

El Cerrito

MEETING NOTICE AND AGENDA

DATE & TIME: Friday, January 25, 2019, 8:00 a.m. – 10:00 a.m.

Hercules

LOCATION: City of El Cerrito, Council Chambers
10890 San Pablo Avenue (at Manila Ave)
El Cerrito, California (Accessible by AC Transit #72, #72M & #72R)

Pinole

1. **Call to Order and Self-Introductions.** (Chris Kelley – Vice Chair)
2. **Public Comment.** The public is welcome to address the Board on any item that is not listed on the agenda. *Please fill out a speaker card and hand it to staff.*
3. **Election of Officers:**
 - a. CCTA Representative (odd-year term),
 - b. CCTA Alternate Representative,
 - c. WCCTAC Chair,
 - d. WCCTAC Vice-Chair.(Attachment; Recommended Action: Elect board members to positions)

Richmond

San Pablo

CONSENT CALENDAR

Contra Costa
County

4. **Minutes of December 14, 2018 Board Meeting.** (Attachment; Recommended Action: Approve).
5. **Monthly Update on WCCTAC Activities.** (Attachment; Information Only).
6. **Financial Reports.** The reports show the Agency's revenues and expenses for December 2018. (Attachment; Information Only).
7. **Payment of Invoices over \$10,000.** None. (No Attachment; Information Only).
8. **Proposed Job Description for Travel Training Coordinator.** In October, 2018, the WCCTAC Board authorized staff to provide travel training services to seniors and the disabled in West County through a temporary, part-time, Travel Training Coordinator position. The position would be funded with \$100,000 in Measure J 28b funds, previously programmed by the Board. Final approval of the position was contingent on staff providing a job description and pay rate, which are attached. (Attachment; Recommended Action: Approve Resolution 19-01)

AC Transit

BART

WestCAT

9. **Additional Safe Routes to School Funding for Lincoln Elementary School Pedestrian Enhancement Project in Richmond.** CCTA staff notified WCCTAC staff in a 2018 memo that there was an additional \$177,000 available in OBAG 2 Safe Routes to School funds. Staff and the WCCTAC TAC recommend that these funds be provided to the Lincoln Elementary School Pedestrian Enhancement Project in Richmond. Only this project and a Safe Routes to School program run by Contra Costa County are eligible to receive the OBAG funds. (*Attachment, Recommend Action: Approve*)

REGULAR AGENDA ITEMS

10. **2019 STMP Nexus Update: Authorization to Sign Final Draft Master Cooperative Agreement and Circulate Final Draft Model Ordinance.** At its last meeting, the WCCTAC Board accepted the Final Report of the 2019 STMP Nexus Update. To implement the updated STMP, the WCCTAC Board and local Councils/Board, will need to approve a new Master Cooperative Agreement and each Council/Board will also need to adopt a new STMP ordinance. WCCTAC staff requests that local Councils/Board agendaize the documents in February and March of 2019, with the goal of finalizing approval by the end of April, so that the new fee program can go into effect on July 1, 2019. (*Julie Morgan – Fehr & Peers, Leah Greenblat, WCCTAC staff; Attachment; Recommended Action: Adopt Resolution No. 19-02 authorizing the WCCTAC Chair to sign the Master Cooperative Agreement, with minor changes as approved by the General Counsel, and to forward the Model Ordinance to local agencies for consideration and adoption*).
11. **Richmond Ferry Overview and Update.** On January 10, 2019, the Water Emergency Transportation Authority (WETA), also known now as San Francisco Bay Ferry, officially launched ferry service from Richmond to San Francisco. Staff from WETA will provide an update on the performance of the service so far. They will also provide background information on the vessels, schedule, terminal, access to the ferry by all modes, the funding picture, and other subjects that may be of interest to WCCTAC. (*WETA staff; No Attachment; Recommended Action: Information Only*)

STANDING ITEMS

12. **Board and Staff Comments.**
- a. Board Member Comments, Conference/Meeting Reports (AB 1234 Requirement), and Announcements
 - b. Report from CCTA Representatives (*Directors Abelson & Butt*)
 - c. Executive Director's Report

13. General Information Items.

- a. Letter to CCTA Executive Director with December 14, 2018 Summary of Board Actions
- b. Acronym List

14. Adjourn. Next meeting is: February 22, 2019 @ 8:00 a.m.
in the El Cerrito City Hall Council Chambers, located
at 10890 San Pablo Avenue, El Cerrito

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- In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in the WCCTAC Board 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 offices.
 - 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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TO: WCCTAC Board

DATE: January 25, 2019

FR: John Nemeth, Executive Director

RE: Election of Officers

REQUESTED ACTION

Elect members to the following positions: a. CCTA Representative (odd-year term), b. CCTA Alternate Representative, c. WCCTAC Chair, and d. WCCTAC Vice-Chair.

BACKGROUND AND DISCUSSION

CCTA Odd-Year Representative

Director Tom Butt was elected as WCCTAC's "odd-year" CCTA representative in 2017. His two-year term expires on January 31, 2019. The "odd-year" representative sits on the full CCTA Board and on CCTA's Administration & Projects Committee. The "odd-year" and "even-year" representatives are each other's alternates for the Committees on which they sit. Director Janet Abelson is the "even-year" representative and sits on the CCTA Planning Committee. Her term expires on January 31, 2020. There are no term limits for this position.

According to the WCCTAC Joint Exercise of Powers Agreement (JPA) Section 9 (A) (3) (c), only the Cities and the County may vote for CCTA Representatives – six votes total (one each – El Cerrito, Hercules, Pinole, Richmond, San Pablo, Contra Costa County);

CCTA Alternate Representative

Director Cecilia Valdez is the currently elected CCTA alternate representative. Her term expires on January 31, 2019. WCCTAC may elect a single alternate (as is the precedent), or elect an alternate for each CCTA representative. The alternate sits on the CCTA Board if one of the representatives is unavailable. The alternate also sits on the two standing Committees if neither of the CCTA representatives are available.

WCCTAC Chair

Director Cecilia Valdez is the currently elected Chair of the WCCTAC Board. Her term expires on January 31, 2019. The term for the Chair is one year and there are no term limits. All members of the WCCTAC Board may vote for the Board Chair and any member can serve as Chair. The term for the newly elected Chair will begin on February 1, 2019.

WCCTAC Vice-Chair

Director Chris Kelley is the currently elected Vice-Chair of the WCCTAC Board. Her term expires on January 31, 2019. The term for the Vice-Chair is for one year and there are no term limits. All members of the WCCTAC Board may vote for the Vice-Chair and any member can serve as Vice-Chair. The term for the newly elected Vice-Chair will begin on February 1, 2019.

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**West Contra Costa Transportation Advisory Committee
Board of Directors Meeting
Meeting Minutes: December 14, 2018**

MEMBERS PRESENT: Chris Kelley - Vice-Chair (Hercules); Rich Kinney (San Pablo); Tom Butt (Richmond); Roy Swearingen (Pinole); Ada Recinos (Richmond); Aleida Chavez (WestCat); Eduardo Martinez (Richmond); Lateefa Simon (BART)

STAFF PRESENT: John Nemeth, Joanna Pallock, Valerie Jenkins, Leah Greenblat, Coire Reilly, Kris Kokotaylo (Legal Counsel)

ACTIONS LISTED BY: Valerie Jenkins

Meeting Called to Order: 8:03 am

Public Comment: N/A

Consent Calendar: Motion by *Director Abelson*; seconded by *Director Martinez*; motion passed unanimously

Item #3. Minutes of the September 26, 2018 Board Meeting

Item #4. Monthly Update on WCCTAC Activities

Item #5. Financial Reports for October and November 2018

Item #6. Payment of Invoices over \$10,000.

Item #7. Approved 2019 TAC and Board Meeting Calendar

Item #8. Approved Joint Funding Agreement with MTC for PASS grant Resolution 18-07

Item #9. FY 2017-2018 STMP Annual Report

Item #10. West County Express Bus Implementation Plan: Round 1 Outreach Update

ITEM/DISCUSSION	ACTION
Item #11 2019 STMP Nexus Study Update: Final Report	Motion by <i>Director Abelson</i> ; seconded by <i>Director Swearingen</i> to approve the 2019 Nexus Study Update of the Subregional Transportation Mitigation Program Impact Fee Final Report. Yes- C. Kelley, R. Swearingen, A. Recinos, A. Chavez, E. Martinez, R. Kinney, L. Simon, R. Kinney, T. Butt, No- None Abstention- None

<p>Item #12 STMP Call for Projects: Funding Recommendations</p>	<p>Motion by Director Kinney; seconded by Director Swearingen, to approve a STMP funding allocation.</p> <p>Yes- C. Kelley, A. Recinos, A. Chavez, E. Martinez, L. Simon, J. Abelson, R. Swearingen, A. Abelson No- T. Butt Abstention- None</p>
<p>Item #13 TDM (511 Contra Costa) Update for West Contra Costa</p>	<p>Information Only Coire Reilly, WCCTAC Staff, provided an update on TDM Program activities in West County.</p>

Meeting Adjourned: 9:24 am

TO: WCCTAC Board

DATE: January 25, 2019

FR: John Nemeth, Executive Director

RE: Monthly Update on WCCTAC Activities

The Arrival of the Richmond Ferry

New ferry service from Richmond to the Ferry Building in San Francisco opened to the public on January 10, 2019. The service, operated by WETA (also known as San Francisco Bay Ferry) offers 35-minute-long morning and evening commute trips across the Bay, with four trips departing Richmond for the City in the morning and four returning in the evening. The new ferry terminal, located on Harbor Way adjacent to the Richmond Craneway Pavilion, includes auto parking, bike parking and bus access via AC Transit's Line 74.





The January 10 ribbon cutting was well attended, with a roster of speakers which included two WCCTAC Directors: Richmond Mayor Tom Butt and Contra Costa Supervisor John Gioia. Attendees were given a free ride on the San Francisco Bay between the ferry's regular morning and evening runs. Staff from WETA will be present at the WCCTAC Board's January 25th meeting to provide an update on the performance of the new service. A substantial portion of the cost of ferry operations is paid for by Measure J 22b funds.

Countywide TDM Strategic Plan

The consulting firm, AECOM, released a draft of the Countywide TDM Strategic plan to the RTPC TDM program managers in November 2018. WCCTAC staff reviewed the draft plan and provided substantial comments. Staff concurs with many of the recommendations that would streamline the TDM program and foster increased consistency across the county. However, staff does not agree with recommendations that could alter or eliminate the current allocations of Measure J and TFCA funds to the subregions. We expect a final draft to be released soon and for this item to come before the WCCTAC Board sometime in the spring.

San Pablo Ave. Multimodal Corridor Study - Focus Group for Seniors and the Disabled

The Alameda County Transportation Commission (ACTC) has been managing a study for the San Pablo Avenue corridor in both Alameda and Contra Costa Counties for the past year. Several events have been held in both West County and Alameda County to solicit public input on what residents like, don't like, need, and what vision they have for future service and access along the San Pablo Avenue corridor. On Tuesday, February 26, 2019, WCCTAC and ACTC staff will host a focus group at the WCCTAC offices, from 2:00 p.m.-4:00 p.m. in the WCCTAC Conference Room. The target audience for this event is West County residents who are either seniors, disabled or both.

Please encourage residents who are interested in attending to contact Joanna Pallock at 510-210-5934. Flyers will be sent out to local agencies and cities to encourage participation.

General Ledger

Period Budget Analysis

User: MinhN
Printed: 1/17/2019 - 1:44 PM
Period: Period 1 to 6, 2019
Budget Type: Full Year Budgeting



Account	Description	Current Actual	Current Budget	Variance	6/12	
					% Var	YTD Budget
Fund Number						
EXPENSE						
770-7700-41000	Salary	27,907.19	36,922.33	9,015.14	24.42	153,489.52
770-7700-41001	Part Time Employees	0.00	0.00	0.00	0.00	0.00
770-7700-41002	Buy Back Compensation	0.00	0.00	0.00	0.00	0.00
770-7700-41004	Salary	0.00	0.00	0.00	0.00	0.00
770-7700-41105	Workers Compensation	0.00	0.00	0.00	0.00	0.00
770-7700-41200	PERS Retirement	3,451.16	0.00	-3,451.16	0.00	41,987.01
770-7700-41210	Pension Benefits	0.00	0.00	0.00	0.00	0.00
770-7700-41300	Healthcare	0.00	0.00	0.00	0.00	0.00
770-7700-41310	Medical Insurance	5,177.83	0.00	-5,177.83	0.00	25,889.21
770-7700-41311	Retiree Healthcare	158.37	0.00	-158.37	0.00	1,093.87
770-7700-41400	Dental	383.95	0.00	-383.95	0.00	1,919.70
770-7700-41500	Vision	2,260.00	0.00	-2,260.00	0.00	2,800.00
770-7700-41800	LTD Insurance	271.63	0.00	-271.63	0.00	1,358.19
770-7700-41900	Medicare	402.06	0.00	-402.06	0.00	2,211.55
770-7700-41901	Other Insurances	0.00	0.00	0.00	0.00	3,357.78
770-7700-41902	FICA	0.00	0.00	0.00	0.00	0.00
770-7700-41903	Employee Assistance Prog	0.00	0.00	0.00	0.00	0.00
770-7700-41904	Life Insurance	78.67	0.00	-78.67	0.00	393.40
770-7700-41905	Benefits In Lieu	0.00	0.00	0.00	0.00	0.00
770-7700-41906	Bonds	0.00	0.00	0.00	0.00	0.00
770-7700-41911	Liability Insurance	0.00	333.33	333.33	100.00	3,804.54
770-7700-41912	Unemployment Insurance	0.00	0.00	0.00	0.00	0.00
770-7700-41915	Educational Incentive	0.00	0.00	0.00	0.00	0.00
770-7700-41999	Employee Benefits	0.00	0.00	0.00	0.00	0.00
770-7700-49005	PERS Side Fund	0.00	0.00	0.00	0.00	0.00
770-7700-49006	GASB 45 OPEB	0.00	0.00	0.00	0.00	0.00
770-7700-42001	Communications	0.00	0.00	0.00	0.00	0.00
770-7700-43500	Office Supplies	603.69	333.33	-270.36	-81.11	1,999.98
770-7700-43501	Postage	47.74	166.67	118.93	71.36	1,000.02
770-7700-43520	Copies/Printing/Shipping/	174.50	316.67	142.17	44.90	1,869.15
770-7700-43530	Office Furn & Equipmt	0.00	0.00	0.00	0.00	0.00
770-7700-43600	Professional Services	2,067.74	4,287.50	2,219.76	51.77	37,415.88
770-7700-43900	Rent/Building	1,577.72	1,854.17	276.45	14.91	11,125.02
770-7700-44000	Special Department Exper	184.61	833.33	648.72	77.85	9,999.98
770-7700-44320	Travel/Training Staff	69.29	483.33	414.04	85.66	2,899.98

Account	Description	Current Actual	Current Budget	Variance	% Var	Year to Date Actual	YTD Budget	Variance	% Var
770-7700-49001	Building Maintenance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
770-7700-49004	Comm/Util/Copies	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
EXPENSE Totals:		44,816.15	45,530.66	714.51	1.57	292,369.14	273,183.96	-19,185.18	-7.02
Fund Number	772								
EXPENSE									
772-7720-41000	Salary	17,097.63	26,833.33	9,735.70	36.28	94,036.92	160,999.98	66,963.06	41.59
772-7720-41001	Part Time Employees	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-41002	Buy Back Compensation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-41004	Salary	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-41105	Workers Compensation	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-41200	PERS Retirement	2,619.56	0.00	-2,619.56	0.00	33,678.22	0.00	-33,678.22	0.00
772-7720-41210	Pension Benefits	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-41300	Healthcare	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-41310	Medical Insurance	3,795.21	0.00	-3,795.21	0.00	18,975.99	0.00	-18,975.99	0.00
772-7720-41400	Dental Insurance	273.73	0.00	-273.73	0.00	1,368.70	0.00	-1,368.70	0.00
772-7720-41500	Vision Care	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-41800	LTD Insurance	129.33	0.00	-129.33	0.00	646.61	0.00	-646.61	0.00
772-7720-41900	Medicare	244.92	0.00	-244.92	0.00	1,346.85	0.00	-1,346.85	0.00
772-7720-41901	Other Insurances	0.00	0.00	0.00	0.00	3,357.78	0.00	-3,357.78	0.00
772-7720-41902	FICA	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-41903	Employee Assistance Prog	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-41904	Life Insurance	35.41	0.00	-35.41	0.00	177.00	0.00	-177.00	0.00
772-7720-41905	Benefits in Lieu	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-41906	Bonds	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-41911	Liability Insurance	0.00	333.33	333.33	100.00	3,804.54	1,999.98	-1,804.56	-90.23
772-7720-42001	Communication	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-43000	Memberships/Subscription	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-43500	Office Supplies	0.00	83.33	83.33	100.00	44.61	499.98	455.37	91.08
772-7720-43501	TDM Postage	47.75	0.00	-47.75	0.00	224.16	0.00	-224.16	0.00
772-7720-43502	TDM Postage	0.00	91.67	91.67	100.00	0.00	550.02	550.02	100.00
772-7720-43520	Copies/Printing/Shipping/	174.51	1,875.00	1,700.49	90.69	15,518.82	11,250.00	-4,268.82	-37.95
772-7720-43600	Professional Services	3,608.99	4,125.00	516.01	12.51	32,983.11	24,750.00	-8,233.11	-33.27
772-7720-43900	Rent/Building	1,577.71	1,833.33	255.62	13.94	9,556.32	10,999.98	1,443.66	13.12
772-7720-44000	Special Department Exper	6,023.41	10,908.58	4,885.17	44.78	56,530.40	65,451.48	8,921.08	13.63
772-7720-44001	Public Information / Work	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-44320	Travel/Training Staff	3.75	183.33	179.58	97.95	552.99	1,099.98	546.99	49.73
772-7720-49001	Building Maintenance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7720-49004	Comm/Util/Copies	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7730-41000	Salary	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
772-7730-41004	Salary	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
EXPENSE Totals:		35,631.91	46,266.90	10,634.99	22.99	272,803.02	277,601.40	4,798.38	1.73
Fund Number	773								
EXPENSE									
773-7730-41000	Salary	0.00	4,166.67	4,166.67	100.00	0.00	25,000.02	25,000.02	100.00
773-7730-41001	Part Time Employees	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Account	Description	Current Actual	Current Budget	Variance	% Var	Year to Date Actual	YTD Budget	Variance	% Var	6/12
773-7730-41004	Salary	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
773-7730-41200	PERS Retirement	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
773-7730-41310	Medical Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
773-7730-41400	Dental	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
773-7730-41800	LTD Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
773-7730-41900	Medicare	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
773-7730-41902	FICA	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
773-7730-41904	Life Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
773-7730-43500	Office Supplies	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
773-7730-43600	Professional Services	0.00	9,621.50	9,621.50	100.00	0.00	57,729.00	57,729.00	100.00	100.00
773-7730-43900	Rent/Building	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
773-7730-44000	Special Department Exper	10,974.43	359,268.83	348,294.40	96.95	44,573.10	2,155,612.98	2,111,039.88	97.93	97.93
773-7730-44320	Travel/Training Staff	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
773-7730-49001	Building Maintenance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
EXPENSE Totals:		10,974.43	373,057.00	362,082.57	97.06	44,573.10	2,238,342.00	2,193,768.90	98.01	98.01
Fund Number	774									
EXPENSE										
774-7740-41000	Salary	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
774-7740-41004	Salary	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
774-7740-41200	PERS Retirement	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
774-7740-41310	Medical Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
774-7740-41800	LTD Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
774-7740-41900	Medicare	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
774-7740-41904	Life Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
774-7740-41911	Liability insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
774-7740-43500	Office Supplies	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
774-7740-43600	Professional Services	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
774-7740-44000	Special Department Exper	0.00	45,209.08	45,209.08	100.00	60,000.00	271,254.48	211,254.48	77.88	77.88
774-7740-44320	Travel/Training Staff	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
774-7740-49001	Building Maintenance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
EXPENSE Totals:		0.00	45,209.08	45,209.08	100.00	60,000.00	271,254.48	211,254.48	77.88	77.88
Report Totals:										
Revenue Total:		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Expense Total:		91,422.49	510,063.64	418,641.15	82.08	669,745.26	3,060,381.84	2,390,636.58	78.12	78.12

TO: WCCTAC Board

MEETING DATE: January 25, 2019

FR: Joanna Pallock, Project Manager

RE: Proposed Job Description for Travel Training Coordinator

REQUESTED ACTION

Staff is seeking Board approval of Resolution 19-01 which establishes a temporary, part-time, Travel Training Coordinator position.

BACKGROUND AND DISCUSSION

In April 2018, the WCCTAC Board authorized \$100,000 in Measure J, 28b (Subregional Needs) funds to be used for travel training in West Contra Costa that would directly train and educate seniors and people with disabilities on using mobility services, especially public transportation.

In October 2018, the WCCTAC Board endorsed an approach to the travel training effort that involves hiring a temporary, part-time (non-benefitted), WCCTAC staff person, instead of contracting with the Center for Independent Living (CIL). It is estimated that there are enough funds for the program to run for approximately two years.

Final approval of this position by the Board was contingent upon staff providing a draft job description and proposed salary rate for the Travel Training Coordinator. These are attached as Exhibits to Resolution 19-01.

NEXT STEPS

If the Board concurs with staff's proposed job description and pay rate for a temporary, part-time, Travel Training Coordinator, staff will solicit interest, interview, and hire a person to begin in early 2019.

ATTACHMENT:

- A. Resolution 19-01

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**WEST CONTRA COSTA TRANSPORTATION ADVISORY COMMITTEE
RESOLUTION 19-01**

**AUTHORIZING THE WCCTAC EXECUTIVE DIRECTOR TO POST THE
JOB DESCRIPTION AND HIRE FOR A PART-TIME WCCTAC TRAVEL
TRAINING COORDINATOR POSITION**

WHEREAS, the West Contra Costa Transportation Advisory Committee (“WCCTAC”) is a joint exercise of powers authority formed pursuant to Government Code Section 6500, et. seq. by and between the City of El Cerrito, the City of Hercules, the City of Pinole, the City of Richmond, the City of San Pablo, Contra Costa County, Alameda-Contra Costa Transit District (“AC Transit”), San Francisco Bay Area Rapid Transit (“BART”), and West Contra Costa Transit Authority (“WestCAT”); and

WHEREAS, the WCCTAC Joint Exercise of Powers Agreement (“Agreement”) authorizes WCCTAC to oversee funds for senior and disabled transportation under Measure J; and

WHEREAS, the WCCTAC Board approved the use of funds under Measure J Program 28b in the amount of \$100,000; and

WHEREAS, these funds have been programmed to allow for a temporary, part-time WCCTAC staff position (Travel Training Coordinator) to be created; and

WHEREAS, a job description is provided as Exhibit A and a pay schedule provided as Exhibit B;

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Board of Directors of WCCTAC hereby approves the creation of the temporary, part-time Travel Training Coordinator position and the revised publically available Pay Schedule which reflects the pay rate for the Travel Training Coordinators as shown in Exhibit B, which is incorporated herein by reference.

The foregoing Resolution was adopted by the WCCTAC Board at a regular meeting on January 25, 2019 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

By: _____

Chris Kelly, Acting Chair

Attest:

John Nemeth, Executive Director

Approved as to Form:_____
Kristopher J. Kokotaylo, General Counsel

Resolution No 19-01 Page 2 of 2

JOB DESCRIPTION: TRAVEL TRAINING COORDINATOR

THE POSITION:

Under supervision of the Program Manager, the Travel Training Coordinator position will lead the implementation of a West County Travel Training program focusing on local senior and disabled residents. This is an approximately two-year, temporary position with the possibility of an extension subject to grant availability.

