



AGENDA

REGULAR MEETING

* * *

CLAYTON CITY COUNCIL

* * *

TUESDAY, September 20, 2022

7:00 P.M.

***** NOTICE *****

*Members of the public will be able to participate either in-person at
Hoyer Hall, Clayton Community Library
6125 Clayton Road, Clayton, CA 94517
or
remotely via Zoom.*

Mayor: Peter Cloven
Vice Mayor: Holly Tillman

Council Members

Jim Diaz
Jeff Wan
Carl Wolfe

- A complete packet of information containing staff reports and exhibits related to each public item is available for public review on the City's website at www.claytonca.gov
- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street, Clayton; and 4) City Website at www.claytonca.gov
- Any writings or documents provided to a majority of the City Council after distribution of the Agenda Packet and regarding any public item on this Agenda is available for review on the City's website at www.claytonca.gov
- If you have a physical impairment that requires special accommodations to participate, please call the City Clerk's office at least 72 hours in advance of the meeting at (925) 673-7300.

Instructions for Virtual City Council Meeting – September 20

Tonight's meeting will be available to the public both in-person and remotely via Zoom. As a courtesy, and technology permitting, members of the public may continue to provide live remote oral comment via the Zoom video conferencing platform. However, the City cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time.

To follow or participate in the meeting:

1. **Videoconference:** to follow the meeting on-line, click here to register:

https://us02web.zoom.us/webinar/register/WN_suxMeIgbQNWPgZIqaBNXFw

After clicking on the URL, please take a few seconds to submit your first and last name, and e-mail address then click "Register", which will approve your registration and a new URL to join the meeting will appear.

Phone-in: Once registered, you will receive an e-mail with instructions to join the meeting telephonically, and then dial Telephone: 877 853 5257 (Toll Free)

2. using the *Webinar ID* and *Password* found in the e-mail.

E-mail Public Comments: If preferred, please e-mail public comments to the City Clerk, Ms. Calderon at janetc@claytonca.gov by 5 PM on the day of the City Council meeting. All E-mail Public Comments will be forwarded to the entire City Council.

For those who choose to attend the meeting via videoconferencing or telephone shall have 3 minutes for public comments.

Location:

Videoconferencing Meeting (this meeting via teleconferencing is open to the public)

To join this virtual meeting on-line click here:

https://us02web.zoom.us/webinar/register/WN_suxMeIgbQNWPgZIqaBNXFw

To join on telephone, you must register in the URL above, which sends an e-mail to your inbox, and then dial (877) 853-5257 using the *Webinar ID* and *Password* found in the e-mail.

*** CITY COUNCIL ***

September 20, 2022

1. **CALL TO ORDER AND ROLL CALL** – Mayor Cloven.

2. **MEETING PROTOCOL VIDEO**– City Clerk

3. **PLEDGE OF ALLEGIANCE** – led by Mayor Cloven

4. **CONSENT CALENDAR**

Consent Calendar items are typically routine in nature and are considered for approval by one single motion of the City Council. Members of the Council, Audience, or Staff wishing an item removed from the Consent Calendar for purpose of public comment, question, discussion or alternative action may request so through the Mayor.

- (a) Approve the minutes of the City Council's regular meeting of August 16, 2022. (City Clerk) ([View here](#))
- (b) Approve the Financial Demands and Obligations of the City. (Finance) ([View here](#))
- (c) Adopt a Resolution of the City Council of the City of Clayton Allowing for Video and Teleconference Meetings as Needed during the COVID-19 State of Emergency Under AB 361. (City Manager) ([View here](#))
- (d) Adopt a Resolution (Traffic Order #1) to Restrict U-Turns on Four Oaks Lane During School Drop Off and Pick Up Time Periods. (City Engineer) ([View here](#))
- (e) Approve a Resolution Authorizing the Third Amendment to an Existing Agreement with Allied Waste Systems, Inc. for Continued Solid Waste and Recyclable Materials Management Services. (City Manager) ([View here](#))
- (f) 2022 Conflict of Interest Code – No changes recommended by City Clerk. (City Clerk) ([View here](#))

5. **RECOGNITIONS AND PRESENTATIONS**

- (a) Information Only – No Action Requested.
 - National Hispanic Heritage Month (September 15 – October 15)
 - Constitution Day and Citizenship Day (September 17)

- (b) Proclamation declaring September as “Library Card Sign-up Month” in the City of Clayton. (Mayor Cloven) ([View here](#))
- (c) Certificates of Recognition to public school students for exemplifying the “Do the Right Thing” character trait of “Inclusion” during the months of May, June and July 2022. (Mayor Cloven) ([View here](#))
- (d) Certificates of Recognition to public school students for exemplifying the “Do the Right Thing” character trait of “Courage” during the month of August 2022. (Mayor Cloven) ([View here](#))

6. REPORTS

- (a) City Manager/Staff
- (b) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

7. PUBLIC COMMENT ON NON - AGENDA ITEMS

Members of the public may address the City Council on items within the Council's jurisdiction, (which are not on the agenda) at this time. To assure an orderly meeting and an equal opportunity for everyone, each speaker is limited to 3 minutes, enforced at the Mayor's discretion. In accordance with State Law, no action may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may at its discretion request Staff to report back at a future meeting concerning the matter.

Public comment and input on Public Hearing, Action Items and other Agenda Items will be allowed when each item is considered by the City Council.

8. PUBLIC HEARINGS

- (a) Public Hearing on Proposed Community Facilities District No. 2022-01 (Public Services) – Approve the Resolution of Formation, Resolution Calling Election, Resolution Declaring Results of Election, and First Reading of the Ordinance. (City Engineer) ([View here](#))

9. ACTION ITEMS

- (a) Approve by Minute Order the Placement of Plaques in Memory of Braden Fahey at The Grove Park and Clayton Community Park. (City Manager) ([View here](#))
- (b) Approval of Preliminary Design Concept for Complete Streets Feasibility Study on Pine Hollow Road (Joint Project with City of Concord). (City Engineer) ([View here](#))

- (c) Discussion and Feedback to Clayton's TRANSPAC Representative Regarding CCTA/TRANSPAC Designation of Marsh Creek Road and Clayton Road as Routes of Regional Significance. (City Engineer) ([View here](#))
- (d) Approve by Minute Order the Request from CEMEX to Provide a Letter of Support for CEMEX's Quarry Reclamation Plan Amendment. (City Manager) ([View here](#))

10. **CLOSED SESSION** – None.

11. **COUNCIL ITEMS** – limited to Council requests and directives for future meetings.

12. **ADJOURNMENT** - the next scheduled City Council meeting will be October 4, 2022.

#

**MINUTES
OF THE
REGULAR MEETING
CLAYTON CITY COUNCIL**

TUESDAY, August 16, 2022

1. **CALL TO ORDER THE CITY COUNCIL** – The meeting was called to order at 7:00 p.m. by Mayor Cloven via a hybrid meeting format live in-person and Zoom videoconference and broadcast from Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, California. Councilmembers present: Mayor Cloven, Vice Mayor Tillman, and Councilmembers Diaz, Wan, and Wolfe (via Zoom). Councilmembers absent: None. Staff present: City Manager Reina Schwartz, City Attorney Mala Subramanian, City Engineer Larry Theis, and City Clerk/HR Manager Janet Calderon.
2. **MEETING PROTOCOL VIDEO** – City Clerk.
3. **PLEDGE OF ALLEGIANCE** – led by Mayor Cloven.
4. **CONSENT CALENDAR**

It was moved by Councilmember Diaz seconded by Vice Mayor Tillman, to approve the Consent Calendar items 4(a) – 4(d) as submitted. (Passed 5-0).
 - (a) Approve the minutes of the City Council’s regular meeting of August 2, 2022. (City Clerk)
 - (b) Approve the Financial Demands and Obligations of the City. (Finance)
 - (c) Adopted Resolution No. 64-2022 of the City Council of the City of Clayton Allowing for Video and Teleconference Meetings as Needed during the COVID-19 State of Emergency Under AB 361. (City Manager)
 - (d) Adopted Resolution No. 65-2022 Authorizing the City Manager and the City Engineer to Execute Caltrans Right of Way Certifications on Behalf of the City of Clayton. (City Engineer)
5. **RECOGNITIONS AND PRESENTATIONS** - None.

6. REPORTS

- (a) City Manager Reina Schwartz advised she received notice that Assistant to the City Manager Laura Hoffmeister has resigned noting her last day will be August 26, 2022 and acknowledging Ms. Hoffmeister's long service to the Clayton community.
- (b) City Council - Reports from Council liaisons to Regional Committees, Commissions and Boards.

Councilmember Wolfe met with the City Manager, met with the Mayor, met with the Vice Mayor, met with potential candidates for City Council, notified school principals of the upcoming "Do The Right Thing" recognition, announced the Clayton Community Church and Clayton Business and Community Association hosting a Trunk or Treat on October 30, provided condolences to Braden Fahey's family on his recent unexpected passing, thanked Laura Hoffmeister for her long service to the Clayton community, and requested City Manager Reina Schwartz to clarify costs for operating the fountain.

City Manager Reina Schwartz provided a brief historical update on the costs associated with operating the fountain.

Councilmember Wan requested additional information on the actual operating costs of running the fountain, had several conversations regarding the recent pavement work, called and emailed constituents.

Councilmember Diaz attended the final Classic Car Show and DJ event; thanked Sandy Johnson for her assistance with the giveaways and the community for its support, attended the Morgan Territory Community Association meeting, attended the Contra Costa Fire Protection District Ribbon Cutting for Station 86, attended the Concert in The Grove, met with the Police Chief, and met with the City Manager.

Vice Mayor Tillman met with the City Manager, met with the Mayor, met with Councilmember Wolfe, attended various Pride Parade Committee meetings, attended the Contra Costa County Mayors' Conference, attended the East Bay Division Cal Cities Battle of the Bay event, and announced the Library Foundation's next Book Sale scheduled for October 28 – 30, 2022.

Mayor Cloven answered phone calls and letters regarding Maintenance concerns and requested the City Manager begin posting weekly City Manager reports to the City website, attended a meeting of Central Contra Costa County Transportation Authority (TRANSPAC) meeting, attended the Concert in The Grove, and attended the Prayer Vigil for Braden Fahey at The Grove Park.

7. PUBLIC COMMENT ON NON - AGENDA ITEMS – None.

8. PUBLIC HEARINGS – None.

9. ACTION ITEMS

- (a) Designation of Voting Delegate and Alternate Delegate for League of California Cities 2022 Annual Conference being held September 7 through 9, in Long Beach and the City's position on League Conference General Resolutions (documents were not available at the time of publishing, and will be provided as a supplemental document). (City Clerk)

City Clerk Janet Calderon presented the report.

Following questions by the City Council, Mayor Cloven opened public comment; no comments were offered.

It was moved by Councilmember Wolfe, seconded by Councilmember Wan, to designate Mayor Cloven as Voting Delegate and Vice Mayor Tillman as Voting Delegate - Alternate at the League of California Cities 2022 Annual Conference held September 7 – 9, 2022 in Long Beach, California. (Passed 5-0).

- (b) Approve the Resolution of Intention to Establish a Community Facilities District related to the Diablo Meadows Project. (City Engineer)

City Engineer Larry Theis presented the report.

Following questions by the City Council, Mayor Cloven opened public comment; no comments were offered.

It was moved by Councilmember Wan, seconded by Councilmember Diaz, to Adopt Resolution No. 66-2022 Stating the Intention to Establish a Community Facilities District and Future Annexation Area, Community Facilities District No. 2022-01 (Public Services). (Passed 5-0).

- (c) Review and Provide Direction to Staff Regarding City Council Request Items – Open and Completed. (City Manager)

City Manager Reina Schwartz presented the report.

Following questions by the City Council, Mayor Cloven opened public comment; no comments were offered.

Direction provided to staff.

10. COUNCIL ITEMS

Vice Mayor Tillman requested a future item to include establishment of a process, with a possible ribbon cutting ceremony to recognize business that open in the City of Clayton.

Mayor Cloven requested a future agenda item to include establishing a Citizen Advisory Committee for placing a measure on the 2024 Municipal Election ballot.

11. **ADJOURNMENT**– on call by Mayor Cloven, the City Council adjourned its meeting at 8:03 p.m.

The next regularly scheduled meeting of the City Council will be September 20, 2022.

#

Respectfully submitted,

Janet Calderon, City Clerk

APPROVED BY THE CLAYTON CITY COUNCIL

Peter Cloven, Mayor

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STAFF REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: JENNIFER GIANTVALLEY, ACCOUNTING TECHNICIAN

DATE: 9/20/22

SUBJECT: FINANCIAL DEMANDS AND OBLIGATIONS OF THE CITY

RECOMMENDATION:

It is recommended the City Council, by minute action, approve the financial demands and obligations of the City for the purchase of services and goods in the ordinary course of operations.

Attached Report	Purpose	Amount
Obligations Paid Prior to Meeting, Dated 8/31/22	Accounts Payable	\$ 340,175.37
Payroll Reconciliation Summary	Payroll, Taxes	\$ 112,081.95
Obligations, Dated 9/15/22	Accounts Payable	\$ 133,478.52
Payroll Reconciliation Summary	Payroll, Taxes	\$ 97,725.95
	Total Required	\$ 683,461.79

Attachments:

1. Obligation report dated 8/31/2022 (2 pages)
2. Payroll Reconciliation Summary report PPE 8/21/22 (2 pages)
3. Obligation report dated 9/15/22 (1 page)
4. Payroll Reconciliation Summary report PPE 9/4/22 (2 pages)

City of Clayton Obligations for 8/31/22

Vendor name	Invoice date	Invoice number	Invoice description	Amount
Advanced Elevator Solutions, Inc	08/31/2022	49443	Elevator Service August 2022	\$128.00
All City Management Services, Inc.	08/31/2022	79157	School crossing guard svcs 8/7/22-8/20/22	\$1,842.12
American Fidelity Assurance Company	08/31/2022	6059409	FSA PPE 8/21/22	\$115.00
American Fidelity Assurance Company	08/31/2022	D487013	Supplemental insurance August 2022	\$752.80
AT&T (CalNet3)	08/31/2022	18668594	Phones 7/22/22-8/21/22	\$1,376.22
Authorize.net	07/31/2022	July2022	Online bankcard gateway fee July 2021	\$39.80
Authorize.net	08/31/2022	August2022	Online bankcard gateway fee August 2022	\$33.75
CA Department of Justice	08/31/2022	598311	Fingerprinting July 2022	\$32.00
CalPERS Health	08/31/2022	16905314	Medical September 2022	\$36,550.46
CalPERS Retirement	08/31/2022	082122	Retirement PPE 8/21/22	\$18,363.92
Caltronics Business Systems	08/31/2022	3562354	Copier usage 7/19/22-8/18/22	\$99.66
CCWD	08/31/2022	B Series	Water 6/22-8/1/22	\$41,888.64
Cintas Corporation	08/31/2022	4128106326	PW uniforms through 8/11/22	\$64.19
Cintas Corporation	08/31/2022	4128791471	PW uniforms through 8/18/22	\$64.19
Cintas Corporation	08/31/2022	4129467952	PW uniforms through 8/25/22	\$64.19
Cintas Corporation	08/31/2022	5121495742	Restock First Aid cabinet PW	\$36.58
CME Lighting Supply, Inc	08/31/2022	250384	EH light bulbs	\$84.16
Contra Costa County Animal Svcs Dept	08/31/2022	ASD M7132	Animal services Q1 FY 2023	\$22,451.50
Contra Costa County Public Works Dept	08/31/2022	705255	Traffic signal maintenance July 2022	\$1,178.96
CR Fireline, Inc	08/31/2022	122076	Library fire sprinkler inspection	\$225.00
CR Fireline, Inc	08/31/2022	122077	CH fire sprinkler inspection	\$700.00
CR Fireline, Inc	08/31/2022	122078	EH fire sprinkler inspection	\$225.00
Cynthia Sogomorian	08/31/2022	GP050122	The Grove Park deposit refund	\$250.00
De Lage Landen Financial Services, Inc.	08/31/2022	77393943	Copier lease September 2022	\$1,004.49
Digital Services	08/31/2022	12119	IT services 6/23/22-8/16/22	\$2,600.00
Dillon Electric Inc	08/31/2022	4720	Library service call, noisy panel	\$620.00
East Bay Rgn Comm System Auth	08/31/2022	20230116	Radio operations FY 2023	\$12,240.00
Entenmann-Rovin Co	08/31/2022	0176336	Flat badge - reimbursed	\$150.97
Globalstar LLC	08/31/2022	36849261	Sat phone 8/16/22-9/15/22	\$136.38
Hammons Supply Company	08/31/2022	120429	CCP janitorial supplies	\$314.26
Hammons Supply Company	08/31/2022	120430	Downtown park supplies	\$372.27
Hammons Supply Company	08/31/2022	120431	Library janitorial supplies	\$266.93
Hammons Supply Company	08/31/2022	120432	Police Dept janitorial supplies	\$371.79
Harris & Associates, Inc.	08/31/2022	53881	CIP engineering svcs July 2022	\$46,510.63
HercRentals, Inc	08/31/2022	32707289-001	Rototiller rental	\$267.34
HercRentals, Inc	08/31/2022	32774602-001	Skidsteer brush cutter attachment rental	\$979.79
Hinderliter de Llamas & Associates	08/31/2022	SIN020945	Sales Tax Q1 FY23	\$1,003.75
J&R Floor Services	08/31/2022	Eight2022	Janitorial svcs August 2022	\$5,108.00
LarryLogic Productions	08/31/2022	2034	CC meeting production August 16, 2022	\$440.00
LEHR	08/31/2022	S177266	Labor - replace camera cable #1746	\$105.00
Mission Square Retirement	08/31/2022	082122	457 Plan contributions PPE 8/21/22	\$1,263.46
Moore Iacofano Golstman, Inc	08/31/2022	76529	Housing Element svcs July 2022	\$42,132.06
MSR Mechanical, LLC	08/31/2022	SVC005044	Library HVAC repair 6/9/22	\$679.00
MSR Mechanical, LLC	08/31/2022	SVC005537	Library HVAC repair 8/2/22	\$491.00
MSR Mechanical, LLC	08/31/2022	SVC005538	EH HVAC maintenance July 2022	\$295.50
MSR Mechanical, LLC	08/31/2022	SVC005539	Library HVAC repair 8/10/22	\$432.34
Nationwide	08/31/2022	082122	457 Plan contribution PPE 8/21/22	\$500.00
nfpAccounting Technologies, Inc	08/31/2022	Sep2022	Financial Edge Support September 2022	\$4,500.00
Nutrien Ag Solutions, Inc	08/31/2022	48043755	Landscape chemicals	\$3,567.00
Pacific Telemanagement Svc	08/31/2022	2092570	Courtyard pay phone August 2022	\$78.00
Paylocity Corporation	08/31/2022	110799151	Payroll fees August 2022	\$494.00
Pond M Solutions	08/31/2022	7274	Replace burned out motor, fountain	\$1,320.00
Pond M Solutions	08/31/2022	7275	Fountain maintenance June 2022	\$650.00
Pond M Solutions	08/31/2022	7276	Fountain maintenance July 2022	\$650.00
Pond M Solutions	08/31/2022	7277	Fountain maintenance August 2022	\$650.00
Rainbow Community Center	08/31/2022	Clayton2022	Deposit refund Pride Parade in Clayton	\$2,200.00
Rex Lock & Safe, Inc.	08/31/2022	133806	Install new door closer @ City Hall	\$713.15
Rural Pig Management, Inc	08/31/2022	CC080122	Pig control August 2022	\$3,000.00
Site One Landscape Supply, LLC	08/31/2022	121025337-001	Irrigation parts	\$57.46
Site One Landscape Supply, LLC	08/31/2022	122252326-001	Irrigation parts	\$712.72
Site One Landscape Supply, LLC	08/31/2022	122474244-001	Irrigation parts	\$441.59
Site One Landscape Supply, LLC	08/31/2022	122534032-001	Irrigation parts	\$314.96
Sprint Comm (PD)	08/31/2022	703335311-249	PD cell phones 7/26/22-8/25/22	\$225.68
Stericycle Inc	08/31/2022	3006138787	Medical waste disposal	\$71.66
Swenson's Mobile Fleet Repair	08/31/2022	I005188	PW veh svc '11 F250	\$216.13
Swenson's Mobile Fleet Repair	08/31/2022	I005189	PW veh svc '99 F450	\$213.43
Swenson's Mobile Fleet Repair	08/31/2022	I005190	PW veh svc '15 F250	\$456.67
Swenson's Mobile Fleet Repair	08/31/2022	I005207	PW veh svc '07 F450	\$449.84

City of Clayton Obligations for 8/31/22

Swenson's Mobile Fleet Repair	08/31/2022	I005208	PW veh svc '06 F550	\$449.84
Swenson's Mobile Fleet Repair	08/31/2022	I005209	PW veh svc '05 Irrigation van	\$158.55
Swenson's Mobile Fleet Repair	08/31/2022	I005210	Service destination fee 8/10/22	\$115.00
Swenson's Mobile Fleet Repair	08/31/2022	I005213	PW veh svc '99 F450	\$433.29
Swenson's Mobile Fleet Repair	08/31/2022	I005214	PW veh svc Groundsmeister 325-D	\$595.67
Swenson's Mobile Fleet Repair	08/31/2022	I005215	Service destination fee 8/11/22	\$115.00
Texas Life Insurance Company	08/31/2022	SMOF1B20220814001	Supplemental insurance	\$42.25
Verizon Wireless	08/31/2022	9912413915	PW cell phones 7/2/22-8/1/22	\$203.14
Vision Service Plan (CA)	08/31/2022	815869384	Vision September 2022	\$76.07
Waraner Brothers Tree Service	08/31/2022	16014	Tree work Downtown parking lot area	\$8,100.00
Waraner Brothers Tree Service	08/31/2022	16141	Tree work Clayton Rd median	\$22,320.00
Waraner Brothers Tree Service	08/31/2022	16151	Tree work Clayton Rd median (Peacock Crk/Regency Dr)	\$20,160.00
Wex Bank-Fleet Cards	08/31/2022	83255462	Fleet fuel stmt end 8/25/22	\$6,217.25
Workers.com	08/31/2022	133521	Seasonal workers week end 8/7/22	\$5,340.94
Workers.com	08/31/2022	133809	Seasonal workers week end 8/14/22	\$5,808.34
Workers.com	08/31/2022	133870	Seasonal workers week end 8/21/22	\$4,206.64

\$340,175.37

Payroll Summary

City of Clayton

Check Date: 08/26/2022

Process: 2022082601

Pay Period: 08/08/2022 to 08/21/2022

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Payroll Totals

Payroll Checks	Check Type	Count	Net Check	Dir Dep Amount	Net Amount	
	Regular	30	0.00	82,045.44	82,045.44	
	Totals	30	0.00	82,045.44	82,045.44	→ 82,045.44

Payroll Checks	Check Type	Agency Type	Count	Net Check	Dir Dep Amount	Net Amount	
	Agency	EFSDU	1	0.00	358.15	358.15	
	Agency	Regular	1	0.00	663.50	663.50	
	Totals		2	0.00	1,021.65	1,021.65	→ 1,021.65

	Total Net Payroll Liability			0.00	83,067.09	83,067.09	→ 83,067.09
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Tax Liability

CA and Related Taxes	Tax Id	Rate	Frequency	Wage	Cap Wages	EE Amount	ER Amount	
CA SDI - Employee	EXEMPT		Semi-Weekly	119,730.31	119,730.31			
California SITW			Semi-Weekly	118,216.85	118,216.85	6,690.24		
Totals						6,690.24	0.00	→ 6,690.24

CASUI and Related Taxes	Tax Id	Rate	Frequency	Wage	Cap Wages	EE Amount	ER Amount	
CA Edu & Training		0.001000	Quarterly	119,730.31	2,744.40		2.74	
California SUI		0.020000	Quarterly	119,730.31	2,744.40		54.89	
Totals						0.00	57.63	→ 57.63

FITW and Related Taxes	Tax Id	Rate	Frequency	Wage	Cap Wages	EE Amount	ER Amount	
Federal Income Tax			Semi-Weekly	118,216.85	118,216.85	18,554.03		
Medicare			Semi-Weekly	119,730.31	119,730.31	1,736.11		
Medicare - Employer			Semi-Weekly	119,730.31	119,730.31		1,736.09	
OASDI			Semi-Weekly	1,941.60	1,941.60	120.38		
OASDI - Employer			Semi-Weekly	1,941.60	1,941.60		120.38	
Totals						20,410.52	1,856.47	→ 22,266.99

	Total Tax Liability					27,100.76	1,914.10	→ 29,014.86
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	Total Payroll Liability					112,081.95	→ 112,081.95
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Billing

Invoice	Date	Gross	Discount	Tax	Adjustment	Amount	
110799151	8/26/2022	494.00				494.00	
Totals		494.00		0.00		494.00	→ 494.00



Paylocity Corporation
(888) 873-8205

User: JGiantvalley

Run on 8/23/2022 at 4:34 PM

Payroll Summary

City of Clayton

Check Date: 08/26/2022

Process: 2022082601

Pay Period: 08/08/2022 to 08/21/2022

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Transfers

Type	Date	Source Account	Amount
Billing	8/26/2022		494.00
Dir Dep	8/25/2022		82,045.44
Tax	8/25/2022		29,014.86
Trust Agency	8/25/2022		1,021.65
Totals Transfers			112,575.95

112,575.95 → **112,575.95**

Tax Deposits

Required Tax Deposits	Tax	Due On	Amount
(Deposit made by Service Bureau)	California SITW	8/31/2022	6,690.24
(Deposit made by Service Bureau)	Federal Income Tax	8/31/2022	22,266.99
(Deposit made by Service Bureau)	California SUI	10/31/2022	57.63
	Total Tax Deposits		29,014.86



Paylocity Corporation
(888) 873-8205

User: JGiantvalley

Run on 8/23/2022 at 4:34 PM

Vendor name	Invoice date	Invoice number	Invoice description	Amount
American Fidelity Assurance Company	09/15/2022	6060635B	FSA PPE 9/4/22	\$115.00
Bay Area News Group	09/15/2022	1348485	Ads for August 2022	\$882.36
Best Best & Kreiger LLP	09/15/2022	944940	Legal Svcs August 2022	\$10,435.00
Best Best & Kreiger LLP	09/15/2022	944941	Project legal svcs August 2022	\$6,478.50
Best Best & Kreiger LLP	09/15/2022	944942	PD legal svcs August 2022	\$131.84
Best Best & Kreiger LLP	09/15/2022	944943	Labor/Empl Legal Svcs August 2022	\$72.60
Best Best & Kreiger LLP	09/15/2022	944944	Special PD legal svcs August 2022	\$1,306.80
Best Best & Kreiger LLP	09/15/2022	944945	Project legal svcs August 2022	\$1,631.40
Big O Tires	09/15/2022	5011-190591	Intertubes, flat repairs	\$85.87
CA Department of Justice	09/15/2022	604530	Fingerprinting August 2022	\$32.00
CalPERS Retirement	09/15/2022	090422	Retirement PPE 9/4/22	\$17,604.84
Cintas Corporation	09/15/2022	4130167676	PW uniforms through 9/1/22	\$64.19
Cintas Corporation	09/15/2022	4130976170	PW uniforms through 9/9/22	\$64.19
City of Concord	09/15/2022	94492	Dispatch Svcs October 2022	\$26,921.86
Comcast	09/15/2022	90522	Internet 9/10/22-10/9/22	\$381.16
Geoconsultants, Inc.	09/15/2022	19359	Well monitoring August 2022	\$1,546.50
Globalstar LLC	08/31/2022	36849261	Sat phone 8/16/22-9/15/22	\$136.38
Harris & Associates, Inc.	09/15/2022	54251	CIP engineering svcs August 2022	\$10,826.66
Health Care Dental Trust	09/15/2022	320276	Dental October 2022	\$1,684.35
Kennedy & Associates	09/15/2022	22-166	Consultant svcs The Olivia August 2022	\$640.75
Mission Square Retirement	09/15/2022	090422	457 Plan contributions PPE 9/4/22	\$1,263.46
MSR Mechanical, LLC	09/15/2022	SVC005664	CH HVAC repair 8/15/22	\$491.00
MSR Mechanical, LLC	09/15/2022	SVC005674	Library HVAC repair 8/4/22	\$491.00
Nationwide	09/15/2022	090422	457 Plan contribution PPE 9/4/22	\$500.00
nfpAccounting Technologies, Inc	09/15/2022	09/08/22	Financial Edge Support September 2022 (Bank Recs)	\$1,800.00
Paysafe Payment Processing	09/15/2022	August2022	OTC Bankcard fees August 2022	\$721.10
Paysafe Payment Processing	09/15/2022	August2022	Online bankcard fees August 2022	\$258.79
PG&E	09/15/2022	1199663768-9	Energy for irrigation	\$42.78
Precision Civil Engineering (PCE)	09/15/2022	27114	21-359.1 ADU Ordinance	\$95.00
Rex Lock & Safe, Inc.	09/15/2022	133875	Padlocks and keys	\$454.37
Sarah Barbano	09/15/2022	090522	EH deposit refund	\$1,000.00
SCA of CA, LLC	09/15/2022	103816CS	Street sweeping August 2022	\$4,500.00
Site One Landscape Supply, LLC	09/15/2022	122968958-001	Irrigation parts	\$618.74
Staples Business Credit	09/15/2022	1643907613	Office supplies	\$144.46
Sterling Infosystems, Inc	09/15/2022	9102769	New employee record search August 2022	\$97.32
Swenson's Mobile Fleet Repair	09/15/2022	I005195	Service destination fee 8/10/22	\$115.00
Swenson's Mobile Fleet Repair	09/15/2022	I005322	Service to 1991 Jacobsen	\$168.00
Swenson's Mobile Fleet Repair	09/15/2022	I005323	Service to 1994 Jacobsen	\$168.00
Swenson's Mobile Fleet Repair	09/15/2022	I005324	Service to UM74	\$168.00
Swenson's Mobile Fleet Repair	09/15/2022	I005325	Service to 1996 Maxey	\$140.00
Swenson's Mobile Fleet Repair	09/15/2022	I005328	Service destination fee 9/10/22	\$115.00
T Mobile	09/15/2022	Clayton Police Dept	PD cell phones 09/02/22	\$225.35
Verizon Wireless	09/15/2022	9914749057	PW cell phones 8/2/22-9/1/22	\$208.69
Waraner Brothers Tree Service	09/15/2022	16170	Tree work Clayton Rd median (Duncan Dr-CH)	\$21,600.00
Western Exterminator	09/15/2022	129134C	Pest control September 2022	\$496.90
Workers.com	09/15/2022	133463	Seasonal workers week end 7/31/22	\$4,668.73
Workers.com	09/15/2022	133922	Seasonal workers week end 8/28/22	\$5,608.84
Workers.com	09/15/2022	133978	Seasonal workers week end 9/4/22	\$6,275.74

\$133,478.52

Payroll Summary

City of Clayton

Check Date: 09/09/2022

Process: 2022090901

Pay Period: 08/22/2022 to 09/04/2022

Page 1 of 2

Payroll Totals

Payroll Checks	Check Type	Count	Net Check	Dir Dep Amount	Net Amount	
	Regular	33	0.00	73,234.28	73,234.28	
	Totals	33	0.00	73,234.28	73,234.28	→ 73,234.28

Payroll Checks	Check Type	Agency Type	Count	Net Check	Dir Dep Amount	Net Amount	
	Agency	EFSDU	1	0.00	358.15	358.15	
	Agency	Regular	1	0.00	663.50	663.50	
	Totals		2	0.00	1,021.65	1,021.65	→ 1,021.65
Total Net Payroll Liability				0.00	74,255.93	74,255.93	→ 74,255.93

Tax Liability

CA and Related Taxes	Tax Id	Rate	Frequency	Wage	Cap Wages	EE Amount	ER Amount	
CA SDI - Employee	EXEMPT		Semi-Weekly	105,539.12	105,539.12			
California SITW			Semi-Weekly	104,025.66	104,025.66	5,373.57		
Totals						5,373.57	0.00	→ 5,373.57

CASUI and Related Taxes	Tax Id	Rate	Frequency	Wage	Cap Wages	EE Amount	ER Amount	
CA Edu & Training		0.001000	Quarterly	105,539.12	4,545.52		4.55	
California SUI		0.020000	Quarterly	105,539.12	4,545.52		90.91	
Totals						0.00	95.46	→ 95.46

FITW and Related Taxes	Tax Id	Rate	Frequency	Wage	Cap Wages	EE Amount	ER Amount	
Federal Income Tax			Semi-Weekly	104,025.66	104,025.66	14,420.22		
Medicare			Semi-Weekly	105,539.12	105,539.12	1,530.33		
Medicare - Employer			Semi-Weekly	105,539.12	105,539.12		1,530.32	
OASDI			Semi-Weekly	4,194.52	4,194.52	260.06		
OASDI - Employer			Semi-Weekly	4,194.52	4,194.52		260.06	
Totals						16,210.61	1,790.38	→ 18,000.99
Total Tax Liability						21,584.18	1,885.84	→ 23,470.02
Total Payroll Liability						97,725.95		→ 97,725.95

Billing

Invoice	Date	Gross	Discount	Tax	Adjustment	Amount	
Totals							→



Paylocity Corporation
(888) 873-8205

User: JGiantvalley

Run on 9/9/2022 at 12:04 PM

Payroll Summary

City of Clayton

Check Date: 09/09/2022

Process: 2022090901

Pay Period: 08/22/2022 to 09/04/2022

Page 2 of 2

Transfers

Type	Date	Source Account	Amount
Dir Dep	9/8/2022		73,234.28
Tax	9/8/2022		23,470.02
Trust Agency	9/8/2022		1,021.65
Totals Transfers			97,725.95
			97,725.95

Tax Deposits

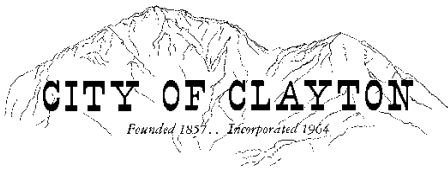
Required Tax Deposits	Tax	Due On	Amount
(Deposit made by Service Bureau)	California SITW	9/14/2022	5,373.57
(Deposit made by Service Bureau)	Federal Income Tax	9/14/2022	18,000.99
(Deposit made by Service Bureau)	California SUI	10/31/2022	95.46
	Total Tax Deposits		23,470.02



Paylocity Corporation
(888) 873-8205

User: JGiantvalley

Run on 9/9/2022 at 12:04 PM



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

DATE: September 20, 2022

SUBJECT: Adopt a Resolution of the City Council of the City of Clayton Allowing for Video and Teleconference Meetings as Needed during the COVID-19 State of Emergency Under AB 361

RECOMMENDATION

Adopt a Resolution of the City Council allowing for video and teleconference meetings as needed during the COVID-19 state of emergency under AB 361.

BACKGROUND

Last year, the State Legislature passed and Governor Newsom signed AB 361 which continues many of the provisions related to the Brown Act that were in place under Executive Orders, which expired September 30, 2021 that allowed for video and teleconferencing during the state of emergency. Since AB 361 has been signed into law, the City can continue to meet virtually until such time as the Governor declares the State of Emergency due to COVID-19 over and measures to promote social distancing are no longer recommended by the County Health Officer.

On September 20, 2021, February 2, 2022, March 1, 2022, April 15, 2022, June 14, 2022, July 5, 2022, August 9, 2022 and September 6, 2022 (see attachment), the Contra Costa County Health Officer issued recommendations for safely holding public meetings and continues to encourage on-line meetings over in-person public meetings if feasible. If in-person meetings occur, the County Health Officer recommends physical distancing of six feet of separation between all attendees to the extent possible. The proposed resolution provides that the City Council and all subsidiary City boards and commissions may choose to hold fully virtual video and teleconference meetings while the state of emergency is still in effect and physical distancing is recommended.

In order to continue to be able to hold video and teleconference meetings as needed for COVID/public-health related reasons, the City Council will need to review and make

findings every thirty days that the state of emergency continues to directly impact the ability of the members to meet safely in person and that state or local officials continue to impose or recommend measures to promote physical distancing.

FISCAL IMPACT

None.

Attachments

Resolution of the City Council Allowing for Video and Teleconference Meetings during the COVID-19 State of Emergency Under AB 361

Recommendations for Safely Holding Public Meetings – Contra Costa Health Services, September 6, 2022

RESOLUTION NO. ##-2022

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAYTON
ALLOWING FOR VIDEO AND TELECONFERENCE MEETINGS DURING THE
COVID-19 STATE OF EMERGENCY UNDER AB 361**

WHEREAS, on March 4, 2020, the Governor of the State of California proclaimed a State of Emergency for COVID-19;

WHEREAS, AB 361 was passed by the State Legislature and signed by Governor Newsom and went into effect immediately and allows the City to continue to meet virtually until such time as the Governor declares the State of Emergency due to COVID-19 over and measures to promote physical distancing are no longer recommended;

WHEREAS, on September 20, 2021, February 2, 2022, March 1, 2022, April 15, 2022, June 14, 2022, July 5, 2022, August 9, 2022 and September 6, 2022, the Contra Costa County Health Officer issued recommendations for safely holding public meetings and encourages on-line meetings if feasible and if in person meetings occur then recommends physical distancing of six feet of separation to the extent possible and masking for all attendees;

WHEREAS, in light of this recommendation, the City Council desires for itself and for all other City legislative bodies that are subject to the Brown Act to be able to choose to meet via video and/or teleconference as necessary; and

WHEREAS, pursuant to AB 361 the City Council will review the findings required to be made at least every 30 days.

NOW THEREFORE BE IT RESOLVED the City Council hereby finds on behalf of itself and all other City legislative bodies: (1) a state of emergency has been proclaimed by the Governor; (2) the state of emergency continues to directly impact the ability of the City's legislative bodies to meet safely in person; and (3) local health officials continue to recommend measures to promote physical distancing.

BE IT FURTHER RESOLVED that the City Council and all other City legislative bodies may continue to meet via video and/or teleconference as needed during the COVID-19 emergency.

PASSED AND ADOPTED by the Clayton City Council, State of California, on this 20th day of September 2022, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

**THE CITY COUNCIL OF CLAYTON,
CA**

Peter Cloven, Mayor

ATTEST:

Janet Calderon, City Clerk



Recommendations for safely holding public meetings

Each local government agency is authorized to determine whether to hold public meetings in person, on-line (teleconferencing only), or via a combination of methods. The following are recommendations from the Contra Costa County Health Officer to minimize the risk of COVID 19 transmission during a public meeting.

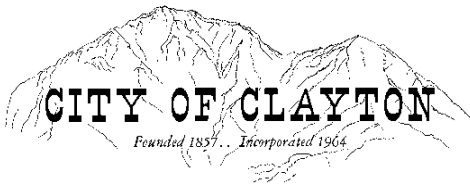
1. Online meetings (i.e. teleconferencing meetings) are encouraged, where practical, as these meetings present the lowest risk of transmission of SARS CoV-2, the virus that causes COVID 19. This is particularly important when community prevalence rates are high. Our current trends as of September 1, 2022 in Covid-19 case rate, test positivity, Covid-19 hospitalizations, and Covid-19 wastewater surveillance are decreasing or stable, but still remain high at this time. In addition to this, the predominant variant of Covid-19 being identified continues to be the Omicron variant and it's subvariants the impact of which on the spread of Covid-19 has shown to dramatically increase COVID-19 transmission.
2. If a local agency determines to hold in-person meetings, offering the public the opportunity to attend via a call-in option or an internet-based service option is recommended, when possible, to give those at higher risk of and/or higher concern about COVID-19 an alternative to participating in person.
3. A written safety protocol should be developed and followed. It is recommended that the protocol require social distancing, where feasible – i.e. six feet of separation between attendees; and consider requiring or strongly encouraging face masking of all attendees and encouraging attendees to be up-to-date on their COVID-19 vaccine.
4. Seating arrangements should allow for staff and members of the public to easily maintain at least six-foot distance from one another at all practicable times.
5. Consider holding public meetings outdoors. Increasing scientific consensus is that outdoor airflow reduces the risk of COVID-19 transmission compared to indoor spaces. Hosting events outdoors also may make it easier to space staff and members of the public at least 6 feet apart. If unable to host outdoors, consider ways to [increase ventilation and flow](#) of the indoor space to reduce the risk of COVID-19 while indoors.
6. Current evidence is unclear as to the added benefit of temperature checks in addition to symptom checks. We encourage focus on symptom checks as they may screen out individuals with other Covid-19 symptoms besides fever and help reinforce the message to not go out in public if you are not feeling well.
7. Consider a voluntary attendance sheet with names and contact information to assist in contact tracing of any cases linked to a public meeting.

Revised 9-1-2022

Sefanit Mekuria

Sefanit Mekuria, MD, MPH
Deputy Health Officer, Contra Costa County





AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Larry Theis, City Engineer

DATE: September 20, 2022

SUBJECT: Adoption of Resolution (Traffic Order #1) to restrict U-Turns on Four Oaks Lane during School Drop Off and Pick Up Time Periods

RECOMMENDATIONS

Staff recommends the City Council adopt the proposed Resolution (Traffic Order #1) authorizing the U-Turn restrictions on Four Oaks Lane for school drop off and pick up time periods.

BACKGROUND

The Clayton Police Department has been conducting traffic safety enforcement operations around Mt Diablo Elementary School. During their enforcement operations, they have identified a traffic flow issue that causes traffic to back-up during the school congested ingress/egress (drop-off/pick-up) periods.

During the congested ingress/egress (drop-off/pick-up) periods, some of the drivers that turn onto the westbound Four Oaks Lane, from Mt. Zion Drive, stop and make U-Turns to park along the south curb line and walk their children to Mt. Diablo Elementary School. Police officers have observed these U-Turns on Four Oaks Lane are often done without warning and very close to the intersection with Mt. Zion Drive, which causes traffic on Mt. Zion Drive to suddenly stop, thereby causing congestion. Additionally, drivers frequently utilize the private driveways on Four Oaks Lane to make their U-Turns leaving tire marks to the frustration of the property owners. These incidents have resulted in disturbances that have led to a police response. Some residents block their driveways with trash cans and other objects to prevent these actions.

DISCUSSION

The Police Department recommends that additional signage on Four Oaks Lane would address this issue and keep traffic flowing during the congested ingress/egress (drop-off/pick-up) periods. The Police Department recommends adding No U-Turn signs along Four Oaks Lane between Mitchell Canyon Road and Mt. Zion Drive. The proposed No U-Turn signs will

have the same enforcement hours with the nearby turning restriction signs at Four Oaks Lane and Mitchell Canyon Road. The enforcements hours are during school days as follows:

- Mondays, Tuesdays, Thursdays, and Fridays: 7:00 to 8:15 a.m. and 2:00 to 3:00 p.m.
- Wednesdays: 12:05 to 12:50 p.m.

The City Engineering Department has evaluated the proposed restrictions and concurs with the Police Department's recommendations.

FISCAL IMPACT:

If approved by the City Council, direction would be given to public works maintenance staff to procure the signs (estimated six sign locations – see attachment 2). The estimated cost of the panels, posts, and incidental materials is approximately \$2,000 with city provided labor for installation.

Attachments: 1. Resolution (Traffic Order #1) [2 pp.]
 2. Sample Sign Panel

**RESOLUTION NO. ##-2022
TRAFFIC ORDER NO. 1**

**A RESOLUTION AUTHORIZING THE RESTRICTION OF U-TURNS ON FOUR OAKS
LANE**

**THE CITY COUNCIL
City of Clayton, California**

WHEREAS, Clayton Municipal Code Section 10.16.020 provides the authority for the City Engineer to place restricted turn signs whenever a resolution is approved by the City Council;

WHEREAS, the Clayton Police Department has been conducting traffic safety enforcement operations around Mt. Diablo Elementary School and have identified traffic flow issues that causes vehicular traffic to back-up during the congested school ingress/egress (drop-off/pick-up) periods;

WHEREAS, the Clayton Police Department determined and recommended that “No U-Turn” restriction signage along Four Oaks Lane between Mitchell Canyon Road and Mt. Zion Drive would alleviate the issues and keeping traffic flowing during the school congested ingress/egress (drop-off/pick-up) periods;

WHEREAS, the “No U-Turn” restriction signage along Four Oaks Lane will have the same enforcement hours with the nearby turning restriction signs at Four Oaks Lane and Mitchell Canyon Road with the following enforcement hours on school days:

- Mondays, Tuesdays, Thursdays, and Fridays: 8:00 to 8:15 a.m. and 2:00 to 3:00 p.m.
- Wednesdays: 12:05 to 12:50 p.m.; and

WHEREAS, the Principal of Mt. Diablo Elementary school was consulted and concurred with the Clayton Police Department’s recommendations;

WHEREAS, the City Engineer evaluated and concurred with the Clayton Police Department’s recommendations.

NOW THEREFORE, BE IT RESOLVED the City Council of the City of Clayton, California does hereby approve this resolution (Traffic Order No. 1) and authorize the posting of the U-Turn restriction signage along Four Oaks Lane between Mitchell Canyon Road and Mt. Zion Drive with the following enforcement hours on school days:

- Mondays, Tuesdays, Thursdays, and Fridays: 8:00 to 8:15 a.m. and 2:00 to 3:00 p.m.
- Wednesdays: 12:05 to 12:50 p.m.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California, at a regular public meeting thereof held on the 20th day of September 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

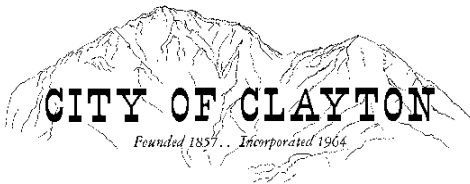
Peter Cloven, Mayor

ATTEST:

Janet Calderon, City Clerk

ATTACHMENT 2 - Proposed No U-Turn Signs on Four Oaks Lane





AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: REINA J. SCHWARTZ, CITY MANAGER

DATE: September 20, 2022

SUBJECT: APPROVE A RESOLUTION AUTHORIZING THE THIRD AMENDMENT TO AN EXISTING AGREEMENT WITH ALLIED WASTE SYSTEMS/REPUBLIC SERVICES, INC. FOR CONTINUED SOLID WASTE AND RECYCLABLE MATERIALS MANAGEMENT SERVICES

RECOMMENDATION

It is recommended that the City Council, by Resolution, amend an existing agreement with Allied Waste Systems/Republic Services, Inc. for continued solid waste and recyclable materials management services and to allow adequate time for negotiations for a possible new or extended agreement.

BACKGROUND

Republic Services, Inc. (Republic) and its prior entities (Allied Services and Pleasant Hill Bayshore Disposal) have been providing solid waste, recycling, and organics services for decades in Clayton. The current Franchise Agreement was extended on August 17, 2011 and is scheduled to expire on December 31, 2022. Republic has already implemented additional organics services to ensure the City is in compliance with SB 1383 which requires all accounts to participate in enhanced organics recycling. The company did not request a rate increase when these services were implemented but is now requesting a 15.9% rate increase to cover these enhanced services and inflationary increases. Finally, should the City wish to maintain services with Republic, it is appropriate to develop a new, modern franchise agreement reflecting current best practices which also ensure legislative compliance.

DISCUSSION

On August 29, 2022, the City Council Garbage and Recycling Ad Hoc Subcommittee consisting of Councilmember Diaz and Vice Mayor Tillman met to discuss the upcoming expiration of the City's franchise agreement with Republic Services and recommended next steps. Because it takes a significant amount of time to evaluate Republic's rate request and develop a new, agreed upon Franchise Agreement, more time is necessary. The Third Amendment to the Agreement proposes the following:

1. A six-month extension of the current Agreement through June 30, 2023, and

Subject: Approve a resolution authorizing the third amendment to an existing agreement with Republic Services, Inc.

Date: September 20, 2022

Page 2 of 2

2. One additional six-month extension if requested by either party and mutually agreed upon by Republic and the City.

All other provisions of the agreement remain in place.

The Ad Hoc Subcommittee reviewed the information presented and supports the recommendation before the City Council to authorize a six-month extension to the existing franchise agreement with Republic Services as well as one additional six-month extension if mutually agreed.

FINANCIAL IMPACT

There are no additional costs to the City associated with this amendment. Garbage and recycling fees charged to Clayton customers of Republic Services will follow the existing pattern of previously agreed to rate increases.

ATTCHMENTS

Attachment 1: Resolution

Attachment 2: Third Amendment to Agreement with Allied Waste Systems, Inc.

RESOLUTION NO. ##-2022

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAYTON
AUTHORIZING THE THIRD AMENDMENT TO AN EXISTING FRANCHISE
AGREEMENT WITH ALLIED WASTE SYSTEMS, INC. FOR SOLID WASTE AND
RECYCLABLE MATERIALS MANAGEMENT SERVICES**

**THE CITY COUNCIL
City of Clayton, California**

WHEREAS, The City and Pleasant Hill Bayshore Disposal, Inc., Collector's predecessor in interest, entered into a Restated and Amended Franchise Agreement, dated July 2, 2002;

WHEREAS, On August 17, 2011, the Second Amendment to the original Agreement was approved by the City Council allowing the agreement to continue until December 31, 2022 with Allied Services and subsequently with Republic Services;

WHEREAS, Republic Services, Inc. has enhanced their organics program to ensure City compliance with SB 1383 which mandates these enhanced services;

WHEREAS, the City of Clayton wishes to attempt to negotiate a new agreement with Republic Services; and

WHEREAS, the City Council Ad Hoc Committee on Garbage and Recycling consisting of Councilmember Diaz and Vice Mayor Tillman reviewed information regarding the upcoming expiration of the City's existing franchise agreement with Republic Services and supports the recommendation to allow for adequate time to evaluate Republic's cost of these enhanced services and to develop a new, modern franchise agreement that reflects current best industry practices and ensures compliance with all current legislative compliance.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Clayton, California, does approve the Third Amendment to the existing agreement with Allied Waste Systems, Inc./Republic Services, Inc. attached as Exhibit A.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Clayton, California, at a regular public meeting thereof held on the 20th day of September 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

THE CITY COUNCIL OF CLAYTON, CA

Peter Cloven, Mayor

ATTEST:

Janet Calderon, City Clerk

AMENDMENT NO. 3 TO AGREEMENT FOR
Solid Waste and Recyclable Materials Management Services
With Allied Waste Systems, Inc.

This Amendment No. 3 is entered into and effective as of the 20th day of September 2022, amending the agreement dated August 17, 2011 (the "Agreement") by and between the City of Clayton, a municipal corporation, ("City"), and Allied Waste Systems, Inc., ("Contractor") (collectively, the "Parties") for Solid Waste and Recyclable Materials Management Services.

1. Section 1 of the Agreement is amended as follows:

The term of the agreement shall expire at midnight on June 30, 2023. The parties may upon mutual agreement, extend the term by not more than one additional six-month period, extending the term to no later than December 31, 2023.

2. All other provisions of the Agreement, as may have been amended from time to time, will remain in full force and effect.

3. The individuals executing this Amendment and the instruments referenced in it on behalf of Contractor each represent and warrant that they have the legal power, right and actual authority to bind Contractor to the terms and conditions of this Agreement.

IN WITNESS WHEREOF, City and Contractor have executed this Agreement on the day and year first written above.

City of Clayton

Allied Waste Systems, Inc.

By:

By:

Peter Cloven
Mayor

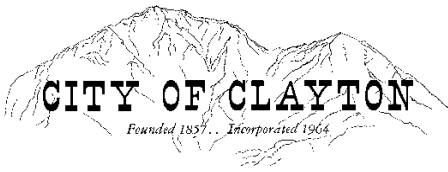
By:

Reina J. Schwartz
City Manager

Attest:

By:

Janet Calderon
City Clerk



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Janet Calderon, City Clerk

DATE: September 20, 2022

SUBJECT: 2022 Conflict of Interest Code

RECOMMENDATION

No action required as no amendments to the Conflict of Interest Code are necessary.

BACKGROUND

The Political Reform Act requires every local government agency to review its conflict of interest code biennially to determine if it is accurate or, alternatively, that the code must be amended. Once the determination has been made, a notice must be submitted to the Code Reviewing Body (City Council) no later than October 1 of even-numbered years.

After reviewing the Conflict of Interest Code, the City Clerk determined no amendments are necessary.

FISCAL IMPACT

None.

Attachments: 1. 2022 Local Biennial Notice
2. Clayton's Conflict of Interest Code

2022 Local Agency Biennial Notice

Name of Agency: _____

Mailing Address: _____

Contact Person: _____ Phone No. _____

Email: _____ Alternate Email: _____

Accurate disclosure is essential to monitor whether officials have conflicts of interest and to help ensure public trust in government. The biennial review examines current programs to ensure that the agency's code includes disclosure by those agency officials who make or participate in making governmental decisions.

This agency has reviewed its conflict of interest code and has determined that *(check one BOX)*:

☐ **An amendment is required. The following amendments are necessary:**

(Check all that apply.)

- ☐ Include new positions
- ☐ Revise disclosure categories
- ☐ Revise the titles of existing positions
- ☐ Delete titles of positions that have been abolished and/or positions that no longer make or participate in making governmental decisions
- ☐ Other *(describe)* _____

☐ **The code is currently under review by the code reviewing body.**

☐ **No amendment is required.** (If your code is over five years old, amendments may be necessary.)

Verification (to be completed if no amendment is required)

This agency's code accurately designates all positions that make or participate in the making of governmental decisions. The disclosure assigned to those positions accurately requires that all investments, business positions, interests in real property, and sources of income that may foreseeably be affected materially by the decisions made by those holding designated positions are reported. The code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer

Date

All agencies must complete and return this notice regardless of how recently your code was approved or amended. Please return this notice no later than **October 3, 2022**, or by the date specified by your agency, if earlier, to:

(PLACE RETURN ADDRESS OF CODE REVIEWING BODY HERE)

PLEASE DO NOT RETURN THIS FORM TO THE FPPC.

CONFLICT OF INTEREST CODE
OF THE
CITY OF CLAYTON

CONFLICT OF INTEREST CODE OF THE CITY OF CLAYTON

(Amended October 20, 2020)

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted 2 Cal. Code of Regs. Section 18730 which contains the terms of a standard conflict of interest code which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, shall constitute the conflict of interest code of the **City of Clayton (the "City")**.

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney and the City Treasurer, may electronically file their annual statements of economic interests directly with the Fair Political Practices Commission. All other officials and designated positions required to submit a statement of economic interests shall file their statements with the **City Clerk** as the City's Filing Officer. The **City Clerk** shall retain the original statements filed by all other officials and designated positions and will make all retained statements available for public inspection and reproduction during regular business hours. (Gov. Code Section 81008.)

All officials and designated positions required to submit a statement of economic interests shall receive ethics training as required pursuant to Government Code section 53235 (AB 1234). The City's Filing Officer shall annually provide all filers with information on training available to meet the requirements of Section 53235, and maintain required records indicating the dates that filers satisfied the training requirements and the entity that provided the training. These records shall be retained for five years after the date of training and are public records subject to disclosure under the California Public Records Act. (Gov. Code § 53235.2.)

APPENDIX
CONFLICT OF INTEREST CODE
OF THE
CITY OF CLAYTON

(Amended October 20, 2020)

PART “A”

The Mayor, Members of the City Council and Planning Commission, the City Manager, the City Attorney, the City Treasurer, and All Other City Officials who manage public investments, as defined by 2 Cal. Code of Regs. §18700.3, are NOT subject to the City’s Code but must file disclosure statements under Government Code Section 87200 et seq. [Regs. § 18730(b)(3)]

OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

It has been determined that the positions listed below are Other City Officials who manage public investments¹. These positions are listed here for informational purposes only.

Finance Director

Financial Consultant

¹ Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

DESIGNATED POSITIONS

GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
--	---

Assistant City Attorney	1, 2
Assistant Planner	1, 2
Assistant to the City Manager	2, 3, 4
Chief of Police	5
City Clerk	5
City Engineer	1, 2
Community Development Director	1, 2
Maintenance Supervisor	5
Office Assistant/Code Enforcement Officer	6
Police Administrative Clerk	6
Police Sergeant	5
Successor Agency Special Legal Counsel	1, 2

BOARDS & COMMISSIONS

Oversight Board of Successor Agency	1, 2
Successor Agency	1, 2

DESIGNATED POSITIONS'
TITLE OR FUNCTION

DISCLOSURE CATEGORIES
ASSIGNED

Consultants and New Positions²

² Individuals serving as a consultant as defined in FPPC Reg 18700.3 or in a new position created since this Code was last approved that makes or participates in making decisions must file under the broadest disclosure set forth in this Code subject to the following limitation:

The City Manager may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The City Manager's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

PART "B"

DISCLOSURE CATEGORIES

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.³ "Investment" means financial interest in any business entity (including a consulting business or other independent contracting business) and are reportable if they are either located in, doing business in, planning to do business in, or have done business during the previous two years in the jurisdiction of the City.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that do business or own real property within the jurisdiction of the City.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the boundaries of the City, including any leasehold, beneficial or ownership interest or option to acquire property.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of the City.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the City.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated employee's department, unit or division.

³ This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions of the position. (Reg. 18730.1)

declaring

September

as

"Library Card Sign-up Month"

Whereas, libraries and librarians play a crucial role in the education and development of children; and

Whereas, librarians are literacy experts, offering everything from preschool storytime to summer reading programs that sustain school-year learning; and

Whereas, libraries provide a learning environment that fosters joyful exploration, encouraging students to research subjects that they are genuinely curious about; and

Whereas, librarians create welcoming and inclusive spaces for people of all backgrounds to learn together and engage with one another; and

Whereas, librarians provide a variety of books and resources to serve everyone in the community, making knowledge and ideas available so that people have the freedom to choose what to read; and

Whereas, a library card empowers all people to pursue their dreams, explore new passions and interests, and find their voice; and

Whereas, libraries are constantly transforming to deliver new services that connect closely with community needs, even during a pandemic.

Now, Therefore, I, Peter Cloven, Mayor, and on behalf of the entire Clayton City Council, proclaim September, as "Library Card Sign-up Month" in Clayton, CA and encourage everyone to sign up for their own library card today.

HAYDEN BERRY
for
"Doing the Right Thing"
at
Mt. Diablo Elementary School
by exemplifying great "Inclusion"
May, June, and July 2022

RAYMOND ALATINI
for
"Doing the Right Thing"
at
Diablo View Middle School
by exemplifying great "Inclusion"
May, June, and July 2022

TRINITY CHAMPATHONG

for

"Doing the Right Thing"

at

Diablo View Middle School

by exemplifying great "Inclusion"

May, June, and July 2022

AVA FERRATT
for
"Doing the Right Thing"
at
Diablo View Middle School
by exemplifying great "Inclusion"
May, June, and July 2022

ALEXIS SCHMIDT
for
"Doing the Right Thing"
at
Diablo View Middle School
by exemplifying great "Inclusion"
May, June, and July 2022

GIGI LIMA
for
"Doing the Right Thing"
at
Mt. Diablo Elementary School
by exemplifying great "Courage"
August 2022

SOPHIE STRUEMPF
for
"Doing the Right Thing"
at
Diablo View Middle School
by exemplifying great "Courage"
August 2022



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Larry Theis, P.E., City Engineer

DATE: September 20, 2022

SUBJECT: Public Hearing on Proposed Community Facilities District No. 2022-01 (Public Services) - Approve the Resolution of Formation, Resolution Calling Election, Resolution Declaring Results of Election, and First Reading of the Ordinance

RECOMMENDATION

Staff recommends that the City Council:

1. Conduct the public hearing
2. Adopt the Resolution Establishing Community Facilities District No. 2022-01 (Public Services) and Designating a Future Annexation Area
3. Adopt the Resolution Calling Special Landowner Election
4. Conduct the Special Landowner Election
5. Adopt the Resolution Declaring the Results of Special Landowner Election
6. Introduce an Ordinance Authorizing the Levying of Special Taxes

BACKGROUND

On February 2, 2021, the City of Clayton (the “City”) City Council (the “Council”) approved Resolution No. 05-2021, *A Resolution Approving the Development Plan (DP-01-20); the Vesting Tentative Parcel Map (Map-01-2020); and the Tree Removal Permit (TRP-09-2020) for the Diablo Meadows Single Family Residential Project* (the “Resolution”). The Resolution also approved the conditions of approval for the Diablo Meadows project (the “Project”), an eighteen (18) single family residential development located west of Mitchell Canyon Road and northwest of Herriman Court.

As a condition of the Project, DeNova Homes (the “Developer”) was conditioned to establish a Homeowner’s Association (“HOA”) for the purpose of funding and maintaining all public and private landscaping and stormwater facilities on or adjacent to the development. In addition, the Developer was conditioned to provide a funding mechanism to offset the Project’s financial impacts on the City’s streetlight system and to fund the stormwater improvements, should the HOA fail to maintain the stormwater improvements at a level that meets City standards.

The Developer requested the City assist with the formation of Community Facilities District No. 2022-01 (Public Services) ("CFD No. 2022-01") to satisfy these conditions. CFD No. 2022-01 will fund authorized services as described in the attached Resolution of Formation, Exhibit "A" (Authorized Services), which generally includes maintenance of City streetlights, maintenance, inspection, and replacement of stormwater facilities, and any costs associated with administering CFD No. 2022-01.

The boundaries of CFD No. 2022-01 include only the Project area, which encompasses Assessor Parcel Numbers 121-090-023 through 046, as shown on the Boundary Map within the Community Facilities District Report. The Boundary Map also identifies a future annexation area, which is contiguous with City limits. The future annexation area facilitates the annexation of future developments within the City into CFD No. 2022-01, with City Council approval and the unanimous approval of the applicable property owner(s), to offset the financial impact for each respective development.

The formation of CFD No. 2022-01 and approval of the future annexation area does not authorize the CFD to levy a special tax within the future annexation area at this time. The landowners or registered voters within such future annexation area will have the opportunity to review the special taxes applicable to their property, and vote to approve the annexation at some time in the future that the City considers annexing such property into the CFD. Upon completion of such annexation, the special tax will only be authorized to be levied within CFD No. 2022-01, and any portion of the future annexation area that has completed annexation procedures to annex into the CFD.

The City received a signed petition from the Developer requesting the establishment of CFD No. 2022-01. The City Council then adopted a Resolution of Intention to Establish CFD No. 2022-01 on August 16, 2022. Following the August 16, 2022 Council Meeting, election materials were sent to the property owner of the project, the City Clerk recorded the Boundary Map, a Community Facilities District Report was filed with the City Clerk, and the City Clerk published a Notice of Public Hearing in the local newspaper at least seven days prior to the hearing date.

Tonight, the City Council is being asked to hold a Public Hearing, adopt the Resolution of Formation of the CFD, adopt the Resolution Calling a Special Landowner Election for the CFD, asking the City Clerk to conduct the election, adopt a Resolution Declaring the Results of the Special Landowner Election, and if the ballot cast is in favor of forming the CFD, then Council is asked to direct the recording of the Notice of Special Tax Lien, and introduce the Ordinance to Levy Special Taxes within the CFD.

Following the completion of the above referenced actions tonight, a summary of the remaining steps to form the CFD are as follows:

September 2022	City Clerk files the Notice of Special Tax Lien with the County Recorder's Office (must be completed within 15 days of the adoption of the Resolution Confirming Results of Election and directing the recordation of the Notice of Special Tax Lien)
October 4, 2022	Second Reading of Ordinance Levying Special Tax within CFD
October 2022	Publication of Ordinance (within 15 days after its passage)

FISCAL IMPACT

There will be no financial impact on the City's General Fund. The Developer for the Project pays all costs associated with the formation of CFD No. 2022-01. The proposed annual maximum special tax rate for CFD No. 2022-01, in Fiscal Year 2022/23 dollars, is \$951.71 per home. However, \$603.28 of the maximum special tax corresponds to the maintenance of the Project stormwater improvements, and is not anticipated to be levied unless the HOA fails to maintain the improvements to City standards. The eighteen (18) homes within the Project area are the only parcels subject to the special tax upon formation of CFD No. 2022-01. As specified in the Resolution of Formation Exhibit B (Rate and Method of Apportionment), the annual maximum special tax shall be increased annually by applying the greater of the percentage increase, if any, in the Consumer Price Index for the San Francisco-Oakland-Hayward, CA (All Urban Consumers) for the prior year, or 3%, to the maximum special tax in effect for the prior fiscal year. Each annual adjustment of maximum special tax shall become effective on the subsequent July 1.

CONCLUSION

Staff recommends the City Council hold the public hearing, conduct the special landowner election, and approve the referenced resolutions and ordinance.

ATTACHMENTS

1. Community Facilities District Report
2. Resolution of Formation
 - a. Exhibit A – Authorized Services
 - b. Exhibit B – Rate and Method of Apportionment
3. Resolution Calling Election
4. Resolution Declaring Results of Election
5. Ordinance Authorizing the Levying of Special Taxes

**City of Clayton
Community Facilities District No. 2022-01
(Public Services)**

COMMUNITY FACILITIES DISTRICT REPORT

CONTENTS

Introduction

- A. Authorized Services
- B. Proposed Boundaries of the Community Facilities District
- C. Cost Estimate
- D. Rate and Method of Apportionment of Special Tax

* * * * *

EXHIBIT A - Authorized Services

EXHIBIT B - Proposed Boundaries of the Community Facilities District

EXHIBIT C - Cost Estimate

EXHIBIT D - Rate and Method of Apportionment of Special Tax

**City of Clayton
Community Facilities District No. 2022-01
(Public Services)**

INTRODUCTION

On August 16, 2022, the City Council of the City of Clayton (the "City") adopted a "Resolution of the City Council of the City of Clayton of Intention to Establish a Community Facilities District" (the "Resolution of Intention"), stating its intention to form the City of Clayton Community Facilities District No. 2022-01 (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982, Sections 53311 et. seq., California Government Code (the "Act") to finance certain municipal services (the "Services") by levying special taxes (the "Special Taxes") in the CFD.

In the Resolution of Intention, the City Council expressly ordered the preparation of a written report (the "Report"), for the CFD containing the following:

1. A description of the Authorized Services by type which will be required to adequately meet the needs of the CFD;
2. A description of the Boundaries of the CFD which also included a "Future Annexation Area"; and
3. An estimate of the fair and reasonable cost of the Services included therewith.

For particulars, reference is made to the Resolution of Intention for the CFD, as previously approved and adopted by the City Council.

NOW, THEREFORE, the undersigned does hereby submit the following data:

A. DESCRIPTION OF SERVICES. A general description of the proposed services is set forth in Exhibit "A" attached hereto and hereby made a part hereof.

B. PROPOSED BOUNDARIES OF THE COMMUNITY FACILITIES DISTRICT. The proposed boundaries of the CFD are those properties and parcels in which special taxes may be levied to pay for the costs and expenses of the Services. The proposed boundaries of the CFD are described on the map of the CFD on file with the City Council, to which reference is hereby made.

Parcels within the Future Annexation Area shall be annexed to the CFD only with the unanimous approval of the property owner(s) of each parcel or parcels at the time that parcel or those parcels are annexed.

A reduced copy of the proposed boundaries of the CFD is set forth in Exhibit "B" attached hereto and hereby made a part hereof.

C. COST ESTIMATE. The cost estimate for the Services for the CFD is set forth in Exhibit "C" attached hereto and hereby made a part hereof.

D. RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX. The method of financing the Services is through the imposition and levy of a special tax to be apportioned on the properties in the CFD under the rate and method of apportionment of special tax for the CFD (the "Rate and Method"). The proposed Rate and Method was attached as Exhibit "B" to the Resolution of Intention and is attached hereto as Exhibit "D".

Dated as of September ____, 2022

For and on behalf of the Public Works
Director/City Engineer of the City of Clayton

By: _____

EXHIBIT A

CITY OF CLAYTON Community Facilities District No. 2022-01 (Public Services)

Authorized Services

The captioned Community Facilities District (the "CFD") will finance, in whole or in part, the following services ("services" shall have the meaning given to that term in the Mello-Roos Community Facilities Act of 1982), including all related direct, incidental, and administrative costs, expenses and the related reserves for replacement of equipment and facilities related to the foregoing:

- Annual operation, maintenance, and servicing, including repair and replacement, of all public storm drain and stormwater treatment facilities and improvements, including but not limited to detention and bio-retention basins and associated facilities, field inspections, record keeping, cost of permits and regulatory fees, environmental mitigation monitoring, annual reporting, vegetation management, removal of silt, sediment, trash and debris, etc. from treatment areas, drainage areas, detention and bio-retention basins, and City catch basins and outfall structures, and other associated services which are needed to operate, maintain and service, including repair and replacement, of the storm drain and storm water treatment facilities.
- Annual operation, maintenance, and servicing, including repair and replacement, of the City's streetlight system within the public right-of-way and public easements within the boundaries of the City, including streetlights mounted on PG&E and City-owned poles (wood, metal, or concrete), and appurtenant facilities which may include but not be limited to poles, fixtures, bulbs, conduits, equipment, including guys, anchors, posts, pedestals, and metering devices. Maintenance also includes the cleaning and removal of graffiti, and associated electric and utility costs.

