



SWAT

Danville • Lafayette • Moraga • Orinda • San Ramon & the County of Contra Costa

SOUTHWEST AREA TRANSPORTATION COMMITTEE MEETING AGENDA

**Monday, June 7, 2010
3:00 p.m.**

Danville Town Offices – Large Conference Room
510 La Gonda Way, Danville, CA

Any document provided to a majority of the members of the Southwest Area Transportation Committee (SWAT) regarding any item on this agenda will be made available for public inspection at the meeting and at the Danville Town Offices, 510 La Gonda Way, Danville, CA during normal business hours.

1. CONVENE MEETING/SELF INTRODUCTIONS

2. PUBLIC COMMENT:

Members of the public are invited to address the Committee regarding any item that is not listed on the agenda. *(Please complete a speaker card in advance of the meeting and hand it to a member of the staff)*

3. BOARD MEMBER COMMENT

4. ADMINISTRATIVE ITEMS

5. CONSENT CALENDAR:

5.A Approval of Minutes: SWAT Minutes of May 3, 2010 *(Attachment - Action)*

End of Consent Calendar

6. REGULAR AGENDA ITEMS:

6.A Update on SB 83 Vehicle Registration Fee (VRF) Expenditure Options *(Attachments)*

6.B Approve FY 2010-11 Measure J Allocation for Express Bus Program
(Attachments – Action)

6.C Review and Comment on Draft FY 10/11 SWAT TDM Budget *(Attachments)*

7. WRITTEN COMMUNICATIONS: Consider Actions as Appropriate (*Attachments*)

- 511 Southwest County TDM Monthly Report
- CCTA summary of actions from Board meeting of 05/19/10
- WCCTAC summary of actions from Committee meeting of 04/30/10
- TRANSPAC summary of actions from Committee meeting of 05/13/10
- City of San Ramon – Notification of Public Hearing on items pertaining to the General Plan 2030 Update

8. DISCUSSION: Next Agenda

9. ADJOURNMENT to Monday, July 12, 2010, or other meeting as deemed appropriate.

CERTIFICATION

I, Marie Sunseri, City Clerk of the Town of Danville, hereby certify that the foregoing agenda was posted for the noted meeting at the Danville Town Offices and the Danville Public Library in the Town of Danville 72 hours in advance.



Marie Sunseri, City Clerk, Town of Danville

In compliance with the Americans with Disabilities Act, the Town of Danville will provide special assistance for disabled citizens on behalf of SWAT. If you need special assistance to participate in this meeting, please contact the Town of Danville City Clerk at (925) 314-3388. Notification 48 hours prior to the meeting will enable the Town of Danville to make reasonable arrangements to ensure accessibility to this meeting. [28CFR 35.102-35.104 ADA Title II]

The SWAT Committee will provide reasonable accommodation for persons with disabilities planning to participate in SWAT monthly meetings. Please contact Andy Dillard at least 48 hours before the meeting at (925) 314-3384 or adillard@ci.danville.ca.us

Staff Contact: Andy Dillard, Town of Danville

Phone: (925) 314-3384 / E-Mail: adillard@ci.danville.ca.us

Agendas, minutes and other information regarding this committee can be found at: www.cccounty.us/SWAT

ATTACHMENT 5.A



SWAT

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SUMMARY MINUTES

May 3, 2010 – 3:00 p.m.

**Danville Town Offices, Large Conference Room
510 La Gonda Way
Danville, CA**

Committee Members Present: Newell Arnerich, Town of Danville; Don Tatzin, City of Lafayette; Mike Metcalf, Town of Moraga; Gayle Uilkema, Contra Costa County; Dave Hudson, City of San Ramon

Staff members present: Leah Greenblat, John Cunningham, Lori Salamack, Lisa Bobadilla, Richard Yee, Andy Dillard, Tai Williams

Others present: Hisham Noeimi, CCTA; Arielle Bourgart, CCTA; Eric Zell, CCTA; Deidre Heitman, BART

