

**A159487**

**COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FIRST APPELLATE DISTRICT - DIVISION THREE**

---

**MICHAEL ARATA,  
*Petitioner and Appellant,***

**v.**

**DEBORAH COOPER, in her official capacity as COUNTY CLERK-  
RECORDER AND REGISTRAR OF VOTERS, and**

**SHARON L. ANDERSON, in her official capacity as CONTRA  
COSTA COUNTY COUNSEL,  
*Respondents.***

**CONTRA COSTA TRANSPORTATION AUTHORITY, a special  
district, and**

**CONTRA COSTA COUNTY BOARD OF SUPERVISORS,  
*Real Parties in Interest.***

***[PRIORITY MATTER PURSUANT TO ELECTIONS CODE  
§ 13314(a)(3)]***

---

After Order of the Superior Court for the County of Contra Costa,  
Case No. MSN192489; Hon. Charles “Steve” Treat  
Additional Judge: Hon. Edward G. Weil

---

**PETITIONER & APPELLANT’S MOTION FOR JUDICIAL  
NOTICE; DECLARATION OF JASON A. BEZIS; PROPOSED  
ORDER**

---

Jason A. Bezis, SBN 225641  
Law Offices of Jason A. Bezis  
3661-B Mosswood Drive  
Lafayette, CA 94549-3509  
(925) 708-7073 Bezis4Law@gmail.com  
Attorney for Petitioner & Appellant Michael Arata

Pursuant to California Rules of Court, rule 8.252 and Evidence Code Section 459, Petitioner and Appellant Michael Arata hereby moves that the Court take judicial notice of the following documents, offered in support of his Opening Brief. The authenticity of these documents is established through the declaration of Jason A. Bezis, which is attached hereto.

The documents to be noticed are relevant to the appeal because they tend to prove factual and legal arguments that the ballot label is partial, argumentative and/or prejudicial in favor of the CCTA measure, that the ballot measure letter was designated in a manner inconsistent with the Elections Code and/or the County's adopted policies, and that County Counsel's impartial analysis is partial, unfair, and/or misleading. Most of the exhibits to be noticed were presented to the trial court through Requests for Judicial Notice, but the trial court never ruled on them. The documents are subject to judicial notice under Evidence Code sections 451, 452, or 453, for the reasons set forth below.

1. Pursuant to Evidence Code § 452(b), of the Contra Costa Transportation Authority (hereinafter "CCTA") Ordinance 19-03, adopted by the CCTA board at its October 30, 2019 meeting. In support thereof, attached hereto as Exhibit A is a true and correct copy of said document, as downloaded from CCTA's official internet website (ten pages).

2. Pursuant to Evidence Code § 452(b), of the Contra Costa Transportation Authority Resolution 19-55-P, adopted by the CCTA board

at its October 30, 2019 meeting. In support thereof, attached hereto as Exhibit B is a true and correct copy of said document, as downloaded from CCTA's official internet website (five pages).

3. Pursuant to Evidence Code § 452(b), of the Contra Costa County Board of Supervisors Ordinance 2019-33, adopted by the Board of Supervisors at its November 19, 2019 meeting. In support thereof, attached hereto as Exhibit C is a true and correct copy of said document, as downloaded from Board of Supervisors' official internet website (three pages).

4. Pursuant to Evidence Code § 452(h), of the Measure X ballot question and "County Counsel's Impartial Analysis of Measure X" that appeared in the Contra Costa County Voter Information Guide for November 2016 election. In support thereof, attached hereto as Exhibit D is a true and correct copy of said document, scanned from the actual Voter Information Guide mailed to me (one page).

5. Pursuant to Evidence Code § 452(h), of the "COUNTY COUNSEL'S ANALYSIS OF CONTRA COSTA TRANSPORTATION AUTHORITY ORDINANCE PROPOSING A SALES TAX" that bears a stamp in its top right corner that says "RECEIVED DEC 10 2019 CONTRA COSTA COUNTY ELECTIONS" and bears a handwritten note: "Do not use". In support thereof, attached hereto as Exhibit E is a true and

correct copy of said document, copied from the Measure J file at the Contra Costa County Elections Division (one page).

6. Pursuant to Evidence Code § 452(h), of the “COUNTY COUNSEL’S ANALYSIS OF CONTRA COSTA TRANSPORTATION AUTHORITY ORDINANCE PROPOSING A SALES TAX” that bears a stamp in its top right corner that says “RECEIVED DEC 18 2019 CONTRA COSTA COUNTY ELECTIONS.” In support thereof, attached hereto as Exhibit F is a true and correct copy of said document, copied from the Measure J file at the Contra Costa County Elections Division (one page).

7. Pursuant to Evidence Code § 452(b), of the CCTA 2020 Transportation Expenditure Plan (hereinafter “TEP”), adopted by the CCTA board as part of Ordinance 19-02 its October 30, 2019 meeting. In support thereof, attached hereto as Exhibit G is a true and correct copy of said document, as downloaded from CCTA’s official internet website (56 pages).

8. Pursuant to Evidence Code § 452(h), of CCTA’s “Comprehensive Annual Financial Report” for the fiscal year ended June 30, 2019. In support thereof, attached hereto as Exhibit H is a true and correct copy of the cover page and page 45 of said document, as downloaded from CCTA’s official internet website (two-page excerpt).

9. Pursuant to Evidence Code § 452(h), of CCTA’s “Draft Environmental Impact Report State Clearinghouse #2017022054.” In support thereof, attached hereto as Exhibit I is a true and correct copy of the cover page and relevant excerpted pages of said document, as downloaded from CCTA’s official internet website (21 pages).

10. Pursuant to Evidence Code § 452(h), of the County Elections Division’s “Guide to Filing Measure Arguments for County, Cities, School, and Special Districts 2020 Contra Costa Elections.” In support thereof, attached hereto as Exhibit J is a true and correct copy of the full document, as downloaded from the County Elections Division’s official internet website (fourteen pages).

11. Pursuant to Evidence Code § 452(h), of the County Elections Division’s “MARCH 3, 2020 PRIMARY ELECTION MEASURES” list. In support thereof, attached hereto as Exhibit K is a true and correct copy of the full document, as downloaded from the County Elections Division’s official internet website (three pages).

12. Pursuant to Evidence Code § 452(b), of Contra Costa County Code § 22-2.202 (Office hours). In support thereof, attached hereto as Exhibit R is a true and correct copy of the full document, as downloaded from the County of Contra Costa’s official internet website (one page).

13. Pursuant to Evidence Code § 452(c) and (h), of the Senate Floor Analysis of AB 195 (Oberholte) dated June 27, 2017. This is an official act

of the legislative department of the State of California. *County of Los Angeles v. Los Angeles County Employee Relations Com.* (2013) 56 Cal.4th 905, 923, fn. 16. The Third Appellate District has directly held that a Senate Floor Analysis is a document constituting cognizable legislative history. *Kaufman & Broad Communities, Inc. v. Performance Plastering, Inc.* (2005) 133 Cal.App.4th 26, 37. In support thereof, attached hereto as Exhibit S is a true and correct copy of said document, as downloaded from the Legislature's official internet website (four pages).

14. Pursuant to Evidence Code §§ 452(c) and (h), of Governor Gavin Newsom's veto message of SB 268 dated October 13, 2019. This is an official act of the executive department of the State of California. In support thereof, attached hereto as Exhibit T is a true and correct copy of said document, as downloaded from the Governor's official internet website (one page).

15. Pursuant to Evidence Code §§ 452(c) and (h), of the California Secretary of State's Approved Ballot Printers list dated December 18, 2019. This is an official act of the executive department of the State of California, pursuant to Cal. Code Regs. tit. 2, § 20220 and Elections Code § 13004. In support thereof, attached hereto as Exhibit U is a true and correct copy of said document, as downloaded from the Secretary of State's official internet website (six pages).

16. Pursuant to Evidence Code § 452(h), of the Measure J sample ballot that appeared in the Contra Costa County Voter Information Guide for March 3, 2020 election. In support thereof, attached hereto as Exhibit V is a true and correct copy of said document, scanned from the actual Voter Information Guide mailed to me (one page).

17. Pursuant to Evidence Code § 452(h), of the Measure J ballot label/ballot question and “County Counsel’s Impartial Analysis of Measure J” that appeared in the Contra Costa County Voter Information Guide for March 3, 2020 election. In support thereof, attached hereto as Exhibit W is a true and correct copy of said document, scanned from the actual Voter Information Guide mailed to me (one page).

18. Pursuant to Evidence Code § 452(h), of CCTA’s “Final Environmental Impact Report State Clearinghouse #2017022054,” approved by the CCTA board in September 2017. In support thereof, attached hereto as Exhibit X is a true and correct copy of the cover page and relevant excerpted pages of said document, as downloaded from CCTA’s official internet website (12 pages).

Dated: February 18, 2020

Respectfully submitted,

A handwritten signature in cursive script that reads "Jason A. Bezis".

JASON A. BEZIS

*Attorney for Petitioner and Appellant Michael Arata*

**DECLARATION OF AUTHENTICITY**  
**DECLARATION OF JASON A. BEZIS**

I, Jason A. Bezis, declare as follows:

1. I am an attorney licensed to practice in the State of California. I am attorney for Petitioner and Appellant in this case. I have personal knowledge of the facts stated in this declaration and am competent to testify as to them if called as a witness.

2. The attached Exhibit A is a true and correct copy of CCTA Ordinance 19-03 that I personally downloaded in electronic form from the official internet website of the Contra Costa Transportation Authority (hereinafter “CCTA”) at:

[https://ccta.granicus.com/MetaViewer.php?view\\_id=1&clip\\_id=490&meta\\_id=47163](https://ccta.granicus.com/MetaViewer.php?view_id=1&clip_id=490&meta_id=47163)

3. The attached Exhibit B is a true and correct copy of CCTA Resolution 19-55-P that I personally downloaded in electronic form from the official CCTA internet website at:

[https://ccta.granicus.com/MetaViewer.php?view\\_id=1&clip\\_id=490&meta\\_id=47165](https://ccta.granicus.com/MetaViewer.php?view_id=1&clip_id=490&meta_id=47165)

4. The attached Exhibit C is a true and correct copy of Contra Costa County Board of Supervisors Ordinance No. 2019-33 that I personally downloaded in electronic form from the official internet website of the Contra Costa County Board of Supervisors at:

[http://64.166.146.245/mindocs/2019/BOS/20191119\\_1367/minutes/996%5F111919%20C%2E12%20Ord%2E%202019%2D33%2Epdf](http://64.166.146.245/mindocs/2019/BOS/20191119_1367/minutes/996%5F111919%20C%2E12%20Ord%2E%202019%2D33%2Epdf)

5. The attached Exhibit D is a true and correct copy of page CC-9009-X1 (also known as page CC 097-14) of the Contra Costa County Voter Information Guide/sample ballot booklet for the November 2016 election. It includes the CCTA Measure X ballot question and County Counsel’s

Impartial Analysis of Measure X. This is a true and correct copy of the excerpted page from the voter information guide/sample ballot booklet that I personally received by U.S. mail from the County Registrar of Voters in 2016.

6. The attached Exhibit E is a true and correct copy of the version of “COUNTY COUNSEL’S ANALYSIS OF CONTRA COSTA TRANSPORTATION AUTHORITY ORDINANCE PROPOSING A SALES TAX” bearing in its top right corner “RECEIVED DEC 10 2019 CONTRA COSTA COUNTY ELECTIONS”, an “X” drawn through the text of the document body, and a handwritten note “Do not use” that I found in the CCTA ballot measure documents folder when I visited the County Elections Division office at 555 Escobar Street, Martinez on January 6, 2020.

7. The attached Exhibit F is a true and correct copy of the version of “COUNTY COUNSEL’S ANALYSIS OF CONTRA COSTA TRANSPORTATION AUTHORITY ORDINANCE PROPOSING A SALES TAX” bearing in its top right corner “RECEIVED DEC 18 2019 CONTRA COSTA COUNTY ELECTIONS” that I found in the CCTA ballot measure documents folder when I visited the County Elections Division office at 555 Escobar Street, Martinez on December 20, 2019.

8. The attached Exhibit G is a true and correct copy of CCTA’s “2020 Transportation Expenditure Plan” adopted through Ordinance 19-02 at the CCTA October 30, 2019 board meeting that I personally downloaded in electronic form from the official internet website of the Contra Costa Transportation Authority (hereinafter “CCTA”) at:

[https://ccta.granicus.com/MetaViewer.php?view\\_id=1&clip\\_id=490&meta\\_id=47161](https://ccta.granicus.com/MetaViewer.php?view_id=1&clip_id=490&meta_id=47161)

9. The attached Exhibit H is a true and correct copy of relevant excerpted pages of CCTA’s “Comprehensive Annual Financial Report” for the fiscal year ended June 30, 2019 that I personally downloaded in electronic form from the official internet website of the Contra Costa Transportation Authority (hereinafter “CCTA”) at:

<https://www.ccta.net/wp-content/uploads/2019/12/Contra-Costa-Transportation-Authority-CAFR-FY2019-final-11-25-2019.pdf>

10. The attached Exhibit I is a true and correct copy of relevant excerpted pages of CCTA’s “Draft Environmental Impact Report State Clearinghouse #2017022054” that I personally downloaded in electronic form from the official internet website of the Contra Costa Transportation Authority (hereinafter “CCTA”):

[https://2017ctpupdate.net/wp-content/uploads/2017\\_CTP-DEIR\\_links\\_20170620.pdf](https://2017ctpupdate.net/wp-content/uploads/2017_CTP-DEIR_links_20170620.pdf)

11. The attached Exhibit J is a true and correct copy of the County Elections Division’s “Guide to Filing Measure Arguments for County, Cities, School, and Special Districts 2020 Contra Costa Elections” that I personally downloaded in electronic form from the official internet website of the County Elections Division at:

[https://www.cocovote.us/wp-content/uploads/2020\\_Guide-to-Filing-Arguments-and-Rebuttals.pdf](https://www.cocovote.us/wp-content/uploads/2020_Guide-to-Filing-Arguments-and-Rebuttals.pdf)

12. The attached Exhibit K is a true and correct copy of the County Elections Division’s “MARCH 3, 2020 PRIMARY ELECTION MEASURES” list that I personally downloaded in electronic form from the official internet website of the County Elections Division at:

<https://www.cocovote.us/wp-content/uploads/Measure-Wording-List-11.pdf>

13. The attached Exhibit R is a true and correct copy of Contra Costa County Code § 22-2.202 (Office hours) that I personally downloaded in

electronic form from the official internet website of the County of Contra Costa at: <https://www.contracosta.ca.gov/1210/Codes-Ordinances>

14. The attached Exhibit S is a true and correct copy of the Senate Rules Committee's Senate Floor Analysis for AB 195 (Obernolte) dated June 27, 2017 that I personally downloaded from the California Legislative Information official website at:

[https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill\\_id=201720180AB195#](https://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201720180AB195#).

15. The attached Exhibit T is a true and correct copy of Governor Gavin Newsom's veto message concerning SB 268 dated October 13, 2019 that I personally downloaded from the official website of the Governor of

California at: <https://www.gov.ca.gov/wp-content/uploads/2019/10/SB-268-Veto-Message.pdf>.

16. The attached Exhibit U is a true and correct copy of the California Secretary of State's Approved Ballot Printers list dated December 18, 2019 that I personally downloaded from the official website of the California

Secretary of State at: <https://votingsystems.cdn.sos.ca.gov/cert-and-approval/ballots/approved-vendors-2019-04.pdf>.

17. The attached Exhibit V is a true and correct copy of the Measure J sample ballot that I copied from the Contra Costa County Voter Information Guide With Sample Ballot for the March 3, 2020 Presidential Primary Election that the County Elections Division mailed to me.

18. The attached Exhibit W is a true and correct copy of page CC-9005-X1 (also known as page CC 032-16) containing the Measure J ballot label/ballot question and County Counsel's Impartial Analysis of Measure J that I copied from the Contra Costa County Voter Information Guide With Sample Ballot for the March 3, 2020 Presidential Primary Election that the County Elections Division mailed to me.

19. The attached Exhibit X is a true and correct copy of relevant excerpted pages of CCTA’s “Final Environmental Impact Report State Clearinghouse #2017022054” that I personally downloaded in electronic form from the official internet website of the Contra Costa Transportation Authority (hereinafter “CCTA”). The Final EIR pages were downloaded from: [https://2017ctpupdate.net/wp-content/uploads/2017\\_CCTA\\_CTP\\_Final\\_EIR\\_per\\_Board\\_certification\\_9-20.pdf](https://2017ctpupdate.net/wp-content/uploads/2017_CCTA_CTP_Final_EIR_per_Board_certification_9-20.pdf)

I declare under penalty of perjury pursuant to the laws of the State of California that the foregoing is true and correct. Executed on this 18<sup>th</sup> day of February, 2020, at Lafayette, California.



---

JASON A. BEZIS

**A159487**

**COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FIRST APPELLATE DISTRICT - DIVISION THREE**

---

**MICHAEL ARATA,  
*Petitioner and Appellant,***

**v.**

**DEBORAH COOPER, in her official capacity as COUNTY CLERK-  
RECORDER AND REGISTRAR OF VOTERS, and**

**SHARON L. ANDERSON, in her official capacity as CONTRA  
COSTA COUNTY COUNSEL,  
*Respondents.***

**CONTRA COSTA TRANSPORTATION AUTHORITY, a special  
district, and**

**CONTRA COSTA COUNTY BOARD OF SUPERVISORS,  
*Real Parties in Interest.***

***[PRIORITY MATTER PURSUANT TO ELECTIONS CODE  
§ 13314(a)(3)]***

---

After Order of the Superior Court for the County of Contra Costa,  
Case No. MSN192489; Hon. Charles “Steve” Treat  
Additional Judge: Hon. Edward G. Weil

---

**[PROPOSED] ORDER**

---

The Court grants Petitioner & Appellant’s February 18, 2020 motion  
for judicial notice and hereby takes notice of the following documents:

Exhibit A \_\_\_\_\_

Exhibit B \_\_\_\_\_

Exhibit C \_\_\_\_\_

Exhibit D \_\_\_\_\_

Exhibit E \_\_\_\_\_

Exhibit F \_\_\_\_\_

Exhibit G \_\_\_\_\_

Exhibit H \_\_\_\_\_

Exhibit I \_\_\_\_\_

Exhibit J \_\_\_\_\_

Exhibit K \_\_\_\_\_

Exhibit R \_\_\_\_\_

Exhibit S \_\_\_\_\_

Exhibit T \_\_\_\_\_

Exhibit U \_\_\_\_\_

Exhibit V \_\_\_\_\_

Exhibit W \_\_\_\_\_

Exhibit X \_\_\_\_\_

IT IS SO ORDERED.

Dated: \_\_\_\_\_, 2020

---

Justice of the Court of Appeal

**PROOF OF SERVICE**

I, the undersigned, declare under penalty of perjury that:

I am a citizen of the United States, over the age of 18, and not a party to the within cause of action. My business address is 3661-B Mosswood Drive, Lafayette, CA 94549-3509. On February 18, 2020, I served a true copy of the following document:

**PETITIONER & APPELLANT’S MOTION FOR JUDICIAL NOTICE; DECLARATION OF JASON A. BEZIS; PROPOSED ORDER**

on the following parties in said action:

Thomas L. Geiger, Assistant County Counsel  
COUNTY OF CONTRA COSTA  
Thomas.Geiger@cc.cccounty.us  
Attorney for Deborah Cooper, Sharon L. Anderson and Contra Costa County Board of Supervisors

Jason D. Kaune, Hilary J. Gibson  
NIELSEN MERKSAMER PARRINELLO GROSS & LEONI LLP  
jkaune@nmgovlaw.com  
hgibson@nmgovlaw.com  
Attorneys for Contra Costa Transportation Authority

Electronic copy submitted to Court of Appeal upon filing (CRC 8.78)

BY EMAIL TRANSMISSION: By emailing the document(s) to the persons at the email addresses listed based on a court order or an agreement of the parties to accept service by email. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission.

//

//

//

//

Clerk of the Court; Contra Costa County Superior Court; 725 Court Street;  
Martinez, CA 94553

BY UNITED STATES MAIL: By enclosing the document in a sealed envelope or package addressed to the persons at the address above and depositing the sealed envelope with the United States Postal Service, with the postage fully prepaid.

I declare, under penalty of perjury, that the foregoing is true and correct. Executed on February 18, 2020, in Lafayette, California.

A handwritten signature in cursive script that reads "Jason A. Bezis". The signature is written in black ink and is positioned above a horizontal line.

---

JASON A. BEZIS

# Exhibit A



**ORDINANCE 19-03**

**AN ORDINANCE OF THE CONTRA COSTA TRANSPORTATION AUTHORITY  
IMPOSING A TRANSACTIONS AND USE TAX TO BE ADMINISTERED  
BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION**

**WHEREAS**, Chapter 5 of Division 19 of the Public Utilities Code (PUC) and Part 1.6 of Division 2 of the Revenue and Taxation Code authorize the Contra Costa Transportation Authority (Authority) to impose a retail transactions and use tax in the incorporated and unincorporated territory of Contra Costa County if the tax ordinance is adopted by a two-thirds vote of the Authority Board and imposition of the tax is approved by two-thirds of electors voting on the measure and a Transportation Expenditure Plan (TEP) is adopted; and

**WHEREAS**, PUC Section 7291 of Revenue and Taxation Code authorizes the Authority to impose a transactions and use tax for the support of Countywide Transportation programs at a rate of no more than one-half of one cent that would, in combination with all taxes imposed pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code, exceed the limit established in PUC Section 7251.1; and

**WHEREAS**, the Authority, Contra Costa County Board of Supervisors, and all of the 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 adopted a TEP in accordance with PUC Section 180206.

**NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:**

- 1) Section 1. TITLE. This ordinance shall be known as the 2020 Transactions and Use Tax Ordinance. The Contra Costa Transportation Authority hereinafter shall be called the "Authority". This ordinance shall be applicable in the incorporated and unincorporated territory of the County of Contra Costa, which shall be referred to herein as "District";
- 2) Section 2. OPERATIVE DATE. "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance, the date of such adoption being as set forth below;

- 3) Section 3. PURPOSE. This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:
- A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Chapter 5 of Division 19 of the PUC, which authorizes the Authority to adopt this tax ordinance, which shall be operative if a two-thirds majority of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose;
  - B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code;
  - C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor that can be administered and collected by the California Department of Tax and Fee Administration (CDTFA) in a manner that adapts itself as fully practicable to, and requires the least possible deviation from, the existing statutory and administrative procedures followed by the CDTFA in administering and collecting the California State Sales and Use Taxes;
  - D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance; and
  - E. Nothing in this ordinance is intended to modify, repeal, or alter ordinances previously adopted by the Authority. The provisions of this ordinance shall apply solely to the transactions and use tax adopted herein.
- 4) Section 4. CONTRACT WITH STATE. Prior to the operative date, the Authority shall contract with the CDTFA to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the Authority shall not have contracted with the CDTFA prior to the operative date, it shall nevertheless so

contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract;

- 5) Section 5. TRANSACTIONS TAX RATE. For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated and unincorporated territory of the District at the rate of an additional one-half of one cent until June 30, 2055, which tax shall be imposed, in part, concurrently with the existing one-half percent tax until the existing tax expires, of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance;
- 6) Section 6. PLACE OF SALE. For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the CDTFA;
- 7) Section 7. USE TAX RATE. An excise tax is hereby imposed on the storage, use or other consumption in the District of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of an additional one-half of one cent until June 30, 2055, which tax shall be imposed, in part, concurrently with the existing one-half percent tax until the existing tax expires, of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made;
- 8) Section 8. ADOPTION OF PROVISIONS OF STATE LAW. Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein;
- 9) Section 9. LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES. In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

- A. Wherever the State of California is named or referred to as the taxing agency, the name of this Authority shall be substituted therefor. However, the substitution shall not be made when:
1. The word "State" is used as a part of the title of the State Controller, State Treasurer, Victim Compensation and Government Claims Board, CDTFA, State Treasury, or the Constitution of the State of California;
  2. The result of that substitution would require action to be taken by or against this Authority or any agency, officer, or employee thereof rather than by or against the CDTFA, in performing the functions incident to the administration or operation of this Ordinance;
  3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:
    - a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property, which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code; or
    - b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property, which would not be subject to tax by the State under the said provision of that code.
  4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.
- B. The word "District" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.
1. "A retailer engaged in business in the District shall also include any retailer that, in the preceding calendar year or the current calendar year, has total combined sales of tangible personal property in this State or for delivery in the State by the retailer and all persons related to the retailer that

exceeds five hundred thousand dollars (\$500,000). For purposes of this section, a person is related to another person if both persons are related to each other pursuant to Section 267(b) of Title 26 of the United States Code and the regulations thereunder.

10) Section 10. PERMIT NOT REQUIRED. If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance;

11) Section 11. EXEMPTIONS AND EXCLUSIONS.

A. There shall be excluded from the measure of the transactions tax and the use tax, the amount of any sales tax or use tax imposed by the State of California or by any city/town, city/town and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law or the amount of any state-administered transactions or use tax; and

B. There are exempted from the computation of the amount of transactions tax, the gross receipts, from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the County in which the sale is made, and directly and exclusively, in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government;
2. Sales of property to be used outside the District which is shipped to a point outside the District, pursuant to the contract of sale, by delivery to such point, by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the District shall be satisfied:
  - a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the PUC, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-District address and by a declaration



3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance;
  4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease, which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance;
  5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised;
  6. Except as provided in subparagraph (7), a retailer engaged in business in the District shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the District or participates within the District in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the District or through any representative, agent, canvasser, solicitor, subsidiary, or person in the District under the authority of the retailer; and
  7. "A retailer engaged in business in the District" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the PUC, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the District.
- D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a district imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the

Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.