If the City and a Property Owner's Association or a Homeowner's Association (collectively, "Owner's Association") enter into an agreement to allow the Owner's Association to provide Authorized Services, such services shall be defined as Contingent Services for the purposes of the CFD. Contingent Services shall be provided by the Owner's Association, unless such Owner's Association fails to maintain improvements or provides services at a level that meets City standards.

Any services to be funded by the CFD must be in addition to those provided in the territory of the CFD before the date of creation of the CFD, and may not supplant services already available within that territory when the CFD was created but may be used to fund services resulting from the additional impacts on existing improvements resulting from said development. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof.

Administrative Expenses:

The direct and indirect expenses incurred by the City in connection with the establishment and administration of the CFD (including, but not limited to, the levy and collection of the special taxes)

including the fees and expenses of attorneys, special tax consultants, or advisors, any fees of the County related to CFD or the collection of Special Taxes, an allocable share of the salaries of City staff directly related to the formation and administration of CFD and a proportionate amount of the City's general administrative overhead related thereto, any amounts paid by the City from its general fund or otherwise with respect to CFD for the Authorized Services, any amounts required to fund or replenish operating and capital reserves, expenses incurred by the City in undertaking any action to foreclose on properties for which the payment of Special Taxes is delinquent, any amounts necessary to maintain a reserve required by CFD for the payment of Authorized Services, and all other costs and expenses of the City in any way related to CFD.

EXHIBIT B

CITY OF CLAYTON Community Facilities District No. 2022-01 (Public Services)

PROPOSED BOUNDARIES OF THE COMMUNITY FACILITIES DISTRICT

Reference is hereby made to the map on file in the office of the Clerk of the Council for a description of the boundaries of the CFD and future annexation area. A reduced copy of the recorded Boundary Map for Community Facilities District No. 2022-01 is included on the following pages.

EXHIBIT C

CITY OF CLAYTON Community Facilities District No. 2022-01 (Public Services)

Cost Estimate

Description of Authorized Services	FY 2022-23 Cost Estimate
<u>Special Tax A</u>	
Street Light Maintenance	\$563
Contingency (10%)	<u>\$56</u>
<i>Maintenance Subtotal</i>	<i>\$619</i>
Annual Capital Replacement Reserve Accumulation (25%)	\$155
City Administration ¹	\$2,499
District Administration ²	\$3,000
<i>Special Tax A Total Cost Estimate</i>	<i>\$6,273</i>
<u>Special Tax B (Contingent Services)</u>	
Landscape (Bio Retention/Landscape Repairs/Supplies) ³	\$2,320
Utilities (Water/Electricity)	\$3,977
Inspections (Maintenance/Stormwater)	\$1,600
Contingency	<u>\$790</u>
<i>Maintenance Subtotal</i>	<i>\$8,687</i>
Annual Capital Replacement Reserve Accumulation (25%)	\$2,172
<i>Special Tax B (Contingency Services) Total Cost Estimate</i>	<i>\$10,859</i>
Total Cost Estimate for Special Tax A and B	\$17,132

Notes:

¹ Includes City staff time and costs related to any overhead cost allocation.

² Includes costs to calculate annual special taxes, County collection fees, and costs to prepare annual reporting requirements.

³ Landscape costs related to the Common Area maintenance are not included.

EXHIBIT D

CITY OF CLAYTON Community Facilities District No. 2022-01 (Public Services)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax as defined below applicable to each Assessor's Parcel in the City of Clayton Community Facilities District No. 2022-01 (Public Services) (herein "CFD No. 2022-01" or "CFD") shall be levied and collected according to the tax liability determined by the City Council of the City of Clayton, acting in its capacity as the legislative body of CFD No. 2022-01, or its designee, through the application of this Rate and Method of Apportionment of Special Tax. All the Assessor's Parcels located within the boundaries of CFD No. 2022-01, unless exempted by Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to CFD No. 2022-01.

A. DEFINITIONS

When applying this Rate and Method of Apportionment of Special Tax the terms set forth below have the following meanings:

"Accessory Unit" means a second unit of reduced size (e.g., granny cottage, etc.) that is following the construction of the primary unit on Residential Property. An Accessory unit shall not be considered a separate unit from the primary unit for purposes of this RMA and will not be levied a Special Tax if on the same Parcel as a unit subject to the Special Tax.

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final map, parcel map, condominium plan, record of survey, or another recorded County Parcel map. In the absence of such map, the Administrator will make the final "Acre" or "Acreage" determination as needed, utilizing, in the Administrator's discretion, available resources, including but not limited to available spatial and Geographic Information Systems (GIS) data.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 (commencing with Section 53311), of Division 2, of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the direct and indirect expenses incurred by the CFD or the City in connection with the establishment and administration of CFD No. 2022-01 (including, but not limited to, the levy and collection of the Special Taxes) including the fees and expenses of attorneys, special tax consultants, or advisors, any fees of the County related to CFD No. 2022-01 or the collection of Special Taxes, an

allocable share of the salaries of City staff directly related to the formation and administration of CFD No. 2022-01 and a proportionate amount of the City's general administrative overhead related thereto, any amounts paid by the City from its general fund or otherwise with respect to CFD No. 2022-01 for the Authorized Services, expenses incurred by the City in undertaking any action to foreclose on properties for which the payment of Special Taxes is delinquent, any amounts necessary to maintain a reserve required by CFD No. 2022-01 for the payment of Authorized Services, and all other costs and expenses of the City in any way related to CFD No. 2022-01.

"Administrator" means an official of the City, or any designee thereof such a person or firm, to administer the Special Taxes according to this RMA.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown on an Assessor's Parcel map with an assigned Assessor's Parcel number.

"Authorized Services" means the services authorized to be funded by CFD No. 2022-01, as provided in the CFD formation documents adopted by the City Council.

"Building Permit" means a permit issued by the City or other governmental agency for the construction of a building with an improvement valuation over \$50,000. Building Permits for the construction of ancillary structures such as fences, swimming pools, retaining walls, etc. are excluded.

"CFD No. 2022-01" or "CFD" means the City of Clayton Community Facilities District No. 2022-01 (Public Services).

"City" means the City of Clayton.

"City Council" or "Council" means the City Council of the City of Clayton, acting as the legislative body of CFD No. 2022-01.

"Contingent Services" means those Authorized Services to be funded by CFD No. 2022-01 as set forth in the documents adopted by the City Council at the time the CFD was formed and to be provided by the City in the event the City decides pursuant to Section D that a Property Owner Association fails to adequately provide such services.

"County" means the County of Contra Costa.

"Developed Property" means, in any Fiscal Year, all Parcels of Taxable Property where a Building Permit was issued on or before April 30 of the Fiscal Year preceding the Fiscal Year for which the Special taxes are being levied. Once a property is classified as Developed Property, it cannot be reclassified in subsequent years.

"Dwelling Unit" means one residential unit of any configuration, including but not limited to, a single family attached or detached dwelling, condominium, townhome, apartment, or other residential Dwelling Unit, including each separate living area within a half plex, duplex, triplex, fourplex, other residential structure, or mobile home. An Accessory Unit

shall not be determined to be a Taxable Dwelling Unit for purposes of this RMA and will not be levied a Special Tax if on the same Parcel as a unit subject to the Special Tax

“Fiscal Year” means the period starting on July 1 and ending on the following June 30.

“Land Use Class” means the current or intended use of a Taxable Parcel listed in Table 1, as may be determined by the Taxable Parcel’s County Land Use Code.

“Maximum Special Tax” means the greatest amount of Special Tax that can be levied on an Assessor’s Parcel in CFD No. 2022-01 in any Fiscal Year, determined in accordance with Section C below.

“Property Owner” or “Homeowner” means the owner of fee title to an Assessor’s Parcel.

“Property Owner Association” or “Homeowner’s Association” (“HOA”) means the property owner’s association or homeowner’s association established to perform certain services within the boundaries of the CFD.

“Property Owner Association Property” or “Homeowner’s Association (“HOA”) Property” means for each Fiscal Year, any Assessor’s Parcel within the boundaries of the CFD that is owned by or irrevocably offered for dedication to a Property Owner Association or HOA, including any master or sub-association.

“Proportionately” means for Developed Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax for each Tax Zone is equal for all Assessor’s Parcels of Developed Property.

“Public Property” means for each Fiscal Year, (i) any property within the boundaries of the CFD that is owned by or irrevocably offered for dedication to the federal government, the State of California, the County, or other governmental agency; provided however, that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1(a) of the Act, as such section may be amended or replaced, shall be taxed and classified in accordance with its use; or (ii) any property within the boundaries of the CFD that is encumbered by an unmanned utility easement making impractical its utilization for other than the purposes set forth in the easement.

“Rate and Method of Apportionment” or “RMA” means this Rate and Method of Apportionment of Special Tax for CFD No. 2022-01.

“Residential Property” means all Assessor’s Parcels of Developed Property for which a Building Permit has been issued by the City for purposes of constructing one (1) or more residential Dwelling Units.

“Section 53340.1(a)” means Section 53340.1(a) of the Act.

“Special Tax” or “Special Taxes” means a special tax levied in any Fiscal Year to pay the Special Tax Requirement for each Special Tax Component. The Special Tax consists of two parts, Special Tax A and Special Tax B.

“Special Tax A” – means the Special Tax to be levied in each Fiscal Year to fund the Special Tax Requirement for Authorized Services, excluding Contingent Services.

“Special Tax B (Contingent)” – means the Special Tax to be levied in each Fiscal Year to fund the Special Tax Requirement for Contingent Services.

“Special Tax Component” means one of the following Special Taxes: Special Tax A or Special Tax B (Contingent).

“Special Tax Requirement” means for each Special Tax Component, the amount necessary in any Fiscal Year to (i) pay for Authorized Services, including Contingent Services if needed, (ii) pay the Administrative Expenses, (iii) cure any delinquencies in the payment of Special Taxes levied in prior Fiscal Years (based on delinquencies in the payment of Special Taxes which have already taken place) or are expected to occur in the current Fiscal Year, and (iv) to create or replenish reserve funds for Administrative Expenses, or future Authorized Services including capital replacements.

“Taxable Property” means all the Assessor’s Parcels within CFD No. 2022-01 which are not exempt from the Special Tax pursuant to law or Section E.

“Tax-Exempt Property” means all the Assessor’s Parcels not subject to the CFD Special Tax pursuant to Section E.

“Tax Zone” means a mutually exclusive geographic area within which the Special Tax may be levied pursuant to this RMA. All property within CFD No. 2022-01 at the time of CFD formation is within Tax Zone 1. Additional Tax Zones may be created when property is annexed to CFD No. 2022-01, and a separate Maximum Special Tax and Rate and Method of Apportionment of Special Tax may be identified for property within the new Tax Zone at the time of such annexation. The Assessor’s Parcels included within a new Tax Zone established when such Parcels are annexed to CFD No. 2022-01 shall be identified by Assessor’s Parcel Number in a Unanimous Approval Form that is to be executed and notarized by the owner(s) of the Parcels at the time of annexation.

“Unanimous Approval Form” means a form provided by the Administrator that is executed by the owner of fee title to a Parcel or Parcels to be annexed into CFD No. 2022-01 that constitutes the Property Owner’s approval and unanimous vote in favor of annexing into CFD No. 2022-01, and the levy of the Special Tax against the Parcel or Parcels being annexed pursuant to the RMA and which identifies any Tax Zone applicable to the Parcel or Parcels that are being annexed.

“Undeveloped Property” means, for each Fiscal Year, all Taxable Property not classified as Developed Property.

B. DATA COLLECTION FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall identify the current Assessor's Parcel numbers for all Parcels of Developed Property and Undeveloped Property within CFD No. 2022-01 and the applicable Tax Zone for each Parcel of Taxable Property. The Administrator shall also determine: (i) the Land Use of each Assessor's Parcel of Developed Property, (ii) the number of Dwelling Units on each Parcel of Residential Property, and (iv) the Special Tax Requirement for each Special Tax Component.

In any Fiscal Year, if it is determined that (i) a parcel map for a portion of property in CFD No. 2022-01 was recorded after January 1 of the prior Fiscal Year, (ii) because of the date the parcel map was recorded, the Assessor does not yet recognize the new Parcels created by the parcel map, and (iii) one or more of the newly-created Parcels meets the definition of Developed Property, the Administrator shall calculate the Special Tax for the property affected by recordation of the parcel map by determining the Special Tax that applies separately to each newly-created Parcel, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the parcel map.

C. MAXIMUM SPECIAL TAXES

1. Maximum Special Taxes

The Maximum Special Taxes for Fiscal Year 2022-23 for a Parcel of Developed Property shall be determined by reference to Table 1 below:

Table 1

Land Use	Special Tax Component	Maximum Special Tax
Residential Property	Special Tax A ¹	\$348.52 per Dwelling Unit
Residential Property	Special Tax B (Contingent Services) ²	\$603.21 per Dwelling Unit
Residential Property Subtotal	Special Tax A and B	\$951.73 per Dwelling Unit

¹ Special Tax A is intended to annually fund Authorized Services, excluding Contingent Services.

² Special Tax B is intended to fund Contingent Services, if needed. Contingent Services are those Authorized Services that the HOA is responsible for maintaining. The City shall not levy Special Tax B to pay for Contingent Services if HOA maintains the Contingent Services to City standards. Should the City determine the HOA has failed to maintain the Contingent Services to City standards, then Special Tax B will be levied to provide funding for the Contingent Services.

No Special Tax shall be levied on Undeveloped Property.

2. Maximum Special Tax Increases

On July 1, 2023, and each July 1 thereafter, the Maximum Special Tax rates shall be increased by a percentage equal to the greater of (a) the percentage increase, if any, in the prior calendar year's annual change in the Consumer Price Index for All Urban Consumers for the Bay Area: San Francisco-Oakland-Hayward, and (b) three percent (3%). In the event the Consumer Price Index for all Urban Consumers for the Bay Area: San Francisco-Oakland-San Jose ceases to be published, the Maximum Special Tax may

be increased based on a comparable index as determined by Administrator at the Administrator's discretion.

D. METHOD OF LEVY AND COLLECTION OF SPECIAL TAXES

The Special Taxes shall be levied annually each Fiscal Year according to the methodology below.

The Special Tax consists of two components: Special Tax A and Special Tax B (Contingent), and shall be levied commencing with the 2022-23 Fiscal Year, on each Parcel of Developed Property Proportionately as needed to satisfy the Special Tax Requirement for each Special Tax Component for the applicable Fiscal Year at up to the Maximum Special Tax for each Developed Property.

The Special Tax A is intended to be levied annually to fund Authorized Services, excluding Contingent Services. The Special Tax B (Contingent) is not intended to be levied annually but shall be levied in the event the City in its sole discretion determines that the HOA has defaulted in its obligation to provide the Contingent Services. A default of the HOA may be deemed to have occurred under each of the following circumstances, without exclusion of other circumstances in the City's sole discretion:

- The HOA files for bankruptcy;
- The HOA is dissolved;
- The HOA fails to provide Contingent Services at the same level as the City provides similar services and maintains similar improvements throughout the City. If the HOA fails to provide Contingent Services, the City shall provide written notice to the HOA, and the HOA shall have thirty (30) days after written notice from the City, or such longer period as may be permitted by the City, to remedy the deficiency to the reasonable satisfaction of the City.

The Special Taxes for CFD No. 2022-01 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that the City may directly bill owners of Taxable Property and may collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of the CFD.

E. EXEMPTIONS

Special Taxes shall not be levied on Public Property unless there is a leasehold interest of the character described by Section 53340.1(a). In addition, Tax-Exempt property shall also include but not be limited to Parcels categorized as Undeveloped Property, Property Owner Association Property, Restricted Property, Parcels that receive a welfare exemption as described by Section 53340(c) of the Government Code, privately owned Parcels that are non-developable, such as common areas, wetlands, open space, remainder Parcels, Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement.

F. INTERPRETATION OF SPECIAL TAX FORMULA

The Council reserves the right to make administrative and technical changes to this document that do not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the Council's discretion. Interpretations may be made by the Administrator or by resolution of the Council for purposes of clarifying any vagueness or ambiguity in this RMA.

G. TERM OF THE SPECIAL TAX

The Special Tax shall be levied indefinitely as necessary to pay the Special Tax Requirement for each Special Tax Component at up to the Maximum Special Tax for each Developed Property.

H. APPEAL OF SPECIAL TAX LEVY

The Administrator may establish such procedures, as it deems necessary to undertake the review of any such appeal. The Administrator shall interpret this Rate and Method of Apportionment and make determinations relative to the annual administration of the Special Tax and any Property Owner appeals, as herein specified. Any Property Owner who believes that the amount of the Special Tax levied on their Assessor's Parcel is in error shall first consult with the Administrator regarding such error. If following such consultation, the Administrator determines that an error has occurred; the Administrator in consultation with the City Engineer shall take any of the following actions to correct the error:

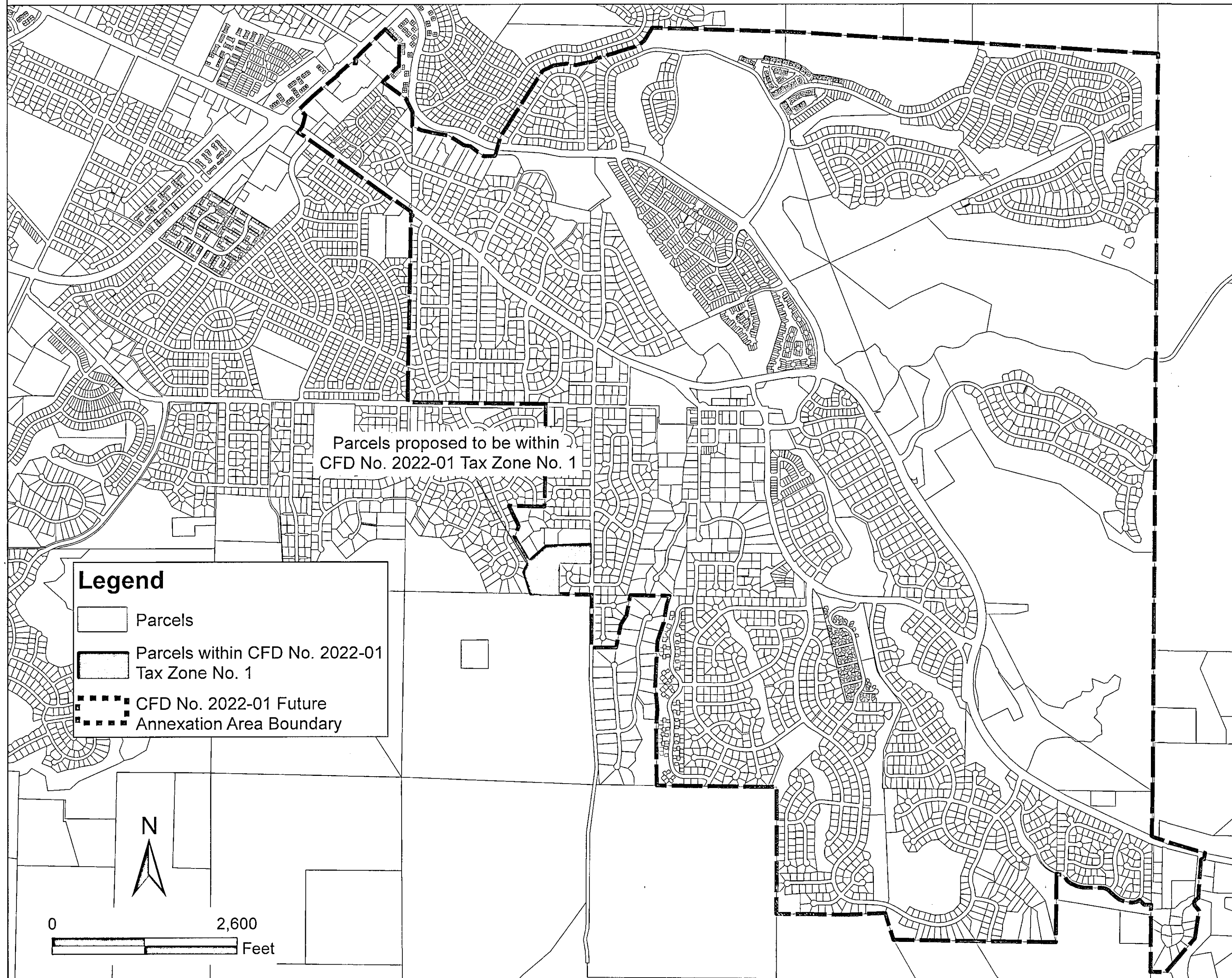
Amend the Special Tax levy on the Property Owner's property tax bill for the current Fiscal Year, or

Have the CFD reimburse the Property Owner for the amount of overpayment for the current Fiscal Year if CFD funds are available, or

Grant a credit against, eliminate, or reduce the future Special Taxes on the Property Owner's Assessor's Parcel(s) for overpayment for the current Fiscal Year.

If following such consultation and action (if any by the Administrator), the Property Owner believes such error still exists, such person may file a written notice with the City Engineer appealing the amount of the Special Tax levied on such Assessor's Parcel. If following such consultation and action (if any by the City Engineer), the Property Owner believes such error still exists, such person may file a written notice with the City Council appealing the amount of the Special Tax levied on such Assessor's Parcel. If the City Council determines an error exists; the Administrator shall take any actions as described above, to correct the error. The decision of the City Council shall be final and binding to all persons.

PROPOSED BOUNDARY MAP
CITY OF CLAYTON
COMMUNITY FACILITIES DISTRICT No. 2022-01
(PUBLIC SERVICES)
CITY OF CLAYTON
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



FILED IN THE OFFICE OF THE CITY CLERK OF THE CITY OF CLAYTON THIS
24th DAY OF August, 2022.

Janet Calderon
JANET CALDERON, CITY CLERK
CITY OF CLAYTON
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED
BOUNDARIES OF CITY OF CLAYTON COMMUNITY FACILITIES DISTRICT
NO. 2022-01, CITY OF CLAYTON, COUNTY OF CONTRA COSTA, STATE
OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE
CITY OF CLAYTON, AT A REGULAR MEETING THEREOF, HELD ON
THE 16th DAY OF August, 2022, BY ITS RESOLUTION
NO. 60-2022.

Janet Calderon
JANET CALDERON, CITY CLERK
CITY OF CLAYTON
CONTRA COSTA COUNTY
STATE OF CALIFORNIA

FILED THIS 26 DAY OF August, 2022, AT THE HOUR
OF 13:31 P.M. IN BOOK 90 OF MAPS OF ASSESSMENT
AND COMMUNITY FACILITIES DISTRICTS AT PAGE 8-9, DOCUMENT
NO. 2022-0132323 IN THE OFFICE OF THE COUNTY RECORDER
IN CONTRA COSTA COUNTY, STATE OF CALIFORNIA.

Deborah Cooper by: C. Preston
COUNTY RECORDER
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA

ASSESSOR PARCELS WITHIN BOUNDARY: FOR PARTICULARS OF
LINES AND DIMENSIONS OF PARCELS, REFERENCE IS MADE
TO THE ASSESSOR PARCEL MAPS OF CONTRA COSTA COUNTY.

8/26/2022 13:31 pm BK 90 Pg 8

PROPOSED BOUNDARY MAP
CITY OF CLAYTON
COMMUNITY FACILITIES DISTRICT No. 2022-01
(PUBLIC SERVICES)
CITY OF CLAYTON
COUNTY OF CONTRA COSTA
STATE OF CALIFORNIA



**RECORDING REQUESTED BY AND
AFTER RECORDATION RETURN TO:**

City Clerk
City of Clayton
City Hall
6000 Heritage Trail
Clayton, CA 94517

NOTICE OF SPECIAL TAX LIEN

**CITY OF CLAYTON
Community Facilities District No. 2022-01
(Public Services)**

Pursuant to the requirements of Section 3114.5 of the Streets and Highways Code of California and the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"), the undersigned City Clerk of the City of Clayton, County of Contra Costa, State of California, hereby gives notice that a lien to secure payment of a special tax is hereby imposed by the City Council of the City of Clayton. The special tax secured by this lien is authorized to be levied for the purpose of providing all or a portion of the public services described on Exhibit A attached hereto and hereby made a part hereof.

The special tax is authorized to be levied within "City of Clayton Community Facilities District No. 2022-01 (Public Services)" (the "CFD") which has now been officially formed and the lien of the special tax is a continuing lien which shall secure each annual levy of the special tax and which shall continue in force and effect until the special tax obligation is prepaid, permanently satisfied, and canceled in accordance with law or until the special tax ceases to be levied and a notice of cessation of special tax is recorded in accordance with section 53330.5 of the Government Code.

The rate, method of apportionment, and manner of collection of the authorized special tax is as set forth in Exhibit B attached hereto and hereby made a part hereof. Conditions under which the obligation to pay the special tax may be prepaid and permanently satisfied and the lien of the special tax canceled are: None.

Notice is further given that upon the recording of this notice in the office of the County Recorder of the County of Contra Costa, the obligation to pay the special tax levy shall become

a lien upon all nonexempt real property within the CFD in accordance with Section 3115.5 of the Streets and Highways Code of California.

The name(s) of the owner(s) and the assessor's tax parcel numbers of the real property included within the area of the CFD and not exempt from the special tax are as set forth in Exhibit C attached hereto and hereby made a part hereof.

Reference is made to the boundary map of the CFD recorded in the Contra Costa County Recorder's Office on August 26, 2022, at 1:31 a.m., in Book 90 of Maps of Assessment and Community Facilities Districts at Pages 8-9, which is now the final boundary map of the CFD.

For further information concerning the current and estimated future tax liability of owners or purchasers of real property subject to this special tax lien, interested persons should contact the Public Works Director/City Engineer of the City of Clayton, City Hall, 6000 Heritage Trail, Clayton, California 94517, telephone number (925) 673-7300.

Dated: As of September 20, 2022

By: _____
City Clerk,
City of Clayton

EXHIBIT A

CITY OF CLAYTON Community Facilities District No. 2022-01 (Public Services)

Authorized Services

The captioned Community Facilities District (the "CFD") will finance, in whole or in part, the following services ("services" shall have the meaning given to that term in the Mello-Roos Community Facilities Act of 1982), including all related direct, incidental, and administrative costs, expenses and the related reserves for replacement of equipment and facilities related to the foregoing:

- Annual operation, maintenance, and servicing, including repair and replacement, of all public storm drain and stormwater treatment facilities and improvements, including but not limited to detention and bio-retention basins and associated facilities, field inspections, record keeping, cost of permits and regulatory fees, environmental mitigation monitoring, annual reporting, vegetation management, removal of silt, sediment, trash and debris, etc. from treatment areas, drainage areas, detention and bio-retention basins, and City catch basins and outfall structures, and other associated services which are needed to operate, maintain and service, including repair and replacement, of the storm drain and storm water treatment facilities.
- Annual operation, maintenance, and servicing, including repair and replacement, of the City's streetlight system within the public right-of-way and public easements within the boundaries of the City, including streetlights mounted on PG&E and City-owned poles (wood, metal, or concrete), and appurtenant facilities which may include but not be limited to poles, fixtures, bulbs, conduits, equipment, including guys, anchors, posts, pedestals, and metering devices. Maintenance also includes the cleaning and removal of graffiti, and associated electric and utility costs.

If the City and a Property Owner's Association or a Homeowner's Association (collectively, "Owner's Association") enter into an agreement to allow the Owner's Association to provide Authorized Services, such services shall be defined as Contingent Services for the purposes of the CFD. Contingent Services shall be provided by the Owner's Association, unless such Owner's Association fails to maintain improvements or provides services at a level that meets City standards.

Any services to be funded by the CFD must be in addition to those provided in the territory of the CFD before the date of creation of the CFD, and may not supplant services already available within that territory when the CFD was created but may be used to fund services resulting from the additional impacts on existing improvements resulting from said development. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof.

Administrative Expenses:

The direct and indirect expenses incurred by the City in connection with the establishment and administration of the CFD (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorneys, special tax consultants, or advisors, any fees of the County related to CFD or the collection of Special Taxes, an allocable share of the salaries of City staff directly related to the formation and administration of CFD and a proportionate amount of the City's general administrative overhead related thereto, any amounts paid by the City from its general fund or otherwise with respect to CFD for the Authorized Services, any amounts required to fund or replenish operating and capital reserves, expenses incurred by the City in undertaking any action to foreclose on properties for which the payment of Special Taxes is delinquent, any amounts necessary to maintain a reserve required by CFD for the payment of Authorized Services, and all other costs and expenses of the City in any way related to CFD.

EXHIBIT B

CITY OF CLAYTON Community Facilities District No. 2022-01 (Public Services)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax as defined below applicable to each Assessor's Parcel in the City of Clayton Community Facilities District No. 2022-01 (Public Services) (herein "CFD No. 2022-01" or "CFD") shall be levied and collected according to the tax liability determined by the City Council of the City of Clayton, acting in its capacity as the legislative body of CFD No. 2022-01, or its designee, through the application of this Rate and Method of Apportionment of Special Tax. All the Assessor's Parcels located within the boundaries of CFD No. 2022-01, unless exempted by Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to CFD No. 2022-01.

A. DEFINITIONS

When applying this Rate and Method of Apportionment of Special Tax the terms set forth below have the following meanings:

"Accessory Unit" means a second unit of reduced size (e.g., granny cottage, etc.) that is following the construction of the primary unit on Residential Property. An Accessory unit shall not be considered a separate unit from the primary unit for purposes of this RMA and will not be levied a Special Tax if on the same Parcel as a unit subject to the Special Tax.

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final map, parcel map, condominium plan, record of survey, or another recorded County Parcel map. In the absence of such map, the Administrator will make the final "Acre" or "Acreage" determination as needed, utilizing, in the Administrator's discretion, available resources, including but not limited to available spatial and Geographic Information Systems (GIS) data.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 (commencing with Section 53311), of Division 2, of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the direct and indirect expenses incurred by the CFD or the City in connection with the establishment and administration of CFD No. 2022-01 (including, but not limited to, the levy and collection of the Special Taxes) including the fees and expenses of attorneys, special tax consultants, or advisors, any fees of the County related to CFD No. 2022-01 or the collection of Special Taxes, an allocable share of the salaries of City staff directly related to the formation and administration of CFD No. 2022-01 and a proportionate amount of the City's general

administrative overhead related thereto, any amounts paid by the City from its general fund or otherwise with respect to CFD No. 2022-01 for the Authorized Services, expenses incurred by the City in undertaking any action to foreclose on properties for which the payment of Special Taxes is delinquent, any amounts necessary to maintain a reserve required by CFD No. 2022-01 for the payment of Authorized Services, and all other costs and expenses of the City in any way related to CFD No. 2022-01.

"Administrator" means an official of the City, or any designee thereof such a person or firm, to administer the Special Taxes according to this RMA.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown on an Assessor's Parcel map with an assigned Assessor's Parcel number.

"Authorized Services" means the services authorized to be funded by CFD No. 2022-01, as provided in the CFD formation documents adopted by the City Council.

"Building Permit" means a permit issued by the City or other governmental agency for the construction of a building with an improvement valuation over \$50,000. Building Permits for the construction of ancillary structures such as fences, swimming pools, retaining walls, etc. are excluded.

"CFD No. 2022-01" or "CFD" means the City of Clayton Community Facilities District No. 2022-01 (Public Services).

"City" means the City of Clayton.

"City Council" or "Council" means the City Council of the City of Clayton, acting as the legislative body of CFD No. 2022-01.

"Contingent Services" means those Authorized Services to be funded by CFD No. 2022-01 as set forth in the documents adopted by the City Council at the time the CFD was formed and to be provided by the City in the event the City decides pursuant to Section D that a Property Owner Association fails to adequately provide such services.

"County" means the County of Contra Costa.

"Developed Property" means, in any Fiscal Year, all Parcels of Taxable Property where a Building Permit was issued on or before April 30 of the Fiscal Year preceding the Fiscal Year for which the Special taxes are being levied. Once a property is classified as Developed Property, it cannot be reclassified in subsequent years.

"Dwelling Unit" means one residential unit of any configuration, including but not limited to, a single family attached or detached dwelling, condominium, townhome, apartment, or other residential Dwelling Unit, including each separate living area within a half plex, duplex, triplex, fourplex, other residential structure, or mobile home. An Accessory Unit shall not be determined to be a Taxable Dwelling Unit for purposes of this RMA and will not be levied a Special Tax if on the same Parcel as a unit subject to the Special Tax

“Fiscal Year” means the period starting on July 1 and ending on the following June 30.

“Land Use Class” means the current or intended use of a Taxable Parcel listed in Table 1, as may be determined by the Taxable Parcel’s County Land Use Code.

“Maximum Special Tax” means the greatest amount of Special Tax that can be levied on an Assessor’s Parcel in CFD No. 2022-01 in any Fiscal Year, determined in accordance with Section C below.

“Property Owner” or “Homeowner” means the owner of fee title to an Assessor’s Parcel.

“Property Owner Association” or “Homeowner’s Association” (“HOA”) means the property owner’s association or homeowner’s association established to perform certain services within the boundaries of the CFD.

“Property Owner Association Property” or “Homeowner’s Association (“HOA”) Property” means for each Fiscal Year, any Assessor’s Parcel within the boundaries of the CFD that is owned by or irrevocably offered for dedication to a Property Owner Association or HOA, including any master or sub-association.

“Proportionately” means for Developed Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax for each Tax Zone is equal for all Assessor’s Parcels of Developed Property.

“Public Property” means for each Fiscal Year, (i) any property within the boundaries of the CFD that is owned by or irrevocably offered for dedication to the federal government, the State of California, the County, or other governmental agency; provided however, that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1(a) of the Act, as such section may be amended or replaced, shall be taxed and classified in accordance with its use; or (ii) any property within the boundaries of the CFD that is encumbered by an unmanned utility easement making impractical its utilization for other than the purposes set forth in the easement.

“Rate and Method of Apportionment” or “RMA” means this Rate and Method of Apportionment of Special Tax for CFD No. 2022-01.

“Residential Property” means all Assessor’s Parcels of Developed Property for which a Building Permit has been issued by the City for purposes of constructing one (1) or more residential Dwelling Units.

“Section 53340.1(a)” means Section 53340.1(a) of the Act.

“Special Tax” or “Special Taxes” means a special tax levied in any Fiscal Year to pay the Special Tax Requirement for each Special Tax Component. The Special Tax consists of two parts, Special Tax A and Special Tax B.

“Special Tax A” – means the Special Tax to be levied in each Fiscal Year to fund the Special Tax Requirement for Authorized Services, excluding Contingent Services.

“Special Tax B (Contingent)” – means the Special Tax to be levied in each Fiscal Year to fund the Special Tax Requirement for Contingent Services.

“Special Tax Component” means one of the following Special Taxes: Special Tax A or Special Tax B (Contingent).

“Special Tax Requirement” means for each Special Tax Component, the amount necessary in any Fiscal Year to (i) pay for Authorized Services, including Contingent Services if needed, (ii) pay the Administrative Expenses, (iii) cure any delinquencies in the payment of Special Taxes levied in prior Fiscal Years (based on delinquencies in the payment of Special Taxes which have already taken place) or are expected to occur in the current Fiscal Year, and (iv) to create or replenish reserve funds for Administrative Expenses, or future Authorized Services including capital replacements.

“Taxable Property” means all the Assessor’s Parcels within CFD No. 2022-01 which are not exempt from the Special Tax pursuant to law or Section E.

“Tax-Exempt Property” means all the Assessor’s Parcels not subject to the CFD Special Tax pursuant to Section E.

“Tax Zone” means a mutually exclusive geographic area within which the Special Tax may be levied pursuant to this RMA. All property within CFD No. 2022-01 at the time of CFD formation is within Tax Zone 1. Additional Tax Zones may be created when property is annexed to CFD No. 2022-01, and a separate Maximum Special Tax and Rate and Method of Apportionment of Special Tax may be identified for property within the new Tax Zone at the time of such annexation. The Assessor’s Parcels included within a new Tax Zone established when such Parcels are annexed to CFD No. 2022-01 shall be identified by Assessor’s Parcel Number in a Unanimous Approval Form that is to be executed and notarized by the owner(s) of the Parcels at the time of annexation.

“Unanimous Approval Form” means a form provided by the Administrator that is executed by the owner of fee title to a Parcel or Parcels to be annexed into CFD No. 2022-01 that constitutes the Property Owner’s approval and unanimous vote in favor of annexing into CFD No. 2022-01, and the levy of the Special Tax against the Parcel or Parcels being annexed pursuant to the RMA and which identifies any Tax Zone applicable to the Parcel or Parcels that are being annexed.

“Undeveloped Property” means, for each Fiscal Year, all Taxable Property not classified as Developed Property.

B. DATA COLLECTION FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall identify the current Assessor’s Parcel numbers for all Parcels of Developed Property and Undeveloped Property within CFD No. 2022-

01 and the applicable Tax Zone for each Parcel of Taxable Property. The Administrator shall also determine: (i) the Land Use of each Assessor's Parcel of Developed Property, (ii) the number of Dwelling Units on each Parcel of Residential Property, and (iv) the Special Tax Requirement for each Special Tax Component.

In any Fiscal Year, if it is determined that (i) a parcel map for a portion of property in CFD No. 2022-01 was recorded after January 1 of the prior Fiscal Year, (ii) because of the date the parcel map was recorded, the Assessor does not yet recognize the new Parcels created by the parcel map, and (iii) one or more of the newly-created Parcels meets the definition of Developed Property, the Administrator shall calculate the Special Tax for the property affected by recordation of the parcel map by determining the Special Tax that applies separately to each newly-created Parcel, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the parcel map.

C. MAXIMUM SPECIAL TAXES

1. Maximum Special Taxes

The Maximum Special Taxes for Fiscal Year 2022-23 for a Parcel of Developed Property shall be determined by reference to Table 1 below:

A. Table 1

Land Use	Special Tax Component	Maximum Special Tax
Residential Property	Special Tax A ¹	\$348.52 per Dwelling Unit
Residential Property	Special Tax B (Contingent Services) ²	\$603.21 per Dwelling Unit
Residential Property Subtotal	Special Tax A and B	\$951.73 per Dwelling Unit

¹ Special Tax A is intended to annually fund Authorized Services, excluding Contingent Services.

² Special Tax B is intended to fund Contingent Services, if needed. Contingent Services are those Authorized Services that the HOA is responsible for maintaining. The City shall not levy Special Tax B to pay for Contingent Services if HOA maintains the Contingent Services to City standards. Should the City determine the HOA has failed to maintain the Contingent Services to City standards, then Special Tax B will be levied to provide funding for the Contingent Services.

No Special Tax shall be levied on Undeveloped Property.

2. Maximum Special Tax Increases

On July 1, 2023, and each July 1 thereafter, the Maximum Special Tax rates shall be increased by a percentage equal to the greater of (a) the percentage increase, if any, in the prior calendar year's annual change in the Consumer Price Index for All Urban Consumers for the Bay Area: San Francisco-Oakland-Hayward, and (b) three percent (3%). In the event the Consumer Price Index for all Urban Consumers for the Bay Area: San Francisco-Oakland-San Jose ceases to be published, the Maximum Special Tax may be increased based on a comparable index as determined by Administrator at the Administrator's discretion.

D. METHOD OF LEVY AND COLLECTION OF SPECIAL TAXES

The Special Taxes shall be levied annually each Fiscal Year according to the methodology below.

The Special Tax consists of two components: Special Tax A and Special Tax B (Contingent), and shall be levied commencing with the 2022-23 Fiscal Year, on each Parcel of Developed Property Proportionately as needed to satisfy the Special Tax Requirement for each Special Tax Component for the applicable Fiscal Year at up to the Maximum Special Tax for each Developed Property.

The Special Tax A is intended to be levied annually to fund Authorized Services, excluding Contingent Services. The Special Tax B (Contingent) is not intended to be levied annually but shall be levied in the event the City in its sole discretion determines that the HOA has defaulted in its obligation to provide the Contingent Services. A default of the HOA may be deemed to have occurred under each of the following circumstances, without exclusion of other circumstances in the City's sole discretion:

- The HOA files for bankruptcy;
- The HOA is dissolved;
- The HOA fails to provide Contingent Services at the same level as the City provides similar services and maintains similar improvements throughout the City. If the HOA fails to provide Contingent Services, the City shall provide written notice to the HOA, and the HOA shall have thirty (30) days after written notice from the City, or such longer period as may be permitted by the City, to remedy the deficiency to the reasonable satisfaction of the City.

The Special Taxes for CFD No. 2022-01 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that the City may directly bill owners of Taxable Property and may collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of the CFD.

E. EXEMPTIONS

Special Taxes shall not be levied on Public Property unless there is a leasehold interest of the character described by Section 53340.1(a). In addition, Tax-Exempt property shall also include but not be limited to Parcels categorized as Undeveloped Property, Property Owner Association Property, Restricted Property, Parcels that receive a welfare exemption as described by Section 53340(c) of the Government Code, privately owned Parcels that are non-developable, such as common areas, wetlands, open space, remainder Parcels, Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement.

F. INTERPRETATION OF SPECIAL TAX FORMULA

The Council reserves the right to make administrative and technical changes to this document that do not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the Council's discretion. Interpretations may be made by the Administrator or

by resolution of the Council for purposes of clarifying any vagueness or ambiguity in this RMA.

G. TERM OF THE SPECIAL TAX

The Special Tax shall be levied indefinitely as necessary to pay the Special Tax Requirement for each Special Tax Component at up to the Maximum Special Tax for each Developed Property.

H. APPEAL OF SPECIAL TAX LEVY

The Administrator may establish such procedures, as it deems necessary to undertake the review of any such appeal. The Administrator shall interpret this Rate and Method of Apportionment and make determinations relative to the annual administration of the Special Tax and any Property Owner appeals, as herein specified. Any Property Owner who believes that the amount of the Special Tax levied on their Assessor's Parcel is in error shall first consult with the Administrator regarding such error. If following such consultation, the Administrator determines that an error has occurred; the Administrator in consultation with the City Engineer shall take any of the following actions to correct the error:

Amend the Special Tax levy on the Property Owner's property tax bill for the current Fiscal Year, or

Have the CFD reimburse the Property Owner for the amount of overpayment for the current Fiscal Year if CFD funds are available, or

Grant a credit against, eliminate, or reduce the future Special Taxes on the Property Owner's Assessor's Parcel(s) for overpayment for the current Fiscal Year.

If following such consultation and action (if any by the Administrator), the Property Owner believes such error still exists, such person may file a written notice with the City Engineer appealing the amount of the Special Tax levied on such Assessor's Parcel. If following such consultation and action (if any by the City Engineer), the Property Owner believes such error still exists, such person may file a written notice with the City Council appealing the amount of the Special Tax levied on such Assessor's Parcel. If the City Council determines an error exists; the Administrator shall take any actions as described above, to correct the error. The decision of the City Council shall be final and binding to all persons.

EXHIBIT C

CITY OF CLAYTON
Community Facilities District No. 2022-01
(Public Services)

ASSESSOR'S PARCEL NUMBERS
AND OWNERS OF LAND WITHIN COMMUNITY FACILITIES DISTRICT

Owner Name	APN
CIVIC CLAYTON LLC	121-090-023-7
CIVIC CLAYTON LLC	121-090-024-5
CIVIC CLAYTON LLC	121-090-025-2
CIVIC CLAYTON LLC	121-090-026-0
CIVIC CLAYTON LLC	121-090-027-8
CIVIC CLAYTON LLC	121-090-028-6
CIVIC CLAYTON LLC	121-090-029-4
CIVIC CLAYTON LLC	121-090-030-2
CIVIC CLAYTON LLC	121-090-031-0
CIVIC CLAYTON LLC	121-090-032-8
CIVIC CLAYTON LLC	121-090-033-6
CIVIC CLAYTON LLC	121-090-034-4
CIVIC CLAYTON LLC	121-090-035-1
CIVIC CLAYTON LLC	121-090-036-9
CIVIC CLAYTON LLC	121-090-037-7
CIVIC CLAYTON LLC	121-090-038-5
CIVIC CLAYTON LLC	121-090-039-3
CIVIC CLAYTON LLC	121-090-040-1
CIVIC CLAYTON LLC	121-090-041-9
CIVIC CLAYTON LLC	121-090-042-7
CIVIC CLAYTON LLC	121-090-043-5
CIVIC CLAYTON LLC	121-090-044-3
CIVIC CLAYTON LLC	121-090-045-0
CIVIC CLAYTON LLC	121-090-046-8

RESOLUTION NO. ##-2022

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAYTON, CALIFORNIA ESTABLISHING COMMUNITY FACILITIES DISTRICT NO. 2022-01 (PUBLIC SERVICES) AND DESIGNATING A FUTURE ANNEXATION AREA AND TAKING OTHER ACTIONS RELATING THERETO

WHEREAS, the City Council (the "Council") of the City of Clayton (the "City") has adopted a resolution entitled "A Resolution of the City Council of the City of Clayton, California Stating the Intention to Establish a Community Facilities District and Future Annexation Area" (the "Resolution of Intention"), stating its intention to form (i) the "City of Clayton Community Facilities District No. 2022-01 (Public Services)" (the "CFD") and (ii) the "City of Clayton Community Facilities District No. 2022-01 (Public Services) (Future Annexation Area)" (the "Future Annexation Area") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act");

WHEREAS, the Resolution of Intention, incorporating a map of the proposed boundaries of the CFD and the Future Annexation Area and describing the services to be provided and the rate and method of apportionment of the special tax to be levied within the CFD to pay for the services, is on file with the City Clerk and the provisions thereof are incorporated herein by this reference as if fully set forth herein;

WHEREAS, on this date, this Council held a noticed public hearing as required by the Act and the Resolution of Intention relative to the proposed formation of the CFD and the Future Annexation Area;

WHEREAS, at the hearing all interested persons desiring to be heard on all matters pertaining to the formation of the CFD and the Future Annexation Area, the services to be provided therein and the levy of such special tax were heard and a full and fair hearing was held;

WHEREAS, at the hearing evidence was presented to this Council on such matters before it, including a CFD report (the "Report") as to the services to be provided through the CFD and the costs thereof, a copy of which is on file with the City Clerk, and this Council at the conclusion of said hearing is fully advised in the premises;

WHEREAS, written protests with respect to the formation of the CFD, the furnishing of specified types of services and the rate and method of apportionment of the special taxes have not been filed with the City Clerk by 50% or more of the registered voters residing within the territory of the CFD or property owners of one-half or more of the area of land within the CFD and not exempt from the proposed special taxes; and

WHEREAS, written protests have not been filed with the City Clerk against the proposed annexation of the Future Annexation Area to the CFD by (i) 50% or more of the registered voters, or six registered voters, whichever is more, residing in the proposed boundaries of the CFD, or (ii) 50% or more of the registered voters, or six registered voters, whichever is more, residing in the Future Annexation Area, (iii) owners of one-half or more of the area of land in the proposed CFD or (iv) owners of one-half or more of the area of land in the Future Annexation Area.

NOW, THEREFORE, the City Council of the City of Clayton resolves as follows:

1. Recitals Correct. The foregoing recitals are true and correct.
2. No Majority Protest. The proposed CFD, the proposed Future Annexation Area and the proposed special tax to be levied within the CFD have not been precluded by majority protest pursuant to section 53324 of the Act.
3. Prior Proceedings Valid. All prior proceedings taken by this City Council in connection with the establishment of the CFD and the Future Annexation Area and the levy of the special tax have been duly considered and are hereby found and determined to be valid and in conformity with the Act, and any irregularities are hereby waived.
4. Name of the CFD and the Future Annexation Area. The community facilities district designated "City of Clayton Community Facilities District No. 2022-01 (Public Services)" is hereby established pursuant to the Act. The future annexation area designated "City of Clayton Community Facilities District No. 2022-01 (Public Services) (Future Annexation Area)" is hereby established pursuant to the Act.
5. Boundaries of CFD. The boundaries of the CFD and the Future Annexation Area, as set forth in the map of the CFD heretofore recorded in the Contra Costa County Recorder's Office on August 26, 2022, at 1:31 p.m., in Book 90 of Maps of Assessment and Community Facilities Districts at Page 8, as Document No. 2022-0132323 pursuant to Sections 3111 and 3113 of the California Streets and Highways Code, are hereby approved, are incorporated herein by reference and shall be the boundaries of the CFD and the Future Annexation Area.

Parcels within the Future Annexation Area shall be annexed to the CFD only with the unanimous approval (each, a "Unanimous Approval") of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed, without additional hearings.
6. Description of Services. The type of public services proposed to be financed by the CFD and pursuant to the Act shall consist of those items shown in Exhibit A hereto and by this reference incorporated herein (the "Services"). The City intends to provide the Services on an equal basis in the original territory of the CFD and, when it has been annexed to the CFD, the Future Annexation Area.
7. Special Tax.
 - a. Except to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax (the "Special Tax") sufficient to pay the costs thereof, secured by the recordation of a continuing lien against all non-exempt real property in the CFD, is intended to be levied annually within the CFD, and collected in the same manner as ordinary ad valorem property taxes or in such other manner as may be prescribed by this Council.
 - b. The proposed rate and method of apportionment of the Special Tax among the parcels of real property within the CFD, in sufficient detail to allow each landowner within the proposed CFD to estimate the maximum amount such owner will have to pay, are shown in Exhibit B attached hereto and hereby incorporated herein.
 - c. Territory in the Future Annexation Area will be annexed into the CFD and a special tax will be levied on such territory only with the Unanimous Approval of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed into the CFD. Except

to the extent that funds are otherwise available to the CFD to pay for the Services, a special tax sufficient to pay the costs thereof, secured by the recordation of a continuing lien against all non-exempt real property in the Future Annexation Area, is intended to be levied annually within the Future Annexation Area, and collected in the same manner as ordinary ad valorem property taxes or in such other manner as may be prescribed by this City Council. As required by Section 53339.3(d) of the Act, the Council hereby determines that the special tax proposed to pay for Services to be supplied within the Future Annexation Area shall be equal to any special tax levied to pay for the same Services in the existing CFD, except that a higher or lower tax may be levied within the Future Annexation Area to the extent that the actual cost of providing the Services in the Future Annexation Area is higher or lower than the cost of providing those Services in the existing CFD. In so finding, the Council does not intend to limit its ability to levy a special tax within the Future Annexation Area to provide new or additional services beyond those supplied within the existing CFD.

8. Increased Demands. It is hereby found and determined that the Services are necessary to meet increased demands placed upon the City, as the result of development occurring in the CFD and the Future Annexation Area. The Services are in addition to those provided in the territory of the CFD and the Future Annexation Area as of the date hereof and will not supplant services already available within the territory of the CFD and the Future Annexation Area as of the date hereof.

9. Responsible Official. The City's Public Works Director/City Engineer (or his or her designee) of the City of Clayton, Clayton City Hall, 6000 Heritage Trail, Clayton, California 94517, telephone number (925) 673-7300, is the officer of the City who will be responsible for preparing annually a current roll of the levy of the Special Tax obligations by assessor's parcel number and who will be responsible for estimating future levies of the Special Tax.

10. Tax Lien. Upon recordation of a notice of special tax lien pursuant to Section 3114.5 of the California Streets and Highways Code, a continuing lien to secure each levy of the Special Tax shall attach to all nonexempt real property in the CFD and this lien shall continue in force and effect until the Special Tax obligation is prepaid and permanently satisfied and the lien canceled in accordance with law or until collection of the Special Tax by the City ceases.

11. Appropriations Limit. In accordance with the Act, the annual appropriations limit, as defined by subdivision (h) of Section 8 of Article XIII B of the California Constitution, of the CFD is hereby preliminarily established at \$2,000,000, subject to annual increase as authorized by law, and such appropriations limit shall be submitted to the voters of the CFD as hereafter provided. The proposition establishing such annual appropriations limit shall become effective if approved by the qualified electors voting thereon and shall be adjusted in accordance with the applicable provisions of the Act and the Constitution.

12. Election. Pursuant to the Act, the proposition of the levy of the Special Tax and the proposition of the establishment of the appropriations limit specified above shall be submitted to the qualified electors of the CFD at an election held following the public hearing scheduled Tuesday, September 20, 2022, at 7:00 p.m. or as soon as possible thereafter, in City Council Chamber, located at Hoyer Hall, Clayton Community Library, 6125 Clayton Road, Clayton, California. Reference the Resolution Calling A Special Landowner Election for more detail.

13. Effective Date. This resolution shall take effect from and after the date of its passage and adoption.

PASSED AND ADOPTED by the City Council of the City of Clayton at a meeting held on the 20th day of September, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Peter Cloven, Mayor

ATTEST:

Janet Calderon, City Clerk

EXHIBIT A

CITY OF CLAYTON Community Facilities District No. 2022-01 (Public Services)

Authorized Services

The captioned Community Facilities District (the "CFD") will finance, in whole or in part, the following services ("services" shall have the meaning given to that term in the Mello-Roos Community Facilities Act of 1982), including all related direct, incidental, and administrative costs, expenses and the related reserves for replacement of equipment and facilities related to the foregoing:

- Annual operation, maintenance, and servicing, including repair and replacement, of all public storm drain and stormwater treatment facilities and improvements, including but not limited to detention and bio-retention basins and associated facilities, field inspections, record keeping, cost of permits and regulatory fees, environmental mitigation monitoring, annual reporting, vegetation management, removal of silt, sediment, trash and debris, etc. from treatment areas, drainage areas, detention and bio-retention basins, and City catch basins and outfall structures, and other associated services which are needed to operate, maintain and service, including repair and replacement, of the storm drain and storm water treatment facilities.
- Annual operation, maintenance, and servicing, including repair and replacement, of the City's streetlight system within the public right-of-way and public easements within the boundaries of the City, including streetlights mounted on PG&E and City-owned poles (wood, metal, or concrete), and appurtenant facilities which may include but not be limited to poles, fixtures, bulbs, conduits, equipment, including guys, anchors, posts, pedestals, and metering devices. Maintenance also includes the cleaning and removal of graffiti, and associated electric and utility costs.

If the City and a Property Owner's Association or a Homeowner's Association (collectively, "Owner's Association") enter into an agreement to allow the Owner's Association to provide Authorized Services, such services shall be defined as Contingent Services for the purposes of the CFD. Contingent Services shall be provided by the Owner's Association, unless such Owner's Association fails to maintain improvements or provides services at a level that meets City standards.

Any services to be funded by the CFD must be in addition to those provided in the territory of the CFD before the date of creation of the CFD, and may not supplant services already available within that territory when the CFD was created but may be used to fund services resulting from the additional impacts on existing improvements resulting from said development. It is expected that the services will be provided by the City, either with its own employees or by contract with third parties, or any combination thereof.

Administrative Expenses:

The direct and indirect expenses incurred by the City in connection with the establishment and administration of the CFD (including, but not limited to, the levy and collection of the special taxes) including the fees and expenses of attorneys, special tax consultants, or advisors, any fees of the

County related to CFD or the collection of Special Taxes, an allocable share of the salaries of City staff directly related to the formation and administration of CFD and a proportionate amount of the City's general administrative overhead related thereto, any amounts paid by the City from its general fund or otherwise with respect to CFD for the Authorized Services, any amounts required to fund or replenish operating and capital reserves, expenses incurred by the City in undertaking any action to foreclose on properties for which the payment of Special Taxes is delinquent, any amounts necessary to maintain a reserve required by CFD for the payment of Authorized Services, and all other costs and expenses of the City in any way related to CFD.

EXHIBIT B

Community Facilities District No. 2022-01 (Public Services)

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax as defined below applicable to each Assessor's Parcel in the City of Clayton Community Facilities District No. 2022-01 (Public Services) (herein "CFD No. 2022-01" or "CFD") shall be levied and collected according to the tax liability determined by the City Council of the City of Clayton, acting in its capacity as the legislative body of CFD No. 2022-01, or its designee, through the application of this Rate and Method of Apportionment of Special Tax. All the Assessor's Parcels located within the boundaries of CFD No. 2022-01, unless exempted by Section E below, shall be taxed for the purposes, to the extent, and in the manner herein provided, including property subsequently annexed to CFD No. 2022-01.

A. DEFINITIONS

When applying this Rate and Method of Apportionment of Special Tax the terms set forth below have the following meanings:

"Accessory Unit" means a second unit of reduced size (e.g., granny cottage, etc.) that is following the construction of the primary unit on Residential Property. An Accessory unit shall not be considered a separate unit from the primary unit for purposes of this RMA and will not be levied a Special Tax if on the same Parcel as a unit subject to the Special Tax.

"Acre" or "Acreage" means the land area of an Assessor's Parcel as shown on an Assessor's Parcel Map, or if the land area is not shown on an Assessor's Parcel Map, the land area shown on the applicable final map, parcel map, condominium plan, record of survey, or another recorded County Parcel map. In the absence of such map, the Administrator will make the final "Acre" or "Acreage" determination as needed, utilizing, in the Administrator's discretion, available resources, including but not limited to available spatial and Geographic Information Systems (GIS) data.

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended, being Chapter 2.5 (commencing with Section 53311), of Part 1, of Division 2, of Title 5 of the Government Code of the State of California.

"Administrative Expenses" means the direct and indirect expenses incurred by the CFD or the City in connection with the establishment and administration of CFD No. 2022-01 (including, but not limited to, the levy and collection of the Special Taxes) including the fees and expenses of attorneys, special tax consultants, or advisors, any fees of the County related to CFD No. 2022-01 or the collection of Special Taxes, an allocable share of the salaries of City staff directly related to the formation and administration of CFD No. 2022-01 and a proportionate amount of the City's general

administrative overhead related thereto, any amounts paid by the City from its general fund or otherwise with respect to CFD No. 2022-01 for the Authorized Services, expenses incurred by the City in undertaking any action to foreclose on properties for which the payment of Special Taxes is delinquent, any amounts necessary to maintain a reserve required by CFD No. 2022-01 for the payment of Authorized Services, and all other costs and expenses of the City in any way related to CFD No. 2022-01.

"Administrator" means an official of the City, or any designee thereof such a person or firm, to administer the Special Taxes according to this RMA.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown on an Assessor's Parcel map with an assigned Assessor's Parcel number.

"Authorized Services" means the services authorized to be funded by CFD No. 2022-01, as provided in the CFD formation documents adopted by the City Council.

"Building Permit" means a permit issued by the City or other governmental agency for the construction of a building with an improvement valuation over \$50,000. Building Permits for the construction of ancillary structures such as fences, swimming pools, retaining walls, etc. are excluded.

"CFD No. 2022-01" or "CFD" means the City of Clayton Community Facilities District No. 2022-01 (Public Services).

"City" means the City of Clayton.

"City Council" or "Council" means the City Council of the City of Clayton, acting as the legislative body of CFD No. 2022-01.

"Contingent Services" means those Authorized Services to be funded by CFD No. 2022-01 as set forth in the documents adopted by the City Council at the time the CFD was formed and to be provided by the City in the event the City decides pursuant to Section D that a Property Owner Association fails to adequately provide such services.

"County" means the County of Contra Costa.

"Developed Property" means, in any Fiscal Year, all Parcels of Taxable Property where a Building Permit was issued on or before April 30 of the Fiscal Year preceding the Fiscal Year for which the Special taxes are being levied. Once a property is classified as Developed Property, it cannot be reclassified in subsequent years.

"Dwelling Unit" means one residential unit of any configuration, including but not limited to, a single family attached or detached dwelling, condominium, townhome, apartment, or other residential Dwelling Unit, including each separate living area within a half plex, duplex, triplex, fourplex, other residential structure, or mobile home. An Accessory Unit shall not be determined to be a Taxable Dwelling Unit for purposes of this RMA and will not be levied a Special Tax if on the same Parcel as a unit subject to the Special Tax.

“Fiscal Year” means the period starting on July 1 and ending on the following June 30.

“Land Use Class” means the current or intended use of a Taxable Parcel listed in Table 1, as may be determined by the Taxable Parcel’s County Land Use Code.

“Maximum Special Tax” means the greatest amount of Special Tax that can be levied on an Assessor’s Parcel in CFD No. 2022-01 in any Fiscal Year, determined in accordance with Section C below.

“Property Owner” or “Homeowner” means the owner of fee title to an Assessor’s Parcel.

“Property Owner Association” or “Homeowner’s Association” (“HOA”) means the property owner’s association or homeowner’s association established to perform certain services within the boundaries of the CFD.

“Property Owner Association Property” or “Homeowner’s Association (“HOA”) Property” means for each Fiscal Year, any Assessor’s Parcel within the boundaries of the CFD that is owned by or irrevocably offered for dedication to a Property Owner Association or HOA, including any master or sub-association.

“Proportionately” means for Developed Property, that the ratio of the actual Special Tax levy to the Maximum Special Tax for each Tax Zone is equal for all Assessor’s Parcels of Developed Property.

“Public Property” means for each Fiscal Year, (i) any property within the boundaries of the CFD that is owned by or irrevocably offered for dedication to the federal government, the State of California, the County, or other governmental agency; provided however, that any property leased by a public agency to a private entity and subject to taxation under Section 53340.1(a) of the Act, as such section may be amended or replaced, shall be taxed and classified in accordance with its use; or (ii) any property within the boundaries of the CFD that is encumbered by an unmanned utility easement making impractical its utilization for other than the purposes set forth in the easement.

“Rate and Method of Apportionment” or “RMA” means this Rate and Method of Apportionment of Special Tax for CFD No. 2022-01.

“Residential Property” means all Assessor’s Parcels of Developed Property for which a Building Permit has been issued by the City for purposes of constructing one (1) or more residential Dwelling Units.

“Section 53340.1(a)” means Section 53340.1(a) of the Act.

“Special Tax” or “Special Taxes” means a special tax levied in any Fiscal Year to pay the Special Tax Requirement for each Special Tax Component. The Special Tax consists of two parts, Special Tax A and Special Tax B.

“Special Tax A” – means the Special Tax to be levied in each Fiscal Year to fund the Special Tax Requirement for Authorized Services, excluding Contingent Services.

“Special Tax B (Contingent)” – means the Special Tax to be levied in each Fiscal Year to fund the Special Tax Requirement for Contingent Services.

“Special Tax Component” means one of the following Special Taxes: Special Tax A or Special Tax B (Contingent).

“Special Tax Requirement” means for each Special Tax Component, the amount necessary in any Fiscal Year to (i) pay for Authorized Services, including Contingent Services if needed, (ii) pay the Administrative Expenses, (iii) cure any delinquencies in the payment of Special Taxes levied in prior Fiscal Years (based on delinquencies in the payment of Special Taxes which have already taken place) or are expected to occur in the current Fiscal Year, and (iv) to create or replenish reserve funds for Administrative Expenses, or future Authorized Services including capital replacements.

“Taxable Property” means all the Assessor’s Parcels within CFD No. 2022-01 which are not exempt from the Special Tax pursuant to law or Section E.

“Tax-Exempt Property” means all the Assessor’s Parcels not subject to the CFD Special Tax pursuant to Section E.

“Tax Zone” means a mutually exclusive geographic area within which the Special Tax may be levied pursuant to this RMA. All property within CFD No. 2022-01 at the time of CFD formation is within Tax Zone 1. Additional Tax Zones may be created when property is annexed to CFD No. 2022-01, and a separate Maximum Special Tax and Rate and Method of Apportionment of Special Tax may be identified for property within the new Tax Zone at the time of such annexation. The Assessor’s Parcels included within a new Tax Zone established when such Parcels are annexed to CFD No. 2022-01 shall be identified by Assessor’s Parcel Number in a Unanimous Approval Form that is to be executed and notarized by the owner(s) of the Parcels at the time of annexation.

“Unanimous Approval Form” means a form provided by the Administrator that is executed by the owner of fee title to a Parcel or Parcels to be annexed into CFD No. 2022-01 that constitutes the Property Owner’s approval and unanimous vote in favor of annexing into CFD No. 2022-01, and the levy of the Special Tax against the Parcel or Parcels being annexed pursuant to the RMA and which identifies any Tax Zone applicable to the Parcel or Parcels that are being annexed.

“Undeveloped Property” means, for each Fiscal Year, all Taxable Property not classified as Developed Property.

B. DATA COLLECTION FOR ANNUAL TAX LEVY

Each Fiscal Year, the Administrator shall identify the current Assessor's Parcel numbers for all Parcels of Developed Property and Undeveloped Property within CFD No. 2022-01 and the applicable Tax Zone for each Parcel of Taxable Property. The Administrator shall also determine: (i) the Land Use of each Assessor's Parcel of Developed Property, (ii) the number of Dwelling Units on each Parcel of Residential Property, and (iv) the Special Tax Requirement for each Special Tax Component.

In any Fiscal Year, if it is determined that (i) a parcel map for a portion of property in CFD No. 2022-01 was recorded after January 1 of the prior Fiscal Year, (ii) because of the date the parcel map was recorded, the Assessor does not yet recognize the new Parcels created by the parcel map, and (iii) one or more of the newly-created Parcels meets the definition of Developed Property, the Administrator shall calculate the Special Tax for the property affected by recordation of the parcel map by determining the Special Tax that applies separately to each newly-created Parcel, then applying the sum of the individual Special Taxes to the Parcel that was subdivided by recordation of the parcel map.

C. MAXIMUM SPECIAL TAXES

1. Maximum Special Taxes

The Maximum Special Taxes for Fiscal Year 2022-23 for a Parcel of Developed Property shall be determined by reference to Table 1 below:

A. Table 1

Land Use	Special Tax Component	Maximum Special Tax
Residential Property	Special Tax A ¹	\$348.52 per Dwelling Unit
Residential Property	Special Tax B (Contingent Services) ²	\$603.21 per Dwelling Unit
Residential Property Subtotal	Special Tax A and B	\$951.73 per Dwelling Unit

¹Special Tax A is intended to annually fund Authorized Services, excluding Contingent Services.

²Special Tax B is intended to fund Contingent Services, if needed. Contingent Services are those Authorized Services that the HOA is responsible for maintaining. The City shall not levy Special Tax B to pay for Contingent Services if HOA maintains the Contingent Services to City standards. Should the City determine the HOA has failed to maintain the Contingent Services to City standards, then Special Tax B will be levied to provide funding for the Contingent Services.

No Special Tax shall be levied on Undeveloped Property.

2. Maximum Special Tax Increases

On July 1, 2023, and each July 1 thereafter, the Maximum Special Tax rates shall be increased by a percentage equal to the greater of (a) the percentage increase, if any, in the prior calendar year's annual change in the Consumer Price Index for All Urban Consumers for the Bay Area: San Francisco-Oakland-Hayward, or (b) three percent (3%). In the event the Consumer Price Index for all Urban Consumers for the Bay Area: San Francisco-Oakland-San Jose ceases to be

published, the Maximum Special Tax may be increased based on a comparable index as determined by Administrator at the Administrator's discretion.

D. METHOD OF LEVY AND COLLECTION OF SPECIAL TAXES

The Special Taxes shall be levied annually each Fiscal Year according to the methodology below.

The Special Tax consists of two components: Special Tax A and Special Tax B (Contingent), and shall be levied commencing with the 2022-23 Fiscal Year, on each Parcel of Developed Property Proportionately as needed to satisfy the Special Tax Requirement for each Special Tax Component for the applicable Fiscal Year at up to the Maximum Special Tax for each Developed Property.

The Special Tax A is intended to be levied annually to fund Authorized Services, excluding Contingent Services. The Special Tax B (Contingent) is not intended to be levied annually but shall be levied in the event the City in its sole discretion determines that the HOA has defaulted in its obligation to provide the Contingent Services. A default of the HOA may be deemed to have occurred under each of the following circumstances, without exclusion of other circumstances in the City's sole discretion:

- The HOA files for bankruptcy;
- The HOA is dissolved;
- The HOA fails to provide Contingent Services at the same level as the City provides similar services and maintains similar improvements throughout the City. If the HOA fails to provide Contingent Services, the City shall provide written notice to the HOA, and the HOA shall have thirty (30) days after written notice from the City, or such longer period as may be permitted by the City, to remedy the deficiency to the reasonable satisfaction of the City.

The Special Taxes for CFD No. 2022-01 shall be collected in the same manner and at the same time as ordinary ad valorem property taxes, provided, however, that the City may directly bill owners of Taxable Property and may collect Special Taxes at a different time or in a different manner if necessary to meet the financial obligations of the CFD.

