

El Cerrito



Hercules

## TECHNICAL ADVISORY COMMITTEE MEETING NOTICE & AGENDA

Pinole

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**DATE & TIME:** Thursday, February 11, 2016 • 9:00 AM – 11:00 AM  
**LOCATION:** WCCTAC Offices • 6333 Potrero Ave. at San Pablo Avenue, El Cerrito, CA 94530  
**TRANSIT OPTIONS:** Accessible by AC Transit #72, #72R, #72M & El Cerrito del Norte BART Station

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Richmond

1. **CALL TO ORDER and SELF-INTRODUCTIONS**

Estimated Time\*: 9:00 a.m. (5 minutes)

2. **PUBLIC COMMENT**

Estimated Time\*: 9:05 a.m. (5 minutes)

*The public is welcome to address the TAC on any item that is not listed on the agenda. Please fill out a speaker card and hand it to staff. Please limit your comments to 3 minutes. Pursuant to provisions of the Brown Act, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The WCCTAC TAC may direct staff to investigate and/or schedule certain matters for consideration at a future TAC meeting.*

San Pablo

3. **MEETING MINUTES and Sign-in Sheet from January 14, 2016**

Estimated Time\*: 9:10 a.m., (5 minutes)

Recommendation: Approve as presented.

Attachment: Yes

Contra Costa  
County

4. **REGULAR AGENDA ITEMS**

A. **CyberTran Presentation**

Description: Representatives from CyberTran International Inc., a Richmond based company, will provide an overview of their technology and proposal for a service in Richmond.

Recommendation: Information Only

Attachment: Link at [www.cybertran.com](http://www.cybertran.com)

Presenter/Lead Staff: Dexter Vizinau, CyberTran

Estimated Time\*: 9:15 a.m., (30 minutes)

AC Transit

BART

B. **Update on the West County High Capacity Transit Study**

Description: At the January TAC meeting, staff and the consultants presented efforts and data up through draft Tech Memo #10: Preliminary Evaluation and Screening. The Board received a presentation on Tech Memos #7-9 (Travel Markets, Preliminary Alternatives &

WestCAT

Evaluation Criteria) at the end of January. Staff seeks to clarify information from the last TAC meeting as well as provide an update on the feedback from the Board.

Recommendation: Information; Receive Feedback

Attachment: Yes. Technical Memos 7-9 available at [www.westcountytransitstudy.com](http://www.westcountytransitstudy.com) ; an FTP link for draft Technical Memo 10 was provided earlier via email.

Presenter/Lead Staff: Leah Greenblat, WCCTAC Staff

Estimated Time\*: 9:45 a.m., (30 minutes)

C. **Sub-regional Transportation Mitigation Program (STMP)**

Description: A regional traffic mitigation fee program is a requirement of Measure J. WCCTAC adopted a nexus study that identified projects, which the fee could fund, and the member cities and counties adopted ordinances establishing the STMP. Each member jurisdiction is responsible for collecting the transportation mitigation fee and submitting it to WCCTAC on a quarterly basis. WCCTAC staff have begun to review the program and wish to begin a discussion with the TAC and Board on its operational aspects. Staff will give an update on efforts and seeks the TAC's feedback.

Recommendation: Information; Receive Feedback

Attachment: Yes

Presenter/Lead Staff: John Nemeth and Leah Greenblat, WCCTAC staff

Estimated Time\*: 10:15 a.m. (30 minutes)

D. **Action Plan Update and Vehicle Miles Traveled (VMT) vs Level of Service (LOS)**

Description: CCTA has sent a letter to each RTPC to explain needed revisions to Draft Action Plans in light of state changes to traffic measurements in CEQA. By switching to Vehicle Miles Traveled (VMT) and away from Levels of Service (LOS), the Action Plan updates will need to be adjusted to be consistent. CTA staff will address the timing and process for these adjustments.

Recommendation: Information Only

Attachment: Yes

Presenter/Lead Staff: Matt Kelly, CCTA staff

Estimated Time\*: 10:45 a.m. (10 minutes)

5. **STANDING ITEMS**

A. **Technical Coordinating Committee (TCC) Report**

Recommendation: Receive update.

Attachment: No

Presenter/Lead Staff: WCCTAC's TCC Representatives & WCCTAC Staff

Estimated Time\*: 10:55 a.m. (5 minutes)

B. **TAC and Staff Member Announcements**

Recommendation: Receive update.

Attachment: No

Presenter/Lead Staff: WCCTAC's TCC Representatives & WCCTAC Staff

Estimated Time\*: 11:00 a.m. (5 minutes)

**C. Future Agenda Items**

Recommendation: Receive update.

Attachment: No

Presenter/Lead Staff: WCCTAC's TCC Representatives & WCCTAC Staff

Estimated Time\*: 11:05 a.m. (5 minutes)

**6. ADJOURNMENT**

Description / Recommendation: Adjourn to the next regularly scheduled meeting of the TAC on Thursday, March 10, 2016. (The next regular meeting of the WCCTAC Board is Friday, February 26, 2016.)

Estimated Time\*: 11:10 a.m.

*I, John Nemeth, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the WCCTAC Offices, 6333 Potrero Ave. El Cerrito, CA and on WCCTAC's website: [www.wcctac.org](http://www.wcctac.org).*

p.p.

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John Nemeth, Executive Director,  
WCCTAC

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- In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in the WCCTAC TAC meeting, or if you need a copy of the agenda and/or agenda packet materials in an alternative format, please contact Valerie Jenkins at 510.210.5930 prior to the meeting.
  - If you have special transportation requirements and would like to attend the meeting, please call the phone number above at least 48 hours in advance to make arrangements.
  - Handouts provided at the meeting are available upon request and may also be viewed at WCCTAC's office.
  - Please refrain from wearing scented products to the meeting, as there may be attendees susceptible to environmental illnesses. Please also put cellular phones on silent mode during the meeting.
  - A meeting sign-in sheet will be circulated at the meeting. Sign-in is optional.
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## WCCTAC TAC Meeting Minutes

El Cerrito

**MEETING DATE:** January 14, 2016

Hercules

**MEMBERS PRESENT:** Barbara Hawkins, Chris Gioia, Robert Sarmiento, Mike Roberts, Nathan Landau, Rob Thompson, Chad Smalley, Lori Reese-Brown, Yvetteh Ortiz, Nathan Landau, Coire Reilly

Pinole

**GUESTS:** Bill Pinkham, WCCTAC's citizen representative to the CCTA's Pedestrian and Bicycle Advisory Committee; Rebecca Kohlstrand (WSP-Parsons Brinkerhoff), Dave Campbell (East Bay Bike), Hisham Noiemi – CCTA staff,

Richmond

**STAFF PRESENT:** John Nemeth, Joanna Pallock, Leah Greenblat, Danelle Carey, Jessica Downing (TDM- new staff)

San Pablo

**ACTIONS LISTED BY:** Joanna Pallock

Contra Costa  
County

AC Transit

BART

WestCAT

ITEM/DISCUSSION	ACTION/SUMMARY
1. Minutes	Adopted
2. Measure J Strategic Plan- Proposed Programming	The TAC approved a recommendation to the WCCTAC Board to adopt the 2015 Strategic Plan allocations recommended by CCTA. Yvette Ortiz (El Cerrito) motioned for approval. Lori-Reese Brown (Richmond) seconded the motion. The TAC unanimously concurred.
3. Transportation Expenditure Plan Update	Staff relayed that the TEP process was moving forward with a Draft TEP expected to be available for review in April. Staff also noted that WCCTAC had the opportunity to revise its TEP recommendations prior to March.