1. **CONVENE MEETING/SELF INTRODUCTIONS:** Meeting convened with a quorum at 3:05 p.m.
2. **PUBLIC COMMENT:** None
3. **BOARD MEMBER COMMENT:** Committee Member Metcalf recognized and congratulated retiring CAC TAC member Charles Hogle for his many years of outstanding public service. Chair Arnerich announced that CCTA Director Randell Iwasaki will attend the July SWAT meeting.
4. **ADMINISTRATIVE ITEMS:** Andy Dillard recorded the minutes. Extra agenda packets were made available.
5. **CONSENT CALENDAR:**
 - 5.A **Approval of Minutes:** SWAT minutes of February 1, 2010.
ACTION: Hudson/Tatzin/unanimous

End of Consent Calendar

6. REGULAR AGENDA ITEMS:

6.A Review and Comment on SB 83 Vehicle Registration Fee (VRF) Expenditure Plan Options: CCTA staff presented the conclusions of a voter survey conducted to assess the likelihood of support for a \$10 VRF increase, as well as three expenditure plan options forwarded by EPAC. The Committee discussed the subject extensively and, in recognition of the fact that Contra Costa is a county of diverse transportation needs, recommended the following expenditure plan allocation percentages:

Local Streets and Roads:	50%
Transit:	10%
Bicycle/Pedestrian Safety:	5%
RTPC Flexible Funds:*	35% (Allocated annually by RTPC needs)

The RTPC Flexible Funds would be allocated annually by each RTPC, in any of the other three categories, based on subregional needs.

The Committee also expressed that the administration services percentage (5%) should be further analyzed to reflect the actual cost recovery of administering this program. The Committee also motioned that an update on the latest discussions on the SB 83 VRF Expenditure Options be presented at the June SWAT meeting.

ACTION: Tatzin/Metcalf/Unanimous

7. WRITTEN COMMUNICATIONS:

The following written communication items were made available:

- Bike to Work Day, Thursday, May 13th
- CCTA summary of actions from Board meetings of 02/17/10 and 03/17/10
- TRANSPAC summary of actions from Committee meetings of 03/11/10 and 04/15/10
- City of Lafayette – release of Draft Downtown Lafayette Specific Plan EIR
- City of San Ramon – Notification of General Plan 2030 Update
- City of San Ramon – Notice of Availability/Completion of Draft EIR for the General Plan 2030
- City of San Ramon – Notification for Request for Comments for Budget Rental Development

ACTION: None

8. DISCUSSION:

The following items were recommended for inclusion on the June 7th SWAT Agenda:

- Review FY 2010/11 TDM Draft Budget
- Update on SB 83 VLF Expenditure Options
- Discuss Measure J Return to Source Criteria

ACTION: None

9. **ADJOURNMENT:** The next meeting is scheduled for **Monday, June 7, 2010** at the Danville Town Offices, Large Conference Room, 510 La Gonda Way, Danville, CA.

ACTION: Meeting adjourned by Chair Arnerich at 4:15 p.m.

Staff Contact:

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Agendas, minutes and other information regarding this committee can be found at: www.cccounty.us/SWAT

ATTACHMENT 6.A

Administration and Projects Committee Meeting **STAFF REPORT**

Meeting Date: June 3, 2010

Subject	November 2010 Ballot Measure in Contra Costa: Vehicle Registration Fee to Fund Transportation Programs and Projects – Draft Expenditure Plan
Summary of Issues	<p>At the May Authority meeting, staff presented initial recommendations on the Expenditure Plan options from the <i>Vehicle Registration Fee (VRF) Advisory Committee</i> and the four Regional Transportation Planning Committees (RTPCs). Subsequently the <i>VRF Advisory Committee</i> held its second meeting on May 21, 2010. Recognizing the diversity of the county, the committee recommended an expenditure plan based on the RTPC recommendations, which countywide would provide 71% of proceeds to Local Road Improvement and Repair, 21% to Transit for Congestion Relief, and 8% to Pedestrian/Bicycle Safety and Access projects. Under this proposal, both Local Road and Pedestrian/Bicycle funds would be returned to jurisdictions based on the existing Measure J population and lane mile formula. The remaining funds (21%) would be programmed for transit projects recommended by the sub-regions. Staff developed an expenditure plan based on the <i>VRF Advisory Committee</i> recommendations.</p>
Recommendations	<p>Staff recommends that the Authority adopt the draft expenditure plan, benefit analysis findings, and ordinance language. Final approval is scheduled for the July meeting.</p>
Financial Implications	<p>If approved by the voters, a \$10 vehicle registration fee could generate up to \$8.5 million for transportation purposes in Contra Costa.</p>
Options	<p>The APC could recommend an alternative expenditure plan.</p>
Attachments	<ul style="list-style-type: none"> A. Draft Contra Costa VRF Ordinance B. Draft Contra Costa VRF Expenditure Plan C. Draft Findings of Benefits and Relationship to the Fee Payer (i.e. Benefit Analysis Findings) D. Funding Estimates by Jurisdiction based on the <i>VRF Advisory Committee</i> Recommendations E. FY2009/10 Measure J Funding by Jurisdiction for Local Streets & Roads F. Vehicle Registration Fee Public Workshop Meeting Notes
Changes from Committee	