The Travel Training Coordinator will develop and administer an outreach program that offers assistance to senior and disabled residents seeking options to driving. These options could include the use of fixed-route transit, TNC (Uber/Lyft options), and the ADA and non-ADA paratransit services. These outreach efforts could include workshops, trainings, one on one travel training and group travel training. This person will also participate in the development of public information and community involvement programs and projects, and community outreach. The Travel Training Coordinator will also work closely with the West County Mobility Management Group.

QUALIFICATIONS:

- Knowledge and experience working with the senior and disabled population.
- Experience implementing effective promotional, public information, community outreach, and marketing efforts to assist a diverse audience.
- Knowledge and experience applying the terminology, methods, techniques and resources used in implementing transit and paratransit programs.
- Experience with program evaluation, including data collection procedures, methodology, and relevant software.

SKILLS & ABILITIES:

Excellent communication skills as shown by the ability to communicate both orally and in writing with peers and contacts in the public and private sector. Work in this class is typically performed in an office setting involving computer and telephone use, although some work is performed in a field environment. Incumbents will at times work alone in remote locations within West Contra Costa County. Significant time is spent in the field at events and activities that the Travel Trainer has arranged. Position requires physically moving event equipment and materials; requires the ability to lift up to 25 pounds.

PREFERRED EXPERIENCE AND EDUCATION:

- Completion of a bachelor's degree in public administration, marketing, urban studies, transportation, or a closely related field.
- Minimum of five years of experience working in transportation with the senior and disabled population.
- Possession of a valid Class C California's Driver.
- Equivalent combination of education, training and experience.

Exhibit B

WEST CONTRA COSTA TRANSPORTATION ADVISORY COMMITTEE
Monthly Salary Schedule

Fiscal Year 2018-2019 (Effective January 25, 2019)

JOB CLASS	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
Executive Director	11,786	12,375	12,993	13,644	14,325	15,042	15,795
Project Manager	8,008	8,408	8,827	9,269	9,733		
Project Manager	8,008	8,408	8,827	9,269	9,733		
TDM Program Manager	6,840	7,182	7,541	7,919	8,314		
Administrative Assistant	4,806	5,066	5,324	5,584	5,842		
Travel Training Coordinator (temp, part-time)	\$35-\$50 per hour						

TO: WCCTAC Board

MEETING DATE: January 25, 2019

FR: John Nemeth, Executive Director

RE: **Additional Safe Routes to School Funding for the Lincoln Elementary School
Pedestrian Enhancement Project in Richmond**

REQUESTED ACTION

Approve \$177,000 in additional OBAG 2 Safe Routes to School funds to the SRTS Lincoln Elementary School Pedestrian Enhancement Project in Richmond.

BACKGROUND AND DISCUSSION

In June, 2017, CCTA approved funding allocations for OBAG 2 (including Safe Routes to Schools), Measure J Transportation for Livable Communities (TLC) and Measure J Pedestrian, Bike and Trail Facilities (PBTF). The WCCTAC TAC and Board were involved in development of recommendations for West County.

In mid-2018, CCTA announced that there was an additional \$822,000 in CMAQ funds available for Safe Routes to School projects, with West County's share being \$177,000. The Authority has specified that eligible projects for these funds should be those already programmed in the federal Transportation Improvement Plan (TIP). There are two such projects in West County: the Lincoln Elementary School Pedestrian improvement project in Richmond and the County's "West County Walk and Bike Leaders" program. Both received Safe Routes to School funds during the previous grant cycle.

Given discussions with both project sponsors, it appears that the City of Richmond's Lincoln Elementary School project would particularly benefit from this additional funding. That capital project is facing cost over-runs that are about the size of the additional West County share. Should the additional funding prove to be more than is needed, the City can use any excess to reimburse a portion of its local match.

Staff is recommending that the Lincoln Elementary School project in Richmond receive the additional \$177,000. The WCCTAC TAC approved this recommendation at its January meeting. If the Board concurs, staff will sent a letter to CCTA notifying them of West County funding preference.

ATTACHMENTS:

- A. CCTA memo on the Process for allocating additional OBAG SRTS funds
- B. Email from City of Richmond Staff regarding funding need.

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December 28, 2018

To: RTPC Managers

From: Brad Beck, Senior Transportation Planner

Subject: Process for Allocating Additional One Bay Area Grant (OBAG) 2 Safe Routes to School (SRTS) Funding

An additional \$822,000 in federal Congestion Management-Air Quality (CMAQ) funding is available to Contra Costa for SRTS projects and programs. The Metropolitan Transportation Commission (MTC) allocated these funds to Contra Costa when it extended the first cycle of OBAG for an additional year. The Authority, however, did not include these federal funds in the call for projects for the second cycle of OBAG.

On November 21, 2018, the Authority approved a process for allocating those additional funds. This process reflects input from the Regional Transportation Planning Committees (RTPCs), their Technical Advisory Committees (TACs), and members of the SRTS Task Force. This process has two parts:

1. The Authority allocates the funds to the RTPCs using the same formula used previously in the Coordinated Call for Projects.
2. The RTPCs recommend to the Authority how to apply that funding to projects already programmed in the federal Transportation Improvement Program (TIP).

RTPC ALLOCATIONS

Based on the formula used in OBAG 2, the Authority is allocating the \$822,000 in additional SRTS funding to the RTPCs as follows:

<i>Region</i>	<i>Share</i>
West	\$177,000
Central	\$217,000
East	\$246,000
Southwest	\$182,000
TOTAL	\$822,000

Sponsors may use the funds for any eligible SRTS activities consistent with the limitations in the MTC Resolution 4202 and the original Call for Projects.

TIP PROJECTS

Six Contra Costa projects in the TIP received SRTS funds through OBAG 2:

<i>Project</i>	<i>Sponsor</i>	<i>SRTS Funding</i>
Willow Pass Road Repaving and 6 th Street SRTS *	Concord	\$1,077,000
Moraga Way and Canyon/Camino Pablo Improvements **	Moraga	\$607,000
L Street Pathway to Transit-Bike Ped Improvements	Antioch	\$1,223,000
Lincoln Elementary SRTS Ped Enhancements	Richmond	\$320,000
Street Smarts San Ramon Valley	San Ramon	\$300,000
West Contra Costa Walk and Bike Leaders	Contra Costa County	\$561,000
TOTAL		\$4,088,000

* This project combines components from two projects that were originally separate

** Originally named "Strategic Bicycle, Pedestrian and SRTS Improvements"

As long as enough local funds remain to provide the 11.47 percent minimum match, RTPCs and project sponsors have two options for using the additional SRTS funds:

1. Add to the total funds programmed to the project to expand its scope, or
2. Replace some of the local match with additional SRTS funds where the local funds currently exceed 11.47 percent of the total project cost.

RTPCs may decide whether to apply all of its allocation of SRTS funds to one SRTS project in the TIP or to split its allocation to multiple projects. As noted above, the components funded must be consistent with the requirements of MTC's Resolution 4202 and the Call for Projects and sponsors must provide a local match of at least 11.47 percent.

A proposal to the Authority consistent with these recommendations would allocate the additional SRTS funds to the RTPCs for allocation to SRTS projects currently programmed in the TIP, either to expand the project scope or to replace local matching funds.

We are asking for RTPC recommendations by the end of February 2019.

If you have questions, feel free to contact James Hinkamp, Associate Transportation Planner, at jhinkamp@ccta.net or 925 256-4726.

Joanna Pallock

From: Lina Velasco <Lina_Velasco@ci.richmond.ca.us>
Sent: Wednesday, August 22, 2018 10:53 AM
To: Joanna Pallock
Cc: Yader Bermudez; Tawfic Halaby
Subject: RE: Addl SRTS Funds

Hi Joanna,

Thank you for reaching out to us regarding the additional SRTS funding that is available. As discussed this morning on our call, construction costs on projects are escalating at about 8% per year. Given that Richmond's Lincoln Ped Enhancement project is planned for FY21 in the OBAG allocations, we would propose that a portion of this new SRTS money be allocated to this existing project in the TIP (Option 2a) to cover anticipated cost overruns.

Based on our calculations at 5%, which we believe is the minimum needed, we would request an additional \$93,314 to complete the project. However, pricing right now is actually increasing at 8%, which mean that the City would actually need an additional \$156,092 to complete this project. This additional funding will help ensure that the City can complete the project without having to increase its local match.

Estimate (Yr17)	5% (Yr18)	5% (Yr19)	5% (Yr20)	5% (Yr21)	Difference
\$433,000	\$454,650	\$477,383	\$501,252	\$526,314	\$93,314
Estimate (Yr17)	8% (Yr18)	8% (Yr19)	8% (Yr20)	8% (Yr21)	Difference
\$433,000	\$467,640	\$505,051	\$545,455	\$589,092	\$156,092

If other funded projects are not interested in or in need of the additional funding, we'd also be happy to expand the project scope to use all of the additional funding that is available. Please let us know if you have any questions.

Kindly,
Lina

Lina Velasco
Planning Manager
City of Richmond Planning Division
450 Civic Center Plaza
Richmond, CA 94804
(510) 620-6841
www.ci.richmond.ca.us/planning

From: Joanna Pallock [<mailto:jpallcock@wcctac.org>]
Sent: Monday, August 20, 2018 11:29 AM
To: Patrick Phelan
Subject: Addl SRTS Funds

Hi Patrick-

I have attached a memo from CCTA regarding some addl left over funds from the recent SRTS allocation cycle.

Please read the memo and let me know if you are the best contact to further discuss possible uses.

TO: WCCTAC Board

MEETING DATE: January 25, 2019

FR: Leah Greenblat, Project Manager

RE: 2019 STMP Nexus Update: Authorization to Sign Final Draft Master Cooperative Agreement and Circulate Final Draft Model Ordinance

REQUESTED ACTION

Adopt Resolution No. 19-02 authorizing the WCCTAC Chair to:

- 1.) Sign the Master Cooperative Agreement with minor changes as approved by the General Counsel and
- 2.) Forward the Model Ordinance to the STMP partner agencies for consideration and adoption.

BACKGROUND AND DISCUSSION

Measure J, the half-percent sales tax that funds transportation projects in Contra Costa County, requires local jurisdictions to establish a transportation mitigation fee program. These fees are collected so that new development pays its fair share for transportation impacts and the funds go towards implementing transportation improvements that serve each of the County's four sub-regions. Since 1997, WCCTAC has had a transportation mitigation fee program which was last updated in 2006.

In the fall of 2016, WCCTAC began updating its 2006 Subregional Transportation Mitigation Program (STMP) by issuing a request for proposal for consultant services. Since the Board selected Fehr and Peers to lead the consultant team, the consultants have worked closely with WCCTAC staff and TAC to develop the necessary draft documents to update the program. Throughout the process, the consultants have provided updates to the WCCTAC Board and sought their input on policy matters.

In September 2018, the WCCTAC Board reviewed the maximum potential STMP fees that could be charged along with comparisons with other transportation fees in the County sub-regions. Following its discussion, the Board agreed to set the STMP fees at seventy-five percent of the maximum allowed. At its December 2018 meeting, the WCCTAC Board took a significant step towards implementing an updated STMP by accepting the Final Report of 2019 Nexus Update of STMP Impact Fee.

While the report provides the legal justification for the STMP fee, additional steps are needed to implement the updated STMP program. The next step is for WCCTAC, and then the five City Councils in West County and the Board of Supervisors, to sign a new Master Cooperative

Agreement and for the local Councils/Board of Supervisors to adopt a new STMP ordinance. (For the current 2006 STMP, similar documents were also signed and adopted.)

WCCTAC staff and the TAC developed drafts of the Master Cooperative Agreement and Model Ordinance with the assistance of the consultants, as well as WCCTAC's legal counsel. TAC members facilitated their in-house review of the documents which, included a review by local legal counsels. The documents were then further refined before the TAC made its recommendation to forward them to the WCCTAC Board for consideration.

To help assure that the STMP is implemented with clarity and consistency throughout West County, WCCTAC also has worked closely with its member agencies to develop a set of administrative guidelines to provide a resource for local agency and WCCTAC staff on day-to-day operational details and procedures. The guidelines are intended to be updated from time to time if necessary, following review by the WCCTAC TAC and approval by the WCCTAC Executive Director.

If the WCCTAC Board adopts Resolution No. 19-02, it will authorize the WCCTAC Chair to sign the Master Cooperative Agreement, subject to minor changes as approved by the WCCTAC Counsel and the Executive Director. Resolution No. 19-02 will also direct staff to forward the Model Ordinance to the STMP partner agencies for their review and adoption. These final draft documents are attached. Also included as reference exhibits are the 2019 Nexus Report and the final draft Administrative Guidelines. If the WCCTAC Board approves the resolution, these STMP documents will not need to return to the WCCTAC Board again, unless a partner agency requests a substantive change.

WCCTAC has worked closely with local agency staff to facilitate what we hope will be a smooth adoption and implementation process. At the local level, jurisdictions will need to follow their local noticing requirements in order to act on these two documents. For the Ordinance, it is likely that two meetings will be needed followed by a waiting period. In anticipation of the WCCTAC Board acting on these documents at its meeting on January 25, 2019, WCCTAC staff has requested that local agencies plan to agendaize these documents for their councils/board in February and March with the intent of adoption by April 30, 2019, so that the new fees may go into effect on July 1, 2019.

WCCTAC staff also asked WCCTAC TAC members to provide council/board meeting dates to us so that we can arrange to have WCCTAC staff and our consultants attend one local agency meeting to present, respond to questions or otherwise serve as a resource for each council and board. Additionally, the WCCTAC Executive Director emailed the West County city managers and county administrator to apprise them of the STMP Update's progress and the request for upcoming agenda items. Below is a summary of the schedule for the next key steps in completing the STMP Update.

At the January WCCTAC Board meeting, staff and its consultant will provide the Board with a two-part presentation. The one part will cover the Master Cooperative Agreement and

Ordinance. The other part is intended as a dry-run of the planned presentation to West County councils and the Board of Supervisors so that WCCTAC Board members are familiar with what will be presented to their colleagues and so Board members can provide feedback to staff.

STMP Update Adoption and Implementation Schedule	
Task	Timeframe
WCCTAC TAC & Agencies review final draft documents	October 2018-January 2019
WCCTAC Board accepts STMP Nexus Report	December 14, 2018
WCCTAC Board considers Master Cooperative Agreement, Model Ordinance and Administrative Guidelines	January 25, 2019
Cities and County agendaize authorization to sign Master Cooperative Agreement and adoption of the Model Ordinance	February-April 2019
Updated 2019 STMP fees in effect	July 1, 2019

ATTACHMENTS:

- A. Resolution No. 19-02
- B. Final Draft Master Cooperative Agreement, January 16, 2019
- C. Final Draft Model STMP Ordinance, January 16, 2019
- D. Final Report of the 2019 Nexus Update of the Subregional Transportation Mitigation Program Impact Fee, accepted by WCCTAC Board December 14, 2018
- E. Final Draft STMP Administrative Guidelines, January 16, 2019

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**WEST CONTRA COSTA TRANSPORTATION ADVISORY COMMITTEE
RESOLUTION 19-02**

**AUTHORIZING THE WCCTAC BOARD CHAIR TO SIGN THE MASTER
COOPERATIVE AGREEMENT FOR THE 2019 UPDATE TO THE
SUBREGIONAL TRANSPORTATION MITIGATION FEE PROGRAM
(STMP) AND FORWARD THE STMP MODEL ORDINANCE TO
AGENCIES FOR THEIR REVIEW AND ADOPTION**

WHEREAS, the West Contra Costa Transportation Advisory Committee (“WCCTAC”) is a joint exercise of powers authority formed pursuant to Government Code Section 6500, et. seq. by and between the City of El Cerrito, the City of Hercules, the City of Pinole, the City of Richmond, the City of San Pablo, Contra Costa County, Alameda-Contra Costa Transit District (“AC Transit”), San Francisco Bay Area Rapid Transit (“BART”), and West Contra Costa Transit Authority (“WestCAT”); and

WHEREAS, the Mitigation Fee Act allows for fees to be charged to new development to offset the impacts generated by that new development; and

WHEREAS, Measure C and its successor Measure J both included a Growth Management Plan which require local jurisdictions to develop a program of regional traffic mitigation fees, assessments, or other mitigations, as appropriate, to fund regional and subregional transportation projects; and

WHEREAS, WCCTAC first implemented a transportation impact fee via the Subregional Transportation Mitigation Fee Program (STMP) in 1997, the purposes of which is to mitigate the impacts of new trips generated by new development; and

WHEREAS, the last update to the STMP program was in 2006; and

WHEREAS, WCCTAC retained Fehr and Peers to conduct a new nexus study regarding an update to the STMP impact fee; and

WHEREAS, the WCCTAC Board accepted the Final Report of the 2019 Nexus Update of the STMP Impact Fee (“Nexus Update”) at its December 14, 2018 meeting; and

WHEREAS, the Nexus Update identifies twenty (20) regional transportation projects on which the STMP impact fees will be expended;

WHEREAS, the members of WCCTAC wish to update the Ordinances and Master Cooperative Agreement that support the STMP impact fee program; and

WHEREAS; the cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo and the County of Contra Costa, as well as WCCTAC, have developed a Master Cooperative Agreement for the 2019 STMP Program, attached hereto as Exhibit A, that outlines the roles and

responsibilities of the Parties relative to the administrative, fiscal, and project management of the STMP impact fee program; and

WHEREAS, WCCTAC has developed a Model Ordinance for the cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo and the County of Contra Costa (the “Agencies”) to consider for adoption as substantively provided, attached hereto as Exhibit B, in order to adopt the updated STMP impact fee.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the Board of Directors of WCCTAC hereby resolve that the Board Chair is authorized to sign the Master Cooperative Agreement attached hereto as Exhibit A, with such minor changes as approved by the General Counsel; and

BE IT FURTHER RESOLVED, that the WCCTAC Board hereby directs the Executive Director to forward the Model Ordinance, as attached hereto as Exhibit B, to the Agencies for their review and adoption.

The foregoing Resolution was adopted by the WCCTAC Board at a regular meeting on January 25, 2019 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

By: _____

Chris Kelly, Acting Chair

Attest:

John Nemeth, Executive Director

Approved as to Form:

Kristopher J. Kokotaylo, General Counsel

3151799.1

**MASTER COOPERATIVE AGREEMENT
BY AND AMONG 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 2019 SUBREGIONAL TRANSPORTATION MITIGATION FEE PROGRAM**

This AGREEMENT is made and entered into as of this _____ day of _____, 2019, by and between the cities of El Cerrito, Hercules, Pinole, Richmond, San Pablo, and the County of Contra Costa, collectively referred to herein as AGENCIES; and individually as an AGENCY, and the West Contra Costa Transportation Advisory Committee, a Joint Exercise of Powers Agency organized pursuant to a Joint Exercise of Powers Agreement among the cities of El Cerrito, Hercules, Pinole, Richmond, and San Pablo, the County of Contra Costa, and the transit agencies AC Transit, Bay Area Rapid Transit District, and Western Contra Costa Transit Authority, hereinafter referred to as WCCTAC. The AGENCIES, and WCCTAC shall sometimes be referred to collectively herein as the “Parties” and individually as a “Party”.

RECITALS

WHEREAS, AGENCIES, and WCCTAC, pursuant to the Contra Costa Transportation Improvement and Growth Management Expenditure Plan and Ordinance (referred to herein as “Measure C”) adopted and approved by the voters in 1988, and pursuant to the extension of the transportation sales tax (referred to herein as “Measure J”) adopted and approved by the voters in November 2004, hereby desire to enter into a Cooperative Agreement for transportation improvements in West Contra Costa County to be funded in whole or in part by developer fees collected under the West County Subregional Transportation Mitigation Program (“STMP”). The 2019 program (the “2019 STMP”) is intended to update the STMP adopted in 2006 (the “2006 STMP”). The transition from the 2006 STMP to the 2019 STMP is outlined herein. This Agreement shall terminate and replace the prior Master Cooperative Agreement Between Contra Costa 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, dated June 13, 2006; and

WHEREAS, the WCCTAC Joint Exercise of Powers Agreement describes the objective of protecting and advancing the interests of West Contra Costa County communities with regard to transportation issues and the utilization of Measure C and Measure J funds, and explicitly designates WCCTAC to oversee the STMP; and

WHEREAS, each AGENCY by local ordinance or resolution, enacted the 2006 STMP, which levies a fee on new development to mitigate the impacts of new trips generated by that development in conformity with the Mitigation Fee Act (Gov. Code §§ 66000 et seq., referred to herein as the “Act”); and

WHEREAS, fees from the 2006 STMP partially funded eleven regional transportation projects which are listed in the Fee Program Background section of the adopted 2019 Nexus Update of the Subregional Transportation Mitigation Program (STMP) Impact Fee report; and

WHEREAS, fees from the 2019 STMP are proposed to partially fund twenty (20) regional transportation projects, as more particularly described herein (collectively referred to herein as the “Projects” and individually as a “Project”); and

WHEREAS, the conclusions of the nexus study, in conformity with Government Code section 66000 et seq. can be found in the 2019 Nexus Update of the STMP Impact Fee report which is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, this Agreement outlines the roles and responsibilities of the Parties relative to the administrative, fiscal, and project management of the 2019 STMP projects; and

WHEREAS, WCCTAC is the primary responsible entity for the program, and will coordinate and administer the STMP expenditures, the priority for fee disbursements, and provide general management of the STMP consistent with its mission; and

WHEREAS, WCCTAC has evaluated the components of the 2019 STMP and finds that the establishment, imposition, collection, transfer and use of development fees for the purposes and Projects described herein are necessary to mitigate traffic impacts caused by new development and authorized by all applicable legal authorities;

NOW, THEREFORE, in consideration of the foregoing, the Parties hereby agree as follows:

A. PURPOSE

The purpose of this Agreement is to formalize the institutional arrangements for the collection, oversight, and expenditure of the 2019 STMP fees and the close out of the 2006 STMP program.

B. LIST OF PROJECTS

Fees from the 2019 STMP are proposed to partially fund the Projects identified in this Paragraph B, as more particularly described in the 2019 Nexus Update of the Subregional Transportation Mitigation Program (STMP) Impact Fee report. Each Project shall have one or more designated project sponsors (each a “**Project Sponsor**”). A Project Sponsor may be an AGENCY, WCCTAC or another governmental agency. WCCTAC will enter into a funding agreement with each Project Sponsor as part of funding of each Project, and such funding agreement shall set forth the duties and responsibilities of the Project Sponsor. The Project Sponsor(s) for each Project are listed in parenthesis below after the description of each Project.