4. West County High Capacity Transit Study	Tech Memo #10 was reviewed for feedback. The TAC will discuss this item again at the February meeting.
5. TAC and Staff Comments and Announcements	None

**WCCTAC Technical Advisory Committee Meeting:**

770NAME	INITIALS	AGENCY	EMAIL	PHONE
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Dave Campbell	DPL	Bike Eastbay	dave@bikeeastbay.org	

# BRT Spectrum

## *BRT Light*

\$1-4m per mile



Line 72R, AC Transit

- A. More frequent service
- B. Transit signal priority
- C. Queue-jumps
- D. Branding

## *Hybrid BRT*

\$4-12m per mile



EmX, Eugene, OR

- A-C plus
- D. Some dedicated bus lanes
- E. More station amenities
- F. Specialized vehicles

## *Full BRT*

\$12-28m per mile





Health Line, Cleveland, OH

- A-F plus
- G. Dedicated bus lanes for majority of corridor
- H. Off-board fare collection

*BRT is customizable. Specific features will depend on each specific system's needs.*

**West Contra Costa High-Capacity Transit Study**  
**Evaluation Summary Matrix**  
February 3, 2016 – **DRAFT**

Alternative	Opportunities	Challenges	Estimated Timeline <sup>1</sup>
<b>BUS ALTERNATIVES</b>			
<b>Alternative 1:</b> I-80 Express Bus Service 	<ul style="list-style-type: none"> <li>• Current express bus service shows strong demand.</li> <li>• Potential untapped markets in the East Bay and increasing demand for San Francisco.</li> <li>• Direct service, without transfers, to major employment centers.</li> <li>• Takes advantage of HOV/HOT lanes along I-80.</li> <li>• High potential for intercepting through trips.</li> <li>• Least environmental impacts.</li> <li>• High potential for reduction in transportation energy use and greenhouse gas emissions.</li> <li>• Relatively low cost to implement.</li> </ul>	<ul style="list-style-type: none"> <li>• Cost-effectiveness of structured versus surface parking facilities.</li> <li>• Increased pedestrian travel time to access stations.</li> <li>• Capital costs associated with priority bus access to and from park-and-ride facilities and freeway.</li> <li>• Ensuring fast operation of express buses on congested freeways (if no HOV/HOT lanes).</li> <li>• Limited intermodal connectivity.</li> </ul>	<ul style="list-style-type: none"> <li>• 2 years for operations to East Bay along I-80.</li> <li>• 10 years for full suite of proposed improvements: <ul style="list-style-type: none"> <li>○ 5-7 years for surface park-and-ride</li> <li>○ 8-10 years for parking structure and interchange/ramp improvements</li> </ul> </li> </ul>
<b>Alternative 2:</b> San Pablo Avenue/ Macdonald Avenue BRT 	<ul style="list-style-type: none"> <li>• Improves bus reliability for existing strong transit market on highly congested San Pablo Avenue.</li> <li>• Relatively low cost implementation.</li> <li>• BRT improvements tailored to meet local character and demand</li> </ul>	<ul style="list-style-type: none"> <li>• Constrained corridor width limits opportunities for exclusive lanes (e.g., lane reduction in downtown Richmond).</li> <li>• Bus-only lane would allow for the most effective concept but reduces auto and truck</li> </ul>	<ul style="list-style-type: none"> <li>• 8-10 years, depending on extent of bus-only lane improvements.</li> </ul>


<sup>1</sup> Projects requiring Environmental Impact Statements/Environmental Impact Reports and federal funding will require longer timelines.




**West Contra Costa High-Capacity Transit Study**  
**Evaluation Summary Matrix**  
February 3, 2016 – **DRAFT**


Alternative	Opportunities	Challenges	Estimated Timeline <sup>1</sup>
	<p>including a variety of possible improvements such as queue jumping, signal priority, improved loading, etc.</p> <ul style="list-style-type: none"> <li>• Bus-only lanes reduce traffic conflicts between buses and autos.</li> <li>• Good service to West County transit markets and to potential untapped markets in the East Bay.</li> <li>• High connectivity to regional travel centers.</li> <li>• High accessibility (pedestrian) to low-income populations and underserved travel markets.</li> <li>• High accessibility (pedestrian) to population and employment and to West County PDAs.</li> <li>• AC Transit has already identified this corridor, north to Richmond Parkway Transit Center, as a high priority BRT corridor.</li> <li>• BRT has been successfully implemented around the country, e.g., Eugene, Oregon; Cleveland, Ohio; and Los Angeles resulting in improved transit reliability and ridership.</li> </ul>	<p>capacity.</p> <ul style="list-style-type: none"> <li>• Full BRT may require removal of curbside parking at stations and signalized intersections.</li> <li>• Bike lanes along much of corridor may conflict with bus operations.</li> <li>• As corridor is served by both AC Transit and WestCAT, funding and delivery of service would need to be negotiated between the two agencies.</li> <li>• Limited experience with benefits and impacts of BRT in the Bay Area.</li> </ul>	

**West Contra Costa High-Capacity Transit Study**  
**Evaluation Summary Matrix**  
February 3, 2016 – **DRAFT**



Alternative	Opportunities	Challenges	Estimated Timeline <sup>1</sup>
<b>Alternative 3:</b> 23rd Street BRT 	<ul style="list-style-type: none"> <li>• Improves bus reliability for existing strong transit market on highly congested San Pablo Avenue and 23<sup>rd</sup> Street.</li> <li>• Relatively low cost to implement.</li> <li>• BRT improvements tailored to meet local character and demand including a variety of possible improvements such as queue jumping, signal priority, improved loading, etc.</li> <li>• Bus-only lanes reduce traffic conflicts between buses &amp; autos.</li> <li>• Good service to West County transit markets.</li> <li>• High accessibility (pedestrian) to underserved travel markets.</li> <li>• High accessibility (pedestrian) to population and employment and to West County PDAs.</li> <li>• Opportunity to provide service to planned ferry service in Richmond.</li> <li>• BRT has been successfully implemented around the country, e.g., Eugene, Oregon; Cleveland, Ohio; &amp; L.A. resulting in improved transit reliability and ridership.</li> </ul>	<ul style="list-style-type: none"> <li>• Constrained corridor width limits opportunities for exclusive lanes (e.g., lane reduction in downtown Richmond).</li> <li>• Bus-only lane would allow for the most effective concept but reduces auto and truck capacity.</li> <li>• May require removal of curbside parking at stations and signalized intersections.</li> <li>• As corridor is served by both AC Transit and WestCAT, funding and delivery of service would need to be negotiated between the two agencies.</li> <li>• Limited experience with benefits and impacts of BRT in the Bay Area.</li> </ul>	<ul style="list-style-type: none"> <li>• 8-10 years, depending on extent of bus-only lane improvements.</li> </ul>

Alternative	Opportunities	Challenges	Estimated Timeline <sup>1</sup>
COMMUTER RAIL ALTERNATIVES			
<p><b>Alternative 4:</b> UPRR Corridor Commuter Rail</p> 	<ul style="list-style-type: none"> <li>• Use of existing rail right-of-way potentially more cost-effective.</li> <li>• Use of subsidized commuter fares for West County residents may have the potential for short-term congestion relief.</li> <li>• Quality connections to other transit operators.</li> <li>• High potential for intercepting through trips from the north.</li> <li>• Programming and funding for the addition of the Hercules Intermodal Station already underway.</li> </ul>	<ul style="list-style-type: none"> <li>• Accommodating both increasing freight and passenger rail demand on a constrained corridor.</li> <li>• Additional service and improvements in UP ROW would require renegotiated operating agreement with UPRR.</li> <li>• High risk for impacts associated with sea level rise (Martinez Subdivision main tracks follow shoreline)</li> <li>• Curves along shoreline limit travel speeds.</li> <li>• Adding third main track along existing corridor would require: <ul style="list-style-type: none"> <li>○ Addressing environmental issues such as wetland mitigation</li> <li>○ ROW widening in Emeryville/Oakland</li> </ul> </li> <li>• Long-term solution may require grade-separated tracks at Jack London Square for freight and pedestrians (not costed).</li> </ul>	<ul style="list-style-type: none"> <li>• 10-20 years, depending on extent of improvements. <ul style="list-style-type: none"> <li>○ 10 years for simple stations, passing sidings, and crossovers for operations to Richmond BART only.</li> <li>○ 15-20 years to Jack London Square as alignment requires new track.</li> </ul> </li> </ul>

