)

Governor Wilson signed a bill offsetting the VLF by 25 percent to a 1.5 percent rate effective January 1, 1999 with deeper cuts possible in future years depending on the adequacy of state general fund revenues. In 1999, the law was amended accelerating the tax cut by 35% in year 2000. In 2000, the cut was further accelerated to 67.5 percent commencing January 1, 2001. Under the law, local governments were to be backfilled by the state general fund for any loss of revenue due to the VLF reductions. (*Coleman, 2004, p.2*)

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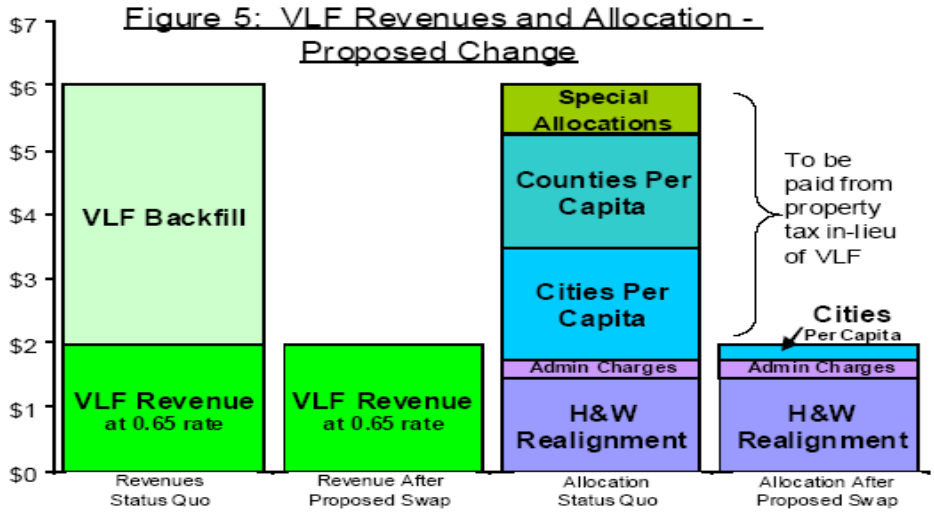
SB1096, Statutes of 2004, eliminated the past offset mechanisms and permanently set the VLF rate for taxpayers at 0.65 percent. The bill eliminated the VLF backfill payments to counties and cities and replaced them with property tax revenues. Property taxes used to replace counties and cities VLF funds are diverted from each county's Educational Revenue Augmentation Fund (ERAF). The State henceforth backfills K-14 ERAF loss to fund education.

The passage of Proposition 1A, passed by the voters on November 2, 2004 essentially locked in constitutionally what SB1096 did statutorily. Proposition 1A set the VLF rate at 0.65 percent and dedicated the revenue source for counties and cities. The proposition also constitutionally set limitations on the State Legislature's authority to change local revenues. Under Proposition 1A, the state cannot decrease VLF revenues without providing replacement funding; they cannot reduce local sales tax rates or alter the method of allocation; and they are generally prohibited from shifting property taxes from local governments to K-12 schools or community colleges.

The graph below, prepared by Michael Coleman, Special Consultant to the League of California Cities, illustrates the changes resulting from the VLF Swap. Health and Welfare realignment programs, the Department of Motor Vehicles administration fees and a residual amount to cities will be paid with the continuing 0.65 percent rate. The difference of the 2.0 percent rate from the 0.65 percent rate will be financed through the VLF Swap as described above.



The VLF adjustment amounts for 2004/05 were determined by the State Controller. For 2005/06, the prior year adjustment amount will include a true-up amount to 2004/05 actual revenue (that would have been deposited to the Motor Vehicle License Fee Account in the Transportation Tax Fund). Growth for the VLF adjustment amount, beginning with 2005/06, is calculated by dividing the current year gross taxable assessed valuation (including redevelopment) within the boundaries of a jurisdiction by the prior year gross taxable assessed valuation. Each December and April, county auditors transfer adequate ERAF funds to the Vehicle License Fee Property Tax Compensation Fund. County auditors then allocate to cities and the county one half of the VLF adjustment amount by January 31 and one half by May 31. Our model shows the VLF transfer amount below for the County of Hewega.

County of Hewega	$6,600,000
City of Maulsgalor	4,500,000
City of Youcantkomen	2,750,000
Total	$13,850,000

ERAF III.

The third set of financial transactions to occur was the increased contributions by local government (counties, cities, special districts, and redevelopment agencies) to each county's Education Revenue Augmentation Fund. The amount to be increased during the specified years (FY 2004/05 and FY 2005/06) to the statewide ERAF funds is an aggregate of $1.3 billion for each of the two years. This amount is in addition to the present statute that requires current ERAF contributions (ERAF I & II). The main difference here is that the ERAF III shift (1) does not include year-to-year growth; and (2) will cease for FY 2006/07 and thereafter.

