

CONTRA COSTA COUNTY
BOARD OF SUPERVISORS

Adopted this Resolution on August 8, 1995, by the following vote:

AYES: Supervisors Rogers, Smith, Torlakson and Bishop

NOES: None

ABSENT: Supervisor DeSaulnier

RESOLUTION NO. 95/ 376

SUBJECT: Formation of the West County Area of Benefit
West County Area
Project No. 0676-2310-6P4070
CDD-CP#94-43

The Board of Supervisors, by Resolution, shall:

ADOPT and APPROVE the Development Program Report pertaining to the formation of the West County Area of Benefit.

DETERMINE that the activity, formation of the West County Area of Benefit, is not subject to the California Environmental Quality Act (CEQA) pursuant to Article 5, Section 15061(b)(3) CEQA guidelines.

DIRECT the Director of Community Development to file the Notice of Exemption with the County Clerk.

DIRECT the Public Works Director to arrange for payment of the \$25.00 handling fee to the County Clerk for the filing of the Notice of Exemption.

DETERMINE that a majority protest does not exist.

INCORPORATE in this resolution by reference the boundaries, costs, and method of fee apportionment set forth in the Development Program Report and the attached ordinance.

DIRECT the Director of Public Works and Auditor/Controller to continue the existing trust fund (Trust Fund No. 8232) for the West County subarea of the West County Regional Area of Benefit, that was established by Board Resolution 88/122 on March 15, 1988, and that this trust fund shall now be specific for the West County Area of Benefit, and that the Treasurer shall continue the investment of said monies with interest to accrue in the trust fund account.

DIRECT the Director of Public Works and Auditor/Controller to arrange for the transfer of the balance of the existing trust fund (Trust Fund No. 8233) of the Kensington subarea of the West County Regional Area of Benefit into the trust fund (Fund No. 8232) for the West County Area of Benefit and, subsequently, the closure of the Kensington subarea trust account (Trust Fund No. 8233).

DIRECT the Public Works Department and Department of Community Development to review the fee schedule every year that the Area of Benefit is in effect, and to adjust for the effects of inflation as described in the attached ordinance. The adjustment for inflation is not subject to CEQA.

DIRECT the Director of Community Development to monitor future amendments to the currently adopted General Plan and their impact on traffic within the West County Area of Benefit, and to report those amendments to the Public Works Director as necessary to facilitate updating of the West County Area of Benefit, and to make recommendations to the Board.

RESOLUTION NO. 95/ 376

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DIRECT the Public Works Department and Department of Community Development to comply with CEQA on development applications and road projects to be constructed pursuant to the Development Program Report for the West County Area of Benefit.

ADOPT the attached ordinance, which forms the West County Area of Benefit, and ordains the following:

Traffic Mitigation Fees (Ordinance No. 95 - 37)

1. Adopt traffic mitigation fees, as recommended in the Development Program Report.
2. Adjust the fee schedule every year that the Area of Benefit is in effect, to account for the affects of inflation and that at no time will the fee schedule be increased at a rate of more than 5% per year.

Financial Impact:

There is no impact on the General Fund. The total estimated cost of the road improvement projects identified in the Revised Program Development Report for the West County area, is approximately \$7.86 million. The proposed projects however, will only be partially funded by West County Area of Benefit fees. The Richmond/EI Sobrante Area of Benefit has made a commitment as has the City of Richmond to participate financially in the construction of these projects.

Adoption of the Area of Benefit will generate approximately \$600,000 for road improvement projects, when all the fees are collected by the year 2015 target date. The existing West County subarea unencumbered balance is \$190,000. The existing Kensington subarea unencumbered balance is approximately \$1,500. The estimated contribution from the Richmond/EI Sobrante Area of Benefit and the City of Richmond is approximately \$4.3 million. Other sources of funding (State or Federal aid, or local sources such as sales tax and gas tax, etc..) will fund the remaining portions of the project costs.

Reasons for Recommendations and Background:

The Countywide Area of Benefit was first adopted by the Board of Supervisors on March 15, 1988, to improve the capacity and safety of the arterial road network in unincorporated Contra Costa County through the establishment of a traffic mitigation fee. The Countywide Area of Benefit was divided into seven regions, some of which were divided into subareas. The seven regions were named West County, Central County, Lamorinda, Alamo, South County, East County, and Bethel Island. The West County region was divided into three subareas, named Kensington, Hercules/Rodeo/Crockett, and West County. There was a separate fee schedule established for each region. Fees collected within subareas were held in a separate trust fund account specific to that subarea.

The formation of separate Areas of Benefit based upon the original subareas of the Regions of the Countywide Area of Benefit will allow the Public Works Department staff to update and administer these subareas more efficiently. The fees for a particular subarea will now reflect the needs and potential development of that subarea and not of the region surrounding it.

All areas of benefit "share" certain overhead costs (i.e., County Counsel review, environmental review, trust fund management of the area of benefit program, etc.). There are times when the revenue generated by fees collected in the existing Kensington subarea and the Briones subarea do not meet these overhead costs. Combining these subareas into the West County Area of Benefit will help cover these costs, while still allowing for the addition of a project of regional significance from one of the subareas to