Background

At its April meeting, the Authority reviewed the polling results and directed staff to proceed with the development of an expenditure plan for a potential \$10 Vehicle Registration Fee (VRF) increase ballot measure. Since then, staff has received input from the *VRF Advisory Committee*, the RTPCs, and a public workshop held on May 24, 2010. If passed, the measure would provide up to \$8.5 million per year for transportation projects and programs in Contra Costa.

Vehicle Registration Fee Advisory Committee

The *VRF Advisory Committee* held its second meeting on Friday May 21. Committee members represent RTPC staff, the Authority's Technical Coordinating Committee, the Authority's Citizens' Advisory Committee, transit operators, city/county engineers, business, environment and open space advocacy groups. The *VRF Advisory Committee* was charged with developing expenditure plan alternatives as a starting point for discussion with the RTPCs and other interested parties.

Recognizing the diversity of the county, the *VRF Advisory Committee* recommended an expenditure plan based on the four RTPCs' recommendations, which on aggregate would provide 71% of proceeds to Local Roads Improvement and Repair, 21% to Transit for Congestion Relief, and 8% to Pedestrian/Bicycle Safety and Access projects (using current population figures). Under this proposal, both Local Roads and Pedestrian/Bicycle funds (79%) would be returned to jurisdictions based on the existing Measure J population and lane mile formula. The remaining funds (21%) would be programmed for transit projects recommended by the RTPCs.

At a special meeting on Monday May 24, 2010, a subcommittee of the *Advisory Committee* also discussed incorporating compliance with the Authority's Growth Management Program as well as local agencies' 'complete streets' policies into the expenditure plan. The subcommittee, with representation from the RTPCs, City County Engineers, TRANSFORM, East Bay Bike Coalition, Save Mount Diablo, and Authority staff and consultants, recommended that the following provisions be incorporated into the expenditure plan:

- To be eligible for Local Road Improvement and Repair funds, as well as the Pedestrian and Bicycle Safety and Access funds, a jurisdiction shall be in compliance with the Authority's Growth Management Program. *(Note that legal review of this provision is currently pending).*
- A local jurisdiction, when expending its allocation of Local Road Improvement and Repair funds, must, where practicable, consider the incorporation of facilities and amenities into its road improvement and repair projects that improve safety and access for all users of the facility, including bicyclists, pedestrians and transit users. As each roadway is unique, the appropriate level of improvement will differ depending on its context. This provision requires a good faith commitment on the part of the jurisdiction to make progress in the implementation of its adopted bicycle and

pedestrian plans by undertaking any of a range of efforts from low-cost signing and striping alternatives to comprehensive improvements.

Public Workshop

On May 24, 2010, the Authority held a public workshop at the Embassy Suites Hotel in Walnut Creek. The workshop was noticed in the Contra Costa Times on May 12, and May 23, 2010. Fourteen people attended the meeting. A summary of input received is included in this report as *Attachment F*.

Benefits and Relationship of Fee to the Fee Payer

SB83 requires that the ballot measure resolution adopted by the Authority contain a finding of fact that the projects and programs to be funded by the fee increase have a relationship or benefit to the persons who will be paying the fee, and that the projects and programs be consistent with the regional transportation plan. Below is a summary of the benefits and relationship to the fee payer. Detailed documentation is included in Attachment C.