It was determined that counties' share of the ERAF III shift would be $350 million, cities $350 million, special districts $350 million and redevelopment agencies $250 million. The State Controller's Office determined the dollar amount of each entity's ERAF III shift.

Each county's ERAF III shift reflects its share of the 2003/04 statewide county non-realignment VLF revenue. Each city's ERAF III shift was based 1/3 on its proportionate share of statewide city VLF revenues, 1/3 on its share of ad valorem property taxes, and 1/3 on its share of sales and use taxes. Each city's reduction must be at least 2 percent and not more than 4 percent of the city's general purpose revenues.

Calculations of the ERAF III shift for individual special districts was based on data published in the 2001/02 State Controller's Special Districts Annual Financial Transactions Report. Enterprise districts, except for transit districts, transfer the lessor of 40 percent of reported property taxes (less an amount pledged for debt) or 10 percent of total revenues. Transit districts' transfer is set at 3 percent. Non-Enterprise districts transfer 10 percent of reported property taxes (less an amount pledged for debt).

Enterprise districts that also perform non-enterprise functions shift an amount, using the percentages described above, in proportion of property tax revenue as reported in the State Controller's 2001/02 Report. Tax revenues pledged for debt include only amounts required as a sole source of repayment to pay debt service costs in 2001/02 on debt instruments issued by the district for acquisition of fixed assets. Fixed assets mean land, buildings, equipment, and improvements, including improvements to buildings.

Fire, police, library, memorial, mosquito abatement or vector control, and local health care districts are exempt from the ERAF III shift.

Any shortfall in the earmarked $350 million ERAF III shift for special districts is to be made up by increasing the ERAF III shift from enterprise special districts (excluding transit districts) on a proportionate basis, subject to the cap of 10 percent of total revenues for any district. The State Controller made many iterations of the special district calculations to achieve the $350 million target. As a result, many enterprise special districts will contribute 100 percent of their property taxes to ERAF for the two fiscal years.

Redevelopment agencies make cash payments directly to county auditor-controllers by May 10 for the two years subject to ERAF III. Each agency's payment is based on the

total amount of tax increment it received in proportion to the total amount of tax increment received by all redevelopment agencies. Fifty percent of the ERAF III payment is based on gross tax increment received and 50 percent based on net tax increment received after pass-through payments to other taxing entities. Tax increment data for the 2004/05 payment was taken from the 2002/03 State Controller's Redevelopment Agencies Financial Transactions Report. The 2005/06 payments will be based on the 2003/04 State Controller's Report.

Redevelopment agencies are allowed to borrow from their Low and Moderate Housing Funds (but not from any fund balance) to make the ERAF III payments or from their "parent" city or county.

Statutory RDA time limits can be extended by one year for each year of the ERAF payments if the existing time limit has no more than 10 years remaining or if the existing time limit is between 10 years and 20 years provided that the agency is in compliance with housing requirements.

The ERAF III shifts for the taxing jurisdictions within the County of Hewega are listed below.

County of Hewega	$3,500,000
Knowbookiez County Library	exempt
City of Maulsgalor	900,000
City of Yucantcomen	400,000
NoH2Ohoz Fire District	exempt
Uliteumwesavum Fire District	exempt
Weekillum Mosquito District	exempt
Yugottago Sanitation District	350,000
Maulsgalor RDA Project	2,000,000
Maulsgalor RDA Project	1,250,000
Total	$8,400,000

County Auditor Schedules.

The property tax transfers for the Triple Flip, VLF Swap, and ERAF III are done at the jurisdictional level, outside of the AB 8 process. County auditors recommended that the transfers remain outside of AB 8 to simplify the process and accomplish the intent of the transfers without affecting other components of the property tax apportionment process. For example, the Triple Flip and VLF adjustments are a direct dollar for dollar property tax exchange in lieu of sales and use tax and vehicle license fee based revenues. Placing the transfers within the AB 8 process would affect the tax increment calculation for redevelopment agencies as well as the corresponding charges to cities and counties. It would also include a growth calculation dissimilar to the method described in state law. Likewise, ERAF III is a two-year only shift not subject to growth and not conducive to AB 8 procedures allocating growth by increased assessed valuation within tax rate areas.