**West Contra Costa High-Capacity Transit Study**  
**Evaluation Summary Matrix**  
February 3, 2016 – **DRAFT**

Alternative	Opportunities	Challenges	Estimated Timeline <sup>1</sup>
<b>Alternative 5:</b> UPRR-BNSF Corridor Commuter Rail 	<ul style="list-style-type: none"> <li>• Good potential for long-term investment.</li> <li>• Fewer curves to limit speed of operations.</li> <li>• BNSF higher elevation and less susceptibility to sea level rise.</li> <li>• Alignment being considered by Capitol Corridor JPA in long-term planning.</li> </ul>	<ul style="list-style-type: none"> <li>• Accommodating both increasing freight and passenger rail demand on a constrained corridor.</li> <li>• Additional service and improvements in UP ROW would require renegotiated operating agreement with UPRR.</li> <li>• Would require contractual agreement between UPRR and BNSF.</li> <li>• Adding third main track would require ROW widening in Emeryville/Oakland.</li> <li>• Long-term solution may require grade-separated tracks at Jack London Square for freight and pedestrians (not costed).</li> </ul>	<ul style="list-style-type: none"> <li>• 10-20 years, depending on extent of improvements. <ul style="list-style-type: none"> <li>○ 10 years for simple stations, passing sidings, and crossovers for operations to Richmond BART only.</li> <li>○ 15-20 years to Jack London Square as alignment requires new track.</li> </ul> </li> </ul>
BART ALTERNATIVES			
<b>Alternative 6:</b> BART Extension from Richmond Station to Hercules	<ul style="list-style-type: none"> <li>• BART has the greatest potential for regional connections.</li> <li>• Highest potential for capturing new riders and delivering them quickly to key destinations.</li> <li>• Highest travel time reliability.</li> <li>• High quality of transit</li> </ul>	<ul style="list-style-type: none"> <li>• Steep grades within I-80 corridor require combination of structures and tunnels.</li> <li>• Ability for BART to absorb additional ridership, particularly in transbay corridor and downtown and West Oakland.</li> </ul>	<ul style="list-style-type: none"> <li>• 20-25 years</li> </ul>

**West Contra Costa High-Capacity Transit Study**  
**Evaluation Summary Matrix**  
February 3, 2016 – **DRAFT**

Alternative	Opportunities	Challenges	Estimated Timeline <sup>1</sup>
	<ul style="list-style-type: none"> <li>connections.</li> <li>• High potential for intercepting trips and providing congestion relief.</li> <li>• Not susceptible to sea level rise.</li> <li>• High potential for reduction in transportation energy use and greenhouse gas emissions.</li> <li>• BART enjoys a high level of public support.</li> </ul>	<ul style="list-style-type: none"> <li>• Potential for displacement of existing land uses in Richmond.</li> <li>• Expansion of Richmond maintenance facility may be required.</li> <li>• Very high cost to implement.</li> </ul>	
<p><b>Alternative 7:</b>  BART Extension from El Cerrito del Norte Station to Hercules – Conventional BART technology (7A) and DMU technology</p> 	<ul style="list-style-type: none"> <li>• BART has the greatest potential for regional connections.</li> <li>• Highest potential for capturing new riders and delivering them quickly to key destinations.</li> <li>• Highest travel time reliability.</li> <li>• High quality of transit connections.</li> <li>• High potential for intercepting trips and providing congestion relief (7A)</li> <li>• Not susceptible to sea level rise.</li> <li>• High potential for reduction in transportation energy use and greenhouse gas emissions.</li> <li>• BART enjoys a high level of</li> </ul>	<ul style="list-style-type: none"> <li>• Steep grades within I-80 corridor require combination of structures and tunnels.</li> <li>• Unstable soils (landslide rubble) identified at I-80 near San Pablo Dam Road.</li> <li>• Ability for BART to absorb additional ridership, particularly in heavily constrained transbay corridor and for trains serving downtown and West Oakland.</li> <li>• Very high cost to implement.</li> <li>• Expansion of Richmond maintenance facility may be required.</li> <li>• Alternative 7A has the potential to isolate or reduce service to</li> </ul>	<ul style="list-style-type: none"> <li>• 20-25 years</li> </ul>

**West Contra Costa High-Capacity Transit Study**  
**Evaluation Summary Matrix**  
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Alternative	Opportunities	Challenges	Estimated Timeline <sup>1</sup>
	public support.	<p>the Richmond BART Station, depending on the service plan.</p> <ul style="list-style-type: none"> <li>• DMU service would require transfers and timing coordination. (7B only)</li> <li>• DMU service would require lead tracks to and new service area at the Richmond maintenance facility due to different track gauge (7B only).</li> </ul>	



**TO:** WCCTAC TAC

**DATE:** February 11, 2016

**FR:** Leah Greenblat, Project Manager

**RE:** Review and Status Report on STMP

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#### **REQUESTED ACTION**

Receive information, discussion and feedback.

#### **BACKGROUND AND DISCUSSION**

WCCTAC staff has begun a comprehensive review of the Sub-regional Transportation Mitigation Program (STMP) we wish to share our initial findings with the TAC in preparation for a future discussion with the Board.

##### **Historical Context**

Adopted in 1988, Measure C required the development of a regional traffic mitigation fee program to fund regional and sub-regional transportation projects. Measure J continued the mitigation fee requirement. In 1997, WCCTAC first adopted the Subregional Transportation Mitigation Program (STMP). In order to establish the fee amounts and the eligible projects, WCCTAC conducted a nexus study, which is required periodically to justify the fee.

The study evaluated the traffic impacts of future growth and the needed transportation improvements to mitigate those impacts. Then, the study determined what portion of the improvement costs would be attributable to the new development and could be collected as a fee during the permitting process for new development. In 2006, WCCTAC agreed on a STMP Update via a cooperative agreement and subsequently each jurisdiction and the county adopted an ordinance to implement the collection of fees based on the STMP Update. For your reference, the model STMP ordinance is included as an attachment.

##### **Projects Currently Eligible for Funding**

Based on the nexus study, the model ordinance listed eleven projects eligible for the funds raised by the STMP fees. According to the ordinance, the STMP fees shall be used exclusively for the following projects:

1. **Richmond Intermodal Station** – Public improvements including, but not limited to: the parking garage, station building, transit center, east side improvements, lighting and real-time transit information.
2. **Interchanges on I-80 at San Pablo Dam Road and Central Avenue; and on Highway 4 at Willow Avenue** – Upgrade and improve the interchange at I- 80/San Pablo Dam Road including provisions for bicyclists and pedestrians; enhance operations and vehicular, bicycle, pedestrian safety in the vicinity of the interchange. Modify and realign the interchange and ramp at I-80/Central Avenue, and/or other improvements

to improve access to/from I-80 and I-580 at Central Avenue. Relocate and realign ramps at Willow Avenue to meet current standards for improved local access and freeway movements.