- 12) Section 12. BONDING AUTHORITY. This section incorporates by reference the provisions of PUC Sections 180200 ("Pay-as-you-go" financing) and 180250 through 180264. This ordinance authorizes the Authority to issue limited tax bonds to finance capital outlay expenditures as may be provided for in the adopted TEP, payable from the proceeds of the tax. In accordance with PUC Section 180250(b), the maximum bonded indebtedness, which may be outstanding at anyone time shall be an amount equal to the sum of the principal of, and interest on, the bonds, but not-to-exceed the estimated proceeds of the tax, as determined by the plan. The amount of bonds outstanding at any one time does not include the amount of bonds, refunding bonds, or bond anticipation notes for which funds necessary for the payment thereof have been set aside for that purpose in a trust or escrow account;
- 13) Section 13. ANNUAL APPROPRIATIONS LIMIT. Article XIII(B) of the California Constitution requires the establishment of an annual appropriations limit for certain governmental entities. The Authority for Fiscal Year (FY) 2019-20 has been established at \$146,000,000. The appropriations limit shall be subject to adjustment as provided by law. All expenditures of the tax revenues imposed in this ordinance are subject to the appropriations limit of the Authority;
- 14) Section 14. USE OF PROCEEDS. The proceeds of the transaction and use tax imposed by this ordinance shall be used solely for the projects and purposes set forth in the 2020 TEP, as it may be amended from time to time, and for the administration thereof;
- 15) Section 15. AMENDMENTS. All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance;
- 16) Section 16. ENJOINING COLLECTION FORBIDDEN. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the Authority, or against any officer of the State or the Authority, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected;

17) Section 17. COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

The Authority finds that the approval of this ordinance is not a “project” and, alternatively, is exempt from CEQA. The ordinance is intended to provide a funding mechanism for future projects and programs related to the Authority’s provision of transportation services. The ordinance does not commit the Authority to any particular project, program, or capital improvement. Accordingly, the Authority hereby finds that, under CEQA Guidelines Section 15378(b)(4), adoption of this ordinance is not a project subject to the requirements of CEQA because the ordinance is merely “[t]he creation of [a] government funding mechanism or other fiscal activity which do[es] not involve any commitment to any specific project, which may result in a potentially significant physical impact on the environment.” (Cal. Code Regs., tit. 14, Section 15378, subd. (b)(4); see also *Sustainable Transportation Advocates of Santa Barbara v. Santa Barbara County Association of Governments* 179 Cal.App.4th 113, 123.) Further, because the ordinance does not authorize the construction of any projects that may result in any direct or indirect physical change in the environment and is subject to further discretionary approvals, including the pre-conditions found in PUC Section 180206(b), approving the ordinance is not an approval that “commits the agency to a definite course of action.” (CEQA Guidelines Section 15352.) The timing, design, and approval of individual projects to be funded by the ordinance are dependent on funding availability, need, and CEQA review. Thus, the ordinance has no potential for causing a significant effect on the environment and is exempt from further review under CEQA. (CEQA Guidelines Section 15061(b)(3).);

18) Section 18. REQUEST FOR ELECTION. The Authority hereby requests the Contra Costa County Board of Supervisors to place this ordinance before the voters for approval on the March 3, 2020 ballot. The proposition to be placed on the ballot shall read substantially as follows:

To:

- Reduce congestion and fix bottlenecks on highways and major roads;
- Make commutes faster and more predictable;
- Improve the frequency, reliability, accessibility, cleanliness, and safety of buses, ferries, and BART;
- Improve air quality;
- Repave roads;

shall the measure implementing a Transportation Expenditure Plan, levying a 1/2¢ sales tax, providing an estimated \$103,000,000 for local transportation annually for 35 years that the State cannot take, requiring fiscal accountability, and funds directly benefiting Contra Costa County residents, be adopted?

- 19) Section 19. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby;
- 20) Section 20. EFFECTIVE DATE. This ordinance relates to the levying and collecting of the District transactions and use taxes and shall take effect immediately or as soon thereafter as the tax may be lawfully imposed;
- 21) Section 21. TERMINATION DATE. The authority to levy the tax imposed by this ordinance shall expire on June 30, 2055.

PASSED AND ADOPTED by the Contra Costa Transportation Authority Board of Directors in Walnut Creek, State of California, on October 30, 2019, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Robert Taylor, Chair

**This Ordinance 19-03 was entered into at a special meeting of the Contra Costa Transportation Authority Board held on October 30, 2019, in Walnut Creek, California, and shall become effective as provided above.**

Attest:

---

Tarienne Grover, Clerk of the Board

# Exhibit B



**RESOLUTION 19-55-P**

**RE: REQUESTING THE CONTRA COSTA COUNTY BOARD OF SUPERVISORS TO CALL AND CONSOLIDATE A SPECIAL ELECTION, SUBMITTING TO THE QUALIFIED VOTERS A BALLOT MEASURE SEEKING APPROVAL OF A ONE-HALF OF ONE CENT TRANSACTIONS AND USE TAX**

**WHEREAS**, Chapter 5 of Division 19 of the Public Utilities Code (PUC) and Part 1.6 of Division 2 of the Revenue and Taxation Code authorizes the Contra Costa Transportation Authority (Authority) to impose a retail transactions and use tax in the incorporated and unincorporated territory of a county if the tax ordinance is adopted by a two-thirds vote of the Authority Board and imposition of the tax is approved by two-thirds of electors voting on the measure and a Transportation Expenditure Plan (TEP) is adopted; and

**WHEREAS**, PUC Section 7291 of the Revenue and Taxation Code authorizes the Authority to impose a transactions and use tax for the support of Countywide Transportation programs at a rate of no more than one-half of one cent that would, in combination with all taxes imposed pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code, exceed the limit established in PUC Section 7251.1; and

**WHEREAS**, the Authority currently imposes a retail transactions and use tax in the incorporated and unincorporated territory of Contra Costa County, and wishes to increase such tax for special governmental purposes at an additional rate of one-half of one cent on the sale of tangible personal property and the storage, use, or other consumption of such property; and

**WHEREAS**, the Authority, Contra Costa County Board of Supervisors, and all of the 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 adopted a TEP in accordance with PUC Section 180206; and

**WHEREAS**, on October 30, 2019, the Authority held a public special meeting after due notice regarding the adoption of Ordinance 19-03 proposing a retail transactions and use tax in the incorporated and unincorporated territory of Contra Costa County, which was adopted; and

**WHEREAS**, PUC Section 180201 authorizes the Authority to request the Contra Costa County Board of Supervisors to call a special election for the purpose of submitting Ordinance 19-03 to the qualified electors; and

**WHEREAS**, PUC Section 180203 provides that Contra Costa County shall conduct the special election called by the Contra Costa County Board of Supervisors in the same manner provided by law for the conduct of special elections by Contra Costa County; and

**WHEREAS**, the Authority desires to request that the Contra Costa County Board of Supervisors call and order a special election to be consolidated with the statewide general election to be held on Tuesday, March 3, 2020; to request the Contra Costa County Board of Supervisors to take any and all necessary steps to conduct the consolidated election; and to order a special election on Ordinance 19-03 and consolidate the special election of the ordinance with the statewide special election to be held on March 3, 2020.

**THEREFORE, NOW, BE, IT RESOLVED**, that the Contra Costa Transportation Authority hereby:

- 1) **Section 1.** Findings. The Authority finds that the foregoing recitals are true and correct and are hereby incorporated and adopted as findings and determinations by the Authority as if fully set forth herein;
- 2) **Section 2.** Call, Consolidation and Conduct of Election.
  - a) Pursuant to PUC Sections 180201 and 180203, the Authority calls and requests that the Contra Costa County Board of Supervisors call a special election for the purpose of submitting Ordinance 19-03 to the qualified electors;
  - b) Pursuant to California Elections Code Section 10400 *et seq*, the Authority hereby requests that the Contra Costa County Board of Supervisors consent to the consolidation of the election for Ordinance 19-03 with the statewide General Election to be held on Tuesday, March 3, 2020. The consolidated election shall be held and conducted, election officers appointed, voting precincts designated, ballots printed, polls opened and closed, ballots counted and returned, returns canvassed, results declared, certificates of election issued, and all other proceedings incidental to and connected with the election shall be regulated and done by Contra Costa County in accordance with the provisions of law regulating the regularly scheduled statewide General Election, including but not limited to, California Elections Code Section 10418;

- c) The Contra Costa County Board of Supervisors is requested to issue instructions to the Contra Costa County Elections Official to take any and all steps necessary for the holding of the consolidated election, including preparation of arguments for and against the measure and the impartial analysis, canvassing the returns of that election with respect to the votes cast in Contra Costa County and certifying the results to the Authority;
  - d) The Authority recognizes that additional costs will be incurred by Contra Costa County by reason of this consolidation and agrees to reimburse Contra Costa County for all costs; and
  - e) The Clerk of the Board is hereby authorized and directed to cooperate with the Contra Costa County Elections Official and to follow the procedures and meet all deadlines established by Contra Costa County.
- 3) Section 3. Sample Ballot and Voter Information Guide. Pursuant to PUC Section 180203, the sample ballot to be mailed to the voters, pursuant to Section 13303 of the Elections Code, shall provide the full proposition, as set forth in Section 5 of this resolution, and the voter information guide shall include the entire adopted TEP attached hereto as Exhibit A.
- 4) Section 4. Submission of Proposed Transactions and Use Tax Ordinance. Pursuant to Government Code Section 53724, any other applicable requirements of State law, and as otherwise set forth herein, the Authority hereby orders Ordinance 19-03 attached hereto as Exhibit B and by this reference incorporated herein, and made an operative part hereof, to be submitted to the qualified voters of the incorporated and unincorporated territory of the Contra Costa County at the statewide election to be held on Tuesday, March 3, 2020. The Authority approved Ordinance 19-03 by a two-thirds vote of all Commissioners of the Authority Board. Ordinance 19-03 shall become effective if a majority of the qualified voters of the incorporated and unincorporated territory of Contra Costa County voting on the ballot measure set forth in Section 5 below vote in favor of the ballot measure;
- 5) Section 5. Ballot Measure. In addition to any other matters required by law, there shall be presented to the voters the question printed substantially as follows:

| Measure ____:  |     |  |
|--|-----|--|
| <p>To:</p> <ul style="list-style-type: none"> <li>• Reduce congestion and fix bottlenecks on highways and major roads;</li> <li>• Make commutes faster and more predictable;</li> <li>• Improve the frequency, reliability, accessibility, cleanliness, and safety of buses, ferries, and BART;</li> <li>• Improve air quality;</li> <li>• Repave roads;</li> </ul> <p>shall the measure implementing a Transportation Expenditure Plan, levying a 1/2¢ sales tax, providing an estimated \$103,000,000 for local transportation annually for 35 years that the State cannot take, requiring fiscal accountability, and funds directly benefiting Contra Costa County residents, be adopted?</p> | YES |  |
|  | NO  |  |

6) Section 6. Notice and Publication of Ballot Measure.

- a. The Clerk of the Board shall, not later than the 88<sup>th</sup> day prior to the special election to be held on Tuesday, March 3, 2020, file with the Contra Costa County Board of Supervisors and the Contra Costa County Elections Official a certified copy of this resolution; and
- b. The Clerk of the Board is authorized and directed to give notice required by law.

7) Section 7. California Environmental Quality Act of 1970 (CEQA). The approval of this resolution is not a “project” and, alternatively, is exempt from CEQA. The transactions

and use tax to be submitted to the voters is a special tax that will be used to fund programs identified in the TEP; it is not a commitment to any particular action. Thus, it is not a CEQA "approval" that "commits" the agency to a definite course of action. (State CEQA Guidelines Section 15352). Further, under CEQA Guidelines Section 15378(b)(4), the tax is not a project within the meaning of CEQA because, as the tax is merely "[t]he creation of [a] government funding mechanism or other fiscal activity which do[es] not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment." (Cal. Code Regs., tit. 14, Section 15378, subd. (b)(4).) The timing, design, and approval of individual projects to be funded by the tax (if adopted by the voters) are dependent on funding availability, need, and CEQA review. Thus, the adoption of this resolution has no potential for causing a significant effect on the environment and is, therefore, exempt from further review under CEQA. (State CEQA Guidelines Section 15061 (b)(3).);

- 8) Section 8. Severability. If any provision or clause of this resolution, the measure proposed by the resolution, or any application of any of the foregoing to any person or circumstance is held invalid, unconstitutional, or otherwise repealed by act of law, such invalidity shall not affect any other provisions or clauses of the same, which can be given effect without the invalid provision, clause, or application. To this end, the provisions and clauses of this resolution and the proposed measure are hereby declared to be severable; and
- 9) Section 9. Effective Date. This resolution shall take effect immediately on its adoption.

This resolution was entered into at a special meeting of the Contra Costa Transportation Authority Board held on October 30, 2019 in Walnut Creek, California by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Robert Taylor, Chair

Attest:

---

Tarienne Grover, Clerk of the Board

# Exhibit C

**ORDINANCE NO. 2019-33**

**(Calling of Special Election for Voter Approval to Augment Local Sales Tax for Transportation Purposes)**

The Contra Costa County Board of Supervisors ordains as follows:

**SECTION I. SUMMARY.** This ordinance calls a special election, at the request of the Contra Costa Transportation Authority (the Authority), for the purpose of submitting to the voters for approval an additional one-half of one percent sales tax for the transportation projects and programs described in the tax ordinance and county transportation expenditure plan adopted by the Authority on October 30, 2019.

**SECTION II. RECITALS AND FINDINGS.** This ordinance is made with reference to the following recitals and findings:

Local highway and transportation improvements in Contra Costa County are needed to address countywide mobility needs and alleviate traffic congestion that threatens the economic viability of the area and adversely impacts the quality of life in the County.

To manage current and future local transportation maintenance and improvement needs, local jurisdictions need to develop and implement local funding programs that go significantly beyond current federal and state funding, which is inadequate to resolve these problems.

It is in the public interest, under the Local Transportation Authority and Improvement Act (Public Utilities Code Section 180000 and following), to allow the voters in Contra Costa County to implement a new retail transactions and use tax (sales tax) ordinance to raise additional local revenues for a transportation expenditure plan that funds transportation improvements and maintenance and meets local transportation needs in a timely manner.

In 1988, voters in Contra Costa County passed Measure C, which created a one-half cent sales tax for 20 years to support transportation programs and projects. In 2004, voters approved Measure J, which extended the transportation sales tax for an additional 25 years beyond the previous expiration date.

On August 28, 2019, the Authority authorized the release of a proposed Transportation Expenditure Plan, *A Transformative Plan for Contra Costa's Future*,

*2020 Transportation Expenditure Plan*, to the County, cities and towns to consider, among other matters, establishing an additional countywide one-half of one percent sales tax for 35 years to increase the funding of transportation projects, subject to approval by the qualified electors on the March 3, 2020 ballot.

All of Contra Costa County's nineteen cities and towns representing 100 percent of the incorporated area population, and the County Board of Supervisors, have approved the Transportation Expenditure Plan prior to its final approval by the Authority Board.

On October 30, 2019, the Authority Board approved the Transportation Expenditure Plan and requested that the Contra Costa County Board of Supervisors call a special election for the purpose of submitting Authority Ordinance No. 19-03, authorizing the additional one-half of one percent sales tax, to voters on the March 3, 2020 ballot.

**SECTION III. CALL OF SPECIAL ELECTION.** At the request of the Authority, pursuant to Public Utilities Code sections 180201 and 180203, the Board of Supervisors hereby calls a special election for the purpose of submitting the following proposition to the voters of the incorporated and unincorporated territory of Contra Costa County for approval:

"To:

- Reduce congestion and fix bottlenecks on highways and major roads;
- Make commutes faster and more predictable;
- Improve the frequency, reliability, accessibility, cleanliness, and safety of buses, ferries, and BART;
- Improve air quality;
- Repave roads;

shall the measure implementing a Transportation Expenditure Plan, levying a 1/2% sales tax, providing an estimated \$103,000,000 for local transportation annually for 35 years that the State cannot take, requiring fiscal accountability, and funds directly benefiting Contra Costa County residents, be adopted?"

**SECTION IV. CONSOLIDATION.** As requested by the Authority in Authority Resolution 19-55-P, the election shall be consolidated with the statewide primary election to be held on Tuesday, March 3, 2020.

**ORDINANCE NO. 2019-33**

**SECTION V. CONDUCT OF ELECTION.** Pursuant to Public Utilities Code Section 180203(b), the County Clerk (Elections Clerk) shall conduct this election in the same manner as provided by law for the conduct of special elections by a county.

**SECTION VI. SAMPLE BALLOT AND VOTER HANDBOOK.** Pursuant to Public Utilities Code Section 180203(c), the sample ballot to be mailed to the voters shall contain the full proposition, as set forth in Section III of this ordinance, and the voter information handbook shall include the entire plan and the tax ordinance (Authority Ordinance No. 19-03) referred to in Section II of this ordinance.

**SECTION VII. ELECTION COST.** Pursuant to Public Utilities Code section 180203(a) and Authority Resolution 19-55-P, the Authority shall reimburse the County for all costs of conducting this election, including those relating to consolidation of the election.

**SECTION VIII.** \_\_\_\_\_  
upon passage and within 15 days after passage shall be published once with the names of supervisors voted \_\_\_\_\_ TIMES, a newspaper published in this county.

PASSED on November 19, 2019, by the following vote:

AYES: *Gioia, Andersen, Burgis, Mitchoff, Glover*  
NOES: *None*  
ABSENT: *None*  
ABSTAIN: *None*

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

  
Board Chair

By:   
Deputy Clerk



TLG:  
H:\2019\Conservation and Development\CCTA tax election ordinance.doc

**ORDINANCE NO. 2019-33**

# Exhibit D

## MEASURE X

### CONTRA COSTA TRANSPORTATION AUTHORITY DISTRICT

To implement a Transportation Expenditure Plan to continue:

- Repairing potholes/fixing roads;
- Improving BART capacity/reliability
- Improving Highways 680, 80, 24, and 4;
- Enhancing bus/transit including for seniors and people with disabilities;
- Increasing bicycle/pedestrian safety;
- Improving air quality;
- Reducing traffic;

shall voters adopt the ordinance augmenting the sales tax by ½% raising ninety-seven million dollars for transportation improvements annually for 30 years with independent oversight, audits, and all money benefitting local residents?

#### COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF MEASURE X

The governing body of the Contra Costa Transportation Authority ("CCTA") has proposed a measure asking voters to approve an additional one-half of one percent (0.5%) retail transactions and use tax – a sales tax – to fund certain transportation improvements in Contra Costa County.

The sales tax would be collected in the incorporated and unincorporated areas of Contra Costa County, from April 1, 2017, until March 31, 2047. The proceeds from this sales tax would supplement CCTA's existing one-half of one percent (0.5%) sales tax, which will continue to be collected until March 31, 2034.

According to the measure, proceeds from the sales tax would be used to "implement a Transportation Expenditure Plan to continue repairing potholes/fixing roads; improving BART capacity/reliability; improving Highways 680, 80, 24, and 4; enhancing bus/transit including for seniors and people with disabilities; increasing bicycle/pedestrian safety; improving air quality; [and] reducing traffic." Sales tax proceeds may only be used for the projects and purposes specified in CCTA's Transportation Expenditure Plan ("TEP"), which is included in the Voter Information Handbook, and any future amendments to the TEP. According to the TEP, 26.79% of the tax proceeds will fund BART, bus, ferry, and train networks; 23.79% of the tax proceeds will fund fixing local streets and roads; 21.98% of the tax proceeds will fund building sustainable communities and protecting the environment; 20.71% of the tax proceeds will fund reducing congestion and smoothing traffic; 6.23% of the tax proceeds will fund transportation for children, seniors,

and people with disabilities; and 0.5% of the tax proceeds will fund administrative costs.

Approval of this measure also would authorize CCTA to issue limited tax bonds to finance projects described in the TEP. The maximum bonded indebtedness may not exceed the estimated proceeds of the sales tax.

According to the TEP, CCTA's Public Oversight Committee will provide oversight of all expenditures of the sales tax proceeds and will report to the public. This committee will review annual audits, the allocation of the tax proceeds, the performance of projects and programs in the TEP, and compliance by local jurisdictions. Expenditures of sales tax proceeds also would be subject to annual independent audits.

Two-thirds of those voting on the ballot measure must approve the measure for it to pass.

A "yes" vote is a vote in favor of authorizing this 0.5% sales tax.

A "no" vote is a vote against authorizing this 0.5% sales tax.

# Exhibit E

RECEIVED

DEC 10 2019

CONTRA COSTA COUNTY  
ELECTIONS

**COUNTY COUNSEL'S ANALYSIS OF  
CONTRA COSTA TRANSPORTATION AUTHORITY ORDINANCE  
PROPOSING A SALES TAX**

The governing body of the Contra Costa Transportation Authority ("CCTA") has proposed a measure asking voters to approve an additional one-half of one percent (0.5%) retail transactions and use tax – a sales tax – to fund certain transportation improvements in Contra Costa County.

The sales tax would be collected in the incorporated and unincorporated areas of Contra Costa County from July 1, 2020, until June 30, 2055. The proceeds from this sales tax would supplement CCTA's existing one-half of one percent (0.5%) sales tax, which will continue to be collected until March 31, 2034.

According to the measure, proceeds from the sales tax would be used to reduce congestion and fix bottlenecks on highways and major roads; make commutes faster and more predictable; improve the frequency, reliability, accessibility, cleanliness, and safety of buses, ferries, and BART; improve air quality; and repave roads. Sales tax proceeds may only be used for the projects and purposes specified in CCTA's Transportation Expenditure Plan ("TEP"), which is included in the Voter Information Handbook, and any future amendments to the TEP. According to the TEP, 41.1% of the tax proceeds will be used to relieve congestion on highways, interchanges, and major roads; 54.9% of the tax proceeds will be used to improve transit and transportation countywide; 3.0% of the tax proceeds will fund transportation planning, facilities and services; and 1.0% of the tax proceeds will fund administrative costs.

Approval of this measure also would authorize CCTA to issue limited tax bonds to finance projects described in the TEP. The maximum bonded indebtedness may not exceed the estimated proceeds of the sales tax.

According to the TEP, CCTA's Public Oversight Committee will provide oversight of all expenditures of the sales tax proceeds and will report to the public. This committee will review annual audits, the allocation of the tax proceeds, the performance of projects and programs in the TEP, and compliance by local jurisdictions. Expenditures of sales tax proceeds also would be subject to annual independent audits.

Two-thirds of those voting on the ballot measure must approve the measure for it to pass.

A "yes" vote is a vote in favor of authorizing this 0.5% sales tax.

A "no" vote is a vote against authorizing this 0.5% sales tax.

Do not use

# Exhibit F

**COUNTY COUNSEL'S ANALYSIS OF  
CONTRA COSTA TRANSPORTATION AUTHORITY ORDINANCE  
PROPOSING A SALES TAX**

The governing body of the Contra Costa Transportation Authority ("CCTA") has proposed a measure asking voters to approve a retail transactions and use tax – a sales tax – to fund certain transportation improvements in Contra Costa County. State law authorizes CCTA to adopt an ordinance proposing a one-half of one percent (0.5%) sales tax.

The sales tax would be collected in the incorporated and unincorporated areas of Contra Costa County from July 1, 2020, until June 30, 2055. The proceeds from this sales tax would supplement CCTA's existing one-half of one percent (0.5%) sales tax, which will continue to be collected until March 31, 2034.

According to the measure, proceeds from the sales tax would be used to reduce congestion and fix bottlenecks on highways and major roads; make commutes faster and more predictable; improve the frequency, reliability, accessibility, cleanliness, and safety of buses, ferries, and BART; improve air quality; and repave roads. Sales tax proceeds may only be used for the projects and purposes specified in CCTA's Transportation Expenditure Plan ("TEP"), which is included in the Voter Information Handbook, and any future amendments to the TEP. According to the TEP, 41.1% of the tax proceeds will be used to relieve congestion on highways, interchanges, and major roads; 54.9% of the tax proceeds will be used to improve transit and transportation countywide; 3.0% of the tax proceeds will fund transportation planning, facilities and services; and 1.0% of the tax proceeds will fund administrative costs.

Approval of this measure also would authorize CCTA to issue limited tax bonds to finance projects described in the TEP. The maximum bonded indebtedness may not exceed the estimated proceeds of the sales tax.

According to the TEP, CCTA's Public Oversight Committee will provide oversight of all expenditures of the sales tax proceeds and will report to the public. This committee will review annual audits, the allocation of the tax proceeds, the performance of projects and programs in the TEP, and compliance by local jurisdictions. Expenditures of sales tax proceeds also would be subject to annual independent audits.

Two-thirds of those voting on the ballot measure must approve the measure for it to pass.

A "yes" vote is a vote in favor of authorizing this 0.5% sales tax.

A "no" vote is a vote against authorizing this 0.5% sales tax.