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Schedule 6.1

COUNTY OF HEWEGA

Schedule of ERAF Adjustments

Jurisdiction	Triple Flip	Triple Flip	VLF Swap	VLF Swap	ERAF III	ERAF Adjustment
ERAF	(6,375,000)		(13,850,000)		8,400,000	(11,825,000)
Sales & Use Tax Comp Fund	6,375,000	(6,375,000)				-
VLF Property Tax Comp Fund			13,850,000	(13,850,000)		-
County of Hewega		1,125,000		6,600,000	(3,500,000)	4,225,000
Knowbookiez County Library						-
City of Maulsgalor		3,000,000		4,500,000	(900,000)	6,600,000
City of Yucantkomen		2,250,000		2,750,000	(400,000)	4,600,000
NoH2Ohoz Fire District						-
Uliteumwesavum Fire District						-
Weekillum Mosquito District						-
Yugottago Sanitation District					(350,000)	(350,000)
Maulsgalor RDA Project					(2,000,000)	(2,000,000)
Yucantkomen RDA Project	-	-	-	-	(1,250,000)	(1,250,000)
TOTALS	-	-	-	-	-	-

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Schedule 6.2 is used to determine if ERAF will receive sufficient property tax revenue to complete the transfer to cities and the county for the Triple Flip and VLF Swap. If the AB 8 Balance after Adjustments is negative, then a Reverse ERAF allocation is necessary. The Reverse ERAF is allocated to individual Non-Basic Aid school districts in proportion to the total property taxes received for all non-basis aid schools.

Schedule 6.2

COUNTY OF HEWEGA
Schedule of Reverse ERAF Necessity and Allocation

ERAF (Apportioned Tax - after RDA)	$15,576,925
ERAF III	8,400,000
Triple Flip	(6,375,000)
VLF Swap	(13,850,000)
AB 8 Balance after Adjustments	$3,751,925

Jurisdiction	AB 8 Tax Apportionment	Reverse ERAF Allocation Factors	Reverse ERAF (if applicable)
County Office of Education	N/A		
Wrugrats Elementary School	25,377,368	0.4725803110	
Nozaverythin High School	20,064,534	0.3736440957	
Knotau Community College	8,257,686	0.1537755932	
	53,699,588	1.0000000000	

Schedule 6.3 below applies the ERAF Adjustment to the traditional AB 8 tax apportionment process. Again, the transfers applicable to the Triple Flip, VLF Swap and ERAF III are handled outside of AB 8. Redevelopment agencies receive their full AB 8 apportionment and make cash payments for ERAF III directly to county auditors by May 10.

Cities and counties record the Triple Flip revenue under the revenue account “In Lieu Local Sales and Use Tax”. Similarly, revenue account “Property Tax In Lieu of VLF” is used to record VLF adjustment amounts.

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Schedule 6.3

COUNTY OF HEWEGA

Schedule of Property Tax Allocation

Jurisdiction	AB 8 Tax Apportionment	ERAF Adjustment	Reverse ERAF (if applicable)	Net Due thru Tax Allocation	RDA Cash Payment	Net Property Tax Apportioned
ERAF	15,576,925	(15,075,000)		501,925	3,250,000	3,751,925
County of Hewega	12,523,243	4,225,000		16,748,243		16,748,243
Knowbookiez County Library	3,205,372			3,205,372		3,205,372
City of Maulsgalor	8,716,575	6,600,000		15,316,575		15,316,575
City of Yucantkomen	3,137,011	4,600,000		7,737,011		7,737,011
NoH2Ohoz Fire District	698,958			698,958		698,958
Uliteumwesavum Fire District	154,197			154,197		154,197
Weekillum Mosquito District	390,545			390,545		390,545
Yugottago Sanitation District	352,332	(350,000)		2,332		2,332
County Office of Education	4,488,654			4,488,654		4,488,654
Wrugrats Elementary School	25,377,368			25,377,368		25,377,368
Nozaverythin High School	20,064,534			20,064,534		20,064,534
Knotau Community College	8,257,686			8,257,686		8,257,686
Maulsgalor RDA Project	12,550,000	*		12,550,000	(2,000,000)	10,550,000
Yucantkomen RDA Project	9,450,000	*		9,450,000	(1,250,000)	8,200,000
TOTALS	124,943,400	0	0	124,943,400	0	124,943,400

* AB 8 tax increment of $3,250,000 representing ERAF III shift paid directly to RDA. RDA makes cash payment to ERAF.

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Chapter Seven

SB 813 – Supplemental Roll

SB 813 was known as the Hughes-Hart Educational Reform Act of 1983. It was considered the most comprehensive education reform bill in California history. The breadth of the bill covered school finance, personnel management, staff credentialing, curriculum time, standards and measures, innovative curricular and support programs, school facilities, student discipline, and special studies of problem areas. The bill had an expensive price tag. The legislature recognized, however, that a healthy infusion of state funds to basic school programs was essential given a several year erosion of support for schools since Proposition 13's passage. The costs for SB 813 for 1983/84 were estimated at $840 million.

The Legislature enacted plans and combinations of tax increases to finance SB 813. These included increases in the bank and corporation tax, cigarette tax, personal income tax for limited partnerships, alcoholic beverage tax, and the elimination of windfall profit deductions on personal income tax or bank and corporations tax. Also included was the implementation of the supplemental property tax roll, the largest financing mechanism for SB 813.