E. EXEMPTIONS

Special Taxes shall not be levied on Public Property unless there is a leasehold interest of the character described by Section 53340.1(a). In addition, Tax-Exempt property shall also include but not be limited to Parcels categorized as Undeveloped Property, Property Owner Association Property, Restricted Property, Parcels that receive a welfare exemption as described by Section 53340(c) of the Government Code, privately owned Parcels that are non-developable, such as common areas, wetlands, open space, remainder Parcels, Parcels with public or utility easements making impractical their utilization for other than the purposes set forth in the easement.

F. INTERPRETATION OF SPECIAL TAX FORMULA

The Council reserves the right to make administrative and technical changes to this document that do not materially affect the rate and method of apportioning Special Taxes. In addition, the interpretation and application of any section of this document shall be left to the Council's discretion. Interpretations may be made by the Administrator or by resolution of the Council for purposes of clarifying any vagueness or ambiguity in this RMA.

G. TERM OF THE SPECIAL TAX

The Special Tax shall be levied indefinitely as necessary to pay the Special Tax Requirement for each Special Tax Component at up to the Maximum Special Tax for each Developed Property.

H. APPEAL OF SPECIAL TAX LEVY

The Administrator may establish such procedures, as it deems necessary to undertake the review of any such appeal. The Administrator shall interpret this Rate and Method of Apportionment and make determinations relative to the annual administration of the Special Tax and any Property Owner appeals, as herein specified. Any Property Owner who believes that the amount of the Special Tax levied on their Assessor's Parcel is in error shall first consult with the Administrator regarding such error. If following such consultation, the Administrator determines that an error has occurred; the Administrator in consultation with the City Engineer shall take any of the following actions to correct the error:

Amend the Special Tax levy on the Property Owner's property tax bill for the current Fiscal Year, or

Have the CFD reimburse the Property Owner for the amount of overpayment for the current Fiscal Year if CFD funds are available, or

Grant a credit against, eliminate, or reduce the future Special Taxes on the Property Owner's Assessor's Parcel(s) for overpayment for the current Fiscal Year.

If following such consultation and action (if any by the Administrator), the Property Owner believes such error still exists, such person may file a written notice with the City Engineer appealing the amount of the Special Tax levied on such Assessor's Parcel. If following such consultation and action (if any by the City Engineer), the Property Owner believes such error still exists, such person may file a written notice with the City Council appealing the amount of the Special Tax levied on such Assessor's Parcel. If the City Council determines an error exists; the Administrator shall take any actions as described above, to correct the error. The decision of the City Council shall be final and binding to all persons.

RESOLUTION NO. ##-2022

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAYTON, CALIFORNIA
CALLING A SPECIAL LANDOWNER ELECTION
FOR COMMUNITY FACILITIES DISTRICT NO. 2022-01 (PUBLIC SERVICES) AND
DESIGNATING A FUTURE ANNEXATION AREA**

WHEREAS, the City Council (the "Council") of the City of Clayton (the "City") has adopted a resolution entitled "Resolution of the City Council of the City Of Clayton, California Establishing Community Facilities District No. 2022-01 (Public Services) and Designating a Future Annexation Area and Taking Other Actions Relating Thereto" (the "Resolution of Formation"), ordering the formation of (i) the "City of Clayton Community Facilities District No. 2022-01 (Public Services)" (the "CFD") and (ii) the "City of Clayton Community Facilities District No. 2022-01 (Public Services) (Future Annexation Area)," defining the public services (the "Services") to be provided by the CFD, authorizing the levy of a special tax on property within the CFD and preliminarily establishing an appropriations limit for the CFD, all pursuant to Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act"); and

WHEREAS, pursuant to the Resolution of Formation, the propositions of the levy of the special tax and the establishment of the appropriations limit shall be submitted to the qualified electors of the CFD as required by the Act;

WHEREAS, the City Clerk has advised the Council that a statement has been received from the Registrar of Voters of the County of Contra Costa stating that there are no persons registered to vote in the territory of the CFD; and

WHEREAS, the Council is fully advised in this matter and now desires to call the special mail ballot election.

NOW, THEREFORE, the City Council of the City of Clayton resolves as follows:

1. Issues Submitted. Pursuant to the Act, the following ballot measure shall be submitted to the qualified electors (as defined below) of the CFD at an election called therefor as provided below:

BALLOT MEASURE: Shall the City of Clayton be authorized to annually levy a special tax solely on lands within the City of Clayton Community Facilities District No. 2022-01 (Public Services) in accordance with the rate and method contained in the Resolution of Formation of the CFD adopted by the City Council of the City on September 20, 2022, commencing in the City's Fiscal Year 2022-23, estimated to raise approximately \$17,200 annually, to pay for services authorized to be provided by the CFD and to pay the costs of the City in administering the CFD, and shall the initial annual appropriations limit of the CFD be established in the amount of \$2,000,000?

2. Qualified Electors. This Council hereby finds that fewer than 12 persons have been registered to vote within the territory of the CFD for each of the 90 days preceding the close of the public hearing heretofore conducted and concluded by this Council for the purposes of these proceedings. Accordingly, and pursuant to Section 53326 of the Act, this Council finds that,

for these proceedings, the qualified electors are the landowners within the CFD and that the vote shall be by such landowners or their authorized representatives, each having one vote for each acre or portion thereof such landowner owns in the CFD as of the close of the public hearing.

3. Conduct of Election. This Council hereby calls a special election to consider the issues described in section 1 above, which shall be held on September 20, 2022, and the results thereof canvassed at the meeting of this Council on September 20, 2022. The City Clerk is hereby designated as the official to conduct the election and to receive all ballots until the close of business on the election date. It is hereby acknowledged that the Clerk has on file the Resolution of Formation, a map of the boundaries of the CFD, and a sufficient description to allow the Clerk to determine the electors of the CFD. Pursuant to Section 53327 of the Act, the election shall be conducted by messenger or mail-delivered ballot pursuant to Section 4000 of the California Elections Code, except that Sections 53326 and 53327 of the Act shall govern for purposes of determining the date of the election.

4. Ballot. As authorized by Section 53353.5 of the Act, the issues described in section 1 above shall be combined into a single ballot measure, the form of which as attached hereto as Exhibit "A" is hereby approved. The City Clerk is hereby authorized and directed to cause a ballot, in substantially the form of Exhibit "A," to be delivered to each of the qualified electors of the CFD. Each ballot shall indicate the number of votes to be voted by the respective landowner to which the ballot pertains. Each ballot shall be accompanied by all supplies and written instructions necessary for the use and return of the ballot. The envelope to be used to return the ballot shall be enclosed with the ballot, have the return postage prepaid, and contain the following: (a) the name and address of the landowner, (b) a declaration, under penalty of perjury, stating that the voter is the owner of record or authorized representative of the landowner entitled to vote and is the person whose name appears on the envelope, (c) the printed name, signature and address of the voter, (d) the date of signing and place of execution of the declaration pursuant to clause (b) above, and (e) a notice that the envelope contains an official ballot.

5. Waivers. This Council hereby further finds that the provisions of Section 53326 of the Act requiring a minimum of 90 days following the adoption of the Resolution of Formation to elapse before the special election are for the protection of the qualified electors of the CFD. There is on file with the Clerk a written waiver executed by all the qualified electors of the CFD allowing for a shortening of the time for the special election to expedite the process of formation of the CFD and waiving any requirement for notice, analysis, and arguments in connection with the election. Accordingly, this Council finds and determines that the qualified electors have been fully apprised of and have agreed to the shortened time for the election and waiver of analysis and arguments, and have thereby been fully protected in these proceedings. This Council also finds and determines that the City Clerk has concurred in the shortened time for the election. Analysis and arguments with respect to the ballot measures are hereby waived, as provided in Section 53327 of the Act.

6. Accountability. Under Section 50075.1 of the Government Code, the following accountability provisions shall apply to the special taxes: (a) the provision of the Services and the incidental costs thereof, all as defined in the Resolution of Formation, shall constitute the specific single purpose; (b) the proceeds shall be applied only to the specific purposes identified in (a) above; (c) there shall be created special account(s) or funds(s) into which the proceeds shall be deposited; and (d) there shall be caused to be prepared an annual report if required by Section 50075.3 of the Government Code.

7. Effective Date. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Clayton at a meeting held on the 20th day of September, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Peter Cloven, Mayor

ATTEST:

Janet Calderon, City Clerk

EXHIBIT A

**CITY OF CLAYTON
Community Facilities District No. 2022-01
(Public Services)**

**OFFICIAL BALLOT
SPECIAL TAX ELECTION**

This ballot is for a special, landowner election. You must return this ballot in the enclosed postage paid envelope to the office of the City Clerk of the City of Clayton no later than the hour of 3:30 p.m. on Tuesday, September 20, 2022, either by mail or in person. The City Clerk's office is located at 6000 Heritage Trail, Clayton, California.

To vote on the measure, mark a cross (X) or check mark in the voting line after the word "YES" or after the word "NO". All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear, or deface this ballot, return it to the City Clerk of the City of Clayton at the address above and obtain another.

BALLOT MEASURE: Shall the City of Clayton be authorized to annually levy a special tax solely on lands within the City of Clayton Community Facilities District No. 2022-01 (Public Services) (the "CFD") in accordance with the rate and method contained in the Resolution of Formation of the CFD adopted by the City Council of the City on September 20, 2022, commencing in the City's Fiscal Year 2022-23, estimated to raise approximately \$17,200 annually, to pay for services authorized to be provided by the CFD and to pay the costs of the City in administering the CFD, and shall the initial annual appropriations limit of the CFD be established in the amount of \$2,000,000?

YES: _____

NO: _____

Number of acres: 8.605

Number of votes entitled to be cast: 9

Property Owner: CIVIC CLAYTON LLC, A
CALIFORNIA LIMITED LIABILITY
COMPANY

Authorized Representative

RESOLUTION NO. ##-2022

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAYTON, CALIFORNIA DECLARING RESULTS OF SPECIAL LANDOWNER ELECTION AND DIRECTING RECORDING OF NOTICE OF SPECIAL TAX LIEN FOR COMMUNITY FACILITIES DISTRICT NO. 2022-01 (PUBLIC SERVICES) AND DESIGNATING A FUTURE ANNEXATION AREA

WHEREAS, the City Council (the "Council") of the City of Clayton (the "City") has adopted a resolution entitled "Resolution of the City Council of the City of Clayton, California Establishing Community Facilities District No. 2022-01 (Public Services) and Designating a Future Annexation Area and Taking Other Actions Relating Thereto" (the "Resolution of Formation"), ordering the formation of the (i) the "City of Clayton Community Facilities District No. 2022-01 (Public Services)" (the "CFD") and (ii) the "City of Clayton Community Facilities District No. 2022-01 (Public Services) (Future Annexation Area)," authorizing the levy of a special tax on property within the CFD, and preliminarily establishing an appropriations limit for the CFD, all pursuant to Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act").

WHEREAS, under the Resolution of Formation and a resolution entitled "Resolution Calling Special Landowner Election for Community Facilities District" (the "Election Resolution") heretofore adopted by this Council, the propositions of the levy of the special tax and the establishment of the appropriations limit were submitted to the qualified electors of the CFD as required by the provisions of the Act.

WHEREAS, pursuant to the Election Resolution, which is by this reference incorporated herein, the special election has been held and the City Clerk has on file a Canvass and Statement of Results of Election, (the "Canvass") a copy of which is attached hereto as Exhibit A; and

WHEREAS, this Council has been informed of the Canvass, finds it appropriate and wishes to complete its proceedings for the CFD.

NOW, THEREFORE, the City Council of the City of Clayton resolves as follows:

1. Recitals. The foregoing recitals are all true and correct.
2. Issues Presented. Pursuant to the Act, the following ballot measure shall be submitted to the qualified electors (as defined below) of the CFD at an election called therefor as provided below:

BALLOT MEASURE: Shall the City of Clayton be authorized to annually levy a special tax solely on lands within the City of Clayton Community Facilities District No. 2022-01 (Public Services) in accordance with the rate and method contained in the Resolution of Formation of the CFD adopted by the City Council of the City on September 20, 2022, commencing in the City's Fiscal Year 2022-23, estimated to raise approximately \$17,200 annually, to pay for services authorized to be provided by the CFD and to pay the costs of the City in administering the CFD, and shall the initial annual appropriations limit of the CFD be established in the amount of \$2,000,000?

3. Canvass and Issues Approved. The Council hereby approves the Canvass and finds that it shall be a permanent part of the record of its proceedings for the CFD.

4. Declaration of Results. All votes voted in the special election on the proposition were voted in favor thereof, and the proposition carried.

5. Proceedings Approved. Pursuant to the voter approval, the CFD is hereby declared to be fully formed with the authority to levy the special taxes and to have the established appropriations limit, all as heretofore provided in these proceedings and in the Act. It is hereby found that all prior proceedings and actions taken by this Council with respect to the CFD were valid and in conformity with the Act.

6. Effect of Election. The effect of the results of the special election, as specified in Section 4 hereof, is that the City Council, as the legislative body of the CFD, is authorized to annually levy special taxes solely on lands within the CFD in accordance with the rate and method contained in the Resolution of Formation, commencing in the City's fiscal year 2022-23, estimated to raise approximately \$17,200 annually, to pay for the municipal services for the CFD and to pay the costs of the City in administering the CFD, and establish an appropriations limit for the CFD in the amount of \$2,000,000, subject to annual increases in accordance with the law.

7. Notice of Tax Lien. The City Clerk is hereby directed to complete, execute and cause to be recorded in the office of the County Recorder of the County of Contra Costa a notice of special tax lien in the form required by the Act, such recording to occur no later than fifteen (15) days following adoption of this resolution by the Council.

8. Effective Date. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED by the City Council of the City of Clayton at a meeting held on the 20th day of September, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

Peter Cloven, Mayor

ATTEST:

Janet Calderon, City Clerk

EXHIBIT A

CANVASS AND STATEMENT OF RESULT OF ELECTION

**CITY OF CLAYTON
Community Facilities District No. 2022-01
(Public Services)**

I hereby certify that on September 20, 2022, I canvassed the returns of the election held on September 20, 2022, in the City of Clayton Community Facilities District No. 2022-01 (Public Services) and the total number of ballots cast in such District and the total number of votes cast for and against the measure are as follows and the totals as shown for and against the measure are full, true, and correct:

	<u>Qualified Landowner Votes</u>	<u>Votes Cast</u>	<u>YES</u>	<u>NO</u>
City of Clayton Community Facilities District No. 2022-01 (Public Services) Special Tax Election, September 20, 2022	_____	_____	_____	_____

BALLOT MEASURE: Shall the City of Clayton be authorized to annually levy a special tax solely on lands within the City of Clayton Community Facilities District No. 2022-01 (Public Services) (the "CFD") in accordance with the rate and method contained in the Resolution of Formation of the CFD adopted by the City Council of the City on September 20, 2022, commencing in the City's Fiscal Year 2022-23, estimated to raise approximately \$17,200 annually, to pay for services authorized to be provided by the CFD and to pay the costs of the City in administering the CFD, and shall the initial annual appropriations limit of the CFD be established in the amount of \$2,000,000?

YES: _____

NO: _____

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND on September 20, 2022.

By: _____
City Clerk
City of Clayton

ORDINANCE NO.

**AN ORDINANCE LEVYING SPECIAL TAXES WITHIN COMMUNITY
FACILITIES DISTRICT NO. 2022-01 (PUBLIC SERVICES)**

**THE CITY COUNCIL
CITY OF CLAYTON, CALIFORNIA**

WHEREAS, the City Council (this "Council") of the City of Clayton (the "City") has adopted a resolution entitled "A Resolution of the City Council of the City of Clayton, CA Stating the Intention to Establish A Community Facilities District and Future Annexation Area" (the "Resolution of Intention"), and has conducted proceedings (the "Proceedings") to establish (i) the "City of Clayton Community Facilities District No. 2022-01 (Public Services)" (the "CFD") and (ii) the "City of Clayton Community Facilities District No. 2022-01 (Public Services) (Future Annexation Area)" (the "Future Annexation Area") pursuant to the Mello-Roos Community Facilities Act of 1982, as amended, Chapter 2.5 of Part 1 of Division 2 of Title 5, commencing with Section 53311, of the California Government Code (the "Act") to fund certain municipal services (the "Services") as provided in the Act.

WHEREAS, pursuant to notice as specified in the Act, and as part of the Proceedings, the Council has held a public hearing under the Act relative to the determination to proceed with the formation of the CFD and the Future Annexation Area and the rate and method of apportionment of the special tax ("Special Tax") to be levied within the CFD to finance the Services, and at such hearing all persons desiring to be heard on all matters pertaining to the formation of the CFD and the Future Annexation Area and the levy of the Special Tax were heard, substantial evidence was presented and considered by this Council and a full and fair hearing was held.

WHEREAS, upon the conclusion of the hearing, this Council adopted a resolution entitled "Resolution of the City Council of the City of Clayton, California Establishing Community Facilities District No. 2022-01 (Public Services) and Designating a Future Annexation Area and Taking Other Actions Relating Thereto" (the "Resolution of Formation"), pursuant to which it completed the Proceedings for the establishment of the CFD and the Future Annexation Area, the authorization of the levy of the Special Tax within the CFD and the calling of an election within the CFD on the propositions of levying the Special Tax and establishing an appropriations limit within the CFD, respectively.

WHEREAS, on September 20, 2022, a special election was held among the landowner voters within the CFD at which such voters approved such propositions by the two-thirds vote required by the Act, which has been confirmed by resolution of this Council.

NOW THEREFORE, THE CITY COUNCIL OF CLAYTON, CALIFORNIA DOES ORDAIN
as follows:

Section 1. Special Tax Authorized. By the passage of this Ordinance, the Council hereby authorizes and levies the Special Tax within the CFD (including any parcel or parcels in the Future Annexation Area that annex into the CFD) pursuant to sections 53328 and 53340 of the Act, at the rate and in accordance with the Rate and Method of Apportionment of Special Tax set forth in the Resolution of Formation which rate and method is by this reference incorporated herein.

The Special Tax is hereby levied commencing in fiscal year 2022-23 and in each fiscal year thereafter to pay for the Services for the CFD, as contemplated by the Resolution of Formation and the Proceedings, and all costs of administering the CFD.

Section 2. Collection Official. Following the approval by the Council of a budget for the CFD for each fiscal year after 2022-23, the Public Works Director/City Engineer or designee, or an employee or consultant of the City (the "Collection Official"), is hereby authorized and directed each fiscal year to determine the specific Special Tax rate and amount to be levied for the next ensuing fiscal year for each parcel of real property within the CFD (including any parcel or parcels in the Future Annexation Area that annex into the CFD), in accordance with such approved budget and in the manner and as provided in the Resolution of Formation. In the event the Council has not adopted a budget for the CFD by July 31 of any year, the budget for that fiscal year shall be the same as the budget for the previous fiscal year.

Section 3. Exemptions. Properties or entities of the state, federal or local governments shall be exempt from any levy of the Special Taxes, to the extent set forth in the Rate and Method of Apportionment. In no event shall the special taxes be levied on any parcel within the CFD in excess of the maximum Special Tax specified in the Rate and Method of Apportionment.

Section 4. Use of Special Tax. All the collections of the Special Tax shall be used as provided in the Act and in the Resolution of Formation, including, but not limited to, the payment of costs of the Services, the payment of the costs of the City in administering the CFD, and the costs of collecting and administering the Special Tax.

Section 5. Secured by a Lien. The Special Taxes authorized to be levied shall be secured by the lien imposed pursuant to Section 3114.5 and 3115.5 of the California Streets and Highways Code, which lien shall be a continuing lien and shall secure each levy of the Special Taxes. The lien of the Special Tax shall continue in force and effect until the Special Tax obligation is cancelled in accordance with law or until the Special Tax ceases to be levied by the Council.

Section 6. Collection Method. The Special Taxes of the CFD shall be collected as necessary to meet the financial obligations of the CFD on the secured tax roll in the same manner as ordinary *ad valorem* taxes are collected and shall have the same lien priority, and be subject to the same penalties and the same procedure and sale in cases of delinquency as provided for *ad valorem* taxes; provided, however, that the Council may provide for other appropriate methods of collection by resolution(s) of the Council. In addition, the provisions of Section 53356.1 of the Act shall apply to delinquent Special Tax payments. In each fiscal year commencing in the fiscal year 2022-23, the Collection Official is hereby authorized and directed to provide all necessary information to the auditor/tax collector of the County of Contra Costa and to otherwise take all actions necessary in order to effect proper billing and collection of the Special Tax, so that the Special Tax shall be levied and collected in sufficient amounts and at the times necessary to satisfy the financial obligations of the CFD, and include on the secured property tax roll of the County of Contra Costa for Fiscal Year 2022-23 and for each fiscal year thereafter until no longer required to pay for the Services or until otherwise terminated by the City.

Notwithstanding the foregoing, the Collection Official may collect the Special Taxes by means of direct billing by the City to the property owners within the CFD if, in the judgment of the Collection Official such means of collection will reduce the administrative burden on the City in administering the CFD or is otherwise appropriate in the circumstances. In such event, the Special Taxes shall become delinquent if not paid when due as set forth in any such respective billing to the property owners.

Section 7. Partial Invalidity. If for any reason any portion of this Ordinance is found to be invalid, or if the Special Tax is found inapplicable to any particular parcel within the CFD, by a court of competent jurisdiction, the balance of this ordinance and the application of the Special Tax to the remaining parcels within the CFD shall not be affected.

Section 8. Execution and Posting. The Mayor shall sign this Ordinance and the City Clerk, within fifteen (15) days after its passage, shall cause the same to be published in three (3) public places as designated by Resolution of the Clayton City Council for the posting of ordinances and public notices.

Section 9. Effective Date. This Ordinance shall take effect thirty (30) days from the date of final passage.

The foregoing Ordinance was introduced at a regular public meeting of the City Council of the City of Clayton held on the 20th day of September, 2022.

PASSED, ADOPTED and ORDERED posted at an adjourned regular public meeting of the City Council of the City of Clayton, California held on the 4th day of October, 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

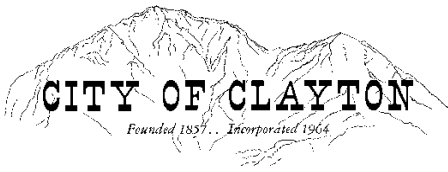
Peter Cloven, Mayor

ATTEST:

Janet Calderon, City Clerk

I hereby certify that the foregoing Ordinance was duly introduced at a regular public meeting of the City Council of Clayton, California held on September 20, 2022, and was duly adopted, passed, and ordered posted at an adjourned regular meeting of the City Council held on October 4, 2022.

Janet Calderon, City Clerk



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

DATE: September 20, 2022

SUBJECT: Approve by Minute Order the Placement of Plaques in Memory of Braden Fahey at The Grove Park and Clayton Community Park

RECOMMENDATION

Approve by Minute Order the Placement of Plaques in Memory of Braden Fahey at The Grove Park and Clayton Community Park.

BACKGROUND

In 2007, the City Council adopted Resolution 12-2007 (attached), establishing a park naming policy. The policy includes naming not only parks but also certain amenities within parks such as ballfields, scoreboards, gazebo, tot lot, etc. The policy allows for naming of amenities and/or the placement of plaques for a number of reasons, including recognition in memory of a deceased community member.

DISCUSSION

On August 7, 2022, a local Clayton middle school student, Braden Fahey, died following a medical emergency. In the days and weeks following, the Clayton community has come together in a number of ways to honor Braden.

The City has received two requests specifically. The first is for the placement of a memorial plaque on a bench at The Grove Park, where Braden often played and met with friends. It is the City's policy that such a memorial plaque is allowed, provided that the requesters pay for the plaque, which they have agreed to do. Maintenance of the bench (including the plaque) remains the responsibility of the City.

The second request is from Clayton Valley Little League to name the Baseball Field at Clayton Community Park Field 3 as the "Braden Fahey Memorial Field". This request is in line with the City Council adopted naming policy, provided that any memorial signage/plaque be paid for by the requester. In this case, Clayton Valley Little League has agreed to pay for the requested signage if the naming is approved.

In both cases, the Fahey family is aware of the request and is supportive of it, and grateful for the outpouring of support from the community.

FISCAL IMPACT

Because the costs associated with the memorial plaques will be born by the requesters, there is no direct fiscal impact to the City. Any increases in maintenance would be minimal.

Attachment:

1. Resolution 12-2007, Parks Naming Policy

RESOLUTION NO. 12-2007

A RESOLUTION ESTABLISHING A PARK NAMING POLICY

THE CITY COUNCIL
City of Clayton, California

WHEREAS, the City of Clayton has many parks and park elements; and

WHEREAS, the City of Clayton does not have a formal park naming policy and wishes to establish one; and

WHEREAS, on February 8, 2007 the Community Services Commission considered and unanimously recommended a Park Naming Policy for the City of Clayton; and

WHEREAS, the City Council considered the Park Naming Policy at its regular meeting of April 17, 2007.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Clayton, California, that a City of Clayton Park Naming Policy is herein established and adopted as provided in the attached Exhibit A to this Resolution.

PASSED, APPROVED AND ADOPTED by the City Council of Clayton, California at a regular meeting thereof held on the 17th day of April, 2007 by the following vote:

AYES: Mayor Walcutt, Vice Mayor Manning, Councilmembers Pierce and Stratford

NOES: None

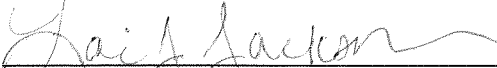
ABSENT: Councilmember Shuey

ABSTAIN: None

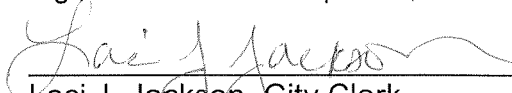
THE CITY COUNCIL OF CLAYTON, CA


William R. Walcutt, Mayor

ATTEST:


Laci J. Jackson, City Clerk

I hereby certify that the foregoing resolution was duly and regularly passed by the City Council of Clayton, California at a regular meeting thereof held on April 17, 2007.


Laci J. Jackson, City Clerk

City of Clayton Park Naming Policy

Park names shall be determined by the City Council using at least one of the following criteria:

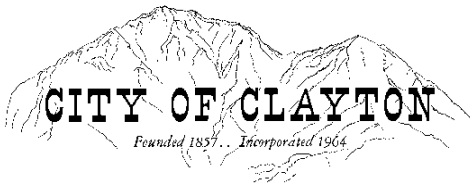
- Historical event or activity associated with the site
- Geographical references
- Individual historical or special community contribution of individual only after death (posthumously)
- No corporate, business or personal naming of parks

Recreation scoreboards

- Scoreboards(ie: Clayton Community Gym, Clayton Community Park, (future) Bocce Courts): may be allowed to have business or individual signage for containing their name and/or logo if they have substantially provided to the construction or maintenance.

Other features or elements contained within a park or recreation area such as tot lot, gazebo, ballfield, etc.

- May have a small plaque or donor board to acknowledge the contributions made by the businesses, individuals, or a memorial designation. The signage or donor board installation will be paid for by the donor or through donations received. Maintenance would be incorporated into the park maintenance.



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Larry Theis, City Engineer

DATE: September 20, 2022

SUBJECT: Approval of Preliminary Design Concept for Complete Streets Feasibility Study on Pine Hollow Road (Joint Project with City of Concord)

RECOMMENDATIONS

Staff recommends the City Council review and conceptually approve the preliminary Complete Street measures being proposed along Pine Hollow Road between the Concord/Clayton City limits and Pine Hollow Court which includes a new five-foot wide southside sidewalk, added sharrows in the vehicular travel lanes for safer bicycle travel, raised high visibility crosswalk intersections at Mitchell Canyon Road and at Tiffin Drive, which are shown on Attachment 1.

BACKGROUND

The City of Clayton, jointly with the City of Concord as the lead, conducted a Complete Streets Feasibility Study on a 2.2-mile corridor of Pine Hollow Road/Alberta Way between Clayton Valley Charter High School and Mt. Diablo Elementary School. The study and accompanying community outreach effort was conducted to evaluate multimodal improvements for a critical school travel corridor which would enhance bicycle and pedestrian safety, access to transit, and recreational residential use.

The Pine Hollow Road corridor lacks continuous/standard sidewalks or bike lanes; and faces challenges associated with high traffic speeds, heavy truck traffic, and multiple locations with several collisions in recent years. The corridor experiences elevated truck traffic associated with the presence of the quarries and elevated auto traffic as it is used as a cut-through for traffic bypassing congestion on nearby arterials. The combination of inadequate or disconnected transportation facilities with elevated levels of auto/truck traffic and speeds results in an undesirable environment for pedestrian and bicycle activity. This in turn causes increased reliance on auto access to the schools, resulting in congestion around schools during school start/dismissal periods. The project is needed to enhance safety and connectivity for school children and other residents to allow for an increase in walking and biking in the area and an improved quality of life.

The City of Concord contracted the services of Kimley Horn to perform community outreach effort and prepare the feasibility study. For the past 15 months, Kimley Horn solicited community input and perform a technical transportation analysis to complete the feasibility study. Three rounds of outreach efforts resulted in over 2,000 interactions with the public, including a demonstration pop-up event in front of Pine Hollow Middle School on April 27, 2022 that involved installing some temporary measures for stakeholders to navigate, experience, and provide additional feedback.

DISCUSSION

Adam Dankberg, Project Manager with Kimley Horn will be attending the City Council meeting and presenting a brief slideshow of the results of the feasibility study and preferred alternatives. Mr. Dankberg provided a similar presentation to the Concord City Council on August 23, 2022 regarding the comprehensive project. His presentation and slides provide more information on the community feedback received from Concord and Clayton residents.

The recommended complete street measures shown in Attachment 1 are being presented to the City Council for conceptual concurrence and support for pursuing grant funding opportunities such as Active Transportation Program (ATP) in conjunction with the City of Concord.

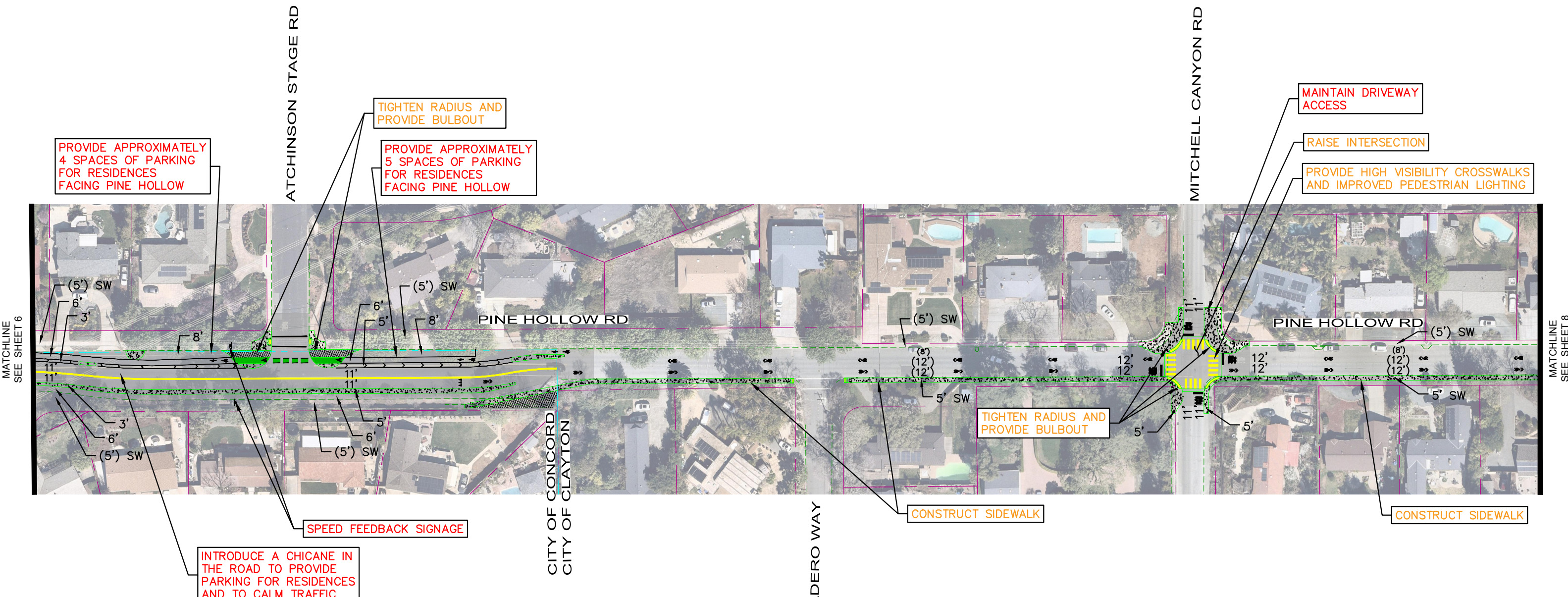
Summary proposed conceptual improvements within Clayton:

1. Placing bicycle sharrow pavement markings in westbound and eastbound travel lanes.
2. Constructing raised crosswalk intersections at Mitchell Canyon Road and Mt. Zion/Tiffin Drives including high visibility striping, improved pedestrian lighting, and bulb-outs/tighter curb radii.
3. Installing approximately 800+ linear feet of five-foot-wide concrete sidewalk along southside of Pine Hollow Road.

FISCAL IMPACT:

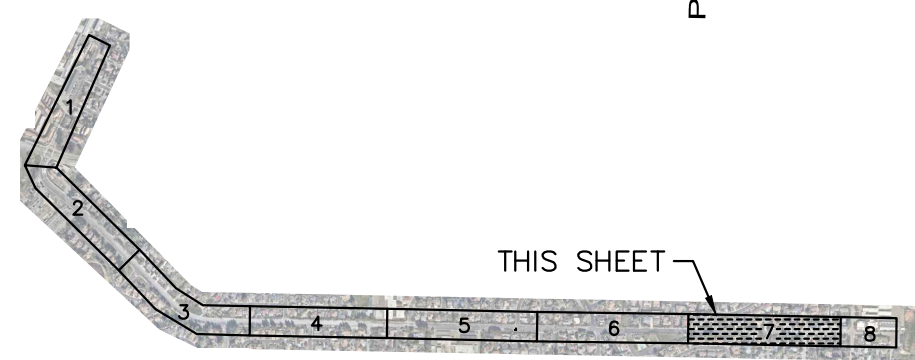
The total project cost (Clayton and Concord) is estimated at approximately \$9.8 million for project development, design, and construction costs in the initial grant funding requests. The portion within Clayton is estimated at approximately \$600,000. When grant funding is obtained, City Staff will bring a budget adjustment item to the Council for allocation of any required local match funding.

Attachments: 1. Proposed Pine Hollow Improvements Map
 2. Presentation Slides



MATCHLINE
SEE SHEET 6

MATCHLINE
SEE SHEET 8



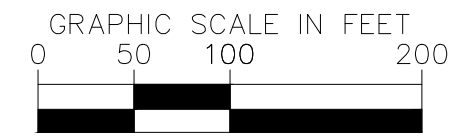
KEY MAP
NOT TO SCALE

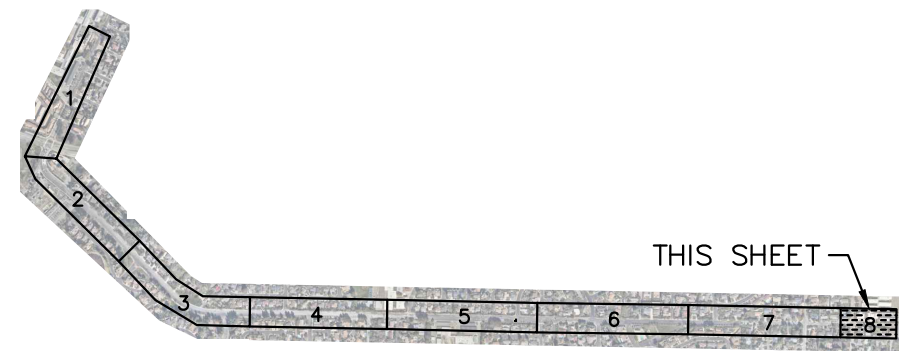
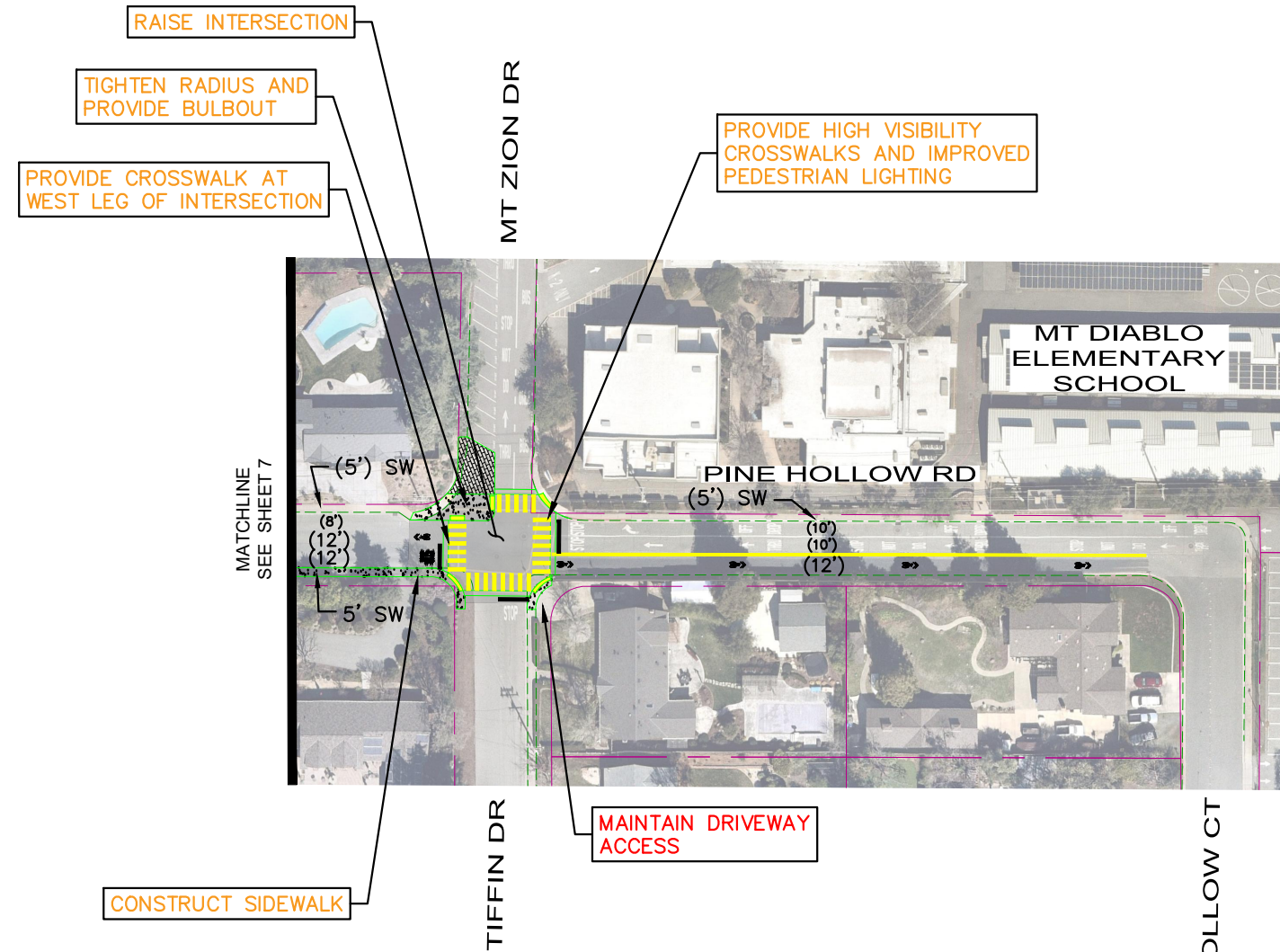
LEGEND

- EXISTING RIGHT OF WAY/PROPERTY LINE
- CITY BOUNDARY
- EXISTING CURB/SIDEWALK
- PROPOSED CURB/SIDEWALK
- ACCESSIBLE RAMP IMPROVEMENTS
- SHARROW
- BIKE LANE
- (X') EXISTING WIDTH
- X' PROPOSED WIDTH

- VEHICLE/ROADWAY RECOMMENDATION
- PEDESTRIAN RECOMMENDATION
- BICYCLE RECOMMENDATION
- TRANSIT RECOMMENDATION

- PROPOSED CONCRETE
- PROPOSED LANDSCAPING
- PROPOSED CYCLE TRACK





LEGEND

- EXISTING RIGHT OF WAY/PROPERTY LINE
- CITY BOUNDARY
- EXISTING CURB/SIDEWALK
- PROPOSED CURB/SIDEWALK
- ACCESSIBLE RAMP IMPROVEMENTS
- SHARROW
- BIKE LANE
- (X') EXISTING WIDTH
- X' PROPOSED WIDTH

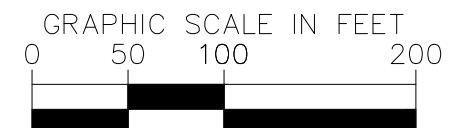
VEHICLE/ROADWAY RECOMMENDATION

PEDESTRIAN RECOMMENDATION

BICYCLE RECOMMENDATION

TRANSIT RECOMMENDATION

- PROPOSED CONCRETE
- PROPOSED LANDSCAPING
- PROPOSED CYCLE TRACK



Pine Hollow Road Complete Streets Feasibility Study

City Council Meeting | September 20, 2022





Presentation Outline

- Project Overview
 - Study purpose, area, and timeline
 - Feedback from Community Outreach
- Improvement Concept
- Next Steps
- Q&A

Action Requested – Seeking approval for the Feasibility Study improvement recommendations

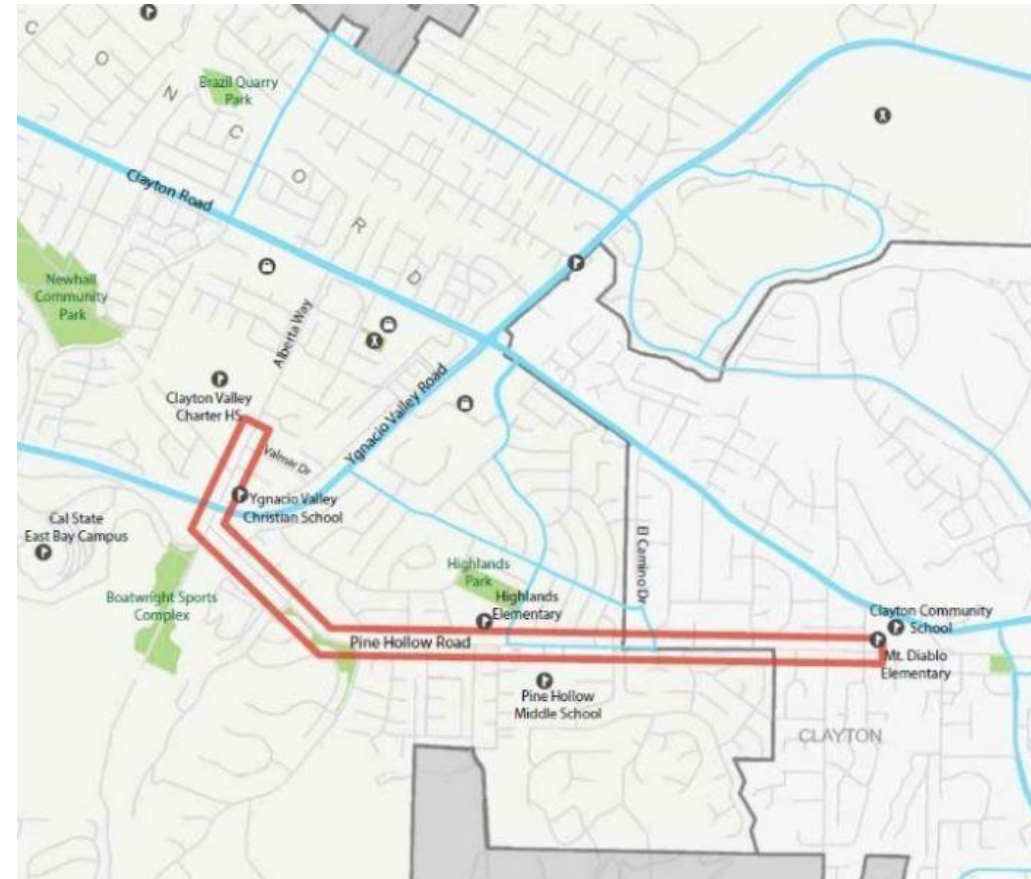
Project Overview





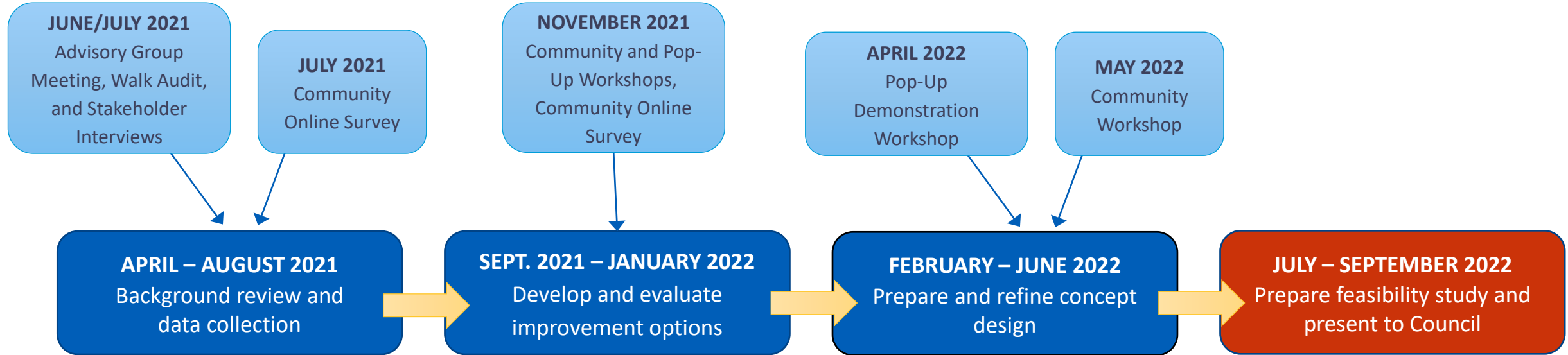
Study Corridor and Context

- 2.2 mile corridor between Alberta Way/Pine Hollow Road in Concord and Mt. Diablo Elementary in Clayton
- Funded by Caltrans Sustainable Transportation Planning Grant
 - Prime Consultant - Kimley-Horn
- A joint project between the cities of Concord and Clayton





Study Timeline

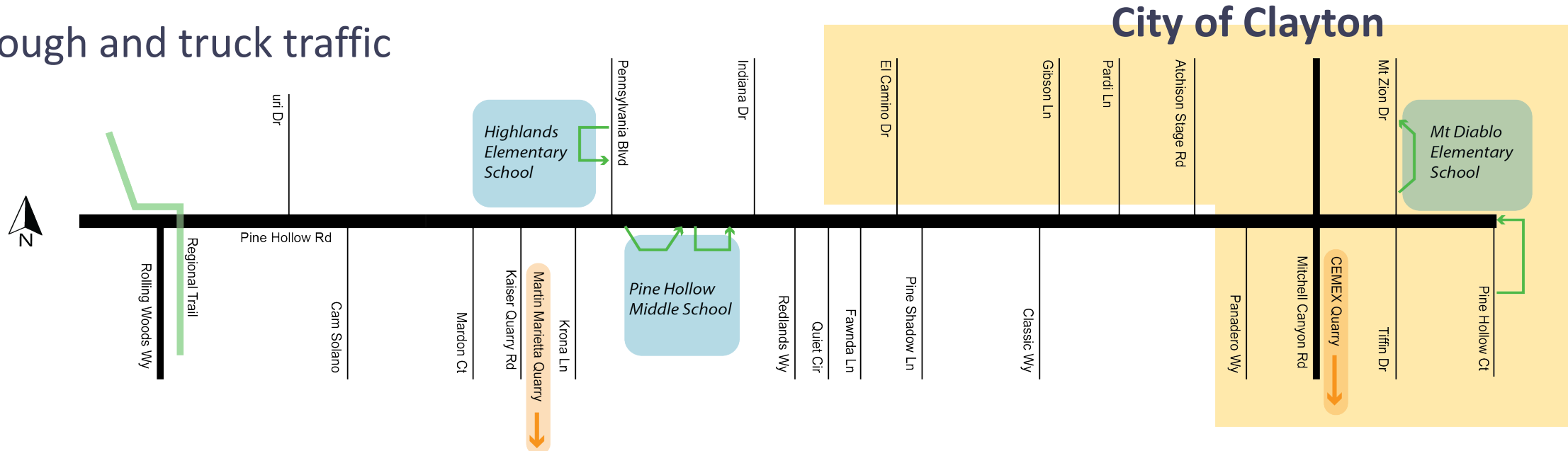
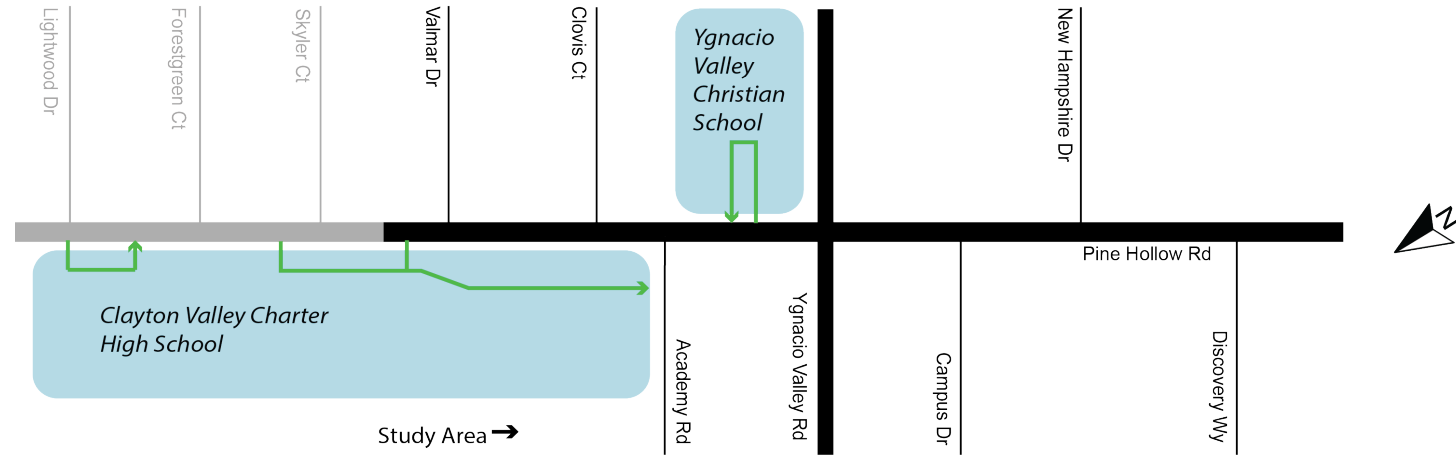


- Consulted with Advisory Group throughout project
 - Advisory Group Members: Schools, Bike Concord, County Connection, Cities
 - Special coordination with Quarries and Bike East Bay
- Robust three rounds of community outreach
 - Three online surveys, three in-person pop-up and two community workshops, demo



Study Area

- 2.2 miles
- 5 schools, 4,200+ students
- Sidewalk gaps and substandard paths
- No bike facilities
- Cut-through and truck traffic



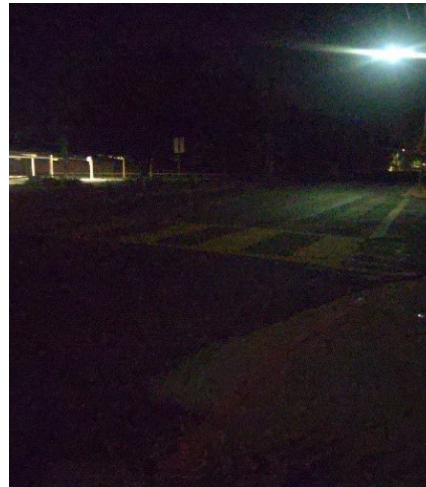


Improvement Objectives

- Reduced auto speeds and improved traffic safety
- Continuous, safer, and more comfortable pedestrian facilities
- Connected bicycle facilities throughout corridor



Missing sidewalk gaps



Poorly Lit Crossings

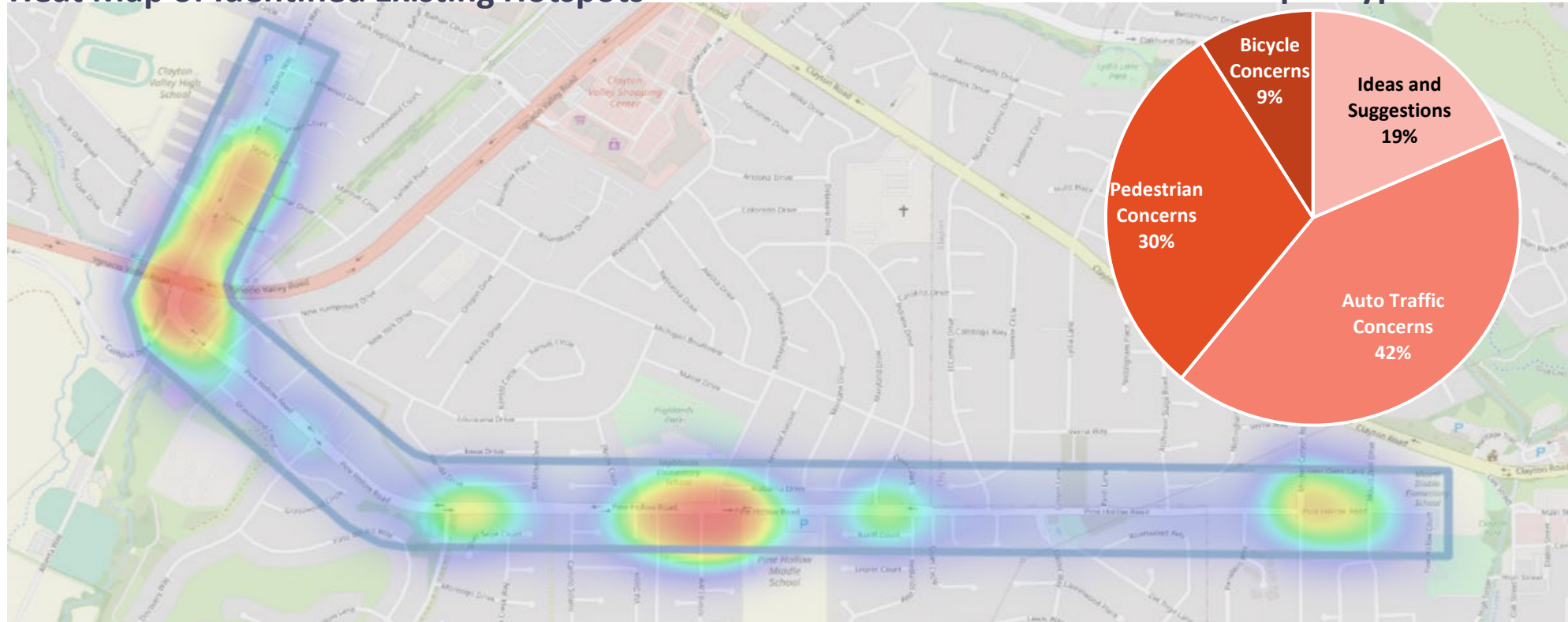


Lack of bicycle facilities



Corridor Needs (Summer 2021 Survey)

Heat Map of Identified Existing Hotspots

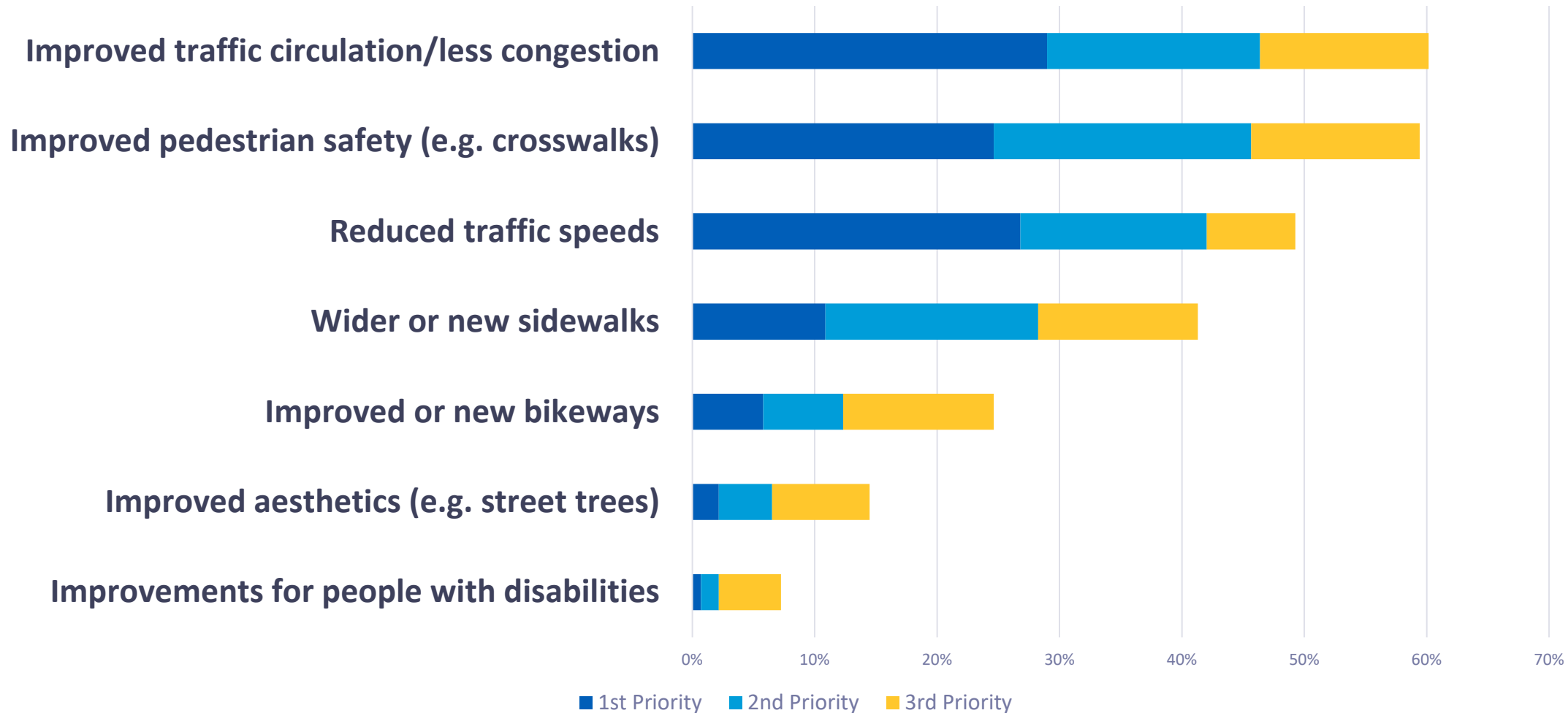


237 TOTAL PARTICIPANTS | 210 map comments, 1,060 votes, and 138 survey responses

Survey was available from July 1 – July 23, 2021 in Spanish and English



Community Priorities (Summer 2021 Survey)





Round 2 Outreach Activities (Fall 2021)

Concord

Drag to comment > Ideas and Suggestions Something I Like Make a Comment Something I'd Like to Change Info Markers

Survey

Please complete the questions below to tell us more about your thoughts on the improvements!

Question 1

Both Option A and Option B include bike lanes with a buffer from the auto lane for most of Pine Hollow Road in Concord. Option A includes one-way protected bike lanes on each side of Pine Hollow, creating greater separation between the sidewalk on the north side of Pine Hollow and autos as well as making the bike lanes easy to access from both sides of the street. Option B includes a two-way cycle track on the south side of Pine Hollow, which reduces the number of conflicts between autos and bikes and provides a more comfortable bicycle facility for all ages. Which would most encourage you to ride a bike more on this corridor?

☐ Option A

☐ Option B

☐ Both Options A and B equally

☒ Neither option would encourage me to ride a bike on the corridor

Potential Improvements Options
Posibles Opciones de Mejoras

Cross Section
Section Transversal

Improvement Option
Opción de Mejora

Legend
Leyenda

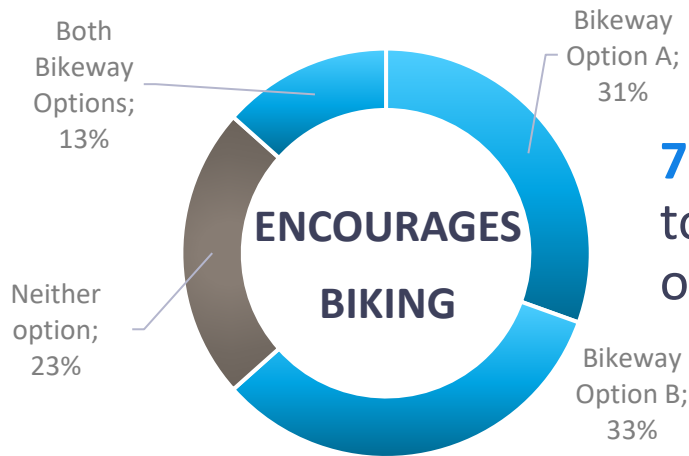


- Pop-up workshops at Highlands Elementary School, Mt. Diablo Elementary School, and Pine Hollow Middle School
- Virtual community workshop
- Online public feedback survey

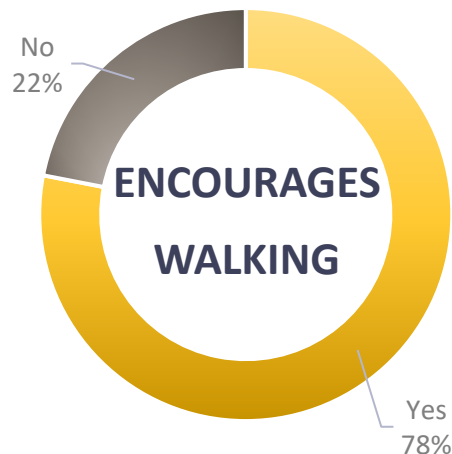




Community Feedback on Improvements (Fall 2021)

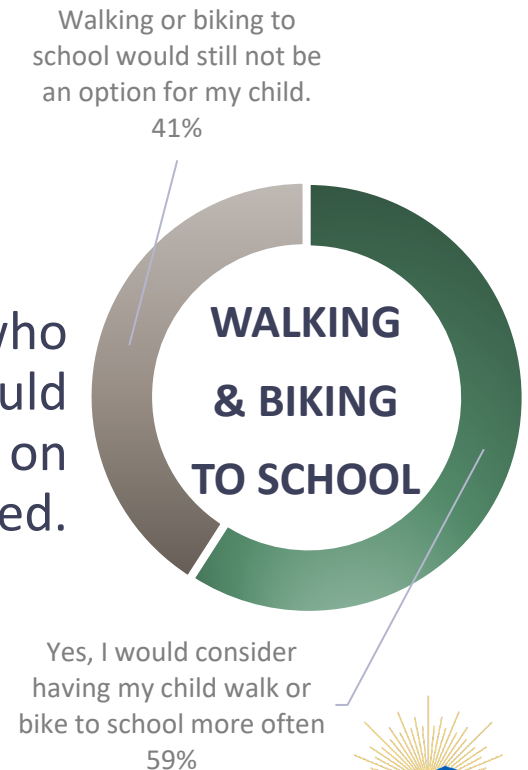


77% of respondents would be encouraged to ride a bike on the corridor if some type of bikeway improvements were available.



78% of respondents would be encouraged to walk more along Pine Hollow Road if new or improved sidewalks were constructed.

59% of respondents with children who currently do not walk or bike to school would be encouraged to let their child walk/ride on the corridor if proposed improvements existed.





