



Staff Report

Date: April 26, 2016

To: City Council

From: Valerie J. Barone, City Manager

Reviewed by: Victoria Walker, Director of Community and Economic Development

Prepared by: Ray Kuzbari, Transportation Manager
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Subject: **Certify the final Measure J Calendar Years 2014 and 2015 Growth Management Program Compliance Checklist for receipt of Fiscal Years 2015-16 and 2016-17 Local Street Maintenance and Improvement Funds and authorize the Mayor to sign the Compliance Checklist**

Report in Brief

The Contra Costa Transportation Authority (CCTA) requires that the City Council certify the attached final Measure J Calendar Years 2014 and 2015 Growth Management Program Compliance Checklist as a condition for receiving Local Street Maintenance and Improvement (LSMI) funds for Fiscal Years 2015-16 and 2016-17. The City of Concord is expected to receive \$1.47 million in LSMI funds for FY 2015-16 and \$1.47 million in LSMI funds for FY 2016-17.

Recommended Action

Staff recommends that the City Council certify the final Measure J Calendar Years 2014 and 2015 Growth Management Program Compliance Checklist for receipt of Fiscal Years 2015-16 and 2016-17 Local Street Maintenance and Improvement funds and authorize the Mayor to sign the Compliance Checklist.

Background

The original Growth Management Program (GMP) contained in Measure C, approved by Contra Costa County voters in 1989, required CCTA to annually review local jurisdiction compliance with the GMP. In January 2001, CCTA changed the program to a biennial reporting period based on calendar years. Under the biennial program, funds

are to be allocated to Cities and the County subject to submission of a biennial Compliance Checklist (Checklist) by each local jurisdiction and a finding of compliance by CCTA. CCTA will provide Local Street Maintenance and Improvement (LSMI) funds for the next two fiscal years based on a jurisdiction's compliance with the previous two calendar years.

Measure J was approved by Contra Costa County voters in 2004 and became effective on April 1, 2009, following the sunset of Measure C. The Checklist for Calendar Years 2014 and 2015 covers the compliance reporting period of January 1, 2014 through December 31, 2015 under Measure J.

In order for the City of Concord to be eligible to receive LSMI funds for FY 2015-16 and FY 2016-17, the City Council must first certify the Checklist (Attachment 1). City staff will then submit the certified Checklist to CCTA for a series of committee reviews and ultimate approval by the CCTA Board.

Each year, CCTA allocates approximately 20% of the Measure J sales tax collections to the local jurisdictions in the form of LSMI funds. The remaining 80% of the Measure J revenues are made available to local jurisdictions on a competitive, project-by-project basis, or as determined by TRANSPAC or the other Regional Transportation Planning Committees in the County. The LSMI funds are distributed proportionately among jurisdictions based on population and road miles. Total LSMI funds available for distribution to local jurisdictions for FY 2015-16 are estimated at \$14.83 million, of which \$1.47 million will be allocated and paid to Concord as soon as the CCTA Board approves the certified Checklist, but no sooner than June 30, 2016.

Analysis

The City Council is required to certify consistency with Measure J requirements by addressing the following issues contained in the attached Checklist:

- Adopt an updated Measure J Growth Management Element establishing standards and policies for approval of General Plan Amendments and major development projects;
- Develop a five- or ten-year Capital Improvement Program (CIP);
- Adopt a development mitigation program;
- Participate in an ongoing cooperative, multi-jurisdictional planning process;
- Address housing options including demonstration of reasonable progress in implementation of the adopted Housing Element;
- Adopt Complete Streets policy as required by the California Complete Streets Act of 2008 (AB 1358);

- Adopt a Transportation Systems Management Ordinance or Resolution; and
- Adopt a local voter-approved Urban Limit Line (ULL), or maintain the County's voter-approved ULL.

The City of Concord is in compliance with all of these requirements and, therefore, staff recommends that the City Council certify the attached Checklist. Once certified by the City Council, Concord's Checklist will be reviewed by two CCTA committees: (1) the Citizens Advisory Committee, and (2) the Planning Committee. The Checklist will then be forwarded to the CCTA Board for final approval and release of LSMI funds after June 30, 2016. These funds will be used as part of the City's CIP program to implement pavement rehabilitation projects, new traffic signal installations, and other citywide transportation improvements.

Financial Impact

The City of Concord will receive an estimated \$1.47 million in LSMI funds from CCTA for FY 2015-16 upon final approval of the certified Checklist by the CCTA Board. The funds will be made available for LSMI projects as part of the City's adopted FY 2016-17 CIP program. An additional \$1.47 million of LSMI funds will be granted by CCTA on the one-year anniversary of the payment date for the FY 2015-16 funds. These additional funds will be incorporated into the City's adopted FY 2017-18 CIP program.