1. **San Pablo Avenue Complete Streets Projects** – Transit, bicycle, and pedestrian improvements along several segments of San Pablo Avenue.
(*WCCTAC Cities/Contra Costa County*);
2. **Appian Way Complete Streets Project** – Pedestrian, bicycle, and transit access improvements along Appian Way in El Sobrante and in City of Pinole.
(*Contra Costa County; City of Pinole*);

3. **San Pablo Dam Road Improvements** – Multimodal access improvements along San Pablo Dam Road through downtown El Sobrante. (*Contra Costa County*);
4. **Bay Trail Gap Closure** – Improve transit access by closing three key Bay Trail gaps: along Goodrick Avenue in Richmond, between Bayfront Park and Pinole Creek in Pinole, and between Atlas Road and Cypress Avenue in unincorporated Contra Costa County. (*East Bay Regional Park District, Contra Costa County, Cities of Richmond and Pinole*);
5. **Ohlone Greenway Improvements** – Crossing, wayfinding, signing, lighting, safety, access and landscaping improvements along Ohlone Greenway. (*City of El Cerrito*);
6. **I-580/Harbor Way Interchange Improvements** – Improve pedestrian and bicycle access across interchange, to serve movements between waterfront/ferry terminal and central Richmond. (*City of Richmond*);
7. **I-580/Marina Bay Parkway Interchange Improvements** – Improve pedestrian and bicycle access across interchange, to serve movements between waterfront and downtown Richmond. (*City of Richmond*);
8. **Richmond Ferry to Bridge Bicycle Improvements** – Improve bicycle access between Richmond Ferry Terminal and Bay Trail near Richmond-San Rafael Bridge. (*City of Richmond*);
9. **I-80 Express Bus** – Capital improvements associated with implementing I-80 Express Bus service between Hercules and Oakland/Emeryville/Berkeley/San Francisco, with possible intermediate stops. (*WCCTAC, WestCAT and AC Transit*);
10. **Hercules Regional Intermodal Transportation Center** – Complete construction of new Capitol Corridor train stop, with associated track improvements, parking and access facilities. (*City of Hercules*);
11. **BART Extension from Richmond Station (Planning and Conceptual Engineering Phases)** – Planning, conceptual engineering and/or program level environmental clearance phases of potential BART extension to Contra Costa College/City of San Pablo. (*WCCTAC, City of San Pablo, BART*);
12. **San Pablo Avenue Transit Corridor Improvements** – Extension and improvement of bus rapid transit (BRT) and/or rapid bus service along San Pablo Avenue through West County, with stops including Richmond Parkway Transit Center and Hercules Transit Center. (*WCCTAC Cities/Contra Costa County*);

13. **23rd Street Transit Corridor Improvements** – Provision of bus rapid transit (BRT) and/or rapid bus service along 23rd Street from Richmond Ferry Terminal/UC Berkeley Richmond Field Station to Richmond BART, to Contra Costa College, and potentially to Hilltop Mall. (*Cities of Richmond and San Pablo*);
14. **West County BART Station Access and Parking Improvements** – Station modernization and capacity enhancements, parking, and access improvements at El Cerrito Plaza, El Cerrito del Norte, and Richmond BART stations, and Richmond Crossover Project to allow increased frequency along Richmond line. (*BART, WCCTAC*);
15. **Del Norte Area TOD Public Infrastructure 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. (*BART, Cities of El Cerrito and Richmond*);
16. **San Pablo Avenue Intersection Realignment** – Intersection reconfiguration, potential signal modifications to accommodate pedestrian, bicycle, and bus rapid transit (BRT) access at intersection of San Pablo Avenue, 23rd Street, and Road 20. (*City of San Pablo*);
17. **I-80/San Pablo Dam Road Interchange Improvements, Phase 2** – Interchange reconstruction, new bridge over Wildcat Creek, and improved bicycle and pedestrian facilities. (*CCTA*);
18. **I-80/Central Avenue Interchange Improvements, Phase 2** – Increase intersection spacing to increase vehicle capacity, connect Pierce Street and San Mateo Street, convert Pierce Street access at Central Avenue to right-in/right-out and improve multimodal access. (*CCTA*);
19. **I-80/Pinole Valley Road Interchange Improvements** – Improve merge from eastbound on-ramp to I-80, widen ramp terminal intersections, and make pedestrian crossing improvements. (*CCTA, City of Pinole*); and
20. **Future Nexus Study Updates** – Two comprehensive nexus studies and fee updates over the 22-year planning horizon of the 2019 STMP Fee. (*WCCTAC*).

C. CLOSE-OUT OF FEE COLLECTION AND EXPENDITURE FROM THE 2006 STMP

Fees will no longer be collected for the eleven projects from the 2006 STMP as of the Effective Date. All fees collected and unspent for these projects as of the Effective Date shall be used for Projects that are the same as or substantially similar to a project from the 2006 STMP, in order to further the purposes for which the 2006 STMP was adopted.

Any fees collected and unspent from the 2006 STMP that are not able to be used in this manner, shall be refunded or used in accordance with Government Code section 66001(e)&(f).

D. FEES

1. Imposition of the Fees. In order to fund the 2019 STMP, AGENCIES shall consider the adoption, by ordinance or resolution, the following developer fees, to be payable at the time of issuance of building permits:

<u>LAND USE</u>	<u>FEE</u>
Single-Family Residential	\$5,439/DU*
Multi-Family Residential	\$2,679/DU
Senior Housing	\$1,469/DU
Hotel	\$3,481/Room
Retail/Service	\$6.59/SF**
Office	\$8.72/SF
Industrial	\$5.56/SF
Storage Facility	\$0.76/SF
Other	\$7,350 per AM peak hour trip

*DU = Dwelling Unit

**SF = Square Foot

AGENCY is responsible for determining the appropriate land use category and fee amount to apply to specific development projects being considered by their jurisdiction. AGENCY will refer to the STMP Administrative Guidelines for guidance on how to apply these land use categories to development projects.

2. Administrative Fee.

In addition to the STMP fee imposed by section D.1 above, each AGENCY may impose an administrative fee payable to the AGENCY at the time of issuance of a building permit. The administrative fee shall be no greater than the cost incurred by the AGENCY to adopt the ordinance or resolution establishing the 2019 STMP and to collect, report, and transmit appropriate reports and funds to WCCTAC. Any administrative fee applied by AGENCY shall be kept separate from the STMP funds.

3. Tribal Gaming Facility Developments.

The Parties agree that a tribal gaming facility's subregional traffic impacts should be mitigated and that WCCTAC shall be included in any evaluation and determination of such impacts and their mitigation. Monies to pay for mitigation of such subregional impacts may be governed by a tribal-state compact or a tribal-local agency agreement. The collection of any such monies shall be subject to

applicable state and federal law, including but not limited to the Indian Gaming and Regulatory Act, 25 U.S.C. §§ 2701-2721.

4. Transfer of the Fees.

No more than thirty (30) days following the close of each calendar quarter ending after the Effective Date, all STMP fee revenue collected by an AGENCY, and any interest accrued on such revenue, not including any AGENCY administrative fee pursuant to Section D.2, will be transferred by the AGENCY to WCCTAC with a brief Quarterly Report that identifies each development project subject to STMP, and the revenue collected for the development during the reporting period. WCCTAC shall deposit the funds into a separate interest-bearing capital facilities account for the STMP revenues to be used solely for the purposes described herein, and in the fee resolutions or ordinances adopted by the AGENCIES pursuant to this Agreement. The revenues, including any accrued interest from the account, will be disbursed and expended only for the twenty projects identified in Section B above.

5. Reports.

Pursuant to Government Code section 66006(b)(1), within 150 days after the end of each fiscal year, WCCTAC, in cooperation with the Project Sponsors, shall make available to the public and to AGENCIES a status report on the progress attained and costs incurred to date on each Project in the 2019 STMP, including but not limited to:

- i. A brief description of the type of fee in the account or fund.
- ii. The amount of the fee.
- iii. The beginning and ending balance of the account or fund.
- iv. The amount of the fees collected and the interest earned.
- v. An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees.
- vi. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in paragraph (2) of subdivision (a) of Section 66001 of the Government Code, and the public improvement remains incomplete.
- vii. A description of each interfund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned

fees will be expended, and, in the case of an interfund loan, the date on which the loan will be repaid, and the rate of interest that the account or fund will receive on the loan.

- viii. The amount of refunds made pursuant to subdivision (e) of Section 66001 and any allocations pursuant to subdivision (f) of Section 66001.

6. Report Reviews.

Pursuant to Government Code section 66006(b)(2), the WCCTAC Board shall review the information contained in the report referenced in Section D.5 of this Agreement at the next regularly-scheduled public meeting not less than fifteen (15) days after this information is made available to the public. Thereafter, such report and any comments or amendments made by the WCCTAC Board, shall be forward to the AGENCIES.

7. Periodic Findings.

After the fifth fiscal year following the first deposit of 2019 STMP revenues and every five (5) years thereafter, WCCTAC shall make all findings required by Government Code section 66001(d). Such findings shall be made in connection with the release of public information required by Government Code section 66006(b) and Section D.6 of this Agreement.

8. Annual Fee Adjustments.

A provision shall be included in the fee resolutions or ordinances adopted by AGENCIES pursuant to this Agreement, requiring automatic annual fee increases or decreases, effective July 1 of each year after 2019, based on the annual percentage change in the Engineering News-Record Construction Cost Index for the San Francisco Bay Area for the 12-month period ending with the February index of the same calendar year. WCCTAC will calculate the annual percentage increase in the STMP fee and notify all AGENCIES of this change. Each AGENCY shall be responsible for implementing this annual change in the STMP Fee.

9. Exemptions and Waivers.

No exemptions for any development subject to the 2019 STMP Fee shall be allowed without pre-approval of WCCTAC except as described in the STMP Administrative Guidelines. Developments may be exempted from the 2019 STMP and the development fees pursuant thereto to the extent allowed by law, and any such exemption shall be reported to WCCTAC.

10. Credits and Reimbursements.

An applicant may receive credit against fees for the dedication of land for right-of-way and/or construction of improvements for specific 2019 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 2019 STMP dedications or improvements shall be based upon a determination by AGENCY 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 AGENCY. AGENCY must report any credit to WCCTAC prior to awarding the credit.

An applicant may receive reimbursement from STMP fees paid by other development projects to the extent that the amount of the credit is greater than the STMP fee obligation of the development project. The award of any reimbursement by AGENCY must be preapproved by the WCCTAC Board; in making that decision, the Board will take into consideration criteria and metrics related to funding availability and project prioritization that they use in making other STMP funding decisions.

11. Appeals.

Should an applicant or AGENCY seek an appeal of the fee due, the appeal shall be made in writing to WCCTAC with supporting documentation. The WCCTAC Board shall consider the appeal at a regularly scheduled meeting, and shall make a decision on the appeal. The decision of the WCCTAC Board is final.

12. Verification.

In addition to the quarterly reporting form submitted by the local jurisdictions, WCCTAC in conjunction with the AGENCIES may undertake steps to verify AGENCIES compliance with the 2019 STMP Program. This may include periodic reports to the WCCTAC Board and City/County Managers about compliance with reporting requirements, and/or requesting information on building permits issued to compare with the information contained in the quarterly reporting form.

13. STMP Administrative Guidelines

WCCTAC has adopted administrative guidelines to assist WCCTAC and Agency staff with implementation of the STMP Fee, and provide additional detail not included in this Agreement. The STMP Administrative Guidelines are attached hereto as Exhibit B, and incorporated herein. The Parties understand and agree that the STMP Administrative Guidelines may be changed from time to time in the sole discretion of the WCCTAC Executive Director, as long as such changes do not conflict with this Agreement or applicable law. Prior to adopting any changes to the STMP Administrative Guidelines, the Executive Director shall submit the proposed changes to the WCCTAC Technical Advisory Committee for

review. Upon a change in the STMP Administrative Guidelines, WCCTAC will provide copies of the revised STMP Administrative Guidelines to all Agencies.

E. FUNDING COMMITMENTS AND ELIGIBLE COSTS

1. Use of Fees.

Fee revenues shall be available for Project costs through completion of construction. Costs include, but are not limited to, environmental clearance, conceptual planning and engineering, traffic studies, design, right-of-way acquisition, utility relocation, and costs of construction. Funding amounts are in 2018 dollars and actual funding commitments will depend upon the 2019 STMP fee revenues collected by the AGENCIES. Eligible Project costs will be determined by WCCTAC consistent with applicable law, in WCCTAC's sole discretion. Project costs will be reimbursed pursuant to procedures determined by WCCTAC.

2. STMP Projects and Funding.

ID	Project Name	Maximum STMP Amount
1	San Pablo Avenue Complete Streets Projects	\$9,672,000
2	Appian Way Complete Streets Project	\$4,429,000
3	San Pablo Dam Road Improvements in El Sobrante	\$1,980,000
4	Bay Trail Gap Closure	\$2,333,000
5	Ohlone Greenway Improvements	\$579,000
6	I-580/Harbour Way Interchange Pedestrian & Bicycle Access Improvements	\$156,000
7	I-580/Marina Bay Parkway Interchange Pedestrian & Bicycle Access Improvements	\$197,000
8	Richmond Ferry to Bridge Bicycle Network Improvements	\$2,450,000
9	I-80 Express Bus Service	\$20,749,000
10	Hercules Regional Intermodal Transportation Center	\$10,175,000
11	BART Extension from Richmond Station	\$2,793,000
12	San Pablo Avenue Transit Corridor Improvements	\$36,509,000
13	23rd Street Transit Corridor Improvements	\$23,142,000
14	West County BART Station Access, Parking & Capacity Improvements	\$16,896,000

ID	Project Name	Maximum STMP Amount
15	Del Norte Area TOD Public Infrastructure Improvements	\$7,175,000
16	San Pablo Avenue Intersection Realignment at 23rd Street and Road 20	\$1,814,000
17	I-80/San Pablo Dam Road Interchange Improvements (Phase 2)	\$16,110,000
18	I-80/Central Avenue Interchange Improvements (Phase 2)	\$2,588,000
19	I-80/Pinole Valley Road Interchange Improvements	\$1,534,000
20	Future Nexus Study Updates	\$500,000
Totals		\$161,781,000

F. PROJECT IMPLEMENTATION

WCCTAC and AGENCIES will work to promote steady progress on all Projects, to the extent that funding and Project readiness permit.

G. ADMINISTRATIVE OVERSIGHT AND COST RECOVERY

1. The following parties shall be entitled to recover the following costs and expenses:
 - i. WCCTAC. WCCTAC is entitled to recovery of reasonable administrative costs and expenses actually incurred, not to exceed 4% of the STMP fees collected under this Agreement to provide the 2019 STMP services relating to or incurred in the performance of the following duties: coordination, administration and oversight of Project expenditures; determination of the priority of fee disbursements; provision of general management of the Projects; provision of financial and accounting services, including but not limited to serving as the repository of the STMP fee revenues and other funds collected under this Agreement and preparation of quarterly reports with the amount of fee revenues collected and the distribution of fees to the Projects.
 - ii. AGENCIES. In addition to the STMP fee imposed by section D.1 above, each AGENCY may impose an administrative fee payable to the AGENCY at the time of issuance of a building permit as set forth in Section D.2. The administrative fee shall be no greater than the cost incurred by the AGENCY to adopt the ordinance or resolution establishing the 2019 STMP and cost to collect, report, and transmit appropriate reports and funds to WCCTAC. .

H. TERM

The term of this Agreement shall commence on July 1, 2019, (the “Effective Date”) and shall terminate on December 31, 2040, unless terminated earlier in accordance with the terms of this Agreement.

I. TERMINATION

This Agreement will remain in effect until the termination date stated in Section H. above, unless terminated earlier by written agreement of the Parties. However, in no event shall the Parties to this Agreement terminate this Agreement if such a termination would conflict with, cause a default under or otherwise violate the terms or conditions of any revenue bonds.

J. INDEMNIFICATION

1. WCCTAC shall defend, indemnify, save and hold harmless the Cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo; and the County of Contra Costa and their officers, agents and employees from any and all claims, costs and liability arising out of or in connection with an act or failure to act under this Agreement, or breach of any term of this Agreement, by WCCTAC, except to the extent such claims, costs or liability arise from the negligence of El Cerrito, Hercules, Pinole, Richmond, San Pablo, Contra Costa County or their officers, agents or employees.
2. El Cerrito shall defend, indemnify, save and hold harmless WCCTAC; the cities of Hercules, Pinole, Richmond and San Pablo; and the County of Contra Costa; and their officers, agents and employees from any and all claims, costs and liability arising out of or in connection with any act or failure to act under this Agreement, or breach of any term of this Agreement, by El Cerrito, except to the extent such claims, costs or liability arise from the negligence of WCCTAC, Hercules, Pinole, Richmond, San Pablo, Contra Costa County or their officers, agents or employees.
3. Hercules shall defend, indemnify, save and hold harmless WCCTAC; the cities of El Cerrito, Pinole, Richmond and San Pablo; and the County of Contra Costa and their officers, agents and employees from any and all claims, costs and liability arising out of or in connection with any act or failure to act under this Agreement, or breach of any term of this Agreement, by Hercules, except to the extent such claims, costs or liability arise from the negligence of WCCTAC, El Cerrito, Pinole, Richmond, San Pablo, Contra Costa County or their officers, agents or employees.
4. Pinole shall defend, indemnify, save and hold harmless WCCTAC; the cities of El Cerrito, Hercules, Richmond and San Pablo; and the County of Contra Costa and their officers, agents and employees from any and all claims, costs and liability arising out of or in connection with any act or failure to act under this Agreement, or breach of any term of this Agreement, by Pinole, except to the extent such

claims, costs or liability arise from the negligence of WCCTAC, El Cerrito, Hercules, Richmond, San Pablo, Contra Costa County or their officers, agents or employees.

5. Richmond shall defend, indemnify, save and hold harmless WCCTAC; the cities of El Cerrito, Hercules, Pinole and San Pablo; and the County of Contra Costa and their officers, agents and employees from any and all claims, costs and liability arising out of or in connection with any act or failure to act under this Agreement, or breach of any term of this Agreement, by Richmond, except to the extent such claims, costs or liability arise from the negligence of WCCTAC, El Cerrito, Hercules, Pinole, San Pablo, Contra Costa County or their officers, agents or employees.
6. San Pablo shall defend, indemnify, save and hold harmless WCCTAC; the cities of El Cerrito, Hercules, Pinole and Richmond; and the County of Contra Costa and their officers, agents and employees from any and all claims, costs and liability arising out of or in connection with any act or failure to act under this Agreement, or breach of any term of this Agreement, by San Pablo, except to the extent such claims, costs or liability arise from the negligence of WCCTAC, El Cerrito, Hercules, Pinole, Richmond, Contra Costa County or their officers, agents or employees.
7. Contra Costa County shall defend, indemnify, save and hold harmless WCCTAC; the cities of El Cerrito, Hercules, Pinole, Richmond, and San Pablo and their officers, agents or employees from any and all claims costs and liability arising out of or in connection with any act or failure to act under this Agreement, or breach of any term of this Agreement, by Contra Costa County, except to the extent such claims, costs or liability arise from the negligence of WCCTAC, El Cerrito, Hercules, Pinole, Richmond, San Pablo, or their officers, agents or employees.

K. PRIMACY OF THE DOCUMENTS

If a dispute arises, the terms of this Agreement shall take precedence over the WCCTAC Joint Exercise of Powers Agreement (“JEPA”) and /or the model Ordinance Establishing the 2019 West Contra Costa Subregional Transportation Mitigation Program (“Ordinance”).

L. ALTERNATIVE DISPUTE RESOLUTION

1. In General. This Paragraph L. establishes the exclusive process by which disputes between or among the Parties to this Agreement concerning or relating to this Agreement shall be resolved. The dispute resolution process established herein shall apply to disputes related to the interpretation or enforcement of, or compliance with, the terms and provisions of this Agreement. Disputes that are not alleged to relate to the interpretation of, or compliance with, this Agreement are not subject to this dispute resolution process.

2. **Informal Conferral.** If a dispute arises as described above in Paragraph L.1., the parties to the dispute (the “Disputing Parties”) will first attempt to resolve it through informal discussions, which may include designated representatives of the staff of WCCTAC and AGENCIES, at their discretion. Disputing Parties will advise the other Parties of the existence of a dispute and coordinate the date, time and location of informal conferral. If that Informal Conferral is not successful, then the Executive Director, City Managers and County Administrator shall meet to attempt a resolution.
3. **Mediation.** In the event a dispute cannot be resolved through informal conferral within twenty-one (21) calendar days, the aggrieved Disputing Party, acting through its governing body, shall give written notice to all other Parties to this Agreement, setting forth the nature of and basis for the dispute and facts demonstrating that such Disputing Party is materially and adversely affected thereby. The Disputing Parties, acting through their designated representatives, including counsel, shall endeavor to settle the dispute by mediation. The Disputing Parties shall select a neutral third party with expertise in land use matters to mediate the dispute. The other Parties may, but are not required to, participate in the mediation.
4. **Judicial Review.** The dispute resolution process described above shall be undertaken in good faith and exhausted prior to resorting to judicial review; provided, however, that by agreeing to this dispute resolution process, no Party hereby loses or waives its right to sue under any applicable statute of limitations or loses or waives its right to assert the operation of any applicable statute of limitations as an affirmative defense. In the event that an applicable statute of limitations would run during the pendency of the dispute resolution process described above, the Disputing Parties shall agree in writing to toll such statute of limitations for such period as may reasonably be necessary to complete the dispute resolution process.
5. **Conduct of Judicial Review.** Should any Party to this Agreement ultimately seek judicial review of a dispute concerning or relating to the implementation, interpretation or enforcement of, or compliance with, the terms and provisions of this Agreement, all Parties will submit to the jurisdiction of a court of competent jurisdiction; provided, however, that the Parties shall cooperate in seeking the appointment of a neutral Judge as defined in California Code of Civil Procedure section 394 to sit in Contra Costa County Superior Court, to preside over any such dispute.
6. **Equitable Relief.** Because the amount of damages in the event of a breach of this Agreement may be difficult or impossible to determine, the obligations of the Parties to this Agreement shall be enforceable by specific performance or other equitable relief, in addition to any other available remedy.

M. NOTICES

Any notices which may be required under this Agreement shall be in writing, shall be effective upon receipt, and shall be given by personal service, by certified or registered mail, or by U.S. mail, to the City Clerks of the cities of El Cerrito, Hercules, Pinole, Richmond, and San Pablo; and to the Board Clerk for the County of Contra Costa, and to the individuals and addresses set forth below, or to such other addresses which may be specified in writing to the Parties.

To WCCTAC:
6333 Potrero Ave., Suite 100
El Cerrito, CA 94530
Attn: Executive Director

To City of El Cerrito:
10890 San Pablo Avenue
El Cerrito, CA 94530
Attn: City Clerk

To City of Hercules:
111 Civic Drive
Hercules, CA 94574
Attn: City Clerk

To City of Pinole:
2131 Pear Street
Pinole, CA 94564
Attn: City Clerk

To City of Richmond:
1401 Marina Way South
Richmond, CA 94804
Attn: City Clerk

To City of San Pablo:
13831 San Pablo Avenue
San Pablo, CA 94806
Attn: City Clerk

To County of Contra Costa:
651 Pine Street, 1st Floor
Martinez, CA 94553
Attn: Clerk of the Board of Supervisors

N. ADDITIONAL ACTS AND DOCUMENTS

Each Party agrees to do all such things and take all such actions, and to make, execute and deliver such other documents and instruments, as shall be reasonably requested to carry out the provisions, intent, and purpose of the Agreement.

O. INTEGRATION

Except with respect to matters provided for in the JEPA and/or the Ordinance and subject to the primacy of this Agreement as provided in Paragraph K hereto, this Agreement represents the entire Agreement of the parties with respect to the subject matter hereof. No representation, warranties, inducements, or oral agreements have been made by any of the parties except as expressly set forth herein, or in other contemporaneous written agreements.

P. AMENDMENT

This Agreement may not be changed, modified, or rescinded except in a written instrument signed by all of the Parties. Any attempt at oral modification of this Agreement shall be void and of no effect.