3. **Capitol Corridor Improvements** – Parking, station platform, signage and plazas, rail improvements, etc. at the Hercules Passenger Rail Station and/or track improvements, drainage, fencing, safety improvements and/or other improvements along the Capitol Corridor line in West Contra Costa County.
4. **Ferry Service to San Francisco from Richmond and/or Hercules/Rodeo** – New ferry service utilizing high-speed vessels and funds for capital improvements such as terminals, landside improvements, parking, lighting, transit feeder service, signage, etc.
5. **BART Access and/or Parking Improvements** – Parking, aesthetic, and/or access improvements, station capacity improvements, sidewalks, lighting/restroom renovations, bicycle storage, expanded automatic fare collection equipment, etc. at the El Cerrito Plaza, El Cerrito Del Norte, and/or Richmond BART stations.
6. **Bay Trail Gap Closure** – Close gaps in the Bay Trail in West Contra Costa County, including, but not limited to the following: (1) the one-mile gap along the Richmond Parkway between Pennsylvania and Gertrude Avenues; (2) the 1.8 mile gap north of Freethy Boulevard to Payne Drive in Richmond; (3) the two-mile gap from Payne Drive to Cypress Avenue in Richmond; (4) the one-mile gap from Pinole Shores to Railroad Avenue in Pinole; and (5) the 1.8 mile gap from Railroad Avenue to Parker Avenue in Hercules.
7. **San Pablo Dam Road Improvements in Downtown El Sobrante** – Traffic calming, additional signals, pedestrian improvements, turn lanes, etc. that are identified in the Downtown El Sobrante Transportation and Land Use Plan (and subsequent documents).
8. **San Pablo Avenue Corridor Improvements** – Infrastructure improvements on San Pablo Avenue through West Contra Costa County within a half-mile walking distance of San Pablo Avenue in either direction and/or San Pablo Avenue SMART Corridor improvements.
9. **North Richmond Road Connection Project** – Extend Seventh Street northward to connect to an eastward extension of Pittsburg Avenue in North Richmond.
10. **Hercules Transit Center** – Relocate and expand the Hercules Transit Center on the east side of Highway 4.
11. **Del Norte Area Transit Oriented Development Project Public Improvements**– Parking facilities; bicycle, pedestrian, and/or bus transit access improvements;-signage; lighting; improvements to station access or station waiting areas; ADA improvements; improvements to adjacent streets, street crossings, or signals; and/or Ohlone Greenway improvements.



**Administration and Mechanics of Fee Collections**

When the jurisdictions adopted the model ordinance, the initial fee rate was set as listed in the table below:

Original 2006 STMP Fee Schedule	
LAND USE TYPE	FEE
Single Family Residential	\$2,595/DU*
Multi-Family Residential	\$1,648/DU
Senior Housing	\$701/DU
Hotel	\$1,964/Room
Retail	\$1.82/SF**
Office	\$3.51/SF
Industrial	\$2.45/SF
Storage Facility	\$0.53/SF
Church	\$1.58/SF
Hospital	\$4.21/SF
Other	\$3,507 per AM peak hour trip
*DU = Dwelling Unit	**SF = Square Foot

The ordinance states that effective July 1, 2007 and on each subsequent anniversary date, the amount of the fees shall increase or decrease by the percentage change listed in the Engineering News-Record Construction Cost Index for the San Francisco Bay Area. The ordinance identified the City of San Pablo Finance Department as the party responsible for calculating the adjusted fee and notifying the jurisdictions. To the best of WCCTAC staff's knowledge, there likely were no fee adjustment notifications. Based on our research, most jurisdictions have continued to collect the original fee amounts.

**Current Fund Balance**

WCCTAC staff is researching the current fund balance and the total contributions made by jurisdiction and we will provide this to the TAC at your meeting if it is ready at that time.

### Eligible STMP Projects Funded

The following amounts have been distributed to STMP eligible projects as of December 2015:

	Eligible STMP Project	Year of STMP Disbursement								Total
		1998-2004	2007	2008	2011	2012	2013	2014	2015	
1.	Richmond Intermodal	\$135,391.31	-	-	-	-	-	-	-	\$135,391.31
2.	I-80/San Pablo Dam Rd.; I-80/Central Ave.; Hwy 4/Willow Ave.	\$2,100,435.39	-	-	-	-	-	-	-	\$2,100,435.39
3.	Capitol Corridor Improvements		-	-	-	-	-	-	-	-
4.	Ferry Service to SF from Richmond &/or Hercules/Rodeo		-	-	-	-	-	-	-	-
5.	BART Access and/or Parking Improvements		-	-	-	-	-	\$71,199.00	\$33,771.06	\$104,970.06
6.	Bay Trail Gap Closure				\$327,528.75	\$138,728.19	\$20,000.02	\$1,108.10	-	\$487,365.06
7.	San Pablo Dam Rd. Improvements in Downtown El Sobrante		-	-	-	-	-	-	-	-
8.	San Pablo Ave. Corridor Improvements		-	-	-	-	-	-	-	-
9.	N. Richmond Rd. Connection Project		-	-	-	-	-	-	-	-
10	Hercules Transit Ctr.		\$4963.13	-	-	\$300,000	-	-	-	\$304,963.13
11	Del Norte Area TOD Public Improvements		-	-	-	-	-	-	-	-
	Alameda Congestion Management Agency*			\$87,000.00						
										<b>\$3,220,124.95</b>

\*WCCTAC staff continues to research the nature of this disbursement.

### **Recent Requests for Funds**

WCCTAC staff recently received formal notification that two agencies are requesting STMP funds:

- The City of Hercules is requesting \$1,000,000 in funding for its *Path-To-Transit* Phase of the Regional Intermodal Transit Center (RITC). The project will extend John Muir Parkway to the future train station building and will allow immediate bus service to existing transit-oriented developments and the planned 1,300 home Bayfront development, in addition to the future train station.
- East Bay Regional Park District is requesting \$500,000 to construct approximately 1,800 linear feet of the Bay Trail at Lone Tree Point in Rodeo.

### **New Nexus Study**

WCCTAC completed its last STMP nexus study in 2006. In order for the fee assessments to reflect accurately the needs of the sub-region and for the fee to remain legally defensible, WCCTAC needs to update the study periodically. A new nexus study would reflect changes in planned land use and transportation projects since the adoption of the prior nexus study. WCCTAC staff anticipates undertaking a new nexus study in the fall of 2016. It is likely that the analysis for the study would document that higher fee rates may be justified, but ultimately it will be a Board policy matter to establish the new fees.

### **Reporting Process and Issues**

The existing reporting process requires that each jurisdiction submit a quarterly reporting form, attached, with the collected fee amount. The form serves as a status report and is supposed to be submitted regardless of whether or not there is development subject to the fee. In past practice, this has not always occurred. Some jurisdictions do not submit the tracking form and some submit fee payments on an irregular schedule. WCCTAC often receives incomplete forms making it difficult to reconcile the fee amount submitted with the fee collected by land use category. Currently WCCTAC has no good mechanism in place for determining if jurisdictions have collected and submitted fees for eligible development projects. Lastly, the process for granting reductions or exemptions from the fee are unclear and likely vary between jurisdictions. Overall, it has been largely a matter of trust that local jurisdictions properly apply, collect and submit the correct fee amounts.