Public Contact

The City Council Agenda was posted. CCTA staff has reviewed the attached Checklist and concurred with its findings and readiness to be certified by the City Council.

Attachments

1. Final Measure J Compliance Checklist for Calendar Years 2014 and 2015

Compliance Checklist AttachmentsReporting Jurisdiction: **City of Concord**

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

Measure J Growth Management Program Compliance Checklist

| 1. Action Plans | YES | NO | N/A |
|--|-------------------------------------|--------------------------|--------------------------|
| a. Is the jurisdiction implementing the actions called for in the applicable Action Plan for all designated Routes of Regional Significance within the jurisdiction? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Has the jurisdiction implemented the following procedures as outlined in the <i>Implementation Guide</i> and the applicable Action Plan for Routes of Regional Significance? | | | |
| i. Circulation of environmental documents, | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. Analysis of the impacts of proposed General Plan amendments and recommendation of changes to Action Plans, and | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| iii. Conditioning the approval of projects consistent with Action Plan policies? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Has the jurisdiction followed the procedures for RTPC review of General Plan Amendments as called for in the <i>Implementation Guide</i> ? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Development Mitigation Program | YES | NO | |
| a. Has the jurisdiction adopted and implemented a local development mitigation program to ensure that new development pays its fair share of the impact mitigation costs associated with that development? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Has the jurisdiction adopted and implemented the regional transportation mitigation program, developed and adopted by the applicable Regional Transportation Planning Committee, including any regional traffic mitigation fees, assessments, or other mitigation as appropriate? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |

Compliance Checklist Attachments

Reporting Jurisdiction: **City of Concord**

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

| 3. Housing Options and Job Opportunities | YES | NO |
|--|-----|----|
| <p>a. Has the jurisdiction prepared and submitted a report to the Authority demonstrating reasonable progress in providing housing opportunities for all income levels under its Housing Element? The report can demonstrate progress by</p> <p>(1) comparing the number of housing units approved, constructed or occupied within the jurisdiction over the preceding five years with the number of units needed on average each year to meet the housing objectives established in its Housing Element; or</p> <p>(2) illustrating how the jurisdiction has adequately planned to meet the existing and projected housing needs through the adoption of land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development; or</p> <p>(3) illustrating how its General Plan and zoning regulations facilitate improvement or development of sufficient housing to meet the Element's objectives.</p> <p><i>Note: A copy of the local jurisdiction's annual report to the state Department of Housing and Community Development (HCD) is sufficient.</i></p> | ☒ | ☐ |
| <p>b. Does the jurisdiction's General Plan—or other adopted policy document or report—consider the impacts that its land use and development policies have on the local, regional and countywide transportation system, including the level of transportation capacity that can reasonably be provided?</p> | ☒ | ☐ |
| <p>c. Has the jurisdiction incorporated policies and standards into its development approval process that support transit, bicycle and pedestrian access in new developments?</p> | ☒ | ☐ |

Compliance Checklist Attachments

Reporting Jurisdiction: **City of Concord**

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

| 4. Traffic Impact Studies | YES | NO | N/A |
|--|-------------------------------------|--------------------------|--------------------------|
| a. Using the Authority's <i>Technical Procedures</i> , have traffic impact studies been conducted as part of development review for all projects estimated to generate more than 100 net new peak-hour vehicle trips? (Note: Lower traffic generation thresholds established through the RTPC's Action Plan may apply). | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. If the answer to 4.a. above is "yes", did the local jurisdiction notify affected parties and circulate the traffic impact study during the environmental review process? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Participation in Cooperative, Multi-Jurisdictional Planning | YES | NO | |
| a. During the reporting period, has the jurisdiction's Council/Board representative regularly participated in meetings of the appropriate Regional Transportation Planning Committee (RTPC), and have the jurisdiction's local representatives to the RTPC regularly reported on the activities of the Regional Committee to the jurisdiction's council or board? (Note: Each RTPC should have a policy that defines what constitutes regular attendance of Council/Board members at RTPC meetings.) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| b. Has the local jurisdiction worked with the RTPC to develop and implement the Action Plans, including identification of Routes of Regional Significance, establishing Multimodal Transportation Service Objectives (MTSOs) for those routes, and defining actions for achieving the MTSOs? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| c. Has the local jurisdiction applied the Authority's travel demand model and <i>Technical Procedures</i> to the analysis of General Plan Amendments (GPAs) and developments exceeding specified thresholds for their effect on the regional transportation system, including on Action Plan MTSOs? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |

Compliance Checklist Attachments

Reporting Jurisdiction: **City of Concord**

For Fiscal Years 2015-16 and 2016-17

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| | YES | NO |
|--|-------------------------------------|--------------------------|
| d. As needed, has the jurisdiction made available, as input into the countywide transportation computer model, data on proposed improvements to the jurisdiction's transportation system, including roadways, pedestrian circulation, bikeways and trails, planned and improved development within the jurisdiction, and traffic patterns? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| 6. Five-Year Capital Improvement Program | YES | NO |
|---|------------|-----------|
|---|------------|-----------|

| | | |
|---|-------------------------------------|--------------------------|
| Does the jurisdiction have an adopted five-year capital improvement program (CIP) that includes approved projects and an analysis of project costs as well as a financial plan for providing the improvements? (The transportation component of the plan must be forwarded to the Authority for incorporation into the Authority's database of transportation projects) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|-------------------------------------|--------------------------|

| 7. Transportation Systems Management Program | YES | NO |
|---|------------|-----------|
|---|------------|-----------|

| | | |
|---|-------------------------------------|--------------------------|
| Has the jurisdiction adopted a transportation systems management ordinance or resolution that incorporates required policies consistent with the updated model ordinance prepared by the Authority for use by local agencies or qualified for adoption of alternative mitigation measures because it has a small employment base? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|-------------------------------------|--------------------------|

| 8. Adoption of a voter-approved Urban Limit Line | YES | NO | N/A |
|---|------------|-----------|------------|
|---|------------|-----------|------------|

| | | | |
|---|-------------------------------------|--------------------------|--------------------------|
| a. Has the local jurisdiction adopted and continually complied with an applicable voter-approved Urban Limit Line as outlined in the Authority's annual ULL Policy Advisory Letter? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|-------------------------------------|--------------------------|--------------------------|

Compliance Checklist Attachments

Reporting Jurisdiction: **City of Concord**

For Fiscal Years 2015-16 and 2016-17

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- b. If the jurisdiction has modified its voter-approved ULL or approved a major subdivision or General Plan Amendment outside the ULL, has the jurisdiction made a finding of consistency with the Measure J provisions on ULLs and criteria in the ULL Policy Advisory Letter after holding a noticed public hearing and making the proposed finding publically available?

9. Adoption of the Measure J Growth Management Element

YES NO N/A

Has the local jurisdiction adopted a final GME for its General Plan that substantially complies with the intent of the Authority's adopted Measure J Model GME?

10. Posting of Signs

YES NO N/A

Has the jurisdiction for all projects exceeding \$250,000 that are funded, in whole posted signs meeting Authority specifications or in part, with Measure C or Measure J funds?

11. Maintenance of Effort (MoE)

YES NO

Has the jurisdiction met the MoE requirements of Measure J as stated in Section 6 of the Contra Costa Transportation Improvement and Growth Management Ordinance (as amended)? (See the Checklist Instructions for a listing of MoE requirements by local jurisdiction.)

12. Submittal of LSM Reporting Form

YES NO

Has the local jurisdiction submitted a Local Street Maintenance and Improvement Reporting Form for eligible expenditures of 18 percent funds covering FY 2013-14 and FY 2014-15?

Compliance Checklist Attachments

Reporting Jurisdiction: **City of Concord**
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| 13. Other Considerations | YES | NO | N/A |
|---|--------------------------|--------------------------|-------------------------------------|
| If the jurisdiction believes that the requirements of Measure J have been satisfied in a way not indicated on this checklist, has an explanation been attached below? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

14. Review and Approval of Checklist

This checklist was prepared by:

Signature

Date

Name & Title (print)

Phone

Email

The Council of the City of Concord has reviewed the completed checklist and found that the policies and programs of the jurisdiction as reported herein conform to the requirements for compliance with the Contra Costa Transportation Improvement and Growth Management Program.

Certified Signature (Mayor)

Date

Name & Title (print)

Attest Signature (City Clerk)

Date

Name (print)

Compliance Checklist Attachments

Reporting Jurisdiction: **City of Concord**

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

Supplementary Information (Required)

1. Action Plans

- a. *Please summarize steps taken during the reporting period to implement the actions, programs, and measures called for in the applicable Action Plans for Routes of Regional Significance:*

See Attachment 1.a for a full report on conditions of compliance for CYs 2014 and 2015 based on the adopted 2009 Central County Action Plan.