Q. INDEPENDENT AGENCIES

The Parties are and at all times shall be considered entirely independent parties. The Parties will each act in an independent capacity and not as officers, employees or agents of the other. No Party shall have the right to control the other, except as expressly referenced in this Agreement. Nothing in this Agreement establishes, constitutes or shall be construed to establish or constitute a partnership, agency or employment relationship between the Parties.

R. ASSIGNMENT

The Agreement, and the rights, duties, and obligations of a Party hereunder, may not be assigned, transferred, hypothecated, or pledged by any Party without the express written consent of the other parties.

S. BINDING ON SUCCESSORS, ETC.

The Agreement shall be binding upon the successor(s), assignee(s), or transferee(s) of the AGENCIES, or WCCTAC as the case may be. This provision shall not be construed as an authorization to assign, transfer, hypothecate, or pledge this Agreement other than as provided above.

T. SEVERABILITY

Should any part of this Agreement be determined to be unenforceable, invalid, or beyond the authority of any Party to enter into or carry out, such determination shall not affect the validity of the remainder of this Agreement which shall continue in full force and effect; provided that, the remainder of this Agreement can, absent the excised portion, be reasonably interpreted to give effect to the intentions of the parties.

U. HEADINGS; RECITALS

The headings of sections, paragraphs and subparagraphs of this Agreement are included for convenience only and shall not be deemed to constitute part of this Agreement or to affect its construction. The recitals are intended to be, and shall be deemed to constitute, part of this Agreement.

V. COUNTERPARTS

This Agreement may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed and attested by their respective officers, duly authorized so to act, as of the date set forth in the first paragraph of this Agreement.

City of Pinole

Mayor

ATTEST:

Pinole City Clerk

APPROVED AS TO FORM:

Pinole City Attorney

County of Contra Costa

Chair, Board of Supervisors

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

Deputy

APPROVED AS TO FORM:
Sharon Anderson

County Counsel

City of San Pablo

Mayor

ATTEST:

San Pablo City Clerk

APPROVED AS TO FORM:

San Pablo City Attorney

**West Contra Costa Transportation
Advisory Committee**

Chair

ATTEST:

Secretary

APPROVED AS TO FORM:

WCCTAC Legal Counsel

City of Hercules

Mayor

ATTEST:

Hercules City Clerk

APPROVED AS TO FORM:

Hercules City Attorney

City of El Cerrito

Mayor

ATTEST:

El Cerrito Secretary

APPROVED AS TO FORM:

El Cerrito City Attorney

City of Richmond

Mayor

ATTEST:

Richmond City Clerk

APPROVED AS TO FORM:

Richmond City Attorney

3134047.1

Exhibit A: 2019 Nexus Update of the Subregional Transportation Mitigation Program (STMP) Impact Fee (December 2018), accepted by WCCTAC Board on December 14, 2018.

Exhibit B: 2019 STMP Fee Administrative Guideline

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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 programs, 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, extending the half-cent sales tax through March 31, 2034 and also containing a Growth Management component with the same obligations regarding regional traffic mitigation fees as described above;

WHEREAS, West Contra Costa County traffic is heavily impacted by a combination of traffic generated by residents and employees of West County, as well as through traffic from other regions in Contra Costa County and other counties; and West Contra Costa County provides congestion relief through a regional traffic mitigation fee collected and expended to mitigate traffic on regional routes through capacity improvements on those routes, improved transit

services for subregional and regional travel, and improved facilities that allow West County residents to more efficiently access regional routes and transit services;

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 and has been doing so since the West County Subregional Transportation Mitigation Program (STMP) fee was originally adopted in 1997 and updated in 2006;

WHEREAS, through the aegis of WCCTAC, the West County jurisdictions and Contra Costa County have reached consensus on the 2019 STMP Update, as described in the Master Cooperative Agreement By and Among 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 2019 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 as part of each jurisdiction’s contribution to regional needs;

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, Fehr & Peers, has prepared a nexus study report, which is provided as Exhibit A, and incorporated by reference herein, which outlines 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 full cost of building said 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 J 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 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 2019 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 J by levying a fee on new development to mitigate the regional 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 to defray all or a portion of the costs of building transportation capital improvement projects needed to mitigate impacts of new development projects.
- B. The STMP fee will raise funds for twenty projects, in the general categories of freeway and interchange improvements, local street and intersection improvements, transit and station-related improvements, bicycle and pedestrian-focused improvements, and complete streets projects. A detailed description of the projects can be found in Section V.
- C. The total cost of the twenty projects is approximately \$855 million in 2018 dollars. The nexus study report determined the amount of eligible funding that could be collected through the STMP program at \$161.8 million.
- D. The nexus findings, in conformance with Government Code § 66000 et seq. can be found in the “2019 Nexus Update of the Subregional Transportation Mitigation Program (STMP) Impact Fee” (herein after referred to as the 2019 STMP Nexus Update) prepared by Fehr & Peers for WCCTAC dated December 2018. Two copies of the 2019 STMP Nexus Update are on file with the (City Clerk/Clerk of the Board) and is incorporated

herein by reference (and also provided as Exhibit A).

- E. The 2019 STMP Nexus Update included the following steps:
- Projecting the amount of new development anticipated in West County;
 - Setting criteria for identifying eligible capital improvement projects;
 - 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; and;
 - Preparing fee schedules and implementation documents.
- F. After considering the 2019 STMP Nexus Update, 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 2019 STMP Nexus Update 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 the WCCTAC area. 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 and finds:
- 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—will contribute 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, 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 projections determined in the 2019 STMP Nexus Update of new development, the total cost of the projects listed in Section V, and allocation of a fair share of costs to new development across the various land use types.

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 updated STMP fee schedule shall be implemented July 1, 2019 and shall terminate on March 31, 2040. The following fees, to be updated annually for inflation pursuant to Section IV(J), 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	\$5,439/DU*
Multi-Family Residential	\$2,679/DU
Senior Housing	\$1,469/DU
Hotel	\$3,481/Room
Retail/Service	\$6.59/SF**
Office	\$8.72/SF
Industrial	\$5.56/SF
Storage Facility	\$0.76/SF
Other	\$7,350 per AM peak hour trip

*DU = Dwelling Unit

**Sq. Ft. = Square Foot

[City/County] is responsible for determining the appropriate land use category and fee amount to apply to specific development projects being considered by their jurisdiction. AGENCY will refer to the STMP Administrative Guidelines for guidance on how to apply these land use categories to development projects. The STMP Administrative Guidelines are incorporated into the Master Cooperative Agreement and provided for reference as Exhibit B, and may be changed from time to time by the WCCTAC Executive Director. The initial version of the STMP Administrative Guidelines is available from WCCTAC or the [City/County] clerk.

- B. [This section is optional] In addition to the STMP fee imposed by section IV.A above, each applicant shall pay the [City/County] an administrative fee of _____, payable to the [City/County] at the time of issuance of a building permit. The administrative fee shall be no greater than the cost incurred by the [City/County] to adopt and administer this Ordinance, and to collect, report, and transmit appropriate reports and funds to WCCTAC. The administrative fee will be kept separate from the STMP funds.
- C. No development shall be exempt from the fee, except if application of the fee to the development would be unlawful under and/or conflict with federal, state, or local law and/or regulation. In addition, accessory dwelling units within the footprint of an existing dwelling unit's habitable space are not required to pay the STMP Fee.
- D. A project that reconstructs or re-uses an existing structure or development that has been occupied within the previous three years is subject to the fee only to the extent that it would generate more A.M. peak hour vehicle trips than the existing development.
- E. Fees for uses not identified in Section IV.A. shall be determined by the [City/County] using the "Other" land use type and according to methodology provided by WCCTAC in the STMP Master

Cooperative Agreement and the STMP Administrative Guidelines. The STMP Administrative Guidelines are incorporated into the STMP Master Cooperative Agreement and provided for reference as Exhibit B, and may be changed from time to time by the WCCTAC Executive Director. The current version of the STMP Administrative Guidelines is available from WCCTAC or the [City/County] clerk.

- F. An applicant may receive credit against fees for the dedication of land for right-of-way and/or construction of improvements for 2019 STMP projects listed in Section V, 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 2019 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.

An applicant may receive reimbursement from STMP fees paid by other development projects to the extent that the amount of the credit is greater than the STMP fee obligation of the development project. The award of any reimbursement by the [City/County] must be preapproved by the WCCTAC Board; in making that decision, the Board will take into consideration criteria and metrics related to funding availability and project prioritization that they use in making other STMP funding decisions.

- G. 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.
- H. The STMP fees specified above shall be collected for projects in the entire [City/unincorporated West County area].
- I. 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 along with the required Quarterly Report to WCCTAC or its designee, to be placed in a fund to be used solely for the purposes described in this Ordinance and in the Master Cooperative Agreement. Any interest accumulated on such funds shall also be used only for the purposes specified in this Ordinance.
- J. 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.
- K. Effective July 1, 2020 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 annual percentage change in the Engineering News Record Construction Cost Index for the San Francisco Bay Area for the for the twelve month period ending with the February index of the same calendar year. The percentage change will be calculated

by WCCTAC, which will notify all signatories to the Cooperative Agreement of the change.

- L. Pursuant to Government Code section 66001(d), after the fifth fiscal year following the first deposit of 2019 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. Such findings shall be made in connection with the release of public information required by Government Code section 66006(b).
- M. Pursuant to Government Code Section 66006, as specified, WCCTAC shall submit a public report to the WCCTAC Board on an annual basis, identifying the amount of fee revenues collected and other statutorily required information, which will also be shared with Agencies' City Managers/County Administrator.
- N. An applicant may appeal the determination of the amount of the STMP fee due, and such appeal shall be made in writing to WCCTAC with supporting documentation. The WCCTAC Board shall consider the appeal at a regularly scheduled meeting, and shall make a decision on the appeal. The decision of the WCCTAC Board is final.

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

- A. List of Projects. The 2019 STMP Nexus Study fees provided for in this ordinance shall be used exclusively for the following summary of projects (note that more detailed project descriptions can be found in the 2019 STMP Nexus Study report):
 - 1. **San Pablo Avenue Complete Streets Projects** – Transit, bicycle, and pedestrian improvements along several segments of San Pablo Avenue.
 - 2. **Appian Way Complete Streets Project** – Pedestrian, bicycle, and transit access improvements along Appian Way in El Sobrante and in City of Pinole.
 - 3. **San Pablo Dam Road Improvements** – Multimodal access improvements along San Pablo Dam Road through downtown El Sobrante.
 - 4. **Bay Trail Gap Closure** – Improve transit access by closing three key Bay Trail gaps: along Goodrick Avenue in Richmond, between Bayfront Park and Pinole Creek in Pinole, and between Atlas Road and Cypress Avenue in unincorporated Contra Costa County.
 - 5. **Ohlone Greenway Improvements** – Crossing, wayfinding, signing, lighting, safety, access and landscaping improvements along Ohlone Greenway.
 - 6. **I-580/Harbor Way Interchange Improvements** – Improve pedestrian and bicycle access across interchange, to serve movements between waterfront/ferry terminal and central Richmond.

7. **I-580/Marina Bay Parkway Interchange Improvements** – Improve pedestrian and bicycle access across interchange, to serve movements between waterfront and downtown Richmond.
8. **Richmond Ferry to Bridge Bicycle Improvements** – Improve bicycle access between Richmond Ferry Terminal and Bay Trail near Richmond-San Rafael Bridge.
9. **I-80 Express Bus** – Capital Improvements associated with implementing I-80 Express Bus service between Hercules and Oakland/Emeryville/Berkeley/San Francisco, with possible intermediate stops.
10. **Hercules Regional Intermodal Transportation Center** – Complete construction of new Capitol Corridor train stop, with associated track improvements, parking and access facilities.
11. **BART Extension from Richmond Station (Planning and Conceptual Engineering Phases)** – Planning, conceptual engineering and/or program level environmental clearance phases of potential BART extension to Contra Costa College/City of San Pablo.
12. **San Pablo Avenue Transit Corridor Improvements** – Extension and improvement of bus rapid transit (BRT) and/or rapid bus service along San Pablo Avenue through West County, with stops including Richmond Parkway Transit Center and Hercules Transit Center.
13. **23rd Street Transit Corridor Improvements** – Provision of bus rapid transit (BRT) and/or rapid bus service along 23rd Street from Richmond Ferry Terminal/UC Berkeley Richmond Field Station to Richmond BART, to Contra Costa College, and potentially to Hilltop Mall.
14. **West County BART Station Access and Parking Improvements** – Station modernization and capacity enhancements, parking, and access improvements at El Cerrito Plaza, El Cerrito del Norte, and Richmond BART stations, and Richmond Crossover Project to allow increased frequency along Richmond line.
15. **Del Norte Area TOD Public Infrastructure 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.
16. **San Pablo Avenue Intersection Realignment** – Intersection reconfiguration, potential signal modifications to accommodate pedestrian, bicycle, and bus rapid transit (BRT) access at intersection of San Pablo Avenue, 23rd Street, and Road 20.

17. **I-80/San Pablo Dam Road Interchange Improvements, Phase 2** – Interchange reconstruction, new bridge over Wildcat Creek, and improved bicycle and pedestrian facilities.
 18. **I-80/Central Avenue Interchange Improvements, Phase 2** – Increase intersection spacing to increase vehicle capacity, connect Pierce Street and San Mateo Street, convert Pierce Street access at Central Avenue to right-in/right-out and improve multimodal access.
 19. **I-80/Pinole Valley Road Interchange Improvements** – Improve merge from eastbound on-ramp to I-80, widen ramp terminal intersections, and make pedestrian crossing improvements.
 20. **Future Nexus Study Updates** – Two comprehensive nexus studies and fee updates, over the 22-year planning horizon of the 2019 STMP fee.
- 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. Actual funding commitments will depend upon STMP fee revenues collected and project priorities as determined by WCCTAC.
- Administrative costs for WCCTAC shall not exceed four percent (4%) of the STMP fee revenues collected under the Master Cooperative Agreement.
- C. Implementation Schedule. WCCTAC, the project sponsors and co-sponsors, 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 shall be published as required by law, and thereafter the same shall be in full force and effect.

SECTION VIII – 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 _____, 2019, and passed and adopted at a regular meeting of the [City Council/Board of Supervisors] held on the _____ day of _____, 2019, by the following vote:

YES:

NOES:

ABSENT:

[Mayor of the City of _____
_____ of the Board of Supervisors]

ATTEST:

[City Clerk/Clerk of the Board]

3100267.1
11/1/18

Exhibit A: 2019 Nexus Update of the Subregional Transportation Mitigation Program (STMP) Impact Fee (December 2018), accepted by WCCTAC Board on December 14, 2018.

Exhibit B: 2019 STMP Fee Administrative Guideline



Prepared by

FEHR & PEERS

2201 Broadway
Suite 602
Oakland, CA 94612

December 2018

Final Report

2019 Nexus Update of the Subregional Transportation Mitigation Program (STMP) Impact Fee

Prepared for:
West Contra Costa Transportation
Advisory Committee (WCCTAC)

2019 Nexus Update of the Subregional Transportation Mitigation Program (STMP) Impact Fee – Final Report

Prepared for:
West Contra Costa Transportation Advisory Committee
(WCCTAC)

December 2018

OK17-0177

FEHR  PEERS

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1. Introduction

The West Contra Costa Transportation Advisory Committee (WCCTAC) is a regional planning agency charged with obtaining the funding for regional transportation improvement projects in West Contra Costa County. WCCTAC's jurisdiction encompasses the western portion of the County, including unincorporated areas as well as the Cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo.

WCCTAC first implemented a transportation impact fee via the Subregional Transportation Mitigation Program (STMP) in 1997. Impact fees are established under a state law known as Assembly Bill (AB) 1600, the Mitigation Fee Act. Fees charged pursuant to this legislation are used to build capital facilities needed to offset the impacts generated by new development. The STMP was designed to provide a contribution from new development toward a series of regional transportation improvements. WCCTAC conducted an update of the fee program in 2005 to help fund an expanded list of regional transportation improvements. Working with the member agencies, WCCTAC has successfully utilized fee revenue to fund various transportation projects throughout the region. This report documents a new update of the STMP, undertaken to update the program for current conditions.

1.1 Purpose

The purpose of this study is to provide the technical basis for updating the STMP. The focus of the updated program is to support a regional multimodal transportation system in West County that serves the expected future demand. This report documents the analytical approach for establishing the required nexus between anticipated future development in West Contra Costa County and the need for regional transportation improvements.

1.2 Study Area

As shown on **Figure 1-1**, the study area includes the unincorporated portions of western Contra Costa County, as well as the Cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo.

1.3 Study Process

This study was developed under the direction of WCCTAC staff. Input was obtained at key points in the study process from the WCCTAC Technical Advisory Committee (TAC) and the WCCTAC Board of Directors (Board). Review was also provided by the WCCTAC Legal Counsel.

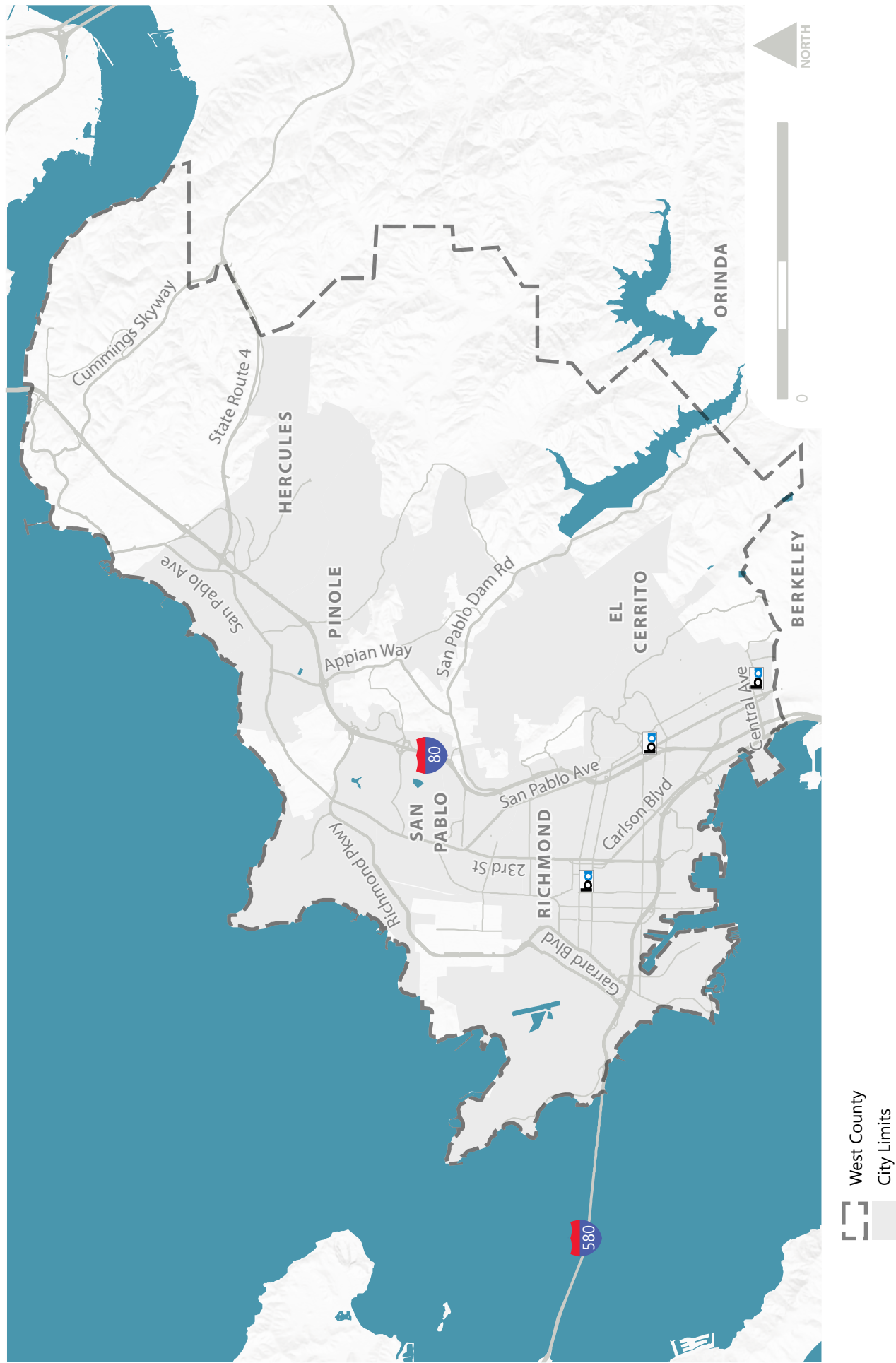


Figure 1-1
STMP Update Study Area

After the results of the fee study are approved by the Board, the updated fee program will be presented to the Contra Costa County Board of Supervisors and the City Councils of El Cerrito, Hercules, Pinole, Richmond and San Pablo. Each jurisdiction will be asked to adopt an updated ordinance, Master Cooperative Agreement, and hold an appropriate public hearing to implement the updated fee program.

1.4 Report Organization

This report contains a total of five chapters including this introductory chapter.

- **Chapter 2 – Fee Program Background** summarizes the status of the current West County STMP.
- **Chapter 3 – Capital Improvement Projects** describes the process for identifying the project list, including cost estimates for each project.
- **Chapter 4 – Growth Projections** summarizes the residential and non-residential growth projections anticipated in the planning horizon (year 2040) of the study.
- **Chapter 5 – Nexus Analysis** describes the methodology and results of the nexus analysis.
- **Chapter 6 – Summary of Required Program Elements** confirms that this report addresses all of the fee program elements as required by Assembly Bill (AB) 1600, the Mitigation Fee Act.



2. Fee Program Background

West Contra Costa County is an area that has experienced population and employment growth within the last decade and where new development is anticipated to continue, causing increased demand on the region's multimodal transportation system. This chapter describes the current status of the regional fees in West County. The West County STMP was first adopted in 1997, and an updated nexus study was prepared in 2005/06. The prior nexus study is titled *2005 Update of the Subregional Transportation Mitigation Program* (2005 Update of the STMP), dated May 5, 2006 and prepared by TJKM Transportation Consultants.

2.1 Overview of the STMP

The STMP is an important mechanism for regional collaboration in West County. The program involves all six jurisdictions (Contra Costa County and the five incorporated cities of El Cerrito, Hercules, Pinole, Richmond and San Pablo) and was established to comply with the countywide Measures C and J Growth Management Program requirements for a mitigation program to fund improvements needed to meet the transportation demands resulting from growth. Regional, multi-jurisdictional fee programs are more complicated than local mitigation fee programs administered by a single jurisdiction; however, regional programs offer a forum for cooperation and coordination that allows the agencies involved to make more comprehensive transportation investments than any single jurisdiction could do on its own.

It is also worth noting that local transportation mitigation fees are charged by some of the STMP member agencies, for the purposes of implementing transportation projects that improve local streets and other transportation facilities. Such local fee programs are separate from and in addition to the STMP.

2.2 Current STMP Fee Levels

The STMP fees from the fee schedule shown in the 2005 Update of the STMP are shown in **Table 2-1**. The STMP ordinance specifies that an inflation index will be used to adjust the fee levels annually to reflect changes in construction costs. This is a common practice in fee programs, to ensure that the "purchasing power" of the fee revenue keeps up with changes in the cost of building capital projects. The index is also shown in Table 2-1, along with a calculation of what the fees would currently be if they had been indexed for inflation.