The Expenditure Plan includes three programs. Since this fee is on motorized vehicles, by extension the fee payer is predominantly the owner of the vehicle. Each program benefits the fee payer as follows:

- Local Road Improvement and Repair Program: Fee payers benefit from having roadways safely maintained and operating efficiently. It is difficult for motor vehicles (auto, truck, and buses), pedestrians and bicyclists to safely negotiate poorly maintained roadways (i.e., low pavement quality, faded striping and/or signal operation problems). Programs that improve local road operations benefit the driver by mitigating recurring congestion problems.
- Transit for Congestion Relief Program: Fee payers benefit from the operation of desirable, effective transit service. Because transit currently carries a substantial number of peak hour work, school and shopping trips in congested corridors, transit can contribute to reducing traffic congestion and air pollution. Many regional transit riders drive to stations, so providing good access benefits those drivers. Transit service can be made more attractive with priority treatments on local roads and access improvements to rail stations. Programs that encourage transit ridership, such as school bus programs, can also be effective in reducing both corridor and site-related congestion.
- Pedestrian and Bicycle Safety and Access Program: Fee payers benefit from bicycle and pedestrian access and safety programs. Programs designed to increase bicycle and pedestrian use can reduce localized traffic congestion (such as in the vicinity of schools or in shopping areas) and related air quality impacts. The driver also benefits from safety improvements that reduce occasional congestion and related air pollution that is created when incidents occur. This program can also provide better access to transit, resulting in fewer drivers in congested corridors.

Staff recommends the Authority review the ordinance language (Attachment A), draft expenditure plan (Attachment B), and benefit analysis findings (Attachment C). Final approval of the expenditure plan, findings and ordinance is scheduled for the July 21st Authority meeting.



ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR A TEN DOLLAR VEHICLE REGISTRATION FEE FOR TRANSPORTATION-RELATED PROGRAMS AND PROJECTS, BY THE CONTRA COSTA TRANSPORTATION AUTHORITY ACTING AS THE CONTRA COSTA COUNTY CONGESTION MANAGEMENT AGENCY

The Members of the Contra Costa Transportation Authority, acting as the designated Contra Costa County Congestion Management Agency (“Authority”), do ordain as follows:

WHEREAS, newly adopted section 65089.20 of the Government Code and section 9250.4 of the Vehicle Code authorize a countywide transportation planning agency to impose, with voter approval, a fee that will be in addition to current vehicle registration fees for vehicles registered within the County’s borders;

WHEREAS, the revenue from such fees shall be devoted to certain expenditures that provide a benefit to or otherwise have a relationship with the persons who will pay that fee;

WHEREAS, to identify such expenditures the countywide transportation planning agency shall prepare a transportation expenditure plan; and

WHEREAS, the Contra Costa Transportation Authority designated as the Contra Costa County Congestion Management Agency (“Authority”), desires to improve the transportation infrastructure within the county and to benefit the persons who will pay the vehicle license fee:

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

Section 1. Title

This ordinance shall be known as the "Contra Costa County Vehicle Registration Fee Ordinance."

Section 2. Period of Fee

This Ordinance is intended to govern the imposition and collection in Contra Costa County of a ten dollar fee for transportation-related programs and projects that provide a benefit to or otherwise have a relationship with the persons who will be paying the fee. The new fee authorized by this ordinance shall be imposed on each annual motor-vehicle registration or renewal of registration occurring on or after six months following the November 2, 2010 election where the measure has been approved by the voters, unless otherwise terminated by the voters of Contra Costa County.

Section 3. Purpose

Pursuant to California Government Code section 65089.20, the Authority hereby authorizes the placement of a majority vote ballot measure before the voters of Contra Costa County to authorize a ten dollar increase in the fee for motor vehicle registration. If so approved, the measure would authorize a ten dollar fee to be imposed in perpetuity for transportation-related projects and programs in Contra Costa County that provide a benefit to or otherwise have a relationship with the persons who will be paying the fee and that are consistent with an expenditure plan allocating revenue to said projects and programs and the regional transportation plan adopted pursuant to California Government Code section 65080. The Board of the Authority shall adopt a Vehicle Registration Fee Expenditure Plan ("Expenditure Plan") allocating the revenue from the fee to transportation-related programs and projects that provide a benefit to or have a relationship with the persons who pay the fee, which Expenditure Plan is incorporated herein by this reference as though fully set forth herein. The Expenditure Plan shall be attached to the measure to be approved by the voters.