The supplemental roll was estimated to generate $408 million for 1983/84. Counties could retain up to 5 percent to pay for administrative costs which left $388 million to fund SB 813 school reform provisions. Revenues generated from the supplemental property tax were targeted exclusively for schools for 1983/84 and 1984/85. After two years, supplemental taxes were to revert to all local governments that receive property tax revenues. The amendments of SB 794 (discussed in Chapter Four) enacted for the 1984/85 state budget, moved the sharing of the supplemental property tax to all local taxing jurisdictions one year earlier than previously planned.

A supplemental tax is the result of a reassessment of real property, effective when there is a change of ownership or new construction is completed. Under the old system, those

assessed value changes would not result in higher taxes until the tax year (July 1 to June 30) following the lien date when the new values were placed upon the tax roll. Thus, the new value could avoid taxation for a period up to 16 months. For example, a change of ownership on October 1, 1980 was not reflected in higher taxes until the 1981/82 fiscal year, beginning in July 1981, nine months later.

State officials deemed this as a tax loophole and not aligned with the true meaning of Proposition 13. According to the legislative intent language in SB 813, pre-SB 813 assessment practice "…results in an unwarranted reduction of taxes for some taxpayers with a proportionate and inequitable shift of tax burden to other taxpayers". *(CalTax, 1983, p.2)*

Post-SB 813 supplemental assessments pick up the higher value on the property immediately by using a "floating lien date" instead of waiting until the January 1 lien date. The added assessed value is placed on a separate property tax roll (the supplemental roll) on the date of the event. A tax bill is issued only on the added value, and is prorated for the portion of the remaining fiscal year. For the next fiscal year, the entire new assessed value of the real property is added to the regular roll, and there is no further supplemental roll liability for that property.

For example, assume a house with a recent change of ownership as of September 13 has an assessed value of $500,000 and is in an area with a tax rate of 1.1 percent. The assessed value on the secured roll is $400,000. The supplemental roll value will equal $100,000 ($500,000-400,000) and the supplemental tax bill will be $825.

[$100,00 x .011 tax rate = $1,100 x .75 prorating the nine months (Oct 1-June 30) = $825]

Supplemental Apportionment Factors are calculated annually by county auditors and used for the apportionment of the Proposition 13 one percent tax revenue from supplemental taxes. Supplemental Apportionment Factors are adjusted AB 8 factors. The AB 8 factors are modified for K-12 school districts to apportion using the average daily attendance (ADA) data provided by the State Department of Education. Basic aid school districts

and non-county-of-control school districts are not eligible to participate in the distribution of supplemental revenues.

The AB 8 factors are also adjusted for cities and counties to account for the transfer of property tax revenue in lieu of VLF as described in Chapter Six. The VLF adjustment was a true exchange of VLF for property tax dollars. The exchange grows annually by the increase in the city's or county's gross assessed value within its boundaries. The supplemental roll, as stated earlier, comprises additional property taxes as a result of a reassessment of real property, effective when there is a change of ownership or new construction is completed. Therefore, the factors used to apportion the supplemental roll should include the adjustment for cities and counties due to the exchange of VLF for property tax dollars.

Contrarily, the AB 8 factors are not adjusted for Triple Flip or ERAF III. Triple Flip is an in lieu payment for the sales and use tax diverting to the state. It is not intended to convert to property tax but will maintain its sales and use tax identity. Growth is based on the estimated increase in sales tax transactions.

ERAF III is also not considered for adjusting AB 8 factors for supplemental apportionments. ERAF III is a set dollar transfer (not subject to growth) and has a short two year life.

Schedule 7.1 illustrates the calculations of the Supplemental Apportionment Factors adjusting for the VLF Swap and using the ADA information from the California Department of Education. Redevelopment agencies are not included in the schedule because all tax increment including growth attributable to supplemental taxes derived within a redevelopment agency's boundaries must be given entirely to the redevelopment agency.

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Schedule 7.1

COUNTY OF HEWEGA

Schedule of Supplemental Roll Allocation

Jurisdiction	AB 8 Tax Apportionment	VLF Swap	Subtotal	Factors	School Districts' Factors	Reallocation based on ADA	Supplemental Apportionment Factors
ERAF	$ 15,576,925	$ (13,850,000)	$ 1,726,925	0.016775481			0.0167754805
County of Hewega	12,523,243	6,600,000	19,123,243	0.185764634			0.1857646338
Knowbookiez County Library	3,205,372		3,205,372	0.031137227			0.0311372269
City of Maulsgalor	8,716,575	4,500,000	13,216,575	0.128386813			0.1283868126
City of Yucantkomen	3,137,011	2,750,000	5,887,011	0.057186872			0.0571868716
NoH2Ohoz Fire District	698,958		698,958	0.006789731			0.0067897311
Uliteumwesavum Fire District	154,197		154,197	0.001497881			0.0014978814
Weekillum Mosquito District	390,545		390,545	0.003793784			0.0037937838
Yugottago Sanitation District	352,332		352,332	0.003422580			0.0034225798
County Office of Education	4,488,654		4,488,654	0.043603126			0.0436031256
Wrugrats Elementary School	25,377,368		25,377,368	0.246517679	0.2465176786	0.3692558471	0.3692558471
Nozaverythin High School	20,064,534		20,064,534	0.194908406	0.1949084060	0.0721702375	0.0721702375
Knotau Community College	8,257,686	-	8,257,686	0.080215788	-	-	0.0802157885
TOTALS	$ 102,943,400	$ -	$ 102,943,400	1.000000000	0.4414260846	0.4414260846	1.0000000000