### **Issues with Current Fees and Fee Adjustment Process**

WCCTAC staff has begun a comprehensive review of the fees collected by each jurisdiction. We found that the fee rates and amounts currently submitted to WCCTAC are not consistent among all jurisdictions. Some jurisdictions have adjusted the fees over time, while other jurisdictions deduct a processing fee and others submit multiple, partial fee payment from various account funds or departments. Not all jurisdictions list all of the fee categories in their jurisdiction's fee schedule so it is unclear whether developments in those land use categories resulted in fee collection. Most jurisdictions have not submitted reporting forms on a regular basis, which causes tracking difficulty. Fees submitted are not always accompanied by a reporting/submission form or the form is incomplete which makes record keeping challenging.

**Possible Future Work Items**

As WCCTAC staff reviews the STMP program we have begun to develop a list of possible future work items for the TAC to consider. These include:

1. Re-working the reporting form to make record keeping easier for the jurisdictions and WCCTAC staff.
2. Develop a fact sheet about the STMP to serve as a reference for jurisdictions' staff and to familiarize new hires with the program.
3. Calculate what the fee would be today if the allowed past increases were made and consider establishing it as the uniform fee rates for all jurisdictions.
4. Begin applying the annual, allowed adjustment on an on-going basis.
5. Develop an RFP for a new nexus study and a cost estimate.
6. Prepare a status report on the eleven projects currently eligible for STMP funds.
7. Identify methods for verifying fee submittal amounts and standardize reporting.
8. Address known policy and practice issues with the STMP, for example
  - a. Clarifying the process of approving exemptions and reductions in fees collected;
  - b. The policy of funding (and limiting) WCCTAC administrative and finance costs as a percentage of disbursed funds
  - c. Determining if eligible projects should have a funding limits or should be prioritized by the Board

**Attachments**

1. Model Ordinance Establishing STMP
2. STMP Fee Reporting and Submission form

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**\* \* \* MODEL ORDINANCE \* \* \***

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE [CITY OF \_\_\_\_\_/COUNTY OF CONTRA COSTA]**

**RESCINDING ORDINANCE \_\_\_\_\_; DATED \_\_\_\_\_ AND UPDATING  
THE WEST CONTRA COSTA SUBREGIONAL TRANSPORTATION  
MITIGATION PROGRAM (STMP)**

SECTION \_\_\_\_\_ OF THE [CITY/COUNTY] MUNICIPAL CODE IS ADDED  
TO READ AS FOLLOWS AND ALL OTHER SECTIONS AND PROVISIONS  
OF THE [CITY/COUNTY] MUNICIPAL CODE SHALL REMAIN IN FULL  
FORCE AND EFFECT:

**WHEREAS**, Measure C, the Contra Costa County half-cent sales tax measure adopted in 1988 for transportation projects and program requires the Contra Costa Transportation Authority (CCTA or Authority) to:

- Develop a program of regional traffic mitigation fees, assessments, or other mitigations, as appropriate, to fund regional and subregional transportation projects, as determined in the Comprehensive Transportation Plan of the Authority.
- Consider such issues as jobs/housing balance, carpool and vanpool programs, and proximity to transit service in the establishment of the regional traffic mitigation program.
- Implement the development mitigation program with the participation and concurrence of local jurisdictions in determining the most feasible methods of mitigating regional traffic impacts. The Authority shall take existing regional traffic impact fees into account.

**WHEREAS**, Measure J, the successor to Measure C, was passed by the voters in Contra Costa County in November 2004 to be effective in 2009 and also contains a Growth Management component;

**WHEREAS**, West Contra Costa County traffic is heavily-impacted by through traffic from other regions in Contra Costa County as well as other counties; and West Contra Costa County is providing congestion relief through local fees collected to mitigate traffic on regional routes and through improved transit service;

**WHEREAS**, the West Contra Costa Transportation Advisory Committee (WCCTAC) is comprised of elected officials from the cities of El Cerrito, Hercules, Pinole, Richmond, and San Pablo and the agencies AC Transit, BART, WestCAT and Contra Costa County, is governed by a Joint Exercise of Powers Agreement (JPA) and has been in existence since 1990;

**WHEREAS**, WCCTAC is empowered to coordinate and administer fee revenues for regional transportation improvements;

**WHEREAS**, through the aegis of WCCTAC, the West County jurisdictions and Contra Costa County have reached consensus on the STMP Update, as described in the Master Cooperative Agreement By and Among the Contra Transportation Authority, the Cities of El Cerrito, Hercules, Pinole, Richmond, and San Pablo, the County of Contra Costa and the West Contra Costa Transportation Advisory Committee for the 2006 Subregional Transportation Mitigation Fee Program (“Cooperative Agreement”), and are adopting this Ordinance to implement the collection of fees relative to the STMP in order to provide funding for regional transportation improvements necessary for each jurisdiction;

**WHEREAS**, the City/County desires to assure that new development in the City/County contributes to such needed regional improvements based on the development’s proportionate contribution to the need for new or improved regional circulation and transit improvements;

**WHEREAS**, WCCTAC’s consultant, TJKM Transportation Consultants, has prepared a report and study and other documents, which are attached as Exhibit A, and incorporated by reference herein, which outline the basis for the updated STMP fee;

**WHEREAS**, the aforementioned report describes the regional transportation improvements that will be necessary in the City/County and the other member jurisdictions because of new development expected under the adopted general plans of member jurisdictions, estimates the cost of acquiring property for and building regional capital improvements, and sets forth the fees necessary to fund such necessary and vital improvements;

**WHEREAS**, the General Plan of the City/County requires new developments to pay their fair share of impacts to existing public facilities and upgrading or constructing new public facilities and that the City/County work with other jurisdictions in order to establish and utilize regional funding mechanisms, including fees on new development, to fund regional transportation improvements. **[WCCTAC General Counsel Note: Each member jurisdiction should examine their General Plans for language and provisions regarding developer fees in general and regional impact fees. Citations to such provisions should be added here. Please modify this recital as appropriate.]**

**WHEREAS**, in adopting the updated transportation impact fee described herein, the City/County has found the fee to be consistent with its General Plan and existing ordinances.... **[WCCTAC General Counsel Note: Each member jurisdiction should also examine existing ordinances and resolutions implicating housing, development and/or traffic and note their consistency with this ordinance, if appropriate.]**

**WHEREAS**, Measure C also requires that all Contra Costa County jurisdictions participate in the regional transportation mitigation program, and jurisdictions that are not participating in such a program are at risk of losing their Measure C (and subsequently Measure J) local street maintenance and improvement funds;

**WHEREAS**, adoption and approval of the STMP fee are also exempt from CEQA pursuant to Public Resources Code § 21080(b)(8)(D) and 14 Cal. Code Regs. § 15273(a), since they constitute the modification, restructuring or approval of a fee or charge needed to obtain funds for capital projects that are necessary only to maintain service within existing service areas within the City/County, pursuant to the findings set forth herein.

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

#### SECTION I – TITLE

The title of this Chapter of the [City/County's \_\_\_\_\_ Code] is the **West County Subregional Transportation Mitigation Program Update**.

#### SECTION II – PURPOSE

The purpose of the STMP Update and the STMP fee set forth in this Ordinance is to meet the intent of Measure C/Measure J by levying a fee on new development to mitigate the impacts of new trips generated by that development. Further, the purpose of the STMP fee set forth in this Ordinance is to raise funds for regional transportation projects in West County.

#### SECTION III – FINDINGS

- A. The STMP fee is required solely to provide infrastructure capital projects needed for health and safety reasons (traffic safety, improved commute and traffic conditions) to mitigate impacts as a direct result of the projects, since growth places a greater burden on the roadway and transit systems.
- B. The STMP fee will raise funds for eleven projects: Richmond Intermodal – Hercules Passenger Rail Station and capital improvements along the Corridor Station; I-80 interchanges at San Pablo Dam Road and Central Avenue and on Highway 4 at Willow Avenue; Capitol Corridor improvements; ferry service to San Francisco from Richmond and/or Hercules/Rodeo; BART access and/or parking improvements; Bay Trail gap closure; San Pablo Dam Road improvements in downtown El Sobrante; north Richmond road connection project; San Pablo Avenue corridor improvements; Hercules transit center relocation, and; Del Norte area transit oriented development project public improvements. A detailed description of the projects can be found in Section V.