- b. *Attach, list and briefly describe any General Plan Amendments that were approved during the reporting period. Please specify which amendments affected ability to meet the standards in the Growth Management Element and/or affected ability to implement Action Plan policies or meet Traffic Service Objectives. Indicate if amendments were forwarded to the jurisdiction's RTPC for review, and describe the results of that review relative to Action Plan implementation:*

The following General Plan Amendments were approved in Calendar Years 2014 and 2015 in the City of Concord (see Attachment 1.b):

2014:

The City Council adopted Resolution No. 14-4823.1 adopting the Downtown Concord Specific Plan General Plan Amendment (PL14160-GP) as Volume IV of the *Concord 2030 General Plan*.

The City determined that preparation of an addendum to the Final Supplemental Environmental Impact Report (SEIR) to the 2030 Concord General Plan EIR for the Concord Development Code project approved in 2012 was the appropriate environmental document to determine if the Downtown Plan would have any significant effect on the environment and meet the requirements of CEQA, due to many factors including, but not limited to, the fact that no increase in traffic was planned beyond that anticipated within the General Plan EIR and the Development Code SEIR.

Compliance Checklist Attachments

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As such, the Addendum to the Final SEIR to the 2030 Concord General Plan EIR was also approved as part of Resolution No. 14-4823.1. The Transportation/Traffic section of the SEIR was reviewed and updated as appropriate to confirm that no new impacts would occur as a result of implementation of the Specific Plan. The analysis concluded that no substantive revisions to the SEIR were needed because no new significant impacts or impacts of substantially greater severity would result from the approved Specific Plan. There were no changes in circumstances in the Downtown Concord Priority Development Area that would result in new significant environmental impacts (including no significant impacts on traffic or on Routes of Regional Significance) or substantially more severe impacts than were discussed in the SEIR.

Therefore, it was determined that the Downtown Concord Specific Plan would result in No Significant Impact on established MTSOs. The project had no effect on the City's abilities to meet the standards in the Growth Management Element, implement Action Plan policies, or meet MTSOs. The General Plan Amendment process included a comprehensive public review by various individuals, stakeholders, and organizations (including TRANSPAC) and the notification/participation process met the requirements in CEQA and the GMP.

2015:

The City Council adopted Resolution No. 15-4823.1 adopting the Housing Element Update 2014-2022 General Plan Amendment (PL 14-339-GP) to the Housing Element as Volume V of the *Concord 2030 General Plan*.

The City determined that a Negative Declaration was the appropriate CEQA document in which the environmental effects of the 2014 Housing Element Update were analyzed concluding that it would have a less than significant adverse effect on the environment, including no significant impacts on traffic or on Routes of Regional Significance.

Therefore, it was determined that the Housing Element Update 2014-2022 General Plan Amendment to the Housing Element would result in No Significant Impact on established MTSOs. The project had no effect on the City's abilities to meet the standards in the Growth Management Element,

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implement Action Plan policies, or meet MTSOs. The General Plan Amendment process included a comprehensive public review by various individuals, stakeholders, and organizations (including TRANSPAC) and the notification/participation process met the requirements in CEQA and the GMP.

Provide a summary list of projects approved during the reporting period and the conditions required for consistency with the Action Plan:

None of the General Plan Amendments listed above and approved during the reporting period was projected to generate 100 or more net new peak-hour vehicle trips. Similarly, none of the General Plan Amendments was expected to add 50 or more net new peak-hour vehicle trips to Routes of Regional Significance. Therefore, the City maintained consistency with the adopted 2009 Central County Action Plan in 2014 and 2015.

2. Development Mitigation Program

a. Describe progress on implementation of the regional transportation mitigation program:

See Attachment 2.a for a copy of the Regional Transportation Mitigation Program (RTMP) adopted by TRANSPAC on December 12, 1996, and a copy of the ensuing Subregional Transportation Mitigation Program (STMP) adopted as part of the 2009 Central County Action Plan for Routes of Regional Significance and incorporated into Policy GM-5.1.4 of the City's Growth Management Element (GME).

3. Housing Options and Job Opportunities

a. Please attach a report demonstrating reasonable progress in providing housing opportunities for all income levels. (Note: A copy of the local jurisdiction's annual report to the state Department of Housing and Community Development (HCD) is sufficient).

See Attachment 3.a for Housing Compliance and Progress Reports during the reporting period.