Chapter Eight

AB 454 – Unitary Roll

Prior to 1988/89, the county apportionment of state-assessed unitary property taxes were contained in the AB 8 system. The State Board of Equalization was charged with the tasks of not only valuing the operations of railroads, gas, electric, telephone, telegraph, car and express companies, they also allocated the values to each tax rate area within the state.

Growth was then included in the county auditor's tax increment calculations using annual tax increment factors under the AB 8 process. State assessed values allocated to tax rate areas also resulted in tax collectors issuing multiple tax bills to individual utility companies, one for each tax rate area with assigned value.

AB 454 was enacted to consolidate and streamline the valuation and billing process for public utilities. The bill created one countywide tax rate area specifically designed to report utility values from the State Board of Equalization. The tax rate area lists one value for each assessee. AB 454 also created a unique formula outside of the AB 8 system to apportion the one percent unitary revenues.

The formula used for the apportionment of unitary property taxes is based on the amount of unitary revenue received by a taxing agency in 1987/88. For years after 1987/88, each taxing agency receives up to 102 percent of its prior year unitary revenue. If countywide unitary values are greater than 102 percent of prior year revenues, each taxing agency will receive a percentage share of the excess over 102 percent equal to their AB 8 Factor, modified to adjust for the VLF Adjustment (see Chapters Six and Seven). If countywide unitary revenues are less than 102 percent of prior year revenues, each jurisdiction receives the same percentage in the current year as in the prior year.

Schedule 8.1 illustrates an apportionment of the one-percent unitary revenues in a year when countywide unitary values exceed 102 percent of prior year revenues.

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Schedule 8.1

COUNTY OF HEWEGA

Unitary Roll

Prior Year Unitary Value	$ 425,000,000
Current Year Unitary Value	$ 450,000,000
1% Levy	$ 4,500,000
102% of Prior Year's Revenue	$ 4,335,000
Excess over 102% over Prior Year	$ 165,000

	Prior Year Unitary Tax Revenue	Agency Unitary Tax Factors	Current Year 1.02% Apportionment	Prior Year Modified AB 8 Factor	Current Year Excess of 102 % Apportionment	Current Year Total Unitary Apportionment	Revised Unitary Apportionment Factor
ERAF	$ 140,000	0.032941176	$ 142,800	0.013821658	$ 2,281	$ 145,081	0.032240127
County of Hewega	811,994	0.191057412	828,234	0.153055247	25,254	853,488	0.189663999
Knowbookiez County Library	218,918	0.051510118	223,296	0.025654592	4,233	227,529	0.050562082
City of Maulsgalor	217,389	0.051150353	221,737	0.105780497	17,454	239,191	0.053153458
City of Yucantkomen	222,363	0.052320706	226,810	0.047117423	7,774	234,585	0.052129919
NoH2Ohoz Fire District	47,269	0.011122118	48,214	0.005594197	923	49,137	0.010919427
Uliteumwesavum Fire District	12,602	0.002965176	12,854	0.001234135	204	13,058	0.002901705
Weekillum Mosquito Abatement	11,513	0.002708941	11,743	0.003125775	516	12,259	0.002724225
Yugottago Sanitation District	44,058	0.010366588	44,939	0.002819933	465	45,404	0.010089878
County Office of Education	164,890	0.038797647	168,188	0.035925499	5,928	174,116	0.038692335
Wrugrats Elementary School	502,393	0.118210118	512,441	0.203110913	33,513	545,954	0.121323147
Nozaverythin High School	1,101,296	0.259128471	1,123,322	0.160588987	26,497	1,149,819	0.255515356
Knotau Community College	280,315	0.065956471	285,921	0.066091414	10,905	296,826	0.065961419
Maulsgalor RDA Project	-	0.000000000	-	0.100445482	16,574	16,574	0.003683001
Yucantkomen RDA Project	475,000	0.111764706	484,500	0.075634247	12,480	496,980	0.110439922
Totals	$ 4,250,000	1.000000000	$ 4,335,000	1.000000000	$ 165,000	$ 4,500,000	1.000000000