One Day Pop-Up Demonstration (Spring 2022)

- Held on Wednesday, April 27th in coordination with Street Smarts Diablo and Pine Hollow Middle School's Walk & Roll to School Day
 - Event supported by schools, PTA, Bike Concord/Bike East Bay
- Temporary, one-day installations to demonstrate improvements
 - Protected, two-way bike lanes on the south side of Pine Hollow Road
 - Crosswalk at the Pennsylvania Blvd intersection
- Feedback: Very positive reception from students
 - Challenges with auto traffic at school pick-up



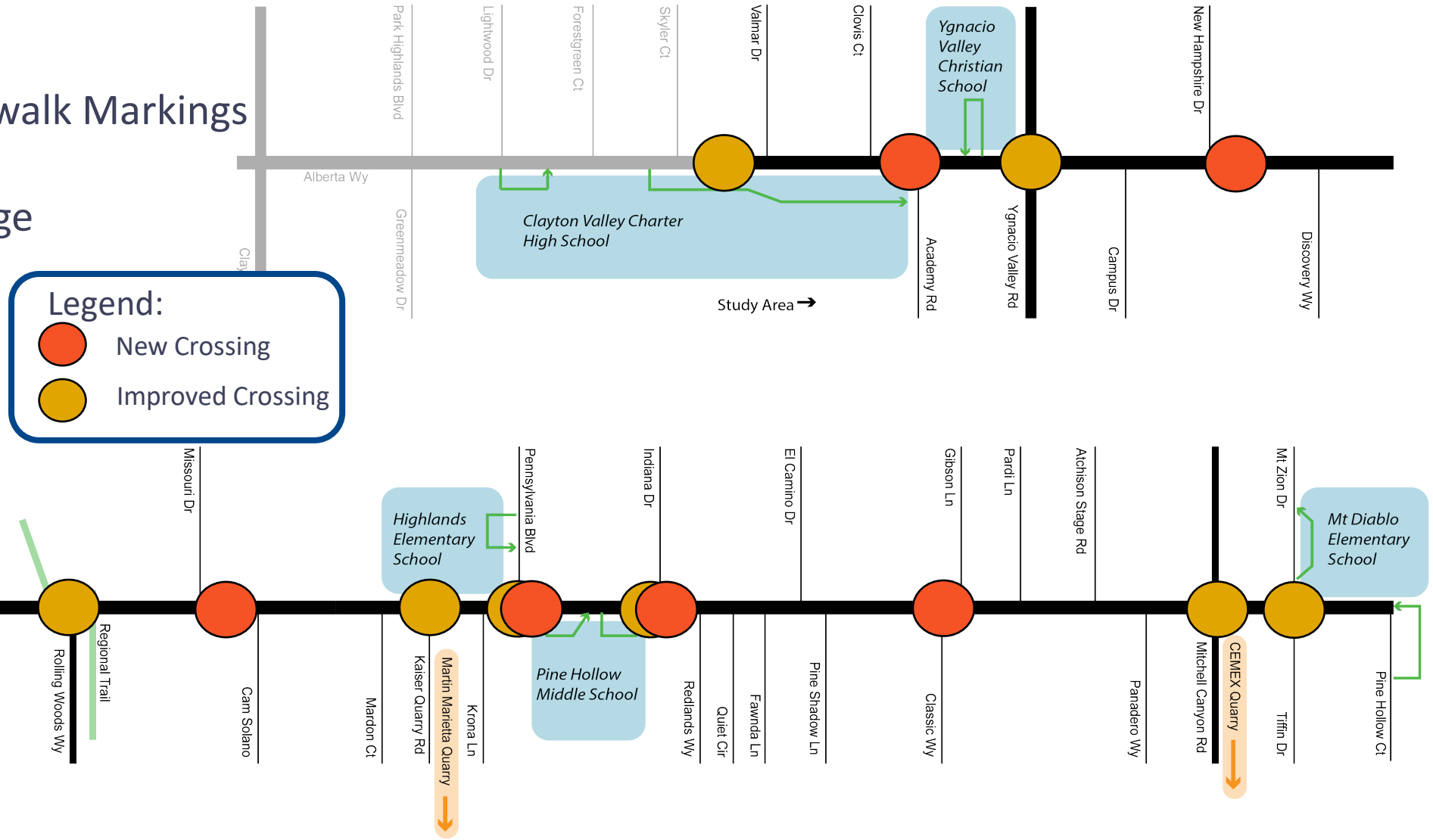
Streetscape Concept Design





Pedestrian Infrastructure Improvements (Crossings)

- New Crosswalks
- High-Visibility Crosswalk Markings
- Raised Crosswalks
- New Beacons/Signage
- Median Refuges
- Pedestrian Lighting
- ADA Upgrades

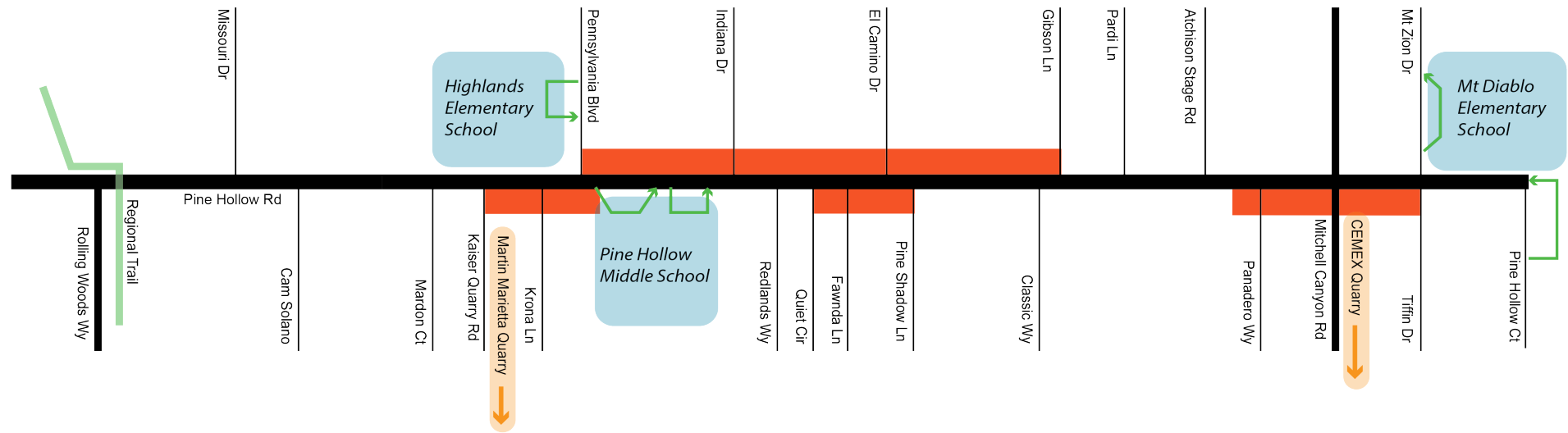
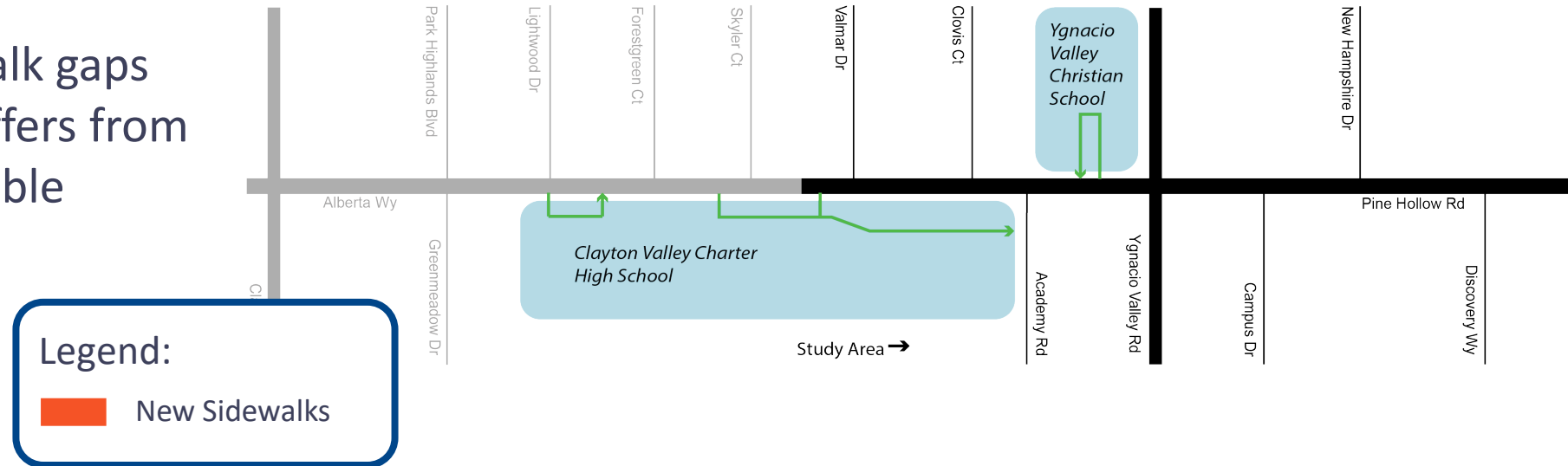


Source: Texas A&M Transportation Institute



Pedestrian Infrastructure Improvements (Sidewalks)

- Close existing sidewalk gaps
- Provide sidewalk buffers from roadway where feasible
- ADA Upgrades







Source: Caltrans

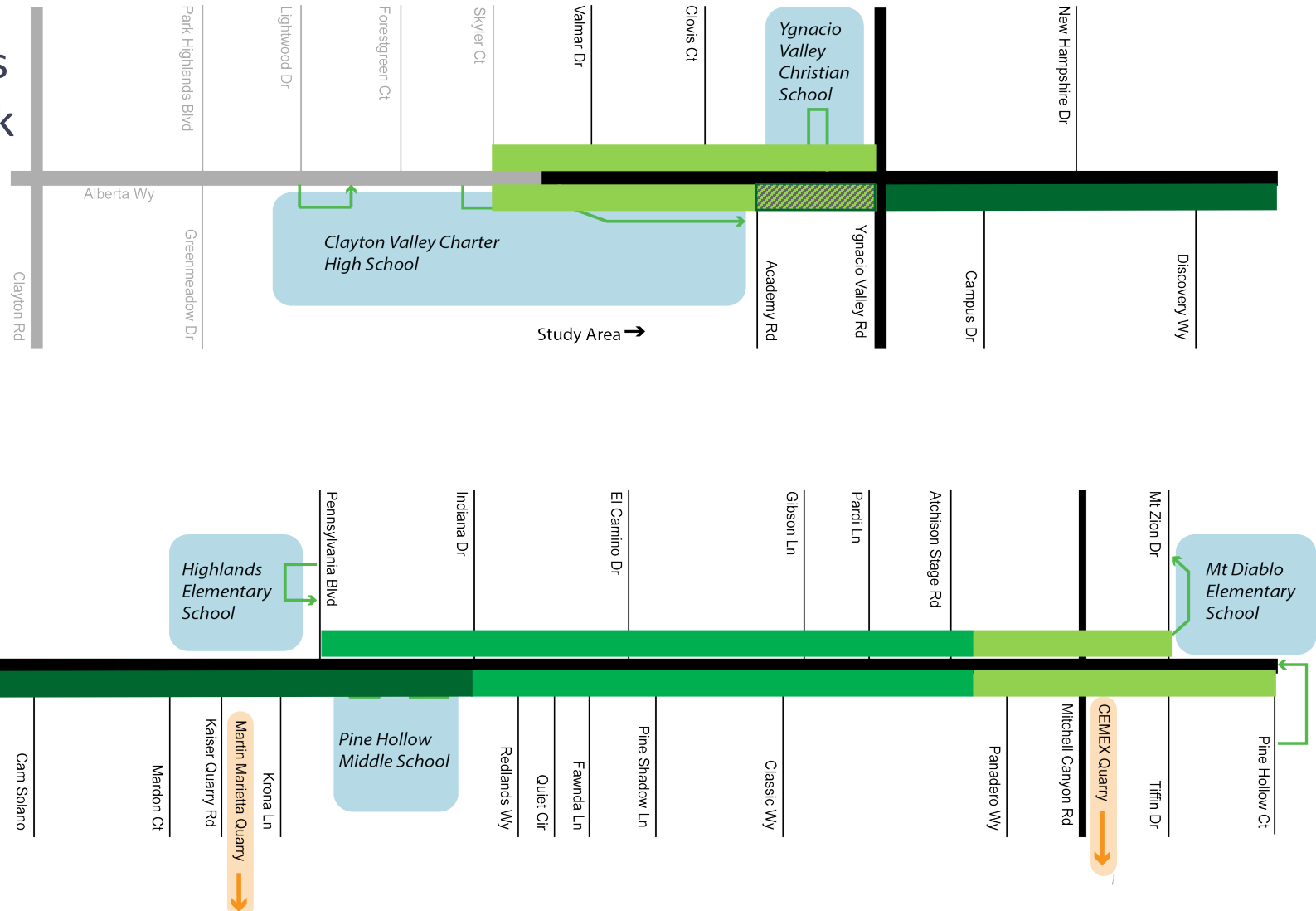


Bike Infrastructure Improvements

- School and trailhead connections
- Two-way and one-way cycle track
- Bike crossings at intersections

Legend:

-  2-way Cycle Track (Class IV)
-  1-way Cycle Track (Class IV)
-  Bike Route with Sharrows (Class III)
-  Potential for offstreet, multiuse path






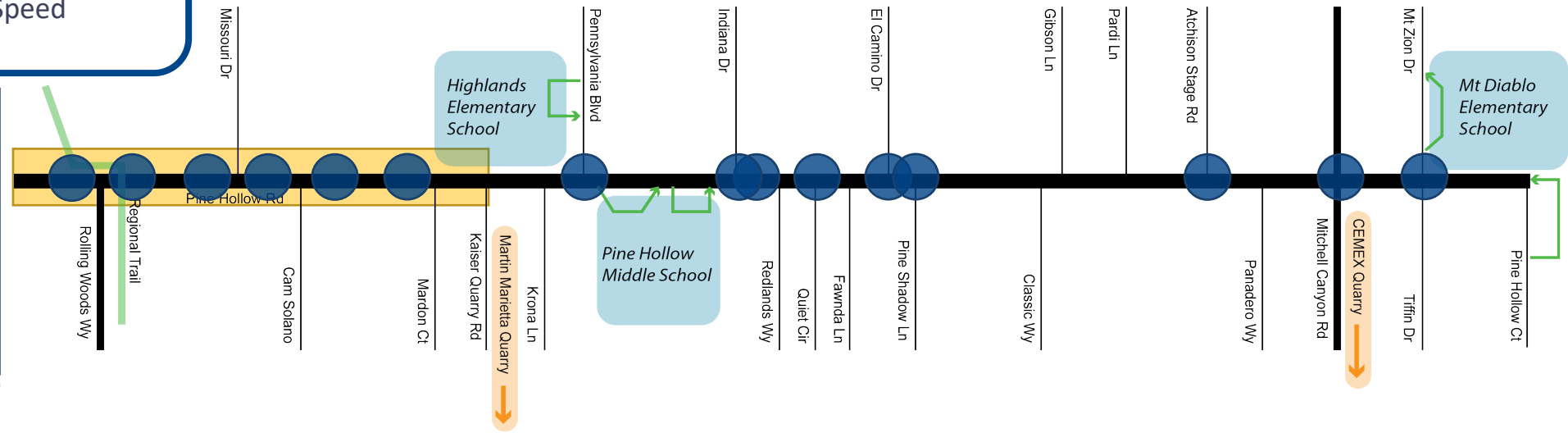
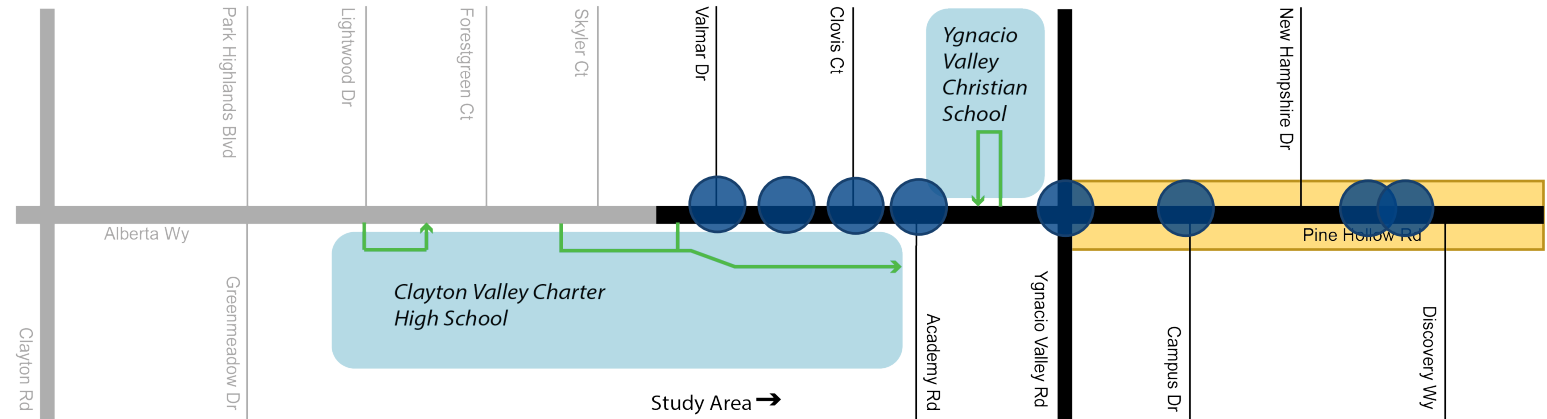
Buses, Trucks, and Traffic Calming

- Bulb outs and raised medians
- Lane conversion
- Speed feedback signs
- Consider speed limit reduction
- Truck-specific signage

Legend:

 Lane Conversion Area

 Medians, Bulbouts, Speed Feedback Signs



Source: NACTO

Action, Next Steps and Q&A





Action Requested

- Requesting the Council to Approve recommended concepts from Complete Streets Feasibility Study on Pine Hollow Road/Alberta Way (from City Boundary to Mount Diablo Elementary School)





Next Steps

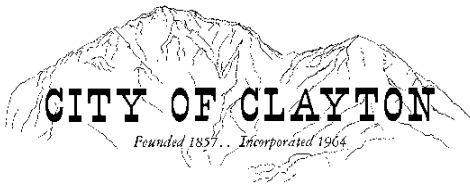
- Pursue grant funding
 - Cycle 6 ATP Application Submitted - \$10 Million Request
- Advance design



Thank You!

Questions?





AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCILMEMBERS

FROM: Larry Theis, City Engineer

DATE: September 20, 2022

SUBJECT: Discussion and Feedback to Clayton's TRANSPAC Representative Regarding CCTA/TRANSPAC Designation of Marsh Creek Road/Clayton Road as a Route of Regional Significance

RECOMMENDATIONS

Staff recommends the City Council discuss the mapping and designation of multi-modal Routes of Regional Significance (RRS) in Contra Costa County and provide feedback to the City's representatives to TRANSPAC (CCTA's Central County Regional Transportation Planning Committee), currently Mayor Cloven with Councilmember Wolfe as the Alternate.

BACKGROUND

For the past six plus months, the Contra Costa Transportation Authority (CCTA), Contra Costa county's congestion management and regional transportation agency has been evaluating an update to the existing Routes of Regional Significance (RRS) designations in order to create new maps which incorporate multi-modal RRS including rail, bus transit, bike networks, and vehicular routes such as freeways and major roadway corridors.

The RRS is an integral part of the County's overall Action Plan that is intended to address key transportation issues in Contra Costa County over the next 25 years. Clayton is considered part of the Central County Regional Transportation Planning Committee (RTPC) which is named TRANSPAC. Mayor Cloven is your appointed Councilmember representative to CCTA and TRANSPAC.

The firm Placeworks was hired by CCTA to lead TRANSPAC in a discussion to evaluate aspects of the existing Central County Action Plan and to update the RRS for multi-modal travel in addition to identifying new corridors for the RRS map. Torina Wilson, from Placeworks has been invited by Clayton staff to present an overview of the Action Plan, the proposed RRS, provide a summary of the outreach, and inform the Clayton Council about the process that has occurred to date. Due to the short notice, presentation slides were not available at the time the Agenda was published and will be provided to the City Council and the public as soon as they are available.

The item of most significance in the update to the CCTA Action Plan is the proposed addition of the Marsh Creek Road Corridor as a Route of Regional Significance. There has been interest expressed by Contra Costa County and support by the East County RTPC (TRANSPPLAN) to identify Marsh Creek Road as an RRS. Generally, most of Marsh Creek Road lies in unincorporated County, and therefore Contra Costa County is responsible for its maintenance and safety improvements. By identifying Marsh Creek Road as an RRS, Contra Costa County will have more opportunities to seek and obtain grant funding on the regional/county, state, and federal levels.

is only being considered for roadway safety and bike/ped improvements, not capacity improvements, throughout the Action Plan.” This is the latest draft under consideration by TRANSPAC and eventually the entirety of CCTA.

The current schedule is the draft Central County Action Plan (including the RRS designations) will be recommended for approval at the TRANSPAC meeting on October 27, 2022 which would be followed by consideration for approval by the CCTA Board at its November 17, 2022 meeting.

Clayton will also have more opportunities to pursue grant opportunities with the inclusion of the Clayton Road and Marsh Creek Road corridors. The Bus/Transit corridor was also extended past Ygnacio Valley Road to denote existing bus connection to Clayton’s downtown. These multi-modal designations are intended to provide better regional connectivity to Clayton. The other benefits of adding these corridors as an RRS would be an elevated traffic study review process by TRANSPAC on future large developments that will impact the regional traffic on these RRS.

The side effects or trade-offs that the Council should be aware of and consider is the increased regional pressure to provide improved connectivity, reduced travel times along the corridor, likely increased traffic volumes as the corridor(s) is improved, and the additional regional traffic study review for large developments within Clayton.

FISCAL IMPACT:

No direct fiscal impact for this item.

Attachments:

1. June 27, 2022 TRANSPAC TAC Draft Placeworks Route of Regional Significance Multi-Modal Map
2. August 4, 2022 TRANSPAC Board Staff Report – Central County Action Plan Update

MEMORANDUM

DATE June 27, 2022
TO RTPC TAC members
FROM John Hoang and Matt Kelly, CCTA
David Early and Torina Wilson, PlaceWorks
SUBJECT Mapping of Routes of Regional Significance

An ongoing component of the Action Plan updates is revising the existing Routes of Regional Significance (RRS) to create new maps that show multi-modal RRS in Contra Costa County and the Alameda County portion of the Tri-Valley area.

RRS's are transportation facilities that meet certain qualifying criteria and were nominated by local staff. The maps will help CCTA itself, local jurisdictions, and the general public know which roadway, transit, and active transportation facilities are important to the region, and will serve as the basis for monitoring and maintenance by CCTA and the Regional Transportation Planning Committees (RTPCs).

After extensive discussions with RTPC Technical Advisory Committees (TACs) and various community stakeholders, CCTA and the PlaceWorks team have created a series of maps that will show Routes of Regional Significance both as a multimodal network of travel corridors, and for individual modes. These maps are described below.

Overall Corridor Maps

PlaceWorks has created multimodal RRS "Corridor Maps" that show five different transportation modes (bus, rail, bike, freeway, and surface roadway) on a single map. The maps are intended to illustrate the multimodal nature of the transportation network, and to also show that multiple facilities exist in any given generalized transportation corridor.

There are six Corridor Maps included in this memorandum: one countywide and one for each RTPC subregion. These maps show the location, generalized routing, and modes of each corridor. They are not intended to be exact, but rather to show travel corridors of the multimodal transportation network, as dictated by our hilly geography and Bay coastline. There are several critical notes to these Corridor Maps:

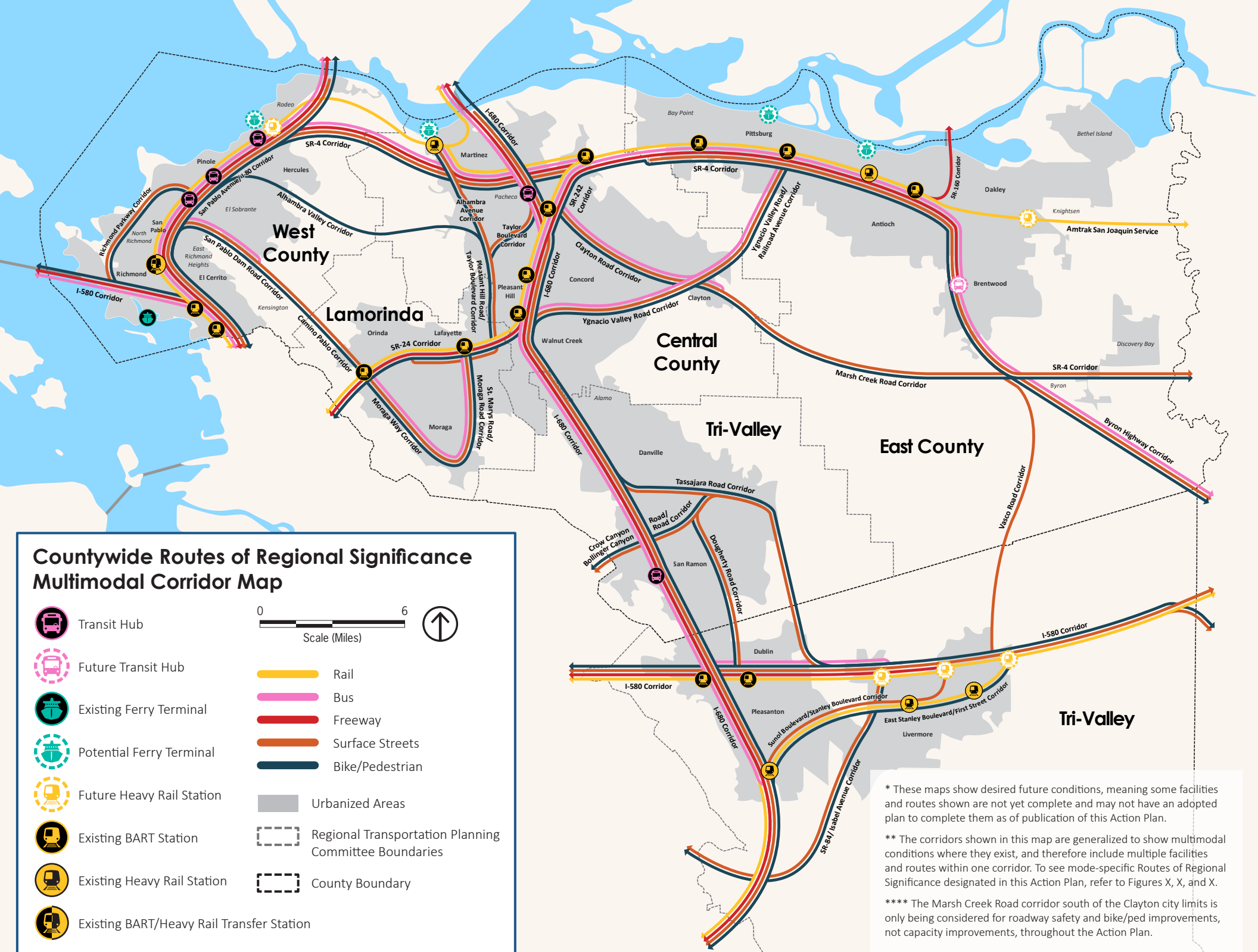
- The Corridor Maps show desired future conditions, meaning some facilities and routes shown are planned but not yet constructed.
- The corridors shown on the maps are highly generalized to show multimodal conditions where they exist or may someday exist, and therefore include multiple facilities and routes within one corridor.

The draft Corridor Maps are attached to this memo. CCTA welcomes comment on them at future meetings, via email, or when the Action Plans themselves are published for review and adoption.

Mode Specific Maps

In addition to the Corridor Maps, each Action Plan will also include three mode-specific maps that will be tied to specific Regional Transportation Objectives (RTOs). Readers will be able to refer to these maps for a detailed depiction of existing and desired facilities:

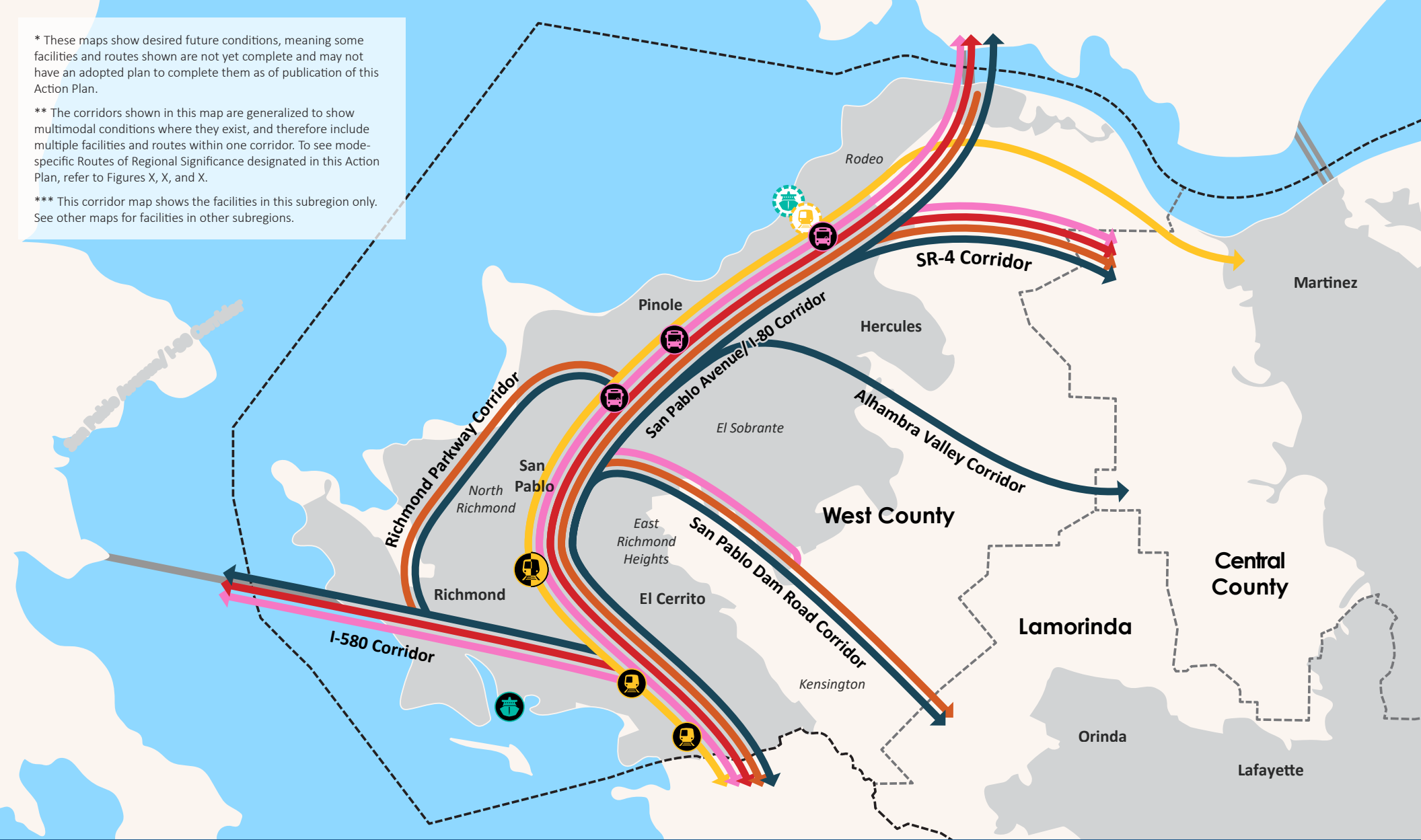
- **Vehicular Routes.** One or more maps in each Action Plan will show locations of key freeway and roadway segments and intersections that are to be monitored and maintained as part of the Action Plan process.
- **Low Stress Bike Network.** The Action Plans will contain one or more RTOs to move towards completion of CCTA's already-designated Low Stress Bike Network (LSBN) described in the 2018 Countywide Bicycle and Pedestrian Plan. Therefore, the Action Plans will include a map showing completed and yet-to-be-completed facilities on the LSBN.
- **Key Existing Transit Facilities.** Each Action Plan will include a map showing key transit routes that has been developed in conjunction with the TACs and local transit providers.



* These maps show desired future conditions, meaning some facilities and routes shown are not yet complete and may not have an adopted plan to complete them as of publication of this Action Plan.

** The corridors shown in this map are generalized to show multimodal conditions where they exist, and therefore include multiple facilities and routes within one corridor. To see mode-specific Routes of Regional Significance designated in this Action Plan, refer to Figures X, X, and X.

*** This corridor map shows the facilities in this subregion only. See other maps for facilities in other subregions.



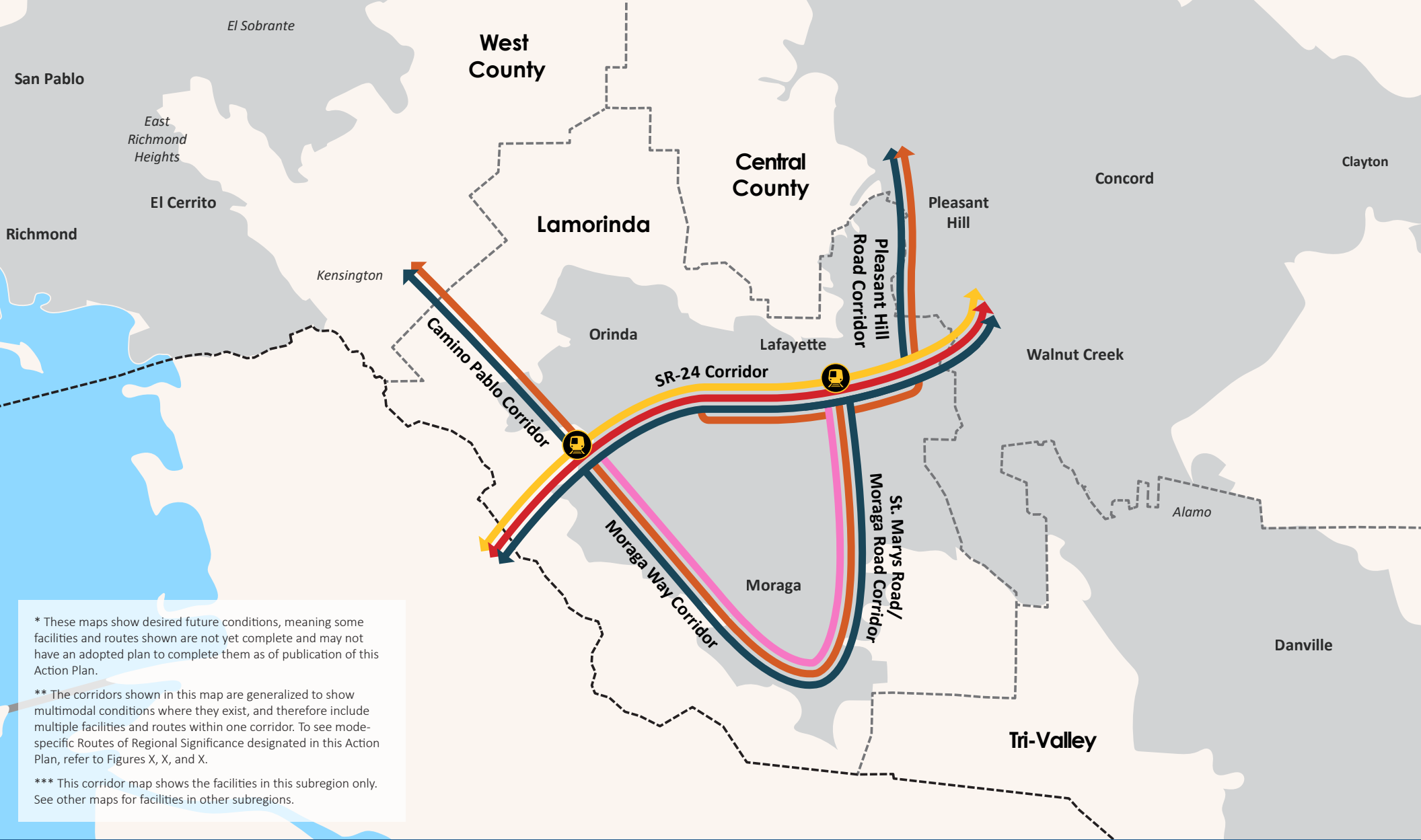
West Contra Costa County Routes of Regional Significance Multimodal Corridor Map

Rail
 Bus
 Freeway
 Surface Streets
 Bike/Pedestrian

Existing Ferry Terminal
 Potential Ferry Terminal
 Transit Hub

Existing BART Station
 Existing Heavy Rail Station
 Existing BART/Heavy Rail Transfer Station

Future Heavy Rail Station
 Urbanized Areas
 Regional Transportation Planning Committee Boundaries
 County Boundary



Lamorinda Area Routes of Regional Significance Multimodal Corridor Map

- Rail
- Bus
- Freeway
- Surface Streets
- Bike/Pedestrian



Existing BART Station

Urbanized Areas

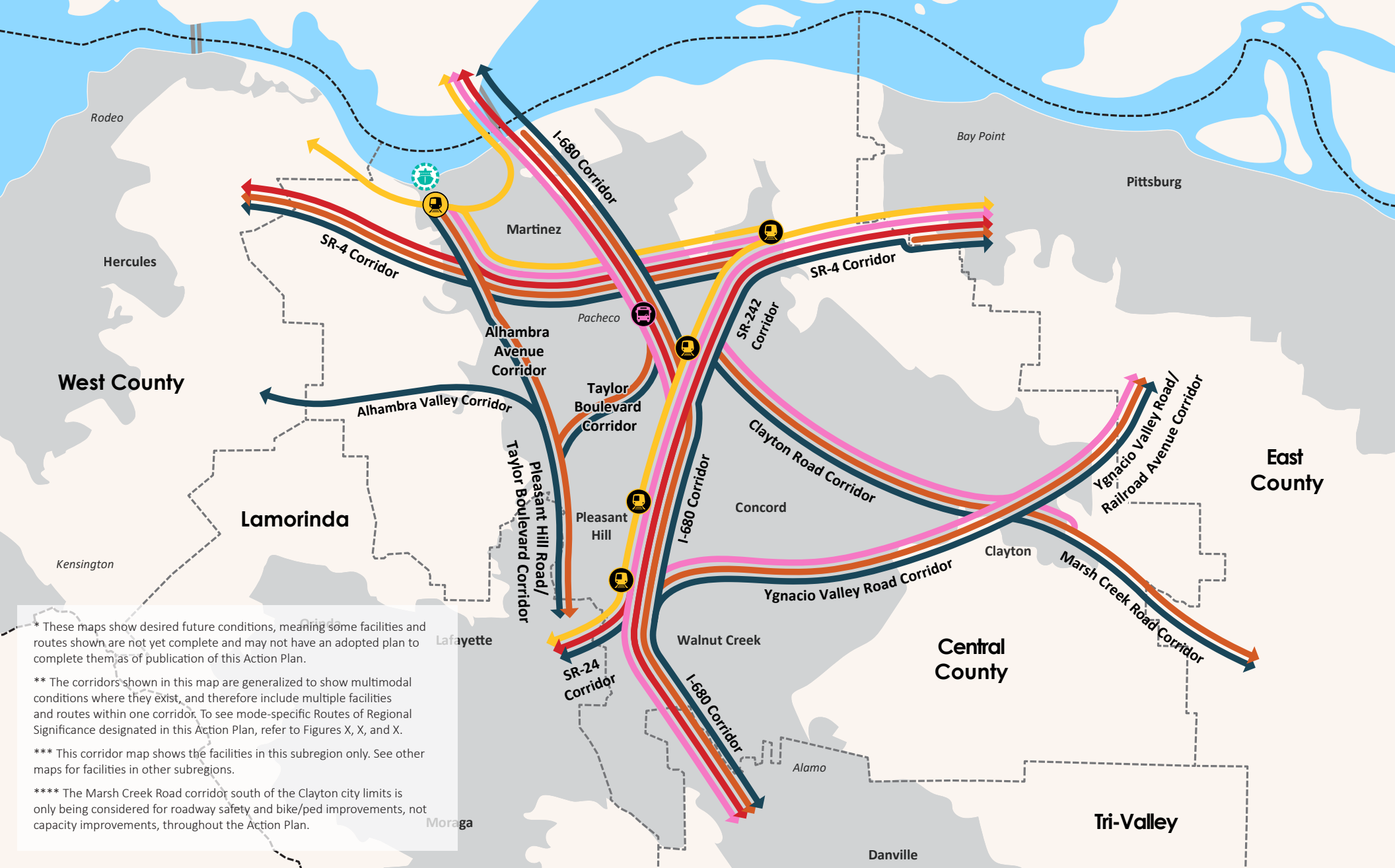


Regional Transportation Planning Committee Boundaries



County Boundary





* These maps show desired future conditions, meaning some facilities and routes shown are not yet complete and may not have an adopted plan to complete them as of publication of this Action Plan.

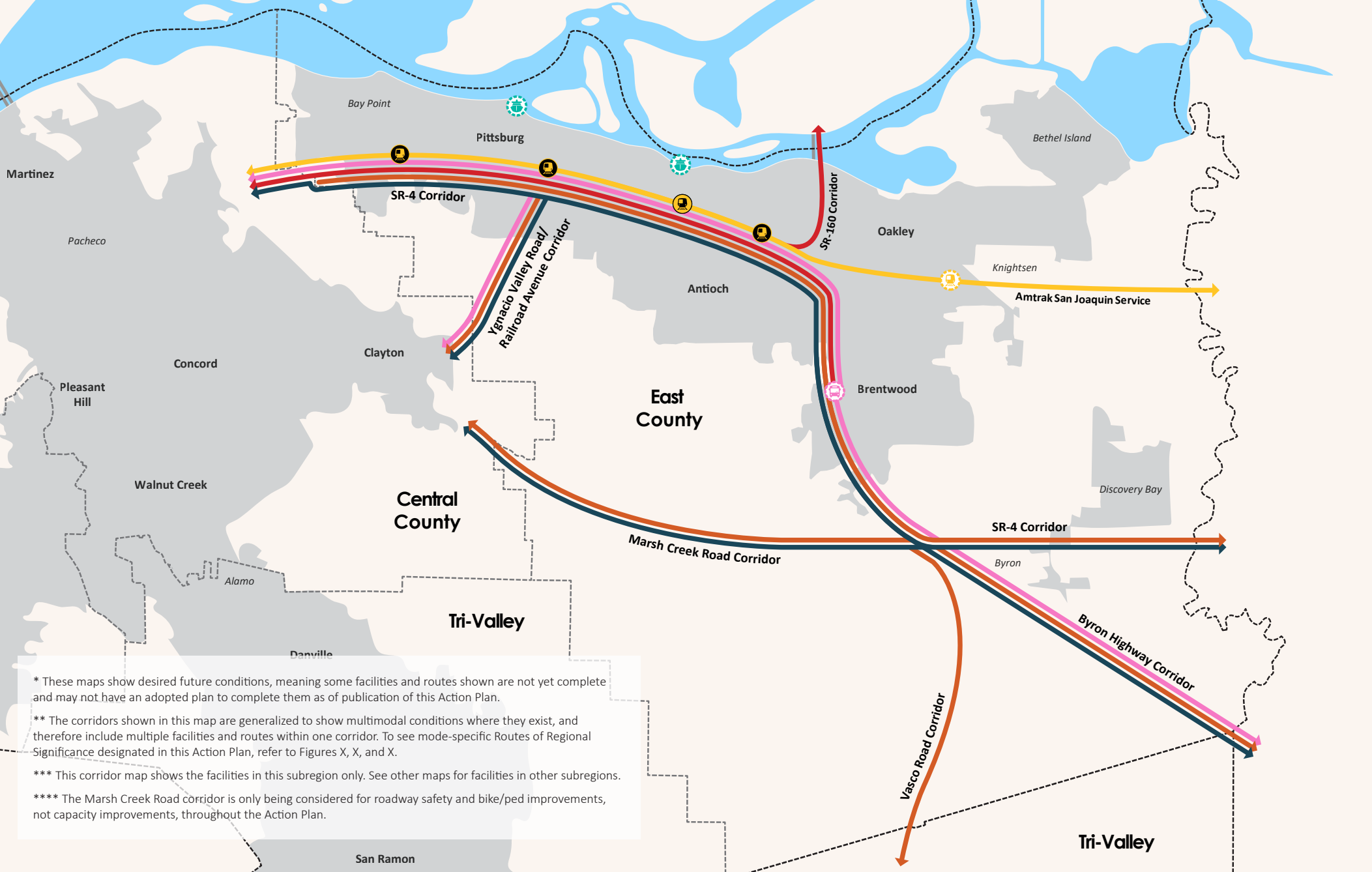
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*** This corridor map shows the facilities in this subregion only. See other maps for facilities in other subregions.

**** The Marsh Creek Road corridor south of the Clayton city limits is only being considered for roadway safety and bike/ped improvements, not capacity improvements, throughout the Action Plan.

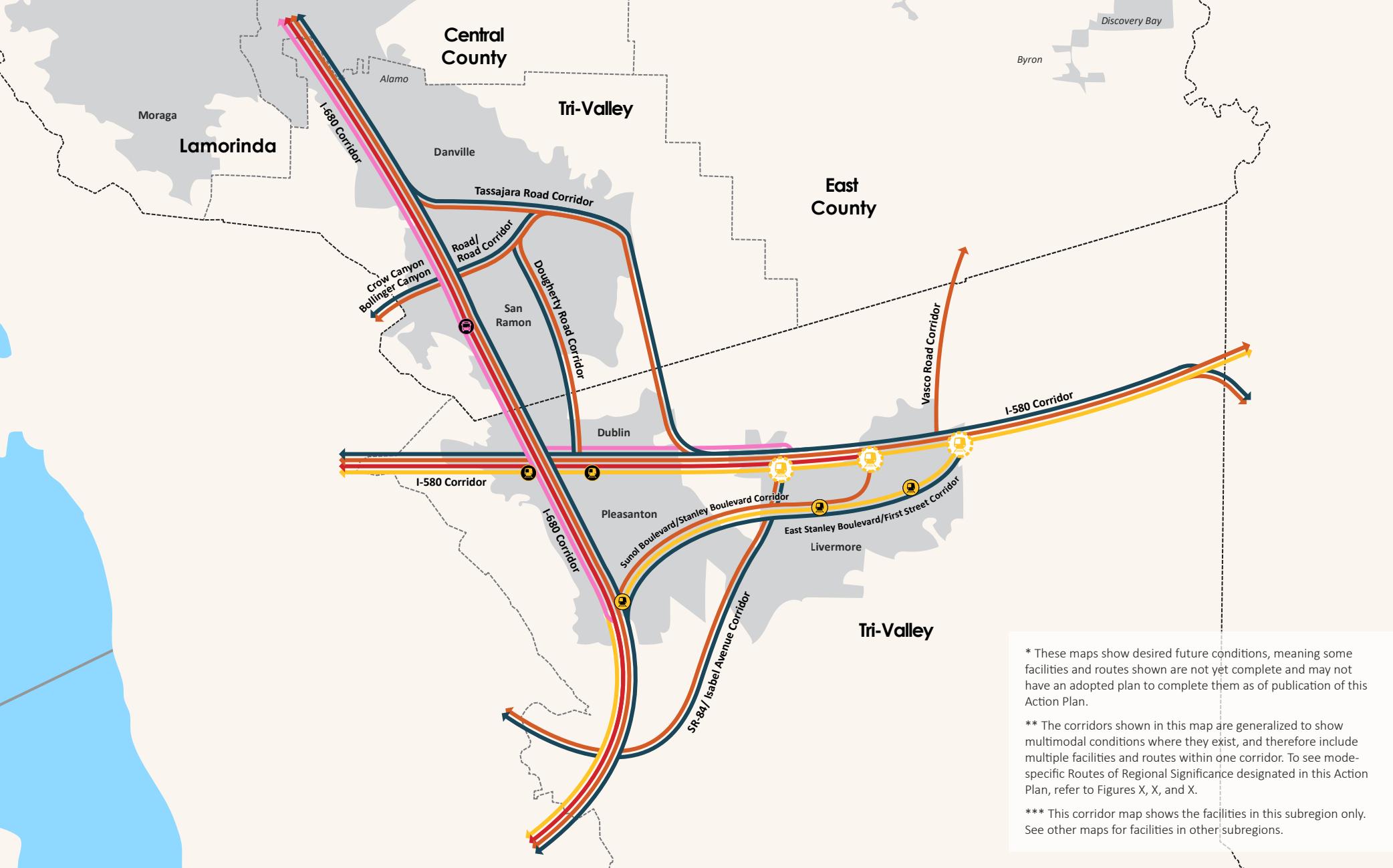
Central Contra Costa County Routes of Regional Significance Multimodal Corridor Map

Rail	Potential Ferry Terminal	Existing BART Station	Urbanized Areas
Bus	Transit Hub	Existing Heavy Rail Station	Regional Transportation Planning Committee Boundaries
Freeway			County Boundary
Surface Streets			
Bike/Pedestrian			



East Contra Costa County Routes of Regional Significance Multimodal Corridor Map





Tri-Valley Area Routes of Regional Significance Multimodal Corridor Map

- Rail
- Bus
- Freeway
- Surface Streets
- Bike/Pedestrian

- Existing BART Station
- Existing Heavy Rail Station
- Future Heavy Rail Station

- Transit Hub

- Urbanized Areas
- Regional Transportation Planning Committee Boundaries
- County Boundary



TRANSPAC Board Meeting **STAFF REPORT**

Meeting Date: August 4, 2022

Subject:	CENTRAL COUNTY ACTION PLAN UPDATE - ACTION PLAN DRAFT COMPONENTS
Summary of Issues	The Central County Action Plan is intended to address the key transportation issues that Central County will face over the next long-range period (i.e. about twenty five years). Action plans for each subregion of the county were developed through the cooperative, multi-jurisdictional planning process included with Measure J. The Contra Costa Transportation Authority (CCTA) has secured the services of a team of consultants lead by Placeworks to assist TRANSPAC to update the Plan. At this meeting, the project team will present information on the Central County Action Plan working draft components memorandum.
Recommendation	None – this item is for information only
Attachment(s)	A. Central County Action Plan Working Draft Components Memorandum B. 2017 Central County Action Plan [LINK]

Background

The CCTA has initiated the RTPC Action Plan Updates in FY 2021/2022. The Central County Action Plan is intended to address the key transportation issues that Central County will face over the next long-range period (i.e. about twenty five years). The CCTA procured Placeworks consultant team to lead TRANSPAC in a discussion to evaluate aspects of the existing Central County Action Plan.

At the February 24, 2022 TRANSPAC TAC meeting, Placeworks staff solicited feedback on proposed changes to existing Multi-modal Transportation Objectives (MTSOs) for inclusion in updated Action Plans as Regional Transportation Objectives (RTOs). A working draft of Action Plan goals and Routes of Regional Significance (including regional transit routes and bicycle and pedestrian facilities) was also provided for committee input.

At the March 31, 2022 TAC meeting, Placeworks staff provided an update on revisions to the Routes of Regional Significance and maps based on prior committee feedback and collected feedback from the TAC on the revised maps.

At the April 28, 2022 TAC meeting, CCTA and Placeworks staff clarified the Route of Regional Significance designation and subsequent impacts. This is related to interest of the TRANSPLAN RTPC to identify Marsh Creek Road as Route of Regional Significance.

At the July 14, 2022 meeting, CCTA and Placeworks staff provided a presentation and facilitated discussion on the proposed Regional Transportation Objectives (RTOs) and proposed actions for the Central County Action Plan update.

The CCTA and Placeworks team will present an overview of the Action Plan discussions to date and an overview of the items that are proposed for the updated Action Plan, including a plan outline, goals, routes of regional significance networks, regional transportation objectives (RTOs), actions, and outreach efforts.

MEMORANDUM

DATE July 20, 2022

TO TRANSPAC Policy Board Members

FROM John Hoang and Matt Kelly, CCTA
David Early and Torina Wilson, PlaceWorks
Erin Vaca, DKS Associates
Julie Morgan and Terence Zhao, Fehr and Peers

SUBJECT Central County Action Plan Working Draft Components Memorandum

The Transportation Planning and Cooperation Advisory Committee (TRANSPAC) Technical Advisory Committee (TAC) began updating the Central County Action Plan in the fall of 2021 with assistance from the Contra Costa Transportation Authority (CCTA) and technical consultants PlaceWorks, DKS, and Fehr and Peers. This update process precedes the update of the CCTA Countywide Transportation Plan (CTP) which will begin later this year. CCTA and the Regional Transportation Planning Committees (RTPCs) are beginning the CTP process with the Action Plan updates which will “roll-up” into the CTP. This bottoms-up approach will ensure that the needs and interests of the local jurisdictions, elected representatives, and the public are addressed in detail.

This memorandum lists the various components that will make up the Central County Action Plan and includes working draft content for several of the components. The working draft content has been drafted over the past year with assistance from the TRANSPAC TAC and with general comment from the TRANSPAC Policy Board. The project team has met with these groups several times over the past year to discuss and review the content.

The working draft components of this memorandum include:

- Proposed Action Plan definitions
- Proposed Action Plan outline
- Proposed Action Plan goals
- Proposed Corridor and Routes of Regional Significance (RRS) maps
- Proposed Action Plan Regional Transportation Objectives (RTOs) and RTOs considered but not recommended
- Proposed Action Plan actions
- Public outreach summary

The project team requests that the TRANSPAC Policy Board review the materials within this memorandum which we will discuss at the August 4th Policy Board meeting. Comments at the meeting are welcome and comments via email are encouraged. The project team will ask for comments again when the Draft Central County Action Plan is ready for review in the fall.

Proposed Action Plan Definitions

- **Goal:** A goal is a statement that describes in general terms a condition or quality of service desired that is in line with the policies. For example, a common goal from past Action Plans was to “provide and encourage the use of alternatives to the single-occupant auto.” This goal would be in line with a policy that calls for “an efficient transportation system.”
- **Policy:** The policies of an Action Plan help guide its overall direction. Decisions regarding investments, program development, and development approvals are based on these policies.
- **Action:** Actions are the specific programs or projects that are recommended for implementation to meet the RTOs set forth in the Action Plan. The responsibility of carrying out the actions may fall to an individual local jurisdiction, to the Regional Committee as a whole, to CCTA, or to another agency such as Caltrans. All actions are either Projects or Programs (defined below) and shall be organized as such in each Action Plan.
- **Project:** Projects are Actions that involve the development, structural modification, or redevelopment of infrastructure, commercial uses, industrial uses, residential uses, or other properties. Projects may include clearing or land grading, improvements to existing structures, construction activities, and other activities requiring public agency issuance of a construction permit.
- **Program:** Programs are Actions that do not involve construction and instead involve education, research, funding or other non-construction activities and are carried out in response to adopted policy to achieve a specific goal or objective.
- **Route of Regional Significance:** Routes of Regional Significance are roadways, transit routes or facilities, and bike or pedestrian routes or facilities that connect two or more subareas of Contra Costa, cross County boundaries, carry significant through traffic, and/or provide access to a regional center, a regional highway or a transit facility. These routes provide vital connections that support economic and recreational activities throughout the County. These are also routes for which the subregion wants to share regional responsibility with neighboring jurisdictions.
- **Regional Transportation Objective (RTO):** RTOs are specific, quantifiable objectives that describe a desired level of performance for a component of the transportation system. They were previously referred to as Multimodal Transportation Service Objectives (MTSOs) but have been renamed because they cover more topics than individual modes, and because not all of them refer to service levels. An RTO consists of a Metric and a Standard.
- **Metric:** The unit of measurement by which an RTO is measured, such as “Level of Service,” “Delay” or “Vehicle Miles Traveled per Capita.”
- **Standard:** The level or increment of a metric that is required by an RTO. For example, the Standard for Level of Service might be “D,” and the Standard for VMT per Capita might be “20 trips per person per day.”

Proposed Action Plan Outline

The outline below reflects all components of the Central County Action Plan and how they are broken down. This outline includes new topics included in each subregional Action Plan, including dedicated chapters for active and public transportation and for non-modal topics safety, equity, climate change, and technology.

1. Introduction
 - a. The Measure J Transportation and Growth Management Program
 - b. Action Plan Purpose and how the Action Plans will influence the CTP
 - c. Routes of Regional Significance: Definition and Usage in this Action Plan
 - d. Action Plan Chapters
 - e. Definition of Terms
2. Current Conditions, Trends, and Travel Patterns
 - a. Population and Employment Conditions and Forecasts
 - b. Commute Patterns and Traffic Forecasts
 - i. Roadways
 1. Traffic Volumes and Conditions
 2. VMT
 3. Traffic Speed and Delay
 4. Recently Completed and On-Going Actions
 - ii. Transit
 1. Existing Facilities
 2. Service Levels
 3. Recently Completed and On-Going Actions
 - iii. Bike and Pedestrian Facilities
 1. Existing Facilities
 2. Recently Completed and On-Going Actions
 - c. Safety Trends and Forecasts
 - d. Climate Change and GHG Trends and Forecasts
 - e. Equity Concerns
 - f. Conclusions from Existing Transportation Conditions
3. Action Plan Vision and Goals
 - a. Overall Vision
 - i. Holistic approach
 - ii. Shared mobility
 - iii. Technology and innovation
 - b. Roadway Goals
 - c. Transit Goals
 - d. Bike and Pedestrian Goals
 - e. Safety Goals
 - f. Climate Change Goals
 - g. Equity Goals

- h. Technology Goals
- 4. Roadways
 - a. Policies
 - i. Gateway Constraints Policies (in some subareas)
 - b. RTOs
 - c. Actions Needed to Achieve RTOs (projects or programs)
 - d. Preliminary Analysis Results of Actions
- 5. Transit
 - a. Policies
 - b. RTOs
 - c. Actions Needed to Achieve RTOs (projects or programs)
 - d. Preliminary Analysis Results of Actions
- 6. Bike and Pedestrian
 - a. Policies
 - b. RTOs
 - c. Actions Needed to Achieve RTOs
 - d. Preliminary Analysis Results of Actions
- 7. Safety
 - a. Policies
 - b. RTOs
 - c. Actions Needed to Achieve RTOs (projects or programs)
 - d. Preliminary Analysis Results of Actions
- 8. Climate Change
 - a. Policies
 - b. RTOs
 - c. Actions Needed to Achieve RTOs (projects or programs)
 - d. Preliminary Analysis Results of Actions
- 9. Equity
 - a. Policies
 - b. RTOs
 - c. Actions Needed to Achieve RTOs (projects or programs)
 - d. Preliminary Analysis Results of Actions
- 10. Technology
 - a. Policies
 - b. RTOs
 - c. Actions Needed to Achieve RTOs (projects or programs)
 - d. Preliminary Analysis Results of Actions
- 11. Financial Outlook/Financial Plan *[note: final outline of this section TBD.]*
 - a. Overview
 - b. Sub-Regional Transportation Impact Fee *(This may not be a section that applies to all subareas, and may look different in each subregion depending on existing funding structure)*

- c. Shared Facilities
- d. Subregional Transportation Mitigation Program (STMP) *(This may not be a section that applies to all subareas)*
- e. Local Traffic Fees in Subarea Jurisdictions
- 12. Procedures for Notification, Review, and Monitoring /Plan Implementation, Monitoring, and Review
 - a. Role of Sub-Area Transportation Committees (TVTC, LPMC, TRANSPLAN, TRANSPAC, TRANSPAC)
 - b. Circulation of Environmental Documents
 - c. Review of General Plan Amendments
 - d. Schedule for Action Plan Review (to include information on how to amend an Action Plan)
 - e. Implications for Compliance with the Measure J Growth Management Program (GMP)
 - f. Regional Traffic Management and Conflict Resolution

Appendix A: RTO Values for Observed and Forecasted Conditions

Appendix B: Summary of Actions (by Route or similar)

Appendix C: RTO Calculation and Values

Proposed Action Plan Goals

The working draft goals listed below include revisions to existing Central County goals and proposed new goals to address new Action Plan topics. These revisions reflect comments from TRANSPAC TAC members during meetings with CCTA and PlaceWorks staff on December 16, 2021 and January 13, 2022, along with various email comments received from TAC members. Edits to existing goals are shown in ~~strikethrough~~ and double underline. New goals are in double underline.

- Maintain the existing transportation system and infrastructure to meet the needs of the Central County community.
- Support the enhancement and expansion of an efficient transit system.
- Encourage land use decisions that satisfy increased travel demand while reducing single-occupant vehicle travel and VMT~~address the increase in overall traffic demand.~~
- Support the use, enhancement, and expansion of VMT- and GHG-reducing transportation~~low emission~~ technologies.
- Manage ~~arterial~~and improve traffic flow and efficiency on freeways and arterial roads through a holistic planning approach that includes shared mobility and prioritizes non-SOV transportation.
- Support active transportation modes through the creation and~~Support the implementation of Complete Streets, including the improvement of bicycle and pedestrian facilities.~~
- Provide a safe and low stress transportation system for all users and modes.
- Minimize transportation impacts on the climate.
- Ensure the transportation system is resilient in the face of climate change.

- Support equitable mobility for all incomes, racial and ethnic groups, ages, and abilities across all modes of transportation.
- ~~Increase participation in the 511 Contra Costa TDM Program.~~
- ~~Work to improve freeway flow.~~
- ~~Support Use of HOV and Express Lanes.~~

Proposed Corridor and Routes of Reginal Significance (RRS) Maps

An ongoing component of the Action Plan updates is revising the existing Routes of Regional Significance (RRS) to create new maps that show multi-modal RRS in Contra Costa County and the Alameda County portion of the Tri-Valley area.

RRS's are transportation facilities that meet certain qualifying criteria (described in detail in the "Proposed Action Plan Definitions" section above) and were nominated by local staff. The maps will help CCTA, local jurisdictions, and the general public know which roadway, transit, and active transportation facilities are important to the region, and will serve as the basis for monitoring and maintenance by CCTA and the RTPCs.

After extensive discussions with RTPC TACs and various community stakeholders, the project team created a series of maps that show RRS's both as a multimodal network of travel corridors, and for individual modes. These maps are described below.

CORRIDOR MAPS

PlaceWorks has created multimodal RRS "Corridor Maps" that show five different transportation modes (bus, rail, bike, freeway, and surface roadways) on a single map. The maps are intended to illustrate the multimodal nature of the transportation network, and to also show that multiple facilities exist in any given generalized transportation corridor.

There are a total of six Corridor Maps: one countywide and one for each RTPC subregion. The countywide and Central County Corridor Maps are enclosed as Figure 1 and Figure 2 within this memorandum for review.

These maps show the location, generalized routing, and modes of each corridor. They are not intended to be exact, but rather to show travel corridors of the multimodal transportation network, as dictated by the subregion's geography and Bay coastline. There are several critical notes to these Corridor Maps:

- The Corridor Maps show desired future conditions, meaning some facilities and routes shown are planned but not yet constructed.
- The corridors shown on the maps are highly generalized to show multimodal conditions where they exist or may someday exist, and therefore include multiple facilities and routes within one corridor.

MODE SPECIFIC RRS MAPS

In addition to the Corridor Maps, each Action Plan will include three mode-specific maps that will illustrate mode specific RRS and may be tied to specific Regional Transportation Objectives (RTOs).¹ Readers of each Action Plan will be able to refer to these maps for a detailed depiction of existing and desired facilities. The draft Central County mode specific RRS maps are shown in Figure 3, Figure 4, and Figure 5. Descriptions of these maps are included below.

- **Key Existing Transit Facilities.** Each Action Plan will include a map showing key transit routes that has been developed in conjunction with the TACs and local transit providers.
- **Low Stress Bike Network.** The Action Plans will contain one or more RTOs to move towards completion of CCTA's already-designated Low Stress Bike Network (LSBN) described in the 2018 Countywide Bicycle and Pedestrian Plan. Therefore, the Action Plans will include a map showing completed and yet-to-be-completed facilities on the LSBN.
- **Vehicular Routes.** One or more maps in each Action Plan will show locations of key freeway and roadway segments and intersections that are to be monitored and maintained as part of the Action Plan process.

¹ Some RTOs will include special maps beyond the mode specific RRS maps, which are shown in Attachment 2 of this memorandum.