The purposes of this ordinance are further as follows:

- a. To authorize a ten dollar increase in motor vehicle registration, to be imposed in perpetuity, in accordance with California Government Code section 65089.20.
- b. To improve, construct, maintain and operate certain transportation projects and programs as identified in the Expenditure Plan adopted by the Authority, and as that Plan may be amended from time to time pursuant to applicable law. These Expenditure Plan programs and projects include but are not limited to those that have the following purposes:
 1. Providing matching funds for funding made available from other sources.
 2. Creating or sustaining congestion mitigation programs and projects, as they are defined in California Government Code section 65089.20(c)(2)(A).
 3. Creating or sustaining pollution mitigation programs and projects, as they are defined in California Government Code section 65089.20(c)(2)(B).

Section 4. Contract with Department of Motor Vehicles

The Authority shall contract with the Department of Motor Vehicles to collect and remit to the Authority the fee imposed pursuant to California Government Code section 65089.20 upon the registration or renewal of registration of a motor vehicle registered in the County, except those vehicles that are expressly exempted under this code from the payment of registration fees, pursuant to California Vehicle Code section 9250.

Section 5. Use of Proceeds

- a. The proceeds of the fees governed by this ordinance shall be used solely for the programs and purposes set forth in the Expenditure Plan and for the administration thereof.

b. The Authority will administer the proceeds of the fee to carry out the purposes described in the Expenditure Plan. All projects must comply with the Expenditure Plan and provide a benefit to or otherwise have a relationship with the persons paying the fee.

c. Pursuant to California Government Code section 65089.20, not more than five percent of the fees shall be used for administrative costs associated with the programs and projects.

d. Pursuant to California Vehicle Code section 9250.4, the initial setup and programming costs identified by the Department of Motor Vehicles to collect the fee upon registration or renewal of registration of a motor vehicle shall be advanced by the Contra Costa Transportation Authority and repaid from the fee. Any such contract payment shall be repaid to the Contra Costa Transportation Authority as part of the initial revenue available for distribution. The costs deducted pursuant to this paragraph shall not be counted against the five percent administrative cost limit specified in California Government Code section 65089.20(d).

e. The costs of placing the measure authorizing imposition of the fee on the ballot as advanced by the Authority, including payments to the County Registrar of Voters and payments for the printing of the portions of the ballot pamphlet relating to the Vehicle Registration Fee, shall be paid from the proceeds of the fee, and shall not be counted towards the 5% limit on administrative costs. At the discretion of the Authority, these costs may be amortized over a period of years.

f. Up to a maximum of \$150,000, the costs of preparing the Expenditure Plan, as advanced by the Authority, shall be paid from the proceeds of the fee subject to the 5% limit on administrative costs. At the discretion of the Authority, these costs may be amortized over a period of years.

Section 6. Implementing Agency

The Contra Costa Transportation Authority, acting as the designated Contra Costa County Congestion Management Agency, will implement this ordinance.

Section 7. No Use Outside Contra Costa County

The proceeds of the fees imposed by this ordinance shall be spent only inside the limits of Contra Costa County. None of the proceeds, with the exception of the costs incurred by the Department of Motor Vehicles to collect the fee, or any routine license fees, permit fees or taxes, shall be available to, or taken by, the State of California.

Section 8. Amendments

The Expenditure Plan shall not be amended for five years. After five years, it is expected that the Expenditure Plan will be amended from time to time. Amendment to the Expenditure Plan shall be approved by a two-thirds vote of the Authority Board. All relevant jurisdictions within the County will be given a minimum of 45 days notice and opportunity to comment on any proposed Expenditure Plan amendment prior to its adoption. Any amended Expenditure Plan shall provide funding only for projects that provide a benefit to or otherwise have a relationship with the persons paying the fee.

Section 9. Bonding Authority

The Authority shall be authorized to issue bonds or other financial instruments for the purposes of implementing the Expenditure Plan. The bonds will be paid from the Vehicle Registration Fee proceeds generated pursuant to this ordinance. The costs associated with bonding will be borne only by the project and programs included in the Expenditure Plan, and will be subject to public comment before approving any bond sale.

Section 10. Severability

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected. If any proposed expenditure based on this ordinance or the Expenditure Plan is held invalid, those funds shall be redistributed proportionately to other expenditures in accordance with the Expenditure Plan.