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Schedule 8.2

COUNTY OF HEWEGA

Modified AB 8 Factors

	AB 8 Tax Apportionment	VLF Swap	Net Due Each Jurisdiction	Modified AB 8 Factors for Unitary Roll
ERAF	$ 15,576,925	$ (13,850,000)	$ 1,726,925	0.0138216584
County of Hewega	12,523,243	6,600,000	19,123,243	0.1530552474
Knowbookiez County Library	3,205,372		3,205,372	0.0256545924
City of Maulsgalor	8,716,575	4,500,000	13,216,575	0.1057804974
City of Yucantkomen	3,137,011	2,750,000	5,887,011	0.0471174228
NoH2Ohoz Fire District	698,958		698,958	0.0055941971
Uliteumwesavum Fire District	154,197		154,197	0.0012341348
Weekillum Mosquito Abatement	390,545		390,545	0.0031257754
Yugottago Sanitation District	352,332		352,332	0.0028199329
County Office of Education	4,488,654		4,488,654	0.0359254991
Wrugrats Elementary School	25,377,368		25,377,368	0.2031109126
Nozaverythin High School	20,064,534		20,064,534	0.1605889867
Knotau Community College	8,257,686		8,257,686	0.0660914142
Maulsgalor RDA Project	12,550,000		12,550,000	0.1004454817
Yucantkomen RDA Project	9,450,000		9,450,000	0.0756342472
	$ 124,943,400	$ -	$ 124,943,400	1.0000000000

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Schedule 8.3

COUNTY OF HEWEGA

Unitary Roll

Prior Year Unitary Value	$ 450,000,000
Current Year Unitary Value	$ 455,000,000
1% Levy	$ 4,550,000
102% of Prior Year's Revenue	$ 4,590,000
Excess over 102% over Prior Year	$ (40,000)

	Prior Year Unitary Tax Revenue	Agency Unitary Tax Factors	Current Year 1.02% Apportionment	Prior Year Modified AB 8 Factor	Current Year Excess of 102% Apportionment	Current Year Total Unitary Apportionment	Revised Unitary Apportionment Factor
ERAF	$ 145,080	0.03224000	$ 146,692	N/A	$ -	$ 146,692	0.03224000
County of Hewega	853,488	0.18966400	862,971	N/A	-	862,971	0.18966400
Knowbookiez County Library	227,529	0.05056200	230,057	N/A	-	230,057	0.05056200
City of Maulsgalor	239,191	0.05315356	241,849	N/A	-	241,849	0.05315356
City of Yucantkomen	234,585	0.05213000	237,192	N/A	-	237,192	0.05213000
NoH2Ohoz Fire District	49,137	0.01091933	49,683	N/A	-	49,683	0.01091933
Uliteumwesavum Fire District	13,058	0.00290178	13,203	N/A	-	13,203	0.00290178
Weekillum Mosquito Abatement	12,259	0.00272422	12,395	N/A	-	12,395	0.00272422
Yugottago Sanitation District	45,404	0.01008978	45,908	N/A	-	45,908	0.01008978
County Office of Education	174,116	0.03869244	176,051	N/A	-	176,051	0.03869244
Wrugrats Elementary School	545,954	0.12132311	552,020	N/A	-	552,020	0.12132311
Nozaverythin High School	1,149,819	0.25551533	1,162,595	N/A	-	1,162,595	0.25551533
Knotau Community College	296,826	0.06596133	300,124	N/A	-	300,124	0.06596133
Maulsgalor RDA Project	16,574	0.00368311	16,758	N/A	-	16,758	0.00368311
Yucantkomen RDA Project	496,980	0.11044000	502,502	N/A	-	502,502	0.11044000
Totals	$4,500,000	1.0000000000	$4,550,000		$ -	$ 4,550,000	1.00000000

Chapter Nine

SB 2557 – Property Tax Administrative Fees

During the 1990/91 state budget deliberations, the legislature enacted SB 2557. This bill authorized counties to increase their revenues by the amount of property tax administrative costs attributable to each taxing jurisdiction. During the 1991/92 legislative session, property tax law was amended to exclude schools from the property tax administrative costs charge.

Annually, county auditors calculate the county's prior year property tax administrative costs of the assessor, tax collector, assessment appeals board, and the auditor-controller. Costs include direct costs, all activities directly involved in processing property taxes, and overhead costs, as calculated in accordance with federal Office of Management and Budget (OMB) Circular A-87 standards. Offsetting revenues, received to reimburse counties for portions of property tax administration, are deducted from the prior year costs.

Administrative Costs Apportionment Factors are determined by each taxing entity's proportionate share of the one-percent ad valorem tax including the unitary roll apportionments. Property tax law was amended in SB 1096 to prohibit the imposition of any fee, charge, or other levy on a city for the administration and calculations required for the property tax shifts of the Triple Flip or VLF Swap for the 2004/05 and 2005/06 years only. In subsequent years, costs associated with these adjustments will be included in the administrative costs allocation process.