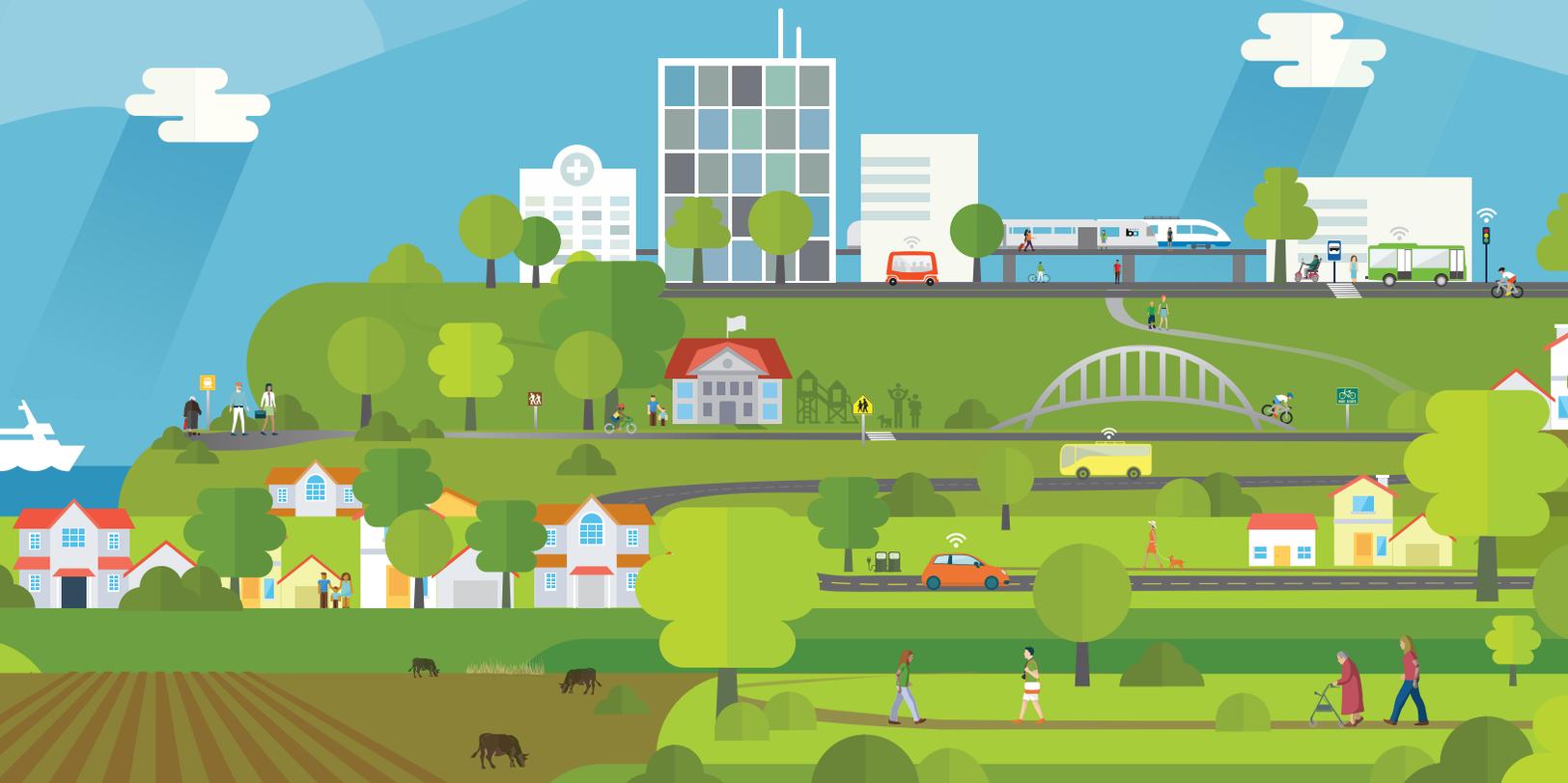
# Exhibit G



CONTRA COSTA  
transportation  
authority

# A TRANSFORMATIVE PLAN FOR CONTRA COSTA'S FUTURE

2020 Transportation Expenditure Plan



# » TABLE OF CONTENTS

## 03..... A New Transportation Future for Contra Costa County

Transportation Expenditure Plan Funding Summary

## 07..... Decades of Transportation Improvements and Managed Growth

Who We Are and What We Do

Fulfilling Our Promise to Contra Costa County Voters

Transportation for the Next Three-and-a-Half Decades

Local Funding for Local Projects

## 11..... A Roadmap for the Future

What This Transportation Expenditure Plan Will Accomplish

Commitment to Performance

Achieving Intended Outcomes

Taxpayer Safeguards

Pertinent Policies

## 15..... Proposed Transit and Transportation Investments

Planning for the Future

Relieving Congestion on Highways, Interchanges, and Major Roads

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

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

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

Improving Transit and Transportation Countywide in All Our Communities

## 29..... Policy Statements

The Growth Management Program (GMP)

Urban Limit Line (ULL) Compliance Requirements

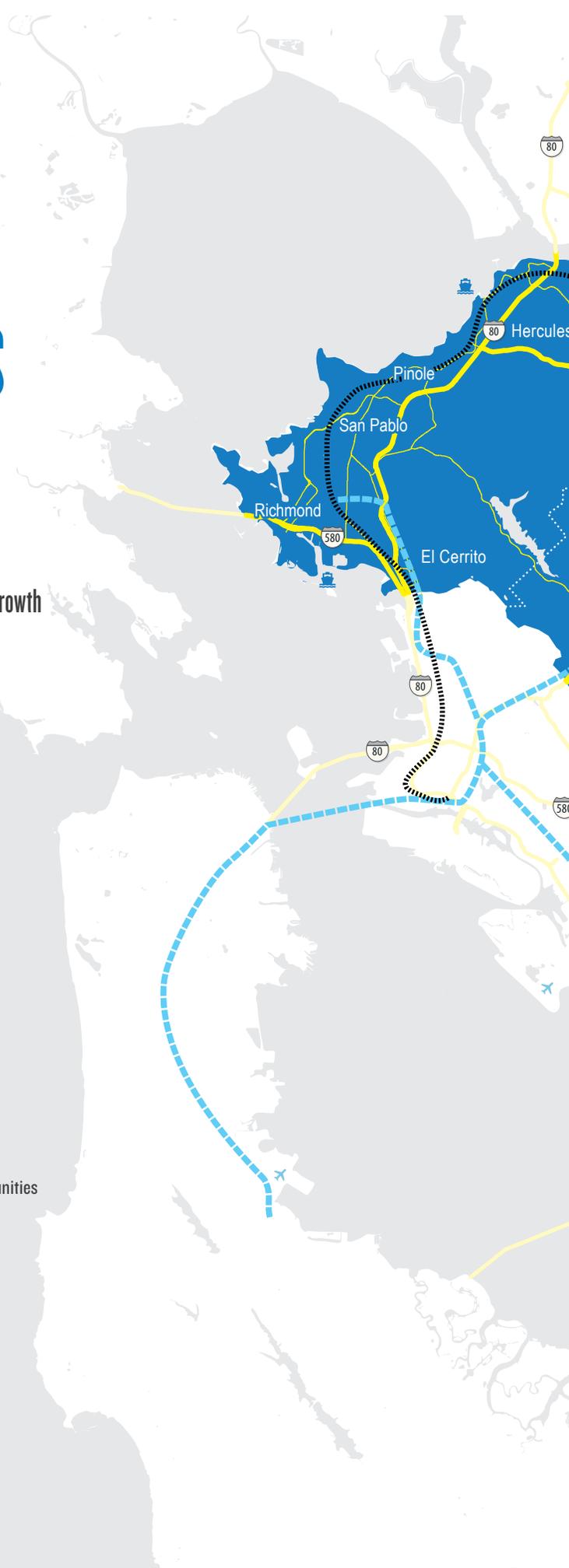
Transit Policy

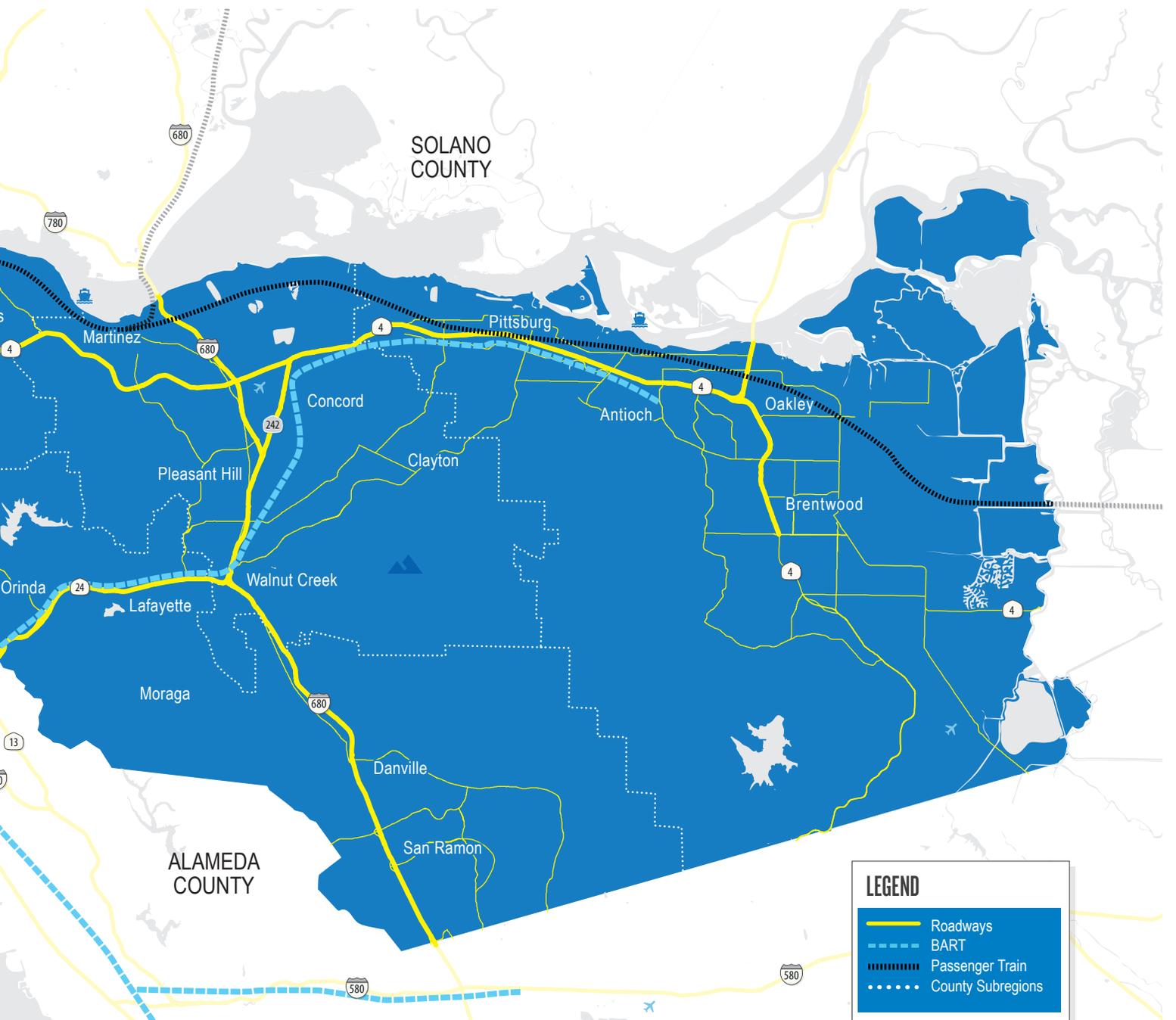
Complete Streets Policy

Advance Mitigation Program

Taxpayer Safeguards and Accountability Policy

Road Traffic Safety Policy





**LEGEND**

- Roadways
- - - BART
- . . . . . Passenger Train
- . . . . . County Subregions

» 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.

## 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.**

## TRANSPORTATION EXPENDITURE PLAN FUNDING SUMMARY

| FUNDING CATEGORIES   | SUBTOTALS      |             |
|--|----------------|-------------|
|  | \$ (millions)* | %           |
| <b>RELIEVING CONGESTION ON HIGHWAYS, INTERCHANGES, AND MAJOR ROADS</b>                               | <b>\$1,484</b> | <b>41.1</b> |
| <b>Improve State Route 242 (SR-242), Highway 4, Transit, and eBART Corridor</b>                      | <b>705</b>     | <b>19.5</b> |
| 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 Train Cars  | 28             | 0.8         |
| Seamless Connected Transportation Options  | 20             | 0.6         |
| <b>Modernize I-680, Highway 24, Transit, and BART Corridor</b>                                       | <b>536</b>     | <b>14.9</b> |
| 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         |
| <b>Enhance I-80, I-580 (Richmond-San Rafael Bridge), Transit, and BART Corridor</b>                  | <b>243</b>     | <b>6.7</b>  |
| 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         |
| <b>IMPROVING TRANSIT AND TRANSPORTATION COUNTYWIDE IN ALL OUR COMMUNITIES</b>                        | <b>\$1,980</b> | <b>54.9</b> |
| 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         |
| <b>SUBTOTAL</b>  | <b>\$3,464</b> | <b>96%</b>  |
| Transportation Planning, Facilities & Services   | \$108          | 3.0         |
| Administration   | \$36           | 1.0         |
| <b>TOTAL</b>   | <b>\$3,608</b> | <b>100%</b> |

\*Funding amounts are rounded





# 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.

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.

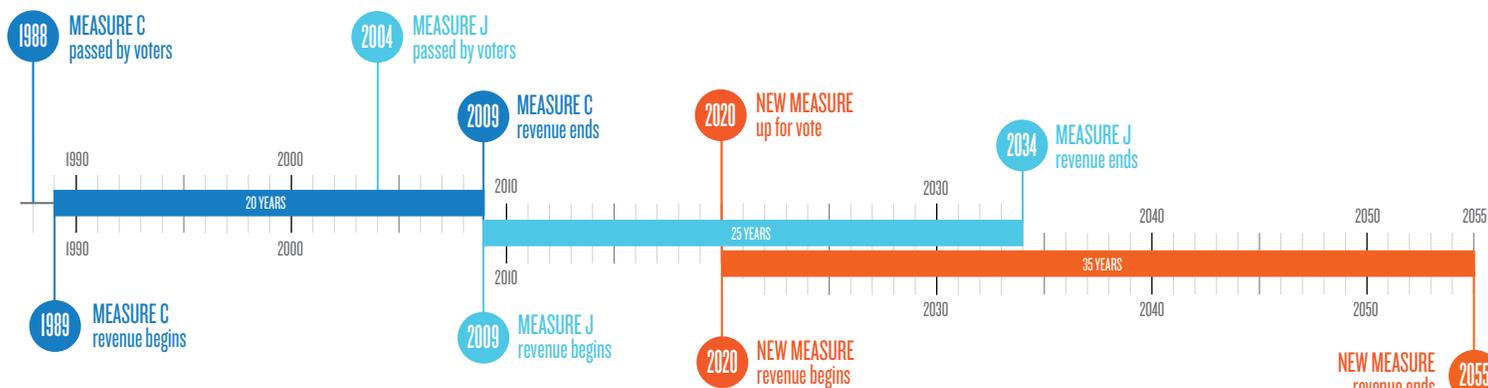
## LOCAL FUNDING FOR LOCAL PROJECTS

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)

## 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.

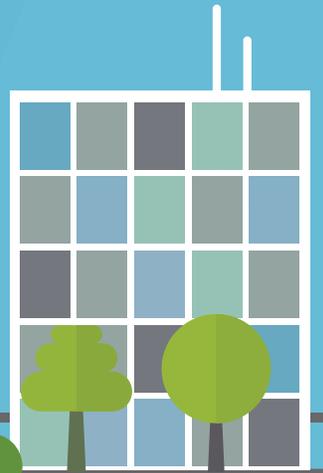
CCTA will continue to use local transportation sales tax revenue to attract outside funds for projects already identified in regional and state funding measures. In fiscal year 2017-2018 alone, more than \$77 million of California's Senate Bill 1 (SB-1), the Road Repair and Accountability Act of 2017, 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.

CONTRA COSTA  
transportation  
authority



# 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.



### 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.



### 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.



### 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.





CONTRA COSTA  
transportation  
authority

BIKE ROUTE

# 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](https://mtc.ca.gov/sites/default/files/top_10_congestion_locations-2017.pdf)

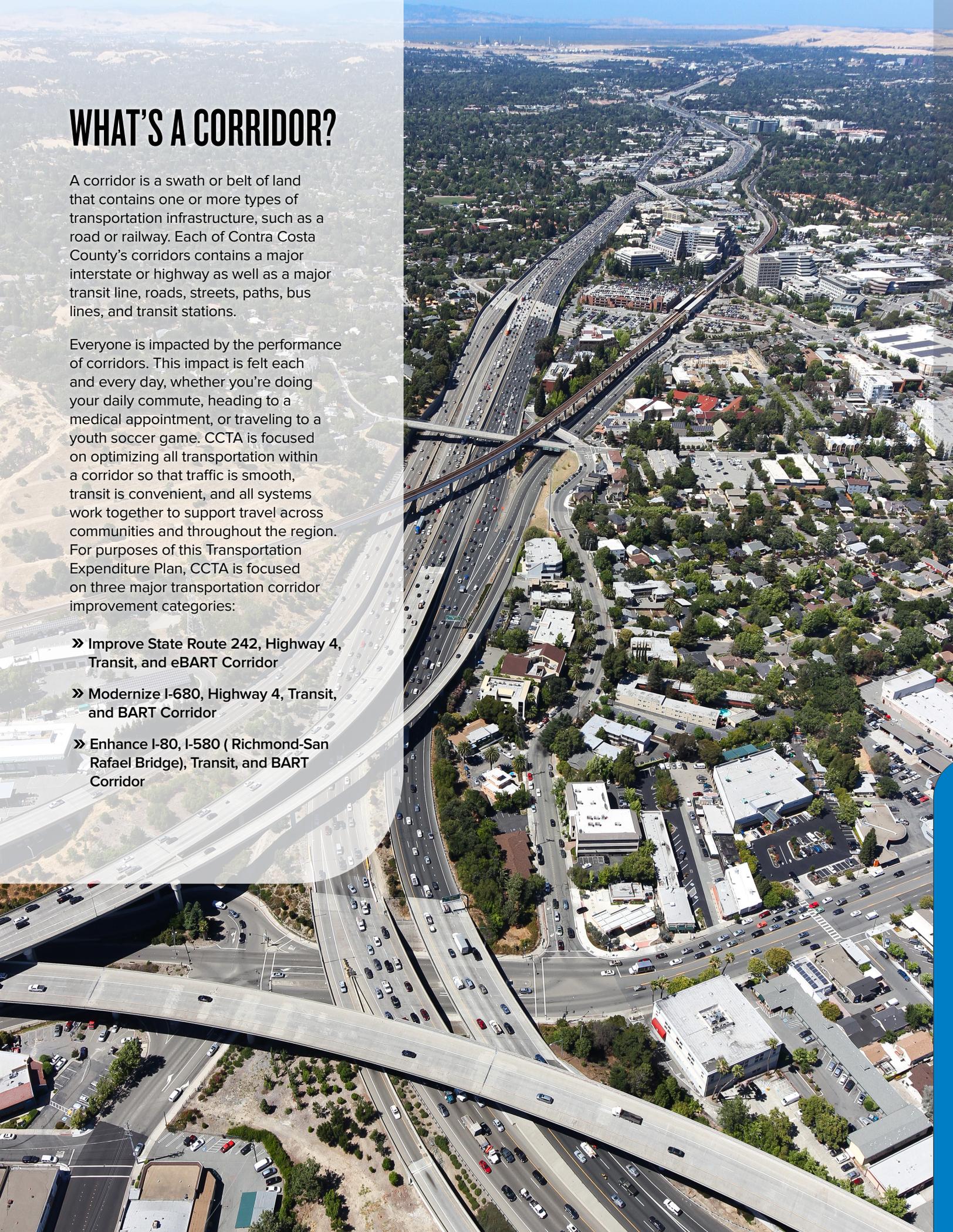
\*\*SOURCE: Metropolitan Transportation Commission, Vital Signs, 2016-2017 data

# 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



# 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 supporting 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

**5<sup>th</sup> 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](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.

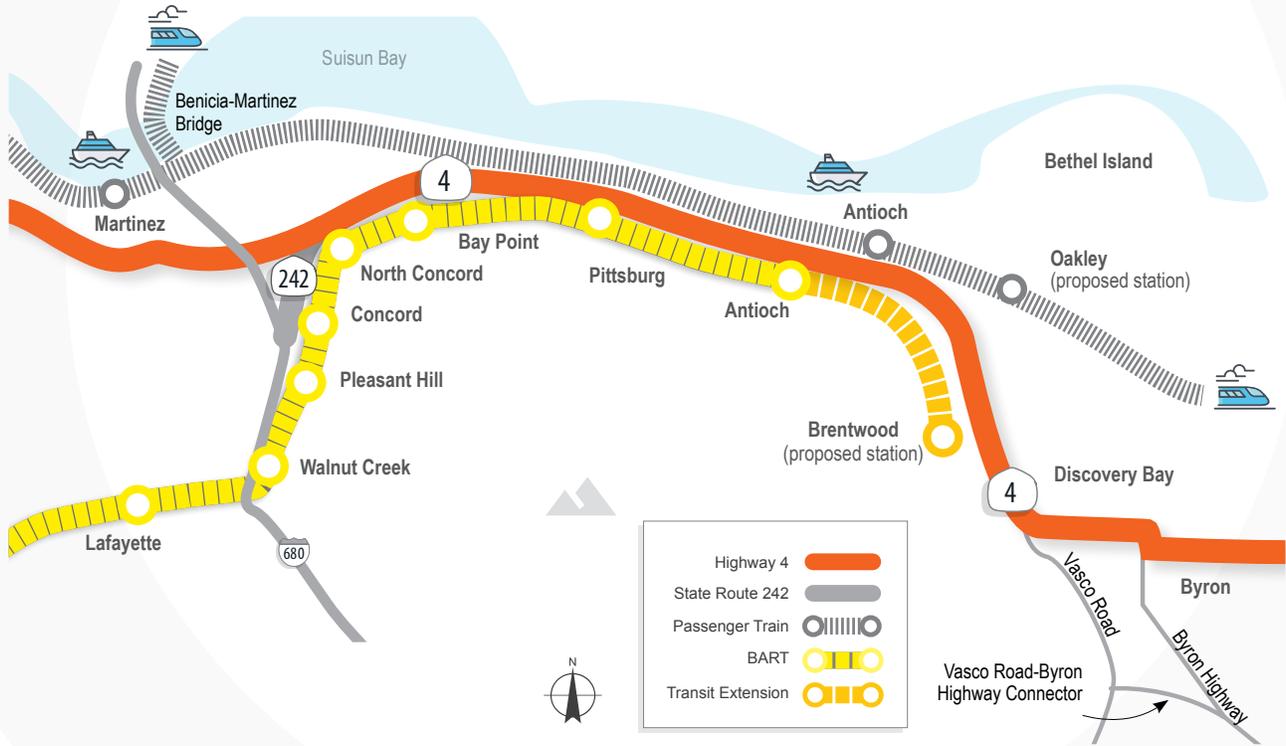


## ENHANCE FERRY SERVICE AND COMMUTER RAIL IN EAST AND CENTRAL COUNTY

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.