Compliance Checklist Attachments

Reporting Jurisdiction: **City of Concord**

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

- c. *Please attach the jurisdiction's adopted policies and standards that ensure consideration of and support for walking, bicycling, and transit access during the review of proposed development.*

See Attachment 3.c for adopted Principles and Policies of the General Plan's Transportation Element concerning Trip Reduction, Complete Streets, Transit, Pedestrian Circulation, Bicycle Network, and Safety, to ensure consideration of and support for walking, bicycling and transit access during the review process of proposed development

4. Traffic Impact Studies

Please list all traffic impact studies that have been conducted as part of the development review of any project that generated more than 100 net new peak hour vehicle trips. (Note: Lower traffic generation thresholds established through the RTPC's Action Plan may apply). Note whether the study was consistent with the Authority's Technical Procedures and whether notification and circulation was undertaken during the environmental review process.

There was only one development project in the City of Concord (Golden State Lumber at 1080 Burnett Avenue) that was approved during the reporting period that was expected to generate 100 or more net new peak-hour vehicle trips. A traffic impact study was prepared and the project was estimated to generate 127 AM peak hour trips and 43 PM peak hour trips. No General Plan Amendment was required for this project.

The project was consistent with the Land Use Designation for the site identified in the 2030 Concord General Plan (office and commercial use) and was not expected to increase traffic volumes on Routes of Regional Significance in the project area by more than 20 peak hour trips in any direction. Therefore, the impact to Routes of Regional Significance was considered to be less-than-significant and no MTSO analysis was required.

The traffic impact study for this project was conducted in a manner that was consistent with the Authority's Technical Procedures and proper notification was undertaken. The project was categorically exempt from requirements in CEQA and no environmental document was required.

Compliance Checklist Attachments

Reporting Jurisdiction: **City of Concord**

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

5. **Participation in Cooperative, Multi-Jurisdictional Planning**

No attachments necessary.

6. **Five-Year Capital Improvement Program**

Please attach the transportation component of the most recent CIP version, if the Authority does not already have it. Otherwise, list the resolution number and date of adoption of the most recent five-year CIP.

Resolution Number: 15-45

Date: June 23, 2015

See **Attachment 6** for the City of Concord's FY 2015-16 Ten-Year CIP

7. **Transportation Systems Management Program**

Please attach a copy of the jurisdiction's TSM ordinance, or list the date of ordinance or resolution adoption and its number.

Ordinance Number: 97-15

Date: November 25, 1997

See **Attachment 7**.

8. **Adoption of a voter-approved Urban Limit Line**

The local jurisdiction's adopted ULL is on file at the Authority offices. Please specify any actions that were taken during the reporting period with regard to changes or modifications to the voter-approved ULL, which should include a resolution making a finding of consistency with Measure J and a copy of the related public hearing notice.

There were no actions taken by the City of Concord during the reporting period with regard to changes or modifications to the voter-approved ULL. City officials have read and understood the Authority's Annual Urban Limit Line Policy Advisory Letter, dated July 17, 2015. The City of Concord has continuously complied with the County's ULL (as approved by the voters of Contra Costa through Measure L in November 2006) as a part of the City's General Plan.

Compliance Checklist Attachments

Reporting Jurisdiction: **City of Concord**

For Fiscal Years 2015-16 and 2016-17

Reporting Period: Calendar Years 2014 & 2015

9. Adoption of the Measure J Growth Management Element

Please attach the adopted Final Measure J Growth Management Element to the local jurisdiction's General Plan.

See **Attachment 9**.

10. Posting of Signs

Provide a list of all projects exceeding \$250,000 within the jurisdiction, noting which ones are or were signed according to Authority specifications.

Signs were posted according to Authority specifications on Clayton Road and on Treat Boulevard for Measure J Project #24028 (Clayton Road/Treat Boulevard/Denkinger Road Intersection Capacity Improvements Project). Construction started in 2015. The project is still under construction.

11. Maintenance of Effort (MoE)

Please indicate the jurisdiction's MoE requirement and MoE expenditures for the past two fiscal years (FY 2013-14 and FY 2014-15). See the Instructions to identify the MoE requirements.

The current MoE requirement for the City of Concord is \$2,183,881.

MoE expenditures: FY 2014: \$7,252,979.94 & FY 2015: \$14,282,645.56

See **Attachment 11**.

12. Submittal of LSM Reporting Form

Please attach LSM Reporting Form for FY 2013-14 and 2014-15.

See **Attachment 12**.

13. Other Considerations

Please specify any alternative methods of achieving compliance for any components for the Measure J Growth Management Program

N/A

Attachments to the Calendar Years 2014 and 2015 Growth Management Program Compliance Checklist are on file in the City Clerk's office.