- C. The total cost of funding the unfunded portion of the eleven projects is approximately \$248,992,000 in 2005 dollars. The Nexus Analysis determined the amount of eligible funding to be collected through the STMP program.
- D. The nexus findings, in conformance with Government Code § 66000 et seq. can be found in the “2005 Update of the Subregional Transportation Mitigation Program (STMP)” prepared by TJKM Transportation Consultants for WCCTAC. Two copies of the Update are on file with the (City Clerk/Clerk of the Board) and also attached as Exhibit A.
- E. A five step process aided in the STMP Update which included:
- Projecting the amount of the new development using ABAG’s Projections 2003;
  - Specifying the transportation improvements needed to accommodate growth;
  - Evaluating the relationship between the improvements, the share of funding from new development, and the impacts of new trip generation;
  - Allocating the costs across land use types (residential, retail, office, industrial, senior housing, hotel, storage facility, church, hospital); and;
  - Preparing fee schedules and implementation documents.
- F. After considering the 2005 Update of STMP prepared by TJKM Transportation Consultants, the testimony received at a noticed public hearing, the agenda statements, the General Plan, and all correspondence received (together, the “Record”), the City Council/Board of Supervisors approves and adopts the 2005 Update of the STMP and incorporates such report herein.
- G. Adoption of the STMP fee set forth in this Ordinance, as it relates to development within the City/County, is intended to obtain funds for capital projects necessary to maintain service within existing City/County service areas. The City/County currently already contributes to the provision of necessary regional transportation improvements, and the STMP fee set forth in this Ordinance will be used to maintain current service levels. Accordingly, this fee, as it relates to development within the City/County, is not a “project” within the meaning of the California Environmental Quality Act. (Pub. Res. Code § 21080(b)(8)(D).)
- H. The Record establishes:
- That there is a reasonable relationship between the use of the STMP fee set forth in this Ordinance (funding for transportation capital infrastructure projects) and the type of development projects on which this fee is imposed in that all development in the City/County—both residential and non-residential—generates or contributes to the need for the projects listed in Section V of this Ordinance; and
  - That there is a reasonable relationship between the need for the projects listed in Section V of this Ordinance and the type of development projects on which this fee is imposed in that new development in the City/County—both residential and non-residential—will generate persons who live, work, shop, travel to and from,



commute to and from, and visit the City/County and who, therefore, generate or contribute to the need for the projects listed in Section V of this Ordinance; and

- That there is a reasonable relationship between the amount of the fee set forth in this Ordinance and the cost of the projects listed in Section V of this Ordinance or portion of such projects attributable to the development on which this fee is imposed in that such fee is calculated based on new development using ABAG's Projections 2003, the total cost of the projects listed in Section V, evaluation of the share of funding from new development, and the allocation of costs across land use types.

I. In order to maintain the public health, safety and welfare of the citizens of the City/County, especially as it relates to new development within the City/County, it is necessary to pass this urgency ordinance putting the STMP fee immediately into effect, pursuant to the Mitigation Fee Act, Government Code Section 66017(b), and based on the following findings:

- The 2005 Update of STMP prepared by TJKM Transportation Consultants concluded that the overall residential growth for the WCCTAC area is estimated at 17,910 households, representing a 20.3 percent increase for the 25 year period. Moreover, employment is expected to grow more rapidly than residential development. In addition, the 2005 Update of STMP concluded that, using standard available trip generation rates, the total increase in peak hour trips in the a.m. period is expected to be 28,571. The 2005 Update of STMP identifies the projects described in Section V as improvements needed due to increased congestion attributable to projected growth in population and employment in the WCCTAC area. The public health, safety, and welfare are compromised by the delay in construction of the projects described in Section V due to insufficiency of funds for such construction, and a 60-day delay in implementing the collection of the 2006 STMP fee will further delay construction of the projects.
- Increased traffic congestion contributes to air pollution and decreased air quality, which in turn, negatively affects the health of persons living and working in the area, including children and infants. Any delay in the construction of the improvements will detrimentally affect the public welfare and health because of increased traffic congestion in the affected areas, and increased air pollution as a result of the traffic congestion.
- Many of the projects described in Section V will affect access for individuals with disabilities to local and regional transportation facilities. Failure to construct the improvements in a timely fashion will detrimentally affect the public health and safety because of decreased access to transportation facilities and conditions that violate the Americans with Disabilities Act (42 U.S.C. § 12101, et seq.) and California disability law.

- The adoption of the STMP fee on an interim basis is necessary to protect the public health, safety and welfare, by assuring the earliest practical construction of the projects described in Section V.

#### SECTION IV – FEES

- A. Levy of the Fee and Fee Structure. In order to fund the program and projects stated herein, it is agreed that the following developer fee schedule shall be implemented effective \_\_\_\_\_, 2006 and shall terminate on December 31, 2036. The following fees are payable to the City/County at the time of issuance of a building permit.

<u>LAND USE TYPE</u>	<u>FEE</u>
Single-Family Residential	\$2,595/DU*
Multi-Family Residential	\$1,648/DU
Senior Housing	\$701/DU
Hotel	\$1,964/Room
Retail	\$1.82/SF**
Office	\$3.51/SF
Industrial	\$2.45/SF
Storage Facility	\$0.53/SF
Church	\$1.58/SF
Hospital	\$4.21/SF
Other	\$3,507 per AM peak hour trip

\*DU = Dwelling Unit

\*\*SF = Square Foot

- B. No development shall be exempt from the fee; provided, that any development which, as of the effective date of this Ordinance, (i) has perfected an exemption pursuant to the vested tentative map law or (ii) has entered into a development agreement with the [City of \_\_\_\_/County of Contra Costa] which expressly excludes assessment of additional fees, shall not be subject to the fees required to be imposed hereby.
- C. A project that replaces an existing structure or development is subject to the fee only to the extent that it would generate more peak hour vehicle trips than the existing development.
- D. A developer may request a reduction in fees through the governing jurisdiction if it is determined that the project will generate a lower number of trips than the data provided by the Institute of Transportation Engineers (ITE) that was used as the basis for the “2005 Update of the Subregional Transportation Mitigation Program (STMP)”. Any such fee reduction would be based on a traffic study which determines that the traffic impacts of the proposed development would generate fees that are less than the fees that are set forth in Section IV.A. above. The methodology for conducting the study shall be developed and approved by WCCTAC. The [City of \_\_\_\_/County of Contra Costa] shall

determine the appropriate fee reduction based on the proportionate reduction in trips demonstrated in the traffic study.

Fees for uses not identified in Section IV.A. shall be determined by the [City/County] according to information generated by traffic studies or other means of determining traffic impacts as approved by WCCTAC or in accordance with the ITE Manual.