# » 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
- Closed gaps and extended 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 and 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 smooth 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

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



## 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

\*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](https://mtc.ca.gov/sites/default/files/top_10_congestion_locations-2017.pdf)



**10<sup>th</sup> most**  
**CONGESTED**  
**HIGHWAY**  
in the Bay Area  
*Northbound Danville  
to Walnut Creek\**



# » 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



## 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 RELIABILITY ALONG THE I-680 AND HIGHWAY 24 CORRIDORS

One of CCTA's strategies to smooth 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



## 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

# 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.

# » 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 smooth 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.

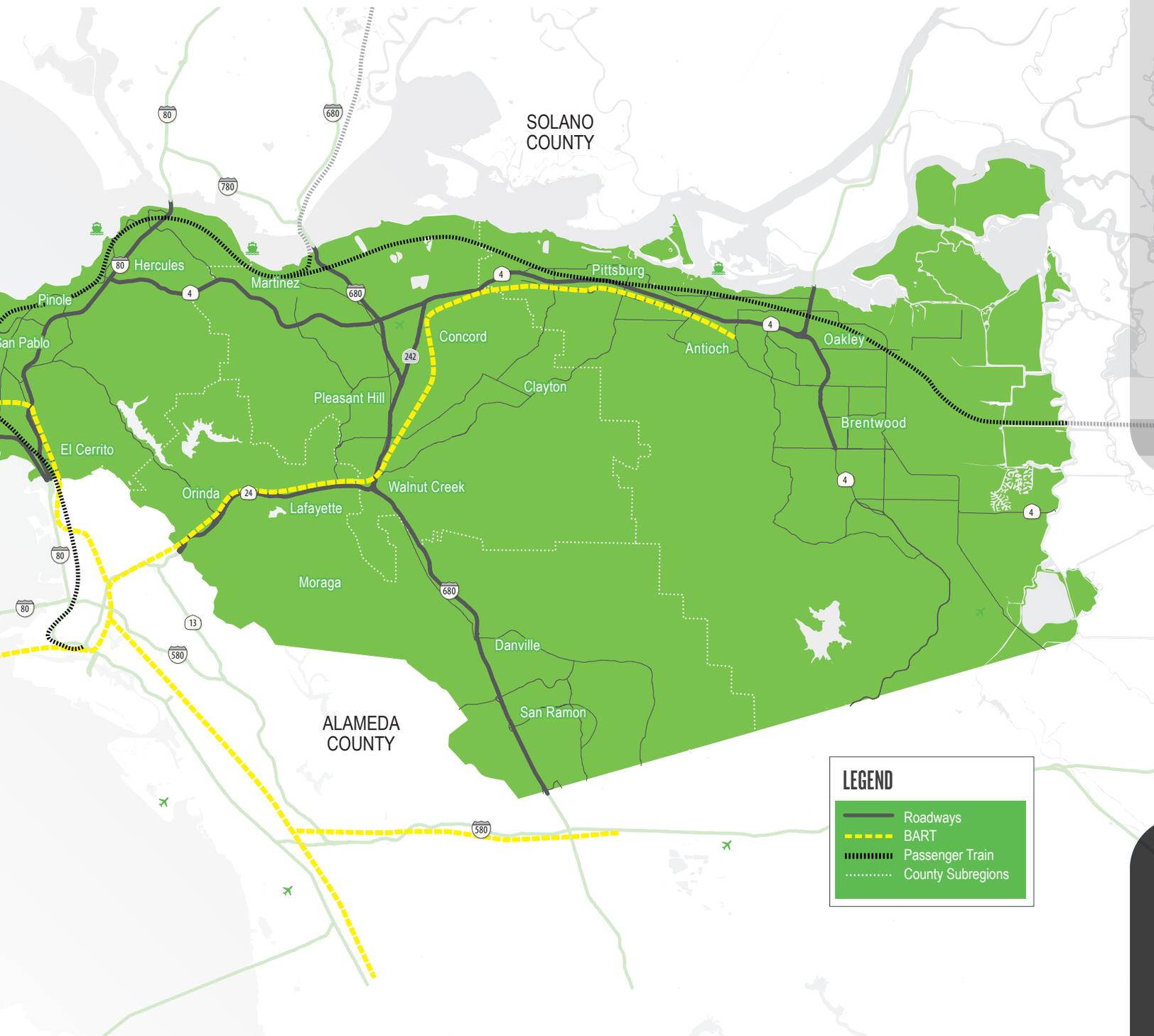
Funding will be allocated toward improving local roads and streets to make them safer for all travelers. Smaller projects—such as removing bottlenecks, improving traffic signal operations, installing traffic calming measures, and making streetscape improvements—can make big improvements in a community's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





**LEGEND**

- Roadways
- BART
- Passenger Train
- County Subregions

**Location**  
 Eastern suburb of the San Francisco Bay Area

**Population**  
 1 Million+

**Diverse**  
 Demographically, economically and geographically

# 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 nonprofit service providers, CCTA will develop an Accessible Transportation Strategic Plan to implement a customer-focused, user-friendly, seamless coordinated system using these funds. The Plan will 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 western 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 offer 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.



# 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.<sup>1</sup>

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:

- 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
- 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
- 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.



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 policies 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

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)

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 nonvoter 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 noncompliance 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.

## 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.

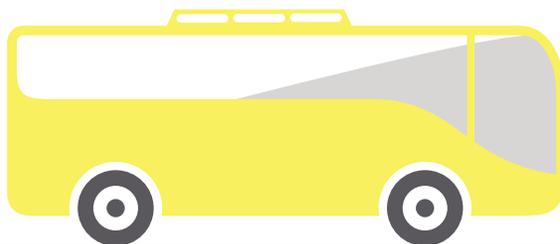
To achieve this vision, the TEP allocates more than one-half of the expected sales tax revenue to Transit and Alternative Modes and approximately one-quarter for local road improvements. To provide the maximum benefits to Contra Costa residents, the Contra Costa Transportation Authority (Authority) adopts 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.<sup>1</sup> 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.

<sup>1</sup> 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.

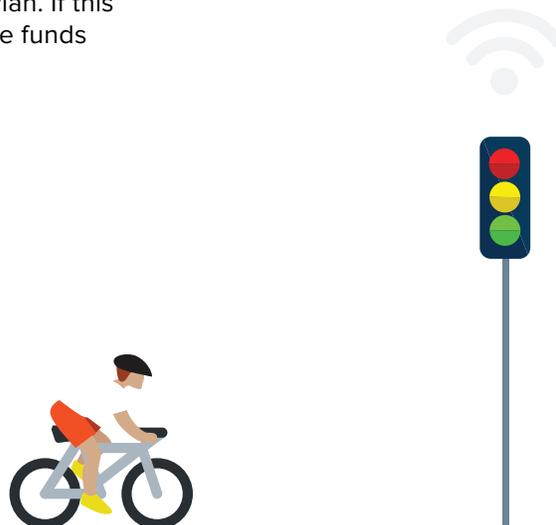
2. Development of a Project Impacts Assessment (PIA) that identifies the portfolio of projects to be included in the Advance Mitigation Program and the estimated costs for mitigation of the environmental impacts of the projects. The Authority will review and approve the PIA prior to the allocation of 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, nonvoting 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



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 the 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

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

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.<sup>2</sup> 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.

<sup>2</sup>*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

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 its 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 Plan should 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

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.

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.

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 Geringer**

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





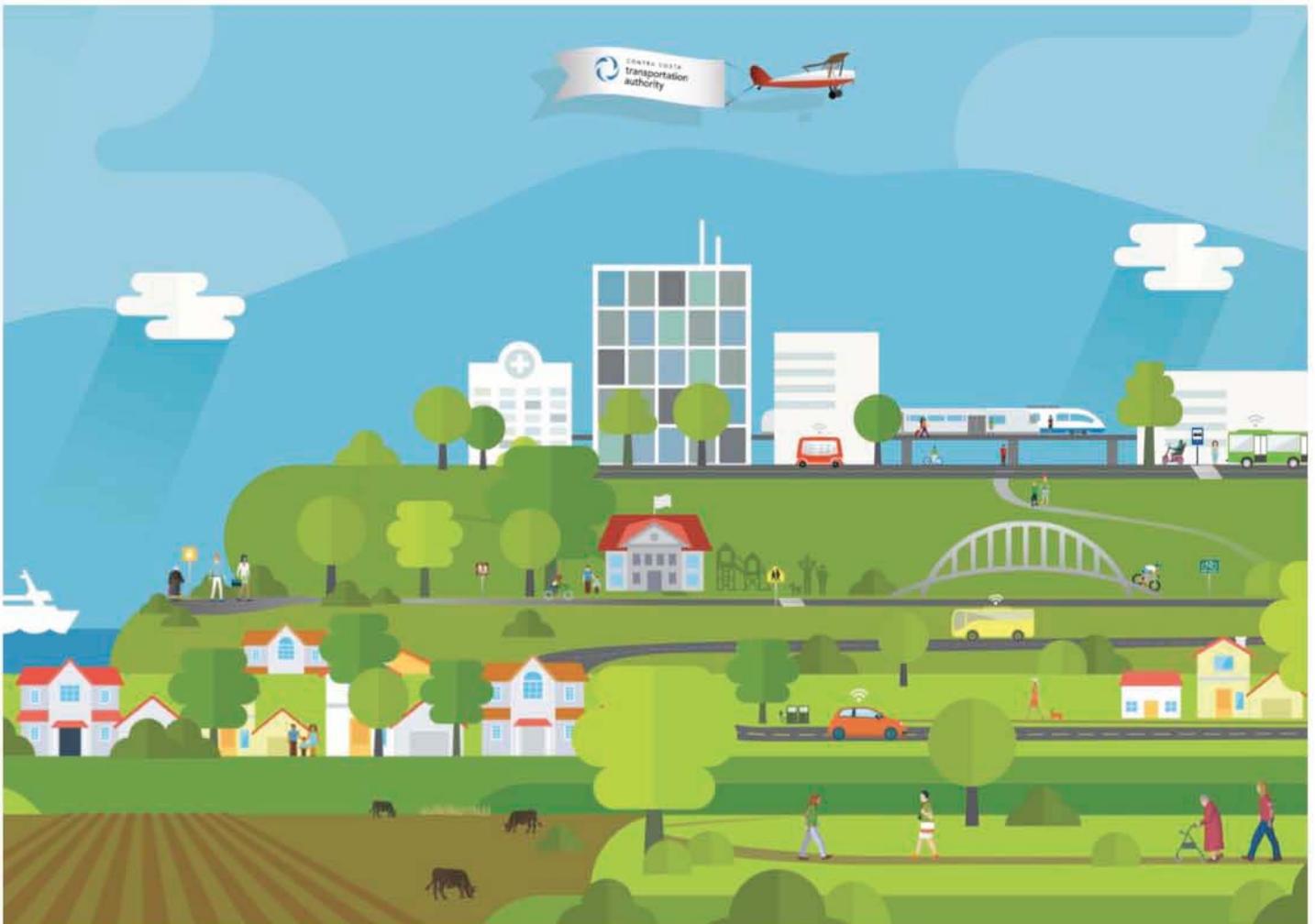
# Exhibit H



CONTRA COSTA  
**transportation  
authority**

# **Comprehensive Annual Financial Report**

Fiscal Year Ended June 30, 2019



**Contra Costa Transportation Authority**  
**2999 Oak Road, Suite 100 Walnut Creek, CA 94597**

**CONTRA COSTA TRANSPORTATION AUTHORITY**

Notes to Basic Financial Statements

June 30, 2019

**NOTE 6 – LONG-TERM DEBT (Continued)**

Fund or any liquidity facility. The total projected Measure J Sales Tax revenue, as reported in the 2016 Measure J Strategic Plan, is expected to approximate \$2.7 billion, which is sufficient to repay the estimated debt service, including net interest rate swap settlements, of \$655.9 million on the 2012, 2015, 2017, and 2018 Bonds.

**B. Annual Future Payments**

The following table presents the Authority’s aggregate annual amount of principal and interest payments required to amortize the outstanding debt (in thousands):

| Year ending<br>June 30: | Principal         | Interest          | Total             |
|-------------------------|-------------------|-------------------|-------------------|
| 2020                    | \$ 18,620         | \$ 21,630         | \$ 40,250         |
| 2021                    | 21,060            | 20,728            | 41,788            |
| 2022                    | 23,555            | 19,777            | 43,332            |
| 2023                    | 26,220            | 18,728            | 44,948            |
| 2024                    | 27,480            | 17,445            | 44,925            |
| 2025-2029               | 152,825           | 66,440            | 219,265           |
| 2030-2034               | 196,485           | 24,926            | 221,411           |
|                         | <u>\$ 466,245</u> | <u>\$ 189,674</u> | <u>\$ 655,919</u> |

**C. Swap Commitment**

In fiscal year 2005, in order to protect itself against rising interest costs on the expected issuance of bonds, the Authority entered into forward commitment interest rate swap agreements with Bank of America, N.A. and Merrill Lynch Capital Services, Inc. (the Counterparties). An interest rate swap is a contractual agreement whereby the parties agree to exchange cash flows over a certain period of time. Beginning on September 23, 2009, the Authority was to pay a fixed rate of 3.6574% to the Counterparties, and the Counterparties would pay a floating rate to the Authority. The floating rate is expected to approximately equal the floating rate which the Authority will pay to the holders of its floating rate bonds, issued in 2012. Including anticipated ongoing fees associated with the floating rate bonds, the synthetic fixed rate which the Authority would pay was considered a very favorable rate in comparison with long-term interest rates.

● On September 18, 2009, the Authority partially terminated \$100 million of an existing \$150 million floating-to-fixed swap with Merrill Lynch Capital Services, Inc. (Merrill Lynch) and simultaneously novated the remaining \$50 million notional amount to Bank of America, N.A. (“BofA”), who acquired Merrill Lynch. The partial termination resulted in an amended \$200 million floating-to-fixed swap with BofA, which relates to the Series 2012A Bonds.

● On August 23, 2018, the Authority partially terminated \$100 million of the \$200 million floating-to-fixed swap with BofA. The partial termination resulted in an amended \$100 million floating-to-fixed swap with BofA, which relates to the 2018A Bonds. A summary of the terms of the interest rate swap agreement is presented below:

# Exhibit I

# 2017 Countywide Comprehensive Transportation Plan



## Draft Environmental Impact Report

State Clearinghouse #2017022054



June 16, 2017

# 2.1

---

## Transportation and Circulation

This chapter evaluates the potential impacts related to transportation and circulation that would result from the proposed 2017 Countywide Comprehensive Transportation Plan (2017 CTP). This chapter describes the existing transportation and circulation conditions found throughout Contra Costa County. It also evaluates, at a broad program-level, the potential effects that implementation of the 2017 CTP may have on transportation and circulation. Additionally, where greater information is available, this chapter specifically identifies those individual transportation projects proposed to occur under the Long-Range Transportation Investment Program (Investment Program) for the 2017 CTP, and that may result in effects related to transportation and circulation. This section also examines how proposed capital investments in transit, freeways, and local roadways serve expected increases in travel demand.

### Existing Physical Setting

The transportation system in Contra Costa consists of the highway and roadway systems, Bay Area Rapid Transit (BART) and commuter rail, express and local bus service, and a bicycle and pedestrian network. The transportation system serves a variety of functions, including providing access to homes, businesses, and other land use types within the county, as well as connecting travelers to activities outside the county.

### Transportation Modes and Commute Patterns

The transportation system in Contra Costa provides many modes of transportation for personal travel. **Table 2.1-1** documents the mode splits used by county residents to reach work. The majority (70 percent) of county residents commute by driving alone, while about 12 percent carpool and 9 percent use transit. The mode share percentages have remained stable since 2006. The proportion of workers who work from home continues to increase, following a trend that has been noticeable at least since the 1980 Census.

As Contra Costa County continues to recover from the economic recession, gains in employment levels result in increased travel. Past trends show increased time spent in congestion and increased vehicle miles travelled are expected to continue, creating more crowded traffic conditions and long commutes. Technological advances including low-emissions vehicles, autonomous vehicles, and real-time ridesharing will effect traffic congestion, air quality levels, and likely the urban landscape.

## Model Assumptions

### Land Use Forecasts

To develop year 2040 future conditions, the Authority sponsored an effort to allocate projected land use and socioeconomic information for the year 2040 from *Plan Bay Area (ABAG Projections 2013)* to the refined system of traffic analysis zones within Contra Costa and the Tri-Valley. Because land use changes are not part of the proposed 2017 CTP, the same land use inputs were used for analysis of the Investment Program and all alternatives.

### Modeling Techniques

As is true of any travel model, the Countywide Model has capabilities and limitations that affect its application. Transportation planning research that has been conducted over many years has demonstrated there are a wide range of factors that affect travel behavior and choice. These factors include the demographic and socioeconomic characteristics of the traveler, the characteristics of the built environment at the trip origin and destination, the number and quality of the modal choices available to the traveler, and many other factors. Travel demand models are typically quite sensitive to some of these factors, moderately sensitive to others, and insensitive to yet others. Therefore, it is important to consider the model's capabilities and limitations in the context of the types of analysis being conducted, to determine whether the limitations could adversely affect the model's ability to evaluate a particular scenario and if so, what type of adjustment could be applied to counteract that effect.

The transportation investments evaluated as part of the 2017 CTP include a combination of projects and programs. Some of the projects involve physical changes to the street system. These types of projects can be directly reflected in the model by modifying the model's representation of the street and transit network. Other 2017 CTP's programs involve changes to elements of the transportation system, such as changing the frequencies of bus or ferry service, building trails for bicycle and pedestrian use, or providing funding for bus passes or paratransit services. These types of changes are not able to be reflected in the model's street network, but instead can be reflected in other model inputs and parameters. To account for the effects of both projects and programs, the methodology involves adjusting model inputs and parameters in proportion to the level of investment proposed, to achieve a reasonable magnitude of change. A technical memorandum describing the modeling approach in detail is attached as **Appendix C**.

### Measures of Performance

Because this EIR evaluates the effects of a long-range countywide plan, the performance measures used are necessarily aggregate in nature. Key measures used in the evaluation of the Study Area include per capita VMT, VHD, average commute travel times by mode, average travel speeds by roadway type, mode shares, and transit ridership.

- VMT is an aggregate measure of how the 2017 CTP will affect the path choices of drivers. For example, drivers may take longer routes to avoid congestion or switch back to a shorter route when congestion is reduced. VMT is also directly related to the emissions of GHGs from transportation sources.

- VHD is another aggregate measure of the impacts of projects and programs on driver experiences. As congestion increases, the number of hours spent driving at slower speeds increases, which is captured in the VHD metric.
- Average speed is reported for those roadway facilities that are intended to serve higher-speed travel, namely freeways and expressways/major arterials, as an indicator of how well those particular facilities serve their intended function.
- Indicators of the transportation system's ability to offer travel choices are the measures of mode share and transit ridership. These metrics capture the ability of travelers to find multiple ways to accomplish their trips, and speak to the effectiveness of investments in multiple modes.

### Summary of Results

By the year 2040, the population and employment growth projected for the Study Area is expected to result in an increase in travel by all modes throughout Contra Costa, similar to what is projected to occur throughout the rest of the Bay Area region. Transportation and transit improvements proposed pursuant to the 2017 CTP and its Long-Range Transportation Investment Program are intended to address this future demand across all transportation modes. For vehicular travel, the total number of VMT is expected to increase, resulting in a reduction in average travel speeds on freeways and arterials, and thereby increasing VHD. At the same time, the percentage of trips taken in single-occupant vehicles is projected to decrease, with more trips occurring by carpool and transit. This is a reflection of increased investment in transit and HOV facilities, investments in multimodal transportation options, an emphasis on locating new residential and commercial development within transit-accessible areas, and the effects of congestion serving to make driving alone a less attractive option. **Table 2.1-3** summarizes the performance measure modeling results for the 2017 CTP Investment Program. These results are discussed in more detail below under the respective significance thresholds.

**Table 2.1-3: Summary of Modeling Results**

| Measure of Performance            | Baseline (2013) | Modeled 2017 Conditions | 2017 CTP (2040) |
|-----------------------------------|-----------------|-------------------------|-----------------|
| Vehicle Miles Traveled Per Capita | 21.0            | 21.2                    | 21.2            |
| Percent Change from Baseline      | —               | 1%                      | 1%              |
| Vehicle Hours of Delay            | 71,648          | 84,584                  | 190,685         |
| Percent Change from Baseline      | —               | 18%                     | 166%            |
| Average Freeway Speeds            | 55.6            | 55.3                    | 54.1            |
| Percent Change from Baseline      | —               | 0.5%                    | -2.7%           |
| Average Arterial Speeds           | 34.2            | 34.1                    | 33.4            |
| Percent Change from Baseline      | —               | 0.3%                    | -2.3%           |
| Non-SOV Mode Share                | 41%             | 41%                     | 42.1%           |
| Percent Change from Baseline      | —               | no change               | 2.7%            |
| Transit Ridership                 | 101,033         | 113,381                 | 157,391         |
| Percent Change from Baseline      | —               | 12%                     | 55.8%           |

Source: Compiled modeling results included as Appendix D.

Because transportation impacts can be both regional and local, specific detailed analyses are most appropriate at the project level. Localized impacts of the 2017 CTP and its Investment Program would vary depending on the proximity to local and regional transportation improvements. Subsequent, project-specific transportation analyses that further assess each individual project's design improvements may be necessary to determine the extent of site-specific impacts and project-specific design requirements.

## Vehicle Miles Traveled per Capita (Criterion I)

**Trans-1:** New or expanded transportation facilities pursuant to the 2017 CTP would not result in an appreciable increase in per capita VMT when compared with the baseline condition. An appreciable increase in per capita VMT is defined as greater than 5 percent. (*Less than Significant*)

### 2017 CTP

Expected countywide population and employment growth will increase travel demand throughout Contra Costa and the rest of the Bay Area region.

The resulting increase in VMT will thus be a product of an increased population and job base, the relative distance of each vehicle trip (primarily a function of the distance between home and work), and individual choices regarding model of travel (i.e., the percent increase in drive-alone vehicles). The VMT per capita metric separates out the variable related to population increase. The distance between home and work, or other travel distances, is a function of land use. In this analysis, the land use assumptions for future conditions are "fixed," based on forecasts from ABAG's *Projections 2013* and the land use assumption of *Plan Bay Area*. This, the VMT/capita metric provides a telling measure of transportation mode choice.

According to a White Paper from the National Center for Sustainable Transportation,<sup>5</sup> the factors that affect travel behavior (or vehicle mode choice) are complex and include:

- economic activity,
- gas prices,
- urban form,
- change in socioeconomic trends and generational effects,
- expanding availability of travel options (including electronic alternatives to travel), and
- the way travelers perceive and evaluate each of these factors.

The 2017 CTP influences only a portion of one of these factors—the availability of travel options. As a result, the 2017 CTP does not have an individually significant effect on increase or decreases in per capita VMT, as indicated in the analysis of the Investment Program (below) and the comparative analysis of alternatives. Implementation of the 2017 CTP would not result in an appreciable (i.e., more than 5 percent) increase in per capita VMT as compared with the baseline, and this impact would be less than significant.

#### Analysis of the Investment Program

The 2017 CTP Investment Program is projected to result in an increase in total VMT from approximately 22 million vehicle miles in 2013 to approximately 28 million vehicle miles in 2040, or a 28% increase in total VMT. The 28% increase in VMT is almost identical to the 28% increase in population expected to occur within this same timeframe (see Table 2-10.1 in the Land Use chapter of this Draft EIR). The metric of VMT per capita is also quite similar as a result, from the baseline 2013 metric of 21.0 VMT per capita to the projected year 2040 metric of 21.2 VMT per capita (Table 2.1-4). The slight increase in VMT per capita of less than 1% is likely a function of the underlying focused-growth land use strategy inherent in ABAC's Projections 2013/*Plan Bay Area*, and the slightly greater investments in freeway and roadway project (30.3% of total investments) as compared with transit project investments. Because implementation of the Investment Program would not result in an appreciable increase in per capita VMT as compared with baseline conditions, potential impacts are considered less than significant.

---

<sup>5</sup> National Center for Sustainable Transportation and UC Davis Institute of Transportation Studies, "Factors Affecting Travel Demand in the United States," November 2015.

**Table 2.1-4: VMT Per Capita, 2017 CTP Investment Program, Comparison**

| Scenario                           | Total VMT  | Vehicle Miles Traveled Per Capita |
|------------------------------------|------------|-----------------------------------|
| Baseline (2013)                    | 22,040,884 | 21.0                              |
| 2017 Modeled Condition             | 23,229,962 | 21.2                              |
| No Project (2040)                  | 28,009,826 | 21.1                              |
| Investment Program 2017 CTP (2040) | 28,119,444 | 21.2                              |

Source: Compiled modeling results included as Appendix D.

For informational purposes only, when compared with a No Project 2040 scenario (with no additional investment in transportation or transit project other than those that have already been approved and funded), the increase in total VMT is nearly identical to the 2017 CTP, and the VMT per capita is slightly lower (at 21.2 VMT per capita). This comparison indicates that the relative balance in investments between freeway and roadway projects, and transit projects as proposed under the Investment Program does not differentiate between these mode choices substantially enough to modify overall travel behavior. Other social and economic factors, such as those described above, are therefore more likely to influence VMT per capita than are transportation investment pursuant to the Investment Program.

### Mitigation Measures

No mitigation measures are required.

### Vehicle Hours of Delay (Criterion 2)

**Trans-2:** Travelers on major roadways throughout Contra Costa County would experience an appreciable increase in total VHD as compared with the baseline condition. An appreciable increase in VHD is defined as greater than 5 percent. (*Significant and Unavoidable*)

### 2017 CTP

Regional roadways throughout Contra Costa will experience an appreciable increase in VHD as compared with the baseline condition. This worsening roadway congestion reflects the additional travel generated from future population and employment growth, which cannot sufficiently be accommodated by the limited financial resources available for improving the efficiency and capacity of the regional transportation system. This increase is projected to occur irrespective of implementation of the 2017 CTP. However, because these roadways will see an appreciable increase in VHD as compared with the baseline condition, this impact is considered significant and unavoidable.

### Analysis of the Investment Program

Even with the substantial investments in transportation and transit projects proposed pursuant to the 2017 CTP Investment Program, travelers on regional roadways throughout Contra Costa will experience an appreciable increase in VHD when compared with the baseline condition, as indicated in **Table 2.1-5**. Total hours of delay on the County roadway network are projected to increase by

166%, from just over 71,000 VHD in 2013 to more than 190,000 VHD in 2040. This increase is projected to occur irrespective of implementation of the 2017 CTP Investment Program's roadway investments and increased transportation options.

**Table 2.1-5: Vehicle Hours Of Delay, 2017 CTP Investment Program, Comparison**

| Scenario                            | Vehicle Hours Of Delay | Comparison to Baseline |                | Comparison To No Project |                |
|-------------------------------------|------------------------|------------------------|----------------|--------------------------|----------------|
|                                     |                        | Numerical Change       | Percent Change | Numerical Change         | Percent Change |
| Baseline (2013)                     | 71,648                 | —                      | —              | —                        | —              |
| 2017 Modeled Condition              | 84,594                 | 12,946                 | +18.1%         | —                        | —              |
| No Project (2040)                   | 252,584                | 180,936                | +252%          | —                        | —              |
| Investment Program, 2017 CTP (2040) | 190,685                | +119,037               | +166%          | -61,900                  | -24.5%         |

Source: Compiled modeling results included as Appendix D.

For comparison purposes only, implementation of the Investment Program would result in a significant decrease in total VHD as compared with a No Project scenario. The estimated decrease of 25% in VHD reflects improvement that would result from roadway investments and increased transportation options that would not otherwise occur without the Project.