FIGURE 1. COUNTYWIDE CORRIDOR MAP

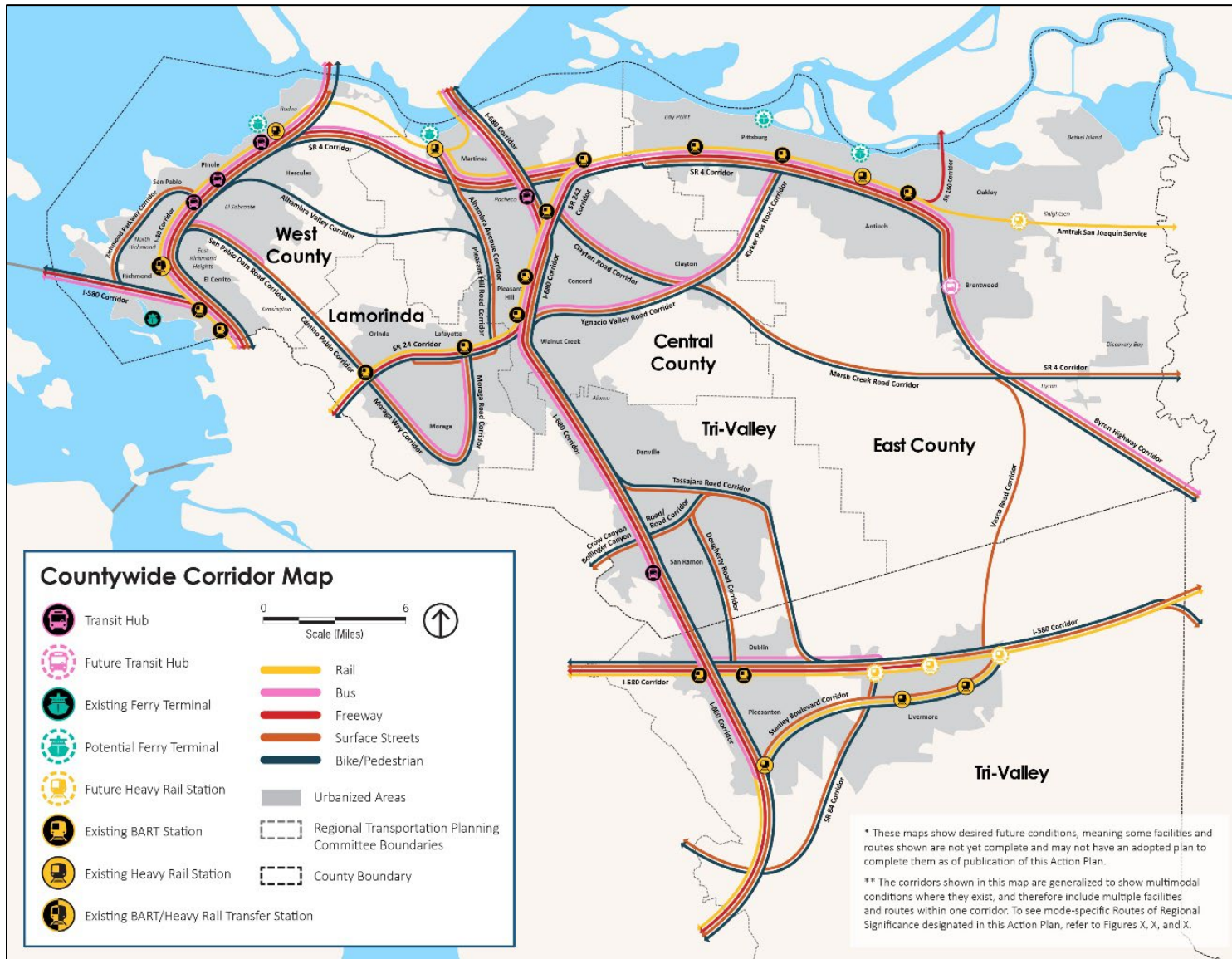


FIGURE 2. CENTRAL COUNTY CORRIDOR MAP

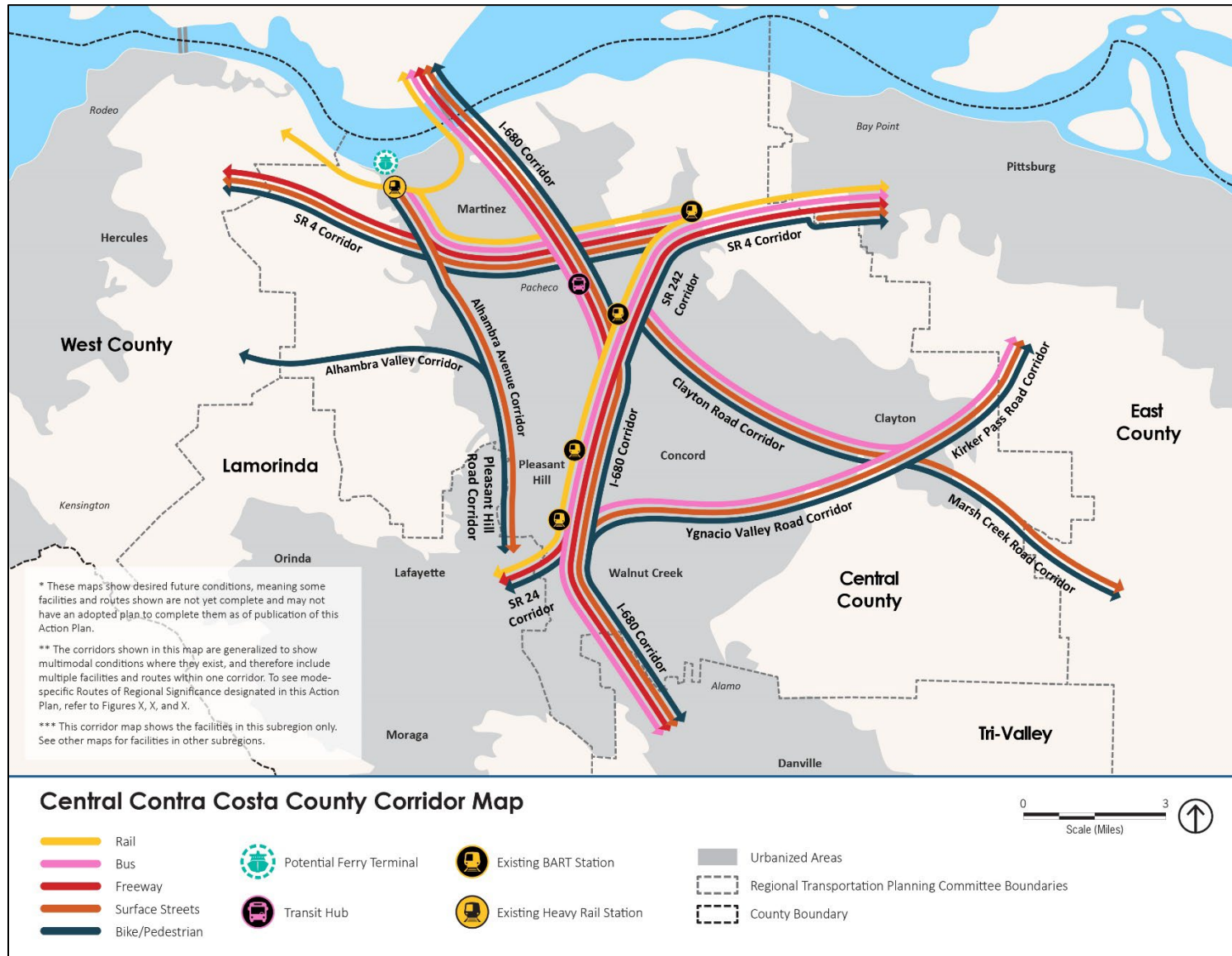
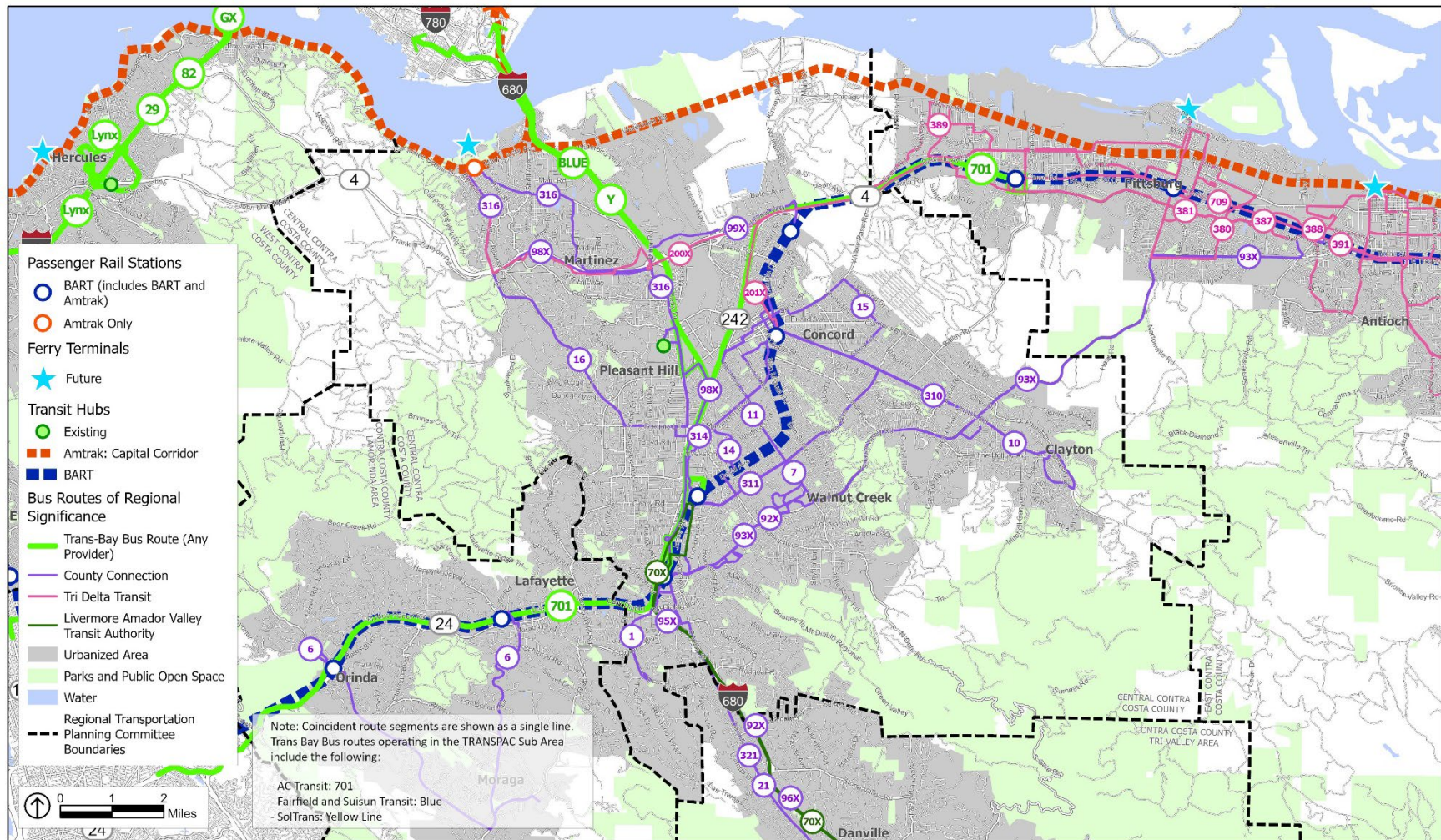
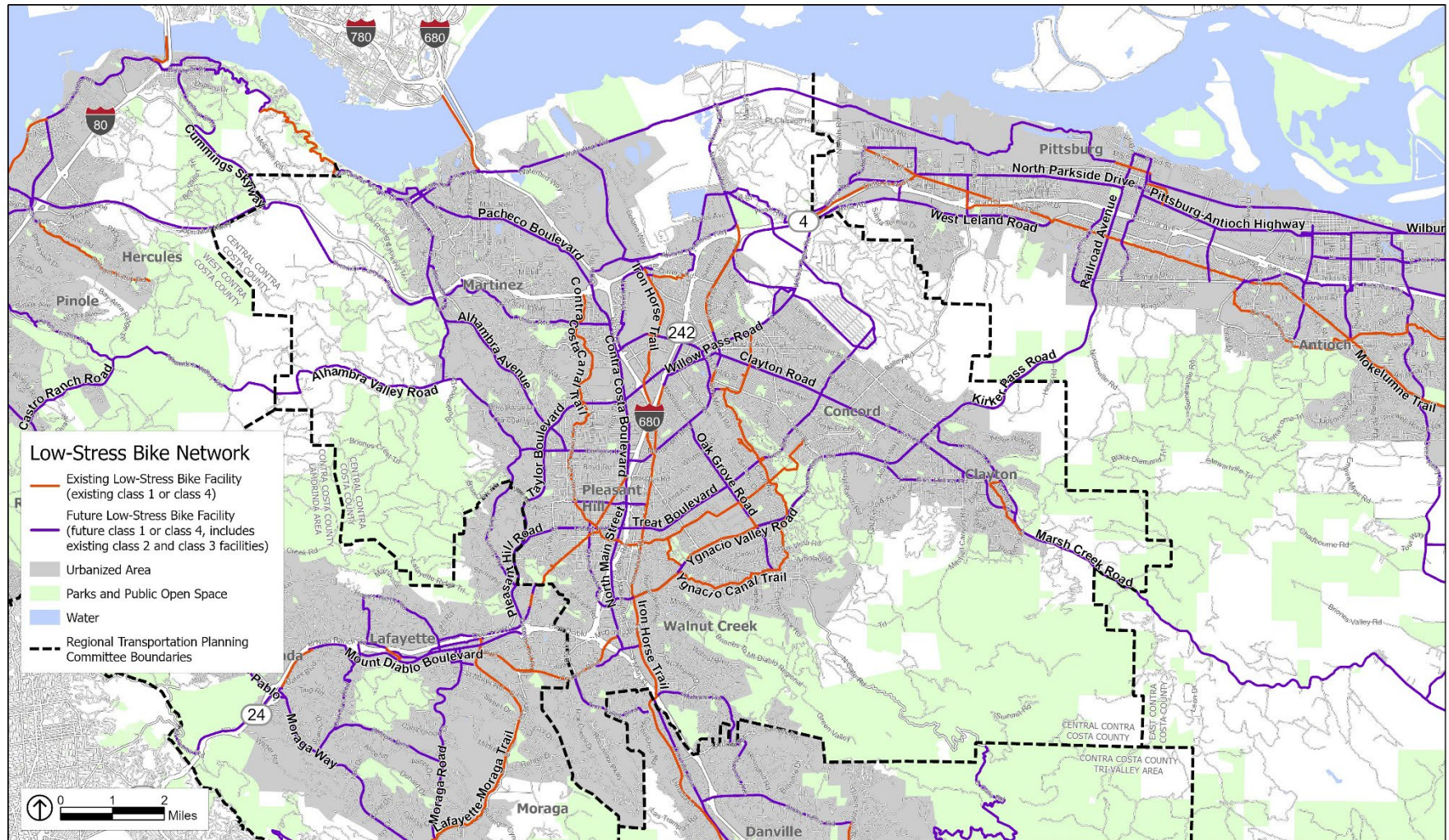


FIGURE 3. CENTRAL COUNTY TRANSIT FACILITIES AND RRS MAP



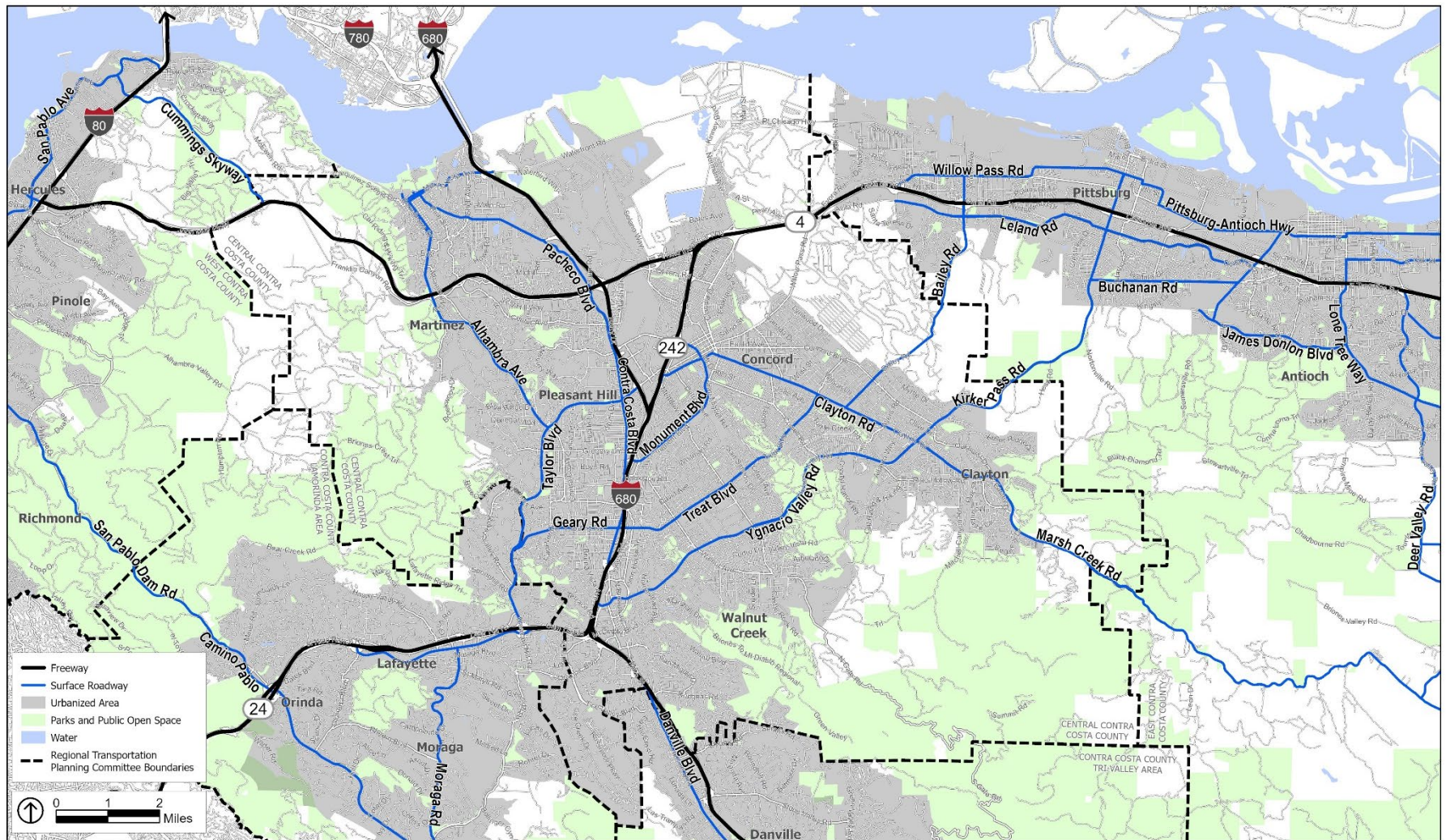
WORKING DRAFT — CENTRAL CONTRA COSTA COUNTY TRANSIT FACILITIES AND ROUTES OF REGIONAL SIGNIFICANCE

FIGURE 4. CENTRAL COUNTY LOW STRESS BIKE NETWORK RRS MAP



WORKING DRAFT — CENTRAL CONTRA COSTA COUNTY LOW-STRESS BIKE NETWORK

FIGURE 5. CENTRAL COUNTY ROADWAY RRS MAP



Source: CCTA, 2021; ESRI, 2021; PlaceWorks, 2021.

WORKING DRAFT — CENTRAL CONTRA COSTA COUNTY ROADWAY ROUTES OF REGIONAL SIGNIFICANCE

Proposed Regional Transportation Objectives (RTOs) and RTOs Considered but not Recommended

As described in the “Proposed Action Plan Definitions” section of this memorandum, RTOs are specific, quantifiable objectives that describe a desired level of performance for a component of the transportation system. They were previously referred to as Multimodal Transportation Service Objectives (MTSOs) but have been renamed because the Action Plan RTOs will cover more topics than individual modes, and because not all of them refer to service levels. An RTO consists of a Metric and a Standard which are further defined in the “Proposed Action Plan Definitions” section above.

Historically, each RTPC has had latitude to select a set of MTSOs of its own choosing, and the various Action Plans have had differing MTSOs. In this round of Action Plan preparation, each RTPC continues to have the authority to craft its own RTOs. However, PlaceWorks is working with CCTA and the RTPCs to ensure that the new RTOs are as consistent as possible across the Action Plans to ensure they are largely internally consistent and to ultimately be combined and consolidated into the future CTP. The project team met with the TRANSPAC TAC on February 24, 2022, to discuss a long list of potential RTOs that the project team could consider for modeling and analysis. After this meeting, the project team took TAC feedback and narrowed down the list of RTOs to 29 that we felt were able to be modeled and could result in quantifiable and attainable RTOs. Throughout the process of modeling, 8 of these RTOs did not yield significant enough results, or resulted in modeling issues, and are not recommended for the Action Plans.

The project team moved forward in modeling and analyzing the 21 RTOs that could be adequately modeled and presented those RTOs to the TRANSPAC TAC on July 14, 2022. These 21 preliminary RTOs, and their relevant chapter topics are listed below along with the 8 RTOs that were considered but not recommended to move forward in any Action Plan. Table 1 lists each RTO along with its metric, definition, existing target, and proposed targets. Detailed memos describing each RTO are included as attachments to this memorandum. Attachment 1 provides an RTO Methodology Memorandum, and Attachment 2 includes an RTO Analysis Memorandum. Attachments 1 and 2 were presented to the TRANSPAC TAC on July 14, 2022, and detail the methodology, analysis results, and proposed targets for each RTO listed below.

PROPOSED RTOs

- Freeway RTOs
 - Peak-hour delay index on select freeway segments.
 - Buffer index on select freeway segments.
- Surface Roadway RTOs
 - Peak-hour Level of Service (LOS) at selected intersections in urban areas.
 - Peak-hour segment LOS on selected two-lane roadways outside of urban areas.
- Transit RTOs
 - Mode share of transit trips.
 - Ratio of travel time for transit as compared to automobile travel time for select trips.
- Bicycle and Pedestrian RTOs
 - Mode share of bicycling and walking.

- Proportion of the countywide low-stress bike network (LSBN) that has been completed.
- Number of locations where the LSBN makes an unprotected crossing over a heavily traveled vehicle route.
- Safety RTOs
 - Number of Killed or Seriously Injured (KSI) collisions.
 - Number of bike- or pedestrian-involved collisions.
 - Number of bike- or pedestrian-involved collisions within 500 feet of a school.
- Equity RTOs
 - Proportion of KSI and bike- or pedestrian-involved collisions that occur in Equity Priority Communities (EPCs), compared to the county as a whole.
 - Share of county jobs that can be reached by EPC residents within a 30-minute drive, as compared to county residents as a whole.
 - Share of county jobs that can be reached by EPC residents within a 45-minute transit trip, as compared to county residents as a whole.
 - Proportion of EPC acres that are not within a quarter-mile buffer of a transit stop served by high-quality transit.
- Climate Change RTOs
 - Single-occupant vehicle mode share.
 - Vehicle miles traveled (VMT) per capita.
 - Transportation greenhouse gas (GHG) emissions per capita.
 - Zero-emission vehicle ownership in the subregion.
- Technology RTOs
 - Level of signal interconnection.

RTOS CONSIDERED BUT NOT RECOMMENDED

RTOs that were considered but are not recommended for inclusion in the Action Plans are listed below. The reasoning behind these decisions is described in detail in Attachment 1.

- Wait time for paratransit
- Speed reduction
- Use of shared (pooled) Transportation Network Companies (TNCs)
- Number of shared scooters, shared bicycles, and public autonomous shared vehicles that are deployed
- Pavement condition on the countywide low-stress bike network
- Average commute time for low-income residents as compared to county residents as a whole
- Miles of Routes of Regional Significance (RRS) estimated to be vulnerable to sea-level rise.
- Percentage of vulnerable RRS for which remediation plans or a mitigation approach have been created.

TABLE 1. RTOS FOR CENTRAL COUNTY SUBREGION

Facility Type or Planning Focus	Metric	Definition	Existing Target	Proposed 2027 Target	Proposed 2050 Target
Roadways	Freeway Delay Index	Travel time ratio for congestion vs. free-flow conditions	Delay Index: DI≤4.0 (I-680) DI≤3.0 (SR-242)	Delay Index: DI≤4.0 (I-680) DI≤3.0 (SR-242)	Delay Index: DI≤4.0 (I-680) DI≤3.0 (SR-242)
	Freeway Buffer Index	Proportion of added travel time between the 95 th percentile and the average	DI≤5.0 (SR-4) Buffer Index: None	DI≤5.0 (SR-4) Buffer Index: 0.50	DI≤5.0 (SR-4) Buffer Index: 0.50
	Intersection Level of Service (LOS)	Average control delay during peak hours	LOS D	LOS D	LOS D
			LOS F at selected intersections, including: Geary Road and North Main Street; Treat Boulevard and Geary Road; Treat Boulevard and Bancroft Road; Ygnacio Valley Road and Bancroft Road; Ygnacio Valley Road and Civic Drive	in all areas except for downtowns, key school sites, and freeway ramps; LOS E at freeway ramps; no LOS standards for downtowns, key school sites, or TPAs, or at the following intersections: Geary Road and North Main Street; Treat Boulevard and Geary Road; Treat Boulevard and Bancroft Road; Ygnacio Valley Road and Bancroft Road; Ygnacio Valley Road and Civic Drive	in all areas except for downtowns, key school sites, and freeway ramps; LOS E at freeway ramps; no LOS standards for downtowns, key school sites, or TPAs, or at the following intersections: Geary Road and North Main Street; Treat Boulevard and Geary Road; Treat Boulevard and Bancroft Road; Ygnacio Valley Road and Bancroft Road; Ygnacio Valley Road and Civic Drive
			None	LOS E (≤40mph)	LOS E (≤40mph)
	Roadway Segment LOS outside of urban areas	Average speed during peak hours	None	LOS E (≤40mph)	LOS E (≤40mph)
Transit	Transit Mode Share	Proportion of daily person trips using transit	None	13% commute trips	26% of commute trips
	Travel Time Ratio	Ratio of peak commute period travel time on transit to drive alone auto travel time for key corridors	None	Transit time ≤ auto travel time	Transit time ≤ auto travel time
Active Transportation	Bicycle Mode Share	Proportion of daily person trips made by bicycle	None	6% all trips 2.5% commute trips	12% all trips 5% for commute trips,
	Low Stress Bike Network (LSBN)	Proportion of the LSBN that is complete	None	29.5%	100%

Facility Type or Planning Focus	Metric	Definition	Existing Target	Proposed 2027 Target	Proposed 2050 Target
	LSBN Crossings	Number of locations the LSBN crosses a roadway and is considered to be unprotected	None	None	None
Safety	KSI Collisions	Number of crashes resulting in fatality or injury	None	Zero fatality and severe injury crashes	
	Bike-Ped Collisions	Number of KSI crashes involving a bicyclist of pedestrian	None		
	Bike-Ped Collisions near Schools	Number of bicycle or pedestrian involved KSI collisions occurring within 500 feet of schools	None		
Equity	KSI Collisions in EPCs	Proportion of KSI collisions that occur in EPCs	None	Zero fatality and severe injury crashes	
	Job Share Accessible by driving in EPCs	Share of jobs accessible by EPCs residents with a 30-minute drive	None	68% of jobs accessible	77% of jobs accessible
	Job Share Accessible by transit in EPCs	Share of jobs accessible by EPCs residents with a 45-minute transit trip	None	58% of jobs accessible	100% of jobs accessible
	High Quality Transit Access in EPCs	Number of people in EPCs not within a quarter-mile distance of a transit stop served by high quality transit	None	40%	100%
Climate Change	Single-Occupant Vehicle (SOV) Mode Share	Proportion of daily person trips made by single occupant vehicle	None	50%	40%
	Greenhouse Gas (GHG) Emissions per Capita	Tons of CO ₂ emissions	None	17 lbs per capita	Zero transportation related
	Electric Vehicle Ownership	Number of battery electric vehicles owned by subregion residents	None	50% market penetration	100% market penetration
	VMT per capita	Home-based vehicle miles traveled per capita	None	26.6 VMT	21 VMT
Technology	Level of Signal Interconnection	Number of connected signals	None	101	101

Proposed Action Plan Actions

The project team worked on a revised list of actions for each subregion to ensure that each Action Plan would include actions appropriate to achieve the RTOs. A list of proposed actions for the Central County Action Plan was presented to the TRANSPAC TAC on July 14, 2022. This list of actions is included in this memorandum as Table 2. The revisions proposed in Table 2 reflect consolidation and/or wordsmithing of existing actions, removing of actions which are now complete, and the introduction of new actions. Proposed new actions come from several sources, including:

- Actions recommended by the project team based on best management practices or similar projects, that are necessary to achieving the performance targets established under the RTOs.
- Actions to address topics requested by TRANSPAC TAC members or through other subregional TAC members that are also applicable to the Central County subregion.

The middle column of Table 1 lists the existing Central County Action Plan text and includes strikethrough and underline edits to show revisions proposed by the project team. Column B includes notes on why the edit has been made while the first column assigns each revised action with an action number that will be used in the Draft Central County Action Plan.

TABLE 2 RECOMMENDED REVISIONS TO THE CENTRAL COUNTY ACTION PLAN ACTIONS		
New Action Number	Proposed Action Language Revisions	Notes
<i>Freeways</i>		
Freeways-1	Continue to monitor and evaluate operational improvements at freeway interchanges on I-680, SR-242, SR-24, and SR-4. (8-A) Complete necessary operational improvements (i.e. protected turn lanes, synchronized signal timing, and auxiliary lanes, among others) at select intersections or roadway segments, while ensuring that the improvements are balanced against the objectives and actions set forth elsewhere in this Action Plan	Revised with language drafted for all action plans
	8-B: Support development of operational improvements on mainline SR-4.	Removed because operational improvements are addressed above.
	Continue to support the completion of the fourth bore of the Caldecott Tunnel (SR-24). (8-C)	Removed by staff
	Support the study and implementation of potential regional freeway management strategies. (8-D)	Removed because this is part of the general operational improvements action.

TABLE 2 **RECOMMENDED REVISIONS TO THE CENTRAL COUNTY ACTION PLAN ACTIONS**

New Action Number	Proposed Action Language Revisions	Notes
	Consider a multi-agency approach to freeway ramp metering. (8-E)	Removed because it is addressed in the operational efficiency action above.
	Support the implementation of Express Lanes on I-680, consistent with MTC's project. (9-D)	Removed because it is addressed in the operational efficiency action above.
Freeways-2	<u>Support the Work with CCTA and local jurisdictions to completion of a continuous HOV system on I-680, including the connection of the SR-4 HOV system to I-680</u>	Revised to consolidate with HOV action below.
	Support the connection of the SR-4 HOV system to I-680. (9-B)	Consolidated with HOV action above
Freeways-3	<u>Support Work with applicable agencies to support consistent occupancy requirements for toll-free HOV/HOT lanes on the Benicia-Martinez Bridge and I-680. (9-C)</u>	Revised to sounds more actionable.
	Support additional incentives for HOV users. (9-E)	Removed because it is vague.
	Support the efforts of the Authority to evaluate congestion relief strategies along the I-680 corridor, including transit options and new technologies. (2-B)	Removed because this is implied through all actions proposed for this Action Plan
	Contra Costa Mobility Management Plan to establish a mobility management center	Removed due to lack of detail and could be included in the general corridor management plan action proposed
Freeways-4	<u>Improve the operational efficiency of freeways and arterial streets through effective corridor management strategies, such as ramp metering, traffic operations systems, Intelligent Transportation Systems (ITS) improvements, HOV/HOT lane and bypass lanes, among others, to support a cohesive transportation system for all modes.</u>	Added using language drafted for all action plans

TABLE 2 **RECOMMENDED REVISIONS TO THE CENTRAL COUNTY ACTION PLAN ACTIONS**

New Action Number	Proposed Action Language Revisions	Notes
Freeways-5	<u>Work with CCTA and local jurisdictions to study the feasibility of bus on shoulder pilot and long term programs on subregional freeways.</u>	Added using language drafted for all action plans
Freeways-6	<u>Work with CCTA, Caltrans, and California Highway Patrol to track HOV/HOT and Fastrak lane violators.</u>	Added using language drafted for all action plans
Freeways-7	<u>Work with CCTA and local jurisdictions to discourage diversion from freeways and cut through travel on surface roadways by developing traffic management programs, increasing trip capacity on freeways, completing freeway operational improvements, implementing traffic calming measures on surface roadways, and exploring surface roadway redesign to support active and public transportation modes.</u>	Added using language drafted for all action plans
Freeways-8	<u>Work with CCTA to complete a Countywide Goods Movement Plan that promotes greater use of technology for communications and scheduling, funding for equipment upgrades for air quality improvements with cleaner technology, and an advocacy platform for goods movement and guidance for local jurisdictions.</u>	Added using language drafted for all action plans
Freeways-9	<u>Work with CCTA, Caltrans, and other applicable agencies to conduct Integrated Corridor Management (ICM) studies for Central County corridors to improve multimodal function of countywide facilities.</u>	Added using language drafted for all action plans
Freeways-10	<u>Conduct a study to develop a seamless HOV/HOT/Express Lane on SR-24.</u>	Added using language drafted for all action plans
Freeways-11	<u>Improve the operational efficiency of freeways and arterial streets through effective corridor management strategies, such as ramp metering, traffic operations systems, Intelligent Transportation Systems (ITS) improvements, HOV/HOT lane and bypass lanes, among others, to support a cohesive transportation system for all modes.</u>	Added using language drafted for all action plans
<i>Surface Roadways</i>		
Surface Roadways-1	<u>Develop subregional corridor management plans to provide adequate roadway capacity for local and subregional travel while also including both public and active transportation modes and nonmodal transportation issues such as equity, climate change, safety, and technology.</u>	
<i>Transit</i>		

TABLE 2 **RECOMMENDED REVISIONS TO THE CENTRAL COUNTY ACTION PLAN ACTIONS**

New Action Number	Proposed Action Language Revisions	Notes
Transit-1	<p>Support the development of real-time information and better connectivity for regional transit and local and feeder bus service. (2-A)</p> <p><u>Work with CCTA, local jurisdictions, and local public transit operators to:</u></p> <ul style="list-style-type: none"> <u>- Link transit service in the entire subregion, including more directly to communities within Central County, between BART stations, and between adjacent Central County communities.</u> <u>- Standardize operations, regional mapping, and wayfinding.</u> <u>- Implement traffic signal management and bus prioritization technology on regionally significant transit routes to improve bus speed and reliability.</u> - Implement improvements that increase the capacity and efficiency of local transit on Regional Routes. (2-F) - Promote coordination of transfer times among Express bus, feeder bus, BART, and park-and-ride lots. (2-C) 	Replaced with language drafter for all subarea action plans.
	<p>Support improvements that increase the efficiency of local transit on Regional Routes. (2-F)</p>	Consolidated action with general transit improvements action above
	<p>Support improvements that increase the efficiency of local transit on Regional Routes. (2-F)</p>	Consolidated action with general transit improvements action above
	<p><u>Complete general improvements to BART stations to increase their use, including:</u></p> <ul style="list-style-type: none"> Support increased <u>Construct necessary infrastructure to ensure safe and complete access to BART stations for buses, bikes and pedestrians. (2-G)</u> - Support the expansion of BART service and BART station and parking facilities. (2-D) - <u>Modernize all Central County BART Stations to include modernization</u> new paid areas, platform expansions; new vertical circulation; additional fare gates and fare collection equipment; upgrade systems; replace elevators and to improve customer amenities including bathrooms, signage, lighting, safety and security. For all 3 Central County BART Stations. 	Revised to be more general towards BART improvements and to merge an additional action
Transit-2		

TABLE 2 **RECOMMENDED REVISIONS TO THE CENTRAL COUNTY ACTION PLAN ACTIONS**

New Action Number	Proposed Action Language Revisions	Notes
	<ul style="list-style-type: none"> - Encourage and participate in access and development plans in the immediate vicinity of each BART Station to improve multimodal access and facilities for buses, bicycles and pedestrians. (2-H) - Improve BART Station parking and access, including bicycle and pedestrian amenities; and improve carpool, garage and electric vehicle parking. 	
	Encourage and participate in access and development plans in the immediate vicinity of each BART Station to improve multimodal access and facilities for buses, bicycles and pedestrians. (2-H)	Consolidated with the general BART action above
	BART Station parking and access improvement. Upgrade station areas to improve access including bicycle and pedestrian amenities; and improve carpool, garage and electric vehicle parking. For all 3 Central County BART Stations.	Consolidated with the general BART action above
	Increase investment in support innovative approaches to improve the efficiency and effectiveness of transit services for seniors and disabled persons through the allocation of Central County's Measure J \$10 million for Additional Transportation for Seniors and People with Disabilities. These funds are in addition to Measure J Other Countywide Programs and total \$35 million in Central County. (2-I)	Remove because this is part of general implementation/support of the revised Accessible Transportation Strategic Plan action
Transit-3	Support the extension <u>expansion</u> of ferry service to and from San Francisco and Contra Costa County. (2-K)	Keep with minimal improvements
Transit-4	Implement the recommendations of the Contra Costa <u>Accessible Transportation Strategic Plan</u> Mobility Management Plan, including the establishment of a new Coordinating Entity and establishing a new, ongoing, dedicated funding stream. mobility management center for the County. (2-K)	Keep with minimal improvements
	Continue to support higher density development around transit hubs and downtown. (3-B)	Removed action because it will instead provide policy direction for the Action Plan
Transit-5	Support the construction and maintenance of accessible bus stops, park and ride lots, and transit hubs. (2-E) <u>Implement park and ride facilities at appropriate locations, including shared-use agreements at activity centers with underutilized parking spaces.</u>	Replaced with a general action drafted for all Action Plans
	Support expansion and use of park and ride facilities using Express and local buses. (2-J)	Replaced with a more detailed mobility hub

TABLE 2 RECOMMENDED REVISIONS TO THE CENTRAL COUNTY ACTION PLAN ACTIONS

New Action Number	Proposed Action Language Revisions	Notes
		action drafted for all Action Plans
	Promote park and ride lot use to potential carpoolers, vanpoolers, and transit riders, including shuttle services, where applicable. (7-E)	Replaced with a more detailed mobility hub action drafted for all Action Plans
Transit-6	Provide additional park and ride lots, and develop shared mobility hubs along the I-680 corridor. (9-F) Work with local jurisdictions to develop intermodal transportation facilities (“Mobility Hubs”) that serve major activity centers and connect transit, pedestrian, bicycle facilities, and car/ride share in their planning documents, and site park and ride facilities, where needed and feasible.	Replaced with a more detailed mobility hub action drafted for all Action Plans
	Promote coordination of transfer times among Express bus, feeder bus, BART, and park and ride lots. (2-C)	Combined with general coordination action above
	Support the expansion of BART service and BART station and parking facilities. (2-D)	Consolidated with general BART action above
	Encourage commuters to make local trips or trips linked to transit by walking, bicycling, or carpooling instead of driving alone. (7-D)	Removed because this is implied through all actions proposed for this Action Plan
	Martinez Intermodal Station (Phase 3)	Removed because it is too vague and is likely included in the general mobility hub action
Transit-7	<u>Participate in any current or future studies regarding rail options for the Central County area and continue exploring development of new rail stations.</u>	Added using language drafted for all action plans
Transit-8	<u>Work with CCTA and local transit operators to explore financial incentives and reduced fares for public transportation, including a feasibility study to explore a subregional or countywide Universal Basic Mobility program.</u>	Added using language drafted for all action plans
Transit-9	<u>Evaluate systemwide bus stop improvements, including making it safer and easier for people to access transit stations and ensuring that transit is safe and attractive.</u>	Added using language drafted for all action plans
Transit-10	<u>Provide educational awareness of public transportation options through outreach, education, and advertising, particularly in local schools.</u>	Added using language drafted for all action plans

TABLE 2 RECOMMENDED REVISIONS TO THE CENTRAL COUNTY ACTION PLAN ACTIONS

New Action Number	Proposed Action Language Revisions	Notes
Transit-11	<u>Assist local jurisdictions in reviewing and considering options for improving curb management and bus and truck loading on public streets.</u>	Added using language drafted for all action plans
Transit-12	<u>Work with CCTA to fund and develop a regional mapping data services digital platform to enable the standardization and routine updating of digital and paper maps across all transit services</u>	Added using language drafted for all action plans
Transit-13	<u>Complete a feasibility study to explore feasibility of a Regional Express Bus Program and expansion and enhancement of Bus Rapid Transit, along SR-24 and other key roadways.</u>	Added using language drafted for all action plans
Transit-14	BART Station modernization new paid area, platform expansion; new vertical circulation; additional fare gates and fare collection equipment; upgrade systems; improve customer amenities including bathrooms, signage, lighting, safety and security. For all 3 Central County BART Stations.	Combined with general BART improvement action above
<i>Bike/Ped</i>		
Bike/Ped-1	<u>Prioritize the needs of pedestrians and bicyclists in the design, construction, and maintenance of development projects.</u> (3-D)	Keep with minimal improvements
Bike/Ped-2	<u>Prioritize the needs of pedestrians and bicyclists, and improve facilities along and connecting to Regional Routes and activity centers.</u> (5-C)	Keep and add action from below
	Support the improvement of bicycle and pedestrian facilities on and connecting to Routes of Regional Significance. (6-B)	Consolidated with Bike/Ped priority action above
Bike/Ped-3	Seek funding to provide bicycle parking infrastructure at employment sites and activity centers throughout Central County. (6-C)	Keep as is
	Support development of pedestrian and bicycle plans and safe routes to transit improvements. (6-D)	Revised using language drafted for all action plans and addressed in two actions
Bike/Ped-4	<u>Work with local jurisdictions in adopting and updating their bicycle and pedestrian plans to expand and/or improve their facilities to ensure a seamless active transportation network that provides a positive user experience.</u>	
	Seek funding to provide bicycle parking infrastructure at employment sites and activity centers throughout Central County. (7-H)	Removed by staff
	Detroit Avenue Complete Streets Project	Revised because it is too vague and is likely

TABLE 2 RECOMMENDED REVISIONS TO THE CENTRAL COUNTY ACTION PLAN ACTIONS

New Action Number	Proposed Action Language Revisions	Notes
		included in proposed action revisions
	Farm Bureau Road Safe Route to School Improvements	Revised because it is too vague and is likely included in proposed action revisions
	Cleveland Road widening and sidewalk improvements	Revised because it is too vague and is likely included in proposed action revisions
Bike/Ped-5	<u>Complete gaps in the Countywide Low Stress Bike Network.</u>	Added using language drafted for all action plans
Bike/Ped-6	<u>Complete bicycle and pedestrian crossing improvements at the following intersections:</u> <u>- Port Chicago Highway crossing an eastbound freeway off-ramp on SR-24.</u> <u>- Briones to Mount Diablo Regional Trail crossing at Buena Vista Avenue north of 1st Avenue.</u> <u>- Ygnacio Canal Trail and Oak Grove Road Couplet in the southeast direction.</u>	Added using language drafted for all action plans
Bike/Ped-7	<u>Work with CCTA, Contra Costa Health Services, and Street Smarts Diablo Region to facilitate a countywide coordinated approach to Safe Routes to Schools programs, and to identify continual funding streams to encourage students, employees, and residents at K-12 schools, technical schools, and college sites to use non-vehicle modes to get to school.</u>	Added using language drafted for all action plans
Bike/Ped-8	<u>Develop a program to provide educational awareness of active transportation options and safety through outreach, education, and advertising.</u>	Added using language drafted for all action plans
Bike/Ped-9	<u>Work with CCTA and MTC to promote Safe Routes to Transit projects and programs, and submit applications for funding for construction of local Safe Routes To Transit projects and programs.</u>	Added using language drafted for all action plans
Bike/Ped-10	<u>Continue the program to reduce the cost of bicycles, pedal-assist bicycles, and electric bicycles for Contra Costa residents.</u>	Added using language drafted for all action plans
Bike/Ped-11	<u>Support development of pavement management systems and implementation of pavement rehabilitation improvements. (1-B) Work with CCTA and other regional agencies to develop a method of tracking the Pavement Condition Index (PCI) of bicycle facilities on the low-stress</u>	Replaced with language drafted for all action plans

TABLE 2 **RECOMMENDED REVISIONS TO THE CENTRAL COUNTY ACTION PLAN ACTIONS**

New Action Number	Proposed Action Language Revisions	Notes
	<u>bike network, and implement rehabilitation improvements where needed.</u>	
Bike/Ped-12	<u>Work with Caltrans to prepare an incident management plan for Central County freeway corridors.</u>	Added using language drafted for all action plans
<i>Safety</i>		
Safety-1	<u>Support the inclusion of Complete Streets in General Plan updates. (6-A) Work with CCTA to implement the Countywide Vision Zero Framework.</u>	Revise to be more general to support Vision Zero
Safety-2	<u>Conduct a study to identify all safety-related transportation improvements needed within 500 feet of schools.</u>	Added using language drafted for all action plans
Safety-3	<u>Develop a program to coordinate the collection and analysis of safety data, identify areas of concern, and propose safety-related improvements and user awareness so as to support state and federal safety programs and performance measures.</u>	Added using language drafted for all action plans
Safety-4	<u>Work with CCTA, MTC, and East Bay Regional Parks to study and avoid the safety impacts of electric bicycles on local trails and streets, so as to eventually allow electric bicycles on all local trail facilities.</u>	Added using language drafted for all action plans
<i>Equity</i>		
Equity-1	<u>Conduct a study to identify strategies to increase low-income resident access to transit hubs, jobs, and areas with goods and services (for example, in Central County, the study could explore enhancing existing transit hubs, constructing new transit hubs, and first/last mile solutions).</u>	Added using language drafted for all action plans
Equity-2	<u>Increase access to car sharing services for low-income residents and support financial incentives for using them.</u>	Added using language drafted for all action plans
Equity-3	<u>Increase express bus service to regional job centers, particularly those with low-income workers, inside and outside of the subregion.</u>	Added using language drafted for all action plans
Equity-4	<u>Increase high frequency transit lines and stops in EPC areas.</u>	Added using language drafted for all action plans
<i>Climate Change</i>		
	<u>Encourage “green” commuting, including ZEV and NEV vehicles, clean fuel infrastructure, and car sharing. (7-I)</u>	Removed because it is covered by new green commuting actions

TABLE 2 **RECOMMENDED REVISIONS TO THE CENTRAL COUNTY ACTION PLAN ACTIONS**

New Action Number	Proposed Action Language Revisions	Notes
Climate Change-1	Support the <u>Work with the 511 Contra Costa to continually expand and improve TDM Programs</u> to educate and encourage Contra Costa residents, students and commuters to use multimodal alternatives by promoting transit, shuttles, carpooling, vanpooling, walking, bicycling, alternative work schedules, and telecommuting. (7-A)	
Climate Change-2	Develop TDM programs at K-12 schools and colleges to encourage carpooling, transit ridership, walking, and bicycling. (7-B) <u>Work with regional agencies, local employers and schools to increase tele-work, compress work weeks, alternative work location, and flex schedules, and provide pre-tax employer transportation benefit programs.</u>	Revised to be more inclusive
	Promote alternative work opportunities including employer pre-tax benefit programs, compressed work week schedules, flex schedules, and telework. (7-C)	Removed because it is consolidated in the action above
	In cooperation with Central County jurisdictions, develop TDM plans and provide consultations to improve mobility and decrease parking demand for new development and redevelopment. (7-F)	Removed because it is implied in the TDM actions above
Climate Change-3	<u>Continue to implement a program to support deployment of high-quality, fast and diverse electrical vehicle chargers in the subregion.</u>	Added using language drafted for all action plans
Climate Change-4	<u>Continue to promote electric vehicle ownership by offering financial incentives and providing educational programs and demonstrations.</u>	Added using language drafted for all action plans
Climate Change-5	<u>Coordinate with impacted jurisdictions, property owners, and other applicable agencies that own or maintain Routes of Regional Significance that would be impacted by sea level rise, to coordinate and plan for inundation mitigation.</u>	Added using language drafted for all action plans
Climate Change-6	<u>Encourage regional agencies and local jurisdictions to refer to the Adapting to Rising Tides Adaptation Roadmap when planning for sea level rise.</u>	Added using language drafted for all action plans
	Clean Fuel Vehicle infrastructure	Removed because it is included in general actions above
<i>Technology</i>		
Technology-1	Support innovative approaches for the deployment of technologies. (4-A) <u>Work with CCTA, micromobility operators, and local jurisdictions to create a subregional model ordinance and</u>	Revised with language drafted for all action plans

TABLE 2 **RECOMMENDED REVISIONS TO THE CENTRAL COUNTY ACTION PLAN ACTIONS**

New Action Number	Proposed Action Language Revisions	Notes
	<u>model RFP to deploy micromobility systems, built off industry best management practices.</u>	
Technology-2	<u>Support the construction of infrastructure needed for the expansion of low emission technologies, such as vehicle charging stations. (4-B)</u> <u>Continue to implement a program to support deployment of high-quality, fast and diverse electrical vehicle chargers in the subregion.</u>	Revised with language drafted for all action plans
	<u>Explore innovative new technologies to improve mobility and reduce SOV trips. (7-G)</u>	Removed because it is too vague. Covered by new actions relating to SOV reducing technology
Technology-3	<u>Upgrade the signal system along certain Routes of Regional Significance, including the 101 signals identified for interconnection.</u>	Added using language drafted for all action plans
Technology-4	<u>Conduct a study of the feasibility of a pilot Dynamic Personal Micro Transit System or Automated Driving System somewhere in the Central County area.</u>	Added using language drafted for all action plans
Technology-5	<u>Work with local transit agencies, regional policymakers, and private entities to promote pooled regional ridesharing services.</u>	Added using language drafted for all action plans
Technology-6	<u>Coordinate with CCTA and local jurisdictions to identify solutions to the Intelligent Transportation System (ITS) communications needs during the development and implementation of a Regional ITS Communications Plan and/or regional communications infrastructure, including expanding fiber to link all traffic signals and bolster communications for signals, etc.</u>	Added using language drafted for all action plans
Funding		
Funding-1	<u>Seek funding for the ongoing maintenance and operation of the existing transportation system and infrastructure. Includes all modes. (1-A) Continue to participate and periodically update the TRANSPAC Subregional Transportation Mitigation Program and the Central Contra Costa Traffic Management Program to ensure it will produce sufficient funds in light of current and anticipated growth rates and construction costs.</u>	Revised using language drafted for all action plans
	<u>Continue to implement the TRANSPAC Subregional Transportation Mitigation Program. (3-E)</u>	Consolidated above

TABLE 2 RECOMMENDED REVISIONS TO THE CENTRAL COUNTY ACTION PLAN ACTIONS

New Action Number	Proposed Action Language Revisions	Notes
	Continue to implement the Central Contra Costa Traffic Management Program. (5-B)	Consolidated above
	Seek funding for traffic, <u>multimodal</u>, and transit improvements along Regional Routes and other major streets. (5-A)	Removed because funding will come through in actions above and other work through TRANSPAC and regional/local partners
<i>Misc.</i>		
	Continue to support implementation of the Measure J Growth Management Program. (3-A)	Removed because this is implied by the nature and requirements of the Action Plan
	Continue to require each jurisdiction to: a. Notice the initiation of the environmental review process for projects generating more than 100 net new peak hour vehicle trips. b. For projects that require a General Plan Amendment, identify any conflicts with Action Plan MTSOs and then, if requested, present the analysis results and possible mitigation strategies to TRANSPAC for review and comment. (3-C)	Removed because this is implied by the nature and requirements of the Action Plan

Public Outreach Summary

The final component of this memorandum is Attachment 3, Public Outreach Summary. This document outlines the first round of public outreach conducted by CCTA and PlaceWorks during March and April 2022. Outreach was conducted to the general Contra Costa community and the Alameda County portion of the Tri-Valley area. Input from this outreach was incorporated into development of the Action Plan actions.

Next Steps

The contents of this memorandum will be summarized in a PowerPoint presentation for the August 4, 2022 TRANSPAC Policy Board meeting. Comments on the components can be received before, during, or after the meeting. Comments on the components will be incorporated into the Draft Central County Action Plan which will be ready for review in the fall.

**ATTACHMENT 1:
RTO METHODOLOGY MEMORANDUM**

MEMORANDUM

DATE July 7, 2022

TO John Hoang and Matt Kelly, CCTA

FROM David Early and Torina Wilson, PlaceWorks
Erin Vaca, DKS Associates
Julie Morgan and Terence Zhao, Fehr & Peers

SUBJECT Regional Transportation Objectives Methodology Memorandum

This memorandum outlines the preliminary Regional Transportation Objectives (RTOs) and the methodology behind them that PlaceWorks and its technical consultants (DKS and Fehr & Peers) plan to model in preparation of the Contra Costa Transportation Authority (CCTA) Action Plan Updates. These RTOs cover all Action Plan and Countywide Transportation Plan (CTP) topics and will be used to evaluate success in achieving the goals of each Action Plan. These RTOs could also be carried forward into the CTP to define the outcomes of that plan.

Historically, each Regional Transportation Planning Committee (RTPC) has had latitude to select a set of Multimodal Transportation Service Objectives (MTSOs) of its own choosing, and the various Action Plans have had differing MTSOs. In this round of Action Plan preparation, each RTPC continues to have the authority to craft its own RTOs. However, PlaceWorks is working with CCTA and the RTPCs to ensure that the new RTOs are as consistent as possible across the Action Plans to ensure they are largely internally consistent and to ultimately be combined and consolidated into the future CTP. At this time, PlaceWorks anticipates only minor variations among the RTOs adopted by each RTPC.

The preliminary list of RTOs, and their relevant chapter topics, are:

- Freeway RTOs
 - Peak-hour delay index on select freeway segments.
 - Buffer index on select freeway segments.
- Surface Roadway RTOs
 - Peak-hour Level of Service (LOS) at selected intersections in urban areas.
 - Peak-hour segment LOS on selected two-lane roadways outside of urban areas.
- Transit RTOs
 - Mode share of transit trips.
 - Ratio of travel time for transit as compared to automobile travel time for select trips.
- Bicycle and Pedestrian RTOs
 - Mode share of bicycling and walking.

- Proportion of the countywide low-stress bike network (LSBN) that has been completed.
 - Number of locations where the LSBN makes an unprotected crossing over a heavily traveled vehicle route.
- Safety RTOs
 - Number of Killed or Seriously Injured (KSI) collisions.
 - Number of bike- or pedestrian-involved collisions.
 - Number of bike- or pedestrian-involved collisions within 500 feet of a school.
- Equity RTOs
 - Proportion of KSI and bike- or pedestrian-involved collisions that occur in Equity Priority Communities (EPCs), compared to the county as a whole.
 - Share of county jobs that can be reached by EPC residents within a 30-minute drive, as compared to county residents as a whole.
 - Share of county jobs that can be reached by EPC residents within a 45-minute transit trip, as compared to county residents as a whole.
 - Proportion of EPC acres that are not within a quarter-mile distance of a transit stop served by high-quality transit.
- Climate Change RTOs
 - Single-occupant vehicle mode share.
 - Vehicle miles traveled (VMT) per capita.
 - Transportation greenhouse gas (GHG) emissions per capita.
 - Zero-emission vehicle ownership in the subregion.
- Technology RTOs
 - Level of ethernet-based signal interconnection.

This memo ends with a discussion of several potential RTOs that were explored but are not recommended to move forward. They are:

- Wait time for paratransit
- Speed reduction
- Use of shared (pooled) Transportation Network Companies (TNCs)
- Number of shared scooters, shared bicycles, and public autonomous shared vehicles that are deployed
- Pavement condition on the countywide low-stress bike network
- Average commute time for low-income residents as compared to county residents as a whole
- Miles of Routes of Regional Significance (RRS) estimated to be vulnerable to sea-level rise.
- Percentage of vulnerable RRS for which remediation plans or a mitigation approach have been created.

The remainder of this memo explains the methodologies that the PlaceWorks team will use to measure each of these RTOs. These same methodologies will be documented in a revision to CCTA's Technical Procedures and will be available for ongoing assessment of attainment of the RTOs. An explanation of RTOs that were considered and not recommended to move forward are also included.

The modelling work described in this memo will be completed by DKS using the CCTA Countywide Travel Demand Model. This four-step, trip-based model was most recently revalidated to a 2018 base year. The standard CCTA travel demand model incorporates land use (population and employment) forecasts for 2020, 2030, and 2040 and can interpolate these inputs for interim years. Because the standard model cannot produce scenarios beyond 2040, a special version of the model script will be developed for the Action Plan analyses. In addition to accommodating a year 2050 horizon, the revised version will incorporate enhanced traffic assignment procedures for express lanes.

For the Action Plan updates, land use inputs for the horizon year of 2050 will be developed based on the Metropolitan Transportation Commission (MTC) Plan Bay Area 2050 projections for Contra Costa County. The transportation network assumed the Baseline 2050 scenario will be derived from the CCTA Transportation Expenditure Plan (TEP) No Build scenario, to reflect only already programmed improvements. In addition to the TEP projects, some additional express lanes will be assumed on Interstate (I-) 680 and the extension of the Bay Area Rapid Transit (BART) service to Livermore will be removed.

For existing conditions, the project team will use 2018 data to reflect pre-pandemic conditions, as it is not possible to predict how traffic conditions might stabilize as the post-pandemic "new normal" continues to evolve.

Freeways RTOs

PEAK-HOUR DELAY INDEX ON SELECT FREEWAY SEGMENTS

The delay index is a measure of delay experienced by motorists on a roadway segment during a peak commute hour in a single direction. The delay index is calculated by measuring the time it takes to travel a segment of road during average peak-period congested conditions and comparing it to the time it takes to travel the same segment during uncongested, free-flow conditions. A delay index may also be calculated as the ratio of congested speed to uncongested speed, given that the distance is fixed on any given corridor.

All previous CCTA Action Plans used delay index as MTSOs for freeway facilities. Table 1 lists the specific facilities to be evaluated with this metric for the current Action Plan updates; these segments are mapped in Figure 1. The performance targets used in the previous round of Action Plans are provided for reference, although these will be revisited as part of the current planning process.

TABLE 1. FREEWAY FACILITIES AND PREVIOUS PERFORMANCE TARGETS

RTPC	Facility	From	To	Previous Performance Target
WCCTAC (West County)	Interstate 80	Carquinez Bridge	Solano County Line	DI*≤3.0
	Interstate 580	I-80	Marin County Line	DI≤2.5
	State Route 4	I-80	Cummings Skyway	DI≤2.0
TRANSPAC (Central County)	Interstate 680	Benicia Martinez Bridge	I-680/SR-24 Interchange	DI≤ 4.0 (I-680)
	Interstate 680	I-680/SR-24 Interchange	Livorna Road	DI≤ 4.0 (I-680)
	State Route 242	SR-4/WO Port Chicago Highway	I-680/SO Willow Pass Road	DI≤ 3.0 (SR-242)
	State Route 4	Cummings Skyway	Willow Pass Road/Evora Road	DI≤ 5.0 (SR-4)
TRANSPLAN (East County)	State Route 4	Willow Pass Grade	Balfour Road	DI≤2.5
	State Route 160	SR-4	Sacramento County Line	DI≤2.5
Lamorinda (Southwest County)	State Route 24	Caldecott Tunnel	I-680	DI≤2.0
	Interstate 680	Livorna Road	I-580	DI≤2.0
Tri-Valley (Southwest County)	Interstate 680	I-580	SR-80	DI≤2.0
	Interstate 580	Eden Canyon Road	I-680	DI≤2.0
	Interstate 580	I-680	N Midway Road	DI≤2.0

* DI = Delay index
Source: RTPC Action Plans.

The delay index (and the related average speed) will be calculated for both the 2019 Base Year and 2050 Baseline scenarios, pivoting from observed data. The source of observed data for this RTO will be speed data from INRIX Roadway Analytics, which was also used in the 2017 MTSO monitoring¹ and 2021 Congestion Management Plan (CMP) monitoring.² DKS will first calculate observed 2019 speed with INRIX data using April 2019 as a baseline. DKS will pull one-minute interval data that includes travel time, use a Python program to excerpt defined study areas from Table 1 and Figure 1, and ultimately filter holidays, defined peak hours, defined days of the week, and data points affected by construction and special events, or with low INRIX quality scores. Delay indices will be calculated by estimating the additional congested travel time that is expected to occur on the link using the CCTA Countywide Travel Demand Model during peak hours. Components of this work include:

- Average congested speed for 2019 will be speed data derived from INRIX Roadway Analytics, which was also used in the 2017 MTSO monitoring and 2021 CMP monitoring.
- For 2050, DKS will take average congested speed data from the model.
- Free-flow speed will be the posted speed limit.
- The delay indices will be calculated by dividing the free flow speed by the observed or modeled average congested speed.

These calculations will yield existing and future delay index ratings for the segments of freeways listed in Table 1. Existing delay index ratings will be compared to adopted MTSO delay index thresholds and the project team will suggest any revisions to the existing delay index thresholds for consideration by the RTPCs.

BUFFER INDEX ON SELECT FREEWAY SEGMENTS

RTPC Technical Advisory Committee (TAC) members expressed interest in tracking the reliability of freeway segments. The project team recommends moving forward with the “buffer index” to measure reliability because it will rely on the same data pulled for the delay index RTO. The buffer index represents the extra buffer time (or time cushion) that most travelers add to their average travel time when planning trips to ensure on-time arrival. This extra time is added to account for any unexpected delay. The buffer index is expressed as a percentage and its value increases as reliability gets worse. For example, a buffer index of 40 percent means that, for a 20-minute average travel time, a traveler should budget an additional 8 minutes (20 minutes × 40 percent = 8 minutes) to ensure on-time arrival most of the time. In this example, the 8 extra minutes is called the buffer time. The buffer index is computed as the difference between the 95th percentile travel time over a corridor and average travel time, divided by the average travel time.

¹ Contra Costa Sub-regional Action Plans for the Routes of Regional Significance Multimodal Traffic Service Objectives (MTSO) Draft 2017 Monitoring Report (March 2018).

² 2021 Update of the Contra Costa Congestion Management Program (Draft Final Report).

The CCTA Countywide Travel Demand Model can output only average congested speeds and not 95th percentile speeds, so the buffer index will be a monitoring metric, compiled for existing and observed conditions but not forecasted. The buffer index for each freeway corridor listed in Table 1 will be calculated from the same INRIX data used to calculate the delay index.

Surface Roadway RTOs

PEAK-HOUR LOS AT SELECTED INTERSECTIONS IN URBAN AREAS

Peak-hour intersection LOS will be calculated for specified signalized intersections along the defined RRS in urban areas. Signalized LOS is a delay-based qualitative measure of traffic conditions. LOS is expressed in ratings from “A” through “F,” with “A” meaning that all traffic clears the intersection in every cycle and “F” meaning that drivers must wait through multiple cycles to clear the intersection.

Signalized intersection LOS is determined based on intersection turning movement counts (also called turning/traffic volumes), intersection geometry, and signal timing data. The CCTA Technical Procedures specify that methods documented in the latest edition of the Highway Capacity Manual be used to measure signalized intersection LOS.³ The relationship between average delay and LOS is shown in Table 2.

TABLE 2. INTERSECTION LOS DEFINITIONS

Delay (Second/Vehicle)	Level of Service
≤10	A
> 10-20	B
> 20-35	C
> 35-55	D
> 55-80	E
> 80	F

Source: Highway Capacity Manual, 6th Edition, Exhibit 19-8.

The facilities evaluated using signalized intersection LOS or other intersection operational metrics in the previous round of Action Plans are listed in Table 3. The performance of these Action Plan intersections and some additional locations was monitored in 2017. In addition, a subset of these intersections is regularly monitored as part of the Congestion Management Program, which was most recently conducted in 2021. For all previously monitored intersections, intersection operational models have been built, and peak hour turning movement counts were collected to represent 2013, 2017, or 2021 conditions. Table 4 summarizes the available data for intersection analysis.

³ The Highway Capacity Manual 6th Edition was published by the Transportation Research Board in January 2022.

Since the previous rounds of Action Plans and monitoring, some previously rural highway segments have been developed into signalized arterial corridors and some roadways have been newly designated as RRS, potentially adding numerous additional signalized intersection locations to be analyzed. A small number of previously monitored intersections appear to fall on roadway facilities that are no longer proposed as RRS for this round of Action Plan updates.

For this analysis of 2019 and 2050 baseline conditions, the project team proposes to report on only key locations, such as at the intersections of two RRS facilities, freeway ramp terminals, and intersections of local concern, as depicted in Figure 2 through Figure 6. In total, 355 intersections will be analyzed for 2019 and 2050.

TABLE 3. SIGNALIZED INTERSECTION LEVEL OF SERVICE – PREVIOUS ACTION PLANS

RTPC	Arterial Facility	Previously Used Performance Target and Number of Intersections
WCCTAC (West County)	<ul style="list-style-type: none"> • Appian Way • Carlson Boulevard • Central Avenue • Cummings Skyway • Interstate 580 (I-580) • Richmond Parkway • San Pablo Avenue • San Pablo Dam Road • State Route 4 (SR-4) • 23rd Street 	LOS D on all intersections except for San Pablo Avenue and San Pablo Dam Road where LOS E is acceptable.
TRANSPAC (Central County)	<ul style="list-style-type: none"> • Alhambra Avenue • Bailey Road • Clayton Road • Contra Costa Boulevard • Geary Road • North Main Street • Pacheco Boulevard • Pleasant Hill Road • Taylor Boulevard • Treat Boulevard • Ygnacio Valley Road/Kirker Pass Road 	LOS F on all intersections. ^a
TRANSPAN (East County)	<ul style="list-style-type: none"> • Auto Center Drive • Bailey Road • Balfour Road • Brentwood Boulevard/Main Street • Buchanan Road • Deer Valley Road (improved portion) • East 10th Street/Harbor Street (in Pittsburg) • East 18th Street • Fairview Avenue • Hillcrest Avenue • James Donlon Boulevard (including future extension) • Laurel Road 	LOS D on all intersections except for Bailey Road where LOS E is acceptable.

TABLE 3. SIGNALIZED INTERSECTION LEVEL OF SERVICE – PREVIOUS ACTION PLANS

RTPC	Arterial Facility	Previously Used Performance Target and Number of Intersections
	<ul style="list-style-type: none"> Leland Road (both West and East)/Delta Fair Boulevard Lone Tree Way/A Street Oak Street/Walnut Boulevard (within Brentwood) Ninth Street/Tenth Street (in Antioch) Pittsburg-Antioch Highway Railroad Avenue/Kirker Pass Road Sand Creek Road/Dallas Ranch Road Somersville Road Wilbur Avenue Willow Pass Road 	
Lamorinda (LPMC and Southwest County)	<ul style="list-style-type: none"> Camino Pablo/San Pablo Dam Road Pleasant Hill Road 	Side Street Delay, no LOS rating.
Tri-Valley (TVTC and Southwest County)	<ul style="list-style-type: none"> Alcosta Boulevard Bernal Avenue Bollinger Canyon Road Camino Tassajara Danville Boulevard Dougherty Road Dublin Boulevard Fallon Road First Street/Railroad Avenue Hopyard Road Iron Horse Trail Jack London Boulevard San Ramon Road San Ramon Valley Boulevard Santa Rita Road Stanley Boulevard Stoneridge Drive Sunol Boulevard Sycamore Valley Road Tassajara Road Vasco Road 	LOS E on all intersections except no standard for intersections in downtown areas and those exempt by General Plans.

a. Other TRANSPAC intersection performance targets are defined by volume to capacity (V/C) ratios or the number of cycles.
Source: RTPC Action Plans

TABLE 4. SIGNALIZED INTERSECTIONS AND AVAILABLE INTERSECTION DATA

Region	Previous Action Plans	2017 Monitoring	2021 CMP	Total Signalized Intersections on RRS	Total Proposed for Existing and Baseline Scenarios
West County	55	30	29	174	84
Central County	41	41	9	233	83
East County	151	29		301	93
Lamorinda	13	12	1	47	12
Tri-Valley	39	51	22	163	83
Total	299	163	61	918	355

FIGURE 2. ARTERIAL INTERSECTIONS AND ROADWAY RRS (WEST COUNTY)

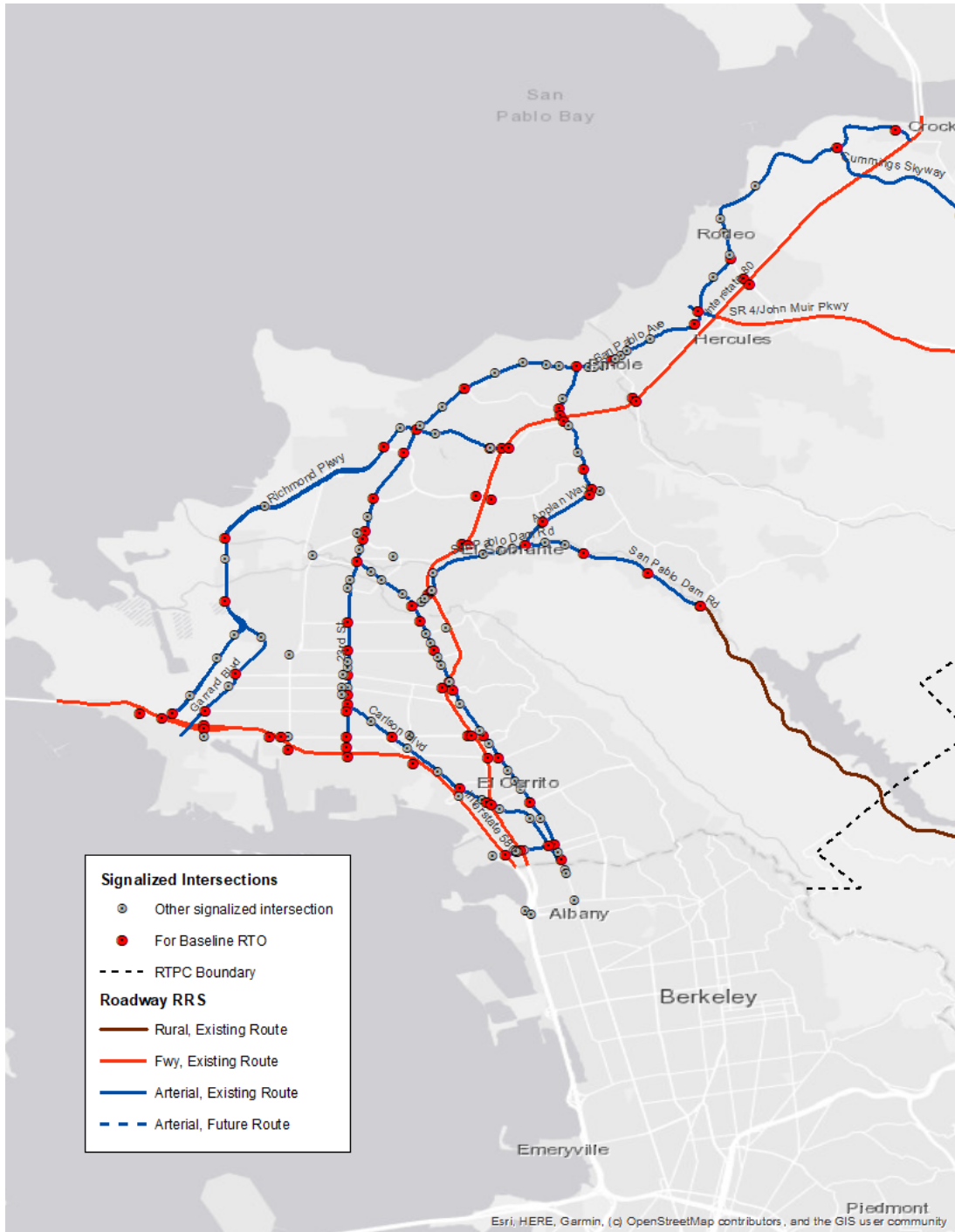


FIGURE 3. ARTERIAL INTERSECTIONS AND ROADWAY RRS (CENTRAL COUNTY)

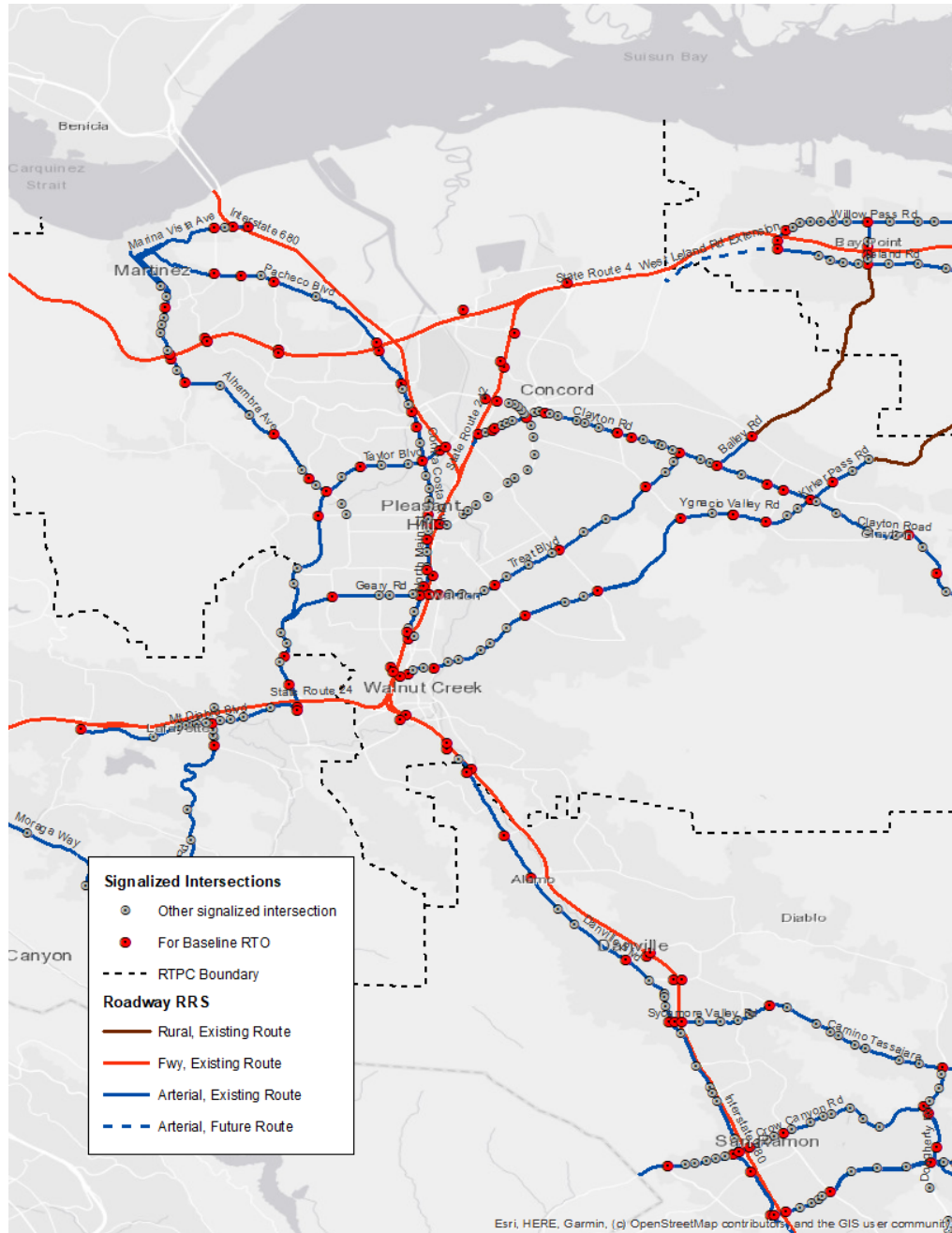


FIGURE 4. ARTERIAL INTERSECTIONS AND ROADWAY RRS (EAST COUNTY)

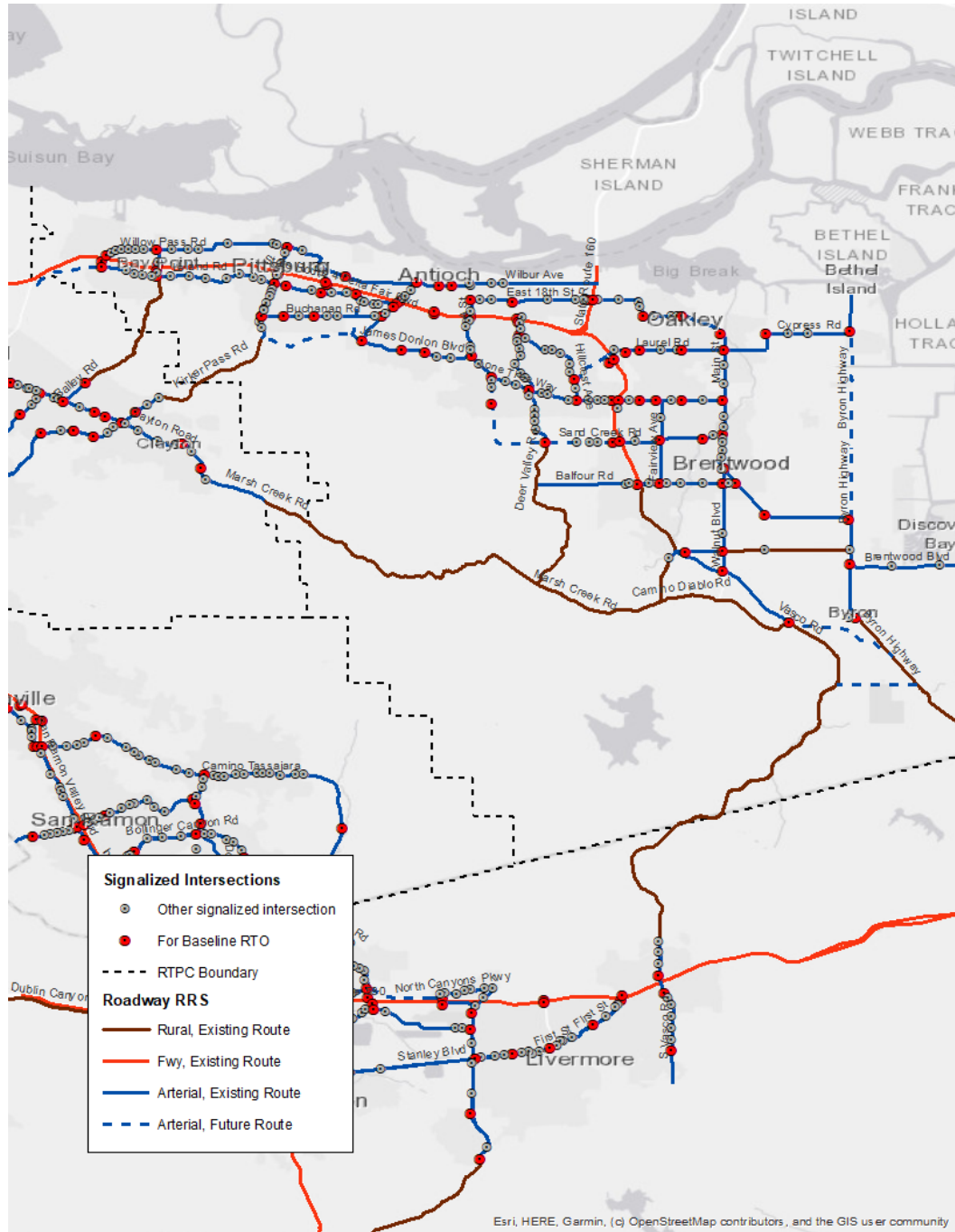


FIGURE 5. ARTERIAL INTERSECTIONS AND ROADWAY RRS (SOUTHWEST COUNTY – LAMORINDA)

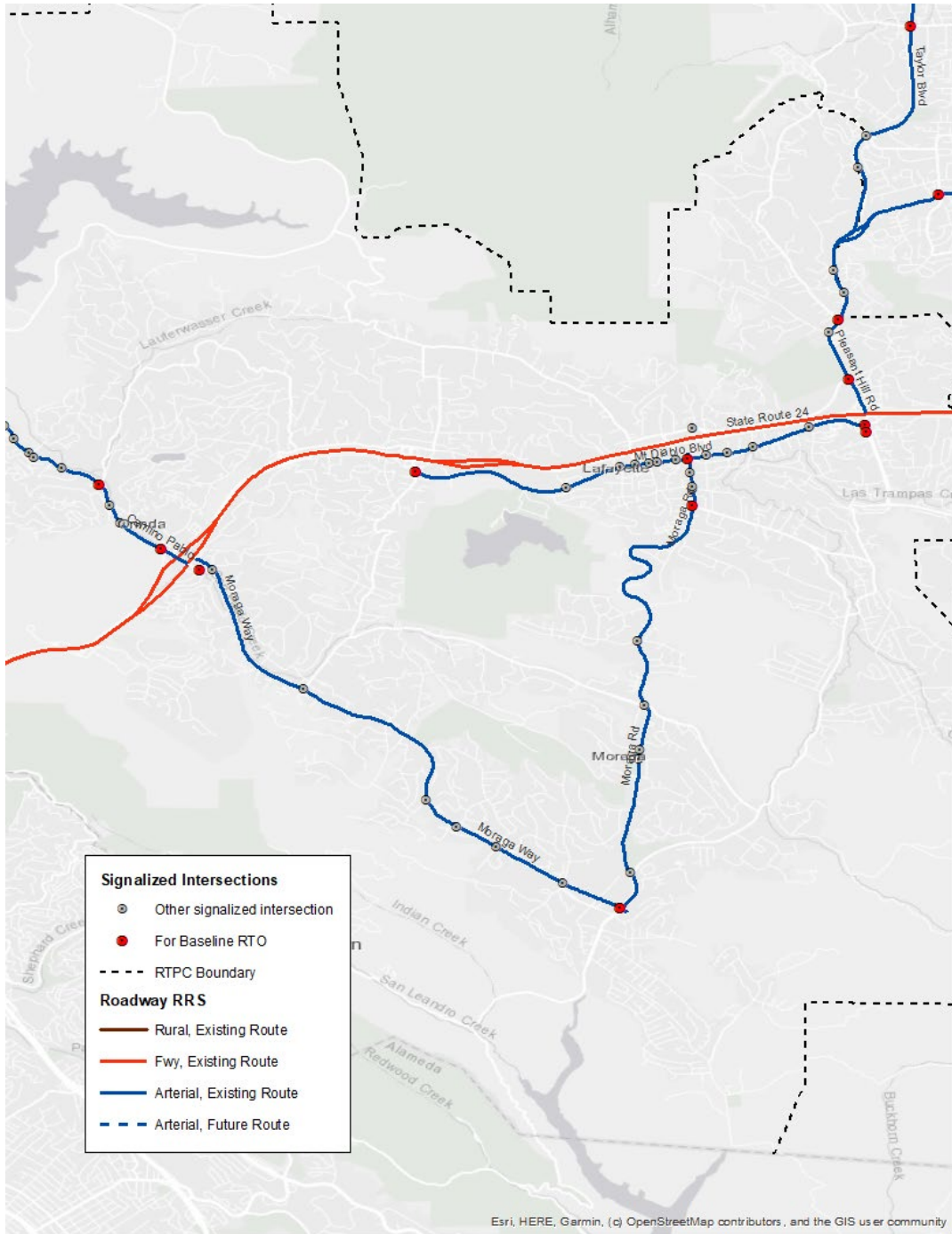
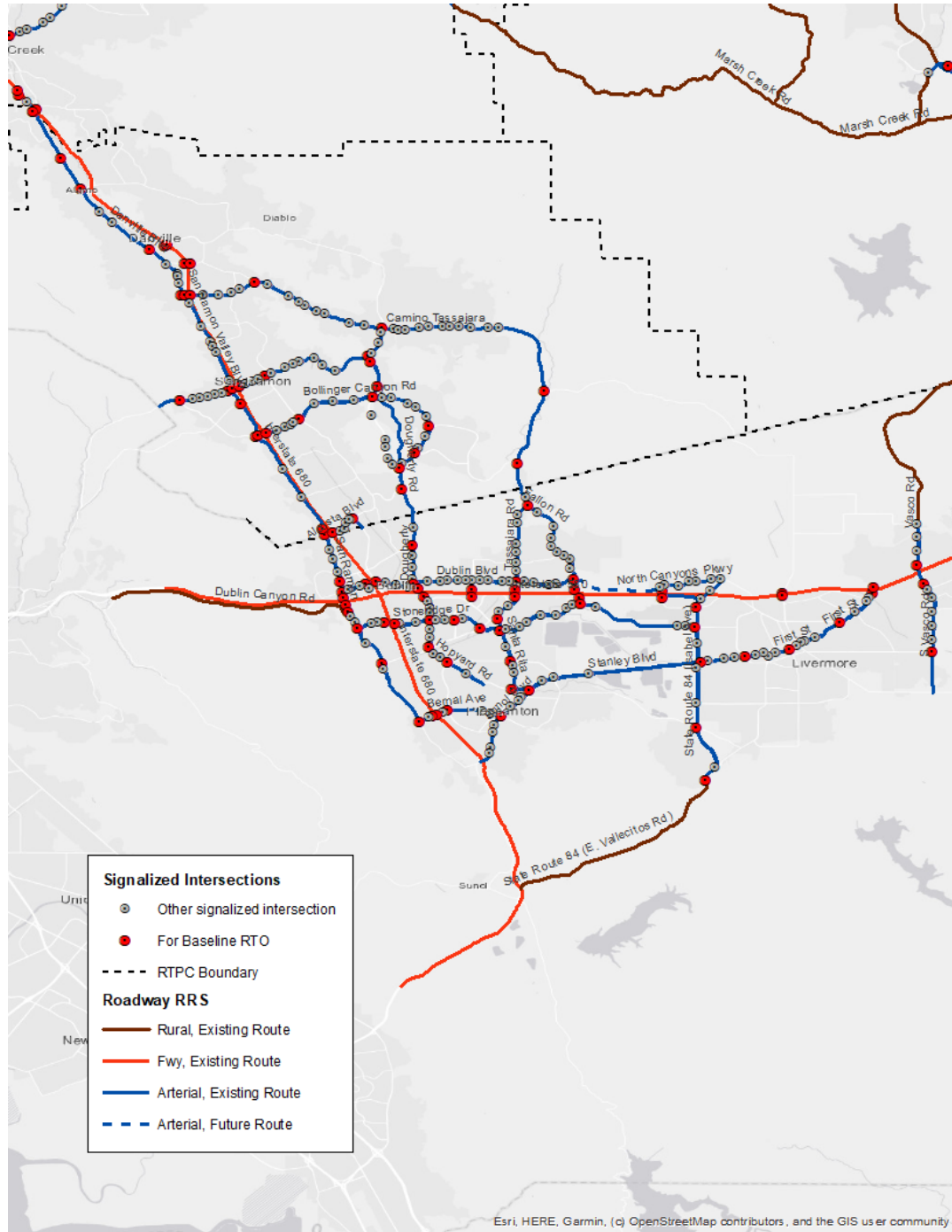


FIGURE 6. ARTERIAL INTERSECTIONS AND ROADWAY RRS (SOUTHWEST COUNTY – TRI-VALLEY)



The methodology for calculating signalized intersection LOS will follow standard practice.