Table 2-1: WCCTAC 2005 STMP Fee Schedule Indexed for Inflation

Land Use	Unit	2005 STMP Fee Schedule	Index (Jun. 2006 - Jun. 2018)	FY 2017-18 Fee Schedule If Indexed
Single family	per dwelling unit	\$2,595	1.42	\$3,697
Multi-family	per dwelling unit	\$1,648	1.42	\$2,348
Senior Housing	per dwelling unit	\$701	1.42	\$995
Hotel	per room	\$1,964	1.42	\$2,789
Retail	per sq. ft.	\$1.82	1.42	\$2.59
Office	per sq. ft.	\$3.51	1.42	\$5.00
Industrial	per sq. ft.	\$2.45	1.42	\$3.49
Storage Facility	per sq. ft.	\$0.53	1.42	\$0.75
Church	per sq. ft.	\$1.58	1.42	\$2.24
Hospital	per sq. ft.	\$4.21	1.42	\$5.98

Note: The index is based on the Engineering-News Record Construction Cost Index for the San Francisco Bay Area, as described in WCCTAC's STMP model ordinance.

In reviewing the actual fees being charged by the member agencies, it was found that there had not been consistent indexing over time. See **Table 2-2** for the currently adopted (as of July 2018) fee schedules for the five primary land use categories administered by WCCTAC member jurisdictions; the fee schedules for the Senior Housing, Hotel, Storage Facility, and other land use categories are not listed in Table 2-2. One objective of this new STMP update is to establish procedures for annual indexing of the fee, and to ensure that there is consistency in the fees being charged across all member agencies.

Table 2-2: Subregional Transportation Mitigation Program (STMP) Fees as of July 2018

Jurisdiction	Single Family (per dwelling unit)	Multi-Family (per dwelling unit)	Office (per square foot)	Retail (per square foot)	Industrial (per square foot)
WCCTAC (original 2005)	\$2,595	\$1,648	\$3.51	\$1.82	\$2.45
WCCTAC (if indexed)	\$3,697	\$2,348	\$5.00	\$2.59	\$3.49
County	\$3,768	\$2,392	\$5.10	\$2.65	\$3.56
El Cerrito	\$2,595	\$1,648	\$3.51	\$1.82	\$2.45
Hercules	\$2,904	\$1,844	\$3.93	\$2.04	\$2.74
Pinole	\$2,595	\$1,648	\$3.51	\$1.82	\$2.45
Richmond	\$2,655	\$1,686	\$4.00	\$2.00	\$3.00
San Pablo	\$2,595	\$1,648	\$3.51	\$1.82	\$2.45

Note: Table 2-2 summarizes the current fee schedules for the five primary land use categories only. Fee schedules for the following land use categories are not listed for brevity: Senior Housing, Hotel, Storage Facility, Church, Hospital and Other.

2.3 STMP Revenue and Disbursements

As shown in **Table 2-3**, the STMP generated about \$11.6 million in revenue as of December 1, 2018, including \$8.7 million between 2005 and 2018. About \$5.9 million has been disbursed as of December 1, 2018; total disbursements by project are summarized in **Table 2-4**. As shown in Table 2-3, an account balance of about \$5.7 million remains as of December 1, 2018. A portion of the remaining account balance has been allocated to projects on the current STMP project list; however, not all the allocated amount has been disbursed to the project sponsor agencies to date. WCCTAC also recently released a call for projects and will be coordinating with West County jurisdictions to disburse the remaining balance for transportation capital improvements that fall under the project list identified in the 2005 Update of the STMP. Revenues generated after the upcoming adoption of the STMP update will be disbursed for transportation capital improvements identified in the updated project list described in Chapter 3 below.

Table 2-3: STMP Revenue and Disbursements (as of December 1, 2018)¹

Period	Revenue	Disbursements	Balance ²
1998 – 2004	\$2,942,031.00	\$2,235,826.70	\$706,204.30
2005 – 2018 ³	\$8,668,484.55	\$3,652,097.91	\$5,722,590.94
Total to Date	\$11,610,515.55	\$5,887,924.61	\$5,722,590.94

Notes:

1. Information presented in Table 2-3 is based on the best information available at this time, however, the records may not be complete.
2. A portion of the remaining account balance has been allocated to projects on the current STMP project list; however, not all the allocated amount has been disbursed to the project sponsor agencies to date.
3. Reporting period as of December 1, 2018.

Source: WCCTAC, December 2018.

Table 2-4: STMP Disbursements by Project (as of December 1, 2018)¹

Project	Total Amount Committed	Total Amount Disbursed to Date
Richmond Intermodal Station	\$527,000.00	\$223,116.36
I-80/San Pablo Dam Road, I-80/Central Avenue, SR 4/ Willow Avenue Interchange Improvements	\$2,800,435.39	\$2,800,435.39
Capitol Corridor Improvements (Hercules Passenger Rail Station)	\$1,000,000.00	\$988,774.00
Ferry Service to San Francisco from Richmond and/or Hercules/Rodeo	\$300,000.00	\$0.00
BART Access and/or Parking Improvements (El Cerrito Plaza, El Cerrito Del Norte, and/or Richmond BART Stations)	\$1,186,200.00	\$813,991.86
Bay Trail Gap Closure	\$500,000.00	\$487,365.06
San Pablo Dam Road Improvements in Downtown El Sobrante	\$0.00	\$0.00
San Pablo Avenue Corridor Improvements	\$0.00	\$0.00
North Richmond Connection Project	\$0.00	\$0.00
Hercules Transit Center	\$304,963.13	\$304,963.13
Del Norte Area TOD Public Infrastructure Improvements	\$300,000	\$0.00
Administrative ²	N/A	\$269,278.81
Total	\$6,918,598.52	\$5,887,924.61

Notes:

1. Information presented in Table 2-4 is based on the best information available at this time, however, the records may not be complete for every project on the list.
2. Includes disbursements for administrative purposes and those that were not otherwise categorized.

Source: WCCTAC, December 2018.



3. Capital Improvement Projects

The Mitigation Fee Act indicates that impact fees should be used to fund capital projects, and not for ongoing operating or maintenance costs; for the purposes of this STMP update, emphasis was placed on defining a set of capital projects that achieve the subregional goals of the STMP.

3.1 Project List Criteria

There are many transportation needs in West County, and many projects have been considered or are in various phases of planning. To define projects that are consistent with the regional emphasis of the STMP, the following criteria were defined and accepted by the TAC and Board.

As a first step, all STMP-eligible projects must meet the following criterion:

- Does the project have a reasonable expectation of implementation during the timeframe of the fee program (i.e., year 2040)?

Then, a project should meet at least one of the following criteria to be eligible for STMP funding:

- Does the project address the impacts of congestion on regional travel?
- Is the project located on a Route of Regional Significance?
- Does the project improve access to BART stations, transit centers or major transit hubs?
- Does the project increase transit ridership?
- Does the project improve bicycle or pedestrian access to transit?

Although the focus of the STMP project list is to identify improvements that serve regional travel needs by reducing congestion or increasing accessibility along Routes of Regional Significance and major transit facilities, it is important to note that projects that are not directly located on such routes were also considered. Specifically, projects along other roadways that could indirectly improve regional travel or the operations of Routes of Regional Significance may meet one or more of the above criteria, and thus be STMP-eligible.

3.2 Project Research

Fehr & Peers, in coordination with WCCTAC staff, developed a preliminary list of projects that meet at least one of the approved criteria. These projects were identified by reviewing a large number of planning and



environmental review documents addressing West County's existing and future transportation needs. The following documents were reviewed to develop the preliminary draft project list:

- *Regional Measure 3 Expenditure Plan* (MTC, September 2017)
- *2016 Express Bus Study Update Final Report* (CCTA, June 2017)
- *2017 Countywide Comprehensive Transportation Plan Public Review Draft* (CCTA, May 2017)
- *West Contra Costa High-Capacity Transit Study* (WCCTAC, May 2017)
- *2015 Update of the Contra Costa Congestion Management Program* (CCTA, December 2015)
- *2014 Comprehensive Transportation Project List* (CCTA, March 2015)
- *West County Action Plan for Routes of Regional Significance* (CCTA, January 2014)
- *BART Sustainable Communities Operations Analysis* (BART, June 2013)
- *West Contra Costa Transit Enhancement and Wayfinding Plan* (WCCTAC, October 2011)
- *2009 Contra Costa Countywide Bicycle and Pedestrian Plan* (CCTA, October 2009)
- Various planning and environmental documents completed in the past several years and available on agency websites, including the following:
 - *Final Hercules Safeway Project Transportation Impact Assessment* (City of Hercules,
 - *Administrative Draft San Pablo City Hall Site Reuse Project Transportation Impact Assessment* (City of San Pablo, June 2017)
 - *San Pablo Avenue Complete Streets Study Feasibility Report* (Contra Costa County Public Works, April 2017)
 - *Administrative Draft West County Health Center – Transportation Impact Analysis* (Contra Costa County, April 2017)
 - *Draft CEQA Initial Study/Mitigated Negative Declaration Goodrick Avenue Bay Trail Gap Closure Project* (City of Richmond, January 2017)
 - *CVS/Pharmacy & Wireless Communication Facility Relocation Initial Study* (City of Pinole, October 2015)
 - *South Richmond Transportation Connectivity Plan* (City of Richmond, July 2015)
 - *Bay Walk Mixed-Use Project Final Initial Study and Mitigated Negative Declaration* (City of Richmond, July 2015)
 - *Pinole Gateway Shopping Center Initial Study* (City of Pinole, January 2015)
 - *Draft San Pablo Avenue Specific Plan* (City of El Cerrito, December 2014)
 - *Final Sycamore Crossing Transportation Assessment* (City of Hercules, November 2014)
 - *Final Environmental Impact Report San Pablo Avenue Specific Plan* (City of El Cerrito, August 2014)
 - *Richmond Central Project Initial Study Checklist Public Review Draft* (City of Richmond, April 2014)

- *Draft Environmental Impact Report Bottoms Property Residential Project* (City of Richmond, March 2014)
- *Final Report for the San Pablo Avenue Complete Streets Study* (Cities of Richmond and San Pablo, September 2013)
- *City of Richmond Bicycle Master Plan* (City of Richmond, October 2011)
- *Ohlone Greenway Master Plan* (City of El Cerrito, June 2009)

Fehr & Peers reviewed the documents listed above and assembled a comprehensive initial list of capital projects that were either located on a Route of Regional Significance or could indirectly improve operations on such routes. This initial process identified more than 150 projects. Fehr & Peers then removed duplicative projects, consolidated projects that contained similar elements based on project descriptions, and applied the STMP eligibility criteria, resulting in a preliminary draft list of 39 new projects, in addition to the 11 projects on the current STMP list. These potential projects were discussed at several meetings of the WCCTAC TAC and the Board, who made further adjustments and revisions.

3.3 STMP Update Project List

The TAC recommended, and Board approved, a final list of capital improvement projects for inclusion in the updated STMP. This list contains a combination of projects currently in the STMP, as well as projects that have been identified through the review of recent planning documents, the application of project eligibility criteria, and feedback from the TAC and Board. Overall, the purpose of the projects remains the same as when the STMP was first adopted. These projects are intended to provide congestion relief and mitigate traffic impacts on regional routes through capacity improvements on those routes, improved transit services for subregional and regional travel, and improved facilities that allow West County residents to more efficiently access regional routes and transit services. **Table 3-1** displays the updated STMP list, and the project locations are shown on **Figure 3-1**. All projects on the list are grouped into the following categories:

- Complete streets projects
- Other bicycle and pedestrian-focused improvements
- Transit and station-related improvements
- Local street and intersection improvements
- Freeway and interchange improvements

A detailed version of the project list is also provided in **Appendix A**. In addition to the 19 capital improvement projects shown in Figure 3-1, the project list also includes one administrative project that would allow for two comprehensive nexus studies and fee updates over the 22-year planning horizon of the 2019 STMP fee.

3.4 Cost Estimates

For the purposes of the STMP, it is necessary to have an estimate of the cost to implement each of the capital improvement projects on the project list. Cost estimates were developed for the STMP based on information provided in recent planning documents and input from the TAC. The year that cost estimates were developed varied for each project; to account for this, all cost estimates were escalated to 2018 dollars. The estimated cost of each project is shown on Table 3-1. Additional documentation of the cost estimates is provided in **Appendix B**.

Table 3-1: Updated STMP Projects and Estimated Cost

ID	Project	Description	Estimated Cost (2018\$)
Complete Streets Projects			
1	San Pablo Avenue Complete Streets Projects	a.) Construct bike and pedestrian improvements along San Pablo Avenue from Rodeo to Crockett.	\$ 8,610,000
		b.) Construct bicycle, pedestrian, and transit improvements along San Pablo Avenue between La Puerta Road and Hilltop Drive.	\$ 3,150,000
		c.) Construct bike, pedestrian and transit improvements along San Pablo Avenue from Rivers Street in San Pablo to Lowell Avenue in Richmond.	\$ 13,755,000
		d.) Implement Complete Streets improvements along San Pablo Avenue including directional cycle track or buffered bike lane and other bicycle, pedestrian and transit improvements in El Cerrito.	\$ 8,190,000
		e.) San Pablo Avenue Class I Boardwalk between John Muir Parkway and Sycamore Avenue.	\$ 398,000
		f.) Complete bicycle/pedestrian connection on San Pablo Avenue over Santa Fe Railroad tracks.	\$ 16,800,000
2	Appian Way Complete Streets Project	Provide continuous sidewalks, bike lanes, and improved bus stops along Appian Way from San Pablo Dam Road in unincorporated El Sobrante to about 900 lineal feet north of the city limit within the City of Pinole.	\$ 23,310,000
3	San Pablo Dam Road Improvements in Downtown El Sobrante	Provide complete street improvements on San Pablo Dam Road between El Portal Drive and Castro Ranch Road.	\$ 10,422,000
Other Bicycle and Pedestrian-Focused Improvements			
4	Bay Trail Gap Closure	Improve transit access by closing three key Bay Trail gaps: along Goodrick Avenue in Richmond, between Bayfront Park and Pinole Creek in Pinole, and between Atlas Road and Cypress Avenue in unincorporated Contra Costa County.	\$ 12,276,000

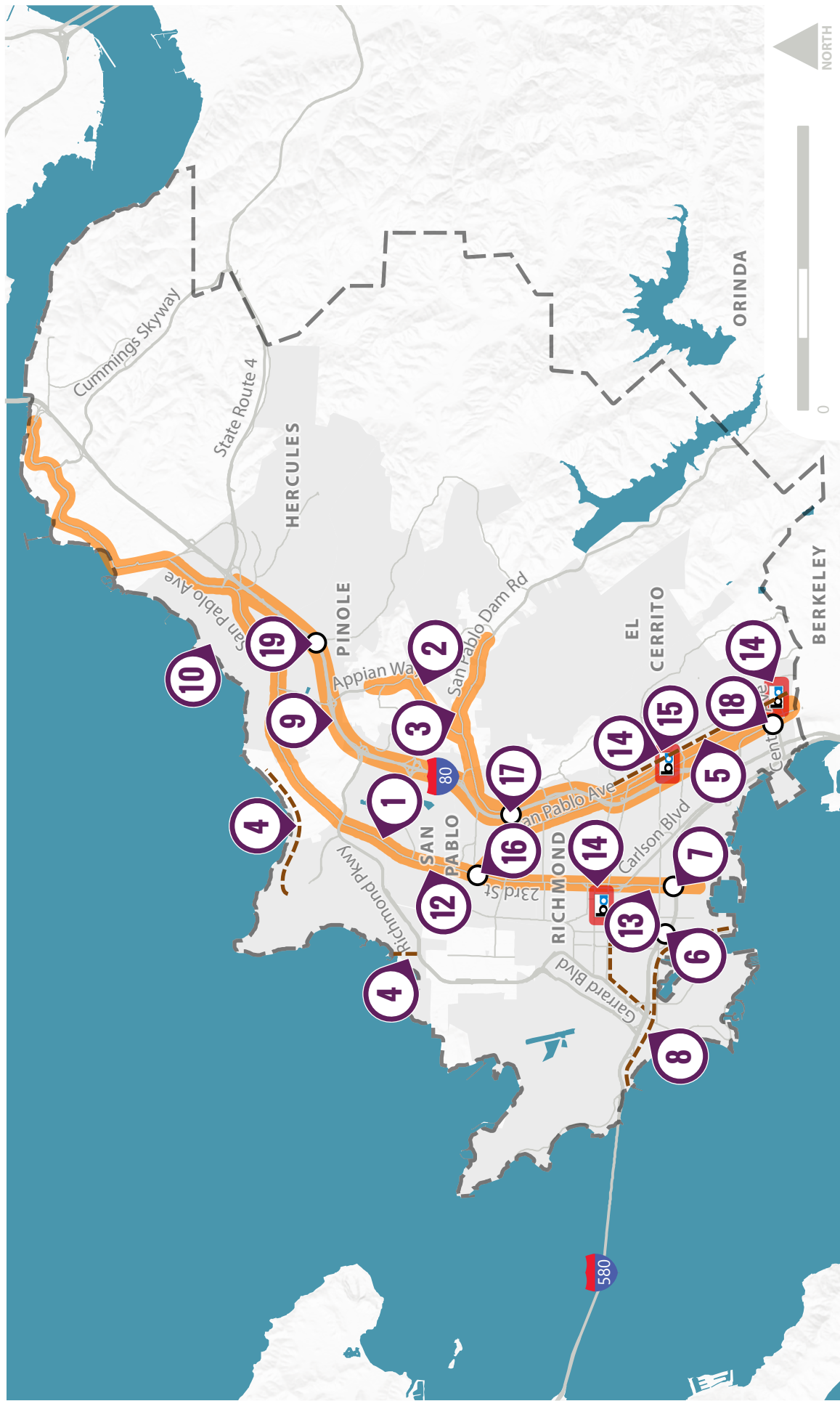
Table 3-1: Updated STMP Projects and Estimated Cost

ID	Project	Description	Estimated Cost (2018\$)
5	Ohlone Greenway Improvements	Implement crossing, wayfinding, signing, lighting, safety, access and security, and landscaping improvements along Ohlone Greenway.	\$ 3,045,000
6	I-580/Harbour Way Interchange Pedestrian & Bicycle Access Improvements	Improve pedestrian and bicycle crossings at the I-580/Harbour Way interchange ramps.	\$ 519,000
7	I-580/Marina Bay Parkway Interchange Pedestrian & Bicycle Access Improvements	Improve pedestrian and bicycle crossings at the I-580/Marina Bay Parkway interchange ramps.	\$ 1,095,000
8	Richmond “Ferry to Bridge” Bicycle Network Improvements (connecting Ferry Terminal with Richmond-San Rafael Bridge Bay Trail)	a.) Bicycle Boulevard in Point Richmond area: from the new trail at Tewksbury & Castro to existing Bay Trail at S. Garrard & Richmond Ave.	\$ 1,150,000
		b.) Class 1 trail in Point Richmond to Richmond Greenway, including S. Garrard Blvd and W. Ohio Ave.	\$ 2,950,000
		c.) Two-way cycle-track and road diet on W. Cutting Blvd, Cutting Blvd, and Hoffman Blvd.	\$ 3,550,000
		d.) Two-way cycle-track on Harbour Way South: Hoffman Blvd to Ferry Terminal.	\$ 1,100,000
Transit and Station-Related Improvements			
9	I-80 Express Bus	Capital improvements associated with implementing Express Bus Service on I-80 from Hercules south to Berkeley, Emeryville, Oakland, and expansion to San Francisco, with intermediate stops at the Richmond Parkway Transit Center, a potential I-80/Macdonald Avenue Express Bus/BRT transit center, and other intermediate stops.	\$ 109,203,000
10	Hercules Regional Intermodal Transportation Center	Complete construction of the new train stop for Capitol Corridor service, including parking, station platform, signage and plazas, rail improvements, bicycle and pedestrian access improvements (e.g. Bay Trail connections), etc. Future capital improvements could include preparation for ferry service.	\$ 53,550,000
11	BART Extension from Richmond Station	BART extension from the Richmond BART Station to Contra Costa College. Only the planning, conceptual engineering and program level environmental clearance phases of the project are included.	\$ 14,700,000
12	San Pablo Avenue Transit Corridor Improvements	Bus Rapid Transit (BRT) on San Pablo Avenue approximating the existing 72R Rapid Bus route from downtown Oakland to the Richmond Parkway Transit Center and extending Rapid Bus from the Richmond Parkway Transit Center to the Hercules Transit Center.	\$ 192,150,000

Table 3-1: Updated STMP Projects and Estimated Cost

ID	Project	Description	Estimated Cost (2018\$)
13	23rd Street Transit Corridor Improvements	23rd Street BRT from Richmond Ferry Terminal and UC Berkeley Richmond Field Station to Richmond BART/Capitol Corridor station, then continuing to Contra Costa College.	\$ 121,800,000
14	West County BART Station Access, Parking & Capacity Improvements	a.) El Cerrito Plaza Station Modernization and Capacity Enhancements.	\$ 49,442,000
		b.) El Cerrito Plaza BART Pedestrian & Bike Safety and Access Improvements.	\$ 1,260,000
		c.) Richmond BART Pedestrian & Bike Safety and Access Improvements.	\$ 3,465,000
		d.) Richmond Crossover Project.	\$ 34,759,000
15	Del Norte Area TOD Public Infrastructure Improvements	Planning, engineering, environmental studies, and construction of the public transportation-related improvements related to Transit Oriented Development (TOD) in the area around the El Cerrito Del Norte BART station.	\$ 37,761,000
Local Street and Intersection Improvements			
16	San Pablo Avenue Intersection Realignment at 23rd Street and Road 20	Realignment of skewed 5-legged intersection as part of a bridge removal project that will enhance pedestrian, bicycle and future BRT access.	\$ 15,120,000
Freeway and Interchange Improvements			
17	I-80/San Pablo Dam Road Interchange Improvements (Phase 2)	Reconstruct the existing I-80/San Pablo Dam Road interchange (including modifications to the El Portal Drive and McBryde Avenue ramps) and provide improved pedestrian and bicycle facilities.	\$ 84,788,000
18	I-80/Central Avenue Interchange Improvements (Phase 2)	Improve traffic operations and multimodal access at the I-80/Central Avenue interchange and along Central Avenue between Rydin Road and San Pablo Avenue. The project will be completed in two phases.	\$ 15,225,000
19	I-80/Pinole Valley Road Interchange Improvements	Improve merge onto the I-80 mainline from the EB Pinole Valley Road on-ramp to address vehicles accelerating uphill after stopping at ramp meter, in addition to ramp-terminal intersection improvements.	\$ 10,959,000
Administrative Projects			
20	Future Nexus Study Updates	Two comprehensive nexus studies and fee updates, over the 22-year planning horizon of the 2019 STMP Fee.	\$500,000
Total Estimated Cost			\$ 855,002,000

Notes: See Appendix A for detailed project descriptions.