Schedule 9.1 determines the administrative costs apportionment factors for the County of Hewega for the 2004/05 and 2005/06 fiscal years. Subsequent to 2005/06, the ERAF III adjustment will discontinue and the adjustments for Triple Flip and VLF Swap will be included.

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Schedule 9.1

COUNTY OF HEWEGA

Administrative Costs Apportionment Factors

For Fiscal Years 2004-05 and 2005-06

	AB 8 Tax Apportionment	Current Year Total Unitary Apportionment	ERAF III Adjustments (except RDA)	Total Amount Apportioned Each Fund	FY 2006-07 Tax Admin Cost Apportionment Factor	Allocate Tax Admin Costs	Recoverable	Not Recoverable
ERAF	$ 15,576,925	$ 146,692	$ 5,150,000	$ 20,873,617	0.16119445	$ 2,592,544		$ 2,592,544
County of Hewega	12,523,243	862,971	(3,500,000)	9,886,214	0.07634531	1,227,887		1,227,887
Knowbookiez County Library	3,205,372	230,057		3,435,429	0.02652976	426,687	426,687	
City of Maulsgalor	8,716,575	241,849	(900,000)	8,058,424	0.06223038	1,000,872	1,000,872	
City of Yucantkomen	3,137,011	237,192	(400,000)	2,974,203	0.02296799	369,402	369,402	
NoH2Ohoz Fire District	698,958	49,683		748,641	0.00578131	92,983	92,983	
Uliteumwesavum Fire District	154,197	13,203		167,400	0.00129273	20,791	20,791	
Weekillum Mosquito Abatement	390,545	12,395		402,940	0.00311166	50,046	50,046	
Yugottago Sanitation District	352,332	45,908	(350,000)	48,240	0.00037253	5,992	5,992	
County Office of Education	4,488,654	176,051		4,664,705	0.03602272	579,365		579,365
Wrugrats Elementary School	25,377,368	552,020		25,929,388	0.20023714	3,220,480		3,220,480
Nozaverythin High School	20,064,534	1,162,595		21,227,129	0.16392441	2,636,451		2,636,451
Knotau Community College	8,257,686	300,124		8,557,810	0.06608684	1,062,897		1,062,897
Maulsgalor RDA Project	12,550,000	16,758		12,566,758	0.09704555	1,560,816	1,560,816	
Yucantkomen RDA Project	9,450,000	502,502	-	9,952,502	0.07685721	1,236,120	1,236,120	-
	124,943,400	4,550,000	-	129,493,400	1.00000000	$ 16,083,331	$ 4,763,708	$ 11,319,623

Conclusion

California's property tax apportionment system is filled with complexities that, thus far few experts fully understand. Hopefully, this report will provide the reader with the basics of how the system works and why tax dollars are allocated by the auditor-controller as they are. It is also important that the reader understand the system's shortcomings.

The apportionment system contains disparities and inequities. The property tax base and the factors used to allocate assessed value growth are based on priorities established three decades ago. The system is regulated by the state who is often far removed from the ability to identify the opportunities to improve efficiencies and economies within a local region and lacks a redistribution mechanism for meaningful allocation change. More importantly, since the tax dollars are placed in a pot and redistributed by statutory prescribed formulas, taxpayers cannot readily associate the taxes they pay with the local services provided.

The property tax apportionment system can be characterized as a zero sum game. For every dollar that is redistributed to one local government another local government must lose a dollar. For this reason, past attempts to change the distribution of the one percent rate under AB 8 has been met with vigorous opposition. The Legislative Analyst Office describes the problem this way. "Despite the large degree of consensus on the problems, enacting reform has proven elusive because it requires making difficult tradeoffs across multiple worth policy objectives. That is, in most cases, making progress towards one desirable reform objective requires a step away from another." *(O'Malley, 2000, p.7)* To that end, the current property tax apportionment system will probably remain with us for a long, long time.

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ATTACHMENT D

Return to Agen

Tax Rate Area 06030
Allocation of Basic 1% Property Tax
Fiscal Year 2017-2018

This report shows the allocation of your basic 1% Property Tax to the various taxing agencies in Contra Costa County.