- E. A developer may receive credit against fees for the dedication of land for right-of-way and/or construction of improvements for specific 2006 STMP projects, where such right-of-way or construction is beyond that which would otherwise be required for approval of the proposed development. The calculation of the amount of credit against fees for 2006 STMP dedications or improvements shall be based upon a determination by the City/County that such credits are in fact exclusive of the dedications, setbacks, improvements, and/or traffic mitigation measures which are required by local ordinance, standards, or other practice. In addition, the credit shall be calculated based upon the actual cost of construction of improvements or, in the case of land dedication, on an independent appraisal approved by the local jurisdiction.
- F. The fees specified herein shall be made a condition of approval of all tentative and final subdivision maps. The fees shall be collected at the time of the issuance of any building permit.
- G. The STMP fees specified above shall be collected for projects in the entire [City/unincorporated West County area].
- H. Fees paid pursuant to this Ordinance shall be deposited in a separate segregated interest-bearing account, and together with any interest accumulated on amounts on deposit, shall be remitted on a quarterly basis to the City of San Pablo Finance Department, to be placed in a fund to be used solely for the purposes described in this Ordinance and in the Cooperative Agreement. Any interest accumulated on such funds shall also be used only for the purposes specified in this Ordinance. Funds for each project and any interest accrued thereon (collectively "STMP funds") will be transferred to the project oversight agency by the City of San Pablo Finance Department upon satisfactory remittance of detailed invoices and approval by the WCCTAC Board.
- I. The fees will be used for, but are not limited to, the administration of the STMP, planning, environmental documentation, design, acquisition of right-of-way, and construction of the projects.
- J. Effective July 1, 2007 and on each subsequent anniversary date of such date, the amount of each of the developer fees, set forth in Section IV.A. above, shall increase or decrease by the percentage change in the Engineering News-Record Construction Cost Index for the San Francisco Bay Area for the period ending June 30 of the preceding fiscal year over the year-earlier amount. The percentage change will be calculated by the City of San Pablo Finance Department which will notify all project sponsors and signatories to the Cooperative Agreement of the change.

- K. Pursuant to Government Code section 66001(d), after the fifth fiscal year following the first deposit of 2006 STMP revenues and every five (5) years thereafter, WCCTAC shall make all required findings with respect to that portion of the fee account or fund remaining unexpended, whether committed or uncommitted, held by the City of San Pablo on its behalf. Such findings shall be made in connection with the release of public information required by Government Code section 66006(b).
- L. Pursuant to Government Code Section 66006, as specified, the [City Manager/Treasurer, etc.] shall submit a public report to the Council/Board on an annual basis, identifying the amount of fee revenues collected and other statutorily required information.
- M.

SECTION V – PROJECT DESCRIPTIONS, FUNDING COMMITMENTS, AND ELIGIBLE COSTS, AND IMPLEMENTATION SCHEDULE

- A. List of Projects. The STMP fees provided for in this ordinance shall be used exclusively for the following projects:
1. **Richmond Intermodal Station** – Public improvements including, but not limited to: the parking garage, station building, transit center, east side improvements, lighting and real-time transit information.
  2. **Interchanges on I-80 at San Pablo Dam Road and Central Avenue; and on Highway 4 at Willow Avenue** – Upgrade and improve the interchange at I-80/San Pablo Dam Road including provisions for bicyclists and pedestrians; enhance operations and vehicular, bicycle, pedestrian safety in the vicinity of the interchange. Modify and realign the interchange and ramp at I-80/Central Avenue, and/or other improvements to improve access to/from I-80 and I-580 at Central Avenue. Relocate and realign ramps at Willow Avenue to meet current standards for improved local access and freeway movements.
  3. **Capitol Corridor Improvements** – Parking, station platform, signage and plazas, rail improvements, etc. at the Hercules Passenger Rail Station and/or track improvements, drainage, fencing, safety improvements and/or other improvements along the Capitol Corridor line in West Contra Costa County.
  4. **Ferry Service to San Francisco from Richmond and/or Hercules/Rodeo** – New ferry service utilizing high-speed vessels and funds for capital improvements such as terminals, landside improvements, parking, lighting, transit feeder service, signage, etc.
  5. **BART Access and/or Parking Improvements** – Parking, aesthetic, and/or access improvements, station capacity improvements, sidewalks, lighting/restroom renovations, bicycle storage, expanded automatic fare collection

equipment, etc. at the El Cerrito Plaza, El Cerrito Del Norte, and/or Richmond BART stations.

6. **Bay Trail Gap Closure** – Close gaps in the Bay Trail in West Contra Costa County, including, but not limited to the following: (1) the one-mile gap along the Richmond Parkway between Pennsylvania and Gertrude Avenues; (2) the 1.8 mile gap north of Freethy Boulevard to Payne Drive in Richmond; (3) the two-mile gap from Payne Drive to Cypress Avenue in Richmond; (4) the one-mile gap from Pinole Shores to Railroad Avenue in Pinole; and (5) the 1.8 mile gap from Railroad Avenue to Parker Avenue in Hercules.
  7. **San Pablo Dam Road Improvements in Downtown El Sobrante** – Traffic calming, additional signals, pedestrian improvements, turn lanes, etc. that are identified in the Downtown El Sobrante Transportation and Land Use Plan (and subsequent documents).
  8. **San Pablo Avenue Corridor Improvements** – Infrastructure improvements on San Pablo Avenue through West Contra Costa County within a half-mile walking distance of San Pablo Avenue in either direction and/or San Pablo Avenue SMART Corridor improvements.
  9. **North Richmond Road Connection Project** – Extend Seventh Street northward to connect to an eastward extension of Pittsburg Avenue in North Richmond.
  10. **Hercules Transit Center** – Relocate and expand the Hercules Transit Center on the east side of Highway 4.
  11. **Del Norte Area Transit Oriented Development Project Public Improvements** – Parking facilities; bicycle, pedestrian, and/or bus transit access improvements; signage; lighting; improvements to station access or station waiting areas; ADA improvements; improvements to adjacent streets, street crossings, or signals; and/or Ohlone Greenway improvements.
- B. Funding commitments and Eligible Costs. Program revenues shall be available for project costs through completion of construction. Costs include, but are not limited to, environmental clearance, conceptual engineering, traffic studies, design, right of way acquisition, utility relocation, and costs of construction. Funding amounts are estimates and are in 2005 dollars. Actual funding commitments will depend upon the 2006 STMP fee revenues collected.

Administrative costs shall not exceed two percent (2%) of the STMP fee revenues disbursed under the Cooperative Agreement during each quarterly period for each of the Project Sponsors and WCCTAC, and one percent (1%) of the STMP fee revenues disbursed under the Cooperative Agreement during each quarterly period to the City of San Pablo Finance Department.

- C. Implementation Schedule. Subject to environmental clearance, right of way acquisition and dedication, utility relocation, and other factors (the timing of which may be beyond the control of WCCTAC), and subject to the availability of regional fee and other funding sources as may be required, the implementation guidelines and details of the project priorities will be contained in the Strategic Plan to be adopted by the WCCTAC Board no later than one hundred twenty (120) days after adoption of the Cooperative Agreement and this Ordinance.

WCCTAC, the project sponsors, co-sponsors, and the City of San Pablo Finance Department shall work to promote steady progress on all of the projects, to the extent that funding and project readiness permit.

#### SECTION VI – NOTICE AND HEARINGS

This Ordinance was adopted pursuant to the procedures established by state law, and all required notices have been given, and the public hearing has been properly held and conducted.

#### SECTION VII – EFFECTIVE DATE

This Ordinance shall take effect and be enforced sixty (60) days after the date of its adoption, and prior to the expiration of fifteen (15) days from the passage thereof, the ordinance or a summary thereof shall be posted or published as may be required by law, and thereafter the same shall be in full force and effect.

#### SECTION VII – SEVERABILITY

If any section, subsection, sentence, clause or phrase or word of this ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City/County hereby declares that it would have passed and adopted this ordinance and each and all provisions thereof irrespective of the fact that any one or more of said provisions be declared unconstitutional, unlawful or otherwise invalid.

