

CITY COUNCIL RESOLUTION NO. 62-16

RESOLUTION OF SUPPORT FOR THE COUNTYWIDE IMPOSITION OF ONE HALF OF ONE PERCENT SALES TAX TO FUND TRANSPORTATION IMPROVEMENTS IN CONTRA COSTA AND ADOPTING THE PROPOSED TRANSPORTATION EXPENDITURE PLAN AND CONDITIONALLY AMENDING THE GROWTH MANAGEMENT PROGRAM

WHEREAS, the Contra Costa Transportation Authority (hereinafter “Authority”) proposes the countywide imposition of a one half of one percent sales tax for transportation purposes for a period of thirty years effective on April 1, 2017 through March 31, 2047; and

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

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

WHEREAS, on May 18, 2016 the Authority authorized the release of a proposed TEP reflecting the results of that consultation and outreach, and seeking concurrence on the proposed TEP from Contra Costa County and the cities and towns within Contra Costa County; and

WHEREAS, on May 18, 2016 the Authority adopted Ordinance 16-01 to conditionally amend the Growth Management Program, which includes Attachment A: Principles of Agreement for Establishing the Urban Limit Line in the Measure J Transportation Expenditure Plan (“Measure J TEP”) to match that found in the 2016 TEP; and

WHEREAS, the proposed amendment would only apply if the one-half of one percent local transportation sales tax is placed on the ballot and successfully approved by the electors on the November 8, 2016 ballot; and,

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

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

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

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Richmond finds that the proposed TEP is not subject to the California Environmental Quality Act (“CEQA”) because the proposed TEP is not a “project” within the meaning of CEQA, and the Council’s adoption of this Resolution does not commit the Council to a definite course of action with regard to any specific transportation improvements set forth in the proposed TEP.

BE IT FURTHER RESOLVED, that the Council of the City of Richmond’s adoption of this Resolution does not constitute the approval of a CEQA project for reasons that include, but are not limited to, the following: (1) the proposed TEP does not authorize the construction of any projects that may result in any direct or indirect physical change in the environment; (2) the proposed TEP is a mechanism for funding potential future transportation projects, the timing, approval, and construction of which may be modified or not implemented depending on a number of factors, including future site-specific CEQA environmental review; and (3) the proposed TEP is subject to further discretionary approvals insofar as it may not be adopted until and unless the pre-conditions set forth in the Public Utilities Code are satisfied.

BE IT FURTHER RESOLVED, that the Council of the City of Richmond approves, for the limited purpose identified in Public Utilities Code section 180206(b), the proposed TEP released by the Authority on May 18, 2016.

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

BE IT FURTHER RESOLVED, that the Council of the City of Richmond urges the Contra Costa County Board of Supervisors, consistent with Public Utilities Code Section 180203, to place the one-half of one percent local transportation sales tax on the November 8, 2016 ballot.

BE IT FURTHER RESOLVED, that the Council of the City of Richmond approves of the conditional amendment to the Growth Management Program, which includes Attachment A: Principles of Agreement for Establishing the Urban Limit Line in the Measure J TEP to match that found in the proposed TEP, acknowledging that this amendment would only apply if the one-half of one percent local transportation sales tax is placed on the ballot and successfully approved by the electors on the November 8, 2016 ballot.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held July 5, 2016, by the following vote:

AYES: Councilmembers Beckles, McLaughlin, Myrick, Vice Mayor Martinez, and Mayor Butt.

NOES: None.

ABSTENTIONS: Councilmembers Bates and Pimplé.

ABSENT: None.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:
TOM BUTT
Mayor

Approved as to form:
BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa } : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 62-16**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on July 5, 2016.



Pamela Christian, Clerk of the City of Richmond