View as Chart

COUNTY GENERAL	14.89435 %
COUNTY LIBRARY	1.55257 %
C C FLOOD CONTROL	0.18219 %
CO WATER AGENCY	0.03714 %
CO CO MOSQUITO ABA	0.16222 %
W CC CO HLTH CARE	1.59066 %
EAST BAY MUD	1.55799 %
BART	0.65695 %
BAY AREA AIR MGMNT	0.19150 %
EAST BAY REGNL PK	3.12353 %
CITY OF PINOLE	18.91719 %
PINOLE VISTA 81 AM	0.00000 %
CO SUPT SCHOOLS	1.37240 %
K-12 SCHOOLS ERAF	14.53705 %
WEST CC UNIFIED	34.27465 %
CO CO COMM COLLEGE	4.78509 %
COMM COLLEGE ERAF	2.16452 %
TOTAL	**100.00000 %**

Close Window

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CITY COUNCIL REPORT

11B-1

DATE: OCTOBER 1, 2019

TO: MAYOR AND COUNCIL MEMBERS

FROM: HEATHER IOPU, CITY CLERK

SUBJECT: RESOLUTION CREATING AN AD HOC COMMITTEE TO ADDRESS CLEAN-UP AND BEAUTIFICATION PROJECTS WITHIN THE CITY

RECOMMENDATION

It is recommended that the City Council of the City of Pinole adopt a Resolution creating an Ad Hoc Committee to address issues that relate to clean-up and beautification projects within the City.

BACKGROUND

On September 17, 2019, Council member Martinez-Rubin requested that an item be placed on a future Council meeting agenda to discuss recycling issues and beautification projects in the City. The Council decided to create an Ad Hoc Committee to explore these topics and report back to the City Council for direction.

REVIEW AND ANALYSIS

In early 2018 Mayor Murray had requested evaluation of a potential special tax for litter abatement as a future agenda item, and the Council agreed. On December 4, 2018, the City Council agreed to have a future agenda item to explore an “Adopt-A-Drain” Program. On March 5, 2019, City Council agreed to have a future agenda item to look into beautification projects and potential partnerships in the community to improve the aesthetic appeal of Pinole. All of these items were consolidated into one future agenda request for an Ad Hoc Committee of the Council and placed on the long-range planner. Council was advised in early 2019 that this item would be listed as “Unscheduled” on the planner, due to the number of priority projects and agenda items.

In recent months, the City Council has received comments from members of the public expressing concern regarding the amount of trash that can be seen along roadways and in other public spaces.

The Ad Hoc Committee will analyze the options for, and make recommendations to, the City Council regarding ways to address each of these topics that collectively relate to the beautification of Pinole.

The Committee is to be comprised of two City Council Members. Staff recommends that the Committee would be limited in scope to address the immediate concerns regarding beautification projects and would meet a total of three (3) times in six (6) months to formulate recommendations to the City Council. This timeline is proposed in order for any recommendations to be prioritized as part of the FY 20/21 budget process. The committee will create its schedule of meetings in coordination with an assigned staff person.

It is anticipated that the Committee would remain in existence until it presents its final recommendations to the City Council or until the Council dissolves the Committee.

FINANCIAL CONSIDERATIONS

The financial impact is unknown at this time. As stated above, any projects and/or action recommended to the City Council would be included in the City's budget process early in 2020 for the next fiscal year.

ATTACHMENT

A: Resolution

RESOLUTION NO. 2019- XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PINOLE CREATING AN AD HOC COMMITTEE TO ADDRESS CLEAN-UP AND BEAUTIFICATION PROJECTS WITHIN THE CITY

WHEREAS, in early 2018 the City Council agreed to a future agenda item to discuss an evaluation of a potential special tax for litter abatement; and

WHEREAS, on December 4, 2018, the City Council agreed to have a future agenda item to explore an "Adopt-A-Drain" Program; and

WHEREAS, on March 5, 2019 City Council agreed to have a future agenda item to look into beautification projects and potential partnerships in the community to improve the aesthetic appeal of Pinole; and

WHEREAS, in recent months, the residents of Pinole have made public comments at City Council meetings expressing concern regarding the amount of trash that can be seen along road ways and other public spaces; and

WHEREAS, on September 17, 2019 Council member Martinez-Rubin requested that an item be placed on a future Council meeting agenda to discuss recycling issues and beautification projects in the City; and

WHEREAS, the City Council decided to create an Ad Hoc Committee to explore the above mentioned topics which all relate to the beautification of Pinole.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PINOLE as follows:

1. That the City Council hereby creates an Ad Hoc Committee, to be comprised of two City Council Members that will work in coordination with an assigned City staff member.

2. The expectations and responsibilities of the Committee are as follows:

    a. The Committee's primary responsibility shall be to analyze options for, and to make recommendations to the City Council regarding clean-up and beautification projects.

    b. The Committee shall determine its schedule of meetings, but the Council anticipates that it will meet a total of three (3) times in six (6) months before making its recommendations to the City Council.

c. The scope of the Committee shall be limited to immediate concerns regarding beautification of Pinole and recommendations shall be made to Council for direction and inclusion in the FY 20/21 budget process.

3. The City Council anticipates that the Committee shall remain in existence until it presents final recommendations.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pinole held on October 1, 2019 the by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS: **None**
ABSTAIN: COUNCILMEMBERS: **None**

I hereby certify that the foregoing resolution was regularly introduced, passed, and adopted on this 1st day of October, 2019

_____
Heather Iopu
City Clerk