Observed counts will largely be obtained from those collected for the 2017 MTSO monitoring and the 2021 CMP monitoring. For any additional intersections added to the list for this round of Action Plans, historical turning volume estimates will be obtained from the Streetlight data subscription maintained by CCTA.

Peak-hour traffic volumes for the base year and future year will be estimated using the Furness process specified in the CCTA Technical Procedures and summarized here. This process develops intersection turning movement forecasts using observed counts and model outputs, as follows:

- Calculate the Model Correction Volume for each network link (i.e., the difference between the projected peak-hour volume for the validation (base year) run and actual peak-hour traffic volumes).
- Determine the forecast peak-hour approach and departure volumes for each study intersection by adding the Model Correction Volume to the model output.
- Develop intersection turning movement volumes that are consistent with the approach and departure volumes by balancing projected intersection turning movements with actual turning movement volumes using an iterative process.
- Check reasonableness by comparing adjusted intersection turning movement volumes with both the existing count data and the raw model output.
- Review volume adjustments that do not appear reasonable and, if appropriate, revise adjustments.

Prior to modeling the LOS that will result from the calculated volumes, DKS will double-check intersection geometry using Google Earth to ensure that the modeling reflects current intersection configurations. DKS will reach out to the local jurisdictions to request timing plans for any newly added intersection locations. In the absence of local timing plans, optimized timing settings will be applied.

Once the estimated 2019 Base Year and 2050 Baseline turning volumes, intersection geometries, and signal timings are in place, signalized intersection LOS will be assessed by implementing the latest Highway Capacity Model (HCM) methods in the Trafficware Synchro (“Synchro”) software package. The latest HCM 7th Edition was released in February 2022 and is not yet implemented in Synchro, so Synchro reports signalized intersection delay and LOS based on the HCM 6th Edition (there is no significant difference for the analysis of signalized intersections).

The outcome of this modeling will yield a list of all intersections and their baseline 2019 and projected 2050 LOS rating. These ratings will be compared to the existing Action Plan MTSOs, if applicable, and DKS will assist the RTPCs in revising the MTSOs to create new RTOs as appropriate.

There may be a data gap for turning movement counts for newly identified intersections in Alameda County. Since the CCTA Streetlight subscription will not provide data for these locations, local jurisdictions will be contacted to provide any available recent counts. In some cases, it may be necessary

to use turning volumes directly from the CCTA Countywide Travel Demand Model outputs to estimate existing conditions operational performance.

PEAK-HOUR SEGMENT LOS ON SELECTED TWO-LANE HIGHWAYS OUTSIDE OF URBAN AREAS

LOS will be analyzed for specific segments on rural roadways. Roadway segment LOS is a measure of traffic efficiency and smoothness of flow along roadway segments that are not constrained by a nearby traffic signal. This has previously been calculated for the East County in accordance with the methods specified in the 2010 HCM using average speed for Class I highways, which are two-lane facilities in largely rural areas that motorists expect to traverse at relatively high speed.

DKS will run LOS analysis for the roadway segments as listed in Table 5 and shown in Figures 2 through 6.

TABLE 5. RURAL ROADWAY CORRIDORS

Subarea	Facility	From	To
West County	San Pablo Dam Road	Castro Ranch Road	RTPC Boundary
		RTPC Boundary	Wildcat Canyon
Central County	Bailey Road	Concord Boulevard	RTPC Boundary
	Kirker Pass Road	RTPC Boundary	James Donlon Boulevard
	Kirker Pass Road	Clearbrook Drive	RTPC Boundary
	Byron Highway	State Route 4	Alameda County
	Camino Diablo Road	Marsh Creek Road	Vasco Road
	Marsh Creek Road	Deer Valley Road	Vineyard Parkway
East County	Vasco Road	Walnut Boulevard	Alameda County
	Vasco Road	Alameda County	Dalton Avenue
	Bailey Road	Leland Avenue	RTPC Boundary
	State Route 4 Bypass	Balfour Road	Marsh Creek Road
	Deer Valley Road	Sand Creek Road	Marsh Creek Road
	Marsh Creek Road	RTPC Boundary	Deer Valley Road
Lamorinda	San Pablo Dam Road	RTPC Boundary	Wildcat Canyon
Tri-Valley	State Route 84 (E. Vallecitos Road)	Interstate 680	Ruby Hill Drive
	Dublin Canyon Road	Palo Verde Road	Foothill Road

The latest edition of HCM (7th Edition) specifies a new version for calculating segment LOS, which requires substantially more data than the previous HCM 6th edition/2010 approach. The new approach requires information on passing constraint condition (none, passing lane, or passing constrained), flow rate (vehicles per hour), percentage heavy vehicles, vertical slope (five classifications based on segment length and slope), and horizontal curvature (five classifications based on curve radius and superelevation). This data is not available for the segments to be studied, the Action Plan updates will retain this HCM 6th Edition approach, which simply relates LOS to average speed, as shown in Table 6. For this analysis, DKS will use the model to predict average speed for all segments to be analyzed.

TABLE 6. LOS FOR TWO-LANE RURAL ROADWAYS

Level of Service	Average Speed (Miles per Hour)
A	>55
B	>50-55
C	>45-50
D	>40-45
E	≤40

Source: Highway Capacity Manual, 2010, Exhibit 15-3.

Transit RTOs

MODE SHARE OF TRANSIT TRIPS

Mode share will be estimated for the Action Plan updates, both for transit (which is the focus of this section) and for the bike/pedestrian and climate change topics (as explained in later sections of this memo).

For the Action Plan analysis, mode share in each subregion will be estimated using data collected by the American Community Survey (ACS), as published by the Census Bureau, and model results.

For current conditions, the PlaceWorks team will use ACS data, which gives data for work commute trips for workers 16 years of age and over. The current data release includes one-year estimates for 2019, which will be used for the Action Plan analysis. Mode share for all trips and all modes will be modeled using outputs from the CCTA Countywide Travel Demand Model. Specifically, the person trip tables from the mode choice step of the model will be aggregated to calculate mode share by geographic subarea. The trip tables are in “production-attraction” format, meaning that trips are tabulated based on the zone of production (location of residence for all home-based trip purposes) and zone of attraction (work or other location) rather than representing directional trips.

The CCTA Countywide Travel Demand Model produces person trip matrices by mode by Traffic Analysis Zone (TAZ) for each trip purpose and income quartile. DKS will develop scripts to summarize this data by RTPC and mode. Most mode share RTOs will be summarized by the geographic area of production, but some metrics based on the attraction zone may be of interest as well. Thus, mode share can be reported based on the zone of residence (“X percent of work trips made by East County residents are by auto”) or the attraction zone (“Y percent of work trips for jobs in Central County are by transit”).

Mode shares will be calculated for the 2019 base year and 2050 baseline scenarios. The mode alternatives specified in CCTA Countywide Travel Demand Model include:

- Drive Alone
- Shared Ride 2 Occupants
- Shared Ride 3+ occupants
- Transit with Walk Access
- Transit with Drive Access
- Bicycle
- Walk

The summary tables and charts for these modes will report mode share for the subregion of production (all trips), for commute mode share by subregion of production (home-based work trips only), and for commute mode share by subregion of attraction or job location (home-based work trips only).

RATIO OF TRAVEL TIME FOR TRANSIT AS COMPARED TO AUTOMOBILE TRAVEL TIME FOR SELECT TRIPS

This RTO is intended to measure the difference in travel time for a motorist as compared to a transit user. The origin destination pairs shown in Table 7 are proposed for this metric. Travel times will be developed for each mode based on both the peak-commute and reverse-commute directions of travel for the morning and afternoon peak periods.

TABLE 7. CORRIDORS FOR TRANSIT-AUTO TRAVEL TIME COMPARISON

Subarea	Origin-Destination Pairs
West County	North Richmond BART and Contra Costa Center (Pleasant Hill BART station) Hercules Transit Center and Salesforce Transit Center in San Francisco
Central County	Walnut Creek BART station and Montgomery Street BART station Orinda BART station and 12th Street (Oakland) BART station
East County	Antioch BART station and 12th Street (Oakland) BART station
Lamorinda	Orinda BART station and Montgomery Street (San Francisco) BART station
Tri-Valley	Vasco Station (Altamont Corridor Express) and San Jose Diridon station Dublin-Pleasanton BART station and Montgomery Street (San Francisco) BART station

Transit travel times along key routes will be based on published transit schedules. Bus schedules are assumed to account for expected roadway congestion that would impact bus routes. Driving travel times will be derived from INRIX roadway analytics for weekdays (Tuesday – Thursday) for April 2019.

Baseline 2050 conditions will be modeled using the CCTA Countywide Travel Demand Model. The model outputs used for this purpose will be the peak period transportation “skim” matrices, representing transit wait time, transit in-vehicle travel time, and drive-alone automobile travel time between all TAZs.

Bicycle and Pedestrian RTOs

Bicycle and pedestrian RTOs will be based on the countywide Low-Stress Bike Network (LSBN) adopted in the 2018 CCTA Countywide Bike and Pedestrian Plan. This network consists of existing and planned Class 1 bike paths and Class 4 cycle tracks throughout Contra Costa County.

MODE SHARE OF BICYCLING AND WALKING

The methodology for this RTO will be identical to the methodology for the “Mode Share of Transit Trips” RTO. See the previous section for more details.

PROPORTION OF THE COUNTYWIDE LOW-STRESS BIKE NETWORK THAT HAS BEEN COMPLETED

The LSBN is a component of the CCTA Countywide Bicycle and Pedestrian Plan (CBPP) adopted in 2018. The CBPP introduced a new way of evaluating a facility’s “Level of Traffic Stress,” in which roadways are evaluated on several factors, including, but not limited to, the speed and number of vehicles and presence and width of bicycle facilities. Facilities are given a rating from one (least stressful) to four (most stressful) to evaluate the stress a bike rider will experience. The goal of the 2018 CBPP is to ensure the countywide bicycle network is complete and rated either Level of Traffic Stress 1 (most children can feel safe riding on these facilities) or Level of Traffic Stress 2 (The “interested but concerned” adult population will feel safe riding on these facilities). Ultimately, construction of the entire LSBN would result in an increase in bicycle mode share and a reduction in KSI collisions. It is assumed that the LSBN includes only Class I and Class IV facilities.

For this RTO, the project team will update the LSBN to reflect any portions that have been constructed since the 2018 CBPP and map adoption. Once the LSBN is updated, the number of total miles in the network upon buildout will be calculated and compared with the total miles already completed.

NUMBER OF LOCATIONS WHERE THE LOW-STRESS BIKE NETWORK MAKES AN UNPROTECTED CROSSING OVER A HEAVILY TRAVELED VEHICLE ROUTE

PlaceWorks will create an ArcGIS point data set to identify each location where the LSBN (Class I and Class IV facilities) crosses a vehicle roadway. Then, we will rank the crossing by how protected it is using Google Maps. Ranking will occur as follows:

- **Fully protected** by grade separation or a signalized intersection with cyclist protections.
- **Semi-protected** at an at-grade crossing with a beacon system, or with a signal but without cyclist protections.
- **Unprotected** at an at-grade crossing, which includes none of the improvements listed above.

This exercise will be conducted for low-stress bikeway crossings of all arterials and major collectors in each subarea. The types of roadways included in this exercise are interstates, freeways, expressways, other principal arterials, minor arterials, and major collectors. The only roadways not included in this exercise are minor collectors and local routes.

Safety RTOs

NUMBER OF KILLED OR SERIOUSLY INJURED (KSI) COLLISIONS

DKS will obtain KSI collisions data for Contra Costa County from the Transportation Injury Mapping System (TIMS) and will then geocode and clean the data to form the basis for the RTO. The number of KSI collisions will be tabulated and mapped by subregion.

NUMBER OF BIKE- OR PEDESTRIAN-INVOLVED COLLISIONS

This RTO will be developed using the same TIMS data set described above. The number of bicycle- or pedestrian-involved KSI collisions will be tabulated and mapped by subregion.

NUMBER OF BIKE- OR PEDESTRIAN-INVOLVED COLLISIONS WITHIN 500 FEET OF A SCHOOL

This RTO will be developed using the same TIMS data set described previously. The project team will use GIS school site polygon data to create a 500-foot buffer around school sites and determine which of the geocoded collisions occurred within these school site buffers. The resulting data will be tabulated and mapped by subregion. The number of crash records is expected to be low, so the records identified through GIS analysis will be individually reviewed to confirm that the crashes involve student bicyclists or pedestrians.

Equity RTOs

PROPORTION OF KSI AND BIKE- OR PEDESTRIAN-INVOLVED COLLISIONS THAT OCCUR IN EQUITY PRIORITY COMMUNITIES

This RTO will be developed using the same TIMS data set described for the Safety RTOs. Using GIS, this analysis will map the boundaries of identified Equity Priority Communities (EPCs). For each subregion and the county as a whole, the proportion of collisions occurring in EPCs will be reported and mapped. This RTO would not be tracked in Action Plans that do not contain EPCs, including Tri-Valley and Lamorinda.

SHARE OF COUNTY JOBS THAT CAN BE REACHED BY EPC RESIDENTS WITH A 30-MINUTE DRIVE, AS COMPARED TO COUNTY RESIDENTS AS A WHOLE

DKS will compare the model's map of TAZs to identified EPCs in Contra Costa and identify each TAZ as either "EPC" or "non-EPC." DKS will then calculate which TAZs can be reached within a 30-minute drive from each TAZ in the study area and will sum the number of jobs within those TAZs. The average number of jobs per TAZ that are reachable within 30 minutes will be calculated for EPC and non-EPC TAZs, and the results will be compared to each other. Since this analysis has not been completed, it is unknown if there is any correlation in the data. If there is no correlation, the RTO will be recommended to move forward. This RTO would not be tracked in Action Plans that do not contain EPCs, including Tri-Valley and Lamorinda.

SHARE OF COUNTY JOBS THAT CAN BE REACHED BY EPC RESIDENTS WITH A 45-MINUTE TRANSIT TRIP, AS COMPARED TO COUNTY RESIDENTS AS A WHOLE

DKS will use the TAZs identified as "EPC" and "non-EPC" in the previous RTO to calculate which TAZs can be reached within a 45-minute transit trip from each TAZ in the study area. DKS will then sum the number of jobs within those TAZs. The average number of jobs per TAZ that are reachable by a 45-minute transit trip will be calculated for EPC and non-EPC TAZs, and the results will be compared to each other. Since this analysis has not been completed, it is unknown if there is any correlation in the data. If there is no correlation, the RTO will be recommended to move forward. This RTO would not be tracked in Action Plans that do not contain EPCs, including Tri-Valley and Lamorinda.

PROPORTION OF EPC ACRES THAT ARE NOT WITHIN A QUARTER-MILE DISTANCE OF A TRANSIT STOP SERVED BY HIGH-QUALITY TRANSIT

GIS data will be used to map the EPC boundaries and all high-quality transit stops in the CCTA area. A buffer of a quarter mile will be created around the high-quality transit stops to determine if there are any portions of EPCs that are not within this buffer. A calculation will then be made to determine how many acres of EPCs in each subregion are not within the buffer and thereby not served by high-quality transit. This RTO would not be tracked in Action Plans that do not contain EPCs, including Tri-Valley and Lamorinda.

Climate Change RTOs

SINGLE-OCCUPANT VEHICLE MODE SHARE

The methodology for this RTO will be identical to the methodology for the "Mode Share of Transit Trips" RTO, except that the metric associated with this RTO will track a decrease in overall single-occupant vehicle (SOV) mode share, not an increase as desired for transit and bicycle/pedestrian mode share. See the previous section for more details.

VEHICLE MILES TRAVELED PER CAPITA

VMТ per capita will be modeled for the 2019 Base Year and Baseline 2050 condition using outputs from the CCTA Countywide Travel Demand Model. Scripts tabulating VMT per capita at the residential location and VMT per employee at the worksite for each TAZ have already been developed as part of CCTA's Technical Procedures update. Final processing will be done in a spreadsheet, and results will be tabulated by subregion.

TRANSPORTATION GREENHOUSE GAS EMISSIONS PER CAPITA

This RTO will be based on the VMT data developed, as described previously. DKS will divide the VMT by speed bin and time period to create inputs for the most recent Emission Factor (EMFAC) mobile source emissions model maintained by the California Air Resources Board. Subregional scenarios will be created for the 2019 Base Year and 2050 Baseline conditions. Total tons of GHG emissions will be divided by the subregional population assumed in the CCTA Countywide Travel Demand Model to arrive at average daily GHG emissions per capita (in tons).

ZERO-EMISSION VEHICLE OWNERSHIP IN THE SUBREGION

The California Energy Commission tracks zero-emission vehicle (ZEV) ownership in partnership with the Department of Motor Vehicles. Data are updated annually in April and are published on the Zero Emission Vehicle and Infrastructure Statistics web page.

Vehicle population is also updated annually in April, to reflect the number of vehicles on the road during the previous calendar year. The vehicle population number includes vehicles whose registration is either current or less than 35 days expired.

PlaceWorks will assemble this data and disaggregate it by subregion. Total registrations by vehicle type are available by county and zip code, so a rough approximation of ownership by subregion is possible.

Technology RTOs

LEVEL OF ETHERNET-BASED SIGNAL INTERCONNECTION

Interconnected signal systems are those that communicate with other signals or systems. Signal interconnect helps in establishing a connection between the traffic signals and the central system, which enables remote access to the signals from the local agency locations or the Traffic Management or Operations Center. This will allow signal timings to be adjusted remotely, during regular day-to-day operations, during major incidents, and during special events. Interconnection enables cross-jurisdiction communications, coordination, and data exchange to respond to varying traffic conditions.

Information will be collected from cities regarding signal systems to identify percentage of signals that are currently interconnected through ethernet-based communications. The assembled data will determine the level of signal interconnection as compared to the total number of signals with the jurisdiction and countywide as a whole.

RTOs Considered but Not Recommended

WAIT TIME FOR PARATRANSIT

Several RTPC TAC members expressed interest in an RTO relating to wait time for paratransit services. The project team met with CCTA staff and consultant Nelson Nygaard to discuss their work with paratransit services and other accessible transit in the county. This group prepared CCTA's *Accessible Transportation Strategic Plan* in 2021, which provides a detailed catalog of existing accessible transportation facilities in the county, needed improvements, and goals and strategies to address gaps in service. Upon recommendation from this group, the Action Plans and Countywide Transportation Plan will include language and actions that refer to the *Accessible Transportation Strategic Plan* but will not include an RTO related to such service.

SPEED REDUCTION

Several RTPC TAC members stated that reducing typical travel speeds on surface streets around Contra Costa, especially in areas where prevailing speeds exceed designated speed limits, may improve overall safety. Reducing vehicular speeds is critical to improve safety outcomes and make streets more comfortable for active users such as bicyclists and pedestrians.

CCTA's Vision Zero effort includes speed reduction as a defined goal. The CCTA Vision Zero Implementation Guide for Local Jurisdictions points to encouraging safe speeds as a key priority, and notes that "[managing] speeds is critical to achieving zero fatalities because the kinetic transfer of energy from vehicles traveling at high speeds is much greater than at lower speeds, and results in more fatalities and more injuries, increasing in severity as speeds increase." It additionally suggests that local jurisdictions "[identify] high-speed corridors based on speed surveys and Safety Priority Locations Maps. The concentration of locations on high-speed arterials reveals a relationship between speed and traffic collisions resulting in fatal or severe injuries."

Mobile device data can be used to measure existing prevailing speeds on specific roadways, so an RTO could be defined that monitors prevailing speeds along specific corridors and sets a goal to reduce those prevailing speeds over time. However, this mobile device data can be difficult to gather, especially within a large geographic area, so use of this data is not practical for this RTO. However, the CCTA countywide travel model also produces estimates of vehicular speed along each road segment, and that data could hypothetically be used to forecast changes in travel speeds under various future scenarios. Thus, gathering data for this RTO is possible.

Regardless, a potential RTO relating to speed reduction is not as relevant to land use as the RTOs described previously. Therefore, the project team does not propose to move forward with this RTO.

USE OF SHARED (POOLED) TRANSPORTATION NETWORK COMPANIES

Data assembled before the pandemic showed that the emerging presence of Transportation Network Companies (TNCs), such as Lyft and Uber, were leading to increases in VMT and congestion, but that shared TNC rides (also referred to as pooled rides), in which several unrelated riders share a vehicle for a trip, could result in reductions in VMT and congestion. For this reason, many experts suggested that shared TNC rides should be considered, and several RTPC TAC members thought it would be useful to track the proportion of TNC rides that are shared.

However, the pandemic has led to the cancellation of shared services by both Lyft and Uber in the greater Bay Area market, so it is impossible to track such rides today. Moreover, data from Lyft and Uber is not readily available and is difficult to obtain. For these reasons, no RTO regarding shared TNC rides is recommended at this time, but one could be added if shared services are reinstated, and data can be collected from TNCs.

NUMBER OF SHARED SCOOTERS, SHARED BICYCLES, AND PUBLIC AUTONOMOUS VEHICLES THAT ARE DEPLOYED

Several RTPC TAC members indicated that they'd like to track micromobility programs through the Action Plans. Potential metrics included the number of shared devices deployed, miles of rides completed, and number of operators, among others. However, there is only one subarea with an active micromobility program and only one other subarea currently pursuing deployment of their own. To determine feasibility of this RTO, the project team met with these jurisdictions and government relations staff at micromobility operator Lime. Lime and local jurisdiction staff expressed support for increasing the number of micromobility programs. However, it was agreed that the most efficient use of time and funding is to first support CCTA in taking a regional leadership role similar in the way that the Transportation Authority of Marin and the Sonoma County Transportation Authority have done. This role could include working with operators and jurisdictions to create a draft ordinance and/or Request for Proposals or a set of model standards for the local jurisdictions to adopt locally. Therefore, the project team proposes that micromobility programs be addressed in the Action Plans as actions and not as an RTO. The action will consider a micromobility RTO in the next iteration of Action Plans.

PAVEMENT CONDITION ON THE COUNTYWIDE LOW-STRESS BIKE NETWORK

Several RTPC TAC members indicated that condition of pavement along bicycle and pedestrian routes could potentially encourage or deter their use. The project team explored how and where pavement condition on these facilities is measured to determine if this RTO would be feasible. The project team found that there are no programs that track pavement condition on the entirety of the countywide LSBN. Pavement condition is currently tracked in a few areas of the county:

- Some portions of the LSBN are on arterial roadways, which, in some cases, do have a tracking system for pavement condition. However, pavement condition data for these arterial roadways is limited to the portion used by vehicles and does not include shoulder bicycle or pedestrian facilities.
- The East Bay Regional Parks District (EBRPD) measures Pavement Condition Index (PCI) on their off-street bicycle facilities. This data is used by the EBRPD to determine where pavement needs to be enhanced or replaced on their facilities. However, the project team discussed this potential RTO with EBRPD staff and heard that the PCI is not considered a truly accurate measurement of overall pavement condition. EBRPD staff noted that the tool is tailored for vehicle roadways and does not account for varying pavement conditions resulting from tree uprooting, settling, or damage.

Given that no comprehensive data regarding pavement conditions on bikeways currently exists, no RTO regarding this topic is recommended at this time.

AVERAGE COMMUTE TIME FOR LOW-INCOME RESIDENTS VERSUS HIGHER-INCOME RESIDENTS

Various RTPC TAC members were interested to know if there is a correlation between the time that commuters spend traveling to and from work and their income. Specifically, RTPC TAC members were curious to know if low-income commuters spend a disproportionately longer amount of time traveling to work than higher-income commuters. They wanted to determine:

- Is there a correlation between household income and **total** commute time?
- Is there a correlation between household income and **transit** commute time?
- Is there a correlation between household income and **driving (solo)** commute time?

Commute time and income can be estimated through data collected by the ACS, as published by the Census Bureau. The ACS estimates only cover work commute trips for workers 16 years of age and over. The current data release includes one-year estimates for 2019. The project team pulled this ACS data and calculated the average travel time in each census tract by dividing the aggregate travel time by the number of workers over 16 that commute to work. The finding from this exercise was that the correlation value was 0.3, indicating a weak correlation between all three commute types and household income. Due to this lack of correlation, the project team moved forward to check related questions, including:

- Is there any correlation between income and the percentage of commuters at 19 minutes or less (total of three commute time groups)?
- Is there any correlation between income and the percentage of commuters at 60 minutes or more?
- Is there any higher commute time for tracts inside of EPCs vs those outside EPCs?

A detailed examination revealed that none of these questions resulted in a strong correlation. Therefore, the project team could not make a conclusion that household income is directly related to the amount of time that commuters spend traveling to and from work. For these reasons, the project team does not propose moving forward with this RTO.

MILES OF ROUTES OF REGIONAL SIGNIFICANCE ESTIMATED TO BE VULNERABLE TO SEA-LEVEL RISE

RTPC TAC members and the project team indicated interest in how rising sea levels would potentially impact RRS. PlaceWorks identified all key facilities subject to inundation through sea-level rise, which were limited to bay shore areas in West, Central, and East County. These facilities subject to inundation were determined using RRS maps, which the project team then overlaid with sea-level rise projections. The sea-level rise projections are also used in Contra Costa County's ongoing Climate Action Plan and 2019 Vulnerability Assessment, congruent with best practices. Through this exercise, the project team determined that the majority of RRS or other infrastructure are in areas where private property owners and entities, such as Union Pacific Railroad, will likely work with local agencies to protect their infrastructure, thereby reducing the need for local intervention. In cases where local intervention or action would need to occur, sea-level rise adaptation planning will occur incrementally over time and is likely already being considered, such as through the current update to the Contra Costa County General Plan and Climate Action Plan and regional work through agencies such as the Association of Bay Area Governments and State working groups. Furthermore, it is difficult to know the true extent of infrastructure impacted by sea-level rise due to elevation of existing roadways (that may not be at sea level, such as the Carquinez Bridge) and unknowns related to vital infrastructure along these routes that may not be identified, such as bus storage lots or utility boxes. For these reasons, the project team does not propose moving forward with this RTO.

PERCENTAGE OF VULNERABLE RRS FOR WHICH REMEDIATION PLANS OR A MITIGATION APPROACH HAVE BEEN CREATED

Much like the above RTO, the RTPCs and project staff wanted to know if there were existing or proposed remediation plans or mitigation approaches to address the RRS that are vulnerable to sea-level rise inundation. Since the project team does not propose moving forward with the above RTO, we recommend not moving forward with this subsequent RTO.

**ATTACHMENT 2:
RTO ANALYSIS MEMORANDUM**

MEMORANDUM

DATE July 7, 2022; Revised July 14, 2022
TO John Hoang and Matt Kelly, CCTA
FROM David Early and Torina Wilson, PlaceWorks
Erin Vaca, DKS Associates
SUBJECT Regional Transportation Objectives Analysis Memorandum

The Action Plan planning process will incorporate performance metrics known as Regional Transportation Objectives (RTOs) that address transportation modes such as driving, transit, and bicycle and pedestrian travel, along with nonmodal topics of safety, equity, climate change, and technology. This memorandum presents the initial results of modeling and data collection for each of these RTOs for the Central County subregion, and it presents performance targets for each RTO based on the modeling and data collection results.

This memorandum was compiled and authored by PlaceWorks. DKS conducted the modeling and wrote most of the text regarding the roadway, mode share, collision, and climate change RTOs. PlaceWorks prepared the content for the remaining RTOs.

The RTOs and proposed performance targets are summarized in Table 1.

Information about the methods used to calculate this data is contained in the RTO Methodology Memorandum dated July 7, 2022.

TABLE 1. REGIONAL TRANSPORTATION OBJECTIVES FOR CENTRAL COUNTY SUBREGION

Facility Type or Planning Focus	Metric	Definition	Existing Target	Proposed 2027 Target	Proposed 2050 Target
Roadways	Freeway Delay Index	Travel time ratio for congestion vs. free-flow conditions	Delay Index: DI≤4.0 (I-680) DI≤3.0 (SR-242) DI≤5.0 (SR-4)	Delay Index: DI≤4.0 (I-680) DI≤3.0 (SR-242) DI≤5.0 (SR-4)	Delay Index: DI≤4.0 (I-680) DI≤3.0 (SR-242) DI≤5.0 (SR-4)
	Freeway Buffer Index	Proportion of added travel time between the 95 th percentile and the average	None	0.50	0.50
	Intersection Level of Service (LOS)	Average control delay during peak hours	LOS F at selected intersections, including: Geary Road and North Main Street; Treat Boulevard and Geary Road; Treat Boulevard and Bancroft Road; Ygnacio Valley Road and Bancroft Road; Ygnacio Valley Road and Civic Drive	LOS D in all areas except for downtowns, key school sites, and freeway ramps; LOS E at freeway ramps; no LOS standards for downtowns, key school sites, or TPAs, or at the following intersections: Geary Road and North Main Street; Treat Boulevard and Geary Road; Treat Boulevard and Bancroft Road; Ygnacio Valley Road and Bancroft Road; Ygnacio Valley Road and Civic Drive	LOS D in all areas except for downtowns, key school sites, and freeway ramps; LOS E at freeway ramps; no LOS standards for downtowns, key school sites, or TPAs, or at the following intersections: Geary Road and North Main Street; Treat Boulevard and Geary Road; Treat Boulevard and Bancroft Road; Ygnacio Valley Road and Bancroft Road; Ygnacio Valley Road and Civic Drive
	Roadway Segment LOS outside of urban areas	Average speed during peak hours	None	LOS E (≤40mph)	LOS E (≤40mph)
Transit	Transit Mode Share	Proportion of daily person trips using transit	None	13% commute trips	26% of commute trips
	Travel Time Ratio	Ratio of peak commute period travel time on transit to drive alone auto travel time for key corridors	None	Transit time ≤ auto travel time	Transit time ≤ auto travel time
Active Transportation	Bicycle Mode Share	Proportion of daily person trips made by bicycle	None	6% all trips 2.5% commute trips	12% all trips 5% for commute trips,
	Low Stress Bike Network (LSBN)	Proportion of the LSBN that is complete	None	29.5%	100%
	LSBN Crossings	Number of locations the LSBN crosses a roadway and is considered to be unprotected	None	None	None

Facility Type or Planning Focus	Metric	Definition	Existing Target	Proposed 2027 Target	Proposed 2050 Target
Safety	KSI Collisions	Number of crashes resulting in fatality or injury	None	Zero fatality and severe injury crashes	
	Bike-Ped Collisions	Number of KSI crashes involving a bicyclist of pedestrian	None		
	Bike-Ped Collisions near Schools	Number of bicycle or pedestrian involved KSI collisions occurring within 500 feet of schools	None		
Equity	KSI Collisions in EPCs	Proportion of KSI collisions that occur in EPCs	None	Zero fatality and severe injury crashes	
	Job Share Accessible by driving in EPCs	Share of jobs accessible by EPCs residents with a 30-minute drive	None	68% of jobs accessible	77% of jobs accessible
	Job Share Accessible by transit in EPCs	Share of jobs accessible by EPCs residents with a 45-minute transit trip	None	58% of jobs accessible	100% of jobs accessible
	High Quality Transit Access in EPCs	Number of people in EPCs not within a quarter-mile distance of a transit stop served by high quality transit	None	40%	100%
Climate Change	SOV Mode Share	Proportion of daily person trips made by single occupant vehicle	None	50%	40%
	GHG Emissions per Capita	Tons of CO ₂ emissions	None	17 lbs per capita	Zero transportation related
	EV Ownership	Number of battery electric vehicles owned by subregion residents	None	50% market penetration	100% market penetration
	VMT per capita	Home-based vehicle miles traveled per capita	None	26.6 VMT	21 VMT
Technology	Level of Signal Interconnection	Number of connected signals	None	101	101

Mode Share RTOs

Mode share is considered in RTOs regarding the transit, bike/pedestrian, and climate change topics. Since mode share is relevant to three separate topics, information on it is presented in this section. Specific RTOs for each mode are contained in the sections below.

REPORTED CURRENT COMMUTE MODE SHARE

The American Community Survey (ACS) estimates published by the Census Bureau reports the number of work trips by mode. An estimated mode share based on this data is shown in Table 2 shows the commute mode share for Contra Costa County and the Central County subregion. As shown, about 78 percent of the work trips in Contra Costa County are made by automobile while 76 percent are made by automobile in the Central County subregion.

TABLE 2. MEANS OF TRANSPORTATION TO WORK IN CONTRA COSTA COUNTY AND THE CENTRAL COUNTY SUBREGION (2019)

Mode	Contra Costa County			Central County Subregion		
	Estimate	Margin of Error	Percent Mode Share	Estimate	Margin of Error	Percent Mode Share
Total:	544,376	±3,447		166,294	±3445	
Car, truck, or van - drove alone	367,467	±3,409	68%	111,651	±2793	67%
Car, truck, or van - carpooled	62,385	±2,486	11%	14,516	±1141	9%
Public transportation (excluding taxicab)	59,068	±1,981	11%	21,336	±1128	13%
Taxicab, motorcycle, bicycle, walked, or other means	19,344	±2,462	4%	7,601	±851	5%
Worked from home	36,112	±1,310	7%	11,188	±780	7%

Source: American Community Survey 5-Year Estimates, Table B08301.

MODELED COMMUTE MODE SHARE

Mode shares for the home-based work trip purpose have been calculated based on the residence location (Table 3) or the work location (Table 4). These tables report mode shares for both Central County and the Planning Area as a whole. The modeling results show that most work trips by Central County residents are made by automobile, specifically driving alone. Central County's transit mode share for work trips is slightly higher than the Planning Area's, reflecting the availability of BART service. Bicycling and walking account for a very small portion of commute trips made by Central County residents (note that the bicycle mode share only reflects those trips made by bicycle from beginning to end and does not count access trips to and from transit stops).

Commuters to jobs located within Central County predominantly use the automobile modes to get to work, specifically driving alone. Transit, bicycling, and walking account for very small shares of this market. Transit accounts for about 2 percent of this market while bicycling and walking account for a bit over 3 percent. Commute mode shares are predicted to remain much the same by 2050.

TABLE 3. MODELED HOME-BASED JOURNEY-TO-WORK MODE SHARE — CENTRAL COUNTY RESIDENTS

	Planning Area		Central County	
	2019	2050 Baseline	2019	2050 Baseline
Drive Alone Auto	73%	73%	72%	70%
Carpool	14%	13%	13%	13%
Transit	11%	12%	13%	13%
Bike	0.4%	0.5%	0.4%	0.7%
Walk	1.3%	1.4%	2%	3%

Source: CCTA travel demand model and DKS Associates.

Note: Mode shares calculated with home-based work person trip ends at the production (home location) zone. Totals may not add due to rounding.

TABLE 4. MODELED HOME-BASED JOURNEY-TO-WORK MODE SHARE — JOBS LOCATED IN CENTRAL COUNTY

	Planning Area		Central County	
	2019	2050 Baseline	2019	2050 Baseline
Drive Alone Auto	83%	81%	83%	80%
Carpool	12%	12%	12%	13%
Transit	2%	3%	2%	3%
Bike	0.6%	0.7%	0.4%	0.7%
Walk	2%	2%	3%	3%

Source: CCTA travel demand model and DKS Associates.

Note: Mode shares calculated with home-based work person trip ends at the attraction (work location) zone. Totals may not add due to rounding.

MODE SHARE FOR ALL TRIP PURPOSES

Table 5 reports the mode share calculated for all trip purposes included in the CCTA travel demand model – home-based work, home-based shopping, home-based social/recreation, non-home-based, home-based grade school, home-based high school, and home-based college. The modeling results show that most trips are currently made by automobile, with transit and active transportation modes accounting for about 11 percent of all trips.

By 2050, the mode shares are expected to remain similar to existing conditions, with only a slight decrease in drive alone, increase in carpooling share, and decreases in transit and active transportation mode shares.

TABLE 5. MODE SHARE FOR ALL TRIPS— CENTRAL COUNTY SUBREGION RESIDENTS

	Planning Area		Central County	
	2019	2050 Baseline	2019	2050 Baseline
Drive Alone Auto	63%	62%	64%	63%
Carpool	27%	27%	25%	28.7%
Transit	3%	4%	4%	2.5%
Bike	1%	1%	0.5%	0.9%
Walk	6%	6%	7%	4.6%

Source: CCTA travel demand model and DKS Associates.

Note: Totals may not add due to rounding.

Freeway RTOs

Freeway Route of Regional Significance (RRS) in the Central County subregion include:

- I-680 between the Benicia Martinez Bridge and SR-24.
- I-680 from SR-24 to Livorna Road.
- SR-242 from SR-4 at Port Chicago Highway to I-680 at Willow Pass Road.
- SR-4 from Cummings Skyway to Willow Pass Road.

PEAK HOUR DELAY INDEX ON SELECT FREEWAY SEGMENTS

The delay index is a measure of delay experienced by motorists on a roadway segment during a peak commute hour in a single direction. The delay index is calculated by measuring the time it takes to travel a segment of road during peak-period congested conditions and comparing it to the time it takes to travel the same segment during uncongested, free-flow conditions. The delay index may also be calculated as the ratio of congested speed to uncongested speed, given that the distance is fixed on any given corridor.

Baseline observed and modeled results for freeway delay index on the freeway Routes of Regional Significance are shown in Table 6. As shown, freeway corridors with especially high levels of delay (greater than 1.5 delay index) include I-680 south of SR-24 (northbound in the p.m. and southbound in the a.m.) and SR-242 (northbound in the p.m.), and SR-4 (eastbound in the p.m.). The modeled condition for 2050 shows similar patterns.

Based on current performance and the future modeled performance, it is proposed that the previous delay index standards be maintained.

BUFFER INDEX ON SELECT FREEWAY SEGMENTS

The buffer index represents the extra buffer time (or time cushion) that most travelers add to their average travel time when planning trips to ensure on-time arrival. This extra time is added to account for any unexpected delay. The buffer index is expressed as a percentage and its value increases as

reliability gets worse. For example, a buffer index of 40 percent means that, for a 20-minute average travel time, a traveler should budget an additional 8 minutes (20 minutes × 40 percent = 8 minutes) to ensure on-time arrival most of the time. In this example, the 8 extra minutes is called the buffer time. The buffer index is computed as the difference between the 95th percentile travel time and average travel time, divided by the average travel time.

Baseline observed and modeled results are shown in Table 6. The observed buffer index for existing conditions and peak direction of travel ranges from 0.10 to 0.43, reflecting a high degree of travel time variability in some of the corridors.

The existing Central County Action Plan does not have a buffer index performance target set for any RRS. The proposed performance target for the buffer index is 0.50, which means that the extra travel time that must be considered for travelers would be no more than half of the average travel time over the corridor. This target appears attainable for most of the RRS corridors based on current performance.

TABLE 6. FREEWAY RTOS

Route of Regional Significance	2019 Observed			2050 Baseline Modeled	
	Avg Speed ^a	Delay Index	Buffer Index	Avg Speed ^a	Delay Index
Interstate 680 n/o SR-24					
Northbound – a.m.	64.7	1.0	0.06	64.8	1.0
Northbound – p.m.	44.6	1.5	0.30	49.4	1.3
Southbound – a.m.	46.3	1.4	0.39	49.9	1.3
Southbound – p.m.	63.4	1.0	0.29	64.7	1.0
Interstate 680 s/o SR-24					
Northbound – a.m.	64.4	1.0	0.06	68.5	0.9
Northbound – p.m.	27.1	2.4	0.30	27.4	2.4
Southbound – a.m.	33.9	1.9	0.39	36.9	1.8
Southbound – p.m.	45.3	1.4	0.29	50.1	1.3
SR 242					
Northbound – a.m.	63.7	1.0	0.10	63.3	1.0
Northbound – p.m.	22.9	2.8	0.37	30.3	2.1
Southbound – a.m.	43.4	1.5	0.26	46.3	1.4
Southbound – p.m.	64.4	1.0	0.11	60.5	1.1
State Route 4					
Eastbound – a.m.	55.0	1.2	0.36	56.1	1.2
Eastbound – p.m.	26.9	2.4	0.43	56.1	1.2
Westbound – a.m.	44.1	1.5	0.27	58.5	1.1
Westbound – p.m.	61.7	1.0	0.11	65.1	1.0

Surface Roadway RTOs

PEAK HOUR LOS AT SELECTED INTERSECTIONS IN URBAN AREAS

This RTO will be applied to signalized intersections along the defined arterial RRS. Signalized Intersection LOS is a delay-based qualitative measure of traffic conditions at a signalized intersection. LOS is expressed in ratings from “A” through “F”, with “A” meaning that all traffic clears the intersection in every cycle and “F” meaning that drivers must wait through multiple cycles to clear the intersection. Signalized intersection LOS is determined based on intersection turning movement counts (also called turning/traffic volumes), intersection geometry, and signal timing data. The CCTA Technical Procedures specify that methods documented in the latest edition of the *Highway Capacity Manual* be used to measure signalized intersection LOS¹. The relationship between average control delay and LOS is shown in Table 7. The key arterial intersections that are analyzed for LOS will be available in Table 8 by the time of the Round 4 meeting.

The existing Central County Action Plan specifies that LOS F is acceptable at selected intersections, including:

- Geary Road and North Main Street
- Treat Boulevard and Geary Road
- Treat Boulevard and Bancroft Road
- Ygnacio Valley Road and Bancroft Road
- Ygnacio Valley Road and Civic Drive

Congestion in downtown areas often results from economically- and socially positive increased activity, so it is considered acceptable. Congestion at freeway ramps is often unavoidable since large numbers of trips are concentrated in areas where motorists get onto freeways. Therefore, the proposed performance targets for signalized intersection LOS for the Central County subregion is as follows:

- LOS D in all areas except downtowns, at key schools, and freeway.
- LOS E at freeway ramps.
- No LOS standard for downtowns, key schools, or Transit Priority Areas (TPAs), or at the following intersections: Geary Road and North Main Street; Treat Boulevard and Geary Road; Treat Boulevard and Bancroft Road; Ygnacio Valley Road and Bancroft Road; Ygnacio Valley Road and Civic Drive.

TABLE 7. INTERSECTION LOS DEFINITIONS

Control Delay (Seconds/Vehicle)	LOS
≤10	A

¹ The *Highway Capacity Manual* 7th Edition was published by the Transportation Research Board in January 2022.

>10-20	B
>20-35	C
>35-55	D
>55-80	E
>80	F

Source: *Highway Capacity Manual*, 6th Edition, Exhibit 19-8

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TABLE 8. SIGNALIZED INTERSECTION PEAK HOUR LOS [DATA IN PROGRESS AND FORTHCOMING]

Intersection	2019 A.M.		2019 P.M.		2050 A.M.		2050 P.M.	
	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
ALHAMBRA AVE & ALHAMBRA VALLEY RD								
ALHAMBRA AVE & D ST								
ALHAMBRA AVE & ELDERWOOD DR								
ALHAMBRA AVE & PASO NOGAL RD/VIRGINIA HILLS DR								
ALHAMBRA AVE & SR-4 WB RAMPS								
ALHAMBRA AVE & STATE ROUTE 4 (SR-4) EB RAMPS								
BAILEY RD & CONCORD BLVD								
CLAYTON RD & AYERS RD								
CLAYTON RD & BABEL LN								
CLAYTON RD & BAILEY RD								
CLAYTON RD & DETROIT AVE								
CLAYTON RD & FARM BUREAU RD								
CLAYTON RD & GATEWAY BLVD								
CLAYTON RD & MARSH CREEK RD								
CLAYTON RD & OAKHURST DR								
CLAYTON RD & PARK ST								
CLAYTON RD & TERRY LYNN LN								
CLAYTON RD/MARKET ST & SR-242 RAMPS								
CONTRA COSTA BLVD & CONCORD AVE/CHILPANCINGO PKWY								
CONTRA COSTA BLVD & GREGORY LN/I-680 SB OFF-RAMP								
CONTRA COSTA BLVD & I-680 SB ON/OFF RAMPS								
CONTRA COSTA BLVD & MONUMENT BLVD								
GEARY RD & PLEASANT HILL RD								
I-680 NB OFF RAMP & RUDGEAR RD								
I-680 NB ON RAMP & ELENA CT								

Intersection	2019 A.M.		2019 P.M.		2050 A.M.		2050 P.M.	
	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
I-680 NB RAMPS & MARINA VISTA AVE								
I-680 NB RAMPS & OLYMPIC BLVD								
I-680 NB RAMPS & S MAIN ST								
I-680 NB RAMPS & WILLOW PASS RD								
I-680 RAMPS & MONUMENT BLVD								
I-680 SB OFF RAMP & MONUMENT BLVD								
I-680 SB ON RAMP & RUDGEAR RD								
I-680 SB RAMP & HILLSIDE AVE								
I-680 SB RAMPS & MARINA VISTA AVE								
I-680 SB RAMPS & OLYMPIC BLVD								
I-680 SB RAMPS & S MAIN ST								
I-680 SB RAMPS & WILLOW PASS RD								
KIRKER PASS RD & CONCORD BLVD								
MAIN ST & OAK PARK BLVD								
MARINA VISTA AVE & SHELL AVE								
MONUMENT BLVD & CLAYTON RD								
MONUMENT BLVD & I-680 NB RAMPS								
N MAIN ST & I-680 NB OFF RAMP/PENNIMAN WAY								
N MAIN ST & I-680 RAMPS/SUNNYVALE AVE								
N MAIN ST & SB 680 OFF RAMP								
N MAIN ST & TREAT BLVD/GEARY RD								
PACHECO BLVD & BLUM RD								
PACHECO BLVD & CENTER AVE								
PACHECO BLVD & GOLF CLUB RD								
PACHECO BLVD & HOWE RD								
PACHECO BLVD & MORELLO AVE								
PACHECO BLVD & MUIR RD								

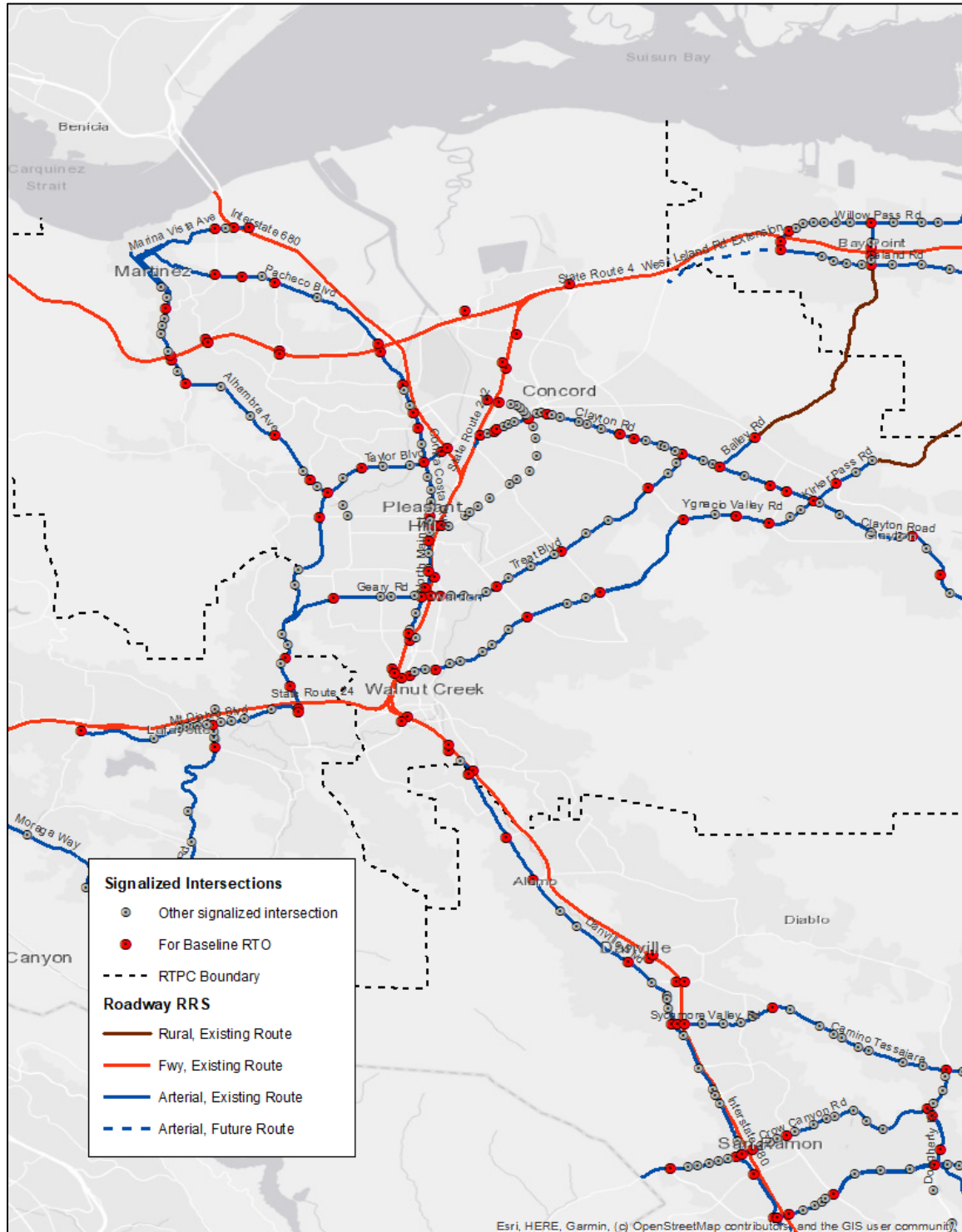
Intersection	2019 A.M.		2019 P.M.		2050 A.M.		2050 P.M.	
	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
PACHECO BLVD & SHELL AVE								
SB I-680 ON RAMP/RUDGEAR RD & DANVILLE BLVD								
SR-242 NB OFF RAMP & OLIVERA RD								
SR-242 NB ON RAMP & CONCORD AVE								
SR-242 NB RAMPS & GRANT ST								
SR-242 SB ON RAMP & CONCORD AVE								
SR-242 SB RAMPS & SOLANO WAY								
SR-4 EB RAMPS & CENTER AVE								
SR-4 EB RAMPS & MORELLO AVE								
SR-4 WB RAMPS & ARNOLD INDUSTRIAL WAY								
SR-4 WB RAMPS & CENTER AVE								
SR-4 WB RAMPS & MORELLO AVE								
SR-4 WB RAMPS & PORT CHICAGO HWY								
TAYLOR BLVD & GRAYSON RD								
TAYLOR BLVD & MORELLO AVE/MERCURY WAY								
TAYLOR BLVD & PLEASANT HILL RD								
TREAT BLVD & BANCROFT RD								
TREAT BLVD & BUSKIRK AVE								
TREAT BLVD & CLAYTON RD								
TREAT BLVD & COWELL RD								
TREAT BLVD & OAK GROVE RD								
TREAT BLVD & OAK RD								
YGNACIO VALLEY RD & ALBERTA WAY/PINE HOLLOW RD								
YGNACIO VALLEY RD & AYERS RD								
YGNACIO VALLEY RD & CAMPUS DR								
YGNACIO VALLEY RD & CIVIC DR								
YGNACIO VALLEY RD & CLAYTON RD								

Intersection	2019 A.M.		2019 P.M.		2050 A.M.		2050 P.M.	
	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay
YGNACIO VALLEY RD & COWELL RD/MONTECITO DR								
YGNACIO VALLEY RD & I-680 SB ON RAMP								
YGNACIO VALLEY RD & N CALIFORNIA BLVD								
YGNACIO VALLEY RD & OAK GROVE RD								
YGNACIO VALLEY RD & WALNUT AVE								

Notes: Delay is average control delay reported in seconds. Cells that are bolded indicate performance below target.

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FIGURE 1. SIGNALIZED INTERSECTIONS AND ROADWAY RRS - CENTRAL COUNTY



PEAK HOUR SEGMENT LOS ON SELECTED TWO-LANE ROADWAYS OUTSIDE OF URBAN AREAS

Roadway segment LOS is a measure of traffic efficiency and smoothness of flow along roadway segments that are not constrained by a nearby traffic signal. This has been calculated in accordance with the methods specified in the 2010 *Highway Capacity Manual* using average speed for Class I highways (Class I highways are two-lane facilities in largely rural areas that motorists expect to traverse at relatively high speed).

For the Central County subregion, this metric is applied to:

- Bailey Road from Concord Boulevard to the RTPC Boundary.
- Kirker Pass Road from Clearbrook Drive to the RTPC Boundary.

The segment LOS is related to average speed, as shown in Table 9. Table 10 lists the two-lane roadway corridors analyzed for the Central County subregion and reports the existing and forecasted LOS. Much of the roadway corridors operate at LOS E, corresponding to speeds at or under 40 mph.

The existing Central County Action Plan does not have an adopted LOS threshold for any two-lane rural roadways. The recommended performance target for this metric is LOS E, which would essentially maintain the current performance.

TABLE 9. LOS FOR TWO-LANE ROADWAYS

LOS	Average Speed (MPH)
A	>55
B	>50-55
C	>45-50
D	>40-45
E	≤40

Source: *Highway Capacity Manual* 2010, Exhibit 15-3.

TABLE 10. ROADWAY CORRIDOR LOS FOR TWO-WAY ROADWAYS OUTSIDE OF URBAN AREAS

Route of Regional Significance	Time of Day	Direction	2019		2050	
			Avg Speed	LOS	Avg Speed	LOS
Bailey Road	A.M.	EB	32.0	E	33.9	E
Bailey Road	P.M.	EB	34.6	E	48.9	C
Bailey Road	A.M.	WB	40.1	D	59.4	A
Bailey Road	P.M.	WB	39.8	E	57.4	A
Kirker Pass Road	A.M.	EB	32.0	E	25.5	E
Kirker Pass Road	P.M.	EB	34.6	E	51.4	B
Kirker Pass Road	A.M.	WB	40.1	D	55.0	A
Kirker Pass Road	P.M.	WB	39.8	E	50.5	A

Source: Inrix Roadway Analytics, CCTA Travel Demand Model

Transit RTOs

MODE SHARE OF TRANSIT TRIPS

As shown in Table 3 in the first section of this memo (“Mode Share”), 13 percent of Central County residents commute to work using transit, compared to 11 percent of residents within the planning area. Table 3 and Table 4 illustrate that the model output predicts that this number will remain at 13 percent of home-based work mode share based on residence location and increase to 3 percent based on job location. Meanwhile, the model predicts that around 3 percent of all trips (not strictly commute trips) will be taken by transit by 2050.

The existing Central County Action Plan does not have an adopted transit mode share target. Covid has greatly reduced transit trips, so the proposed performance target for transit mode share in the Central County subregion is to return to pre-pandemic levels of 13 percent of home-based work trips by 2027. We also propose a target is to double the level of home-based work transit trips to 26 percent by 2050. This is an ambitious goal, but one that will be needed to meet goals to minimize VMT, transportation related GHG emissions and congestion.

RATIO OF TRAVEL TIME FOR TRANSIT AS COMPARED TO AUTOMOBILE TRAVEL TIME FOR SELECT TRIPS

This metric compares the peak period transit travel time on select corridors to the equivalent single occupant vehicle travel time in the peak commute direction. The key corridor(s) monitored for the Central County subregion along with the comparative travel times are shown in Table 11.

The proposed performance target is that transit travel time should be less than or equal to auto time, when measured from transit station to transit station. As shown in Table 11, BART travel times are currently favorable to driving in the afternoon eastbound direction between the Orinda and 12th Street BART stations. BART travel times are favorable for both the morning westbound and afternoon eastbound directions between the Walnut Creek and Montgomery Street BART stations. By 2050, these patterns are more pronounced, assuming BART service remains constant.

TABLE 11. TRAVEL TIME RATIO FOR AUTOS VS TRANSIT ON KEY CORRIDORS

				Transit/Drive Alone Time	
Corridor	Median Drive Time (Minutes) ^a	Scheduled Transit Time (Minutes) ^b	2050 Drive Alone ^c	Existing	2050
WALNUT CREEK BART STATION - MONTGOMERY STREET BART STATION					
Morning – Westbound	43.37	37.00	104.57	0.85	0.35
Morning – Eastbound	24.06	35.00	26.26	1.45	1.33
Afternoon- Westbound	29.04	37.00	32.18	1.27	1.15
Afternoon- Eastbound	45.19	35.00	108.80	0.77	0.32

Notes:

a) Range of average driving time for Tuesdays – Thursdays for April 2019 from Inrix Roadway Analytics;

b) From published schedules

c) CCTA travel demand model congested time skims for a.m. and p.m. peak periods

Bike/Pedestrian RTOs

MODE SHARE OF BICYCLING AND WALKING

As shown in Table 3 in the first section of this memo (“Mode Share”), about one percent of Central County residents commute to work through active transportation such as biking or walking. Table 3 and Table 4 illustrate that these shares will increase to over 3 percent of home-based work trips based on residence location as well as job location. As shown in Table 5, the model predicts that only 5 percent of all trips (not strictly commute trips) would be by walking or biking by 2050.

The existing Central County Action Plan does not have an adopted biking or walking mode share target. The proposed performance target for biking and walking mode share in the Central County subregion is to double the combined mode share for all trips for bikes and walking to 15 percent by 2050. Because biking and walking modes are important to CCTA and their member jurisdictions, the proposed performance target for 2027 is half of the 2050 target, at 7.5 percent. Further, the project team proposes the Central County Action Plan include biking and walking mode share performance targets for commute trips in addition to all trips. The proposed biking and walking performance targets for commute trips are five percent by 2027 and 10 percent by 2050. These are ambitious goals but will be needed to meet goals to minimize VMT, transportation related GHG emissions and congestion.

PROPORTION OF THE COUNTYWIDE LOW STRESS BIKE NETWORK THAT HAS BEEN COMPLETED

The Low Stress Bike Network (LSBN) is a component of the CCTA Countywide Bicycle and Pedestrian Plan (CBPP) adopted in 2018. The CBPP introduced a new way of evaluating a facility’s Level of Traffic Stress, in which roadways are evaluated on several factors, including, but not limited to the speed and number of vehicles and presence and width of bicycle facilities. Facilities are given a rating from one (least stressful) to four (most stressful) to evaluate the stress a bike rider will experience. The goal of the 2018 CBPP is to ensure the LSBN is complete and rated either Level of Traffic Stress 1 (most children can feel safe riding on these facilities) or Level of Traffic Stress 2 (The “interested but concerned” adult population will feel safe riding on these facilities). Ultimately, construction of the entire LSBN would result in an increase in bike/pedestrian mode share and a reduction in KSI collisions.

The status of the entire Central County portion of the LSBN is shown in Figure 2. If the entire LSBN in the Central County subregion were completed, it would result in 231.4 miles of Class I and Class IV facilities.

Table 12 shows that 21 percent of Central County’s LSBN is already completed. A further 2 percent of low stress facilities are incomplete yet have an adopted plan to complete the facility. There are projects proposing improvements that would not result in low-stress facilities on an additional 2 percent of the LSBN while 7 percent are proposed for further study. A total of 68 percent of the total LSBN miles are incomplete and do not have a plan to complete them.