Because the expected VHD is projected to increase appreciably throughout Contra Costa County when compared with the baseline condition even with the implementation of the Investment Program, this impact is considered significant and unavoidable.

### Mitigation Measures

The Investment Program would make a significant improvement in VHD as compared with a No Project scenario. However, no standard mitigation strategy to address VHD at the plan or regional level is currently considered feasible due to the variability in congestion characteristics, driver behavior, and cost limitations.<sup>6</sup> Approaches to mitigating increased vehicle delay require addressing one or more of the following: a) substantially increase available transportation and transit capacity (supply); b) substantially decrease traffic demand; and/or c) improve traffic operations.

To increase available roadway and transit capacity, CCTA would have to develop and program projects that add new through lanes to existing arterials and freeways, and substantially increase regional transit systems. Further widening of major arterials and freeways is inconsistent with Goal 2 of the CTP, to manage growth to sustain Contra Costa's economy, preserve its environment and support its communities. The substantial investments in transportation infrastructure and regional transit that would be necessary to accommodate the forecast of growth is financially infeasible, given the limited funding available in the CTP, and would likely generate secondary significant and unavoidable environmental impacts that could adversely affect the quality of life for the people of Contra Costa.

<sup>6</sup> Kimley-Horn 2010. Mitigation of Recurring Congestion on Freeways. Available online at: [http://www.kimley-horn.com/\\_public/documents/news/11/trb-2.pdf](http://www.kimley-horn.com/_public/documents/news/11/trb-2.pdf)

The CTP and its Investment Program include feasible approaches toward decreasing traffic demand, consistent with the Authority's Goal 3, to: "Expand safe, affordable, and convenient alternatives to the single-occupant vehicle." These approaches include:

- Helping to fund the expansion of existing transit services and regional express lanes, and maintenance of existing operations, including BART, bus transit, school buses, and paratransit
- Linking transit investments to increased coordination and integration of public transit services, and improved connections between travel modes
- Requiring local jurisdictions (through the *GMP Implementation Guide*) to incorporate policies and standards for "complete streets" that support transit, bicycle and pedestrian access in new developments, infill development areas ("Priority Development Areas"), and transit priority areas
- Supporting transit-oriented and pedestrian-friendly developments, and investing in trails, walkways, and pedestrian-oriented improvements
- Promoting the formation of more carpools and vanpools, and greater use of transit, bicycling, and walking
- Help local jurisdictions develop a connected and coordinated network for electric vehicles
- Supporting the expansion of a coordinated system of transit and paratransit service to address the mobility needs of low-income, elderly, young and disabled travelers, households without cars, single-parent households, and people paying more than 50 percent of their income for rent
- Encouraging local jurisdictions and other agencies to develop a connected and coordinated system of bicycle facilities through financial assistance, technical support, other aid, and encouragement
- Supporting congestion pricing and parking pricing programs, transportation demand management programs and other innovative strategies that reduce greenhouse gas emissions, and
- Supporting Safe Routes to Schools projects and programs

Implementation of these CTP strategies can influence driver behavior toward lesser reliance on single-occupant vehicles, but cannot fully overcome congestion, especially given the cost limitations of the CTP.

The third approach is to improve traffic operations. Innovation and technology advances such as Integrated Corridor Management (ICM) and autonomous vehicles may ultimately result in improvements to traffic operations that are capable of providing solutions to congestion relief. Through Integrated Corridor Management, transportation networks may realize significant improvements in traffic delay through institutional collaboration and proactive integration of existing infrastructure along major corridors. Transportation corridors often contain underutilized capacity in the form of parallel roadways, single-occupant vehicles, and transit services that could be better leveraged to improve traffic flow and reduce congestion. Through an Integrated Corridor

management approach, transportation corridors are managed as a multimodal system, and operational decisions can be made for the benefit of the corridor as a whole. The potential for automated cars to reduce delay is based on the concept that automation can eliminate human-error accidents and enable a more efficient use of roadways by synchronizing traffic flow, signalization and optimal speed.

The 2017 CTP and its Investment Program supports improvements to the regional transportation and transit infrastructure, efficiency of existing infrastructure, and strategic investments in advanced technology to improve mobility and accessibility. New technologies supporting express lanes and integrated corridor management are already improving the efficiency of existing roads and freeways within the County. While advancing technologies hold significant promise for the future, their ability to mitigate traffic congestion cannot be verified at this time, and the impact remains significant and unavoidable.

### Average Speeds (Criterion 3)

**Trans-3:** New or expanded transportation facilities pursuant to the 2017 CTP would not appreciably decrease average speeds on freeways or on expressways or major arterials within Contra Costa County as compared with baseline conditions. An appreciable decrease in average speeds is defined as greater than 5 percent. (*Less than Significant*)

### 2017 CTP

Total vehicular travel in Contra Costa will increase substantially from 2013 to 2040. Freeways and major arterials are the components of the roadway system designed to carry high traffic volumes, typically at higher speeds than would be desirable on local streets. Because of the increase in overall demand for vehicular travel, average speeds on these categories of roadways are expected to decline. In 2013, the average freeway speed was 55.6 miles per hour (mph) and the average arterial speed was 34.2 mph. By 2040, those speeds are expected to decrease.

The reduced travel speeds reflect the effects of increased roadway demand, worsening congestion, and the limited capacity of the future transportation infrastructure. This decrease in average speeds would occur despite the addition of projects that increase roadway capacity and/or that shift travel to non-roadway modes pursuant to the 2017 CTP. However, because implementation of the 2017 CTP would not result in an appreciable decrease in average speeds on Contra Costa roadways, these impacts are considered less than significant.

### Analysis of the Investment Program

Under the 2017 CTP Investment Program, freeways and arterial streets throughout the County are expected to experience a slight decrease in average speeds (a decrease of 2.7% for freeways and 2.3% for arterials) when compared with the 2013 baseline condition, as indicated in **Table 2.1-6**. This decrease in average speeds would not be considered appreciable (i.e., would be less than a 5 percent decrease).

**Table 2.1-6: Average Freeway and Arterial Speeds, 2017 CTP Investment Program, Comparison**

| Scenario                            | Average Speed | Comparison to Baseline |                | Comparison to No Project |                |
|-------------------------------------|---------------|------------------------|----------------|--------------------------|----------------|
|                                     |               | Numerical Change       | Percent Change | Numerical Change         | Percent Change |
| Baseline (2013)                     |               |                        |                |                          |                |
| Freeway                             | 55.6          | —                      | —              | —                        | —              |
| Arterial                            | 34.2          | —                      | —              | —                        | —              |
| 2017 Modeled Condition              |               |                        |                |                          |                |
| Freeway                             | 55.3          | -0.3                   | -0.5%          | —                        | —              |
| Arterial                            | 34.1          | -0.1                   | -0.3%          | —                        | —              |
| No Project (2040)                   |               |                        |                |                          |                |
| Freeway                             | 51.6          | —                      | —              | —                        | —              |
| Arterial                            | 33.3          | —                      | —              | —                        | —              |
| Investment Program, 2017 CTP (2040) |               |                        |                |                          |                |
| Freeway                             | 54.1          | -1.5                   | -2.7%          | +2.5                     | +4.8%          |
| Arterial                            | 33.4          | -0.8                   | -2.3%          | +0.1                     | +0.3%          |

Source: Compiled modeling results included as Appendix D.

For informational purposes only, when compared with the No Project scenario, implementation of the Investment Program would result in an increase in average speeds (an increase of 4.8% for freeways and 0.3% for arterials), reflecting increased capacity resulting from roadway investments, such as additional HOV lanes and improvements to interchanges.

Although average speeds on Contra Costa roadways are projected to decrease over time due to increased congestion, the decrease in average speeds that are projected to result with implementation of the Investment Program would not be appreciable and these impacts are considered less than significant.

### Mitigation Measures

No mitigation measures are required.

### Non-Single Occupant Vehicle Mode Share (Criterion 4)

**Trans-4:** New or expanded transportation facilities pursuant to the 2017 CTP would not result in an appreciable decrease in mode shares for transit, HOV, or other non- SOV modes as compared with the baseline condition. An appreciable decrease in mode shares is defined as greater than 5 percent. (*Less than Significant*)

### 2017 CTP

Mode share is an aggregate metric commonly used to discern the efficiency and connectivity of the transit, carpool, bike, and pedestrian networks.

New transportation projects pursuant to the 2017 CTP would result in an overall increase in mode shares for transit, HOV, or other non- SOV modes as compared with the baseline condition,

---

## Air Quality

This chapter evaluates the potential impacts related to air quality that would result from the proposed 2017 Countywide Comprehensive Transportation Plan (2017 CTP). This chapter describes the existing conditions found throughout Contra Costa County. It also evaluates, at a broad program-level, the potential effects that implementation of the 2017 CTP may have related to air quality. Additionally, where greater information is available, this chapter specifically identifies those individual transportation projects proposed to occur under the Long-Range Transportation Investment Program (Investment Program) for the 2017 CTP, and that may result in effects related to air quality.

### Existing Physical Setting

#### Climate and Meteorology

Temperatures in and around the San Ramon and Diablo valleys are warm in the summer and cool in the winter, largely because of their distance from the moderating effect of water bodies and because the California Coast Range blocks marine air flow into the valleys. The Carquinez Strait region remains temperate due to its proximity to water and oceanic air flows. In winter, average daily temperatures are mild, with tule fog common at night. Average summer temperatures are typically mild overnight and warm during the day, with cooler temperatures and stronger winds more common along the western coast. Wind speeds are generally low throughout the region and winds typically blow from northwest to southwest. However, strong afternoon gusts are common in the northern portion of the county around the Carquinez Strait. Annual rainfall averages between 18 and 23 inches across the county.

#### Air Quality Conditions and Pollutants

##### Criteria Pollutants

Ambient air quality standards have been established by State and federal environmental agencies for specific air pollutants most pervasive in urban environments. These pollutants are referred to as criteria air pollutants because the standards established for them were developed to meet specific health and welfare criteria set forth in the enabling legislation. The criteria air pollutants include ozone, as modeled using the two major ozone precursors: oxides of nitrogen (NO<sub>x</sub>) and reactive organic gases (ROGs), carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), and suspended particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>). Other criteria pollutants, such as lead and sulfur dioxide (SO<sub>2</sub>), are primarily industrial pollutants that are emitted only in negligible quantities by construction

the baseline condition. Emissions of criteria pollutants include ROG, NO<sub>x</sub> (summertime and wintertime), CO, and PM<sub>2.5</sub> from mobile sources. Emissions of PM<sub>10</sub> are discussed separately below.

A major reason for these reductions is the increasingly stringent emission controls that CARB has adopted for new vehicle engines and fuels over the past few decades, including the Truck and Bus Regulation, which requires diesel trucks and buses to be upgraded to reduce emissions. As of January 1, 2012, heavier trucks must be retrofitted with particulate matter filters; older trucks must be replaced starting as of January 1, 2015, and nearly all trucks and buses will need to have 2010 model year engines or equivalent by January 1, 2023. Other contributors include emission-control devices, the Enhanced Smog Check Program, and fleet turnover wherein older polluting cars are retired and replaced with newer and substantially less polluting cars. Additionally, the underlying land use pattern as defined per *Plan Bay Area* for Contra Costa County includes a concentration of future growth at higher densities around existing and proposed transit investments, which would reduce driving and motor vehicle emissions.

Because implementation of the 2017 CTP is expected to occur within a context that would provide for an overall reduction in operational criteria pollutant emissions, impacts are considered less than significant.

#### Transportation Projects Included in Investment Program

Under the Investment Program for the 2017 CTP, proposed transportation projects and new or expanded transit projects are similarly expected to occur within a context that would result in overall reductions in operational criteria pollutant emissions.

As shown in **Table 2.3-4**, countywide criteria pollutant emissions (ROG, NO<sub>x</sub>, CO, and PM<sub>2.5</sub>) from mobile sources would decrease between the baseline condition (2013) and the 2040 horizon. When compared with the baseline condition, total criteria pollutant emissions that would occur under the Investment Program are expected to achieve reductions in ROG emissions (75 percent), NO<sub>x</sub> emission reductions of 84 percent, CO emission reductions of 77 percent, and PM<sub>2.5</sub> emission reductions of 14 percent. Emissions of PM<sub>10</sub> are discussed separately below.

As indicated in the discussion of the 2017 CTP (above), much of the reductions in criteria pollutants are attributable to reductions in the emissions from individual vehicles (cars, trucks, and buses) that are expected to be achieved through regulatory controls. These emission reductions are independent of any investments in transportation infrastructure. The analysis presented in Table 2.3-4 also shows (for informational purposes only) the relative change in criteria pollutant emissions by year 2040 when comparing the Investment Program's resulting transportation infrastructure and transportation systems, to a future 2040 scenario that assumes no additional transportation investments (i.e., a future 2040 No Project scenario). As demonstrated in Table 2.3-4, a future 2040 No Project scenario would also occur within a context that is anticipated to achieve a similar overall reduction in criterial pollutant emissions. However, relative to the 2040 No Project scenario, the Investment Program would achieve an even greater overall reduction in criteria pollutant emissions as a result of its investment in the TCMs described above.

**Table 2.3-4: Countywide Emission Estimates for Criteria Pollutants (tons per day), 2017 CTP Investment Program**

|                          | Baseline (2013) | No Project (2040) | 2017 CTP Investment Program |
|--------------------------|-----------------|-------------------|-----------------------------|
| ROG                      | 8.71            | 2.23              | 2.21                        |
| % Change from Baseline   |                 | -74.4%            | -74.6%                      |
| % Change from No Project |                 |                   | -0.9%                       |
| NO <sub>x</sub>          | 16.49           | 2.66              | 2.59                        |
| % Change from Baseline   |                 | -83.8%            | -84.3%                      |
| % Change from No Project |                 |                   | -2.6%                       |
| CO                       | 69.80           | 16.01             | 15.77                       |
| % Change from Baseline   |                 | -77.1%            | -77.4%                      |
| % Change from No Project |                 |                   | -1.5%                       |
| PM <sub>2.5</sub>        | 0.76            | 0.65              | 0.65                        |
| % Change from Baseline   |                 | -14.5%            | -14.5%                      |
| % Change from No Project |                 |                   | 0%                          |

Source: Compiled modeling results included as Appendix E.

Because individual Investment Program projects pursuant to the 2017 CTP are expected to occur within an overall context that will achieve an overall reduction in operational criteria pollutant emissions, and because the Investment Program's investments in TCMs are shown to contribute toward these emission reductions, the Investment Program's impacts are considered less than significant.

### Mitigation Measures

No mitigation measures are required.

### Particulate Matter Emissions (Criterion 4)

**Air-4:** New or expanded transportation facilities pursuant to the 2017 CTP would result in a net increase in emissions of PM<sub>10</sub> from on-road mobile sources (including entrained dust) as well as a net increase in emissions of PM<sub>2.5</sub> entrained dust, as compared with the baseline condition. (*Significant and Unavoidable*)

### 2017 CTP

New transportation projects pursuant to the 2017 CTP are expected to result in a net increase in air quality impacts related to particulate matter emissions as compared with the baseline condition. When compared with the baseline (year 2013) condition, PM<sub>10</sub> and PM<sub>2.5</sub> emissions from all mobile sources would increase by year 2040. The higher levels of particulate matter emissions in 2040 conditions are a result of these emissions being strongly influenced by projected growth in total VMT (which directly affects entrained roadway dust), with some contributions from tire and brake wear, and exhaust.

Particulate matter emissions from mobile sources are not expected to increase at the same rate as VMT due to the stringent emission controls that CARB has adopted for new vehicle engines,

particularly diesel engines, including the Truck and Bus Regulation. Increases in daily VMT attributable to new growth and development are offset to a certain degree by expected regulatory measures and fleet improvements. Particulate matter control programs implemented by the Air District also contribute to the emission reductions relative to VMT.

In addition to the Truck and Bus Regulation, there are other ongoing State and regional efforts to mitigate the effects of particulate matter emissions. CARB adopted a Diesel Risk Reduction Plan (October 2000), and has since adopted a series of regulations to require cleaner diesel fuel, to restrict idling of diesel engines, and to reduce emissions from both old and new on-road and off-road diesel engines. In 2005, MTC implemented a \$14 million program to retrofit 1,700 diesel bus engines operated by Bay Area transit agencies to reduce particulate matter emissions, and in 2006 MTC and BAAQMD implemented a \$2 million incentive program to reduce emissions from solid waste collection vehicle fleets that operate within BAAQMD. Furthermore, BAAQMD implements a variety of incentive programs that help fleet operators offset the cost of purchasing low-emission vehicles, re-powering old polluting heavy duty engines with cleaner, lower emission engines, and installing control devices that reduce particulate and NO<sub>x</sub>.

However, implementation of the 2017 CTP is expected to occur within a context that would result in an overall increase in particulate matter emissions, and these impacts are considered significant.

### Transportation Projects Included in Investment Program

Under the Investment Program for the 2017 CTP, proposed transportation projects and new or expanded transit projects are similarly expected to occur within a context that would result in adverse air quality impacts related to particulate matter emissions.

As shown in **Table 2.3-5**, countywide emissions of PM<sub>10</sub> from all mobile sources are projected to increase by 21 percent by year 2040 as compared with the baseline (year 2013) condition.

Additionally, PM<sub>2.5</sub> emissions are projected to increase by 3 percent by year 2040 as compared with the baseline (year 2013) condition. The higher levels of expected particulate matter emissions in 2040 conditions are a result of the influence of a projected increase in overall VMT (which directly affects entrained roadway dust), with some contributions from tire and brake wear, and exhaust.

As indicated in the general discussion of the 2017 CTP (above), the majority of particulate matter emission increase is attributable to increased VMT associated with new population and employment growth. This growth is independent of investments in transportation infrastructure, although choices in the types of transportation infrastructure can include the overall increase in VMT based on future mode split choices and options. The analysis presented in Table 2.3-5 also shows (for informational purposes only), the relative change in particulate matter emissions by year 2040, when comparing the Investment Program's transportation infrastructure and transportation systems to a future 2040 scenario that assumes no additional transportation investments beyond those projects already approved and funded (i.e., a future year 2040 No Project scenario). As indicated in Table 2.3-5, a future 2040 No Project scenario would also occur within the context of increased population and employment growth. Relative to the 2040 No Project scenario, the Investment Program would result in a minor (less than 1%) increase in overall VMT, resulting in a similar minor increase in PM<sub>10</sub> and PM<sub>2.5</sub> emissions.

**Table 2.3-5: Countywide Particulate Matter Emissions (tons per day), 2017 CTP Investment Program**

|                          | Baseline (2013) | No Project (2040) | 2017 CTP Investment Program |
|--------------------------|-----------------|-------------------|-----------------------------|
| Overall VMT              | 22,159,662      | 28,173,605        | 28,290,553                  |
| % Change from Baseline   |                 | 27.1%             | 27.7%                       |
| % Change from No Project |                 |                   | 0.4%                        |
| <b>PM<sub>10</sub></b>   |                 |                   |                             |
| Vehicle Emissions        | 1.51            | 1.58              | 1.59                        |
| Entrained Dust           | 3.50            | 4.45              | 4.47                        |
| <b>Total</b>             | <b>5.02</b>     | <b>6.03</b>       | <b>6.06</b>                 |
| % Change from Baseline   |                 | 20.1%             | 20.7%                       |
| % Change from No Project |                 |                   | 0.5%                        |
| <b>PM<sub>2.5</sub></b>  |                 |                   |                             |
| Vehicle Emissions        | 0.76            | 0.65              | 0.65                        |
| Entrained Dust           | 0.53            | 0.67              | 0.67                        |
| <b>Total</b>             | <b>1.28</b>     | <b>1.32</b>       | <b>1.32</b>                 |
| % Change from Baseline   |                 | 3.1%              | 3.1%                        |
| % Change from No Project |                 |                   | 0%                          |

Source: Compiled modeling results included as Appendix E.

Because individual Investment Program projects pursuant to the 2017 CTP are expected to contribute toward an overall increase in Countywide particulate matter emissions from mobile sources, these impacts are considered significant.

### Mitigation Measures

Implementing agencies and/or project sponsors of those transportation projects pursuant to the 2017 CTP, including those Individual transportation projects proposed under the Investment Program, shall consider implementation of mitigations measures, including but not limited to those identified below.

**Mitigation Measure Air-4: BMPs for Exhaust: Diesel Engine Retrofits and Replacements.** CCTA and local implementing agencies and/or project sponsors shall consider opportunities to partner with MTC, ABAG, BAAQMD, and other partners to seek opportunities to leverage existing air quality and transportation funds and seek additional funds to continue to implement programs aimed at retrofits and replacements of trucks and locomotives.

### Resulting Level of Significance

To the extent that transportation projects pursuant to the 2017 CTP, including those individual projects listed under the Investment Program, incorporate Mitigation Measure Air-4, the retrofit and replacement of older model trucks and locomotives would reduce significant particulate matter emissions from mobile sources. However, the overall increase in VMT associated with new population and employment growth will contribute to an increase in countywide particulate matter emissions that cannot be fully avoided. This impact remains significant and unavoidable.

Furthermore, it is ultimately the responsibility of implementing agencies and individual project sponsors to determine and adopt mitigation. Pursuant to CEQA Guidelines section 15091(a)(3), CCTA believes that these mitigation measures can and should be adopted, and projects taking advantage of CEQA Streamlining provisions of this EIR must apply the mitigation measures described above to address site-specific conditions. However, CCTA cannot require implementing agencies and individual project sponsors to adopt the above mitigation measures. Therefore, this impact remains significant and unavoidable (SU) for purposes of this program-level analysis.

### Mobile Source Toxic Air Contaminant Emissions (Criterion 5)

**Air-5:** New or expanded transportation facilities pursuant to the 2017 CTP would not result in a cumulative net increase in emissions of DPM, 1,3-butadiene, and benzene (toxic air contaminants) from on-road mobile sources, as compared with the baseline condition. (*Less than Significant*)

#### 2017 CTP

New transportation projects pursuant to the 2017 CTP are expected to occur within a context that would result in a net overall reduction in mobile source TAC emissions as compared with the baseline condition.

Overall reductions in TAC emissions are primarily attributed to California state laws that control TAC emissions, including AB 1807 that created the Toxic Air Contaminant Identification and Control Act, SB 2588 that established the Air Toxics “HOT Spots” Information and Assessment Act, and SB 656 that requires CARB and local Air Districts to identify control measures for particulate matter. Other state regulations that reduce smog or other pollutants also reduce TACs, such as standards for low emission vehicles, clean fuels, reformulated gasoline, diesel fuel specifications, and CARB’s Heavy Duty Diesel Inspection Programs. In addition, there are a number of regional programs in place to address particulate matter in general and TACs in particular, including the CARB, BAAQMD, and Port of Oakland’s Bay Area Goods Movement Program that provides financial incentives to owners of equipment used in freight movement to upgrade to cleaner technologies.

Overall, these ongoing regulations and programs will provide for a net reduction in mobile source TAC emissions. Because implementation of the 2017 CTP is expected to occur within this context of reduced mobile source TAC emissions, impacts are considered less than significant.

#### Transportation Projects Included in Investment Program

Under the Investment Program for the 2017 CTP, transportation projects and new or expanded transit projects are similarly expected to occur within a context of reduced mobile source TAC emissions.

As shown in **Table 2.3-6**, Countywide mobile source TAC emissions (DPM, 1,3-butadiene, and benzene) are projected to decrease between the baseline condition (2013) and the 2040 horizon. When compared with the baseline condition, mobile source TAC emissions that would occur under the Investment Program are expected to achieve reductions in DPM emissions (97 percent), 1,3-butadiene emissions (80 percent), and benzene emissions (77 percent). These reductions in TACs are

primarily attributed to California state laws to control TACs, as well as other state regulations and regional programs that also reduce TACs.

|                          | <b>Baseline (2013)</b> | <b>No Project (2040)</b> | <b>2017 CTP Investment Program</b> |
|--------------------------|------------------------|--------------------------|------------------------------------|
| <b>DPM</b>               | 198.53                 | 6.87                     | 6.91                               |
| % Change from Baseline   |                        | -96.5%                   | -96.5%                             |
| % Change from No Project |                        |                          | 0.6%                               |
| <b>Benzene</b>           | 215.45                 | 50.69                    | 49.97                              |
| % Change from Baseline   |                        | -76.5%                   | -76.8%                             |
| % Change from No Project |                        |                          | -1.4%                              |
| <b>1,3 Butadiene</b>     | 9.54                   | 1.98                     | 1.93                               |
| % Change from Baseline   |                        | -79.2%                   | -79.5%                             |
| % Change from No Project |                        |                          | -2.5%                              |

Source: Compiled modeling results included as Appendix E.

As indicated in the general discussion of the 2017 CTP (above), the majority of TAC emission reductions are attributable to reductions in TAC emission from individual vehicles (cars, truck, and buses). These TAC emission reductions are independent of investments in transportation infrastructure. The conclusions presented in Table 2.3-6 also show (for informational purposes only), the relative change in TAC mobile source emissions by year 2040, comparing the Investment Program's resulting transportation infrastructure and transportation systems to a future 2040 scenario that assumes no additional transportation investments beyond those projects already approved and funded (i.e., a future year 2040 No Project scenario). As indicated in Table 2.3-6, a future 2040 No Project scenario would also occur within the context of reduced mobile source TAC emissions per vehicle, and would achieve a similar overall reduction in total mobile source TAC emission. Relative to the 2040 No Project scenario, the Investment Program would achieve an even greater overall reduction in TAC emissions as a result of its investments in TCMs.