1. San Pablo Ave Complete Streets (various segments)
2. Appian Way Complete Streets
3. San Pablo Dam Rd Complete Streets
4. Bay Trail Gap Closures
5. Ohlone Greenway
6. I-580/Harbour Way

7. I-580/Marina Bay Parkway
8. Ferry to Bridge Bike Connections
9. I-80 Express Bus
10. Hercules RTTC
11. BART Extension
12. San Pablo Ave BRT
13. 23rd Street BRT

14. BART Station Access Improvements
15. Del Norte TOD
16. San Pablo Ave/23rd St Realignment
17. I-80/San Pablo Dam Rd
18. I-80/Central Ave
19. I-80/Pinole Valley Rd

STMP Project Types

- Interchange/Intersection
- BART Stations
- Trails/Bicycle Facilities
- Roadway/Freeway

- West County City Limits



Figure 3-1

West County STMP Projects

4. Growth Projections

An important step in quantifying the nexus relationship is to determine the amount of new development anticipated in the planning horizon (year 2040) of the study. Fehr & Peers reviewed the historical and projected housing and job growth in West County provided by the Association of Bay Area Governments (ABAG) and summarized in **Table 4-1**. Based on the information presented in Table 4-1, the TAC recommended, and the Board approved, a 0.9 percent annual housing growth rate and 1.2 percent annual job growth rate for use in the nexus study update. These projections were incorporated into the year 2040 land use file of the Contra Costa Transportation Authority (CCTA) travel demand model in the appropriate Transportation Analysis Zones (TAZs) for the West County region. **Table 4-2** shows the amount of new development anticipated based on applying those growth rates; the number of dwelling units in West County would increase by 18,725 units (17 percent of total 2040 amount), and the number of jobs would increase by 18,794 jobs (21 percent of total 2040 amount). As shown in **Table 4-3**, total “service population” in West County, which is the sum of population plus jobs, is expected to increase by 82,037 (19 percent of total 2040 amount).

Table 4-1: West County Annual Growth Rate Comparison

Year Range	Annual Housing Growth Rate	Annual Job Growth Rate
2000 – 2005 (Historical)	0.9%	0.7%
2005 – 2010 (Historical)	-0.1%	-2.1%
2010 – 2015 (Historical)	0.9%	1.7%
2015 – 2040 (Forecast, based on ABAG <i>Projections 2013</i>)	1.2%	1.2%
2015 – 2040 (Forecast, based on ABAG <i>Projections 2017</i>)	1.0%	1.4%

Source: Fehr & Peers, 2018.

Table 4-2: Forecasted Housing and Job Growth in West County

Year	Residential (Dwelling Units)			Non-Residential (Jobs)			
	Single-Family	Multi-Family	Total	Office	Retail	Industrial	Total
2018	65,727	28,657	94,384	45,920	16,172	9,525	71,617
2040	70,412	42,697	113,109	60,528	19,485	10,398	90,411
Net Increase	4,685	14,040	18,725	14,608	3,313	873	18,794
Net Increase as % of Total 2040 Amount	7%	33%	17%	24%	17%	8%	21%

Source: Fehr & Peers, 2018.

Table 4-3: Forecasted Service Population Growth in West County

Year	Total Population	Total Jobs	Service Population (Population + Jobs)
2018	267,305	71,617	338,922
2040	330,548	90,411	420,959
Net Increase	63,243	18,794	82,037
Net Increase as % of Total 2040 Amount	19%	21%	19%

Source: Fehr & Peers, 2018.

The CCTA travel demand model land use forecasts for West County, which are based on data from ABAG, represent residential uses in terms of dwelling units and non-residential uses in terms of numbers of employees. However, because fees are typically assessed on the basis of building area, for the purpose of establishing fee rates, the forecasts of total employees have been converted to square feet of non-residential development by applying the following typical factors:

- Office: 3 employees per 1,000 square feet
- Retail: 2 employees per 1,000 square feet
- Industrial: 1 employee per 1,000 square feet

All uses were then converted to dwelling unit equivalents (DUEs), to account for the fact that different development types generate traffic with different characteristics, and to use a common unit of measurement. This conversion was accomplished by applying use-specific AM peak hour vehicle trip generation rates from the Institute of Transportation Engineers (ITE) Trip Generation, 10th Edition. **Table 4-4**

contains the conversion factors used to calculate DUEs in this study. The results of the DUE conversion are presented in **Table 4-5**.

Table 4-4: DUE Conversion Factors

Land Use Category	Unit ¹	AM Peak Hour Vehicle Trip Rate ²	DUE per Unit ³
Single-Family	DU	0.74	1.00
Multi-Family	DU	0.36	0.49
Office	1,000 sq. ft.	1.16	1.57
Retail	1,000 sq. ft.	0.94	1.27
Industrial	1,000 sq. ft.	0.7	0.95

Notes:

1. DU = dwelling unit; sq. ft. = square feet.
2. AM peak hour trip rates are based on the following ITE codes: single-family = land use code 210, multi-family = land use code 221, office = land use code 710, retail = land use code 820, industrial = land use code 110.
3. DUE per Unit was calculated by normalizing the AM Peak Hour Trip Rate for each category such that the single-family residential category was assigned a DUE of 1.00. This is accomplished by dividing the AM Peak Hour Trip Rate for each category by 0.74, which is the AM Peak Hour Trip Rate of the single-family residential category. Example calculation: DUE per Multi-Family Unit = $0.36 / 0.74 = 0.49$.
4. Land uses that have unique characteristics that do not fall under any of the five general categories listed in the table were evaluated separately and assessed a fee per AM peak hour vehicle trip, as described further under Section 5.3.3.

Source: Fehr & Peers, 2018.

Table 4-5: Forecasted Growth in West County, Converted to DUE

Year	Residential (DUEs) ¹			Non-Residential (DUEs)			
	Single-Family	Multi-Family	Total	Office ²	Retail ³	Industrial ⁴	Total
2018	65,727	14,042	79,769	24,031	10,269	9,049	43,349
2040	70,412	20,922	91,334	31,676	12,373	9,878	53,927
Net Increase	4,685 (+7%)	6,880 (+49%)	11,565 (+14%)	7,645 (+32%)	2,104 (+20%)	829 (+9%)	10,578 (+24%)
Proportion of Total DUE Growth ⁵	21%	31%	52%	35%	9%	4%	48%

Notes:

1. Residential DUE conversion = Number of Dwelling Units * DUE per Unit.
2. Office DUE conversion = (Jobs/3 employees per 1,000 sq ft) * DUE per Unit.
3. Retail DUE conversion = (Jobs/2 employees per 1,000 sq ft) * DUE per Unit.
4. Industrial DUE conversion = (Jobs/1 employee per 1,000 sq ft) * DUE per Unit.
5. Total DUE Growth = 11,565 Net Increase in Residential DUEs + 10,578 Net Increase in Non-Residential DUEs = 22,143.
Example calculation: Single-Family DUE Proportion of Total DUE Growth = $4,685 / 22,143 = 21\%$.

Source: Fehr & Peers, 2018.

Following the same approach used in the 2005 STMP nexus study, the DUE conversion factors have been based on AM peak hour trip generation rates. The 2005 nexus study explained that the purpose of using AM peak hour rates was so as to “not overburden the application of the traffic fees on retail development.” Using the AM peak hour rates will allow the resulting fee calculations to be more directly compared to the current STMP fees. For the purposes of the STMP, which focuses on the impacts of new development, the most important piece of information is the estimated growth in DUEs between existing and future conditions. The total number of DUEs shown in Table 4-5 was used to calculate the maximum potential fee levels for each land use type.

5. Nexus Analysis

This chapter presents the nexus analysis conducted for the new STMP update.

5.1 Existing Deficiencies

An important part of a nexus analysis is to establish whether the transportation facilities that will be addressed by projects in the fee program are currently operationally deficient. Existing deficiencies should be accounted for in the fee calculations to ensure new development pays its fair share and is not being charged to correct an existing problem.

Fehr & Peers conducted an evaluation of existing transportation conditions based on a review of recent studies that contain information pertaining to the current operations along Routes of Regional Significance, existing transit services, and existing pedestrian and bicycle infrastructure. Based on the documents reviewed for this study and the performance standards applied in those documents, existing deficiencies were identified at the following locations, which are all intersections located along Routes of Regional Significance within the City of Richmond:

- Castro Street/Hensley Street
- Richmond Parkway/Pittsburg Avenue
- Richmond Parkway/Parr Boulevard
- Central Avenue/Jacuzzi Street/San Joaquin Street/Westbound I-80 Ramps

The only capital improvement project included in the project list described in Table 3-1 that addresses an intersection listed above is the I-80/Central Avenue Interchange Improvement Project (ID #18).

While the intersections listed above were the only locations specifically identified in the documents reviewed as failing to meet defined performance standards, it is well understood that many of the major transportation facilities in West County routinely operate at over-capacity conditions. For example, substantial congestion commonly occurs on I-80 and on the major routes that feed into or are parallel to the freeway. Parking lots at the three West County BART stations routinely fill around 7:30 AM, indicating that there is more demand for access to those stations than can currently be accommodated. In light of these conditions, the STMP calculations presented here have been conducted by calculating the growth in West County development as a percentage of the total future population and jobs. This is a conservative approach since only a relatively modest portion of each project's cost is included in the STMP, reflecting the projected traffic and service population growth in West County.

5.2 STMP Project Cost Responsibility

The estimation of the percentage of project responsibility that can be attributed to West County (and therefore the percentage of project cost to be included in the STMP) is shown in **Table 5-1**, and the following describes how those percentages were calculated.

The STMP is being updated to include a range of capital improvement projects that are intended to relieve congestion, improve transit services for subregional and regional travel, and allow West County residents to more efficiently access regional routes and transit services. The concept of this nexus study is to determine the proportion of the cost of each project that is reasonably attributable to new development within West County, and therefore could be included in the STMP fee. The primary analytical tool available to estimate the proportion of usage on each facility coming from new growth in West County is the CCTA regional travel demand model. The model is commonly used to evaluate projects that involve major changes to roadway facilities, such as adding lanes to a street or reconfiguring an interchange. The model is not designed or calibrated to capture smaller-scale changes, such as adding a bicycle lane, building sidewalks or crosswalks, or reconfiguring access to a transit station. Therefore, for the purposes of this STMP analysis, the model was used to estimate West County usage percentages for projects that involve freeway, interchange, or local street improvements, and an alternate method was used for projects that involve complete streets, bicycle/pedestrian, and transit-related improvements.

The percentages described below were applied to the cost of each STMP project, and the resulting amount represents the portion of the cost of each project that will be included when calculating the STMP fee. As shown in Table 5-1, using these calculations the STMP program could capture about \$162 million, which is approximately 19 percent of the overall total project cost of \$855 million; other funding sources would be needed to cover the remainder of the costs, to account for the travel demand generated by existing West County residents as well as existing and future travelers who pass through West County on their way to other destinations.

Table 5-1: Maximum STMP Amount for Each Project

ID	Project	Estimated Cost (2018\$)	% from West County	STMP Amount
Complete Streets Projects				
1	San Pablo Avenue Complete Streets Projects	\$ 50,903,000	19%	\$ 9,672,000
2	Appian Way Complete Streets Project	\$ 23,310,000	19%	\$ 4,429,000
3	San Pablo Dam Road Improvements in Downtown El Sobrante	\$ 10,422,000	19%	\$ 1,980,000
Other Bicycle and Pedestrian-Focused Improvements				
4	Bay Trail Gap Closure	\$ 12,276,000	19%	\$ 2,333,000
5	Ohlone Greenway Improvements	\$ 3,045,000	19%	\$ 579,000
6	I-580/Harbour Way Interchange Pedestrian & Bicycle Access Improvements	\$ 519,000	19%	\$ 156,000
7	I-580/Marina Bay Parkway Interchange Pedestrian & Bicycle Access Improvements	\$ 1,095,000	19%	\$ 197,000
8	Richmond Ferry to Bridge Bicycle Network Improvements	\$ 8,750,000	19%	\$ 2,450,000
Transit and Station-Related Improvements				
9	I-80 Express Bus Service	\$ 109,203,000	19%	\$ 20,749,000
10	Hercules Regional Intermodal Transportation Center	\$ 53,550,000	19%	\$ 10,175,000
11	BART Extension from Richmond Station	\$ 14,700,000	19%	\$ 2,793,000
12	San Pablo Avenue Transit Corridor Improvements	\$ 192,150,000	19%	\$ 36,509,000
13	23rd Street Transit Corridor Improvements	\$ 121,800,000	19%	\$ 23,142,000
14	West County BART Station Access, Parking & Capacity Improvements	\$ 88,926,000	19%	\$ 16,896,000
15	Del Norte Area TOD Public Infrastructure Improvements	\$ 37,761,000	19%	\$ 7,175,000
Local Street and Intersection Improvements				
16	San Pablo Avenue Intersection Realignment at 23rd Street and Road 20	\$ 15,120,000	12%	\$ 1,814,000
Freeway and Interchange Improvements				
17	I-80/San Pablo Dam Road Interchange Improvements (Phase 2)	\$ 84,788,000	19%	\$ 16,110,000
18	I-80/Central Avenue Interchange Improvements (Phase 2)	\$ 15,225,000	17%	\$ 2,588,000
19	I-80/Pinole Valley Road Interchange Improvements	\$ 10,959,000	14%	\$ 1,534,000
Administrative Projects				
20	Future Nexus Study Updates	\$500,000	100%	\$500,000
Totals		\$ 855,002,000	19%	\$ 161,781,000

Source: Fehr & Peers, 2018.

5.2.1 Transit, Bicycle, and Pedestrian Improvement Projects

For projects involving complete streets, transit, bicycle, and pedestrian improvements (project numbers 1 through 15), the percentage of project costs to be included in the STMP is set at the proportion of the total future service population (defined as population plus employment) in the year 2040 that is expected to be added by new development between 2018 and 2040. The service population calculations are provided below based on the service population summary shown in Table 4-2.

- 2018 existing service population in West County = 338,922
- 2040 projected service population in West County = 420,959
- Net increase in service population in West County = $420,959 - 338,922 = 82,037$
- Proportion of West County growth in 2040 service population = $82,037 / 420,959 = 19\%$

According to this calculation, 19 percent of the total future service population in West County would come from new residential and commercial development in West County. The calculation above accounts for existing and future West County residents that work within and outside of West County, in addition to people that live outside of West County but work in West County. Therefore, the percentage of transit, bicycle, and pedestrian improvements costs that are included in the STMP have been set at 19 percent.

5.2.2 Interchange and Local Street Projects

For projects involving changes to local streets and interchanges (project numbers 16 through 19), the land use projections for the year 2040 were incorporated in the CCTA travel demand model and the model was applied to generate estimates of travel patterns and volumes in the future. A common modeling technique called a select zone analysis was applied to identify the amount of total future traffic volume on each roadway link that is generated by land uses in the West County region. The model produces peak hour results for the PM time period; on each model link that represents the location of a STMP project, the PM peak hour growth in traffic volume attributable to new development in the West County region was compared to the overall future PM peak hour traffic volume, thereby calculating the share of the total future usage of that link attributed to growth in West County. This proportion ranges between 12 and 19 percent for the interchange and local street projects analyzed in this manner. Although the AM peak hour trip generation rates were used to identify the DUE growth anticipated in West County by land use category, the PM peak hour traffic volume growth from the CCTA travel demand model was used to identify the share of the total future usage of interchange and local street projects associated with future development.

It should be noted that the usage percentage for the I-80/San Pablo Dam Road Interchange Improvements Project (project number 17) was adjusted because the CCTA model results did not reflect growth in traffic

volumes at that interchange. Instead, the usage percentage was set to 19 percent to reflect the proportion of new service population in the West County region.

5.2.3 Administrative Projects

The administrative project included in the STMP is to fund future nexus study updates; therefore, 100 percent of the costs are attributed to the STMP update.

5.3 Maximum Fee Calculation

A fee calculation was completed based on the figures described above. Starting from the approximately \$162 million of project costs eligible to be included in the STMP, the costs were then proportioned to each land use category based on the number of DUEs estimated for that category. The total project capital costs associated with each land use category were then divided by the number of DUEs to establish the maximum potential fee level. **Table 5-2** shows the results of these calculations.

It is important to note that the fee calculation shown in Table 5-2 is intended to represent the maximum potential fee that is justified through this nexus analysis and that could be charged to each land use type to support the list of STMP projects. Setting new fee levels is a policy decision of the WCCTAC Board. If an action were taken to set fees lower than shown here, the STMP program would generate less revenue than estimated here and would take longer to generate the estimated funding for projects on the list.

STMP fees are charged to new development of all types located in the geographic area covered by the STMP. Further details about the application of the STMP to specific types of land uses are contained in the WCCTAC STMP Administrative Guidelines developed as part of this update.

Table 5-2: STMP Maximum Potential Fee Calculation by Land Use Category⁵

Land Use Category	Proportion of Total DUE Growth ¹	Capital Cost Allocated to Each Category ²	Total Units ³	Maximum STMP Fees ⁴
Single-Family Residential	21%	\$33,974,010	4,685 DU	\$7,252 per DU
Multi-Family Residential	31%	\$50,152,110	14,040 DU	\$3,572 per DU
Office	35%	\$56,623,350	4,869,300 sq. ft.	\$11.63 per sq. ft.
Retail	9%	\$14,560,290	1,656,500 sq. ft.	\$8.79 per sq. ft.
Industrial	4%	\$6,471,240	873,000 sq. ft.	\$7.41 per sq. ft.

Notes:

1. Proportion based on total DUE growth from 2018 – 2040, as summarized in Table 4-5.
2. Capital Cost Allocated to Each Category = \$161,781,000 * (Proportion of Total DUE Growth).
3. DU = dwelling unit; sq. ft. = square foot. Total units based on growth from 2018 – 2040, as summarized in Table 4-2.
4. Maximum Potential fee calculation for each land use category. Maximum Potential STMP Fee = (Proportion of Total Capital Cost) / (Total Units).
5. For any land use that has unique characteristics that are not captured under any of the general categories in the STMP ordinance, the fee will be calculated based on the number of AM peak hour trips for that specific land use. The maximum potential fee calculation is \$9,800 per AM peak hour trip; the calculation is described in more detail under Section 5.3.3. The STMP Administrative Guidelines provide further guidance for estimating the required fee for “other” category projects.

Source: Fehr & Peers, 2018.

5.3.1 Fee Comparison

The maximum potential STMP fee (presented in Table 5-2) was compared to the current STMP fees and to other sub-regional fee programs in Contra Costa, as summarized in **Table 5-3**. As shown in Table 5-3, the new maximum potential fees calculated are higher than the current non-indexed and indexed STMP fees in all land use categories. For residential uses, the new maximum STMP fee is somewhat higher than the residential fee charged in the Tri-Valley area, and lower than the residential fees in East County and Lamorinda. For non-residential uses, the new maximum STMP fee is higher than the comparable fees in East County and Tri-Valley, and roughly similar to the non-residential fees in Lamorinda.

Table 5-3: Comparison to Other Sub-Regional Fees

Jurisdiction	Single-Family (per unit)	Multi-Family (per unit)	Office (per sq. ft.)	Retail (per sq. ft.)	Industrial (per sq. ft.)
West County Area					
WCCTAC Maximum Potential Fee	\$7,252	\$3,572	\$11.63	\$8.79	\$7.41
WCCTAC (original 2005) ¹	\$2,595	\$1,648	\$3.51	\$1.82	\$2.45
WCCTAC (if indexed) ²	\$3,697	\$2,348	\$5.00	\$2.59	\$3.49
Other Sub-Regional Fees in Contra Costa					
East County	\$18,186	\$11,164	\$1.56	\$1.80	\$1.56
Lamorinda	\$7,269	\$5,088	\$7.78	\$7.78	\$7.78
Tri-Valley	\$4,369	\$3,010	\$7.43	\$3.48	\$4.32

Notes:

1. Reflects the 2005 STMP Fee Schedule.
2. Reflects the 2005 STMP Fee Schedule if it had been consistently indexed to year 2018. The index is based on the Engineering-News Record Construction Cost Index for the San Francisco Bay Area.

Source: Fehr & Peers, 2018.

5.3.2 Board-Recommended Fee Levels

At the September 28, 2018 meeting, the WCCTAC Board recommended that fee levels be set at 75 percent of the maximum potential fee calculations; the Board-recommended fee levels for the five major land use categories are presented in **Table 5-4**. Setting the fees at these levels is expected to generate an estimated \$121.3 million through year 2040.

Table 5-4: Board-Recommended STMP Fee Levels by Land Use Category

Jurisdiction	Single-Family (per unit)	Multi-Family (per unit)	Office (per sq. ft.)	Retail (per sq. ft.)	Industrial (per sq. ft.)
WCCTAC (original 2005) ¹	\$2,595	\$1,648	\$3.51	\$1.82	\$2.45
WCCTAC (if indexed) ²	\$3,697	\$2,348	\$5.00	\$2.59	\$3.49
WCCTAC Maximum Potential Fee	\$7,252	\$3,572	\$11.63	\$8.79	\$7.41
Board Recommendation (75% of WCCTAC Maximum Potential Fee)³	\$5,439	\$2,679	\$8.72	\$6.59	\$5.56

Notes:

1. Reflects the 2005 STMP Fee Schedule.
2. Reflects the 2005 STMP Fee Schedule if it had been consistently indexed to year 2018. The index is based on the Engineering-News Record Construction Cost Index for the San Francisco Bay Area.
3. The WCCTAC Board recommended during the September 28, 2018 meeting that fee levels be set at 75 percent of the maximum potential fee calculations.

Source: Fehr & Peers, 2018.

5.3.3 Maximum Potential Fee for Other Land Use Categories

As with the previously adopted STMP ordinance, the updated STMP Model Ordinance also specifies fees for the following land use categories: senior housing, hotel, storage facility, and other. The maximum potential fees for the senior housing, hotel and storage facility categories were calculated by applying the DUE factor for each category to the maximum potential fee per single family dwelling unit. Any land use that has unique characteristics that are not captured under any of the land use categories in the ordinance would fall under the “other” category, in which the fee is calculated based on the number of AM peak hour trips. The maximum potential fee per AM peak hour trip was calculated by dividing the maximum potential fee per single family dwelling unit by the AM peak hour trip generation rate (0.74) per single family dwelling unit; the calculation is shown below.

- Maximum potential fee per single family dwelling unit = \$7,252
- AM peak hour trip generation rate per single family dwelling unit = 0.74
- Maximum potential fee per AM peak hour trip = $\$7,252 / 0.74 = \$9,800$

The STMP Administrative Guidelines provide further guidance for estimating the required fee for “other” category projects. The maximum potential fee and Board-recommended fees (75 percent of the maximum potential fee) for these land uses are summarized in **Table 5-5**.

Table 5-5: STMP Fee Levels for Other Land Use Categories

Land Use	Unit	AM Trip Generation Rate ¹	DUE	WCCTAC Maximum Potential Fee ²	Board Recommendation (75% of WCCTAC Maximum Potential Fee) ²
Single-Family	Dwelling Unit	0.74	1.00	\$7,252	\$5,439
Senior Housing	Dwelling Unit	0.20	0.27	\$1,958	\$1,469
Hotel	Room	0.47	0.64	\$4,641	\$3,481
Storage Facility	Sq. ft.	0.0001	0.00014	\$1.02	\$0.76
Other ³	AM Peak Hour Trip	N/A	N/A	\$9,800	\$7,350

Notes:

1. AM peak hour trip rates are based on the following ITE codes found in the *ITE Trip Generation Manual* (10th Edition): single-family = land use code 210, senior housing = land use code 252, hotel = land use code 310, storage facility = land use code 151.
2. Fee estimate for senior housing, hotel, and storage facility land uses calculated by applying the DUE to the single-family family fee per dwelling unit.
3. The STMP Administrative Guidelines provide further guidance for estimating the required fee for “other” category projects.

Sources: *ITE Trip Generation Manual* (10th Edition); Fehr & Peers, 2018.