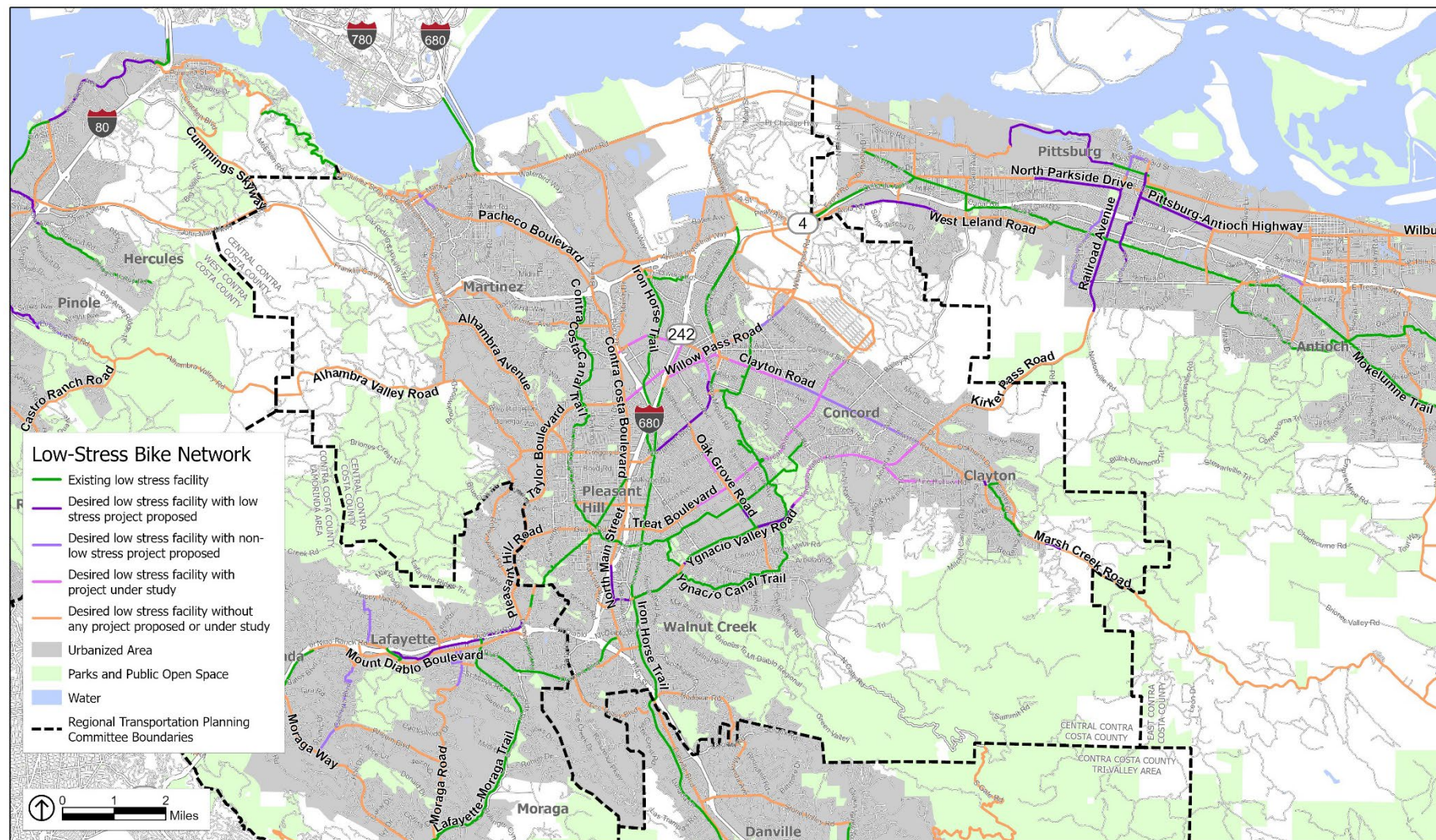
We suggest that the region should aim to achieve 100% completion of the LSBN by 2050. We also propose an interim target of 24% (56.6 miles) completion by 2027. This is the sum of existing completed facilities (21%) and 150% of the already proposed low-stress additions to the network (2% x 150% = approximately 3%). This would require completion of the low-stress projects that already have an

adopted plan, and completion of additional projects on the proposed LSBN. This could include segments on which non-low-stress facilities are currently proposed if those projects are revised to become low-stress projects.

TABLE 12. PROPORTION OF THE CENTRAL COUNTY SUBREGION LSBN THAT IS COMPLETE

Status of Facility	Miles	Percent
Existing Low Stress Facility	49.7	21%
Desired Low Stress Facility with Low Stress Project Proposed	4.7	2%
Desired Low Stress Facility with Non-Low Stress Project Proposed	4.3	2%
Desired Low Stress Facility with Project Under Study	16.5	7%
Desired Low Stress Facility without any Project Proposed or Under Study	156.2	68%

FIGURE 2. STATUS OF THE CENTRAL COUNTY LSBN



Source: ABAG/MTC, 2021, 2019; CCTA, 2021; ESRI, 2021; PlaceWorks, 2021.

WORKING DRAFT — CENTRAL CONTRA COSTA COUNTY LOW-STRESS BIKE NETWORK

NUMBER OF LOCATIONS WHERE THE LOW STRESS BIKE NETWORK MAKES AN UNPROTECTED CROSSING OF A HEAVILY TRAVELED VEHICLE ROUTE

For this RTO, PlaceWorks created an ArcGIS point data set, shown in Figure 3, that identifies each location where the existing LSBN crosses a heavily-traveled vehicle route and is considered:

- **Fully protected** by grade separation or a signalized intersection with cyclist protections.
- **Semi-protected** at an at-grade crossing with a beacon system, or with a signal but without cyclist protections.
- **Unprotected** at an at-grade crossing which includes none of the improvements listed above.

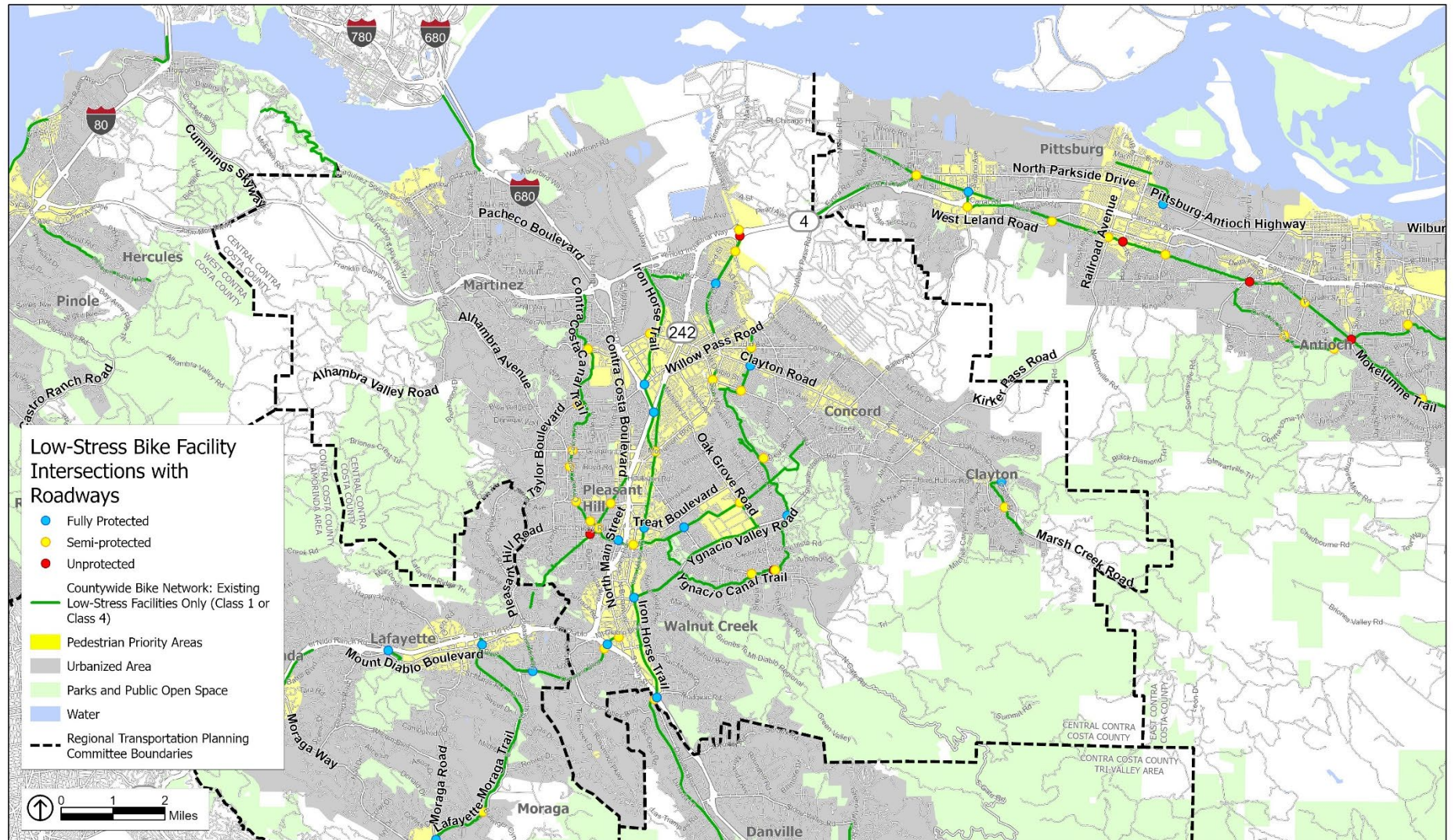
As illustrated in Figure 3, there are three intersections in the Central County subregion that are currently unprotected. There are three existing intersections that are already fully protected and twenty-four which are semi-protected. The unprotected intersections are:

- Unprotected: Port Chicago Highway crossing an eastbound freeway off-ramp on SR-24.
- Unprotected: Briones to Mount Diablo Regional Trail crossing at Buena Vista Avenue north of 1st Avenue.
- Unprotected: Ygnacio Canal Trail and Oak Grove Road Couplet in the southeast direction.

We propose that the Action Plan set a target to modify these three unprotected crossings to be fully protected by 2027. Then, we propose to set a target to modify all semi-protected intersections to become fully protected by 2050.

As the LSBN is completed over time, new locations where the LSBN crosses a heavily traveled vehicle route will be added. Local jurisdictions should install full intersection protections for cyclists and pedestrians at these locations.

FIGURE 1. TYPES OF CROSSINGS AT INTERSECTIONS OF THE LSBN AND A HEAVILY-TRAVELED ROADWAY



Source: ABAG/MTC, 2021, 2019; CCTA, 2021; ESRI, 2021; PlaceWorks, 2021.

WORKING DRAFT — CENTRAL CONTRA COSTA COUNTY LOW-STRESS BIKE NETWORK AND SIGNIFICANT ROADWAY INTERSECTIONS

Safety RTOs

The RTOs presented in this section are based on the injury and fatality crashes reported by the Transportation Injury Mapping System (TIMS)². TIMS crash records represent cleaned and geocoded data compiled by the Statewide Integrated Traffic Records System (SWITRS) maintained by the California Highway Patrol. The statistics reflect the most recent five years available data (January 1, 2016 through December 31, 2020).

CCTA has published the *Vision Zero & Systemic Transportation Safety “How To” Policy and Implementation Guide* and encourages local jurisdictions to adopt and implement Vision Zero Action plans. In addition, an objective found in the Contra Costa Countywide Bicycle and Pedestrian Plan is to, “Reduce the rate of pedestrian and bicycle fatalities and injuries per capita.”

In alignment with the Vision Zero philosophy, the proposed performance target is zero fatalities and severe injuries for each of the below safety RTOs.

NUMBER OF KILLED OR SERIOUSLY INJURED (KSI) COLLISIONS

This RTO tracks the number of bicycle or pedestrian involved KSI crashes from the TIMS data set. The crash locations are depicted in Figure 4. Table 13 summarizes the crashes by type and Table 14 summarizes the crashes by severity.

During the analysis timeframe, there were 6,839 severe injury or fatality crashes throughout the planning subarea. The most common types of crash were rear end and broadside collisions. These collisions resulted in over 106 fatalities and 451 severe injuries.

NUMBER OF BIKE- OR PEDESTRIAN-INVOLVED COLLISIONS

The crash locations for the Central County subregion are depicted in Figure 5 and summarized by severity in Table 14. During this timeframe, there were 817 bicycle or pedestrian involved crashes, accounting for about 12 percent of all crashes. Thirty-seven of the bicycle or pedestrian crashes resulted in fatalities and 121 resulted in severe injury.

NUMBER OF BIKE- OR PEDESTRIAN-INVOLVED COLLISIONS WITHIN 500 FEET OF A SCHOOL

This RTO tracks the number of bicycle or pedestrian involved KSI crashes that occur within 500 feet of school campuses. These crash locations are also depicted in Figure 5. A total of 78 crashes occurred near school campuses, 47 of which involved collision with a pedestrian and 31 with a bicyclist, resulting in three fatalities.

² Transportation Injury Mapping System (TIMS), Safe Transportation Research and Education Center, University of California, Berkeley. 2022

FIGURE 4. FATALITY AND INJURY COLLISIONS (2016-2020)

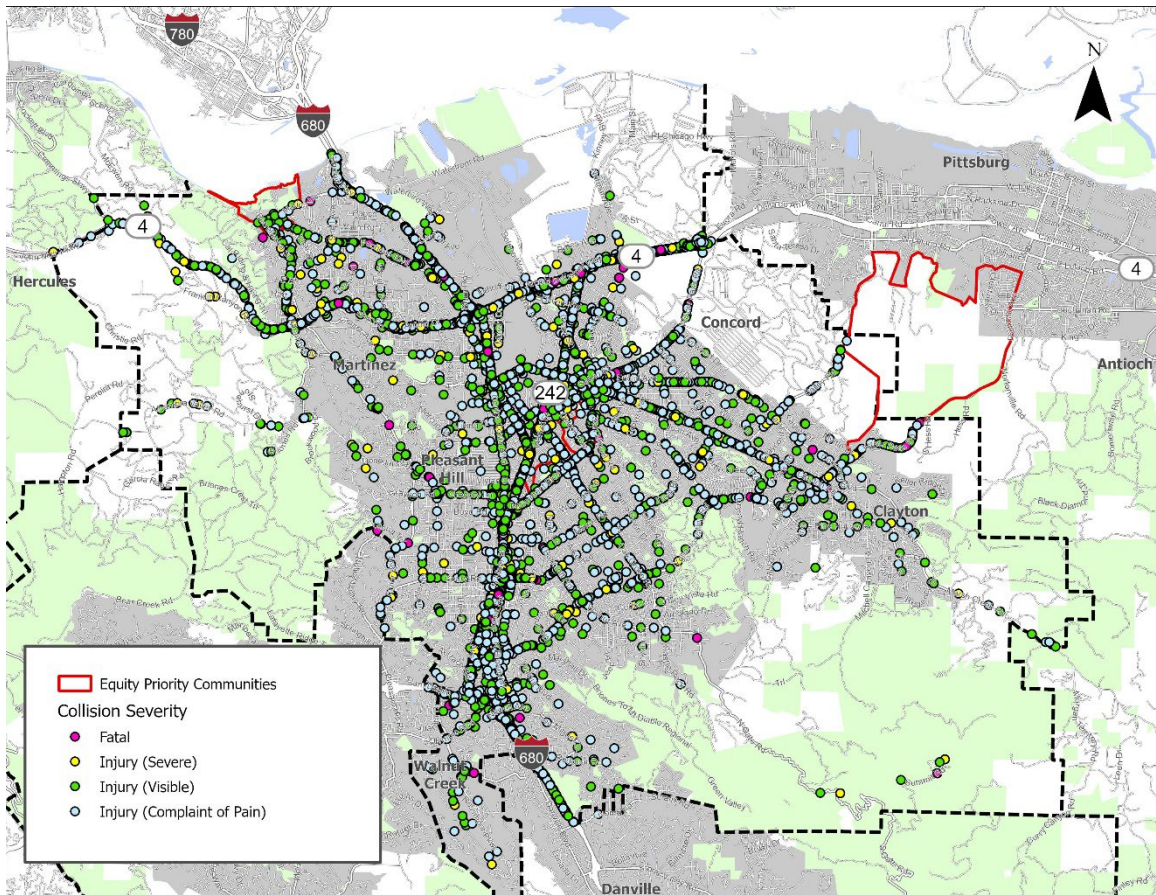


TABLE 13. INJURY AND FATALITY COLLISION BY CRASH TYPE - CENTRAL COUNTY SUBREGION FROM JANUARY 1, 2016, THROUGH DECEMBER 31, 2020

Crash Type	Number of Crashes
Not Stated	118
Head-on	387
Sideswipe	751
Rear End	2,458
Broadside	1,471
Hit Object	931
Overtaken	236
Vehicle/Pedestrian	404
Other	83
Total	6,839

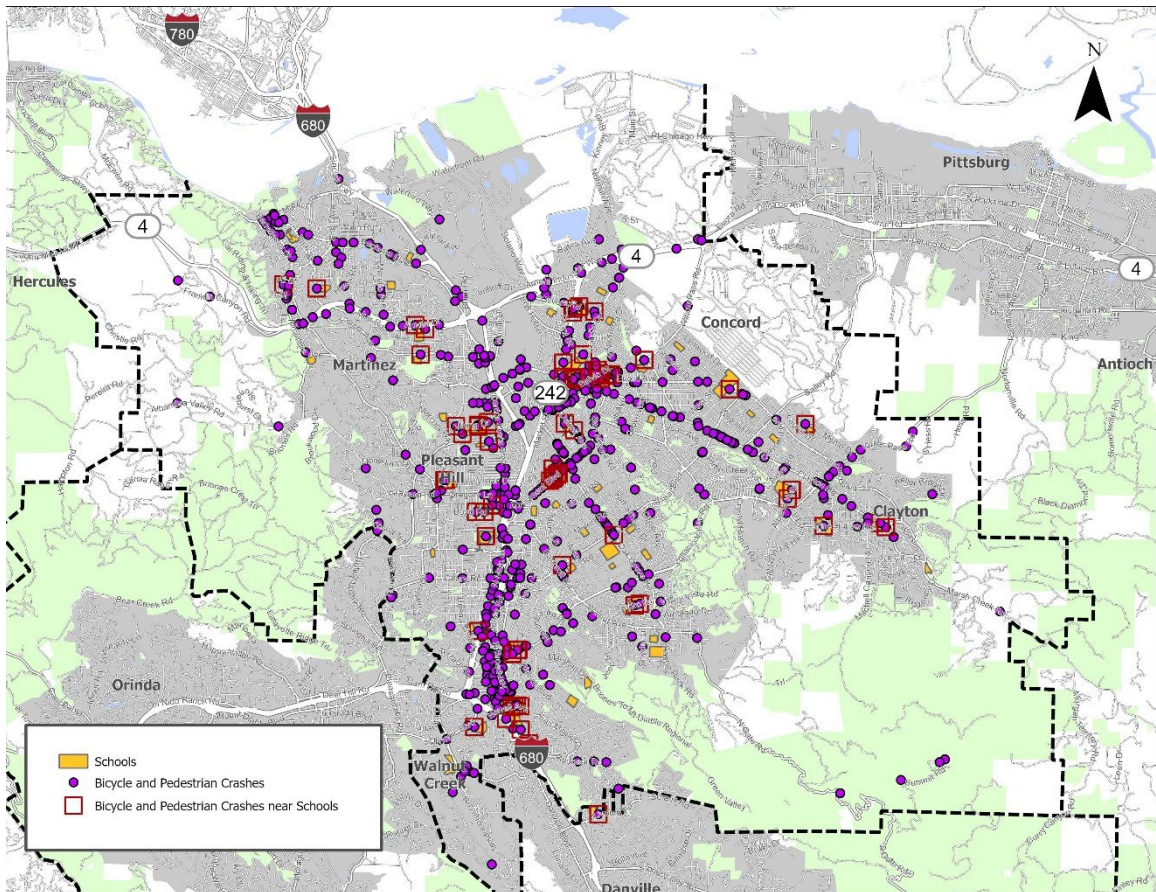
Source: Transportation Injury Mapping System and DKS Associates

TABLE 14. NUMBER OF CRASHES BY SEVERITY - CENTRAL COUNTY SUBREGION FROM JANUARY 1, 2016, THROUGH DECEMBER 31, 2020

Severity	Number of Total Crashes	Bike and Ped Crashes
Fatal	106	37
Injury (Severe)	451	121
Injury (Other Visible)	1,928	318
Injury (Complaint of Pain)	4,354	341
Total	6,839	817

Source: Transportation Injury Mapping System and DKS Associates

FIGURE 5. BICYCLE AND PEDESTRIAN INVOLVED CRASHES INCLUDING WITHIN 500 FEET OF SCHOOLS



Equity RTOs

PROPORTION OF KSI AND BIKE- OR PED-INVOLVED COLLISIONS THAT OCCUR IN EPCS

This metric tracks the proportion of all collisions that occur within EPCs. Of the 6,839 crashes summarized under Safety RTOs, 773 or about 11 percent occurred within Central County EPCs.

SHARE OF COUNTY JOBS THAT CAN BE REACHED BY EPC RESIDENTS WITH A 30-MINUTE DRIVE, AS COMPARED TO COUNTY RESIDENTS AS A WHOLE

This metric compares the proportion of Contra Costa County jobs reachable within a 30-minute peak period drive from each TAZ in the subregion compared to the proportion of County jobs reachable from all TAZs within subregion EPCs. The number of jobs corresponds to those used in the travel demand model inputs. As shown in Table 15 below, while 83 percent of County jobs are reachable from the Central County subregion, only 63% of County jobs are reachable from within the EPCs. By 2050, the share of County jobs reachable from the Central County region is forecasted to drop slightly to 77 percent while the EPC share rises to 65 percent.

The proposed performance target for this RTO is that the share of accessible jobs from within the EPCs should be equivalent to that of the subregion as a whole by 2027 and 2050. This implies that the EPC accessibility for Central County should rise to 68 percent by 2027 and 77 percent by 2050.

TABLE 15. SHARE OF COUNTY JOBS ACCESSIBLE WITHIN A 30 MINUTE DRIVE

GEOGRAPHY	JOBS 2019	PERCENT REACHABLE 2019	COUNT TAZs 2019	JOBS 2050	PERCENT REACHABLE 2050	COUNT TAZs 2019
Contra Costa County	404,286	100%	1,493	530,467	100%	1,493
Central County	336,573	83%	1,154	406,423	77%	1,155
Central County EPCs	255,437	63%	917	345,153	65%	923

SHARE OF COUNTY JOBS THAT CAN BE REACHED BY EPC RESIDENTS WITH A 45-MINUTE TRANSIT TRIP, AS COMPARED TO COUNTY RESIDENTS AS A WHOLE

This metric compares the proportion of Contra Costa County jobs reachable within a 45-minute peak period transit trip from each TAZ in the subregion compared to the proportion of County jobs reachable from all TAZs within subregion EPCs. The number of jobs corresponds to those used in the travel demand model inputs. As shown in Table 16 below, while 100 percent of County jobs are reachable from the Central County subregion, only 43 percent of County jobs are reachable from within the EPCs. By 2050, while the EPC share rises to 51 percent.

The proposed performance target for this RTO is that the share of accessible jobs from within the EPCs should be equivalent to that of the subregion as a whole by 2050, which is 100 percent. This implies that the EPC accessibility for Central County should rise to an interim target of 58 percent by 2027.

TABLE 16. SHARE OF COUNTY JOBS ACCESSIBLE WITHIN A 45 MINUTE TRANSIT TRIP

GEOGRAPHY	JOBS 2019	PERCENT REACHABLE 2019	COUNT TAZs 2019	JOBS 2050	PERCENT REACHABLE 2050	COUNT TAZs 2019
Contra Costa County	404,491	100%	1,495	530,616	100%	1,495
Central County	404,491	100%	1,495	530,616	100%	1,495
Central County EPCs	174,506	43%	570	269,249	51%	626

PROPORTION OF EPC ACRES THAT ARE NOT WITHIN A QUARTER-MILE DISTANCE OF A TRANSIT STOP SERVED BY HIGH QUALITY TRANSIT

As shown on Figure 6, there is portion of EPC areas in Central County that are not within a quarter mile of high frequency bus stops with 15-minute headways or less, or within a half-mile of rail or ferry terminals. Table 17 indicates that only 26 percent of EPC acreage is within the high-quality transit buffer, meaning a total of 74 percent are not within the buffer.

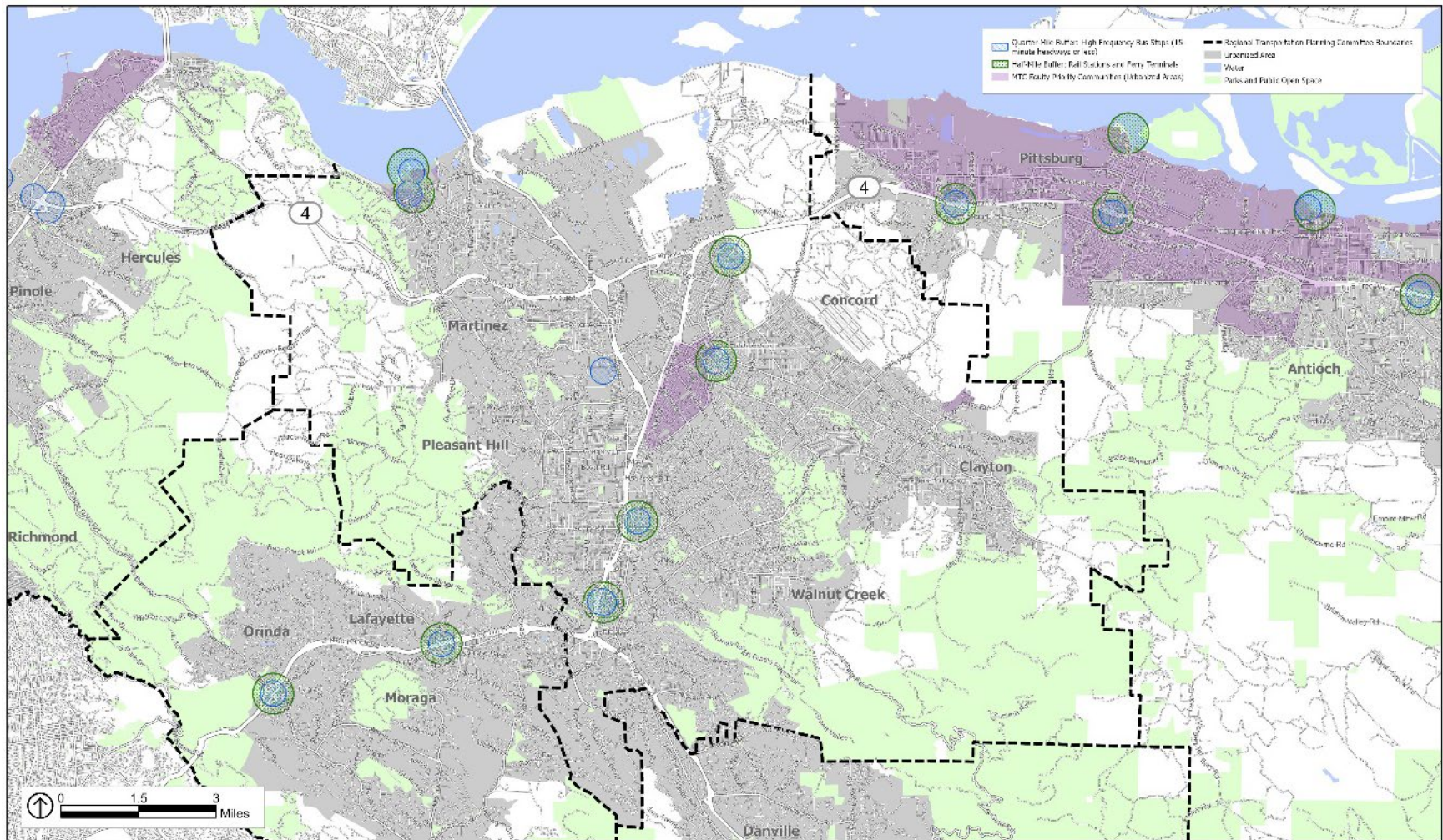
We suggest that the region aim to achieve 100% of EPC acres within a quarter mile of high-quality transit by 2050. We know that this is an ambitious goal, especially in cases where EPC acreage includes industrial areas. However, this goal will help the subregion and CCTA meet broad transit goals and increase access in areas considered to be EPCs.

We also propose an interim target of 40% completion by 2027 (a roughly 50% increase over the current condition).

TABLE 17. CENTRAL COUNTY EPC ACRES IN RELATION TO HIGH-QUALITY TRANSIT

	Acres	Proportion of Total Acres
Within high-quality transit buffer	373.1	26%
Not within high-quality transit buffer	1,072.4	74%
Total EPC acres in Central County	1,1445.51	100%

FIGURE 6. CENTRAL COUNTY EPCs AND HIGH-QUALITY TRANSIT



Source: CCTA, 2021; ESRI, 2021; PlaceWorks, 2021.

EQUITY PRIORITY COMMUNITIES AND HIGH-QUALITY TRANSIT: CENTRAL CONTRA COSTA COUNTY

Climate Change RTOs

SINGLE OCCUPANT VEHICLE MODE SHARE

As shown in Table 2 in the first section of this memo (“Mode Share”), 67 percent of total Central County work trips were taken by driving alone, compared to 68 percent of all Contra Costa County residents. Table 3 and Table 4 illustrate that the model output predicts that this number will increase to 70 percent of home base work mode share based on residence location and 80 percent based on job location by 2050. Meanwhile, the model predicts that 63 percent of all trips made by Central County residents (not strictly commute trips) will be taken by driving alone by 2050.

The proposed performance target for single-occupant vehicle work commute mode share in the Central County subregion is 60 percent for home-based work trips, in 2027 and 49 percent in 2050. These numbers have been derived by reducing future single-occupant vehicle mode share by the targeted increases in transit, bike and walk trip mode share, and by also assuming an increase in carpooling (multiple-occupant vehicle) mode share to 15 percent.

VEHICLE MILES TRAVELED (VMT) PER CAPITA

The Action Plans will consider total VMT for County and subregion residents.

The 2020 VMT study conducted for CCTA by Fehr & Peers found that 2018 VMT per service population in the Central County subregion was 29.4, and that the same number for Contra Costa County was 30.3 VMT per service population.

The California Air Resources Board’s document entitled *2017 Scoping Plan-Identified VMT Reductions and Relationship to State Climate Goals* published in January 2019³ states that the state needs to reduce daily per capita total VMT to 21 to achieve carbon-neutrality, which is the State’s goal for 2045.

Based on this finding, we propose that the Action Plan contain a goal for 2050 to reduce VMT per capita to 21 VMT per service population in the Central County area. Using a straight-line projection for reductions from 2018 until 2045, this would mean a reduction of ten percent to 26.6 VMT per capita by 2027.

TABLE 18. VMT PER SERVICE POPULATION

	2018	2050
Central County	29.4	25.9
Contra Costa County	30.3	28.2

Source: Fehr and Peers, 2020; DKS and CCTA Travel Demand Model, 2022

³ Available at https://ww2.arb.ca.gov/sites/default/files/2019-01/2017_sp_vmt_reductions_jan19.pdf

TRANSPORTATION GREENHOUSE GAS (GHG) EMISSIONS PER CAPITA

This metric reflects the total daily VMT occurring on roadways within the planning area, including commercial vehicle trips and through traffic but does not include estimates of VMT occurring outside the travel demand model boundaries. The EMFAC emissions model has been used to translate this total daily roadway VMT into GHG emissions (specifically, CO₂)⁴. The emissions outputs also reflect assumptions about the future vehicle fleet.

The proposed target for this metric is zero tons of transportation related emissions by 2050 or about a 1/3 reduction in GHG per capita by 2027. With the currently estimated 26 pounds of GHG per capita, this translates to a 2027 target of about 17 pounds per capita. Although transportation related CO₂ emissions are projected to fall by 2050, more work is needed to reach the target of zero.

TABLE 19. AVERAGE DAILY TRANSPORTATION RELATED GHG PER CAPITA

	2019			2050		
	POPULATION	CO ₂ EMISSIONS (TONS)	CO ₂ EMISSIONS PER CAPITA (LBS)	POPULATION	CO ₂ EMISSIONS (TONS)	CO ₂ EMISSIONS PER CAPITA (LBS)
Central County	318,611	4,153	26.07	411,543	2,647	12.43
Contra Costa County	1,148,922	13,734	23.91	1,457,615	8,737	11.99

Source: DKS Associates, EMFAC 2021, CCTA Travel Demand Model.

ZERO-EMISSION VEHICLE OWNERSHIP IN THE SUBREGION

This RTO tracks the number of battery electric vehicles “on the road,” with the goal of increasing total EV penetration. Data as of April 2021, which is the most recent report date, are shown in Table 20 for Central County as well as all of Contra Costa County for comparison. Central County currently has 4,879 EVs, as compared to 21,609 in the County overall.

Under a rule proposed by CARB, 35 percent of new passenger vehicles sold in the state must be powered by batteries or hydrogen by 2026, and 100 percent 2035⁵. Currently, 12.4 percent of new vehicles sold in California are ZEV and ZEVs make up about 4 percent of the light duty vehicle fleet in Contra Costa County.

By executive order, California has set a target of one million ZEVs on the road by 2025 and five million ZEVs by 2030⁶. Since Central County accounts for less than one percent of the state’s population, this suggests that the subregion should have about 8,100 EVs by 2025 and 40,600 EVs by 2030. A straight-line extrapolation of this number through 2050 suggests over 191,000 EVs in Central County by 2050.

⁴ [California Air Resources Board, EMFAC 2021 v1.0.2 Scenario Analysis.](#)

⁵ California Air Resources Board. Advanced Clean Cars II.

⁶ Executive Order B-16-2012 and Executive order B-48-18.

With all the above factors in mind, we propose a target 100 percent of the fleet, contrasted to the estimated existing EV fleet penetration of about two percent. The estimated number of light duty vehicles currently based in Central County is about 250,700.

TABLE 20. ELECTRIC VEHICLES BY SUBREGION AS OF APRIL 2021

Area	Battery Electric Vehicles
Central County	4,879
East County	2,926
Lamorinda	3,141
Tri-Valley	15,262
West County	4,258
Total Subregion	30,466
Contra Costa County	21,609

Source: California Energy Commission (2022). California Energy Commission Zero Emission Vehicle and Infrastructure Statistics. Data last updated April 2022. Retrieved June 29, 2022 from <http://www.energy.ca.gov/zevstats>.

Note: Correspondence of zip codes to RTPC boundaries is approximate.

Technology RTO

LEVEL OF ETHERNET-BASED SIGNAL INTERCONNECTION

Interconnected signal systems are those which communicate with other signals or systems. Signal interconnection helps in establishing a connection between the traffic signals and the central system, which enables remote access to the signals from the local agency locations or the Traffic Management or Operations Center. These interconnections allow signal timings to be adjusted remotely, during regular day-to-day operations, during major incidents, and during special events. Interconnection also enables cross-jurisdiction communications, coordination, and data exchange to respond to varying traffic conditions.

CCTA is currently working with Central County's jurisdictions to interconnect a total of 101 signals in Clayton, Concord, Martinez, Pleasant Hill, and Walnut Creek, using funding to come primarily from MTC's OBAG3 program. Since this effort is already underway, the target for this RTO is the completion of all 101 signal improvements by 2027. There is no additional target for 2050, since there are no plans for a further interconnection program.

**ATTACHMENT 3:
ROUND 1 OUTREACH SUMMARY**



..... CONNECT CONTRA COSTA

Planning for Tomorrow's Transportation



Outreach Summary

Action Plan and Countywide Transportation Plan Updates March - May 2022



CONTRA COSTA
transportation
authority

Prepared by:

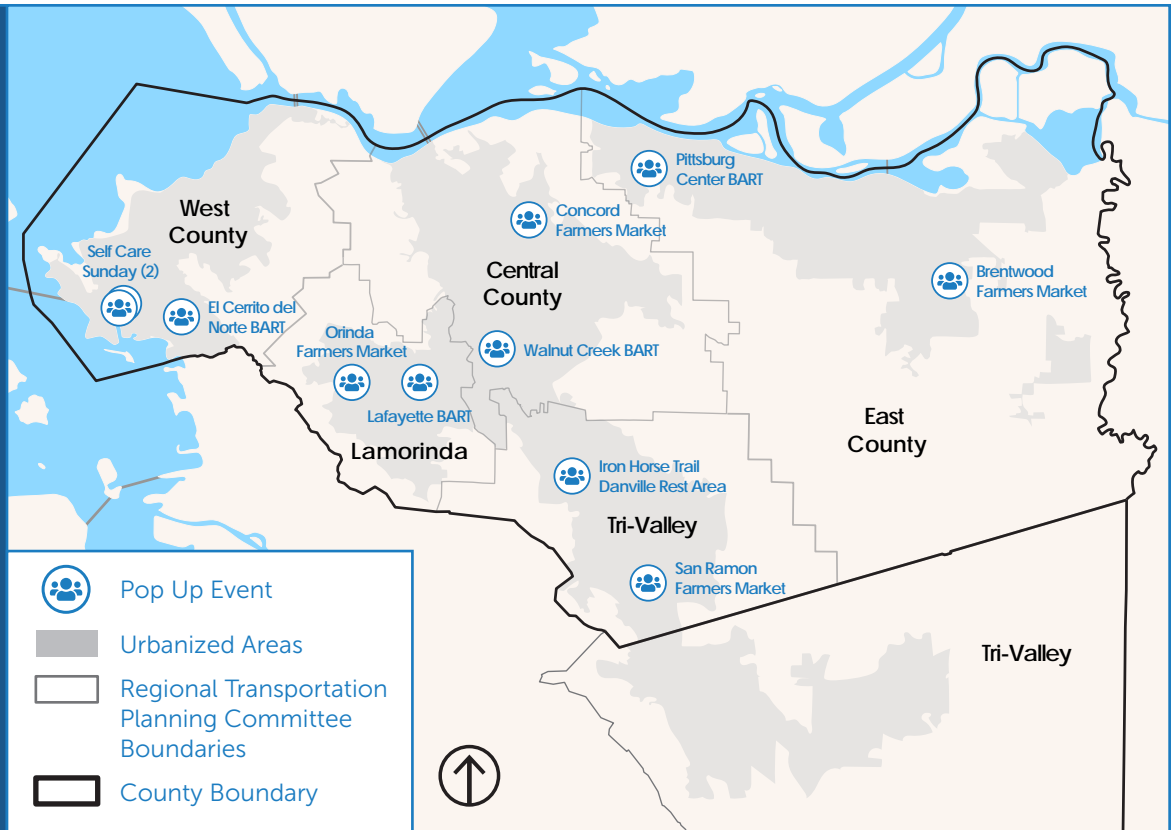


PLACEWORKS
Page 119

Introduction

This document outlines the first round of public outreach conducted by the Contra Costa Transportation Authority (CCTA) and its consultants between March and April 2022 for the Action Plan and Countywide Transportation Plan Updates. Outreach was conducted to the general Contra Costa Community and the Alameda County portion of the Tri Valley area. Feedback was collected both in-person and virtually to provide for a variety of feedback channels:

- **11 In-Person Pop Up Events**
- **5 Virtual Workshops**
- **Online Community Forum Survey**
- **421 Project Flyers Distributed!**



Each CCTA subregion had two in-person pop up events and one virtual workshop, except for the West County subregion where a repeated pop up was conducted due to a last-minute rain cancellation. The online community forum survey was available countywide for all residents.



TRI-VALLEY AREA: San Ramon Farmers Market

Saturday, March 5th 2022 from 9:00 am to 1:00 pm
6000 Bollinger Canyon Road
San Ramon

In-person pop up events included interactive poster boards, surveys, and project flyers while the virtual workshops included a PowerPoint presentation and group discussion. Regardless the event, participants were asked the same set of questions (*though additional feedback was welcomed and encouraged*):

- What do you think transportation should look like in the future?
- What can we do to help you with your transportation needs?
- What is your bright idea for improving transportation in the County?

A total of 704 comments were collected through this outreach effort. 151 of these comments were made on the online community forum survey, the remaining 553 comments were collected during the pop-up and workshop events.



151
People
Commented
Online

553 People
Commented
In Person





Demographic Breakdown



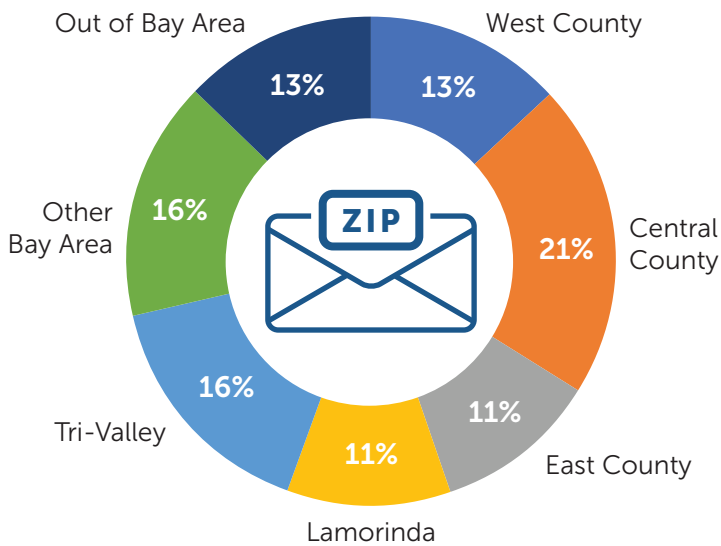
The project team collected optional demographic information on the written surveys at the pop-up events, during registration for the virtual workshops, and on the online community forum survey. Note that not all respondents chose to share demographic information. Percentages shown on this page indicate the percentage of responses in each category, not demographics of all respondents.



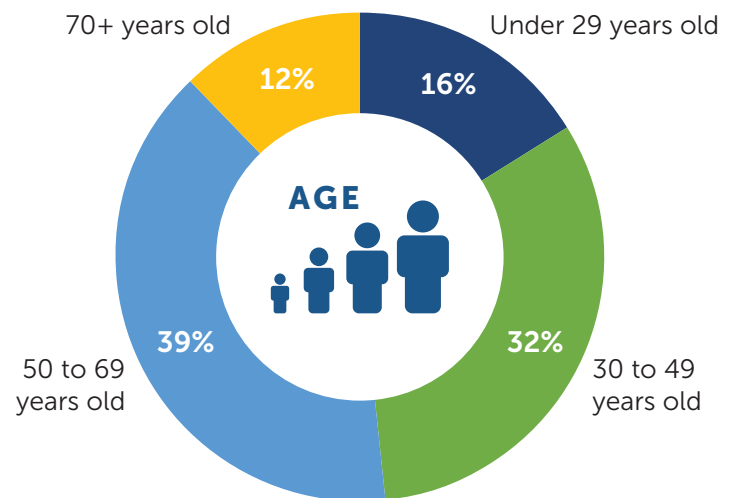
WEST COUNTY: El Cerrito del Norte BART

Tuesday, March 22nd
2022 from 4:00 pm
to 6:00 pm
6400 Cutting Blvd,
El Cerrito

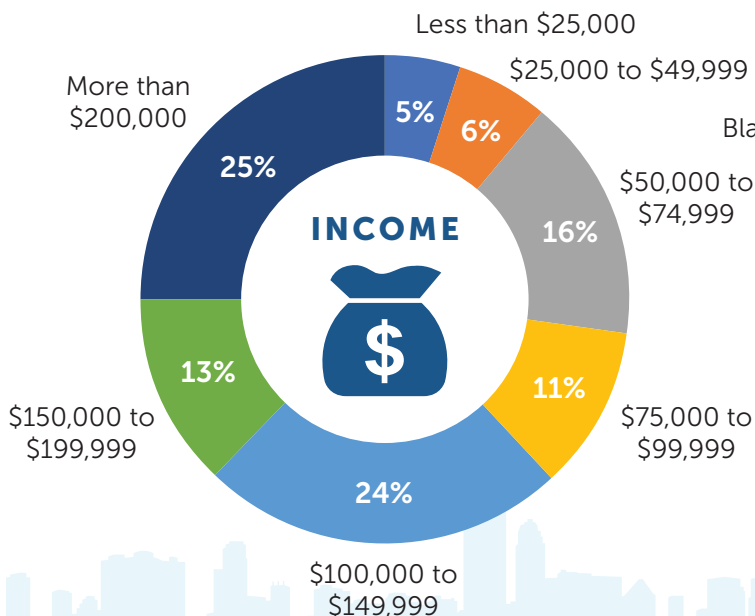
Zip Code - 38 Responses



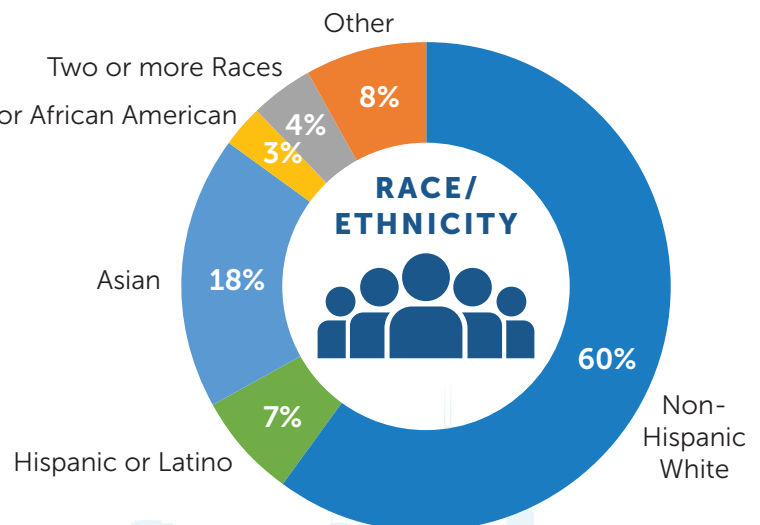
Age - 74 Responses



Household Income - 63 Responses

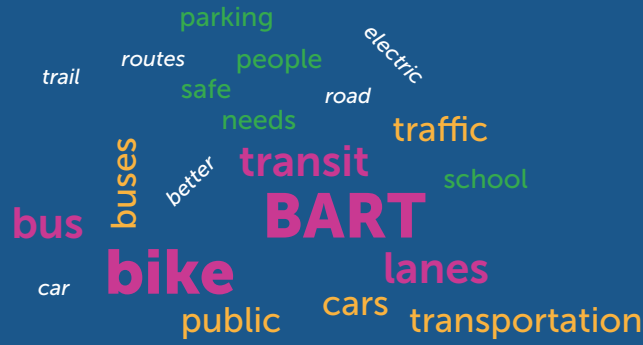


Race/ Ethnicity - 73 Responses



* 0% American Indian or Alaska Native
** 0% Native Hawaiian or Pacific Islander

Of the 704 total comments, 470 of them were general comments about countywide transportation and not focused on improvements in a specific subregion. The most commented words include:



This list of comments includes frequently mentioned topics and ideas but is not an exhaustive list of general comments. Comments are not listed in order of priority.

- Increase walkability and explore pedestrian-only areas
- Increase bikeability, number of bike lanes, and their convenience and safety
- Ensure bicyclists and pedestrians feel safe
- Conduct safety presentations for pedestrians, cyclists, and drivers
- Bike and scooter share
- Improve last mile connections to public transit
- Bus express lanes or bus-only lanes on freeways and arterials
- Public transit improvements to frequency, hours of service, reliability, and cleanliness
- Ensure public transportation is accessible for all socioeconomic groups
- Improve paratransit and other accessible transportation options and solutions
- Safety improvements on BART and buses
- Improved parking options at major transit stations
- Plan for regional connections throughout the county and beyond
- Electrify the transportation system (public and private) and improve infrastructure
- Explore autonomous vehicles
- Decrease number of potholes on freeways and major roadways
- Decrease traffic congestion
- Improve the timing of traffic lights



EAST COUNTY: Brentwood Farmers Market

Saturday, March 26th 2022
from 8:00 am to 12:00 pm
Oak Street and 1st Street,
Brentwood



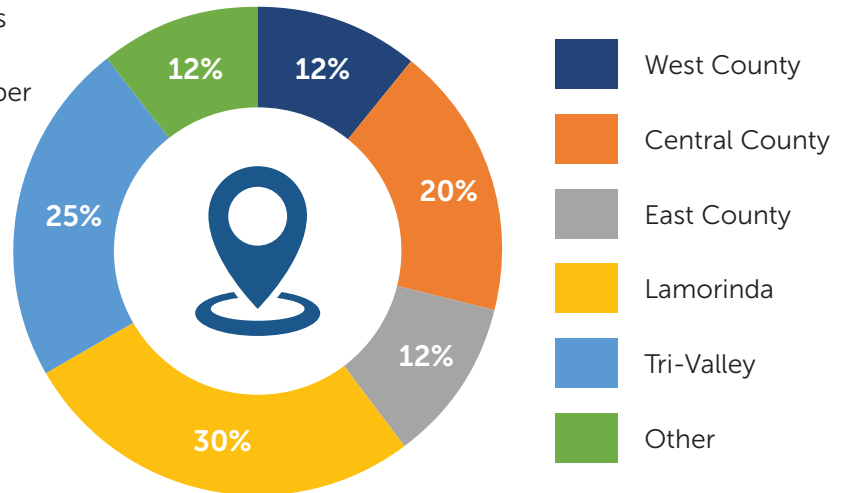
CENTRAL COUNTY: Concord Farmers Market

Tuesday, March 8th 2022
from 10:00 am to 2:00 pm
Todos Santos Plaza at 2175
Willow Pass Road,
Concord

Specific Comments

The graph to the right indicates the percent of comments that were collected by subregion, with some subregions more eager to comment than others. Note that the number of comments by subregion does not reflect the number of people engaged with, but rather the number of comments since many participants chose to provide more than one comment.

Of the 704 comments collected, 234 of them were comments made to indicate transportation improvements in a specific subregion. The most frequently mentioned topics and ideas are listed in the following pages. Note that this list is not exhaustive and are not listed in order of priority.



West County

Incorporated Jurisdictions:

Hercules, Pinole, San Pablo, Richmond, El Cerrito

Feedback regarding West County focused on safe and adequate roadways, transit improvements, bike and pedestrian improvements and safety of all modes. There was little mention of technology, climate change, and equity.

- Desire for well-maintained, continuous, protected/safe/calm bike facilities that cross cities, especially connecting to waterfront destinations and regional routes, with safe and easy freeway crossings
- Need for traffic calming techniques
- Improve transit access for those with mobility needs
- Give bus priority on arterial routes between Alameda County and Contra Costa County
- Provide timed/coordinated service between BART, Amtrak, and various bus agencies to serve long-distance and regional travel
- Ensure public transportation is safe, comfortable, and efficient
- Increase frequency of BART
- Improve streetlight issues throughout Richmond, replace traffic lights, fix potholes and paving issue areas
- Many comments mentioning improvements to specific roadways, including: San Pablo Ave, Cutting Blvd, Central Ave, Canal Blvd, and 15th Street

Central County

Incorporated Jurisdictions:

Martinez, Concord, Pleasant Hill, Walnut Creek, Clayton

Feedback regarding Central County focused on transit improvements, bike and pedestrian sidewalk and intercity access, need for traffic calming, and equity in the transportation system. Few comments are made regarding climate change and technology.

- Address active and public transportation barriers for those with mobility needs, including ADA accessible bike and pedestrian facilities, taxi service with wheelchair access, and extended service hours
- Increase traffic calming techniques along busy roadways
- Desire for safe bike and pedestrian connections across the subregion, particularly when crossing roadways and train tracks
- Provide continuous sidewalks and bike lanes and install lighting for safe travel in the dark
- Provide protected bike lanes to schools
- Improve traffic light cycles and remove unprotected left turns
- Reduce neighborhood cut-through traffic
- Connect trail networks to transit hubs
- Encourage public transit ridership again

East County

Incorporated Jurisdictions:

Pittsburg, Antioch, Brentwood, Oakley

Feedback regarding East County focused on improvements to and extension of the BART system.

- More frequent BART service and extension to Brentwood
- Increased BART connections and access, including parking, carpooling, or commuter buses from outlying communities
- Deploy High-Occupancy Vehicle (HOV) commuter buses to job centers and BART stations
- Increase off-street bikeways and connections to BART and railroads
- Increase first and last mile connections from residential areas to public transportation
- Increase lighting and shade on trails
- Ensure adequate ADA accessibility on all modes
- Reduce frequency of automobile speeding

Tri-Valley

Incorporated Jurisdictions:

Danville, San Ramon, Dublin, Pleasanton, Livermore

Feedback regarding the Tri Valley area focused on I-580/I-680 corridor connections, bike and pedestrian improvements, general equity, and general safety concerns. Climate change was not a specific concern mentioned.

- Increase traffic calming techniques, especially near schools
- Improve crossings of bike and pedestrian facilities with roadways
- Deploy bike and scooter share programs
- Improve bike and pedestrian facilities, especially with better lighting and restroom facilities
- Increase bus service to schools and other major facilities
- Expand BART service through the Tri Valley area
- Examine the success of HOV and toll lanes on I-680

Lamorinda

Incorporated Jurisdictions:

Lafayette, Moraga, Orinda

Feedback regarding the Lamorinda area included safe routes to schools, BART access, transportation electrification, and roadway speeding. Little mention of equity concerns or climate change were given.

- Increase traffic calming solutions around schools and improve general Safe Routes to Schools techniques
- Increase controlled crossings of major roads
- Explore first and last mile connections to BART
- Improve bike and pedestrian facilities with traffic lights and bike activation of traffic signals
- Expand County Connection service to middle and high school students
- Explore small bus options
- Explore feasibility of autonomous vehicles
- Reduce frequency of automobile speeding



LAMORINDA: Orinda Farmers Market

Saturday, March 12th 2022 from 9:00 am to 1:00 pm
Orinda Village at 14 Orinda Way, Orinda



TRI-VALLEY: Iron Horse Trail Danville Rest Area

Sunday, March 6th
2022 from 9:00 am to
12:00 pm



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: CITY MANAGER

DATE: September 20, 2022

SUBJECT: Approve by Minute Order the Request from CEMEX to Provide a Letter of Support for CEMEX's Quarry Reclamation Plan Amendment

RECOMMENDATION

Approve by Minute Order the request from CEMEX to provide a letter of support for CEMEX's Quarry Reclamation Plan Amendment that is scheduled to be heard by the Contra Costa County Planning Commission at the end of September.

BACKGROUND

CEMEX has been working for some time on an amendment to the existing reclamation plan for the quarry. On March 15, 2022, the City Council heard a report on CEMEX's proposed revised reclamation plan and reviewed the Draft EIR for the project (staff report attached).

DISCUSSION

CEMEX's proposed revised reclamation plan is now scheduled to be heard by the Contra Costa County Planning Commission at the end of the month and CEMEX is requesting a letter of support from the City. CEMEX has already received some letters of support including one from Save Mt. Diablo which is attached to this report. Also attached is a proposed draft letter to be sent from the City.

FISCAL IMPACT

No fiscal impact.

Subject: Approve by Minute Order the Request from CEMEX for a Letter of Support for CEMEX's Quarry Reclamation Plan Amendment

Date: September 20, 2022

Page 2 of 2

Attachment:

1. March 15, 2022 Clayton City Council item on CEMEX's Revised Reclamation Plan project
2. Letter of Support from Save Mt. Diablo for CEMEX's Revised Reclamation Plan
3. Draft Letter of Support from City of Clayton for CEMEX's Revised Reclamation Plan



AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Dana Ayers, Community Development Director

DATE: March 15, 2022

SUBJECT: Update on the Contra Costa County Land Use Permit Revision Application Pertaining to the Amendment of the CEMEX Clayton Quarry Reclamation Plan and Availability of the Draft Environmental Impact Report (EIR) Prepared for the Project

RECOMMENDATION

Staff recommends that the City Council accept the report updating the Council on status of the CEMEX Clayton Quarry Reclamation Plan Amendment and corresponding Draft EIR.

BACKGROUND

The CEMEX Clayton Quarry is an existing aggregate mining facility located on an approximately 335-acre property in unincorporated Contra Costa County, just south of the municipal boundaries of the cities of Clayton and Concord at the terminus of Mitchell Canyon Road. Aggregate mining has occurred on the site under various entities since at least 1948. CEMEX has two entitlements through Contra Costa County: 1) Land Use Permit (LUP) # 363-67, which authorizes operation of the quarry; and 2) LUP # 2054-81, which approved a reclamation plan for use of the site following cessation of mining operations.

In 2015, in response to concerns raised by County staff that the approved reclamation plan would create offsite drainage and flooding issues, CEMEX filed Application No. CDLP15-02031 with the County Conservation and Development Department. Application No. CDLP15-02031 ("the project") consists of a request to amend the entitlement, granted under LUP # 2054-81, pertaining to the approved reclamation plan for the site. No amendments are requested to LUP # 363-67 authorizing operation of the mining activities of the quarry.

The reclamation plan approved under LUP # 2054-81 calls for filling the quarry mining pit with soil, requiring significant earth movement to achieve, and turning the site into developable land. By contrast, the now proposed and revised reclamation plan would convert the site to

privately-owned open space and create a lake on the property from storm runoff from within the site, although the lake would not be available for recreational use. The lake would be approximately 625 feet at its deepest point, would have a surface area of approximately 32 acres, and would take approximately 158 years to fill completely. Compared to the approved reclamation plan, the proposed reclamation plan would require substantially less fill and earth movement and would result in increased depth of the quarry pit, but with a decreased footprint of aggregate mining area and less cut of an existing slope that currently provides partial shielding of views of the quarry face. Under the proposed plan, quarry operations would also cease roughly 40 or more years earlier than the approved plan that projects cessation of operations around the year 2100.

Pursuant to the California Environmental Quality Act (CEQA), the County hired a consultant to prepare an EIR for the project. Notice of Availability of the Draft EIR was filed with the County Clerk on February 16, 2022, and was mailed or emailed shortly thereafter to public agencies (including the City of Clayton) and other interested parties. The Executive Summary of the Draft EIR is attached to this report, and the entirety of the Draft EIR is available on the County website at <https://www.contracosta.ca.gov/8528/CEMEX-Clayton-Quarry>.

The Draft EIR focused its analysis on the resource areas of Aesthetics, Air Quality, Biological Resources, Geology/Soils, Greenhouse Gas Emissions, Hydrology/Water Quality, Land Use Planning and Noise. Other resource areas were found early on to have less than significant impacts from the proposed reclamation plan revision and were analyzed with more brevity in the project's Initial Study. Based on the analysis in the Draft EIR, the proposed reclamation plan revision would have no significant impacts that could not be mitigated to within acceptable thresholds of significance.

Agencies and interested parties can submit written comments on the Draft EIR to the County through April 4, 2022. Following the end of the public comment period on the Draft EIR, the County and their consultant will prepare a Final EIR that consists of the Draft EIR, comments made on the Draft EIR, responses to the environmental issues raised on the analysis of the Draft EIR, and any revisions to the Draft EIR that may result from those responses.

The CEMEX Clayton Quarry Ad Hoc committee of the City Council, consisting of Councilmember Diaz and Mayor Cloven, met with City staff and representatives of CEMEX on March 8, 2022. At that meeting, CEMEX representatives shared information about the reclamation plan revision currently under consideration by the County. CEMEX representatives also expressed at that meeting a willingness to make a presentation on the proposed reclamation plan revision to the entirety of the City Council later this spring or early summer.

ANALYSIS

No specific action of the City Council is necessary at this time other than to receive this report. Councilmembers are invited, as is the general public, to provide written comments to the County on the Draft EIR or to provide direction to City staff to include specific comments on the environmental analysis in a comment letter from the City to the County. Comments at this time should be limited to the environmental analysis contained in the Draft EIR rather than the

merits of the project or currently-entitled quarry operations. Following completion of the Draft EIR, the County Planning Commission will conduct one or more public hearings at which individuals and agencies can provide comments on the merits of the reclamation plan revision and whether they think County decision-makers should approve the revised reclamation plan.

ATTACHMENTS

1. CEMEX Clayton Quarry Reclamation Plan Amendment Draft EIR – Executive Summary
2. Notice of Availability of Draft EIR

EXECUTIVE SUMMARY

INTRODUCTION

CEMEX Construction Materials Pacific, LLC (CEMEX) has applied to Contra Costa County (County) for an amendment to their approved reclamation plan (“approved reclamation plan”), which is the proposed project under the California Environmental Quality Act (CEQA). The proposed project is a modification of the approved reclamation plan and current land use, drainage, and encroachment entitlements (County File Number: CDLP15-2030/31) to allow for current state reclamation standards to be achieved during reclamation and updated grading and drainage plans. The project site location is identified on Figure ES-1, “Regional Location.” Except as specifically described below, CEMEX proposes no change to other elements of the existing operation (e.g., mining methods, processing operations, production levels, truck traffic, hours of operation). The vested mining operations are not the subject of this application, rather only the mine reclamation activities are the subject of this application.

This Executive Summary provides an overview of the proposed project, describes alternatives to the proposed project, and presents a summary of the environmental impacts and related mitigation identified in the Draft Environmental Impact Report (EIR).

PUBLIC REVIEW

This Draft EIR is available for public review and comment during the 45-day period identified on the notice of availability/notice of completion (NOA/NOC) of an EIR, which accompanies this document.

This Draft EIR and all supporting technical documents and reference documents are available for public review at:

Contra Costa County, Department of Conservation and Development
Community Development Division
30 Muir Road
Martinez, California 94553

And at the link below:

<https://www.contracosta.ca.gov/7605/Major-Planning-Applications-Under-Consid>

During the 45-day public comment period, written comments on the Draft EIR may be submitted to the County Department of Conservation and Development at the following address:

Attn.: Mr. Francisco Avila, Principal Planner
Contra Costa County Department of Conservation and Development
30 Muir Road
Martinez, CA 94553
Email: Francisco.Avila@dcd.cccounty.us

Oral comments on the Draft EIR are welcome and may be stated at a public meeting, which shall be held as indicated on the NOA/NOC.¹

Following the public review and comment period, all written and oral comments received on the environmental analysis in this Draft EIR will receive a response. The responses and any other revisions to the Draft EIR will be prepared as a response-to-comments document. The Draft EIR and its appendices, together with the response-to-comments document will constitute the Final EIR for the proposed project.

OVERVIEW OF THE PROPOSED PROJECT

Site Location

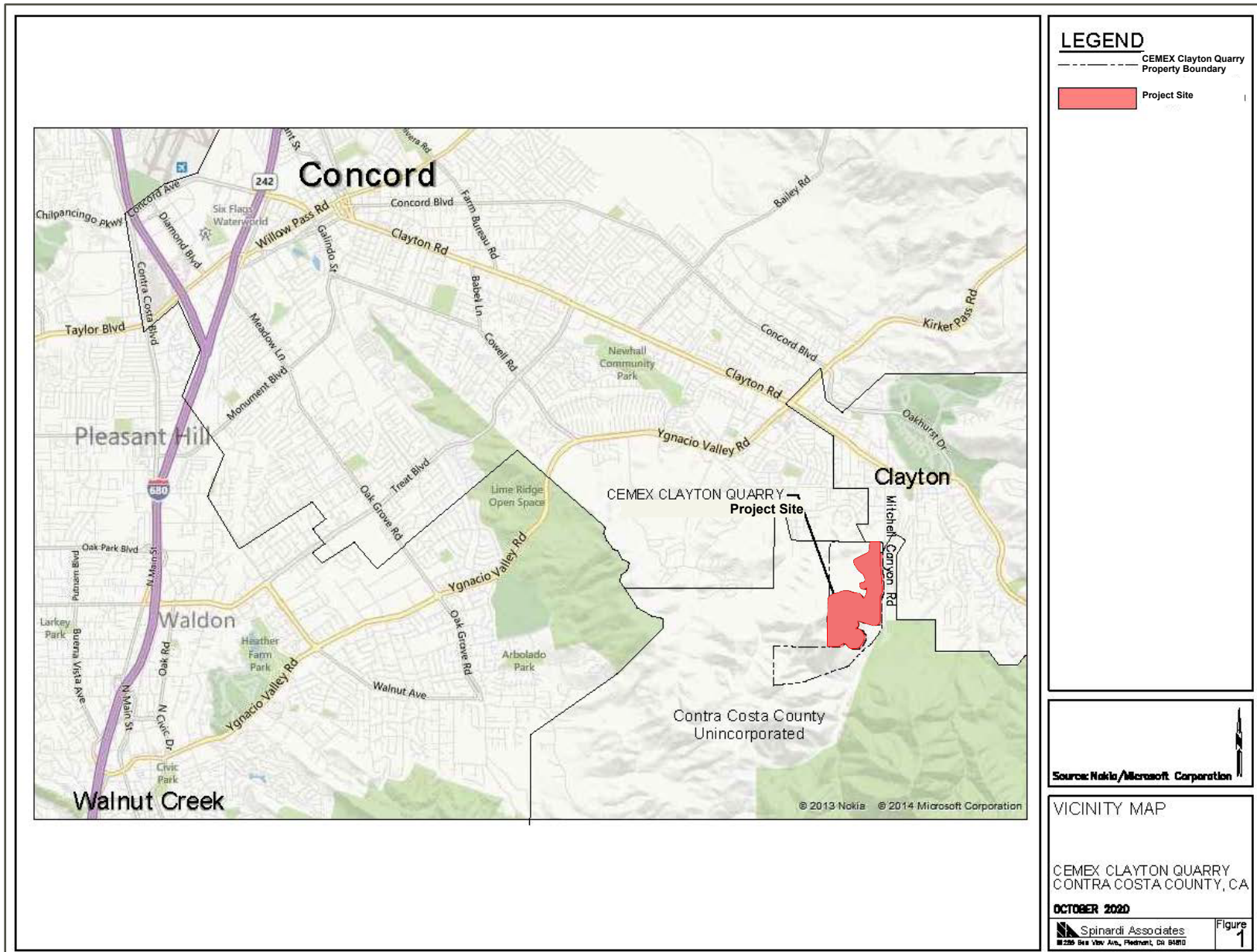
The project reclamation plan boundary comprises approximately 190 acres of a 335-acre property situated at 515 Mitchell Canyon Road, on the east side of Mount Zion, approximately one-half mile south of the City of Clayton in an unincorporated portion of the County, as shown on Figure ES-1.

Project Objectives

The project purpose is to revise the approved reclamation plan to respond to changed circumstances that have resulted in the approved reclamation plan's infeasibility and to provide an environmentally superior alternative for reclamation. Carrying out reclamation under the currently approved reclamation plan would require the handling of large quantities of overburden and would result in significant uncontrolled post-reclamation drainage releases into Mitchell Creek and the residential neighborhoods below the quarry.

In response to a Notice to Comply issued by the County on November 17, 2014, CEMEX filed an application for a Clayton Quarry Reclamation Plan Amendment on July 20, 2015, which the County assigned Application No. CDLP15-02031 (2015 Application). In its Notice to Comply, which required submittal of final grading and drainage plans for the quarry, the County provided an option for CEMEX to file an application to modify the conditions of approval of its current permits for an alternative drainage design for quarry reclamation. The 2015 Application presented CEMEX's initial application to modify current permits for an alternative final grading and drainage plan that would provide for a future quarry lake with a controlled stormwater outflow. In August 2015, the County deemed the 2015 Application incomplete and requested additional information and technical study in the areas of biology, slope stability, and hydrology. In response, CEMEX filed a new application in June 2017, which supersedes the 2015 Application in its entirety. Specifically, CEMEX proposes an amendment to the approved reclamation plan through adoption of a revised reclamation plan for the Clayton Quarry, dated October 2020 ("project" and/or "revised reclamation plan"). The project requires amendments to CEMEX's current land use entitlements, LUP #363-67 and LUP #2054-81. The amendment to the LUP #363-67 operating permit is only for purposes of conforming any reclamation-related conditions of approval to the revised reclamation plan.

¹ This is subject to change, based on circumstances and restrictions due to Covid-19, and may involve a virtual hearing via video conference (e.g. Zoom).