Because individual Investment Program projects pursuant to the 2017 CTP are expected to occur within a context that will achieve an overall reduction in mobile source TAC emissions, impacts are considered less than significant.

### **Mitigation Measures**

No mitigation measures are required.

### **Relative Impacts to Communities of Concern (Criterion 6)**

**Air-6:** New or expanded transportation facilities pursuant to the 2017 CTP would not result in a larger localized increase of mobile source TAC or PM<sub>2.5</sub> emissions, or a smaller localized decrease of mobile source TAC or PM<sub>2.5</sub> emissions in disproportionately impacted communities (Communities of Concern and CARE communities) as compared to the remainder of the county. (*Less than Significant*)

# 3.1

## Alternatives

### Introduction and Overview

California Environmental Quality Act (CEQA) Guidelines require an Environmental Impact Report (EIR) to analyze a reasonable range of alternatives for any project. The purpose of the alternatives section is to provide decision-makers and the public with a discussion of alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly. Evaluation of alternatives should present the proposed action and all the alternatives in comparative form to define the issues and provide a clear basis for choice.

CEQA requires that the lead agency adopt mitigation measures or alternatives, where feasible, to substantially lessen or avoid significant environmental impacts that would otherwise occur. Where a lead agency has determined that even after adoption of all feasible mitigation measures, a project as proposed would still result in significant environmental effects that cannot be substantially lessened or avoided, the agency must first determine if there are alternatives that are both environmentally superior, and feasible. CEQA provides the following guidelines for discussing project alternatives:

- An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision-making and public participation (§15126.6(a)).
- An EIR is not required to consider alternatives which are infeasible (§15126.6(a)).
- The discussion of alternatives shall focus on alternatives to the project or its location that are capable of avoiding or substantially lessening any significant effects of the project (§15126.6(b)).
- The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects (§15126.6(c)).
- The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis and comparison with the proposed project (§15126.6(d)).

### Accomplishing Basic Project Objectives

CEQA requires an analysis of alternatives that would feasibly attain most of the basic objectives of the project. The 2017 Countywide Comprehensive Transportation Plan (2017 CTP) objectives

A number of individual projects that were included in the 2013 RTP list of committed project have already been constructed, and are now included in the baseline condition. Transportation projects under the No Project Alternative (2040) have already been individually evaluated at a project-specific level, and no further environmental review at the countywide, programmatic scale is necessary. For informational and comparative purposes, additional detail is provided for the No Project Alternative (2040) with regard to the environmental topics of transportation and circulation, greenhouse gas emissions, and air quality.

### Ability to Accomplish Project Objectives

The No Project Alternative (2040) represents the possibility that the Project is not approved, and as such, it would not meet any of the Project objectives. The No Project Alternative does include those transportation projects and programs that have been deemed committed, and that are expected to be implemented irrespective of any decisions regarding adoption of the 2017 CTP.

## Comparative Impact Analysis

### Transportation and Circulation

#### Vehicle Miles Traveled per Capita

As shown in **Table 3.1-2**, total vehicle miles traveled (VMT) in Contra Costa County is expected to increase from approximately 22 million in 2013 to approximately 28 million by year 2040 under the No Project Alternative (a 27.1% increase, or nearly 6 million additional VMT). This increase is a result of expected countywide population and employment growth, which will cause increased travel throughout the County and the rest of the Bay Area region.

When normalized on a per-capita basis, projected per capita VMT under the No Project Alternative (2040) is expected to increase by only 0.1 VMT per capita, or an increase in per capita VMT of 0.5%. This low rate of increase in per capita VMT is a result of the underlying focused-growth land use strategy inherent in *Plan Bay Area's* land use assumptions for year 2040, as well as the transit expansion programs that have already been approved and are expected to become operational under the No Project Alternative (2040).

**Table 3.1-2: VMT Per Capita, No Project Alternative (2040)**

| Scenario        | Baseline Condition (2013) | No Project (2040) | Change (2013 to 2040) |                |
|-----------------|---------------------------|-------------------|-----------------------|----------------|
|                 |                           |                   | Numerical Change      | Percent Change |
| Total Daily VMT | 22,040,884                | 28,009,826        | 5,968,942             | 27.1%          |
| VMT Per Capita  | 21.0                      | 21.1              | 0.1                   | 0.5%           |

Source: Compiled modeling results included as Appendix D.

#### Vehicle Hours of Delay

As shown in **Table 3.1-3**, daily vehicle hours of delay (VHD) is projected to increase by over 252%, from about 71,600 hours in 2013 to nearly 252,600 hours pursuant to the No Project Alternative

(2040). Worsening roadway congestion reflects the additional travel demand generated from future population and employment growth, which cannot sufficiently be accommodated by the existing transportation system and the limited improvements in the efficiency and capacity of the regional transportation system under the No Project Alternative (2040).

**Table 3.1-3: Vehicle Hours Traveled and Vehicle Hours of Delay, No Project Alternative (2040)**

| Scenario                          | Baseline Condition (2013) | No Project (2040) | Change (2013 to 2040) |                |
|-----------------------------------|---------------------------|-------------------|-----------------------|----------------|
|                                   |                           |                   | Numerical Change      | Percent Change |
| Vehicle Hours Traveled            | 569,023                   | 897,592           | 328,569               | 57.7%          |
| Vehicle Hours Traveled Per Capita | 0.5                       | 0.7               | 0.2                   | 40.0%          |
| Vehicle Hours of Delay            | 71,648                    | 252,584           | 180,936               | 252.5%         |

Source: Compiled modeling results included as Appendix D.

### Average Speeds

The total amount of vehicular travel in the County is expected to increase substantially by 2040. Because of the increase in overall demand for vehicular travel, average speeds on freeways and arterials are expected to decline under the No Project Alternative (2040), as compared to the baseline condition (2013) as shown in **Table 3.1-4**.

The reduced travel speeds reflect the effects of increased roadway demand, worsening congestion and the limited capacity of the future transportation infrastructure under the No Project Alternative (2040).

**Table 3.1-4: Average Freeway and Arterials Speeds, No Project Alternative (2040)**

| Scenario        | Baseline Condition (2013) | No Project (2040) | Change (2013 to 2040) |                |
|-----------------|---------------------------|-------------------|-----------------------|----------------|
|                 |                           |                   | Numerical Change      | Percent Change |
| Freeway Speeds  | 55.6                      | 51.6              | -4.0                  | -7.2%          |
| Arterial Speeds | 34.2                      | 33.3              | -0.9                  | -2.6%          |

Source: Compiled modeling results included as Appendix D.

### Non-Single Occupant Vehicle Mode Share

The percentage of trips taken in single-occupant vehicles is projected to decline under the No Project Alternative (2040) as compared with the baseline condition (2013), while more trips are projected to occur by carpool and transit, as shown in **Table 3.1-5**. This decline is a reflection of the transit expansion programs that have already been approved and are expected to become operational under this No Project Alternative (2040), as well as the effects of congestion serving to make driving alone a less attractive option.

# Exhibit J

# Guide to Filing Measure Arguments

FOR COUNTY, CITIES, SCHOOL, AND SPECIAL DISTRICTS



Photo Credit: Jerome Gibson

## 2020

**Contra Costa County Elections**  
555 Escobar Street, Martinez, CA 94553  
(925) 335-7800 | [www.cocovote.us](http://www.cocovote.us)

## **DISCLAIMER**

This informational guide was developed in an effort to provide answers to questions frequently asked concerning the filing of measure arguments. It contains general information only and does not have the force or effect of law, regulations, or rule. In case of a conflict, the laws, regulations or rules apply. Persons using this guide accept responsibility for all legal standards and duties. For information on City measures, please contact the local City Clerk as guidelines may vary.

## Table of Contents

|   |     |
|---|-----|
| PURPOSE OF THIS GUIDE .....   | 1   |
| WHAT IS PUBLISHED IN THE VOTER INFORMATION GUIDE .....                | 1   |
| ARGUMENT SUBMISSION PROCESS.....                                      | 3   |
| WHO CAN SUBMIT AN ARGUMENT .....                                      | 4   |
| If More Than One Argument In Favor or Argument Against Is Filed ..... | 4   |
| ARGUMENT & REBUTTAL FORMAT.....                                       | 5   |
| LETTER ASSIGNMENTS .....  | 6   |
| Timeline for Assigning Measure Letters .....                          | 6   |
| Assignment of Letters .....   | 6   |
| When a Jurisdiction Covers Two or More Counties.....                  | 6   |
| Withdrawal of a Measure .....   | 6   |
| ATTACHMENT A - 2020 MEASURE KEY DATES.....                            | A-1 |
| March 3, 2020 Primary Election.....                                   | A-1 |
| November 3, 2020 General Election.....                                | A-1 |
| ATTACHMENT B - WORD COUNT GUIDELINES .....                            | B-1 |
| ATTACHMENT C - IMPORTANT CONTACT INFORMATION .....                    | C-1 |

## PURPOSE OF THIS GUIDE

This guide is intended to be a reference to political entities, interested organizations, and individuals on how they may participate in the process.

Generally, this guide applies for city measures. Cities may implement law differently than described in this guide. Regarding arguments for city measures, consult the City Clerk.

## WHAT IS PUBLISHED IN THE VOTER INFORMATION GUIDE

The following components comprise the information provided to voters in the Voter Information Guide:

### **Measure Wording**

The Measure Wording is a 75-word ballot question that appears on the Official Ballot and in the Voter Information Guide.

*Election Code 9051*

### **Impartial Analysis**

The County Counsel or City Attorney prepares an Impartial Analysis of a measure showing the effect of the measure on the existing law and the operation of the measure. The City Attorney prepares an Impartial Analysis of a city measure.

The Impartial Analysis may be up to 500 words.

*Election Code 9160, 9280, 9313, 9314, 9500*

### **Tax Rate Statement (if applicable)**

A Tax Rate Statement is supplied for each bond measure that creates a lien on a property within the jurisdiction. The Tax Rate Statement is prepared by the jurisdiction proposing the measure.

There is no word limit for Tax Rate Statements.

*Election Code 9401, 9402*

### **Fiscal Analysis (if applicable)**

The County Auditor-Controller may be requested to prepare a Fiscal Analysis by the Board of Supervisors or City Council.

The Fiscal Analysis Statement may be up to 500 words.

*Election Code 9160*

### **Arguments In Favor and Arguments Against a Measure**

Each Argument In Favor or Against may be up to 300 words.

*Election Code 9162, 9315*

## **Rebuttal Argument**

A Rebuttal Argument is a statement, which refutes an Argument In Favor or Argument Against a Measure.

Each Rebuttal Argument may be up to 250 words.

*Election Code 9167, 9317*

## **Full Text (optional)**

The full text of the measure being voted upon may be published, to provide voters information in addition to the 75-word measure. The full text is usually a resolution or ordinance that offers additional information regarding the measure.

There is no word limit for the full text.

## **Order of Appearance**

Arguments, Rebuttal Arguments, and analyses are printed in the Voter Information Guide and mailed to all registered voters in the jurisdiction who are eligible to vote for the particular measure.

*Election Code 13109*

The information appears in the following order:

1. Measure Wording
2. Impartial Analysis
3. Fiscal Analysis or Tax Rate Statement (if applicable)
4. Argument In Favor
5. Argument Against
6. Rebuttal to Argument In Favor
7. Rebuttal to Argument Against
8. Full Text (optional)

All content is translated into Spanish and Chinese and will appear in English, Spanish, and Chinese in that order.

## ARGUMENT SUBMISSION PROCESS

**Submit Arguments to:** Contra Costa County Elections Division  
555 Escobar Street  
Martinez, CA 94553

**Submissions must include:**

Hardcopies of the Arguments with wet signatures must be filed in person or by mail to the Elections Division at 555 Escobar Street Martinez, CA 94553. A faxed or electronic PDF of the Argument document (including signatures) may be submitted to meet the filing deadline but hardcopies with the wet signatures must be provided within three business days of the faxed or electronic submission.

The argument language must also be submitted electronically as an editable text file to [cfile@vote.cccounty.us](mailto:cfile@vote.cccounty.us) by the deadline.

The argument will be formatted for the Voter Information Guide to appear as closely as possible to the hardcopy submitted.

**Confidentiality:** Arguments, rebuttals and analyses are not disclosable until 5pm on the date they are due. At that time, the contents become public information.

**Withdrawal/Changes:** Arguments, rebuttals and analyses may be changed or withdrawn up until the submission deadline.

*Election Code 9163, 9316, 9317, 9601*

**Public Review:** Following the final deadline for filing documents, arguments and rebuttals are available at the Registrar of Voter's Office for a 10-day public review period.

Any challenges of the measure documents may be sought from the Superior Court to require amendments or deletions through a Writ of Mandate or injunction. A Writ of Mandate or an injunction will be issued by the Superior Court upon clear and convincing proof that the material in question is false, misleading, or inconsistent.

Administrative challenges of arguments, rebuttals and analyses will not be accepted or entertained by the Registrar of Voters.

*Election Code 9190, 9295, 9380, 9509*

**Rebuttal Arguments:** Rebuttal Arguments In Favor or Against a Measure are filed with the Elections Division. The Registrar establishes the deadlines for the arguments for all elections in which multiple jurisdictions participate. Cities establish deadlines only when the election is not consolidated or combined with other entities. Arguments are not disclosable until the deadline.

Rebuttal Arguments are shared with those submitting Primary Arguments for purposes of drafting Rebuttal Arguments at the deadline.

Arguments In Favor and Arguments Against measures are sent immediately after the submission deadline to those arguing the opposite position for the purpose of preparing a Rebuttal Argument.

Rebuttal Arguments must be signed by the same authors of the original arguments in favor or against unless the original signers of the arguments authorize, in writing, others to sign the Rebuttal Arguments. A “Release for Rebuttal Argument” should be filed with the Rebuttal Arguments.

*Election Code 9167, 9285, 9317, 9504*

## WHO CAN SUBMIT AN ARGUMENT

The governing board (Board of Supervisors, School Board or Special District Board), any individual voter who is eligible to vote on the measure, a bona fide association of citizens, or any combination of these voters and associations may file a written Argument In Favor or Argument Against any county, school, or district measure placed on the ballot by the governing body or by initiative.

*Election Code 9120, 9162, 9501*

### What is a Bona Fide Association of Citizens?

A bona fide association of citizens is a recognized group of citizens bound together by a common interest or cause such as:

- A group or organization primarily formed as a committee to support or oppose a ballot measure.
- An organization that meets on a regular basis.

The individuals signing an argument on behalf of a bona fide association do not have to be eligible voters in the jurisdiction. A “Bona Fide Association of Citizens Filer Data Sheet” will be filed with the arguments.

### If More Than One Argument In Favor or Argument Against Is Filed

Only one Argument In Favor and one Argument Against any measure will be printed in the Voter Information Guide. If more than one Argument In Favor or more than one Argument Against any measure is filed, a single argument will be selected by the Registrar of Voters.

In selecting a single argument, the Registrar gives preference and priority, in order, to arguments submitted by:

1. Members of the governing board
2. The bona fide sponsors or proponents of the measure
3. Bona fide associations of citizens
4. Individual voters who are eligible to vote on the measure

If two or more parties representing the same type of body/association submit competing Arguments In Favor or Arguments Against the same measure, the Registrar will make a subjective assessment of the arguments. The assessment may include consideration of grammar, spelling, coherence, tone and the comprehensiveness of the argument.

Parties are encouraged to collaborate when multiple arguments are submitted.

*Election Code 9166, 9503*

## ARGUMENT & REBUTTAL FORMAT

- Submissions will be labeled with the type of argument being submitted in the heading title (ex. Argument in Favor of Measure A). This is not part of the word count.
- The heading for all arguments is standardized. Subheadings and deviations from the standardized heading will not be accepted.
- Arguments and rebuttal arguments, including the names and titles of the signers, must be typed.
- Documents will be printed as submitted. Spelling, punctuation and grammatical errors will not be corrected by the Elections Division.
- An argument or rebuttal argument must be written to address only one measure appearing on the ballot. An argument combining statements pertaining to more than one measure will not be accepted.
- No more than five names/titles will appear with any argument in the Voter Information Guide. If more than five signers are submitted, only the first five will be printed.
- All arguments and rebuttals must include an original signature of each signer. If not all signers sign on the same document, separate copies, bearing wet signatures, can be filed.
- No profanity or other objectionable language may appear in an argument.

*Election Code 9164, 9501*

### Argument Sample

**ARGUMENT IN FAVOR  
OF MEASURE \_\_\_\_\_**

**ARGUMENT  
TEXT**

The undersigned Proponent(s) or Author(s) hereby state that such argument is true and correct to the best of their knowledge and belief.

|                  |                  |
|------------------|------------------|
| Print Name _____ | Print Name _____ |
| Title _____      | Title _____      |
| Signature _____  | Signature _____  |
|                  |                  |
| Print Name _____ | Print Name _____ |
| Title _____      | Title _____      |
| Signature _____  | Signature _____  |
|                  |                  |
| Print Name _____ | Print Name _____ |
| Title _____      | Title _____      |
| Signature _____  | Signature _____  |

### Rebuttal Argument Sample

**REBUTTAL TO ARGUMENT AGAINST  
MEASURE \_\_\_\_\_**

**ARGUMENT  
TEXT**

The undersigned Proponent(s) or Author(s) hereby state that such argument is true and correct to the best of their knowledge and belief.

|                  |                  |
|------------------|------------------|
| Print Name _____ | Print Name _____ |
| Title _____      | Title _____      |
| Signature _____  | Signature _____  |
|                  |                  |
| Print Name _____ | Print Name _____ |
| Title _____      | Title _____      |
| Signature _____  | Signature _____  |
|                  |                  |
| Print Name _____ | Print Name _____ |
| Title _____      | Title _____      |
| Signature _____  | Signature _____  |

## LETTER ASSIGNMENTS

Each measure to appear on the ballot is assigned a letter for identification and reporting purposes.

### **Timeline for Assigning Measure Letters**

The Registrar of Voters assigns measure letters the Thursday (E-82) following the deadline to submit a measure (E-88).

### **Assignment of Letters**

- Letters are assigned based upon a random draw.
- All letters are included in the random draw.
- If, during the election, all letters have been used, lettering will continue to include e.g. “AA”, “BB”, etc.
- Unused letters will not carry over to the next election. Each election will begin with a new random drawing.

### **When a Jurisdiction Covers Two or More Counties**

When a jurisdiction covers two or more counties, the Registrar of Voters in each county will mutually agree to use the same letter for the measure.

### **Withdrawal of a Measure**

A legislative body may amend or withdraw its measure by filing a resolution stating the specifics concerning the amendment or withdrawal not later than 83 days before an election. An initiative or referendum measure may be withdrawn by filing a “Notice of Withdrawal” signed by all proponents.

*Election Code 9604, 9605*

## ATTACHMENT A - 2020 MEASURE KEY DATES

### March 3, 2020 Primary Election

| <b>Filing Period</b>       |  |
|----------------------------|--|
| December 6<br><i>E-88</i>  | Last day to place a measure on the ballot  |
| December 12<br><i>E-82</i> | Local measure letter assigned              |
| December 18<br><i>E-76</i> | Deadline for Primary Arguments For/Against |
| December 23<br><i>E-71</i> | Deadline for Rebuttal Arguments            |
| January 2<br><i>E-61</i>   | Last day to file Writ of Mandate           |
| January 23<br><i>E-40</i>  | Estimated Voter Information Guide mailing  |

### November 3, 2020 General Election

| <b>Filing Period</b>        |  |
|-----------------------------|--|
| August 7<br><i>E-88</i>     | Last day to place a measure on the ballot  |
| August 13<br><i>E-82</i>    | Local measure letter assigned              |
| August 19<br><i>E-76</i>    | Deadline for Primary Arguments For/Against |
| August 24<br><i>E-71</i>    | Deadline for Rebuttal Arguments            |
| September 3<br><i>E-61</i>  | Last day to file Writ of Mandate           |
| September 24<br><i>E-40</i> | Estimated Voter Information Guide mailing  |



## ATTACHMENT B - WORD COUNT GUIDELINES

The following guidelines are for computing the word count for arguments. The authors' titles and names are not counted in the word count, only the text of the argument. The Registrar of Voters will make final determination of the word count.

*Election Code 9*

|   |   |
|---|---|
| <p><b>Acronyms</b><br/>Examples: UCLA, PTA, U.S.M.C.</p>  | one word                                  |
| <p><b>Geographical Names</b><br/>Examples: Contra Costa County<br/>Walnut Creek<br/>City of Pittsburg<br/>Bay Area</p>  | one word                                  |
| <p><b>Districts with an Elected Board</b><br/>Examples: Contra Costa Community College District<br/>Antioch Unified School District<br/>East Bay Regional Park District<br/>San Francisco Bay Area Rapid Transit District</p> | one word                                  |
| <p><b>Numbers/Numerical Combinations</b><br/>Digits (1, 10, or 100, etc.)<br/>1990-1991, 100%, etc.<br/>Spelled out (one, ten, or one hundred)</p>  | one word<br>one word<br>one for each word |
| <p><b>Dates</b><br/>All digits (11/5/96)<br/>Word and digits (June 2, 1998)</p>   | one word<br>one word                      |
| <p><b>Hyphenated Words</b><br/>Hyphenated words that appear in any generally available standard reference dictionary, as determined by the Registrar of Voters, shall be counted as one word.</p>                             | one word                                  |
| <p><b>Punctuation</b></p>   | not counted                               |
| <p><b>Telephone Numbers</b></p>   | one word                                  |
| <p><b>Email / Website Addresses</b></p>   | one word                                  |



## ATTACHMENT C - IMPORTANT CONTACT INFORMATION

|   |                        |                                  |
|---|------------------------|----------------------------------|
| Main Number                                       | (925) 335-7800         |                                  |
| Toll Free   | (877) 335-7802         |                                  |
| Rosa Mena,<br>Elections Processing Supervisor     | (925) 335-7806         | rosa.mena@vote.cccounty.us       |
| Sara Brady,<br>Elections Services Manager         | (925) 335-7807         | sara.brady@vote.cccounty.us      |
| Scott Konopasek,<br>Assistant Registrar of Voters | (925) 335-7800         | scott.konopasek@vote.cccounty.us |
| Fax   | (925) 335-7842         |                                  |
| Email   | cfile@vote.cccounty.us |                                  |
| Website   | www.cocovote.us        |                                  |

# Exhibit K

**MARCH 3, 2020 PRIMARY ELECTION**

**MEASURES**

---

**MEASURE   T**

**Antioch Unified School District School Facilities Improvement District No. 2**

**55% required to pass**

To improve the quality of education at Antioch Schools by renovating classrooms, upgrading school safety and security systems, improving technology and energy efficiency, upgrading science labs, modernizing schools, and repairing / replacing roofs, shall School Facilities Improvement District #2 of the Antioch Unified School District issue \$105,000,000 in bonds at legal interest rates, raising an average of \$7,000,000 annually for 36 years, at a rate of 6 cents per \$100 of assessed value with independent oversight and accountability?

---

**MEASURE   L**

**Lafayette School District**

**2/3 required to pass**

To protect the quality of education and prevent deep cuts to Lafayette elementary and middle school programs in math, science, engineering, technology, reading, music, and the arts, maintain manageable class sizes to enhance student achievement, and attract and retain highly qualified teachers, shall Lafayette School District establish a \$290 parcel tax for 7 years only, providing \$3,011,360 annually in dedicated funding for neighborhood schools, with independent citizen oversight, an exemption for seniors, and all money staying local?

---

**MEASURE   M**

**Moraga School District**

**2/3 required to pass**

To maintain high quality elementary/intermediate schools, shall Moraga School District continue funding to support effective science, technology, engineering, math, arts and music programs; maintain manageable class sizes; keep schools safe; and attract and retain the best qualified teachers; by adopting a measure renewing funding at the current \$192 rate per parcel, providing \$1 million annually, until repealed by voters, with low-income senior exemptions, cost of living adjustments and independent oversight with all funds supporting Moraga students?

---

**MEASURE   R**

**West Contra Costa Unified School District**

**55% required to pass**

**WEST CONTRA COSTA UNIFIED SCHOOL DISTRICT CLASSROOM MODERNIZATION AND SAFETY UPDATE MEASURE.** To repair, upgrade neighborhood schools, shall West Contra Costa Unified School District modernize core classrooms; provide safe, secure school environments, including updated technology and air conditioning, that improve academic achievement and provide relevant career pathways for all students, by issuing \$575 million of bonds, at legal rates, averaging \$34.48 million annually while bonds are outstanding, at 6¢ per \$100 assessed value, with strict citizens' oversight, annual audits and all money for local schools?

---

**MEASURE   J**

**Contra Costa Transportation Authority**

**2/3 required to pass**

To:

- Reduce congestion and fix bottlenecks on highways and major roads;
- Make commutes faster and more predictable;
- Improve the frequency, reliability, accessibility, cleanliness, and safety of buses, ferries, and BART;
- Improve air quality;
- Repave roads;

Shall the measure implementing a Transportation Expenditure Plan, levying a ½ ¢ sales tax, providing an estimated \$103,000,000 for local transportation annually for 35 years that the State cannot take, requiring fiscal accountability, and funds directly benefiting Contra Costa County residents, be adopted?