5.4 Other Funding Sources

As with the 2005 update of the STMP, the fee revenue from the 2019 STMP update will not pay the total cost of all transportation infrastructure improvements described in Table 3-1. Other funding will need to be obtained, some of which has already been identified. The following projects on the updated STMP list have identified other funding sources:

- Hercules Regional Intermodal Transportation Center (Project ID #9) has identified \$1 million in funding.
- Del Norte Area TOD Public Infrastructure Improvements (Project ID #15) has identified \$7.1 million in funding.
- San Pablo Avenue Intersection Realignment at 23rd Street and Road 20 (Project ID #16) has identified \$9.5 million in funding.

- I-80/Central Avenue Phase Interchange Improvements (Project ID #18) has identified \$13.9 million in funding.

Although additional funding sources have not yet been identified for the remaining projects, the following describes a range of other funding sources that are potentially available to fund the remaining capital costs.

Measure J - Approved by Contra Costa County voters in 2004, it imposed a continuation of a half-cent on the dollar sales tax for 25 more years beyond the original 1988 transportation sales tax measure (Measure C) that expired in 2009. As with Measure C, the tax revenues will be used to fund a voter-approved Expenditure Plan of transportation programs and projects. Measure J will provide approximately \$2.5 billion for countywide and local transportation projects and programs through the year 2034.

Regional Measure 3 - Approved by Bay Area voters in June 2018, Regional Measure 3 will raise tolls on the Bay Area region's state-owned toll bridges by \$1 beginning January 1, 2019. Tolls will rise by another \$1 in January 2022 with another \$1 increase in January 2025. Toll revenues will be used to finance a \$4.5 billion set of highway and transit improvements along the toll bridge corridors and their approach routes. The Regional Measure 3 Expenditure Plan currently contains \$25 million for I-80 corridor transit improvements in Contra Costa, \$100 million for AC Transit rapid bus corridor improvements, \$90 million for Capital Corridor improvements, and \$150 million for San Francisco Bay Trail and Safe Routes to Transit improvements,

One Bay Area Grants (OBAG) – Established in 2012, OBAG taps federal funds to maintain Metropolitan Transportation Commission's (MTC) commitment to regional transportation priorities while also advancing the Bay Area's land-use and housing goals. OBAG targets project investments in Priority Development Areas (PDAs), where cities and counties can use OBAG funds to invest in streetscape enhancements, bicycle and pedestrian improvements, Safe Routes to School projects, and transportation planning efforts. MTC adopted the funding and policy framework for the second round of the OBAG program in November 2015. The second round of OBAG funding is projected to generate about \$916 million to fund projects from 2017-18 through 2021-22. The OBAG 2 program is divided into a Regional Program, managed by MTC, and County Program, managed by the nine Bay Area Congestion Management Agencies (CMAs).

Senate Bill 1 (SB 1) – Signed into law by Governor Jerry Brown in April 2017, SB 1 is expected to raise \$52.4 billion for transportation investments over the next decade. Revenues to pay for SB 1 programs will come from new transportation-related fees and adjustments to state taxes on diesel fuel and gasoline. By 2018-19, MTC estimates SB 1 will generate more than \$365 million per year for transportation in the nine-county Bay Area. Most of that funding will be directed to maintenance and repairs of roadways and public transit systems. Funding will also be available for mobility improvements and expanding bicycle and pedestrian access.

State Transportation Improvement Program (STIP) Funds – Generated by gas tax revenues, these funds are allocated by the State of California to Contra Costa County every two years for programming transportation improvement projects. According to the *2018 Report of STIP Balances County and Interregional Shares* (California Transportation Commission, August 2018), about \$87.3 million in STIP funds are currently allocated to transportation projects in Contra Costa County.

6. Summary of Required Program Elements

This report has provided a detailed discussion of the elements of the updated West County Subregional Transportation Mitigation Program and explained the analytical techniques used to develop this nexus study. The report addresses all of the fee program elements required by AB 1600, as summarized below.

1. *Identifying the purpose of the fee*

The STMP has been in place for more than 20 years. The purpose of the STMP is to support regional multimodal transportation system improvements needed to mitigate the transportation-related impacts of new development in western Contra Costa County.

2. *Identifying how the fee will be used and the facilities to be funded through the fee*

The fee will be used to help fund capital improvement projects that will accommodate future transportation needs in western Contra Costa. Table 3-1 identifies the projects to be funded through the fee.

3. *Determining a reasonable relationship between the fee's use and the type of development on which the fee is imposed*

As described in Chapter 4, different types of development generate traffic with different characteristics. The calculations presented in Table 4-5 account for these different characteristics by applying dwelling unit equivalent factors to each type of development. These considerations account for the differential impacts on the transportation system generated by different development types.

4. *Determining a reasonable relationship between the need for the public facility and the type of development on which the fee is imposed*

The need for the improvements listed in Table 3-1 has been established through the prior and current STMP nexus studies. The STMP calculations presented in this report have been conducted by calculating the growth in West County development as a percentage of the total future population and jobs. This is a conservative approach since only a relatively modest portion of each project's cost is included in the STMP, reflecting the projected traffic and service population growth in western Contra Costa County.

5. *Determining a reasonable relationship between the amount of the fee and the cost of the public facility (or portion of facility) attributable to new development*

Chapter 5 of this report describes the calculations applied to determine the cost of the improvements listed in Table 3-1 that is attributable to new development. Thus, a reasonable effort has been made to quantitatively establish the relationship between the fees charged in the STMP and the costs of transportation infrastructure improvements attributable to new development within western Contra Costa.

Appendix A – 2019 Update of the STMP Project List

WEST COUNTY STMP PROJECTS

ID	Project	Project Description	Document Reference	Total Project Cost Estimate	Other Identified Funding	Eligible STMP Funding Allocation ¹	Sponsor(s)
Complete Streets Projects							
1	San Pablo Avenue Complete Streets Projects ²	a.) Construct bike and pedestrian improvements along San Pablo Avenue from Rodeo to Crockett by reducing roadway from 4 lanes to 3 lanes plus Class I path.	Countywide Transportation Plan (2017), West County Transit Enhancement and Wayfinding Plan (2011)	\$8,610,000		\$1,636,000	County
		b.) Construct bicycle and pedestrian improvements along San Pablo Avenue between La Puerta Road and Hilltop Drive. Including new sidewalk installation on San Pablo Avenue between Lancaster Drive and Robert Miller Drive on the east side, and on Robert Miller between San Pablo Avenue and Hilltop Drive, to improve pedestrian access to the Contra Costa College Transit Hub and the Hilltop Mall Area.	West County Transit Enhancement and Wayfinding Plan	\$3,150,000		\$599,000	Richmond
		c.) Construct bike, pedestrian and transit improvements along San Pablo Avenue from Rivers Street in San Pablo to Lowell Avenue in Richmond.	Countywide Transportation Plan, San Pablo Bicycle and Pedestrian Master Plan (2017)	\$13,755,000		\$2,613,000	San Pablo
		d.) Implement Complete Streets improvements along San Pablo Avenue including directional cycle track or buffered bike lane and other bicycle, pedestrian and transit improvements in El Cerrito.	Countywide Transportation Plan, El Cerrito San Pablo Avenue Specific Plan (2014)	\$8,190,000		\$1,556,000	El Cerrito
		e.) San Pablo Avenue Class I Boardwalk between John Muir Parkway and Sycamore Avenue. Project is necessary to provide pedestrian and transit access to a recently approved shopping center on San Pablo Avenue, across the street from the planned boardwalk.	West County Transit Enhancement and Wayfinding Plan	\$398,000		\$76,000	Hercules
		f.) Complete bicycle/pedestrian connection on San Pablo Avenue over Santa Fe Railroad tracks by upgrading the existing bridge or constructing new dedicated bicycle/pedestrian bridge. Provide continuous sidewalks and bike lanes throughout the corridor. The project will also consider future/existing bus stop locations, on-street parking and sidewalk treatments, such as bulb outs and median refuge islands, while also improving access consistent with ADA. Project limits are along Appian Way from San Pablo Dam Road in unincorporated El Sobrante to about 900 lineal feet north of the city limit within the City of Pinole.	Countywide Transportation Plan	\$16,800,000		\$3,192,000	Pinole
2	Appian Way Complete Streets Project ²	San Pablo Dam Road Improvements in Downtown El Sobrante ²	Countywide Transportation Plan	\$23,310,000		\$4,429,000	County, Pinole
3		Provide complete street improvements on San Pablo Dam Road between El Portal Drive and Castro Ranch Road. Improvements may include multimodal infrastructure on San Pablo Dam Road as well as completion of Pitt Way which will provide a circulation loop in the center of town that will provide enhanced access to community space and commercial areas in downtown El Sobrante.	2005 Update of the Subregional Transportation Mitigation Program (STMP)	\$10,422,000		\$1,980,000	County
		Complete Streets Project Category - Total Cost Estimate		\$84,635,000	\$0	\$16,081,000	
Other Bicycle and Pedestrian-Focused Improvements							
4		Close Bay Trail gaps in West Contra Costa County along the following segments: 1.) 0.3-mile segment along Goodrick Avenue in Richmond. 2.) 1.5-mile segment between Atlas Road and Cypress Avenue in unincorporated Contra Costa County. 3.) 0.1-mile segment between Bayfront Park and Pinole Creek in Pinole.					County, Pinole, Richmond
5	Bay Trail Gap Closure	Ohlone Greenway Improvements	Countywide Transportation Plan	\$12,276,000		\$2,333,000	Richmond
		Implement crossing, wayfinding, signing, lighting, safety, access and security, and landscaping improvements along Ohlone Greenway.	Countywide Transportation Plan, Ohlone Greenway Master Plan (2009)	\$3,045,000		\$579,000	El Cerrito
6	I-580/Harbour Way Interchange Pedestrian & Bicycle Access Improvements	Improve pedestrian and bicycle crossings at the I-580/Harbour Way interchange ramps, to improve pedestrian and bicycle connections between waterfront (including future Ferry terminal) and central Richmond.	West County Transit Enhancement and Wayfinding Plan, South Richmond Transportation Connectivity Plan (2015)	\$519,000		\$156,000	Richmond
7	I-580/Marina Bay Parkway Interchange Pedestrian & Bicycle Access Improvements	Improve pedestrian and bicycle crossings at the I-580/Marina Bay Parkway interchange ramps. The following improvements may be considered: -Stripe and sign bike lanes along Marina Parkway, connect bike lanes to the Officer Moody Class I path at Meeker Avenue/Marina Bay Parkway intersection. -Consider narrowing or removing travel lanes on South 23rd Street to provide a bicycle and pedestrian connection to downtown Richmond. -Stripe crosswalks at freeway ramps for pedestrian and bicycle travel across ramps. -Square the freeway off-ramps to slow speeds and improve sightlines between drivers and bicyclists/pedestrians.	West County Transit Enhancement and Wayfinding Plan, City of Richmond Bicycle Master Plan (2011)	\$1,095,000		\$197,000	Richmond

WEST COUNTY STMP PROJECTS

ID	Project	Project Description	Document Reference	Total Project Cost Estimate	Other Identified Funding	Eligible STMP Funding Allocation ¹	Sponsor(s)
8	Richmond Ferry to Bridge Bicycle Network Improvements	a.) Point Richmond area: from the new trail at Tewksbury & Castro to existing bay trail at S Garrard & Richmond Ave. This segment could vary from short-term bicycle boulevard-style improvements through the neighborhood to a long-term goal of a Class I path through railroad and Caltrans ROW along Railroad Ave and Tewksbury Ave. (Approximately 2,300 ft)	N/A (Project Identified by City of Richmond Staff)	\$1,150,000		\$322,000	Richmond
		b.) Point Richmond to Richmond Greenway: including S Garrard Blvd and W Ohio Ave. Because acquisitions or easements on railroad property have failed, there is a proposal to build a Class I trail along the north side of W Ohio between Garrard and 2nd St. The curb and gutter on this side of the road would need to be rebuilt. A similar trail or 2-way cycle track could be extended along S Garrard to existing facilities at W Cutting. (W Ohio Ave segment: 3,100 ft, S Garrard Blvd: 2,800 ft)	N/A (Project Identified by City of Richmond Staff)	\$2,950,000		\$826,000	Richmond
		c.) W Cutting Blvd, Cutting Blvd, and Hoffman Blvd. A two-way cycle track is proposed by reducing the number of vehicle travel lanes. Local businesses have requested the City add parking on the north side of West Cutting Blvd, and this will be studied in conjunction with the proposed bicycle facilities. This is also one of our focus areas for stormwater pollution mitigation, so a bioswale buffer between the cycle track and roadway would be ideal. Bicycle and pedestrian improvements adjacent to freeway access points are also necessary at Hoffman & Cutting and Hoffman & Harbour Way South. (W Cutting and Cutting Blvd segment: 5,500 ft, Hoffman Blvd: 1,600 ft)	N/A (Project Identified by City of Richmond Staff)	\$3,550,000		\$994,000	Richmond
		d.) Harbour Way South: Hoffman to Ferry Terminal. Private developments are in the process of planning and building portions of a two-way cycle track along the frontage of their properties between Hoffman and the Cannery property, and this project would connect and extend those improvements. (2,200 ft total)	N/A (Project Identified by City of Richmond Staff)	\$1,100,000		\$308,000	Richmond
		Other Bicycle and Pedestrian-Focused Project Category - Total Cost Estimate		\$25,685,000	\$0	\$5,715,000	
Transit and Station-Related Improvements							
9	I-80 Express Bus (Short & Mid-Term Improvements)	Capital improvements associated with implementing Express Bus Service on I-80 from Hercules Transit Center south to Berkeley, Emeryville, Oakland, and expansion to San Francisco, with intermediate stops at the Richmond Parkway Transit Center and a potential I-80/Macdonald Avenue Express Bus/BRT transit center. Expansion of park-and-ride lots and freeway ramp improvements could occur in the medium to long-term. A series of Richmond Parkway Transit Center Improvements may also include: -Improve pedestrian and bicycle crossings at the I-80/Blume Drive and I-80/Fitzgerald Drive intersections -New sidewalks and bicycle lanes providing access to the transit center.	West County High-Capacity Transit Study (2017), 2016 Express Bus Study Update Final Report (2017)	\$109,203,000		\$20,749,000	WCCTAC
10	Hercules Regional Intermodal Transportation Center	Current phase of Hercules RITC is to complete construction of the new train stop for Capitol Corridor service, including parking, station platform, signage and plazas, rail improvements, bicycle and pedestrian access improvements (e.g. Bay Trail connections), etc. Capital improvements along the corridor in West Contra Costa, including track improvements, drainage, fencing, safety improvements, etc. Future capital improvements could include preparation for ferry service.	West County High-Capacity Transit Study, Countywide Transportation Plan, 2005 Update of the STMP	\$53,550,000	\$1,000,000	\$10,175,000	Hercules
11	BART Extension (Planning & Conceptual Engineering Phases) from Richmond Station ³	BART extension from the Richmond BART Station. Only the planning, conceptual engineering and program level environmental clearance phases of the project are included for Segment 1 from Richmond to Contra Costa College/City of San Pablo.	West County High-Capacity Transit Study	\$14,700,000		\$2,793,000	WCCTAC
12	San Pablo Avenue Transit Corridor Improvements	BRT on San Pablo Avenue approximating the existing 72R Rapid Bus route from downtown Oakland to the Richmond Parkway Transit Center and extending Rapid Bus from the Richmond Parkway Transit Center to the Hercules Transit Center. In the short-term, Rapid Bus Improvements could be extended to Richmond Parkway with service to Contra Costa College and Hilltop Mall and transit priority treatments introduced along the corridor. Extending Rapid Bus treatments north to the Hercules Transit Center and introducing bus-only lanes on San Pablo Avenue from El Cerrito del Norte north to 23rd Street could occur in the medium-term.	West County High-Capacity Transit Study	\$192,150,000		\$36,509,000	WCCTAC

WEST COUNTY STMP PROJECTS

ID	Project	Project Description	Document Reference	Total Project Cost Estimate	Other Identified Funding	Eligible STMP Funding Allocation ¹	Sponsor(s)
13	23rd Street Transit Corridor Improvements	23rd Street BRT from Richmond Ferry Terminal and UC Berkeley Richmond Field Station to Richmond BART/Capitol Corridor station, then continuing to Contra Costa College, with possible extension along San Pablo Avenue to Hilltop Mall and Hercules. Improvements to pedestrian facilities that enhance access to BRT stations are also assumed as part of this project.	West County High-Capacity Transit Study	\$121,800,000		\$23,142,000	WCCTAC
14	West County BART Station Access, Parking & Capacity Improvements	a.) El Cerrito Plaza Station Modernization and Capacity Enhancements: Improve access, expand capacity, enhance placemaking, and address state-of-good repair issues at the 45-year old El Cerrito Plaza BART station. Include an improved kiss n’ ride area, landscaping, new stairs and elevators to the platform, new station restrooms, and improved bus intermodal area with raised crosswalks.	El Cerrito Plaza and Del Norte Stations - Modernization Concept Plan (2013)	\$49,442,000		\$9,395,000	BART
		b.) El Cerrito Plaza BART Pedestrian & Bike Safety and Access Improvements: Enhancements on streets between BART Station and Carlson Blvd, including improved pedestrian lighting, widened sidewalks, improved crosswalks, signal timing adjustments, wayfinding and signage, and upgraded bicycle facilities.	BART Walk and Bicycle Gap Study (2017)	\$1,260,000		\$239,000	BART, El Cerrito
		c.) Richmond BART Pedestrian & Bike Safety and Access Improvements: Enhancements on streets surrounding BART Station to improve station access and safety, including pedestrian lighting, widened sidewalks, improved crosswalks, signal timing adjustments, wayfinding and signage, and upgraded bicycle facilities.	BART Walk and Bicycle Gap Study	\$3,465,000		\$658,000	BART, Richmond
		d.) Richmond Crossover Project: Additional Crossover to allow quicker turnbacks, to utilize fleet more effectively, reduce conflicts in yard, and allow increased service frequency.	BART Sustainable Communities Operations Analysis (2013)	\$34,759,000		\$6,604,000	BART
15	Del Norte Area TOD Public Infrastructure Improvements	Planning, engineering, environmental studies, and construction of the public transportation-related improvements related to Transit Oriented Development (TOD) in the area around the El Cerrito Del Norte BART station. Funding will provide improvements including, but not limited to: new parking facilities; bicycle, pedestrian, and 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.	2005 Update of the STMP	\$37,761,000	\$7,100,000	\$7,175,000	El Cerrito
Transit and Station-Related Project Category - Total Cost Estimate				\$618,090,000	\$8,100,000	\$117,439,000	
Local Street and Intersection Improvements							
16	San Pablo Avenue Intersection Realignment at 23rd Street and Road 20	Realignment of skewed 5-legged intersection as part of a bridge removal project that will enhance pedestrian, bicycle and future BRT access. The project will also include street re-configuration, re-striping and possibly signal modification at this intersection.	Countywide Transportation Plan	\$15,120,000	\$9,500,000	\$1,814,000	San Pablo
Local Street and Intersection Project Category - Total Cost Estimate				\$15,120,000	\$9,500,000	\$1,814,000	

WEST COUNTY STMP PROJECTS

ID	Project	Project Description	Document Reference	Total Project Cost Estimate	Other Identified Funding	Eligible STMP Funding Allocation ¹	Sponsor(s)
Freeway and Interchange Improvements							
17	I-80/San Pablo Dam Road Interchange Improvements (Phase 2)	Reconstruct the existing I-80/San Pablo Dam Road interchange (including modifications to the El Portal Drive and McBryde Avenue ramps) and provide improved pedestrian and bicycle facilities.	Countywide Transportation Plan, 2005 Update of the STMP	\$84,788,000	\$9,200,000	\$16,110,000.00	San Pablo, CCTA
		The project will be completed in two phases. The first phase (under construction) will relocate the El Portal Drive on-ramp to WB I-80 to the north, extend the auxiliary lane along WB I-80 between San Pablo Dam Road off-ramp and El Portal Drive on-ramp, and reconstruct the Riverside Avenue pedestrian overcrossing.					
18	I-80/Central Avenue Interchange Improvements (Phase 2)	The second phase includes the construction of a new connector road on the west side of I-80 to connect SPDR to McBryde Avenue with a new bridge over Wildcat Creek, reconstructing the on- and off-ramps to SPDR, replacing the existing SPDR overcrossing with a 6-lane structure, and realigning Amador Street. Phase 2 is included in this STMP update.	Countywide Transportation Plan, 2005 Update of the STMP	\$15,225,000	\$13,873,000	\$2,588,000	El Cerrito, Richmond, CCTA
		Improve traffic operations and multimodal access at the I-80/Central Avenue interchange and along Central Avenue between Rydin Road and San Pablo Avenue. The project will be completed in two phases. The first phase will redirect left turns from WB Central Avenue onto WB I-80 to the adjacent I-580 EB on-ramp at Rydin Road during weekend peak hours; and will install traffic signals at the I-580 ramps. Construction of first phase will be completed in 2018. The second phase will increase the spacing between the signalized intersections east of I-80 by connecting Pierce Street and San Mateo Street, converting Pierce Street access at Central Avenue to “right-in, right-out,” and relocating the traffic signal at Pierce Street/Central Avenue to the San Mateo Street/Central Avenue intersection. The second phase is included in this STMP update.					
19	I-80/Pinole Valley Road Interchange Improvements	The project may include the following improvements: -Improve merge onto the I-80 mainline from the EB Pinole Valley Road on-ramp to address vehicles accelerating uphill after stopping at ramp meter. -Widen Pinole Valley Road ramp-terminal intersections at I-80 to provide a dedicated right turn lane to the EB and WB I-80 on-ramps. -Pinole Valley Road/I-80 intersection crossing enhancements.	Countywide Transportation Plan, West County Transit Enhancement and Wayfinding Plan	\$10,959,000		\$1,534,000	Pinole, CCTA
Freeway and Interchange Project Category - Total Cost Estimate							
				\$110,972,000	\$23,073,000	\$20,232,000	
Administrative Projects							
20	Future Nexus Study Updates	Two comprehensive nexus studies and fee updates, over the 22-year planning horizon of the 2019 STMP Fee.		\$500,000		\$500,000	WCCTAC
Total Project List Cost Estimate				\$855,002,000	\$40,673,000	\$161,781,000	

Notes:

1. Column summarizes the portion of the capital costs that would be allocated to the STMP.

2. Complete Streets projects typically involve improvements to transit, pedestrian and bicycling infrastructure with the goal of increased usage of those modes, thus reducing vehicle volumes on Routes of Regional Significance.

3. Timing of BART extension implementation may extend beyond 2040; however, the STMP could fund early planning and design tasks.