Section 11. Effective Date

This ordinance shall take effect on the day following the election at which the measure is adopted by a majority of the electors voting. Notwithstanding the effective date of the ordinance, the first collection of a Vehicle Registration Fee for registration of a new vehicle will not take place until six months following the effective date, pursuant to Government Code section 65089.20. Also pursuant to Government Code section 65089.20, with respect to a renewal of registration, no Vehicle Registration Fee shall be collected if the date for renewal is prior to expiration of that six month period.

PASSED AND ADOPTED by the Members of the Contra Costa Transportation Authority, acting as the administering agency of the Contra Costa County Congestion Management Agency, on July 21, 2010 by the following vote:

AYES:

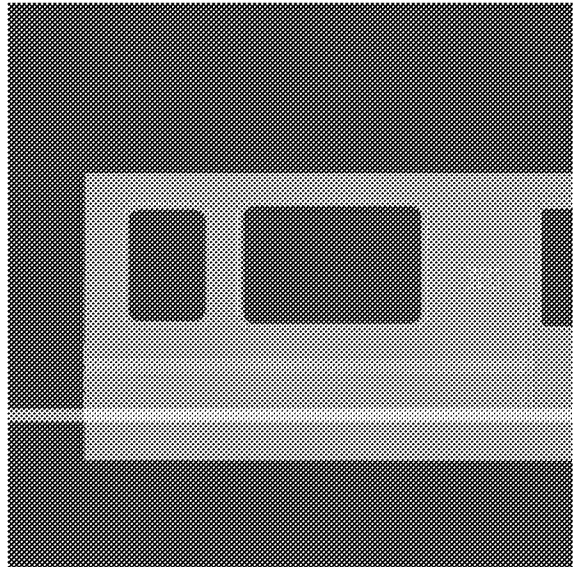
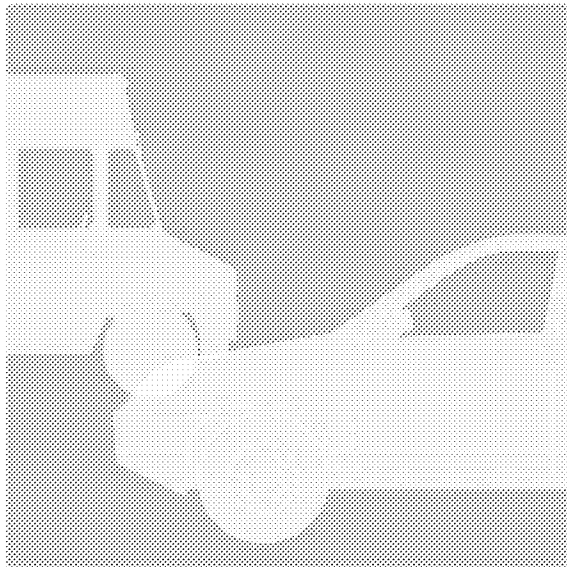
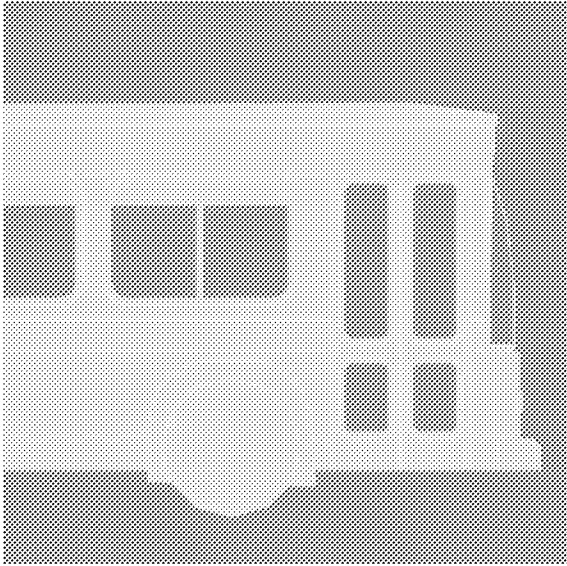
NOES:

ABSENT:

Robert Taylor, Chair

This ORDINANCE was entered into at a meeting of the Contra Costa Transportation Authority held on July 21, 2010, in Pleasant Hill, California, and became effective forthwith.

Attest: _____
Randell H. Iwasaki, Executive Director



Costa Rica Transportation Authority

VEHICLE REGISTRATION FEE

EXPENDITURE PLAN