---

**MEASURE   A**

**Pleasant Hill Recreation & Park District**

**2/3 required to pass**

To improve parks and recreation for children, families and senior citizens; upgrade and replace deteriorating restrooms; improve safety / security; upgrade outdated plumbing and irrigation; and upgrade, construct, renovate, and expand parks / facilities; shall Pleasant Hill Recreation & Park District issue \$63,500,000 of bonds at legal rates, averaging \$3,400,000 collected annually while bonds are outstanding at a rate of approximately 1.9 cents per \$100 assessed value, with annual audits, independent citizens' oversight, no money for salaries and all funding staying local?

---

**MEASURE   Y**

**Town of Danville**

**Majority required to pass**

Shall Town Council Ordinance No. 2019-06 approving the Magee Preserve project, which creates 69 single family lots on approximately 29 acres of the 410 acre site, preserves the remaining 381 acres as permanent open space and dedicates hiking and biking trails for public use on the site, be adopted?

---

# Exhibit R

CONTRA COSTA COUNTY CODE Codified through Ordinance No. 2019-31, passed November 12, 2019. (Supp. No. 91 Update 3)

Division 22 - GENERAL  
Chapter 22-2 - COUNTY OFFICES

### **Article 22-2.2. Hours**

22-2.202 - Office hours.<sup>[1]</sup>

Unless otherwise provided by law or board resolution, all county offices and departments shall be open for the transaction of business with the public continuously during the hours eight a.m. to twelve noon and one p.m. to five p.m. daily (except Saturdays, Sundays and holidays), but the auditor, clerk, recorder, sheriff, and treasurer shall be open between noon and one p.m. also.

(Ord. 81-76 1: prior code § 2400: Ord. 506: see Govt. Code §§ 24257—24261).

Footnotes:

--- (1) ---

For the statutory provisions regarding county offices and office hours, see Gov. C. § 24250 ff.

# Exhibit S

---

CONSENT

---

Bill No: AB 195  
Author: Obernolte (R)  
Amended: 3/14/17 in Assembly  
Vote: 21

---

SENATE ELECTIONS & C.A. COMMITTEE: 4-0, 6/6/17  
AYES: Anderson, Allen, Hertzberg, Leyva  
NO VOTE RECORDED: Stern

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 74-0, 4/20/17 (Consent) - See last page for vote

---

**SUBJECT:** Local initiative measures: ballot printing specifications

**SOURCE:** Howard Jarvis Taxpayers Association

---

**DIGEST:** This bill requires the ballot statement for *all* local ballot measures that impose a tax or raise the rate of a tax to include specified information about the tax, instead of making such a requirement applicable only to local initiative measures.

**ANALYSIS:**

Existing law:

- 1) Requires ballots used when voting upon a proposed county, city, or district ordinance submitted to voters as an initiative measure to have printed on them a specified statement describing the proposed ordinance.
- 2) Requires the ballot, if a proposed local initiative imposes a tax or raises the rate of a tax, to include in the statement of the ordinance to be voted on the amount of money to be raised annually and the rate and duration of the tax to be levied.

This bill:

- 1) Requires the ballot statement for all local ballot measures that impose a tax or raise the rate of a tax, including measures authorizing the issuance of bonds or the incurrence of debt, to include in the statement of the measure to be voted on the amount of money to be raised annually and the rate and duration of the tax to be levied, instead of making such a requirement applicable only to local initiative measures (i.e., measures that are placed on the ballot through a petition signed by voters of the local jurisdiction).
- 2) Requires the ballot statement for a local ballot measure to be a true impartial synopsis of the purpose of the proposed measure and be in language that is neither argumentative nor likely to create prejudice for or against the measure.
- 3) Defines "local governing body," for the purposes of this bill, to mean the governing body of a city, county, city and county, including a charter city or charter county, or district, including a school district.

## **Background**

*AB 809 (Oberholte) and City of Carson v. Logan*: In 2015, the Legislature passed and the Governor signed AB 809 (Oberholte, Chapter 337, Statutes of 2015), which required the ballot, if a proposed local *initiative* imposed a tax or raised the rate of a tax, to include in the statement of the ordinance the amount of money to be raised annually and the rate and duration of the tax to be levied. AB 809 took effect in January 2016.

Last year, the City of Carson, joined by six other cities in Los Angeles County, filed a lawsuit in the Los Angeles County Superior Court arguing that the ballot label for a local tax measure on the November 2016 General Election Ballot - Measure M - violated ballot label requirements under existing law for local tax measures (*City of Carson, et al., v. Dean Logan, Registrar-Recorder/County Clerk of the County of Los Angeles* (2016) Case No. BS164554). According to court documents, the petitioners contended that the Measure M ballot label violated Elections Code Section 13119 (b) because it did not state the amount of the money to be raised annually, it did not accurately state the rate of the tax, and it did not provide the duration of the tax to be levied. In opposition, the respondents argued that Elections Code Section 13119 (b) applies only to initiative measures that qualify for the ballot through a petition signed by voters of the local jurisdiction. Moreover, respondents argued that Measure M originated from the Los Angeles County Metropolitan Transportation Authority's Board of Directors as authorized

by Section 130350.7 of the Public Utilities Code, and as a result was not an initiative measure. The court ruled in favor of the respondents.

### Comments

- 1) According to the author, “this bill is a technical cleanup to AB 809 (Obernolte) which was signed by Governor Brown in 2015. AB 809 enhanced transparency by adding new information to the ballot label, specifically, the rate of the tax increase, its duration, and an estimate of the amount of revenue to be raised. However, due to a drafting error, AB 809 was not as comprehensive as it needed to be because it did not apply to [measures] placed on the ballot by local government entities. It has been interpreted to only apply to [measures] brought forward by citizens via signature petition. AB 195 corrects this discrepancy and ensures that this important information is included in the ballot label for all local tax measures.”
- 2) *Ballot Form*: Existing law requires a ballot to comply with a variety of laws that dictate its content. For example, a ballot must contain the title of each office, the names of all qualified candidates, as specified, ballot designations, as specified, titles and summaries of measures submitted to voters, and instructions to voters, among other things. Moreover, existing law requires a ballot to be printed in a certain form, as specified. Once all of these requirements are met, there is limited space left on the ballot to accommodate further requirements. Consequently, it is common practice to include other important election information in the sample ballot or ballot pamphlet that is sent to all registered voters.

### Related/Prior Legislation

AB 809 (Obernolte, Chapter 337, Statutes of 2015) required the ballot, if a proposed local initiative imposes a tax or raises the rate of a tax, to include in the statement of the ordinance to be voted on the amount of money to be raised annually and the rate of the tax to be levied.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: Yes

**SUPPORT:** (Verified 6/26/17)

Howard Jarvis Taxpayers Association (source)  
California Taxpayers Association  
Mayor Albert Robles, City of Carson

**OPPOSITION:** (Verified 6/26/17)

None received

ASSEMBLY FLOOR: 74-0, 4/20/17

AYES: Acosta, Aguiar-Curry, Travis Allen, Arambula, Baker, Berman, Bigelow, Bloom, Bocanegra, Bonta, Burke, Caballero, Calderon, Cervantes, Chau, Chávez, Chen, Chiu, Chu, Cooley, Cooper, Cunningham, Dababneh, Dahle, Daly, Eggman, Flora, Fong, Frazier, Friedman, Cristina Garcia, Eduardo Garcia, Gipson, Gloria, Gomez, Gonzalez Fletcher, Gray, Grayson, Harper, Holden, Irwin, Jones-Sawyer, Kalra, Kiley, Lackey, Levine, Limón, Low, Maienschein, Mayes, McCarty, Medina, Melendez, Mullin, Muratsuchi, Nazarian, Obernolte, O'Donnell, Quirk, Quirk-Silva, Reyes, Rodriguez, Rubio, Salas, Santiago, Steinorth, Mark Stone, Thurmond, Ting, Voepel, Waldron, Weber, Wood, Rendon

NO VOTE RECORDED: Brough, Choi, Gallagher, Mathis, Patterson, Ridley-Thomas

Prepared by: Darren Chesin / E. & C.A. / (916) 651-4106  
6/27/17 16:24:07

\*\*\*\* **END** \*\*\*\*

# Exhibit T



OFFICE OF THE GOVERNOR

**OCT 13 2019**

To the Members of the California State Senate:

I am returning Senate Bill 268 without my signature.

This bill makes modifications to ballot label requirements and notification requirements to voters for a local measure that imposes or increases a tax with more than one rate or authorizes the issuance of bonds.

I am concerned that this bill as crafted will reduce transparency for local tax and bond measures.

Sincerely,

Gavin Newsom



# Exhibit U

**CALIFORNIA SECRETARY OF STATE**

**APPROVED BALLOT PRINTERS  
DECEMBER 18, 2019**

**APPROVED VENDORS  
BY BALLOT STYLE**

---

---

**DATAVOTE BALLOTS**

**ProVoteSolutions**, a division of ProDocument Solutions (M, F)  
90 West Poplar Avenue No Hole, 38, 52 Hole  
Porterville, CA 93257  
(800) 726-0085

---

---

**ES&S INKAVOTE BALLOTS**

**ProVoteSolutions**, a division of ProDocument Solutions (M, F)  
90 West Poplar Avenue  
Porterville, CA 93257  
(800) 726-0085

**Integrated Voting Systems, Inc. DBA**  
**Integrated Voting Solutions** (M, F)  
496 S. Uruapan Way  
Dinuba, CA 93618  
(559) 498-0281

---

---

**ES&S EVS (MODEL 200/850/AUTOMARK) BALLOTS**

**Integrated Voting Systems, Inc. DBA**  
**Integrated Voting Solutions** (M, F)  
496 S. Uruapan Way  
Dinuba, CA 93618  
(559) 498-0281

## **ES&S UNITY (MODEL 100/200/650/850/AUTOMARK) BALLOTS**

|   |               |
|---|---------------|
| <b>Admail West</b><br>521 North 10 <sup>th</sup> Street<br>Sacramento, CA 95814<br>(916) 442-3613   | <b>(F)</b>    |
| <b>Business Ink</b><br>15404 Long Vista Drive<br>Austin, TX 78728<br>(512) 949-2305   | <b>(M, F)</b> |
| <b>Consolidated Printers, Inc.</b><br>2630 Eighth Street<br>Berkeley, CA 94710<br>(510) 843-8524  | <b>(M, F)</b> |
| <b>Integrated Voting Systems, Inc. DBA<br/>Integrated Voting Solutions</b><br>496 S. Uruapan Way<br>Dinuba, CA 93618<br>(559) 498-0281                          | <b>(M, F)</b> |
| <b>K&amp;H Integrated Print Solutions</b><br>7720 Hardeson Road, Suite A<br>Everett, WA 98203<br>(425) 446-3300   | <b>(M, F)</b> |
| <b>Mailing Systems Inc.</b><br>2431 Mercantile Drive, Suite A<br>Rancho Cordova, CA 95742<br>(916) 631-7400   | <b>(M, F)</b> |
| <b>Runbeck Election Services</b><br>2800 S. 36 <sup>th</sup> Street<br>Phoenix, AZ 85034<br>(602) 230-0510 <a href="http://www.runbeck.net">www.runbeck.net</a> | <b>(M, F)</b> |
| <b>ProVoteSolutions</b> , a division of ProDocument Solutions<br>90 West Poplar Avenue<br>Porterville, CA 93257<br>(800) 726-0085                               | <b>(M, F)</b> |
| <b>Election Systems and Software</b><br>11208 John Galt Boulevard<br>Omaha, Nebraska, 68137<br>(205) 919-7474   | <b>(M, F)</b> |

---

---

## **DOMINION IMAGECAST BALLOTS**

|   |               |
|---|---------------|
| <b>Integrated Voting Systems, Inc. DBA<br/>Integrated Voting Solutions</b><br>496 S. Uruapan Way<br>Dinuba, CA 93618<br>(559) 498-0281                          | <b>(M, F)</b> |
| <b>K&amp;H Integrated Print Solutions</b><br>7720 Hardeson Road, Suite A<br>Everett, WA 98203<br>(425) 446-3300   | <b>(M, F)</b> |
| <b>Mailing Systems Inc.</b><br>2431 Mercantile Drive, Suite A<br>Rancho Cordova, CA 95742<br>(916) 631-7400   | <b>(M, F)</b> |
| <b>ProVoteSolutions</b> , a division of ProDocument Solutions<br>90 West Poplar Avenue<br>Porterville, CA 93257<br>(800) 726-0085                               | <b>(M, F)</b> |
| <b>Runbeck Election Services</b><br>2800 S. 36 <sup>th</sup> Street<br>Phoenix, AZ 85034<br>(602) 230-0510 <a href="http://www.runbeck.net">www.runbeck.net</a> | <b>(M,F)</b>  |

---

---

## **HART eSLATE BALLOT NOW BALLOTS**

|   |               |
|---|---------------|
| <b>Business Ink</b><br>15404 Long Vista Drive<br>Austin, TX 78728<br>(512) 949-2305   | <b>(M, F)</b> |
| <b>Hart InterCivic</b><br>15500 Wells Port Drive<br>Austin, TX 78728<br>(800) 223-4278 <a href="http://www.hartic.com">www.hartic.com</a> | <b>(M, F)</b> |
| <b>Integrated Voting Systems, Inc. DBA<br/>Integrated Voting Solutions</b><br>496 S. Uruapan Way<br>Dinuba, CA 93618<br>(559) 498-0281    | <b>(M, F)</b> |
| <b>K&amp;H Integrated Print Solutions</b><br>7720 Hardeson Road, Suite A<br>Everett, WA 98203<br>(425) 446-3300                           | <b>(M, F)</b> |

[(M) = Manufacturer; (F) = Finisher]

Updated: 12/18/2019

## **HART eSLATE BALLOT NOW BALLOTS (Continued)**

|   |               |
|---|---------------|
| <b>Mailing Systems Inc.</b><br>2431 Mercantile Drive, Suite A<br>Rancho Cordova, CA 95742<br>(916) 631-7400   | <b>(M, F)</b> |
| <b>Orange County Publishing Services</b><br>1300 South Grand Avenue, Building A<br>Santa Ana, CA 92705-4434<br>(714) 567-7444                                   | <b>(M, F)</b> |
| <b>ProVoteSolutions</b> , a division of ProDocument Solutions<br>90 West Poplar Avenue<br>Porterville, CA 93275<br>(800) 726-0085                               | <b>(M, F)</b> |
| <b>Runbeck Election Services</b><br>2800 S. 36 <sup>th</sup> Street<br>Phoenix, AZ 85034<br>(602) 230-0510 <a href="http://www.runbeck.net">www.runbeck.net</a> | <b>(M,F)</b>  |
| <b>Times Printing</b><br>723 Third Street<br>Eureka, CA 95501<br>(707) 442-5741   | <b>(M, F)</b> |
| <b>Times Printing</b><br>106 T Street<br>Eureka, CA 95501<br>(707) 442-5741   | <b>(M, F)</b> |

---

---

## **HART VERITY BALLOTS**

|  |               |
|--|---------------|
| <b>Integrated Voting Systems, Inc. DBA<br/>Integrated Voting Solutions</b><br>496 S. Uruapan Way<br>Dinuba, CA 93618<br>(559) 498-0281 | <b>(M, F)</b> |
| <b>K&amp;H Integrated Print Solutions</b><br>7720 Hardeson Road, Suite. A<br>Everett, WA 98203<br>(425) 446-3300                       | <b>(M, F)</b> |
| <b>Mailing Systems Inc.</b><br>2431 Mercantile Drive, Suite A<br>Rancho Cordova, CA 95742<br>(916) 631-7400                            | <b>(M, F)</b> |
| <b>ProVoteSolutions</b> , a division of ProDocument Solutions<br>90 West Poplar Avenue<br>Porterville, CA 93275<br>(800) 726-0085      | <b>(M, F)</b> |

**[(M) = Manufacturer; (F) = Finisher]**

Updated: 12/18/2019

---

---

## **LOS ANGELES COUNTY VSAP TALLY 1.0 BALLOTS**

**K&H Integrated Print Solutions** (M, F)  
7720 Hardeson Road, Suite A  
Everett, WA 98203  
(425) 446-3300

---

---

### **MARK-A-VOTE BALLOTS**

**ProVoteSolutions**, a division of ProDocument Solutions (M, F) **52 Vote Position**  
90 West Poplar Avenue  
Porterville, CA 93257  
(800) 726-0085

---

---

### **PREMIER ACCUVOTE-OS BALLOTS**

**Integrated Voting Systems, Inc. DBA**  
**Integrated Voting Solutions** (M, F)  
496 S. Uruapan Way  
Dinuba, CA 93618  
(559) 498-0281

**K&H Integrated Print Solutions** (M, F)  
7720 Hardeson Road, Suite. A  
Everett, WA 98203  
(425) 446-3300

**Mailing Systems Inc.** (M, F)  
2431 Mercantile Drive Suite A  
Rancho Cordova, CA 95742  
(916) 631-7400

**ProVoteSolutions**, a division of ProDocument Solutions (M, F)  
90 West Poplar Avenue  
Porterville, CA 93257  
(800) 726-0085

**Runbeck Election Services** (M, F)  
2800 S. 36<sup>th</sup> Street  
Phoenix, AZ 85034  
(602) 230-0510 [www.runbeck.net](http://www.runbeck.net)

---

---

## **SEQUOIA OPTECH BALLOTS**

|   |               |
|---|---------------|
| <b>Consolidated Printers, Inc.</b><br>2630 Eighth Street<br>Berkeley, CA 94710<br>(510) 843-8524  | <b>(M, F)</b> |
| <b>Integrated Voting Systems, Inc. DBA<br/>Integrated Voting Solutions</b><br>496 S. Uruapan Way<br>Dinuba, CA 93618<br>(559) 498-0281  | <b>(M, F)</b> |
| <b>K&amp;H Integrated Print Solutions</b><br>7720 Hardeson Road, Suite A<br>Everett, WA 98203<br>(425) 446-3300   | <b>(M, F)</b> |
| <b>ProVoteSolutions</b> , a division of ProDocument Solutions<br>90 West Poplar Avenue<br>Porterville, CA 93257<br>(800) 726-0085   | <b>(M, F)</b> |
| <b>Runbeck Election Services</b><br>2404 W. 14 <sup>th</sup> Street, Suite 110<br>Tempe, AZ 85281-6920<br>(602) 230-0510 <a href="http://www.runbeck.net">www.runbeck.net</a> | <b>(M, F)</b> |

# Exhibit V

**MEASURE J**  
**CONTRA COSTA TRANSPORTATION AUTHORITY**

- To:
- Reduce congestion and fix bottlenecks on highways and major roads;
  - Make commutes faster and more predictable;
  - Improve the frequency, reliability, accessibility, cleanliness, and safety of buses, ferries, and BART;
  - Improve air quality;
  - Repave roads;

shall the measure implementing a Transportation Expenditure Plan, levying a ½ ¢ sales tax, providing an estimated \$103,000,000 for local transportation annually for 35 years that the State cannot take, requiring fiscal accountability, and funds directly benefiting Contra Costa County residents, be adopted?

**COUNTY COUNSEL'S IMPARTIAL ANALYSIS OF**  
**MEASURE J**

The governing body of the Contra Costa Transportation Authority ("CCTA") has proposed a measure asking voters to approve a retail transactions and use tax – a sales tax – to fund certain transportation improvements in Contra Costa County. State law authorizes CCTA to adopt an ordinance proposing a one-half of one percent (0.5%) sales tax.

The sales tax would be collected in the incorporated and unincorporated areas of Contra Costa County from July 1, 2020, until June 30, 2055. The proceeds from this sales tax would supplement CCTA's existing one-half of one percent (0.5%) sales tax, which will continue to be collected until March 31, 2034.

According to the measure, proceeds from the sales tax would be used to reduce congestion and fix bottlenecks on highways and major roads; make commutes faster and more predictable; improve the frequency, reliability, accessibility, cleanliness, and safety of buses, ferries, and BART; improve air quality; and repave roads. Sales tax proceeds may only be used for the projects and purposes specified in CCTA's Transportation Expenditure Plan ("TEP"), which is included in the Voter Information Handbook, and any future amendments to the TEP. According to the TEP, 41.1% of the tax proceeds will be used to relieve congestion on highways, interchanges, and major roads; 54.9% of the tax proceeds will be used to improve transit and transportation countywide; 3.0% of the tax proceeds will fund transportation planning, facilities and services; and 1.0% of the tax proceeds will fund administrative costs.

Approval of this measure also would authorize CCTA to issue limited tax bonds to finance projects described in the TEP. The maximum bonded indebtedness may not exceed the estimated proceeds of the sales tax.

According to the TEP, CCTA's Public Oversight Committee will provide oversight of all expenditures of the sales tax proceeds and will report to the public. This committee will review annual audits, the allocation of the tax proceeds, the performance of projects and programs in the TEP, and compliance by local jurisdictions. Expenditures of sales tax proceeds also would be subject to annual independent audits.

Two-thirds of those voting on the ballot measure must approve the measure for it to pass.

A "yes" vote is a vote in favor of authorizing this 0.5% sales tax.

A "no" vote is a vote against authorizing this 0.5% sales tax.

# Exhibit W

# SAMPLE BALLOT / MUESTRA DE BALOTA / 選票樣本

## CONTRA COSTA TRANSPORTATION AUTHORITY AUTORIDAD DE TRANSPORTE DE CONTRA COSTA CONTRA COSTA 交通局

**J** To:

- Reduce congestion and fix bottlenecks on highways and major roads;
- Make commutes faster and more predictable;
- Improve the frequency, reliability, accessibility, cleanliness, and safety of buses, ferries, and BART;
- Improve air quality;
- Repave roads;

Shall the measure implementing a Transportation Expenditure Plan, levying a ½ ¢ sales tax, providing an estimated \$103,000,000 for local transportation annually for 35 years that the State cannot take, requiring fiscal accountability, and funds directly benefiting Contra Costa County residents, be adopted?

*Con el fin*

- *reducir la congestión vehicular y solucionar los embotellamientos en las autopistas y las carreteras principales;*
- *trasladarse al trabajo de manera más rápida y previsible;*
- *mejorar la frecuencia, confianza, acceso, limpieza bahía (Bay Area Rapid Transit, BART);*
- *mejorar la calidad del aire, y*
- *volver a pavimentar las carreteras.*

*¿Debería adoptarse la iniciativa de ley que implementa un Plan de gastos de transporte con el que se impone un impuesto sobre las ventas de ½ ¢ para generar un aproximado de \$103,000,000 anuales para el transporte local por 35 años, que el estado no puede tomar y para lo que se requiere una responsabilidad fiscal Costa?*

為：

- 減少高速公路和主要道路的擁堵情況以及整改瓶頸路段；
- 使通勤時間變得更快以及更加容易預測；
- 提高巴士、渡輪以及灣區捷運系統 (Bay Area Rapid Transit, BART) 的發車頻率、可靠性、可及性、清潔度以及安全性；
- 改善空氣品質；
- 重新鋪設道路；

是否應通過執行交通運輸支出計劃 (Transportation Expenditure Plan) 的議案 (徵收半美分消費稅，通提供\$103,000,000，持續35年，州不得挪用，要求財政問責，且資金直接造福於Contra Costa縣居民)？

Yes / Sí / 是

No / No / 否

END OF BALLOT / FINAL DE LA BALOTA / 選票到此結束

de:

NONPARTISAN / NO PARTIDISTA / 無黨派

All voters may vote on these contests.  
Todos los votates pueden votar en estas contiendas.  
所有選民可在上述競選中進行投票。

# Exhibit X

# 2017 Countywide Comprehensive Transportation Plan



## Final Environmental Impact Report Responses to Comments on the Draft EIR

State Clearinghouse #2017022054

# Table of Contents

|  | <u>Page</u> |
|--|-------------|
| <b>5 Introduction</b>  |             |
| Purpose of the Final EIR .....   | 5-1         |
| <b>6 Responses to Written Comments on the Draft EIR</b>  |             |
| Letter A – East Bay Regional Park District .....   | 6-4         |
| Letter A Response .....  | 6-6         |
| Letter B – Central Valley Regional Water Quality Control Board .....                                 | 6-8         |
| Letter B Response.....   | 6-15        |
| Letter C – Sierra Club, San Francisco Bay .....  | 6-17        |
| Letter C Response .....  | 6-21        |
| Letter D – Transportation Solutions Defense and Education Fund (TRANSDEF) .....                      | 6-28        |
| Letter D Response.....   | 6-44        |
| <b>7 Revisions to Draft EIR</b>  |             |
| Revisions to Chapter 1.2: Project Description .....  | 7-2         |
| Revisions to Chapter 2.2: Greenhouse Gas Emissions and Climate Change .....                          | 7-3         |
| Revisions to Chapter 2.3: Air Quality .....  | 7-5         |
| Revisions to Chapter 2.5: Agriculture .....  | 7-10        |
| Revisions to Chapter 2.6: Biological Resources .....   | 7-10        |
| Amended Figure 1.2-3: 2013 RTP Roadway and HOV Projects and Programs .....                           | 7-12        |
| Amended Figure 1.2-4: 2013 RTP Transit, Bicycle and Pedestrian Projects and Programs .....           | 7-14        |
| Amended Figure 1.2-5: Investment Program Roadway and HOV Projects and Programs .....                 | 7-16        |
| Amended Figure 1.2-6: Investment Program Transit, Bicycle and Pedestrian Projects and Programs ..... | 7-18        |

---

# Introduction

This Environmental Impact Report (EIR) is an informational document prepared by the Contra Costa Transportation Authority (CCTA; as Lead Agency) containing environmental analysis for public review and for CCTA decision makers to use in their consideration of the adoption of the proposed 2017 Update to the Contra Costa County Comprehensive Transportation Plan (Project).