First read at a regular meeting of the [City Council/Board of Supervisors] on the \_\_\_\_\_ day of \_\_\_\_\_, 2006, and passed and adopted at a regular meeting of the [City Council/Board of Supervisors] held on the \_\_\_\_\_ day of \_\_\_\_\_, 2006, by the following vote:

YES:

NOES:

ABSENT:

\_\_\_\_\_  
[Mayor of the City of \_\_\_\_\_  
\_\_\_\_\_ of the Board of Supervisors]

ATTEST:

\_\_\_\_\_  
[City Clerk/Clerk of the Board]

800963v5

**West County Subregional Transportation Mitigation Program (STMP) Developer Fees  
Sponsor's Quarterly Transmittal Report**

Sponsors are required to submit this form to WCCTAC no later than 30 days following the close of each calendar quarter. Attach check, payable to WCCTAC, to this report.

Reporting Period:   
[calendar quarter ended]

Sponsor's Name:

Sponsor's Address:

Contact Name:

Contact Phone:

Contact Fax:

Mail with payment to:  
WCCTAC  
13831 San Pablo Avenue  
San Pablo, CA 94806

Transactions for the quarter reported:

Type of Fee	Fee per Unit	Fee per Square ft.	# Units or Sq.Ft.	\$ Collected
Single Family	\$ 2,595.00			
Multi Family	\$ 1,648.00			
Senior Housing	\$ 701.00			
Hotel (per room)	\$ 1,964.00			
Storage Facility		\$ 0.53		
Church		\$ 1.58		
Retail		\$ 1.82		
Industrial		\$ 2.45		
Office		\$ 3.51		
Hospital		\$ 4.21		
TOTAL FEES COLLECTED				

Questions? Call Valerie Jenkins 510-215-3224

**CERTIFICATION:**

I hereby certify that as a Sponsor all requirements of the Master Cooperative Agreement during this calendar quarter have been fulfilled.  
X

[Printed Name]

[Date]

<< This should be the amount of your check to WCCTAC.

Due Dates: January 30th, April 30th, July 31st and October 31st; continuing through the life of the agreement.





TECHNICAL

## MEMORANDUM

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**Date:** January 26, 2016

**To:** RTPC Managers

**From:** Martin R. Engelmann, Deputy Executive Director, Planning

**RE: Action Plan Updates: Discontinuation of LOS or Delay-Based Traffic Measurements as an Indicator of Significant Impact on the Environment in the Action Plans**

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The purpose of this technical memo is to request that the RTPCs revisit the Draft Action Plans for Routes of Regional Significance in light of recent changes to State law and proposed revisions to project analysis methodologies pursuant to SB 743.

### **SB 743**

The passage of Senate Bill (SB) 743 (Steinberg, 2013) will change the way that public agencies evaluate the transportation impacts of projects under the California Environmental Quality Act (CEQA). It will prohibit the use of vehicle delay and level-of-service standards in infill opportunity zones and transit priority areas, and it directs the California Office of Planning and Research (OPR) to revise the CEQA Guidelines to establish “alternative metrics” for identifying transportation impacts in those areas. The legislation also permits OPR to establish alternative metrics for transportation impacts outside transit priority areas. These changes are intended to further the Legislature’s commitment to encouraging land use and transportation planning decisions and investments that reduce vehicle miles travelled and contribute to the reductions in greenhouse gas emissions as defined in SB 375.

OPR's revised draft CEQA Guidelines, released on January 20, 2016, reflect an across-the-board elimination of congestion-based metrics as a threshold of significance in CEQA and replaces them with a new Vehicle Miles Travelled (VMT) metric. We note that these revisions are presently in draft format only. They will not have the force of law until and unless they are adopted; however, the across-the-board elimination of LOS for all areas is consistent with OPR's previously released draft Guidelines. It appears, therefore, that OPR is continuing to endorse a statewide transition from LOS to VMT.

While OPR proposes to prohibit the use of vehicle delay as a threshold of significance in CEQA and replace it with VMT, SB 743 itself does not preclude agencies from using vehicle delay when applying local general plan policies, zoning codes, conditions of approval, thresholds, or any other planning requirements.

## **The Measure J Growth Management Program**

### **ACTION PLANS**

The voter-approved Measure J (2004) Growth Management Program (GMP) requires that local jurisdictions participate in a cooperative, multijurisdictional planning process to develop Action Plans for Routes of Regional Significance and establish Multimodal Transportation Service Objectives (MTSOs) for major arterials and freeways. All five of the recently completed draft Action Plans for the 2014 CTP include MTSOs of LOS and delay index standards. The Lamorinda Action Plan also includes "Stop Time at Cross Streets." The TVTC Action Plan includes duration of congestion.

### **PROJECT REVIEW PROCEDURE: APPLYING AN ACTION PLAN MTSO AS A THRESHOLD OF SIGNIFICANCE IN CEQA**

One criticism that arose during the first 15 years of the Measure C GMP process was that project approvals required two separate impact studies. Measure C introduced new requirements for local jurisdictions to follow to receive their Local Streets Maintenance funds. These requirements involved analysis of the

impact of proposed major development projects and general plan amendments on local performance standards and MTSOs. Many of those standards did not lend themselves to use in an EIR. The successful passage of Measure J in 2004 streamlined the project-review process, first by eliminating the requirement for local performance measures, and later (through amendments to the GMP Implementation Documents) by aligning the action Plan MTSOs with CEQA thresholds of significance.

OPR's newly released draft CEQA Guidelines, if adopted, will prohibit the use of LOS or delay-based metrics as a threshold of significance in CEQA following an initial phase-in period. Since many of the Action Plan MTSOs use LOS and delay, we are essentially back to where we started with the two-study requirement. One study would address traffic impacts under a VMT metric, and (potentially) other studies would address non-traffic impacts under existing delay-based metrics consistent with any land use requirements. Consequently, the Authority now wishes to re-examine its Measure J GMP transportation analysis procedure, and consider re-tooling it in an effort to restore the efficiency achieved earlier through consolidation of the GMP and CEQA processes.

## **Request to RTPCs**

Given the anticipated repercussions of SB 743, the Authority asks that the RTPCs revisit their Action Plans to determine if any changes are warranted. Table 1 below shows where each of the five draft Action Plans contain congestion-based MTSOs. As noted above, OPR's proposed CEQA Guidelines do not "prohibit" project evaluation using these metrics, but (if adopted) would prohibit their use as a threshold of significance in CEQA analyses for evaluating traffic impacts. The RTPCs could therefore continue using LOS and delay-based metrics within the Action Plans. If a project proponent's traffic analysis found that a project resulted in an exceedance of any of the MTSOs shown in Table 1, however, that exceedance could not warrant a finding of significant traffic impact on the environment under CEQA.

**Table 1. LOS and Delay-Based Action Plan MTSOs by Subregion**

<b>Subregion</b>	<b>Intersection LOS or V/C</b>	<b>Arterial LOS or Delay Index</b>	<b>Freeway LOS or Delay Index</b>	<b>Side Street Signal Cycle Wait</b>	<b>Hours of Congestion</b>
<b>West</b>	✓		✓		
<b>Central</b>	✓		✓	✓	
<b>East</b>	✓	✓	✓		
<b>Lamorinda</b>		✓	✓	✓	
<b>Tri-Valley</b>	✓	✓	✓		✓

Last December, the Authority decided to postpone adoption of the CTP. This allows the RTPCs time to consider changes to the Action Plans. Consequently, the RTPCs could, in response to SB 743, change from delay-based MTSOs to VMT-based MTSOs. The implications of making this change are yet to be determined. Clearly, additional work will be involved with changing the metrics and re-evaluating the MTSOs. The cost and schedule for this effort will be assessed after we hear from you.