SOURCE: Compass Land Group 2020; modified by Benchmark Resources in 2021

NOTE: Figure not to scale

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The reclamation plan amendment provides site-specific actions designed to meet the applicable statutory and regulatory requirements. The proposed project includes the following objectives:

- 1) Complete reclamation over an anticipated period of 47 years (including monitoring) to a post-mining land use of open space;
- 2) Facilitate reduction of the surface mining footprint that leaves the east rim of the quarry intact, providing a visual buffer between the quarry and view sheds to the east;
- 3) Create permanent overburden fill areas to be revegetated;
- 4) Establish final grading contours reflecting a maximum depth of excavation at elevation 110 feet above mean sea level (msl) with finish slope angles that achieve adequate factors of safety;
- 5) Establish a final drainage plan that provides for the formation of a lake and control of stormwater discharge from the project site in a manner that would not result in downstream flooding;
- 6) Facilitate revegetation of the quarry east rim, overburden fill areas and processing plant site to a combination of chaparral and grassland habitats that feature California native seed mixes;
- 7) Clarify pre-Surface Mining and Reclamation Act (SMARA) (1976) disturbance areas, including any areas disturbed outside the boundaries of the 1983 approved reclamation plan;
- 8) Achieve current State reclamation standards during reclamation;
- 9) Maximize the extraction of the remaining available on-site hardrock resources through the anticipated reclamation end date of 2068, including a change in the final bottom elevation of excavation the quarry pit to 110 feet msl;
- 10) Continue to supply the regional demands for Portland Cement Concrete (PCC) grade aggregate and thereby reduce regional vehicle miles travelled (VMT); and
- 11) Establish a reclamation plan that limits the emission of air quality criteria pollutants, toxic air contaminants, and dust.

Project Features

As stated previously, CEMEX has applied to the County for an amendment to their approved reclamation plan, which amendment application is the proposed project under CEQA. The project is a modification of an approved reclamation plan and existing entitlements for a vested mining operation. Except as outlined below, the applicant proposes no change to any fundamental elements of the existing mining operation (e.g., mining methods, processing operations, production levels, truck traffic, hours of operation).

The 1983 approved reclamation plan envisions reclamation of an open-pit, multi-bench quarry over an anticipated period of 120 years. The approved plan also includes construction of an interim mining drainage slot that would provide a generally uncontrolled hydrologic connection to natural drainage courses north of the project site, removal of processing plants and equipment, revegetation of certain quarry benches with pine trees, revegetation of the backfilled quarry floor with natural grasses and wildflowers, and removal of the east rim of the quarry pit with backfill to elevation 650 feet msl providing for the reclaimed quarry to drain via sheet flow toward Mitchell Canyon Road and the reclaimed plant site to drain to the City of Concord.

The applicant seeks to amend the approved reclamation plan to include changes that are more sensitive to the environment and surrounding community, while achieving current surface mining reclamation standards. The planned postmining end use is open space. The proposed project would include:

- Reclamation over an anticipated period of 47 years to a post-mining land use of open space;
- Reduction of the surface mining disturbance footprint relative to the existing reclamation plan that leaves the east rim of the quarry intact, providing a visual buffer between the quarry and view sheds to the east;
- Permanent overburden fill areas;
- Final grading contours reflecting a maximum depth of excavation at elevation 110 feet msl with finish slope angles that achieve adequate factors of safety;
- A final drainage plan that provides for the quarry pit to slowly fill with stormwater following reclamation to form a quarry lake with a controlled outflow that conveys stormwater to natural drainage courses and man-made drainage facilities;
- Removal of facilities, structures and equipment associated with mining;
- Revegetation of the quarry east rim, overburden fill areas, and processing plant site to a combination of chaparral and grassland habitats that feature California native seed mixes;
- Elimination of requirements to backfill, grade, and compact the quarry floor and benches, given that the planned open space end use would provide for a future quarry lake;
- Clarification of pre-SMARA (1976) disturbance areas, including any areas disturbed outside the boundaries of the approved reclamation plan;
- A tree permit request to remove 79 out of 123 existing trees, to be replaced with 400 foothill pine trees that would form a tree screen along the quarry east rim;
- Compliance with current State reclamation standards to be achieved during reclamation;
- A new screening berm to create a visual barrier between the existing processing plant site and residential communities to the north; and
- An exception request to Division 914 of the Contra Costa Code of Ordinances (Offsite Collect and Convey requirement).

Consistent with the approved reclamation plan, the project would continue to remove facilities, structures, and equipment associated with mining, including the plant site. Post-reclamation, the applicant would continue to own the property, which would be used for open space. Table ES-1, "Comparison of Proposed Project to Approved Reclamation Plan," offers a comparison between major features of the approved reclamation plan and the proposed project.

TABLE ES-1
COMPARISON OF PROPOSED PROJECT TO APPROVED RECLAMATION PLAN

Reclamation Feature	1983 Approved Reclamation Plan	Proposed Project
Elevations	Mining floor elevation: 500 feet msl Reclamation floor elevation: 650 feet msl	Mining floor elevation: 110 feet msl Reclamation floor elevation: 110 feet msl
End uses	Not specified.	Open space, which would provide for the quarry pit to slowly fill with stormwater to form a quarry lake with a controlled outflow.
Total area disturbed by mining and reclamation	Approximately 184 acres	Approximately 190 acres
Quarry pit area	Approximately 154 acres	Approximately 85 acres

Reclamation Feature	1983 Approved Reclamation Plan	Proposed Project
Quantity and type of mineral to be mined (from time of application):	Diabase: quantity noted as confidential Knoxville: quantity noted as confidential	Diabase: 23.8 million tons Knoxville: 4.6 million tons Total: 28.4 million tons
Termination date:	Anticipated 120 years from 1981, or year 2101	Anticipated 47 years from 2021, or year 2068
Quarry pit backfill:	Required to minimum floor elevation 650 feet msl, with minimum pit floor slope gradient of 2%.	Not required, although CEMEX may place overburden in the pit floor as part of reclamation.
East Rim:	Mined and eliminated to facilitate backfill	Left intact with tree screen.

Source: Compass Land Group 2020.

Notes: msl = above mean sea level

Required Approvals

As the local land use authority, Contra Costa County is the public agency with the greatest responsibility for approving the project as a whole and is therefore the lead agency for purposes of environmental review under both CEQA and SMARA. Other agencies may have permitting or approval authority over various aspects of the project. These agencies include the following:

Federal Agencies

- U.S. Army Corps of Engineers (Section 404 permit)
- U.S. Fish and Wildlife Service (Section 7 Consultation; Incidental Take Statement)

State Agencies

- California Department of Conservation, Division of Mine Reclamation (Reclamation Plan Advisory Review, Release of Financial Assurance)
- California Department of Fish and Wildlife (Streambed Alteration Agreement and possibly a California Endangered Species Act permit)

Regional and Local Agencies

- San Francisco Bay Regional Water Quality Control Board (Section 401 Certification and/or Waters of the State permit)
- Contra Costa County Flood Control and Water Conservation District
- Contra Costa County, Department of Public Works

DRAFT EIR SCOPE AND ISSUES EVALUATED

Issues Evaluated and Issues Eliminated from Further Consideration

While CEQA does not require preparation of an Initial Study when the lead agency elects to prepare an EIR (CEQA Guidelines Section 15060[d]), the County has prepared an Environmental Checklist Form / CEQA Initial Study to substantiate its scoping process in evaluating the potential significance of the project regarding the CEQA Appendix G criteria. The evaluation regarding the significance of those issues that are not discussed in detail in the Draft EIR is provided in the Initial Study (included as Appendix A-4, "Initial Study," of the Draft EIR) and discussed further in Chapter 1, "Introduction," of the Draft EIR.

As an initial step in the environmental review process, issues identified in the Environmental Checklist of Appendix G of the CEQA Guidelines were considered to determine whether the project would have the potential to result in significant impacts associated with each issue. The initial review determined that the project may result in potentially significant adverse impacts associated with the following Appendix G Environmental Checklist resource topics:

- Aesthetics
- Air Quality
- Biological Resources
- Greenhouse Gas Emissions
- Geology and Soils
- Hydrology and Water Quality
- Land Use and Planning
- Noise

The initial review determined that the project would not result in significant adverse impacts associated with the following resource topics and eliminated these issues from further consideration in the Draft EIR:

- Agricultural and Forestry Resources
- Cultural Resources
- Energy
- Hazards and Hazardous Materials
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Services Systems
- Wildfire

Alternatives

The CEQA Guidelines specify that an EIR must describe a reasonable range of alternatives to the project, or to the location of the project, which could feasibly attain the basic project objectives (Guidelines Section D15126.6). The “no project” alternative, which considers what impacts would occur if conditions continue, must be considered (Guidelines Section 15126.6[e]), and the EIR must also identify the environmentally superior alternative. If the “no project” alternative is the environmentally superior alternative, the EIR must identify an environmentally superior alternative from among the other alternatives (Guidelines Section 15126.6[e][2]).

Summary of Alternatives

The alternatives evaluation considered several potential alternatives. Some were eliminated as they were determined to either not have the potential to feasibly achieve the basic project objectives and/or reduce significant project impacts. The following alternatives were selected and analyzed/compared to the project and are evaluated in the Draft EIR:

Alternative 1: No Project—Implementation of the Approved Reclamation Plan Alternative

Under the No Project—Implementation of the Approved Reclamation Plan Alternative, the County would not approve a Reclamation Plan Amendment. Instead, the project site would be reclaimed up to the final phase (Phase 1C) of the approved reclamation plan, consistent with existing permits.

Under this alternative, mining of the quarry pit beyond the bottom elevation of 500 feet above msl specified in the approved reclamation plan would not occur. Unlike the proposed project, Alternative 1 would not result in the creation of a quarry lake and would not leave the east rim intact. Instead, the east rim of the quarry would be excavated and overburden fill materials would be pushed into the quarry excavation such that a relatively flat reclaimed area with a slight slope toward the east would

exist. The final elevation of the backfilled quarry pit area would be about 650 feet msl. Rather than a diversion control structure as included in the proposed project, drainage from the site would flow overland across the site. Drainage from the quarry area would flow generally uncontrolled into Mitchell Creek. No tree screen or berms would impede the views of the exposed quarry pit and benches under this alternative. The end use would remain open space.

Alternative 2: Prohibited Nighttime Reclamation Alternative

Under Alternative 2: Prohibited Nighttime Reclamation Alternative, would be the same as the proposed project except all project-related reclamation, including construction of the control outlet structure, overburden fill areas, screening berm, and grading for final reclamation would only be permitted to take place during operating hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 8 a.m. to 5 p.m. Saturday and Sunday. Some nighttime lighting of project facilities would still be required for security and safety purposes under this alternative; however, reclamation construction lighting and reclamation-related traffic traveling to and from the project site would be prohibited between the hours of 7 p.m. and 7 a.m. Monday through Friday and 5 p.m. and 8 a.m. Saturday and all-day Sunday. The current operational (i.e. non-reclamation) mining activities would not be subject to this restriction. Alternative 2 would meet all of the proposed project objectives.

Alternative 3: In-kind Replacement for Protected Oaks Alternative

Alternative 3, In-kind Replacement for Protected Oaks Alternative, would be the same as the proposed project except the 77 blue oak and valley oak trees that would be removed would be replaced with in-kind species at a 3:1 ratio instead of the proposed 400 foothill pines. Alternative 3 would meet all of the proposed project objectives.

Summary of Impacts and Mitigation Measures

Table ES-2, "Summary of Project Impacts and Mitigation Measures," provides a summary of the project impacts identified and evaluated in the Draft EIR, presents mitigation measures identified in the Draft EIR, and lists the impact significance both without and with mitigation applied. As shown in Table ES-2, several impacts are found to be less than significant and do not require mitigation. All remaining impacts would be significant or potentially significant prior to the implementation of mitigation measures but would be reduced to less than significant with mitigation applied. No impacts were found to be significant and unavoidable. The mitigation measures (e.g., Mitigation Measure 4.1-4, "Daily Limitation of Construction Hours") do not apply to the existing, vested mine and processing plant operations which are not part of this project.

In addition to evaluating project-specific impacts, an EIR must also evaluate cumulative impacts. Cumulative impacts are those that would result from project impacts when combined with impacts of other past, present, or reasonably foreseeable projects. The analysis determined that the project would not result in significant and unavoidable cumulative impacts (see Chapter 5, "Cumulative Impacts").

TABLE ES-2
SUMMARY OF PROJECT IMPACTS AND MITIGATION MEASURES

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation ¹
INITIAL STUDY			
CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES			
<i>No further analysis was performed for the purposes of this Draft EIR. Please see analysis provided in Appendix A-4, "Initial Study."</i>			
<p>Impact 5b: Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5</p> <p>Impact 5c: Disturb any human remains, including those interred outside of formal cemeteries</p> <p>Impact 18a: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)</p> <p>Impact 18b: A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1</p>	PS	<p>Mitigation Measure CUL-1: The following Mitigation Measures shall be implemented during project demolition/construction activities.</p> <ol style="list-style-type: none"> 1. A program of on-site education to instruct all demolition/construction personnel in the identification of prehistoric and historic deposits shall be conducted prior to the start of any grading or construction activities. 2. If archaeological materials are uncovered during grading, trenching, or other onsite excavation, all work within 30 yards of these materials shall be stopped until a professional archaeologist who is certified by the Society for California Archaeology (SCA), and/or Society of Professional Archaeology (SOPA), and the Wilton Rancheria Tribe, have had an opportunity to evaluate the significance of the find and suggest appropriate mitigation(s) if deemed necessary. <p>Mitigation Measure CUL-2: Should human remains be uncovered during grading, trenching, or other on-site excavation(s), earthwork within 30 yards of these materials shall be stopped until the County coroner has had an opportunity to evaluate the significance of the human remains and determine the proper treatment and disposition of the remains. Pursuant to California Health and Safety Code Section 7050.5, if the coroner determines the remains may be those of a Native American, the coroner is responsible for contacting the Native American Heritage Commission (NAHC) by telephone within 24 hours. Pursuant to California Public Resources Code Section 5097.98, the NAHC will then determine a Most Likely Descendant (MLD) tribe and contact them. The MLD tribe has 48 hours from the time they are given access to the site to make recommendations to the land owner for treatment and disposition of the ancestor's remains. The land owner shall follow the requirements of Public Resources Code Section 5097.98 for the remains.</p>	LTS

NI = No Impact; LTS = Less than Significant; PS = Potentially Significant; S = Significant; SU = Significant and Unavoidable

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation ¹
DRAFT ENVIRONMENTAL IMPACT REPORT			
AESTHETICS/VISUAL RESOURCES			
Impact 4.1-1: Substantial Adverse Effect on a Scenic Vista	NI	None required.	NI
Impact 4.1-2: Substantially Damage Scenic Resources Within View of a Scenic Highway	NI	None required.	NI
Impact 4.1-3: Substantial Degradation of the Existing Visual Character or Quality of the Site and Its Surroundings	LTS	None required.	LTS
Impact 4.1-4: Creation of a New Source of Substantial Light and Glare That Would Adversely Affect Day or Nighttime Views in the Area	PS	Mitigation Measure 4.1-4: Daily Limitation of Reclamation-Related Construction Activities All reclamation-related construction activities shall be limited to the hours of 7 a.m. to 7 p.m. Monday through Friday.	LTS
AIR QUALITY			
Impact 4.2-1: Conflict with or Obstruct Implementation of the Applicable Air Quality Plan	LTS	None required.	LTS
Impact 4.2-2: Result in a Cumulatively Considerable Net Increase of Any Criteria Pollutant for which the Project Region is Non-Attainment Under an Applicable Federal or State Ambient Air Quality Standard	LTS	None required.	LTS
Impact 4.2-3: Expose Sensitive Receptors to Substantial Pollutant Concentrations	LTS	None required.	LTS
Impact 4.2-4: Result in Other Emissions Adversely Affecting a Substantial Number of People	LTS	None required.	LTS
BIOLOGICAL RESOURCES			
Impact 4.3-1: Have an Adverse Effect, Directly or Indirectly, on Habitat for Special-Status Plant or Wildlife Species due to Ground Surface Disturbance and Vegetation Removal	PS	Mitigation Measure 4.3-1a: Conduct Botanical Surveys To avoid and minimize potential impacts to special status plants, the following shall apply: 1. Prior to the commencement of reclamation-related ground disturbing activity (which includes clearing, grubbing, or grading) in previously undisturbed areas identified as having potential special status plant species in the project biological resources assessment report, a qualified botanist or biologist shall conduct a pre-construction survey for special status rare plant species. The survey shall occur within 30 days prior to commencement of ground-	LTS

NI = No Impact; LTS = Less than Significant; PS = Potentially Significant; S = Significant; SU = Significant and Unavoidable

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation ¹
		<p>disturbing activity. If a special-status species is detected, the applicant shall avoid activity in the area if doing so is feasible in conjunction with meeting project objectives.</p> <p>2. If rare plant species are found and avoidance is not feasible, and the plant is listed under CESA, then the applicant shall mitigate on a 1:1 ratio and obtain and comply with necessary permits from CDFW.</p> <p>Mitigation Measure 4.3-1b: Conduct Special-status Vertebrates Surveys, Personnel Training, and Avoidance To avoid and minimize impacts to special status vertebrates, the following shall apply.</p> <ol style="list-style-type: none"> 1. No more than 48 hours prior to the commencement of reclamation-related ground disturbing activity (i.e., clearing, grubbing, or grading) associated with the overburden fill areas, tree screen, diversion outlet structure, or other areas, a qualified biologist shall conduct a pre-construction survey of suitable habitat in the project reclamation area. 2. The biologist shall supply a brief written report (including date, time of survey, survey method, name of surveyor, and survey results) to the Department of Conservation and Development prior to the commencement of ground disturbing activity. 3. Construction personnel shall receive worker environmental awareness training prior to the commencement of ground disturbing activity. This training instructs workers how to recognize special status vertebrate species and their habitat. 4. If a special-status species is detected, all work will be halted until the animal has left the work area or, if necessary, has been relocated by a qualified biologist with applicable authorizations. <p>Mitigation Measure 4.3-1c: Conduct Bat Surveys, Avoidance, and Employ Approved Eviction When Necessary To avoid and minimize potential impacts to special status bats, the following shall apply:</p>	

NI = No Impact; LTS = Less than Significant; PS = Potentially Significant; S = Significant; SU = Significant and Unavoidable

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation ¹
		<ol style="list-style-type: none"> 1. If reclamation-related ground disturbing activity (which includes clearing, grubbing, or grading) is to commence within 50 feet of suitable bat habitat, including structures and trees with large cavities, during the winter hibernaculum season (e.g., November 1 through March 31), then a qualified biologist shall conduct a pre-construction survey within 50 feet of the reclamation project footprint on the CEMEX property to determine if a potential winter hibernaculum is present, and to identify and map potential hibernaculum sites. 2. The biologist shall supply a brief written report (including date, time of survey, survey method, name of surveyor and survey results) to the Department of Conservation and Development prior to the commencement of ground disturbing activity. If no winter hibernaculum sites are found during the survey, then no further mitigation would be required. 3. If potential hibernaculum sites are found, then the applicant shall avoid all areas within a 50-foot buffer around the potential hibernaculum sites until bats have vacated the hibernaculum. Winter hibernaculum habitat shall be considered fully avoided if reclamation-related activities do not impinge on a 50-foot buffer established by the qualified biologist around an existing or potential winter hibernaculum site. The qualified biologist will determine if non-maternity and nonhibernaculum day and night roosts are present on the project site. If necessary, a qualified biologist will use safe eviction methods to remove bats if direct impacts to non-maternity and non-hibernaculum day and night roosts cannot be avoided. If a winter hibernaculum site is present, then reclamation activities shall not occur within 50 feet until the hibernaculum is vacated, or, if necessary, safely evicted using methods acceptable to CDFW. <p>Mitigation Measure 4.3-1d: Wildlife Exclusion Fence A temporary wildlife exclusion fence shall be installed around the perimeter of any previously undisturbed area prior to the initiation of new ground-disturbing activities to discourage small wildlife from entering the site. The</p>	

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		<p>fence shall have escape funnels pointing outwards to allow small wildlife to exit the work area.</p> <p>Mitigation Measure 4.3-1e: Biologist Presence A qualified biologist shall be present for all initial reclamation-related ground-disturbing activities in areas that have not been previously disturbed.</p> <p>Mitigation Measure 4.3-1f: No Monofilament Plastics To prevent the entrapment of Alameda striped racers and other wildlife, monofilament plastics shall not be used for erosion control.</p> <p>Mitigation Measure 4.3-1g: Conduct Nesting Bird Surveys and Avoidance To avoid and minimize impacts to nesting birds, the following shall apply:</p> <ol style="list-style-type: none"> 1. If reclamation-related ground disturbing activity is to commence within 50 feet of nesting habitat between February 1 and August 31, then a qualified biologist shall conduct a pre-construction survey for active migratory nests within 5 days prior to the commencement of ground disturbing activity. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. 2. The biologist shall supply a brief written report (including date, time of survey, survey method, name of surveyor and survey results) to the Department of Conservation and Development prior to the commencement of ground disturbing activity. If no active nests are found during the survey, then no further mitigation would be required. 3. If active nests are found in the survey area, then a non-disturbance buffer centered on the nest and of a size determined by a qualified biologist shall be established and maintained around the nest to prevent nest failure. Active nests shall be monitored weekly to ensure that the exclusion zones are intact and that the young are developing. All construction activities shall be avoided within this buffer area until a qualified biologist determines that nestlings have fledged and are foraging independently as determined by a qualified 	

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		<p>biologist, unless otherwise approved by the Conservation and Development Department and CDFW.</p> <p>Mitigation Measure 4.3-1h: Burrowing Owl Protection To avoid and minimize potential impacts to western burrowing owl, the following shall apply:</p> <ol style="list-style-type: none"> 1. If reclamation-related ground disturbing activity is to commence in previously undisturbed areas within 500 feet of suitable owl burrow habitat, then a qualified biologist shall conduct a pre-construction survey for burrowing owl. The survey shall occur within 30 days prior to the date that reclamation activities will encroach within 500 feet of suitable habitat. Adjacent parcels under different land ownership will be surveyed only if access is granted or if the parcels are visible from authorized areas. Surveys shall be conducted in accordance with the following: <ol style="list-style-type: none"> a) A survey for burrows and owls shall be conducted by walking through suitable habitat over the proposed reclamation construction site and in areas within 500 feet of the project disturbance area. b) Pedestrian survey transects should be spaced to allow 100 percent visual coverage of the ground surface. The distance between transect center lines should be no more than 30 meters, and should be reduced to account for differences in terrain, vegetation density, and ground surface visibility. Surveyors should maintain a minimum distance of 50 meters from any owls or occupied burrows. c) If no occupied burrows or burrowing owls are found in the survey area, then the biologist shall supply a brief written report (including date, time of survey, survey method, name of surveyor and survey results) to the Conservation and Development Department and no further mitigation is necessary. d) If occupied burrows or burrowing owls are found, then a complete burrowing owl survey is required. This consists of a 	

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		<p>minimum of four site visits conducted on four separate days, which must also be consistent with the Survey Method, Weather Conditions, and Time of Day sections of Appendix D of the California Department of Fish and Wildlife (CDFW) “Staff Report on Burrowing Owl Mitigation” (March 2012). The applicant shall then submit a survey report to the Planning Division which is consistent with the CDFW 2012 Report.</p> <p>e) If occupied burrows or burrowing owls are found during the complete burrowing owl survey, then the applicant shall contact the Planning Division and consult with CDFW prior to construction, and will be required to submit a Burrowing Owl Mitigation Plan (subject to the approval of the Planning Division and CDFW). This plan must document all proposed measures, including avoidance, minimization, exclusion, relocation, or other measures, and include a plan to monitor mitigation success. The CDFW “Staff Report on Burrowing Owl Mitigation” (March 2012) should be used in the development of the mitigation plan.</p> <p>2. Comply with the mitigation requirements and conditions of any Section 1600 Streambed Alteration Agreement (Agreement), if any, with CDFW for project reclamation activities, as applicable to burrowing owl. If there is a conflict between the terms of mitigation item 1 above and the Agreement, then the Applicant shall abide by the terms of the Agreement.</p> <p>Mitigation Measure 4.3-1i: Bumblebee Protection To minimize the take of Crotch’s and western bumblebee species, a qualified entomologist shall conduct a take avoidance survey for active bumblebee colony nesting sites in any previously undisturbed area prior to each phase of reclamation-related construction, if the work will occur during the flying season. Survey results, including negative findings, shall be submitted to CDFW prior to implementing reclamation-related ground-disturbing activities. Surveys shall take place during flying season when the species is most likely to be detected above ground, between March 1 and September 1. The surveys shall occur when temperatures are above 60 degrees Fahrenheit</p>	

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		<p>(°F), on sunny days with wind speeds below 8 miles per hour, and at least 2 hours after sunrise and 3 hours before sunset. Surveyors shall conduct transect surveys focusing on detection of foraging bumble bees and underground nests using visual aids such as binoculars. At minimum, a survey report should provide the following: If no Crotch's or western bumble bees or potential Crotch's or western bumble bees are detected, no further mitigation is required. If potential Crotch's or western bumble bees are seen but cannot be identified, the applicant shall obtain authorization from CDFW to use nonlethal netting methods to capture bumble bees to identify them to species. If protected bumble bee nests are found, a plan to protect bumble bee nests and individuals to ensure no take of Crotch's and western bumblebee species shall be developed by a qualified entomologist in consultation with the Conservation and Development Department. The Conservation and Development Department shall approve the plan prior to implementation.</p> <p>Mitigation Measure 4.3-1j: Take Coverage for Federally Listed Species If required by the USFWS for certain previously undisturbed areas to support reclamation-related construction activity, the applicant shall obtain take coverage for federally listed species (Alameda striped racer and California red-legged frog). This may be from a Section 7 Consultation resulting in a Biological Opinion (BO) or a Section 10 consultation resulting in a Habitat Conservation Plan (HCP). All avoidance, minimization, and mitigation measures in the BO or HCP shall be implemented as a condition for operating in that area.</p> <p>Mitigation Measure 4.3-1k: Trapping Federally Listed Species If necessary, a qualified biologist approved under an active BO or HCP will be contracted to trap and move federally listed species (Alameda striped racer and California red-legged frog) to nearby suitable habitat.</p> <p>Mitigation Measure 4.3-1l: Take Permit for State Listed Species If required by CDFW, the applicant shall obtain a California Endangered Species Act Section 2081 Incidental Take Permit (ITP) for the Alameda striped racer associated with new reclamation-related disturbances in previously undisturbed areas. If further future information warrants their inclusion, the permit shall cover Crotch's and/or western bumble bee as well. All avoidance,</p>	

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		minimization, and mitigation measures in the ITP shall be implemented as a condition for operating in that area.	
Impact 4.3-2: Have an Adverse Effect, Directly or Indirectly, on Habitat for Special-Status Plant or Wildlife Species due to Exposure to Quarry Pit Lake Water	LTS	None required.	LTS
Impact 4.3-3: Have an Adverse Effect on Riparian Habitat or Other Sensitive Natural Communities	S	<p>Mitigation Measures: Implement Mitigation Measures 4.3-1a, 4.3-1b, 4.3-1c, 4.3-1d, 4.3-1e, 4.3-1f, 4.3-1g, 4.3-1j, 4.3-1k, and 4.3-1l (see Impact 4.3-1) and Mitigation Measures 4.3-6a through 4.3-6i (see Impact 4.3-6).</p> <p>Mitigation Measure 4.3-3: Acquire Necessary Permits for Jurisdictional Features The applicant shall mitigate these impacts at an approved ratio and shall obtain required permits to impact the jurisdictional ephemeral stream from the relevant regulatory agencies, including the USACOE, CDFW, and RWQCB, as applicable. These permits will include conditions and Best Management Practices (BMPs) that the quarry shall implement during construction. These permits may also specify mitigation, which the quarry shall provide as specified by the agencies. All terms of the permits shall be implemented as a condition of the project. If permits require mitigation at a higher ratio than 1:1, that requirement will be met.</p>	LTS
Impact 4.3-4: Have an Adverse Effect on Protected Wetlands	PS	Mitigation Measures: Implement Mitigation Measure 4.3-3 (see Impact 4.3-3)	LTS
Impact 4.3-5: Interfere with Native Resident or Migratory Fish or Wildlife Species Movement, Corridors, or Nursery Sites	PS	Mitigation Measures: Implement Mitigation Measures 4.3-1b, 4.3-1d, 4.3-1e, 4.3-1f, 4.3-1g, 4.3-1h, 4.3-1j, 4.3-1k, and 4.3-1l (see Impact 4.3-1).	LTS
Impact 4.3-6: Conflict with Local Policies or Ordinances Protecting Biological Resources	S	<p>Mitigation Measure 4.3-6a: Tree Avoidance The project reclamation plan shall avoid as many protected trees as feasible. The project plan shall incorporate placement of tree protection fencing outside of the avoided trees' drip line, which shall be determined by the diameter of each tree trunk in inches at breast height and multiplied by 12. Preserved trees on the project site shall be avoided during construction by following best management practices as outlined in the following measures.</p>	LTS

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		<p>Mitigation Measure 4.3-6b: Tree Maintenance During Construction, Root Zones Tree roots often extend far beyond the canopy drip line, which shall be determined by the diameter of each tree trunk in inches at breast height and multiplied by 12. Excavation work within the drip line of avoided trees shall not be allowed.</p> <p>Mitigation Measure 4.3-6c: Tree Protection Fencing Prior to the start of fill disposal, Tree Protection Fencing (TPF) shall be installed. The TPF shall be maintained during the entire fill disposal process to prevent direct damage to trees and their growing environment. The TPF shall consist of blaze orange barrier fencing supported by metal “Trail” fence posts, unless wildlife exclusion fencing is in place. The TPF shall be placed at a distance that is at or outside of the drip lines, which shall be determined by the diameter of each tree trunk in inches at breast height and multiplied by 12, of avoided trees. The TPF shall be installed as part of the site preparation before fill disposal or tree removal/trimming begins and shall be installed under the supervision of a qualified arborist. The TPF shall not be altered in any way that would increase the encroachment on the avoided trees during fill activities.</p> <p>Mitigation Measure 4.3-6d: Use of Heavy Equipment Heavy machinery shall not be allowed to operate (excavation, grading, drainage and leveling) or park within the drip line, which shall be determined by the diameter of each tree trunk in inches at breast height and multiplied by 12, of avoided trees unless approved by a qualified arborist.</p> <p>Mitigation Measure 4.3-6e: Storage of Construction Materials and Debris Fill materials shall not be placed against the trunks of avoided trees. Disposal or depositing of oil, gasoline, chemicals or other harmful materials within the drip line, which shall be determined by the diameter of each tree trunk in inches at breast height and multiplied by 12, is prohibited.</p> <p>Mitigation Measure 4.3-6f: Incidental Damage to Protected Trees The attachment of wires, signs, and ropes to any protected tree is strictly prohibited. Workers may be allowed to rest under trees, but they must not injure trees by any means. The County shall be notified if any damage occurs</p>	

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		<p>to a retained tree during fill disposal so that proper treatment may be administered.</p> <p>Mitigation Measure 4.3-6g: Trimming All pruning of protected trees shall be performed by a licensed contractor familiar with International Society of Arboriculture pruning guidelines and shall comply with the guidelines established by the International Society of Arboriculture, Best Management Practices, Tree Pruning, and any special conditions as determined by a certified arborist or the County's Director. A certified arborist shall coordinate all activities involving protected trees near the construction zone that are not permitted for removal.</p> <p>Mitigation Measure 4.3-6h: Tree Planting Monitoring and Establishment Tree planting shall be monitored according to the methods outlined in Section 2.9.6 of the Reclamation Plan for successful establishment of installed trees. Establishment will be considered successful if 50 percent of the number of plantings required by the County have become established with no significant intervention for at least two years.</p> <p>Mitigation Measure 4.3-6i: Oak Tree Plan The operator of the Clayton Quarry shall consult with an arborist to develop a plan that identifies where oak trees can be planted within the project site upon the completion of mining without substantially exacerbating wildfire risk on the site. The oak tree plan shall be provided to the Contra Costa County Fire Protection District and to the Planning Division for review and comment, to confirm that the additional oaks would not substantially exacerbate wildfire risk by connecting the two very high fire hazard severity zones on the project site. Oak trees shall be planted on the site during final reclamation activities as indicated in the final oak tree plan. Tree planting shall be monitored according to the methods outlined in Section 2.9.6 of the Reclamation Plan for the successful establishment of installed trees. The monitoring shall verify that the following performance standard is met: the planted trees must be healthy and must survive three years without intervention to be considered established. If the survival rate is less than 80 percent after three years, the trees that did not survive shall be replaced. The verification monitoring shall continue until the 80 percent survival rate of the</p>	

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		trees planted under the oak tree plan has been achieved for three consecutive years.	
Impact 4.3-7: Conflict with Provisions of an Adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other Local or Regional Plan Protecting Biological Resources	LTS	None required.	LTS
GEOLOGY AND SOILS			
Impact 4.4-1: Exposure of People or Structures to Potential Substantial Adverse Effects, Including the Risk of Loss, Injury, or Death, as a Result of Rupture of a Known Fault	LTS	None required.	LTS
Impact 4.4-2: Exposure of People or Structures to Potential Substantial Adverse Effects, Including the Risk of Loss, Injury, or Death, as a Result of Strong Seismic Ground Shaking	LTS	None required.	LTS
Impact 4.4-3: Exposure of People or Structures to Potential Substantial Adverse Effects, as Result of Seismically-Induced Liquefaction, Lateral Spreading, and Settlement	LTS	None required.	LTS
Impact 4.4-4: Exposure of People or Structures to Potential Substantial Adverse Effects, Including the Risk of Loss, Injury, or Death, as a Result of Rockfalls and Landslides within the Quarry	PS	Mitigation Measure 4.4-4: Slope Stability Monitoring The operator of the Clayton Quarry (Operator) shall retain a County-approved qualified engineering geologist or geotechnical engineer experienced in evaluating the stability of slopes within the Knoxville formation at the diabase/Knoxville contact. These slopes shall be inspected every 5 years, or at an alternative frequency, if recommended by the engineering geologist or geotechnical engineer and approved by the County. The results of the inspection and any recommendations by the engineering geologist or geotechnical engineer shall be documented and submitted to the County within 30 days following the inspection. The report shall be accompanied with the Board of Supervisor's approved fee for review by the County Geologist. Inspections shall summarize the rock types observed, provide detailed rock mass descriptions and measured discontinuity orientations, observed seepage conditions, and compare the observed conditions relative to those identified in the project geotechnical evaluation completed for the revised reclamation plan by Golder Associates Inc. [Golder] in 2017 ("Geotechnical Evaluations for Revised Reclamation Plan,	LTS

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		Clayton Quarry, Clayton, California"). The geotechnical evaluation shall be appended to the Mitigation Monitoring and Reporting Program and shall be incorporated into the conditions of approval for the project. If the conditions vary from the geotechnical evaluation document characterization, the engineering geologist or geotechnical engineer shall evaluate whether the changes have an adverse impact on slope stability, and, if so, provide feasible recommendations to mitigate the slope stability concerns to achieve a minimum static factor of safety of 1.3 and a pseudo-static factor of safety greater than 1.0. Recommendations shall be implemented within 6 months by the Operator, if feasible, otherwise as soon as practicable thereafter, upon approval by the County.	
Impact 4.4-5: Exposure of People or Structures to Potential Substantial Adverse Effects, Including the Risk of Loss, Injury, or Death, as a Result of Landslides within the Overburden Fill Areas	LTS	None required.	LTS
Impact 4.4-6: Exposure of People or Structures to Potential Substantial Adverse Effects, Including the Risk of Loss, Injury, or Death, as a Result of Landslides within the Plant Site Area	LTS	None required.	LTS
Impact 4.4-7: Result in Substantial Soil Erosion or the Loss of Topsoil	PS	Mitigation Measures: Implement Mitigation Measure 4.6-4a and 4.6-4b (see Impact 4.6-4).	LTS
Impact 4.4-8: Be Located on a Geologic Unit or Soil That Is Unstable, or That Would Become Unstable as a Result of the Project and Potentially Result in On- or Off-Site Landslide, Lateral Spreading, Subsidence, Liquefaction or Collapse	PS	Mitigation Measures: Implement Mitigation Measure 4.4-4 (see Impact 4.4-4).	LTS
Impact 4.4-9: Be Located on Expansive Soil, as Defined in Table 18-1-B of the Uniform Building Code (1994), Creating Substantial Risks to Life or Property	LTS	None required.	LTS
Impact 4.4-10: Directly or indirectly Destroy a Unique Geological Feature	NI	None required.	NI
Impact 4.4-11: Directly or indirectly Destroy a Unique Paleontological Resource	PS	Mitigation Measure 4.4-11: Paleontological Resources The operator of the Clayton Quarry (Operator) shall inform its employees and contractors involved in ground disturbing activities associated with reclamation of the sensitivity of the project area for paleontological resources	LTS

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		<p>and shall include the following directive in employee and contractor training materials:</p> <p>“The subsurface of the quarry may be sensitive for paleontological resources in the Knoxville formation (the east side of the quarry pit) and in the alluvium (east side of the Clayton Quarry property). If paleontological resources are encountered during subsurface disturbance, all ground disturbing activities within 100 feet of the find shall be redirected and a qualified paleontologist contacted to assess the situation, consult with agencies as appropriate, and make recommendations for the treatment of the discovery. Employees and contractors shall not collect or move any paleontological materials. Paleontological resources include fossil plants and animals, and such trace fossil evidence of past life as animal tracks. Employee/contractor acknowledges and understands that excavation or removal of paleontological material is prohibited by law and constitutes a misdemeanor under California Public Resources Code, Section 5097.5.”</p> <p>A copy of the training materials and documentation of completed training shall be provided to the County for review upon request.</p> <p>If a paleontological resource is encountered during implementation of the revised reclamation plan, the Operator shall notify the County and all activity within 100 feet of the find shall halt until it can be evaluated by a qualified paleontologist. The paleontologist shall evaluate the resource and determine its significance. If significant, the paleontologist shall notify the County and the Operator, in consultation with the County and the paleontologist, shall prepare a treatment plan such that the fossil would be recovered and scientific information preserved. The paleontologist shall implement the treatment plan in consultation with the County and Operator prior to allowing work in the 100-foot radius to resume.</p>	
GREENHOUSE GAS EMISSIONS			
Impact 4.5-1: Gas Emissions Generated By Reclamation Activities Could Have a Significant Impact on Global Climate Change	PS	<p>Mitigation Measure 4.5-1a: Idling Times</p> <p>Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure CCR Title 13, Section 2485). Clear</p>	LTS

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		<p>signage shall be provided for construction workers at all access points. [Measure applies to idling times for all equipment other than diesel-powered equipment].</p> <p>Mitigation Measure 4.5-1b: Idling Times for Diesel-powered Equipment Minimize the idling time of diesel-powered construction equipment to two minutes. [Measure applies to idling times for diesel-powered equipment only].</p> <p>Mitigation Measure 4.5-1c: Equipment Maintenance All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications.</p> <p>Mitigation Measure 4.5-1d: Alternative Fuel Plan Prior to construction, develop a plan demonstrating that alternative fueled (e.g., biodiesel, electric) construction vehicles/equipment will represent at least 15 percent of the construction fleet if commercially available.</p> <p>Mitigation Measure 4.5-1e: Local Building Materials Use at least 10 percent local building materials in construction (e.g., construction aggregates, concrete pipe).</p> <p>Mitigation Measure 4.5-1f: Recycle or Reuse Construction and Demolition Materials Recycle or reuse at least 50 percent of construction waste or demolition materials (e.g., during decommissioning and removal of processing plant facilities).</p> <p>Mitigation Measure 4.5-1g: Generator Alternative Fuel Use alternative fuels for generators at construction sites such as propane or solar, or use electrical power, as feasible for each construction site.</p>	
Impact 4.5-2: Consistency with Applicable GHG Plans, Policies, or Regulations.	LTS	None required.	LTS
HYDROLOGY AND WATER QUALITY			
Impact 4.6-1: Violate Water Quality Standards or Waste Discharge Requirements or Substantial Degradation of Surface Water or Groundwater Quality	PS	<p>Mitigation Measure 4.6-1a: Compliance with General Permit Requirements Compliance with requirements set forth in applicable NPDES and SWPPP. The operator of the Clayton Quarry (Operator) shall comply with the</p>	LTS

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		<p>requirements set forth in any applicable NPDES program or SWPPP requirements, including, but not limited to, submitting a Notice of Intent prior to the start of activities under the Construction General Permit, updating the existing SWPPP as required by the Industrial General Permit based on changes to site conditions, and implementing typical BMPs for the protection of water quality.</p> <p>Mitigation Measure 4.6-1b: RWQCB Discharge Approvals The operator of the Clayton Quarry (Operator) shall submit a Report of Waste Discharge to the San Francisco Regional Water Quality Control Board (RWQCB) prior to discharging any pit lake water. The report shall include information on the estimated characteristics of the quarry pit lake water quality as described in the “Quarry Lake Water Quality and Aquatic Life Criteria” Technical Memorandum, prepared by EMKO Environmental, Inc., July 2, 2021. The Operator shall implement any WDRs issued by the RWQCB in response to the Report of Waste Discharge. The Operator shall inform the County that a Report of Waste Discharge has been submitted, and shall provide the County with evidence of NPDES coverage and WDR compliance prior to any off-site discharge and at any time thereafter upon County request.</p> <p>Mitigation Measure 4.6-1c: Funding Mechanism Within 30-days after the effective date of this permit, the Operator shall submit for review and approval by the Director of Conservation and Development, or designee, (“Director”) a proposed funding mechanism (e.g., a bond) and cost basis to secure costs related to the required post-reclamation activities. The funding mechanism shall be in a form and an amount reasonably acceptable to the Director and shall be sufficient to cover costs associated with those post-reclamation activities described in Table 1 below, including the activities required by Mitigation Measure 4.6-7. The funding mechanism shall be held by the County, or held and managed by a third party approved by the Operator and County, as determined by the Director. On the fifth anniversary of this permit’s effective date, and at five-year intervals thereafter, the Operator shall submit an updated post-reclamation activity funding mechanism and cost basis to the Director for review and approval. The updated cost basis must be calculated to account for inflation and</p>	

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		<p>updated materials, construction, and maintenance costs, sufficient for the Director to determine whether the funded amount sufficiently secures anticipated costs related to the required post-reclamation activities. The Operator shall submit a Condition of Compliance review application (or equivalent) and associated deposit with each 5-year review to cover County time and material costs related to the Director’s review of the updated funding mechanism and cost basis.</p> <p style="text-align: center;">Table 1 Clayton Quarry Lake Drainage Post-Reclamation Inspection and Maintenance Activities</p> <table><tr><th>Item</th><th>Description</th><th>Implementation Timing</th></tr><tr><td colspan="3">Inspection Items</td></tr><tr><td>1</td><td>Quarry pit drainage outlet structure, including: a. Condition of concrete bulkhead (e.g., spalling, exposed reinforcing, cracks, joint openings) b. Condition of steel plate (e.g., abrasion, rust) c. Condition of debris screen (e.g., abrasion, rust, connection to steel plate)</td><td>Annual inspection</td></tr><tr><td>2</td><td>24-inch HDPE drainage pipe (culvert), including: a. Condition of pipe at inlet b. Condition of pipe at manholes (2) c. Condition of pipe connection at Mitchell Canyon Rd.</td><td>Annual inspection</td></tr></table>	Item	Description	Implementation Timing	Inspection Items			1	Quarry pit drainage outlet structure, including: a. Condition of concrete bulkhead (e.g., spalling, exposed reinforcing, cracks, joint openings) b. Condition of steel plate (e.g., abrasion, rust) c. Condition of debris screen (e.g., abrasion, rust, connection to steel plate)	Annual inspection	2	24-inch HDPE drainage pipe (culvert), including: a. Condition of pipe at inlet b. Condition of pipe at manholes (2) c. Condition of pipe connection at Mitchell Canyon Rd.	Annual inspection	
Item	Description	Implementation Timing													
Inspection Items															
1	Quarry pit drainage outlet structure, including: a. Condition of concrete bulkhead (e.g., spalling, exposed reinforcing, cracks, joint openings) b. Condition of steel plate (e.g., abrasion, rust) c. Condition of debris screen (e.g., abrasion, rust, connection to steel plate)	Annual inspection													
2	24-inch HDPE drainage pipe (culvert), including: a. Condition of pipe at inlet b. Condition of pipe at manholes (2) c. Condition of pipe connection at Mitchell Canyon Rd.	Annual inspection													

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		3	Rip-rap mound above drainage outlet (e.g., scour, undermining, washout, or other damage)	Annual inspection	
		4	Quarry lake perimeter fencing	Annual inspection	
		Maintenance Items			
		5	Repairs to quarry pit drainage outlet structure (e.g., concrete facing and reinforcement)	Deficiencies to be addressed prior to next inspection; immediate repair if structural integrity of drainage outlet is in jeopardy	
		6	Clean-out of 24-inch HDPE drainage pipe (culvert)	Deficiencies to be addressed prior to next inspection; clean out sediment and debris prior to onset of rainy season, if needed	
		7	Maintenance of rip-rap mound (e.g., clean-out of sediment and debris and replacement of rip- rap rock)	Deficiencies to be addressed prior to next inspection; clean out sediment and debris and re-establish rip-rap protection prior to onset of rainy season, if needed	
		8	Repair damaged quarry lake perimeter fencing	Deficiencies to be addressed prior to next inspection; repair wire mesh and barbed wire, if needed	
Impact 4.6-2: Substantially Decrease Groundwater Supplies or Interfere Substantially with Groundwater Recharge such that the Project May Impede Sustainable Groundwater Management of the Basin	LTS	None required.			LTS
Impact 4.6-3: Substantially Alter Drainage Patterns in a Manner Which Would Result in Erosion or Siltation Within Areas That Drain to the Northern Watershed	LTS	None required.			LTS

NI = No Impact; LTS = Less than Significant; PS = Potentially Significant; S = Significant; SU = Significant and Unavoidable

Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation ¹
<p>Impact 4.6-4: Substantially Alter Drainage Patterns in a manner which would result in Erosion or Siltation within the Quarry, Mitchell Creek, and Transitional Watershed Areas</p>	<p>PS</p>	<p>Mitigation Measure 4.6-4a: Incorporate Haul Road Erosion Control Measures Incorporate erosion control measures into the revised reclamation plan consistent with recommendations of the “Runoff from East Rim Access and Upper Quarry Haul Roads” Memorandum, prepared by EMKO Environmental, Inc., April 18, 2017. The memorandum shall be appended to the Mitigation Monitoring and Reporting Program and shall be incorporated into the conditions of approval for the project. Erosion control measures include, but are not limited to the installation of drainage controls such as cross slopes and rock-lined ditches along the portion of east rim haul road located in the Knoxville formation.</p> <p>Mitigation Measure 4.6-4b: Incorporate Quarry Pit and Overburden Fill Area Erosion Control Measures Incorporate erosion control measures into the revised reclamation plan consistent with recommendations of the “Geotechnical Evaluations for Revised Reclamation Plan, Clayton Quarry, Clayton, California” Report, prepared by Golder Associates, May 2017. The geotechnical evaluation shall be appended to the Mitigation Monitoring and Reporting Program and shall be incorporated into the conditions of approval for the project. These erosion control measures include, but are not limited to, the placement of rip-rap and vegetation along the quarry pit lake shore, as well as the following measures to be implemented within the overburden fill areas:</p> <ul style="list-style-type: none"> • 2.5H:1V or flatter slopes with wheel and track rolling compactive effort; • Slope heights under 50 feet vertical, unless interim benches are used for drainage control; • Use of “J-ditches” or functional equivalent where beneficial to direct drainage horizontally across fill areas to designated drainage channels; • Fill slopes revegetated with appropriate erosion control seed mix; and 	<p>LTS</p>

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Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation ¹
		<ul style="list-style-type: none"> Erosion control fabric, wattles and other BMPs implemented as needed to reduce erosion and improve stability of the surficial layer of soil. 	
Impact 4.6-5: Substantially Alter Drainage Patterns in a manner which would result in On-Site Flooding or Exceed the Capacity of the Existing Storm Drainage System	LTS	None required.	LTS
Impact 4.6-6: Substantially Alter Drainage Patterns in a manner which would result in Off-Site Flooding or Exceed the Capacity of the Existing Storm Drainage System	LTS	None required.	LTS
Impact 4.6-7: Substantially Alter Drainage Patterns in a manner which would result Uncontrolled Discharges from the Quarry Pit Lake and Thereby result in On- Or Off-Site Flooding or Exceed the Capacity of the Existing Storm Drainage System	PS	<p>Mitigation Measures: Implement Mitigation Measures 4.6-1c (see Impact 4.6-1).</p> <p>Mitigation Measure 4.6-7: Quarry Pit Lake Outlet Structure and Pipeline Maintenance</p> <p>Following the construction of the quarry pit lake outlet structure and drainage pipeline, the operator of the Clayton Quarry shall retain a qualified professional engineer approved by the County to conduct inspection and as-needed repair of the drainage pipeline annually, in the late summer/early fall, and after any earthquake in Contra Costa County that generates strong (modified Mercalli Intensity VI) or greater ground shaking. Reports documenting inspection findings and any repair completed shall be submitted to the County after each inspection.</p>	LTS
Impact 4.6-8: Substantially Alter Drainage Patterns in a Manner Which Would Impede or Redirect Flood Flows	NI	None required.	NI
Impact 4.6-9: Release of Pollutants in Flood Hazard, Tsunami, or Seiche Zones Due to Project Inundation	LTS	None required.	LTS
Impact 4.6-10: Conflict with or Obstruct Implementation of a Water Quality Control Plan or Sustainable Groundwater Management Plan	PS	Mitigation Measures: Implement Mitigation Measures 4.6-1a and 4.6-1b (see Impact 4.6-1).	LTS
LAND USE AND PLANNING			
Impact 4.7-1: Physically Divide an Established Community	NI	None required.	NI
Impact 4.7-2: Conflict with Land Use Plans, Policies, and Regulations	LTS	None required.	LTS

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Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation ¹
NOISE			
Impact 4.8-1: Generation of a Substantial Temporary or Permanent Increase in Ambient Noise Levels in the Vicinity of The Project Site in Excess of Standards Established in the Local General Plan or Noise Ordinance, or Applicable Standards of Other Agencies	PS	<p>Mitigation Measures: Implement Mitigation Measure 4.1-4 (see Impact 4.1-4).</p> <p>Mitigation Measure 4.8-1: Noise Reduction During Removal of Processing Plant and Support Structures</p> <p>To reduce potential construction-equipment reclamation-related noise impacts associated with the removal of processing plant and support structures on the project site, the following multi-part mitigation measure shall be implemented during the removal of the processing plant and support structures:</p> <ul style="list-style-type: none"> • The operator of the Clayton Quarry (Operator), employees, and the demolition contractor shall ensure that all internal combustion engine-driven equipment are equipped with mufflers that are in good condition and appropriate for the equipment. • The demolition contractor shall locate stationary noise-generating equipment as far as feasible from sensitive receptors. In addition, the construction contractor shall place such stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. • The demolition contractor shall locate, to the maximum extent practical, on-site equipment in staging areas to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site. • The demolition contractor shall prohibit unnecessary idling of internal combustion engines. • An on-site complaint and enforcement manager (manager) shall be available to respond to and track noise complaints. The telephone number of the manager shall be posted at the entrance to the quarry site. The manager shall be trained to use a sound level meter and should be available during all construction hours to respond to noise complaints. The manager shall be responsible for responding to any noise complaints regarding construction noise and for coordinating with the adjacent land uses. The manager will determine the cause of any complaints and coordinate with the demolition team to 	LTS

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Impact	Significance Before Mitigation	Mitigation Measures	Significance After Mitigation ¹
		<p>implement effective measures (considered technically and economically feasible, such as noise curtains, temporary sound walls, berms, etc.) to correct the problem. The complaints and noise reduction measures shall be documented and provided to the County upon request.</p> <ul style="list-style-type: none"> At least one week prior to commencement of the removal of the processing plant and supporting structures, the Operator shall prepare a notice that the demolition work will commence. The notice shall be posted at the site and mailed to all the owners and occupants of property within 300 feet of the exterior boundary of the project site as shown on the latest equalized assessment roll. The notice shall include the telephone number of the complaint and enforcement manager. A copy of the notice shall be mailed to Contra Costa County Department of Conservation and Development. This mitigation measure 4.8-1 only applies to reclamation activities, not to operational activities. 	
Impact 4.8-2: Generate Excessive Groundborne Vibration or Groundborne Noise from Reclamation Activities	LTS	None required.	LTS
OTHER CEQA TOPICS			
Impact 7-1: Substantially Degrade the Quality of the Environment, Reduce Habitat of a Fish or Wildlife Species, cause a Fish or Wildlife Population to Drop Below Self-Sustaining Levels, Threaten to Eliminate a Plant or Animal Community, Substantially Reduce the Number or Restrict the Range of a Rare or Endangered Plant or Animal or Eliminate Important Examples of the Major Periods of California History or Prehistory	PS	Mitigation Measures: Implement Mitigation Measures 4.3-1a, 4.3-1b, 4.3-1c, 4.3-1d, 4.3-1e, 4.3-1f, 4.3-1g, 4.3-1h, 4.3-1i, 4.3-1j, 4.3-1k, 4.3-1l, 4.3-3, 4.3-6a, 4.3-6b, 4.3-6c, 4.3-6d, 4.3-6e, 4.3-6f, 4.3-6g, 4.3-6h, and 4.3-6i (see Section 4.3), CUL-1, and CUL-2 (see Appendix A-4).	LTS
Impact 7-2: Impacts that are Individually Limited but Cumulatively Considerable	PS	Mitigation Measures: Implement Mitigation Measures 4.5-1a, 4.5-1b, 4.5-1c, 4.5-1d, 4.5-1e, 4.5-1f, and 4.5-1g	LTS
Impact 7-3: Environmental Effects which will Cause Substantial Adverse Effects on Human Beings	PS	Mitigation Measures: Implement Mitigation Measures 4.1-4, 4.4-4, 4.5-1a, 4.5-1b, 4.5-1c, 4.5-1d, 4.5-1e, 4.5-1f, 4.5-1g, 4.6-1a, 4.6-1b, 4.6-1c, 4.6-4a, 4.6-4b, 4.6-7, 4.8-1.	LTS

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**Department of
Conservation and
Development**

30 Muir Road
Martinez, CA 94553

Phone: 1-855-323-2626

**Contra
Costa
County**



John Kopchik
Director

Aruna Bhat
Deputy Director

Jason Crapo
Deputy Director

Maureen Toms
Deputy Director

Amalia Cunningham
Assistant Deputy Director

February 16, 2022

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT

State Clearinghouse #2020020323

County File #'s CDLP15-02030/31

Pursuant to the State of California Public Resources Code and the "Guidelines for Implementation of the California Environmental Quality Act of 1970" as amended to date, this is to advise you that the Community Development Division of the Department of Conservation and Development of Contra Costa County has prepared an Environmental Impact Report for the following project:

PROJECT TITLE: CEMEX Clayton Quarry Reclamation Plan Amendment

APPLICANT: CEMEX Construction Materials Pacific, LLC
Attn: Steve Grace, Ph. (831) 970-9559
2365 Iron Point Road, Suite 120
Folsom, CA 95630

LOCATION: The project site is located at 515 Mitchell Canyon Road, Clayton, CA 94517. This location is with unincorporated Contra Costa County. The project site and immediate unincorporated County lands are surrounded to the east by the Town of Clayton and City of Concord to the north. (Assessor Parcel No.: 122-020-013 and 122-020-007) (Zoning: A-2 General Agricultural District, A-2)

PROJECT DESCRIPTION:

The applicant is requesting approval of two land use permits (County File #'s LP15-2030 and 2031) for the purposes of amending its reclamation plan and corresponding operations, which includes the following components:

- Reclamation over an anticipated period of 47 years to a post-mining land use of open space;
- Reduction of the surface mining disturbance footprint relative to the existing reclamation plan that leaves the east rim of the quarry intact, providing visual buffer between the quarry and view sheds to the east;

- Permanent overburden fill areas;
- Final grading contours reflecting a maximum depth of excavation at elevation 110 feet above mean sea level (msl) with finish slope angles that achieve adequate factors of safety;
- A final drainage plan that provides for the quarry pit to slowly fill with stormwater following reclamation to form a quarry lake with a controlled outflow that conveys stormwater to natural drainage courses and man-made drainage facilities;
- Removal of facilities, structures and equipment associated with mining;
- Revegetation of the quarry east rim, overburden fill areas, and processing plant site to a combination of chaparral and grassland habitats that feature California native seed mixes;
- Elimination of requirements to backfill, grade, and compact the quarry floor and benches, given that the planned open space end use would provide for a future quarry lake;
- Clarification of pre-Surface Mining and Reclamation Act (SMARA) (1976) disturbance areas, including any areas disturbed outside the boundaries of the approved reclamation plan;
- Removal of 79 out of 123 existing trees, to be replaced with 400 foothill pine trees that would form a tree screen along the quarry east rim;
- Compliance with current State reclamation standards to be achieved during reclamation; and
- An exception request to Division 914 of the Contra Costa Code of Ordinances (Offsite Collect and Convey requirement).

In addition, and in response to stakeholder input, CEMX has incorporated into the project a new screening berm (between the existing processing plant site and residential communities to the north).

ENVIRONMENTAL EFFECTS OF THE PROJECT:

Pursuant to Article 9 of the California Environmental Quality Act (CEQA), the Draft EIR describes the proposed Project; identifies, analyzes, and evaluates the environmental impacts which may result from the proposed Project; and identifies measures to mitigate adverse environmental impacts. The mitigations identified in this document and designed for the proposed Project ensure that the Project will not cause a significant impact on the environment. The Draft EIR for the proposed Project identified potentially significant impacts in the environmental topics of aesthetics, air quality, biological resources, geology & soils, GHG emissions, hydrology/water quality, and noise. Environmental analysis determined that measures were available to mitigate potential adverse impacts to less-than-significant levels. As a result of the above, a Draft EIR has been prepared pursuant to Public Resources Code Section 21080(d) of the California Environmental Quality Act (CEQA) Guidelines.

WHERE TO REVIEW THE DRAFT EIR:

The Draft EIR can be viewed online at the following link: (<https://www.contracosta.ca.gov/7605/Major-Planning-Applications-Under-Consid>). Any sources of information referenced in the Draft EIR can be provided upon request by contacting the project planner.

PUBLIC COMMENT PERIOD:

Prior to adoption of the Draft EIR, the County will be accepting comments on the adequacy of the document during a 45-day public comment period; the Draft EIR may be certified at a future date in a public hearing following the public comment period. The period for accepting comments on the adequacy of the environmental document will begin on **Friday, February 18, 2022** and extends to **Monday, April 4, 2022, until 5:00 P.M.** Any comments should be in writing and submitted to the following address:

**Francisco Avila, Principal Planner
Community Development Division
Contra Costa County, Department of Conservation and Development 30
Muir Road, Martinez, CA 94553**

OR emailed to Francisco.Avila@dcd.cccounty.us

Sincerely,

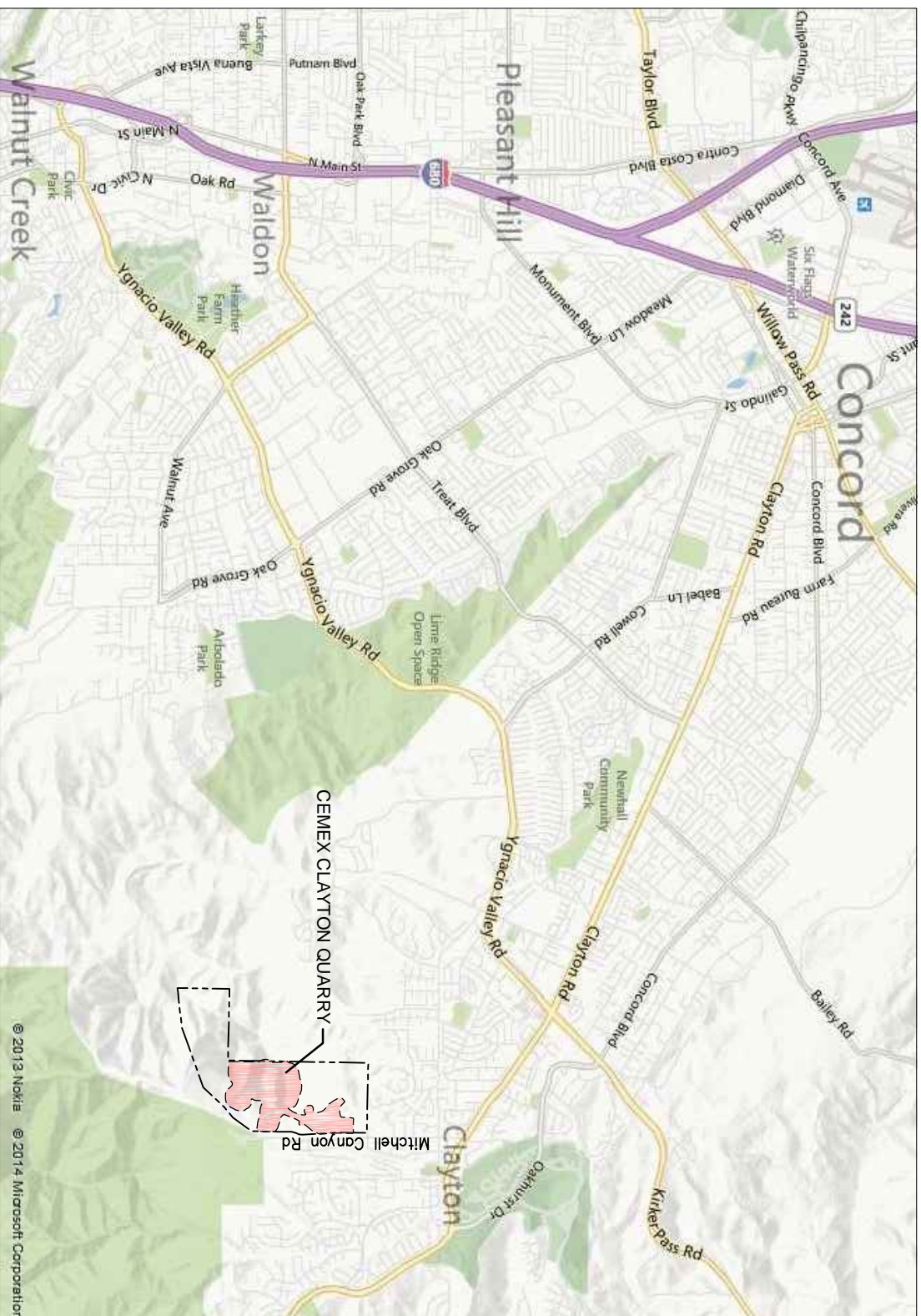
Francisco Avila

Francisco Avila
Principal Planner
(925)655-2866
Francisco.Avila@dcd.cccounty.us

cc: County Clerk's Office (2 copies)
Adjacent Occupants and Property Owners Notification
List

attach: Vicinity Map

DRAFT



LEGEND

- Property Boundary
- Quarry & Plant Site

Source: Nokia, Microsoft Corporation

VICINITY MAP

CEMEX CLAYTON QUARRY
CONTRA COSTA COUNTY, CA

MARCH 2017



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Proud Member of

Land Trust Alliance
California Council of Land Trusts
Bay Area Open Space Council



September 9th, 2022

Francisco Ávila
Senior Planner
Contra Costa County Department of Conservation & Development
30 Muir Rd
Martinez, CA 94553

Save Mount Diablo Letter of Support for CEMEX Clayton Quarry Reclamation Plan Amendment (LP15-2030/31)

Dear Mr. Ávila,

Save Mount Diablo (SMD) is a non-profit conservation organization founded in 1971 which acquires land, or interests in land, for conservation purposes and often for addition to parks on and around Mount Diablo. We also monitor land use planning which might affect protected lands. We build trails, restore habitat, and are involved in environmental education. In 1971, there was just one park on Mount Diablo totaling 6,778 acres; today there are almost 50 parks and preserves around Mount Diablo totaling 120,000 acres. We have a constituency of 14,000 donors, members, and weekly e-news readers.

We are writing in support of CEMEX's (Applicant) proposed Reclamation Plan Amendment LP15-2030/31 (Project), to be considered during the Contra Costa County (County) Planning Commission meeting on September 28th.

We have been involved in the proposed Project since 2015 by providing comments to the Applicant and County staff, meeting with the Applicant and stakeholders, leading walks of the area near the Project site within Mount Diablo State Park (State Park), touring the Project site and educating the public about the Project and its progress.

As a result of much dialogue and work between SMD and the Applicant, we applauded the [announcement](#) in February of this year that the Applicant will donate the 101-acre parcel (APN 122-010-016) of land it owns adjacent the State Park and the existing quarry footprint to the State of California so that it can become part of the State Park. It had been SMD's goal to see this important land protected. The parcel to be donated contains beautiful chaparral and oak trees within the canyon slopes of Mount Zion and lies adjacent to Mitchell Canyon. Many wildlife species can be spotted on the land including deer, birds, and protected species such as the Alameda whipsnake. A portion of the Black Point Trail, which has been popular with hiking enthusiasts at the State Park for decades, also runs through the property. All contribute to a high conservation value for the community.



The public benefit that will be realized through this land donation to the State Park and formalization of the popular Black Point Trail will provide a significant public benefit to the local community that will help offset ongoing dust and noise impacts related to the operation of the quarry. The Project will also yield drainage improvements related to runoff into Mitchell Creek. In addition, we note the benefits of reduced fuel consumption, greenhouse gas emissions and air pollution of having an aggregate source (the Applicant's quarry) located near where the aggregate will be used instead of hauling it over long distances. We also note that in April of this year the Department of Parks and Recreation (State Parks) stated that its concerns related to the Project have been addressed.

We appreciate the Applicant's partnership with us and look forward to working with the Applicant and State Parks to complete the donation process.

Regards,

Juan Pablo Galván Martínez
Senior Land Use Manager



CITY OF CLAYTON

COMMUNITY
DEVELOPMENT (925) 673-7340
ENGINEERING (925) 969-8181

6000 HERITAGE TRAIL • CLAYTON, CALIFORNIA 94517-1250
TELEPHONE (925) 673-7300 FAX (925) 672-4917

City Council
PETER CLOVEN, MAYOR
HOLLY TILLMAN, VICE MAYOR
JIM DIAZ, COUNCILMEMBER
JEFF WAN, COUNCILMEMBER
CARL "CW" WOLFE, COUNCILMEMBER

September 21, 2022

Mr. Kevin Van Buskirk
Chairman
Contra Costa County Planning Commission
30 Muir Road
Martinez, CA 94553

RE: Support CEMEX's Amended Reclamation Plan for Clayton Quarry

Dear Mr. Chairman and Planning Commissioners,

On behalf of the City of Clayton, I am writing in support of CEMEX's Clayton Quarry Reclamation Plan Amendment.

CEMEX's Clayton Quarry has been providing the Bay Area with a reliable source of construction aggregate for over 70 years. Having a local and affordable source of construction aggregate is an important consideration for businesses when they choose to expand or locate to Contra Costa County or when public agencies invest taxpayer dollars in public infrastructure. The demand for new construction in the Bay Area region is projected to grow, requiring over 2 billion tons of construction aggregate per year for the next 50 years. This demand should be supplied locally, as opposed to being trucked and shipped in from outside the region, including from other countries.

Transporting aggregate from distant sources results in increased construction costs, fuel consumption, greenhouse gas emissions, air pollution, traffic congestion and road maintenance. Transportation costs alone can increase 22 cents per ton for every additional mile traveled. As a consequence, these higher construction costs are passed on to businesses, homeowners and county taxpayers.

Perhaps most importantly, CEMEX's amended reclamation plan is far superior to the current plan. CEMEX is devoting considerable resources to wildlife and habitat protection, a future lake that could be utilized for combating wildfires and dedicating over 100 acres of undisturbed land into the Mt. Diablo State Park system, expanding pedestrian, equestrian and bicycle trail uses that will benefit their residential neighbors and regional visitors to the iconic Mt Diablo.

Do The Right Thing
Integrity - Responsibility - Inclusion - Courage - Kindness - Self-Discipline - Respect
Because It's The Right Thing To Do!

CEMEX has been an invaluable partner not only in providing the building material needed to grow the region's economy and the county's investments in public infrastructure, homes, hospitals, and schools but also in our communities supporting local businesses, charities, and schools.

Essentially, CEMEX has developed a constructive and thoughtful plan that serves the region's building, water, environmental and recreational needs, all the while being mindful of being a good corporate citizen and responsible neighbor.

Thank you for recognizing the benefits of having a quarry located in our community.

Sincerely,

Peter Cloven
Mayor, City of Clayton

CC: Contra Costa County Board of Supervisors
Francisco Avila, Community Development Division, Contra Costa County