Appendix B – 2019 Update of the STMP Project List Cost Estimate Summary

STMP Projects and Estimated Costs

ID	Project	Description	Reported Cost	Year of cost estimate	Escalation Factor ¹	Estimated Cost, 2018\$
Complete Streets Projects						
1	San Pablo Avenue Complete Streets Projects	a.) Construct bike and pedestrian improvements along San Pablo Avenue from Rodeo to Crockett.	\$8,200,000	2017	1.05	\$8,610,000
		b.) Construct bicycle and pedestrian improvements along San Pablo Avenue between La Puerta Road and Hilltop Drive.	\$3,000,000	2017	1.05	\$3,150,000
		c.) Construct bike, pedestrian and transit improvements along San Pablo Avenue from Rivers Street in San Pablo to Lowell Avenue in Richmond.	\$13,100,000	2017	1.05	\$13,755,000
		d.) Implement Complete Streets improvements along San Pablo Avenue including directional cycle track or buffered bike lane and other bicycle, pedestrian and transit improvements in El Cerrito.	\$7,800,000	2017	1.05	\$8,190,000
		e.) San Pablo Avenue Class I Boardwalk between John Muir Parkway and Sycamore Avenue.	\$296,400	2011	1.34	\$398,000
		f.) Complete bicycle/pedestrian connection on San Pablo Avenue over Santa Fe Railroad tracks.	\$16,000,000	2017	1.05	\$16,800,000
2	Appian Way Complete Streets Project	Provide continuous sidewalks, bike lanes, and improved bus stops along Appian Way from San Pablo Dam Road in unincorporated El Sobrante to about 900 lineal feet north of the city limit within the City of Pinole.	\$22,200,000	2017	1.05	\$23,310,000
3	San Pablo Dam Road Improvements in Downtown El Sobrante	Provide complete street improvements on San Pablo Dam Road between El Portal Drive and Castro Ranch Road.	\$6,900,000	2005	1.51	\$10,422,000

Other Bicycle and Pedestrian-Focused Improvements

4	Bay Trail Gap Closure	Improve transit access by closing three key Bay Trail gaps: along Goodrick Avenue in Richmond, between Bayfront Park and Pinole Creek in Pinole, and between Atlas Road and Cypress Avenue in unincorporated Contra Costa County.	\$11,135,000	2016	1.10	\$12,276,000
5	Ohlone Greenway Improvements	Implement crossing, wayfinding, signing, lighting, safety, access and security, and landscaping improvements along Ohlone Greenway.	\$2,900,000	2017	1.05	\$3,045,000
6	I-580/Harbour Way Interchange Pedestrian & Bicycle Access Improvements	Improve pedestrian and bicycle crossings at the I-580/Harbour Way interchange ramps.	\$386,500	2011	1.34	\$519,000
7	I-580/Marina Bay Parkway	Improve pedestrian and bicycle crossings at the I-580/Marina Bay Parkway interchange ramps	\$815,300	2011	1.34	\$1,095,000
8	Richmond Ferry to Bridge Bicycle Network Improvements	a.) Point Richmond area: from the new trail at Tewksbury & Castro to existing Bay Trail at S. Garrard & Richmond Ave.	\$1,150,000	2018	1.00	\$1,150,000
		b.) Point Richmond to Richmond Greenway: including S. Garrard Blvd and W. Ohio Ave.	\$2,950,000	2018	1.00	\$2,950,000
		c.) W. Cutting Blvd, Cutting Blvd, and Hoffman Blvd.	\$3,550,000	2018	1.00	\$3,550,000
		d.) Harbour Way South: Hoffman Blvd to Ferry Terminal.	\$1,100,000	2018	1.00	\$1,100,000

Transit and Station-Related Improvements

9	I-80 Express Bus	Capital improvements associated with implementing Express Bus Service on I-80 from Hercules south to Berkeley, Emeryville, Oakland, and expansion to San Francisco, with intermediate stops at the Richmond Parkway Transit Center and a potential I-80/Macdonald Avenue Express Bus/BRT transit center.	\$104,003,000	2017	1.05	\$109,203,000
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10	Hercules Regional Intermodal Transportation Center	Current phase of Hercules RITC is to complete construction of the new train stop for Capitol Corridor service, including parking, station platform, signage and plazas, rail improvements, bicycle and pedestrian access improvements (e.g. Bay Trail connections), etc. Future capital improvements could include preparation for ferry service.	\$51,000,000	2017	1.05	\$53,550,000
11	BART Extension	BART extension from the Richmond BART Station. Only the planning, conceptual engineering and program level environmental clearance phases of the project are included.	\$14,000,000	2017	1.05	\$14,700,000
12	San Pablo Avenue Transit Corridor Improvements	Bus Rapid Transit (BRT) on San Pablo Avenue approximating the existing 72R Rapid Bus route from downtown Oakland to the Richmond Parkway Transit Center and extending Rapid Bus from the Richmond Parkway Transit Center to the Hercules Transit Center.	\$183,000,000	2017	1.05	\$192,150,000
13	23rd Street Transit Corridor Improvements	23rd Street BRT from Richmond Ferry Terminal and UC Berkeley Richmond Field Station to Richmond BART/Capitol Corridor station, then continuing to Contra Costa College.	\$116,000,000	2017	1.05	\$121,800,000
14	West County BART Station Access, Parking & Capacity Improvements	a.) El Cerrito Plaza Station Modernization and Capacity Enhancements.	\$42,710,000	2015	1.16	\$49,442,000
		b.) El Cerrito Plaza BART Pedestrian & Bike Safety and Access Improvements.	\$1,200,000	2017	1.05	\$1,260,000
		c.) Richmond BART Pedestrian & Bike Safety and Access Improvements.	\$3,300,000	2017	1.05	\$3,465,000
		d.) Richmond Crossover Project.	\$27,000,000	2012	1.29	\$34,759,000

15	Del Norte Area TOD Public Infrastructure Improvements	Planning, engineering, environmental studies, and construction of the public transportation-related improvements related to Transit Oriented Development (TOD) in the area around the El Cerrito Del Norte BART station.	\$25,000,000	2005	1.51	\$37,761,000
Local Street and Intersection Improvements						
16	San Pablo Avenue Intersection Realignment at 23rd Street and Road 20	Realignment of skewed 5-legged intersection as part of a bridge removal project that will enhance pedestrian, bicycle and future BRT access.	\$14,400,000	2017	1.05	\$15,120,000
Freeway and Interchange Improvements						
17	I-80/San Pablo Dam Road Interchange Improvements (Phase 2)	Reconstruct the existing I-80/San Pablo Dam Road interchange (including modifications to the El Portal Drive and McBryde Avenue ramps) and provide improved pedestrian and bicycle facilities.	\$80,750,000	2017	1.05	\$84,788,000
18	I-80/Central Avenue Interchange Improvements (Phase 2)	Improve traffic operations at the I-80/Central Avenue interchange and along Central Avenue between Rydin Road and San Pablo Avenue. The project will be completed in two phases.	\$14,500,000	2017	1.05	\$15,225,000
19	I-80/Pinole Valley Road Interchange Improvements	Improve merge onto the I-80 mainline from the EB Pinole Valley Road on-ramp to address vehicles accelerating uphill after stopping at ramp meter, in addition to ramp-terminal intersection improvements.	\$10,437,000	2017	1.05	\$10,959,000
Administrative Projects						
20	Future Nexus Study Updates	Two comprehensive nexus studies and fee updates, over the 22-year planning horizon of the 2019 STMP Fee.	\$500,000	2018	1.00	\$500,00
Total Estimated Cost			\$789,283,200			\$855,002,000

Notes:

¹ Most projects have cost estimates prepared in 2011 or more recently. For those projects, the escalation factor was calculated based on the Annual Infrastructure Construction Cost Inflation Estimates (AICCIE) reported by OneSanfrancisco (onesanfrancisco.org). Two projects (projects 3 and 15) have cost estimates dating to 2005; for those projects, an index of 1.37 as specified by WCCTAC's STMP model ordinance was used to escalate the costs to 2016 dollars, and then the inflation rates for years 2016 and 2017 (reported by onesanfrancisco.org) were used to escalate the cost to 2018 dollars.

**WEST CONTRA COSTA
TRANSPORTATION ADVISORY
COMMITTEE**

**SUBREGIONAL
TRANSPORTATION
MITIGATION PROGRAM
(STMP) FEE
ADMINISTRATIVE
GUIDELINES**

**APPROVED BY WCCTAC EXECUTIVE
DIRECTOR _____, 2019**

REVIEWED BY WCCTAC TAC

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A. INTRODUCTION

The purpose of these Administrative Guidelines is to assist WCCTAC and Agency staff with implementation of the STMP Fee. These Guidelines provide additional detail not included in the Master Cooperative Agreement (“Coop Agreement”), and the Coop Agreement is an integral part of these Guidelines. “Agency” or “Agencies” is used in these Guidelines as the term is used in the Master Cooperative Agreement to indicate the cities and the County that are members of WCCTAC and responsible for collecting the STMP Fee and for sponsoring certain capital projects funded by the STMP Fee. The term Agencies excludes AC Transit and the Bay Area Rapid Transit District that are also members of WCCTAC because these agencies have no role in collecting the STMP Fee. Future modifications to these Guidelines will be reviewed by the WCCTAC Technical Advisory Committee (TAC) before approval by the WCCTAC Executive Director.

B. DEVELOPMENT PROJECTS

Agencies shall apply the STMP Fee to building permits associated with all Development Projects as defined in this section, unless exempt under Section D.9 of the Coop Agreement.

1. New Construction

Includes construction of new building space for either residential or non-residential use(s), including the addition of building space to existing developed property.

2. Intensification of Use

Includes the intensification of use of all or part of an existing building, whether vacant or not. An intensification of use occurs when a Development Project would pay a higher fee under the proposed use compared to the existing permitted use based on the current STMP Fee schedule. Accessory dwelling units added within the existing habitable living area footprint are not considered an intensification of use and no STMP Fee would be applied.

In the case of the re-use of a vacant building, the building’s current use shall be the use when the building was occupied if the vacancy had occurred within three years prior to the date of the building permit application. If the vacancy had occurred greater than three years prior to the date of the building permit application, then the STMP Fee shall be applied as if the project was New Construction. The building permit applicant bears the burden of demonstrating that the building was in use within this time period through submittal of documents acceptable to the Agency such as executed lease agreements or lease payment records.

C. LAND USE CATEGORIES

The Agency, as part of their typical process of reviewing a proposed Development Project, shall determine the land use categories that are applicable and shall calculate the STMP fee. This applies to both private and public Development Projects. The following sections offer guidance to the Agency as they make those determinations.

1. Residential Land Uses

- i. Single Family Residential: Dwelling units that are one single family detached unit on a parcel, or townhomes of more than 1,500 square feet per unit, and excluding Senior Housing.
- ii. Multi-Family Residential: Dwelling units that are apartments, condominiums, townhomes of less than 1,500 square feet, multiplexes, mobile homes in mobile home parks, or detached accessory units or conversion of attached non-habitable space, except Senior Housing. Accessory dwelling units within the footprint of an existing dwelling unit's habitable space are not required to pay the STMP Fee.
- iii. Senior Housing: All age-restricted dwelling units regardless of type.

2. Non-residential Land Uses

- i. Hotel: Temporary lodging establishments including hotels, motels, resorts and bed and breakfast establishments.
- ii. Office: Office facilities where the primary use is not direct service to customers, including branch and head offices, multi-tenant buildings, and business parks.
- iii. Retail/Service: Neighborhood, community, and thoroughfare commercial districts, including retail and personal service businesses, restaurants, and medical offices.
- iv. Industrial: Light and heavy industrial uses, including manufacturing, processing, fabrication, and distribution.
- v. Storage Facility: Facilities used for the purposes of renting or leasing individual storage space.

3. Other Land Uses

- i. Other: The Other land use category is intended for Development Projects with land uses that do not fit within the standard residential or non-residential categories defined above where number of dwelling units or building square footage are the usual measures of trip generation. It is anticipated that most Development Projects will fit within the standard STMP categories, but it is understood that some Projects will contain land uses with trip generation characteristics that are not adequately captured by the standard STMP categories. Examples of such land uses could include gas stations, drive-through facilities, private schools, and theaters or other entertainment venues, among others. The Agency will determine whether a particular Development Project involves land uses that should be treated within the Other category; conferral with WCCTAC staff is highly

recommended if there are questions or discussion items. Application of the Other category will require the estimation of the number of AM peak hour trips that will be generated by the proposed land use.

D. FEE CALCULATION

1. New Construction

$$\text{STMP Fee} = \frac{\text{STMP Fee per Dwelling Unit or per Square Foot Based on Applicable Land Use Category}}{\text{X}} \times \text{New Dwelling Units or New Square Feet}$$

For Development Projects with multiple land use categories, the STMP Fee equals the sum of STMP Fees applied to each land use category.

2. Intensification of Use

First calculate the STMP Fee for the proposed new use, using the formula provided in the section above on New Construction. Then calculate what the STMP Fee would be for the existing permitted use (that is, the existing square footage multiplied by the STMP Fee per square foot for the existing permitted land use category). Subtract the existing permitted use fee from the proposed new use fee. If the difference is greater than zero, that difference represents the STMP Fee due as a result of the intensification of use. If the difference is less than zero, then no STMP Fee is due, nor will there be any STMP Fee refund or credit.

3. Other Land Use Category

$$\text{STMP Fee} = \frac{\text{STMP Fee per AM Peak Hour Trip}}{\text{X}} \times \frac{\text{Number of New AM Peak Hour Trips Estimated for Proposed Use}}$$

As described above, the Agency will determine the applicability of the Other category, as part of its typical process of evaluating the transportation and other impacts of a proposed Development Project. Transportation impact analysis follows the processes and methods outlined in the *Technical Procedures* adopted by the Contra Costa Transportation Authority.

Part of a transportation impact analysis involves estimating the trip generation of the proposed Development Project. This typically involves reference to the most current edition of *Trip Generation* published by the Institute of Transportation Engineers (ITE), but may also involve conducting trip generation surveys at other sites that share the Development Project's characteristics, as further described in the ITE manual and in the *Technical Procedures*. For reference purposes, see the

Appendix for the trip generation rates used in the STMP nexus study for each land use category.

E. APPEALS FOR FEE EXEMPTIONS AND WAIVERS

No exemption or waiver of the STMP Fee for a development project is allowed except as permitted by this section.

If the Agency exempts or waives all other local impact fees, then the STMP fee may also be exempted or waived; the Agency must report this action to WCCTAC.

Otherwise, to be granted a STMP fee exemption or waiver, the Agency or the development project applicant must:

- Appeal the STMP Fee no later than the date of application for the building permit for the Development Project.
- Pay the STMP Fee pursuant to these Administrative Guidelines under protest pending the resolution of the appeal.
- Bear the burden of establishing satisfactory factual proof of the basis for the appeal based on the opinion of a registered traffic engineer.
- Submit all information in support of the appeal necessary for WCCTAC's consideration of the appeal. The Agency or applicant may submit any documentation it thinks WCCTAC should consider as part of the appeal. Additional issues raised once the appeal is submitted will not be considered by WCCTAC. WCCTAC may require, at the expense of the Project Applicant, review of the submitted materials by a third party with appropriate technical knowledge.
- Pay the cost of processing the appeal, as determined by WCCTAC.
- The appeal will be considered by the WCCTAC Board within 180 days. The appellant may, at the sole discretion of WCCTAC, have the opportunity to present oral testimony, in addition to the written documents submitted in support of the appeal.

Any fee exemption or waiver must be approved by the WCCTAC Board.

F. ANNUAL FEE ADJUSTMENT

WCCTAC will provide Agencies with a revised STMP Fee schedule, based on the annual fee adjustment provided for in Section D.8 of the Coop Agreement, in a timely manner each year so that Agencies can begin collecting the updated fees by July 1.

G. CONCEPTUAL PROCESS FOR STMP FUNDING

WCCTAC is responsible for implementing the STMP. Periodically, WCCTAC will issue a call for projects to invite Agencies to submit requests for funding for STMP-eligible

projects. Under normal circumstances, a call for projects will occur every 1-3 years, at WCCTAC's discretion and depending on fund availability.

Evaluation of the projects submitted will be undertaken by WCCTAC staff at the direction of the WCCTAC Board, with input from the WCCTAC TAC. The Board will make the final decisions about which projects will receive STMP funds and in what amounts. Factors to be considered in evaluating projects may include (but not be limited to) characteristics such as project readiness, ability to use funds quickly, amount of funds requested compared to amount available, reasonable distribution of funds across all project categories, and reasonable distribution of funds across all Agencies.

APPENDIX A. A.M. PEAK HOUR TRIP GENERATION RATES

A.M. Peak Hour Trip Generation Rates for STMP Land Use Categories

Land Use Category	ITE Land Use Code	Unit	A.M. Peak Hour Vehicle Trip Generation Rate
Single-Family Residential	210	Dwelling Unit	0.74
Multi-Family Residential	221	Dwelling Unit	0.36
Senior Housing	252	Dwelling Unit	0.20
Hotel	310	Room	0.47
Retail/Service	820	1,000 Square Feet	0.94
Office	710	1,000 Square Feet	1.16
Industrial	110	1,000 Square Feet	0.70
Storage Facility	151	1,000 Square Feet	0.10

Source: Institute of Transportation Engineer, *Trip Generation* (10th Edition). Note that no trip adjustments have been applied to these trip generation rates; adjustments might be appropriate depending on the characteristics of the Development Project being evaluated.

APPENDIX B: STMP FEE SUBMITTAL FORM**West County Subregional Transportation Mitigation Program (STMP) Developer Fees
JURISDICTION'S QUARTERLY TRANSMITTAL REPORT FORM**

Jurisdictions are required to submit this completed form to WCCTAC no later than 30 days following the close of each calendar quarter; whether or not there are fees to submit, continuing through the life of the Master Cooperative Agreement.

Check Appropriate Box:

All sections of the report must be completed.
Attach check, payable to WCCTAC, to this report.
Submit check and completed transmittal report to:

WCCTAC
6333 Potrero Ave., Suite 100
El Cerrito, CA 94530


Fiscal Year:**Reporting Period:****Fee Submittal Due Date:****Jurisdiction's Name:****Contact Name:****Contact Email:**

☐ **No development to report this period. OR**

Notes:

Insert below the # of Units or # of Sq. Ft. to calculate the amnt. of fee collected.
List each project or project component separately. Add rows as needed.

Type of Fee	Project Address	Development Name	STMP Fee per Unit	STMP Fee per Square ft.	Total # Units or Sq. Ft.	STMP \$ Collected
Single Family			\$ 5,439			\$ -
Multi Family			\$ 2,679			\$ -
Senior Housing			\$ 1,469			\$ -
Hotel (per room)			\$ 3,481			\$ -
Retail / Service				\$ 6.59		\$ -
Office				\$ 8.72		\$ -
Industrial				\$ 5.56		\$ -
Storage Facility				\$ 0.76		\$ -
Other (per AM pk hr trip)			\$ 7,350			\$ -
			TOTAL FEES COLLECTED:			\$ -

This should be the amount of your check to WCCTAC. 

During the reporting period, has your agency granted:

- ☐ **Yes** ☐ **No** STMP Fee Credits to any development?
☐ **Yes** ☐ **No** STMP Fee Waivers/Exemptions to any development?

If yes to either of the above, please respond to the questions on the next page.

If STMP Credits were granted, for each development complete the questions below:

- What is the name and address of the development project receiving the credit?
- What was the dollar value of the credit?
- Which of the 20 STMP Projects was the credit used for?
- What elements of the STMP project were completed with the credited funds?

If Waivers/Exemptions of STMP Fees were granted, for each development, complete the questions below:

- Were all other local fees waived/exempted for the development project? ☐ **Yes** ☐ **No**
- Briefly explain why the development project's STMP fee was waived/exempted?

Respond to Credit and Waiver/Exemption Questions here:



El Cerrito

December 13, 2016

Hercules

Mr. Randell Iwasaki, Executive Director
Contra Costa Transportation Authority
2999 Oak Road, Suite 100
Walnut Creek CA 94597

Pinole

RE: WCCTAC Board Meeting Summary

Dear Randy:

Richmond

The WCCTAC Board, at its meeting on December 9, 2016, took the following actions that may be of interest to CCTA:

San Pablo

1. Approved a proposal to allocate Measure J, Program 21b funds to assist low-income students in the John Swett Unified School District (JSUSD). WCCTAC will now work with JSUSD on an MOU, while CCTA staff will bring the issue to the Authority for its concurrence.

Contra Costa
County

2. Heard a presentation from consultant, Rebecca Kohlstrand, WSP-PB, on the refinement of alternatives in the West County High Capacity Transit Study. This was an information item and the Board did not take any actions.

AC Transit

Please let me know if you have any follow-up questions.

Sincerely,

BART

A handwritten signature in blue ink that reads "John Nemeth". The signature is fluid and cursive, with the first name "John" and last name "Nemeth" clearly legible.

WestCAT

John Nemeth
Executive Director

cc: Tarien Grover, CCTA; John Cunningham, TRANSPAC; Jamar Stamps, TRANSPLAN; Lisa Bobadilla, SWAT

ACRONYM LIST. Below are acronyms frequently utilized in WCCTAC communications.

ABAG: Association of Bay Area Governments
ACTC: Alameda County Transportation Commission
ADA: Americans with Disabilities Act
APC: Administration and Projects Committee (CCTA)
ATP: Active Transportation Program
AV: Autonomous Vehicle
BAAQMD: Bay Area Air Quality Management District
BATA: Bay Area Toll Authority
BCDC: Bay Conservation and Development Commission
Caltrans: California Department of Transportation
CCTA: Contra Costa Transportation Authority
CEQA: California Environmental Quality Act
CIL: Center for Independent Living
CMAs: Congestion Management Agencies
CMAQ: Congestion Management and Air Quality
CMIA: Corridor Mobility Improvement Account (Prop 1B bond fund)
CMP: Congestion Management Program
CSMP: Corridor System Management Plan
CTC: California Transportation Commission
CTP: Contra Costa Countywide Comprehensive Transportation Plan
CTPL: Comprehensive Transportation Project List
DEIR: Draft Environmental Impact Report
EBRPD: East Bay Regional Park District
EIR: Environmental Impact Report
EIS: Environmental Impact Statement
EVP: Emergency Vehicle Preemption (traffic signals)
FHWA: Federal Highway Administration
FTA: Federal Transit Administration
FY: Fiscal Year
HOV: High Occupancy Vehicle Lane
ICM: Integrated Corridor Mobility
ITC or RITC: Hercules Intermodal Transit Center
ITS: Intelligent Transportations System
LOS: Level of Service (traffic)
MOU: Memorandum of Understanding
MPO: Metropolitan Planning Organization
MTC: Metropolitan Transportation Commission
MTSO: Multi-Modal Transportation Service Objective

NEPA: National Environmental Policy Act
O&M: Operations and Maintenance
OBAG: One Bay Area Grant
PAC: Policy Advisory Committee
PASS: Program for Arterial System Synchronization
PBTF: Pedestrian, Bicycle and Trail Facilities
PC: Planning Committee (CCTA)
PCC: Paratransit Coordinating Committee (CCTA)
PDA: Priority Development Areas
PSR: Project Study Report (Caltrans)
RHNA: Regional Housing Needs Allocation (ABAG)
RPTC: Richmond Parkway Transit Center
RTIP: Regional Transportation Improvement Program
RTP: Regional Transportation Plan
RTPC: Regional Transportation Planning Committee
SCS: Sustainable Communities Strategy
SHPO: State Historic and Preservation Officer
SOV: Single Occupant Vehicle
STA: State Transit Assistance
STIP: State Transportation Improvement Program
STMP: Subregional Transportation Mitigation Plan
SWAT: Regional Transportation Planning Committee for Southwest County
TAC: Technical Advisory Committee
TCC: Technical Coordinating Committee (CCTA)
TDA: Transit Development Act funds
TDM: Transportation Demand Management
TFCA: Transportation Fund for Clean Air
TEP: Transportation Expenditure Plan
TLC: Transportation for Livable Communities
TOD: Transit Oriented Development
TRANSPAC: Regional Transportation Planning Committee for Central County
TRANSPLAN: Regional Transportation Planning Committee for East County
TSP: Transit Signal Priority (traffic signals and buses)
VMT: Vehicle Miles Traveled
WCCTAC: West County Costa Transportation Advisory Committee
WETA: Water Emergency Transportation Agency