## Purpose of the Final EIR

This Final EIR has been prepared in compliance with the CEQA Statutes and Guidelines. It responds to comments on, and provides revisions to, the Draft EIR published June 16, 2017.

This document, combined with the Draft EIR, constitute the Final EIR on the Project. This Final EIR revises and incorporates by reference the Draft EIR, which is available as a separately bound document from CCTA.

The primary purposes of this Final EIR are to respond to written and oral comments on the environmental analysis in the Draft EIR received during the public review period, and to revise the Draft EIR as needed. The public review period for the Draft EIR (State Clearinghouse No. 2016052041) was from June 16, 2017 through August 1, 2017. A list of the agencies, organizations and individuals that commented on the Draft EIR and copies of the written and oral comments are included in Section 6 of this document. Responses to comments are also provided in Section 6. Some comment letters raised points relating to both the Project (the CTP and its Expenditure Plan) and the Draft EIR. In accordance with CEQA, this Final EIR responds to comments on environmental issues in the Draft EIR and not on the proposed Project. CCTA is separately considering all comments received on the proposed Project, and will provide a summary of these comments and any proposed CTP modifications as a part of staff reports to CCTA boards and committees. Comments on the Project that do not raise environmental issues are addressed separately by CCTA staff, as stated in the individual responses. To respond to some comments, revisions and refinements have been made to the Draft EIR environmental analysis and mitigation measures; these revisions are included in Section 7 of this Final EIR.

The Draft EIR discloses significant environmental effects of implementing the proposed Project, identifies feasible measures to minimize the significant effects, and provides a comparative analysis of reasonable alternatives to the proposed Project. "CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters..." Rather, a Lead Agency, "need only respond to significant environmental issues and do[es] not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR" (CEQA Guidelines Sections 15204(a)).

CCTA has prepared this document pursuant to CEQA Guidelines Section 15132 which specifies that the Final EIR shall consist of the following:

- The Draft EIR or a revision of that Draft
- A list of persons, organizations, and public agencies commenting on the Draft EIR
- Comments and recommendations received on the Draft EIR (either verbatim or in a summary)
- The response of the Lead Agency to significant environmental points raised in the review process
- Any other information added by the Lead Agency

This Final EIR incorporates comments from public agencies and the public. It also contains the Lead Agency's response to those comments.

The Final EIR is available online at: [www.2017ctpupdat.net](http://www.2017ctpupdat.net), and at CCTA offices at 2999 Oak Road, Suite 100, Walnut Creek CA 94597 during regular business hours (8 a.m. to 5 p.m., Monday-Friday), as well as on USB flash drives at the libraries listed in the Notice of Availability of this Final EIR.

### Organization of this Final EIR

This Final EIR contains information about the proposed Project, supplemental environmental information, and responses to comments that were raised during public review and comment period on the Draft EIR. After this Introduction chapter, the document is organized as follows:

- **Chapter 6:** Comments on the Draft EIR and Responses, lists all agencies, organizations, and individuals that submitted written comments on the Draft EIR during the public review and comment period, and/or that commented at the public meetings and/or hearings. It also contains each of the comment letters received on the Draft EIR and presents individual responses to the specific CEQA-related comments raised.
- **Chapter 7:** Revisions to the Draft EIR, contains text changes and corrections to the Draft EIR initiated by the Lead Agency or resulting from comments received on the Draft EIR.

### No New Information

CCTA has prepared a separate document titled, *"2017 Countywide Comprehensive Transportation Plan - Response to Comments and Proposed Revisions"* (August 2017). This separate document identifies several revisions and many minor changes to the June 2017 Draft CTP, including changes to CTP maps that were used in the Project Description of the Draft EIR. Generally, the changes to these maps provide corrections to reflect the following:

- Certain transportation projects listed in the 2013 RTP have since been completed, but were shown in the Draft EIR Figures 1.2-3 and 1.2-4 as still being part of future implementation of the 2013 RTP. These changes in implementation status do not involve any changes to the Draft EIR analysis, which assumed that all 2013 RTP projects would eventually be implemented.
- The funding status for certain 2013 RTP transportation projects has been updated to reflect current "committed" and "non-committed" funds. These changes in funding status do not

involve any changes to the Draft EIR analysis, which assumed that all 2013 RTP projects would eventually be funded and implemented.

- Certain transportation and transit projects have been added to the Investment Program diagrams (Figures 1.2-5 and 1.2-6 of the Draft EIR). The roadway, HOV and transit projects that have been added to these Figures are projects that were, and still are included in the CTP's 10-year and 20-year project list. The Investment Program diagrams were not intended to be all-inclusive diagrams of all of the individual projects identified in the 10-year and 20-year list, but only those major projects that could be reasonably illustrated on a countywide diagram. The addition of these projects to the Roadway and HOV Projects Diagram (see amended Figure 1.2-5) and the Transit, Bicycle and Pedestrian Projects and Programs Diagram (see amended Figure 1.2-6) provide clarification and verification that these projects are indeed included in the 10-year or 20-year project list. The analysis presented in the Draft EIR included all transportation network improvements contained in the 10-year and 20-year project list, whether they were shown in the diagrams of the draft CTP and Draft EIR or not. Adding illustration of these projects to the diagram does not change any of the analysis or conclusions of the Draft EIR.
- Conversely, a few transportation and transit projects have been removed from the Investment Program diagrams. The few roadway, HOV and transit projects that have been removed from these figures were projects that were inadvertently included on these diagrams, but were not actually included in the CTP's 10-year and 20-year project list. The removal of these projects from the Roadway and HOV Projects Diagram (see amended Figure 1.2-5) and the Transit, Bicycle and Pedestrian Projects and Programs Diagram (see amended Figure 1.2-6) provide consistency with the 10-year or 20-year project list. The analysis presented in the Draft EIR included all transportation network improvements contained in the 10-year and 20-year project list. Although these few projects were shown on the diagrams of the draft CTP and Draft EIR, they were not analyzed as part of CTP Investment Program's transportation, air quality or greenhouse gas emissions modeling, and removing them from the diagram does not fundamentally change any of the analysis or conclusions of the Draft EIR. To the extent that the Draft EIR may have identified one or more of these projects as representative of the types of transportation projects that may result in on-the-ground physical effects (e.g., to biological, agricultural or hydrological resources), the programmatic conclusions of these types of effects, as identified in the Draft EIR, remain valid (if not individually valid for a particular single improvement).

Although certain clarifications of individual project descriptions have been made to these CTP diagrams, no new projects have been added to the CTP's 10-year or 20-year project lists, and no changes related to project mode investments or project costs have been changed. Consequently, none of the changes made to the CTP Diagrams result in new significant impacts not identified in the Draft EIR, or a substantial increase in the severity of an environmental impact that was previously identified in the Draft EIR.

Information provided in this Responses to Draft EIR Comments document and in the revisions to the Draft EIR clarifies and amplifies the analysis presented in the Draft EIR. No significant new information, as defined by CEQA (CEQA Guidelines Section 15088.5), was added that would trigger recirculation of the Draft EIR. Specifically,

- No new significant environmental impacts have been identified as resulting from the Project or from a new mitigation measure proposed to be implemented.
- No substantial increase in the severity of a previously identified environmental impact has been identified as resulting from the project or from a new mitigation measure, and no additional mitigation measures are necessary to reduce such impacts to a level of insignificance.
- There is no feasible alternative or mitigation measure considerably different from others previously analyzed in the Draft EIR that would clearly lessen the significant environmental impacts of the Project that the Project sponsor has declined to adopt.
- The Draft EIR was not so fundamentally or basically inadequate or conclusory in nature that meaningful public review and comment were precluded.

Information presented in the Draft EIR and in this document supports the CCTA's determination that recirculation of the Draft EIR is not required.

### **Draft EIR Public Review Process**

The Draft EIR was released for public review on June 16, 2017. The review process provided the public with opportunity to review the document and make comments. CCTA's Notice of Availability of the Draft EIR and public outreach efforts are described below:

- On June 16, 2017, CCTA mailed the Notice of Availability to federal, State, regional, and local agencies, Tribal governments, and interested organizations and individuals.
- On June 16, 2017, CCTA also sent the Notice of Completion of a Draft EIR to the Governor's Office of Planning and Research State Clearinghouse.
- CCTA also filed a Notice of Availability with Contra Costa County Clerk on June 16, 2017, for posting for a period of at least 30 days.
- CCTA posted the Draft EIR on the CCTA website: at [www.2017ctpupdat.net](http://www.2017ctpupdat.net) on June 16, 2017. The Draft EIR was available for viewing online or downloading.
- CCTA posted legal notices about the availability of the Draft EIR and upcoming public hearings on the CTP and Draft EIR in the local newspaper (the Contra Costa Times) on June 16, 2017.
- CCTA mailed or delivered the Notice of Availability and the complete Draft EIR electronic document on June 16, 2017 to the Richmond Public Library (Civic Center Plaza, Richmond), the Contra Costa Public Library Antioch Branch (W 18th Street, Antioch), and the Contra Costa Public Library Pleasant Hill Branch (Oak Park Boulevard, Pleasant Hill).

The public review period lasted 45 calendar days, and closed on August 1, 2017. CCTA accepted written comments via mail, fax, e-mail and website replies. CCTA also held two public hearings to receive oral comments before the CCTA Planning Committee Meeting on July 5, 2017 (CCTA Board Room) and the CCTA Board Meeting on July 5, 2017 (CCTA Board Room). No verbal comments were made at these meetings that were considered official Draft EIR comments.

## Decision-Making Process

Pursuant to CEQA, this Final EIR is a public information document for use by governmental agencies and the public. The information contained in this Final EIR is subject to review and consideration by CCTA prior to its decision to approve, reject, or modify the proposed Project. Before taking action on the proposed Project, CCTA must certify the EIR and make the following findings of fact:

- the EIR has been completed in compliance with CEQA,
- the CCTA Board reviewed and considered the information contained in the EIR prior to considering the proposed CTP(the Project), and
- the EIR reflects the independent judgment and analysis of the Board (CEQA Guidelines Section 15090).

Prior to approving the proposed CTP, CCTA must also prepare one or more findings of fact for each significant environmental impact identified in the document (CEQA Guidelines Section 15091 and 15092). These findings must state that either:

- the proposed CTP has been changed (including adoption of mitigation measures) to avoid or substantially reduce the magnitude of the impact,
- changes to the proposed CTP are within another agency's jurisdiction and have been or should be adopted, or
- specific considerations make mitigation measures or alternatives infeasible.

For impacts identified in the EIR that cannot be reduced to a level that is less than significant, CCTA may issue a Statement of Overriding Considerations (CEQA Guidelines 15093) if specific legal, social, economic, or other factors justify approval of the proposed CTP, despite potential resulting unavoidable adverse environmental effects.

Following certification of the Final EIR and final action on the proposed CTP, CCTA will issue a CEQA Notice of Determination.

Alameda County, which can be used as an example plan for other counties, or as the foundation for the development of a wider-scale regional plan, potentially.

## Revisions to Chapter 2.3 Air Quality

Additions to the Regulatory Setting section, beginning at page 2.3-10 (in response to Comment D-3):

### 2017 Clean Air Plan

The 2017 Clean Air Plan defines an integrated, multi-pollutant control strategy to reduce emissions of particulate matter, TACs, ozone precursors, and greenhouse gases. The proposed control strategy is designed to complement efforts to improve air quality and protect the climate that are being implemented by partner agencies at the state, regional and local scale. The control strategy encompasses 85 individual control measures that describe specific actions to reduce emissions of air and climate pollutants from the full range of emission sources. The control measures are categorized based upon the economic sector framework used by the Air Resources Board for the AB 32 Scoping Plan Update.

In addition to fostering consistency with climate planning efforts at the state level, the economic sector framework also ensures that the control strategy addresses all facets of the economy. The proposed control strategy is based on four key priorities:

- Reduce emissions of criteria air pollutants and toxic air contaminants from all key sources.
- Reduce emissions of “super-GHGs” such as methane, black carbon, and fluorinated gases.
- Decrease demand for fossil fuels (gasoline, diesel and natural gas) by increasing the efficiency of our industrial processes, energy and transportation systems, and reducing demand for vehicle travel, and high-carbon goods and services.
- Decarbonize our energy system by making the electricity supply carbon-free, and electrifying the transportation and building sectors.

Key elements of the transportation-related control strategies seek to reduce motor vehicle travel by promoting transit, bicycling, walking, and ridesharing. Other strategies include implementation of pricing measures to reduce travel demand, directing new development to areas that are well served by transit and conducive to bicycling and walking, accelerating the widespread adoption of electric vehicles, and promoting use of clean fuels and low- or zero carbon technologies in trucks and heavy-duty equipment. The following transportation control measures proposed in the 2017 Clean Air Plan will decrease emissions of criteria pollutants.

Revisions to update the Air Quality analysis to address the 2017 Clean Air Plan, beginning at page 2.3-12 (in response to Comment D-3):

**Consistency with the Clean Air Plan (Criterion 1)**

**Air-1:** New or expanded transportation facilities pursuant to the 2017 CTP would not conflict with or obstruct implementation of the applicable air quality plan (2017 2010 Clean Air Plan), including its primary goals or implementation of any control measures. (*Less than Significant*)

**2017 CTP**

New transportation projects pursuant to the 2017 CTP are generally consistent with those primary goals of the Bay Area 2010 Clean Air Plan ~~Bay Area 2010 Clean Air Plan~~ to attain air quality standards, and to protect public health. As further demonstrated by the anticipated reductions in air quality emissions over time as assessed in the discussions below, the 2017 CTP supports implementation of applicable control measures to reduce emission levels of criteria pollutants, particulate matter, and TACs.

As demonstrated in Chapter 2.1, Transportation and Circulation, implementation of the 2017 CTP would result in improvements in all relevant transportation parameters as compared to the 2040 No Project scenario, including reductions in total daily VMT, reductions in total vehicle hours of delay, increases in average speeds, and increases in non-single occupant vehicles and transit ridership. Improvements pursuant to the 2017 CTP would lead to overall reduced emissions contributing to improved air quality and protection of public health.

The following provides an overview analysis of the 2017 CTP’s relative consistency with individually applicable transportation control measures of the 2017 Clean Air Plan ~~2010 Clean Air Plan~~ (i.e., TCMs), as summarized in **Table 2.3-2**.

| <b>Table 2.3-2: 2017 CTP Consistency with Clean Air Plan Control Measures</b>   |   |
|---|---|
| <b>2017 Clean Air Plan Transportation Control Measures</b>  | <b>2017 CTP Consistency</b>   |
| <u>TR3 - Local and Regional Bus Service: Fund local and regional bus projects, including operation and maintenance</u>  | The 2017 CTP includes transportation projects and programs intended to sustain and improve bus service throughout the county.   |
| <u>TR4 - Local and Regional Rail Service: Fund local and regional rail service projects, including operations and maintenance</u>   | The 2017 CTP includes transportation projects and programs intended to sustain and expand rail service throughout the county.   |
| <u>TR6 – Freeway and Arterial Operations: Improve the performance and improvements, such as implementing the Freeway Performance Initiative, the Freeway Service Patrol, and the Arterial Management Program.</u>   | The 2017 CTP includes transportation projects and programs intended to sustain and expand rail service throughout the county.   |
| <u>TR5 – Transit Efficiency and Use: Improve transit efficiency and make transit more convenient for riders through continued operation of 511 Transit, full implementation of Clipper® fare payment system and the Transit Hub Signage Program.</u>  | The 2017 CTP includes transportation projects and programs intended to improve the efficiency and use of transit programs throughout the county.  |
| <u>TR18 – Goods Movement: Continue participation in the preparation and implementation of the Regional Goods Movement Plan. Participate in the Goods Movement Collaborative, led by the Alameda County Transportation Commission, and assist MTC in development of the Freight Emissions Action Plan.</u> | The 2017 CTP includes transportation projects specifically intended to improve intermodal and arterial connections between regional trade corridors; however, none of these projects necessarily addresses incentives for diesel engine owners to reduce emissions. |
| <u>TR1 - Clean Air Teleworking Initiative: Develop teleworking best practices</u>   | The 2017 CTP includes programs intended to  |

**Table 2.3-2: 2017 CTP Consistency with Clean Air Plan Control Measures**

| 2017 Clean Air Plan Transportation Control Measures  | 2017 CTP Consistency  |
|--|---|
| <p><u>for employers and develop additional strategies to promote telecommuting. Promote teleworking on Spare the Air Days.</u></p>   | <p>promote teleworking and other employee-based trip reductions</p>   |
| <p><u>TR2 – Trip Reduction Programs: Implement the regional Commuter Benefits Program (Rule 14-1) that requires employers with 50 or more Bay Area employees to provide commuter benefits. Encourage trip reduction policies and programs in local plans (e.g., general and specific plans) while providing grants to support trip reduction efforts. Encourage local governments to require mitigation of vehicle travel as part of new development approval, to adopt transit benefits ordinances in order to reduce transit costs to employees, and to develop innovative ways to encourage rideshare, transit, cycling, and walking for work trips. Fund various employer-based trip reduction programs.</u></p> | <p>The 2017 CTP includes projects and programs intended to promote safe access for pedestrians and cyclists to schools</p>      |
| <p><u>TR7 - Safe Routes to Schools and Safe Routes to Transit: Provide funds for the regional Safe Routes to School and Safe Routes to Transit Programs.</u></p>   | <p>The 2017 CTP includes projects and programs intended to promote safe access for pedestrians and cyclists to schools</p>      |
| <p><u>TR8 - Ridesharing, Last-Mile Connection: Promote carpooling and vanpooling by providing funding to continue regional and local ridesharing programs, and support the expansion of car sharing programs. Provide incentive funding for pilot projects to evaluate the feasibility and cost-effectiveness of innovative ridesharing and other last-mile solutions and trip reduction strategies. Encourage employers to promote ridesharing and car sharing to their employees.</u></p>  | <p>The 2017 CTP includes programs intended to promote carpooling, vanpooling and ridesharing.</p>                               |
| <p><u>TR9 - Bicycle and Pedestrian Access and Facilities: Encourage planning for bicycle and pedestrian facilities in local plans, e.g., general and specific plans, fund bike lanes, routes, paths and bicycle parking facilities.</u></p>  | <p>The 2017 CTP includes projects and programs intended to promote bicycle and pedestrian access and facility improvements.</p> |

Several of the ~~2017 Clean Air Plan~~ ~~2010 Clean Air Plan~~ control measures are not specifically addressed and/or are not directly applicable to the 2017 CTP because they are not within the CCTA’s jurisdiction or authority to facilitate or implement, including:

- TR15 – Public Outreach and Education: Implement the Spare the Air Every Day Campaign including Spare the Air alerts, employer program, and community resource teams, a PEV Outreach campaign and the Spare the Air Youth Program. TCM C-4: Conduct Public Education and Outreach: Implement the Spare the Air program and related elements in the regional Transportation Climate Action Campaign.
- TR12 - Smart Driving: Implement smart driving programs with businesses, public agencies and possibly schools, and fund smart driving projects. TCM C-5: Promote Smart Driving: Promote smart driving, compliance with posted speed limits, and related efforts to reduce greenhouse gas emissions from the transportation sector.
- TR13 – Parking Policies: Encourage parking policies and programs in local plans (e.g., reduce minimum parking requirements; limit the supply of off-street parking in transit-oriented areas; unbundle the price of parking spaces; support implementation of demand-based pricing (such as “SF Park”) in high-traffic areas. TCM E-2: Promote Parking Policies to Reduce Motor Vehicle Travel: Implement parking policies to reduce motor vehicle travel, such as limiting the supply of off-street parking in areas well served by transit, eliminating or reducing minimum parking requirements, unbundling

- the price of parking spaces from rents, and implementing performance based pricing for curb parking in high-use areas
- ~~TR11 – Value-Pricing: Implement and/or consider various value-pricing strategies. TCM E-3: Implement Transportation Pricing Reform:~~ Develop and implement policies to ensure that user costs to own and operate motor vehicles reflect the full environmental and social costs related to vehicle use.
  - ~~TR10 - Land Use Strategies: Support implementation of Plan Bay Area, maintain and disseminate information on current climate action plans and other local best practices, and collaborate with regional partners to identify innovative funding mechanisms to help local governments address air quality and climate change in their general plans.~~

Because implementation of the 2017 CTP would support implementation of applicable control measures to reduce emission levels of criteria pollutants, particulate matter, and TACs, impacts are considered less than significant.

### Transportation Projects Included in Investment Program

Under the Investment Program for the 2017 CTP, proposed transportation projects and new or expanded transit projects are generally consistent with those primary goals of the Bay Area 2017 Clean Air Plan ~~Bay Area 2010 Clean Air Plan~~ to attain air quality standards, and to protect public health. Individual projects pursuant to the Investment Program would support implementation of applicable control measures to reduce emission levels of criteria pollutants, particulate matter, and TACs.

Table 2.3-3 and the discussion below provide an overview of the relative consistency of individual Investment Program projects pursuant to the 2017 CTP with individually applicable control measures of the 2017 Clean Air Plan ~~2010 Clean Air Plan~~.

| Table 2.3-3: 2017 CTP Investment Program Investments toward Clean Air Plan Control Measures                       |   |                  |
|---|---|------------------|
| Transportation Control Measure  | Project / Program                         | Investment Level |
| <del>TR3 - Local and Regional Bus Service</del> <del>TCM A-1: Local and Area-Wide Bus Service Improvements</del>  | Integrated Corridor Management            | 3.9%             |
|   | Express Bus / Rapid Transit               | 0.7%             |
|   | Bus Passes for School Students            | 0.1%             |
|   | I-80 and I-680 Transit Investment Options | 2.5%             |
|   | Bus Operations                            | 4.3%             |
|   | West County High Capacity Transit         | 2.5%             |
|   | <b>Total Investment</b>                   | <b>14.0%</b>     |
| <del>TR4 - Local and Regional Rail Service</del> <del>TCM A-2: Local and Regional Rail Service Improvements</del> | BART Improvements and Expansion           | 16.1%            |
|   | Capitol Corridor                          | 1.1%             |
|   | San Joaquin Rail Line                     | 0.2%             |
|   | BART Seismic Improvements                 | 2.9%             |
| <b>Total Investment</b>   | <b>17.4%</b>                              |                  |
| <del>TR6 – Freeway and Arterial Operations</del> <del>TCM B-1: Freeway and Arterial Operations Strategies</del>   | Integrated Corridor Management            | 11.3%            |
|   | Congestion Management Planning            | 1.1%             |

| Table 2.3-3: 2017 CTP Investment Program Investments toward Clean Air Plan Control Measures |   |                      |
|---|---|----------------------|
| Transportation Control Measure  | Project / Program                               | Investment Level     |
| <b>Total Investment</b>   |   | <b>12.4%</b>         |
| <u>TR5 – Transit Efficiency and Use: TCM B-2: Transit Efficiency and Use Strategies</u>     | Transp. For Livable Communities                 | 1.2%                 |
|   | Bus Operations                                  | 4.3%                 |
|   | <b>Total Investment</b>                         | <b>5.5%</b>          |
| TCM B-3: Bay Area Express Lane Network  | Integrated Corridor Management                  | 3.9%                 |
|   | Express Bus / Bus Rapid Transit                 | 0.7%                 |
|   | <b>Total Investment</b>                         | <b>4.6%</b>          |
| <u>TR18 – Goods Movement Improvements and Emission Reductions Strategies</u>                | Goods Movement                                  | <b>0.7%</b>          |
| <u>TR2 – Trip Reduction Programs</u>  | Park-and Ride Projects                          | 1.2%                 |
|   | <u>TR1 - Clean Air Teleworking Initiative</u>   | Commute Alternatives |
| <b>Total Investment</b>   |   | <b>1.6%</b>          |
| <u>TR7 - Safe Routes to Schools and Safe Routes to Transit:</u>                             | Bus Passes for School Students                  | 0.1%                 |
|   | Safe Transp. For Children                       | 1.3%                 |
|   | Transport. for Seniors/ Those with Disabilities | 1.3%                 |
|   | <b>Total Investment</b>                         | <b>2.7%</b>          |
| <u>TR9 - Bicycle and Pedestrian Access and Facilities</u>                                   | Pedestrian, Bike and Trails                     | 0.5%                 |
|   | Transportation for Livable Communities          | 1.2%                 |
|   | <b>Total Investment</b>                         | <b>1.7%</b>          |
| <u>TR14 - Cars and Light Trucks</u>   | Innovation                                      | <b>0.8%</b>          |
| <u>TR19 - Medium and Heavy Duty Trucks</u>  |   |                      |
| <b>Total Combined Investments</b>   |   | <b>51.3 %</b>        |

## Chapter 2.4: Agricultural Lands

Revisions beginning at page 2.4-6 (in response to Comment A-3):

Contra Costa LAFCO adopted an Agricultural and Open Space Preservation Policy (AOSPP) on December 14, 2016. The Policy provides guidance to applicants on assessing impacts on agricultural and open space lands, and provides sample measures to mitigate those impacts. It also provides a framework for LAFCO to evaluate and process applications before LAFCO that involve or affect prime agricultural, agricultural, or open space lands and explains how LAFCO will evaluate those applications.

Revisions beginning at page 2.4-12 (in response to Comment A-5):

**Mitigation Measure Ag-1, Agricultural Land Protection:** Where construction of new or expanded transportation facilities could result in the conversion of important agricultural lands to transportation uses, mitigation measures may include, but are not limited to: