

**EAST CONTRA COSTA
REGIONAL FEE AND FINANCING AUTHORITY**

Antioch – Brentwood – Contra Costa County – Oakley – Pittsburg

A JOINT EXERCISE OF POWERS AGENCY

255 Glacier Drive, Martinez, CA 94553

**AGENDA
Board of Directors**

**Thursday, June 13, 2024
6:30 p.m.**

**Tri-Delta Transit Meeting Room
801 Wilbur Avenue
Antioch, California**

This is an in-person meeting of the Board of Directors with the option for members of the public to appear in person or to participate via Zoom teleconference. Persons who wish to address the Board during public comment or with respect to an item on the agenda may comment in person or may call in or log in to the meeting via Zoom.

To participate by phone, dial +1 669 444 9171 US.

The meeting ID is 959 0650 6548 Passcode: 143408

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Meeting ID: 959 0650 6548 Passcode: 143408

Public comments will generally be limited to two minutes. The Board Chair may reduce the amount of time allotted for each public comment at the beginning of each item or public comment period depending on the number of comments and the business of the day. Your patience is appreciated. A break may be called at the discretion of the Board Chair. At the discretion of the Board Chair, agenda items may be considered out of order.

To obtain a copy of a staff report or other written materials related to an open session item on the agenda, please contact Dale Dennis by email to Dale.Dennis@pw.cccounty.us, or by phone at (925) 595-4587.

Board of Directors:

Lamar Thorpe, City of Antioch – Chair
Joel Bryant, City of Brentwood – Vice Chair
Aaron Meadows, City of Oakley
Shanelle Scales-Preston, City of Pittsburg
Diane Burgis, Contra Costa County

Authority Staff Office:

Contra Costa County
255 Glacier Drive
Martinez, CA 94553
(925) 313-2000

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255 Glacier Drive, Martinez, CA 94553

**Agenda
June 13, 2024**

1. Call to Order
2. Public Comment
3. Public Hearing
 - A. **HEARING** to consider adopting Resolution No. 2024/01, approving a nexus study to update the regional transportation demand impact mitigation fee program to add 18 new projects to the ECCRFFA fee program, recommending ECCRFFA member agencies approved a Fifth Amendment to the ECCRFFA Joint Exercise of Powers Agreement and updates to their fee ordinances, and taking related actions, with no change to current RTDIM fees.
4. Consent Items
 - A. **APPROVE** minutes of the April 11, 2024, meeting (May 2024 meeting cancelled).
 - B. **APPROVE** FY 2023/24 End of the Year Budget.
 - C. **APPROVE** FY 2024/25 Budget.
 - D. **APPROVE** an amendment to the Consulting Services Agreement between the Authority and PDM Group Inc., to increase the payment limit by \$194,688, to a new payment limit of \$2,255,391, and to extend the termination date from June 30, 2024, to a new termination date of June 30, 2025, for continued Program Manager services, and **AUTHORIZE** the Secretary, or designee, to execute the amendment on behalf of the Authority.
 - E. **APPROVE** an amendment to the Consulting Services Agreement between the Authority and Fehr and Peers, to increase the payment limit by \$40,000, from \$290,500, to a new payment limit of \$330,500, and to extend the termination date from June 30, 2024, to a new termination date of June 30, 2025, to prepare the nexus study and provide technical support (no attachment).

Board of Directors:

Lamar Thorpe, City of Antioch – Chair
Joel Bryant, City of Brentwood – Vice Chair
Aaron Meadows, City of Oakley
Shanelle Scales-Preston, City of Pittsburg
Diane Burgis, Contra Costa County

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- F. **APPROVE** an amendment to the Consulting Services Agreement between the Authority and L. Lucy Owens, to increase the payment limit by \$72,000, from \$199,900, to a new payment limit of \$271,900, and to extend the termination date from June 30, 2024, to a new termination date of June 30, 2025, to provide right of way services and staff support to the Program Manager (no attachment).
- G. **APPROVE** Amendment to agreement with Anita Tucci-Smith. – Minute Taking Services for the Authority, to extend the termination date from June 30, 2024, to a new termination date of June 30, 2025, with no change in payment limit (no attachment).

5. Determination
6. Boardmember Comments
7. Adjournment

The Authority will provide reasonable accommodations for persons with disabilities planning to attend Board meetings who contact the Staff at least 24 hours before the meeting, at (925) 595-4587. Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the East Contra Costa Regional Fee and Financing Authority to a majority of members of the Board of Directors less than 72 hours prior to that meeting are available for public inspection at the meeting location and at 255 Glacier Drive, Martinez, CA during normal business hours. To obtain a copy of any such materials by email after the meeting, please contact Dale Dennis at Dale.Dennis@pw.cccounty.us.

Board of Directors:


Lamar Thorpe, City of Antioch – Chair
Joel Bryant, City of Brentwood – Vice Chair
Aaron Meadows, City of Oakley
Shanelle Scales-Preston, City of Pittsburg
Diane Burgis, Contra Costa County

Authority Staff Office:

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Martinez, CA 94553
(925) 313-2000

**EAST CONTRA COSTA
REGIONAL FEE AND FINANCING AUTHORITY**

DATE: June 13, 2024

TO: Board of Directors
FROM: Dale Dennis, Program Manager 
SUBJECT: East Contra Costa Regional Fee Program Update

Recommendation: Staff recommends the Board take the following actions:

1. **OPEN** the public hearing; **ACCEPT** testimony from the public; **CLOSE** Public Hearing.
2. Upon completion and closing of the public hearing, **ADOPT** Resolution No. 2024/01 (Staff Report Attachment 1) to: **MAKE** findings set forth in the resolution; **APPROVE** the May 2024 Draft East Contra Costa Regional Fee Program Update ("2024 Program Update") (Resolution Attachment A), that adds 18 new projects into the East Contra Costa Regional Fee and Financing Authority (ECCRFFA) Fee Program; **APPROVE** a Fifth Amendment to the Joint Exercise of Powers Agreement (JEPA) for ECCRFFA (Resolution Attachment B) to add the 18 new projects to the ECCRFFA project list, remove the existing project prioritization, and make other technical changes; **RECOMMEND** that each Member Agency consider and approve the Fifth Amendment to the JEPA for ECCRFFA, which will be effective upon the approval of all Member Agencies; **APPROVE** maintaining the RTDIM fee rates established in the 2005 East Contra Costa Regional Fee Program Update ("2005 Program Update"), subject to increases based on changes in the Construction Cost Index, in conjunction with the 15% rebate that was extended through December 31, 2025, at the ECCRFFA Board Meeting on December 14, 2023, and any future fee rebates approved by the Board; and **RECOMMEND** that each Member Agency amend its ECCRFFA fee ordinance or resolution to incorporate the new projects among ECCRFFA projects that will be funded with RTDIM fees.
3. **DIRECT** the Program Manager to work with the Member Agencies to take steps necessary to approve the Fifth Amendment to the JEPA for ECCRFFA and to amend fee ordinance or resolution to add the 18 new projects into the list of projects to be funded with RTDIM fee revenues, with no change to the RTDIM fee rates.
4. **ACKNOWLEDGE** the ECCRFFA Fee Program shortfall described in the 2024 Program Update.

ACTION OF BOARD ON _____

APPROVED AS RECOMMENDED ___ **OTHER**___

VOTE OF DIRECTORS

_____ **UNANIMOUS (ABSENT** _____)

AYES: _____ **NOES:** _____

ABSENT: _____ **ABSTAIN:** _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED _____

Secretary to the Authority

Discussion:

Background

The Authority first implemented a transportation development impact fee program in 1994. The fee was calculated to reflect new development's proportional share of the cost of various regional transportation improvements, such as the State Route (SR) 4 Bypass and the widening of SR 4 through Pittsburg and Antioch. The Authority conducted an update of the fee program in 2001 to help fund an expanded list of regional transportation improvements. In the summer of 2005, the Authority completed a comprehensive update of its Regional Transportation Development Impact Mitigation (RTDIM) Fee Program or ECCRFFA Fee Program. In June 2005, the ECCRFFA Board approved the East Contra Costa Regional Fee Program Update Final Report ("2005 Program Update") prepared by Fehr & Peers, and each of the five member jurisdictions adopted an updated set of fees pursuant to that report. In September 2020, the ECCRFFA Board approved the East Contra Costa Regional Fee Program Update Final Report ("2020 Program Update") prepared by Fehr & Peers that added the Sand Creek Road Extension to Deer Valley Road project into the ECCRFFA Program.

East Contra Costa Regional Fee Program Update

Since the current project list was defined in the 2005 nexus study and updated in 2020, the member agencies have conducted planning work and defined investment priorities to accommodate the ongoing population and employment growth that continues to occur in East County. The attached May 2024 Draft Final Report East Contra Costa Regional Fee Program Update ("2024 Program Update") evaluates the addition of 18 projects into the ECCRFFA Program that have been provided by the member agencies as being recommended through recent East County planning processes, and to determine new development's proportional share of the cost of these additional projects.

Regional Transportation Development Impact Mitigation (RTDIM) Fee Rates

The 2024 Program Update (nexus report) is a technical document that determines the maximum potential RTDIM fees that could be assessed, whereas the actual RTDIM fees are established as the result of a policy decision by the Board. The maximum potential RTDIM fee rates that could be assessed are shown in Table 1 below, and the current RTDIM fee rates are shown in Table 2 below (including the current 15% rebate).

Staff is recommending the Board adopt Resolution 2024/01, which, with respect to RTDIM fee rates, would approve maintaining the RTDIM fee rates established in the 2005 Program Update, in conjunction with the 15% rebate that was extended through December 31, 2025, at the ECCRFFA Board Meeting on December 14, 2023, and any future fee rebates approved by the Board.

Table 1: New Maximum ECCRFFA RTDIM Fees

Land Use Category	New Maximum Fee
Single-Family Residential (dwelling unit)	\$55,406
Multi-Family Residential (dwelling unit)	\$30,061
Commercial (square foot)	\$69.10
Office (square foot)	\$112.60
Industrial (square foot)	\$54.20
Other (per peak hour trip)	\$55,406

Table 2: Current ECCRFFA RTDIM Fees

Land Use Category	Effective January 1, 2024	ECCRFFA Fee Rebate	RTDIM Fees Less ECCRFFA Fee Rebate
Single-Family Residential (dwelling unit)	\$28,313	15%	\$24,066
Multi-Family Residential (dwelling unit)	\$17,380	15%	\$14,773
Commercial (square foot)	\$2.35		\$2.35
Office (square foot)	\$2.04		\$2.04
Industrial (square foot)	\$2.04		\$2.04
Other (per peak hour trip)	\$28,313		\$28,313

Staff Recommendations and Hearing Procedures

Staff recommends that the Board take each of the actions listed in the Recommendation section, above. The findings the Board is asked to make are required by the Mitigation Fee Act, including new requirements in Government Code section 66016.5, which became effective January 1, 2023. Notice of the hearing was given at least 30 days prior to the hearing in accordance with Section 66016.5(a)(7). After the Board approves this item, all Member Agencies will need to update their fee ordinances or resolutions and approve the Fifth Amendment to the ECCRFFA JEPAs before RTDIM fee revenue could be used to fund any of the 18 new projects being added into the fee program.

Attachment 1: Resolution 2024/01

ECCRFFA

Resolution No. 2024/01

RESOLUTION NO. 2024/01

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY
APPROVING THE MAY 2024 EAST CONTRA COSTA REGIONAL FEE
PROGRAM UPDATE REPORT TO ADD EIGHTEEN PROJECTS TO THE
ECCRFFA PROJECT LIST AND TAKING RELATED ACTIONS ALL WITHOUT
ANY CHANGE TO CURRENT REGIONAL TRANSPORTATION
DEVELOPMENT IMPACT MITIGATION FEE RATES

The Board of Directors of the East Contra Costa Regional Fee and Financing Authority hereby **FINDS** as follows:

1. Effective August 9, 1994, the Cities of Antioch, Brentwood, and Pittsburg, together with the County of Contra Costa, entered into an Agreement pursuant to California Government Code Section 6500 et seq., entitled “East Contra Costa Regional Fee and Financing Authority Joint Exercise of Powers Agreement” (referred to as the “Agreement”), which provided for the creation of a separate Joint Powers Agency (“ECCRFFA” or “Authority”), to assist in the establishment of a Uniform Regional Development Fee Program and the funding and implementation of transportation improvement projects in the East County area. The ECCRFFA area of jurisdiction is defined as “Region” in the Agreement. With the incorporation of the City of Oakley, effective July 1, 1999, the Parties amended the Agreement to add Oakley as an additional member of the Authority, pursuant to Sections 3C and 16 of the Agreement, effective October 4, 1999. The four (4) Cities listed above and the County are the “Member Agencies” of ECCRFFA.

2. In 2005, the ECCRFFA Board of Directors adopted Resolution No. 2005/06 to approve the May 2005 East Contra Costa Regional Fee Program Updated Report and recommended the adoption of Regional Transportation Development Impact Mitigation Fees (“RTDIM fees”). The findings and determinations in Resolution 2005/06 are incorporated into this resolution by reference. In 2020, the ECCRFFA Board of Directors adopted Resolution No. 2020/01 to approve the September 2020 East Contra Costa Regional Fee Program Update Report and recommended the adoption of a Fourth Amendment to the Agreement to add the Sand Creek Extension project to the ECCRFFA Fee Program Project List (“ECCRFFA Project List”). The findings and determinations in Resolution No. 2020/01 are incorporated into this resolution by reference. Subsequently, the Member Agencies executed a Fourth Amendment to the Agreement to formally add the Sand Creek Extension project, without making any changes to RTDIM fees.

3. Since Resolution No. 2005/06 was adopted, and following related RTDIM fee approvals by the individual Member Agencies, ECCRFFA’s RTDIM fees have remained unchanged. However, the RTDIM fees are subject to an

annual adjustment to reflect the percentage change in the ENR Construction Cost Index – San Francisco Bay area. The Board of Directors also has adopted a fee rebate program to encourage development, the last of which was approved in December 2023 and provides a 15% rebate through December 31, 2025.

4. Over the past approximately 18 years, a number of significant regional transportation projects on the ECCRFFA Project List have been completed using a combination of RTDIM fee revenues, Measure J funds, and other revenues. These projects include the following: 1) SR4 Freeway Widening; 2) SR4 Bypass – Segment 1; 3) SR4 Bypass – Segment 3, excluding Widen to 4 lanes, Marsh Creek Road and Vasco Road Interchanges; 4) Laurel Road Extension; and 5) the Sand Creek Road Extension project.

5. On March 11, 2021, September 8, 2022, and April 11, 2024, the ECCRFFA Board of Directors directed the Program Manager to engage Fehr & Peers to prepare a new comprehensive East Contra Costa Regional Fee Program Update (“Program Update”) that would add 18 new projects into the ECCRFFA Fee Program. As further described in the Fehr & Peers May 2024 East Contra Costa Regional Fee Program Update (“2024 Program Update”), the 18 new projects being added to the ECCRFFA Project List will mitigate the regional transportation impacts of new development within ECCRFFA’s jurisdiction through 2040. As more particularly described in the 2024 Program Update, these 18 new projects are regional transportation projects that are appropriate for incorporation into the ECCRFFA Fee Program.

6. The 2024 Program Update was prepared to determine the amount of the fees necessary to fund new development’s share of the estimated costs of each of the 18 new projects, and to support nexus findings necessary to incorporate those projects within the ECCRFFA Fee Program to enable the regional share of the cost of each project to be funded with future RTDIM fees. The 2024 Program Update establishes the regional share of the cost of each of the new projects, expressed as a percentage of the overall cost of the project.

7. The 2024 Program Update proposes a fair and equitable method for allocating a portion of the costs of the 18 new projects being added to the ECCRFFA Project List to new development within ECCRFFA’s jurisdiction. The cost of each project in the 2024 Program Update is reasonable. The total amount of revenue expected to be generated from RTDIM fees will not exceed the estimated cost of all projects attributable to new development within ECCRFFA’s jurisdiction. ECCRFFA and its Member Agencies will rely on sources other than RTDIM fee revenue to pay project costs not allocated to new development. Each of the projects evaluated in the 2024 Program Update is necessary and desirable within ECCRFFA’s jurisdiction.

8. Because each of the projects evaluated in the 2024 Program Update is in addition to, or a reconstruction or expansion of, existing

thoroughfares and bridge facilities, RTDIM fees may be imposed on new development projects within ECCRFFA's jurisdiction to fund those projects.

9. Pursuant to the Mitigation Fee Act, California Government Code Section 66000, et seq., a local agency is authorized to charge a fee to development applicants in connection with approval of a development project for the purpose of defraying all or a portion of the costs of public facilities related to the development project. Pursuant to Government Code section 66001, the Board of Directors further **FINDS**, as follows:

A. As determined and described in the 2024 Program Update, the purpose of ECCRFFA RTDIM fees is to fund new development's share of the estimated costs of regional transportation projects identified in the 2024 Program Update, which is expressed as a percentage of each project's cost, as more particularly described in the 2024 Program Update.

B. As determined and described in the 2024 Program Update, ECCRFFA RTDIM fee revenues will be used to fund new development's proportional share of the cost of each regional transportation project identified in the 2024 Program Update.

C. As determined and described in the 2024 Program Update, there is a reasonable relationship between the use of revenue generated by the RTDIM fees and the type of new development projects on which those fees shall be imposed.

D. As determined and described in the 2024 Program Update, there is a reasonable relationship between the need for each of the regional transportation projects listed in the 2024 Program Update and the types of new development within ECCRFFA's jurisdiction on which RTDIM fees shall be imposed.

E. As determined and described in the 2024 Program Update, there is a reasonable relationship between the amount of the RTDIM fees imposed on each type of new development within ECCRFFA's jurisdiction, and the cost of each of the regional transportation projects to be funded from RTDIM fee revenue.

10. The 2024 Program Update continues to recommend fees for single-family and multi-family housing development projects based on the number of dwelling units included in each development project. For the reasons more particularly described in the 2024 Program Update, pursuant to Government Code section 66016.5 the Board of Directors further **FINDS**, as follows:

A. Square footage is not an appropriate metric to calculate RTDIM fees imposed on single-family or multi-family residential projects within ECCRFFA's jurisdiction.

B. The alternative basis of calculating RTDIM fees based on the number of dwelling units in single-family and multi-family residential development projects bears a reasonable relationship between the amount of the RTDIM fee charged per dwelling unit and the burden (*i.e.*, transportation impacts) posed by or attributable to each dwelling unit within a single-family or multi-family residential development project.

C. Other policies adopted by ECCRFFA, including ECCRFFA's accessory dwelling unit policy, support smaller developments, or otherwise ensure that smaller developments are not charged disproportionate fees. Additionally, the 2024 Program Update explains the basis for each of the fees and establishes that smaller developments are not charged disproportionate fees because the RTDIM fees for single-family and multi-family residential units are proportional to the regional transportation impacts of each type of unit.

11. The purpose of the ECCRFFA Fee Program is to generate monies that will fund the projects on the ECCRFFA Project List. Each of the projects on the ECCRFFA Project List described in the 2024 Program Update, including each of the new 18 projects being added to the ECCRFFA Fee Program, will provide additional regional transportation capacity within ECCRFFA's jurisdiction. By incorporating 18 new projects into the ECCRFFA Fee Program, RTDIM fee revenues may be used to pay the regional share of each project, including administration, planning, environmental documentation, design, acquisition of right-of-way, and construction.

12. Pursuant to Government Code section 66016.5(a)(4), because the 2024 Program Update would support the increase of RTDIM fees, the Board of Directors has reviewed the assumptions of the 2005 and 2020 nexus studies supporting the current RTDIM fees and has evaluated the amount of fees collected, as more particularly described in Appendix A of the 2024 Program Update. Although the 2024 Program Update supports a fee increase, a fee increase is not proposed by the Board of Directors at this time.

13. The addition of the 18 new projects to the ECCRFFA Project List will increase the unfunded portion of ECCRFFA projects, as described in the 2024 Program Update

14. The adoption of this resolution is statutorily exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273(a)(4) of the CEQA Guidelines because the collection of RTDIM fees to fund ECCRFFA projects is necessary to maintain an acceptable level of service within

ECCRFFA's jurisdiction. Before any project is constructed, the lead agency for the project must comply with any applicable CEQA requirements. Nothing in this resolution compels ECCRFFA or any of its Member Agencies to make any future discretionary decision with respect to any of the projects on the ECCRFFA Project List.

15. At its June 13, 2024 meeting, the ECCRFFA Board of Directors held a public hearing, notice of which was given 30 days in advance pursuant to Government Code section 66016.5(a)(7), to consider approval of the 2024 Program Update. The ECCRFFA Board of Directors received and considered all verbal and written comments and testimony made before the close of the public hearing, and all presentations made by ECCRFFA staff and consultants.

NOW, THEREFORE, the Board of Directors of the East Contra Costa Regional Fee and Financing Authority resolves as follows:

1. Based on the findings and factual background set forth above, the Board of Directors **APPROVES** the Fehr & Peers May 2024 East Contra Costa Regional Fee Program Update (Attachment A) that describes all of the transportation projects in the ECCRFFA Fee Program and that adds 18 new transportation projects into the ECCRFFA Fee Program. The regional portion of each project described in the 2024 Program Update can be funded from RTDIM fees following the approval of an amendment to the Agreement to add the projects to the ECCRFFA Project List, and following Member Agencies' amendments of their fee ordinance or resolution.

2. The Board of Directors **APPROVES** the Fifth Amendment to the Joint Exercise of Powers Agreement for ECCRFFA (Attachment B) to add 18 new projects described in the 2024 Program Update to the ECCRFFA Project List.

3. The Board of Directors **RECOMMENDS** that each Member Agency consider and approve the Fifth Amendment, which will be effective upon the approval of all Member Agencies.

4. The Board of Directors **APPROVES** maintaining the RTDIM fee rates established in the 2005 East Contra Costa Regional Fee Program Update at their current levels, in conjunction with the 15% rebate that was extended through December 31, 2025, at the ECCRFFA Board Meeting on December 14, 2023, and any future fee rebates approved by the Board. The RTDIM fee rates established in 2005 will continue to be subject to an annual adjustment to reflect the percentage change in the ENR Construction Cost Index – San Francisco Bay area, as more particularly described in the Fifth Amendment to the Joint Exercise of Powers Agreement for ECCRFFA.

5. The Board of Directors **RECOMMENDS** that each Member Agency amend its ECCRFFA fee ordinance or resolution to incorporate the 18 new projects described in the 2024 Program Update that will be funded with RTDIM fees, with no change to the RTDIM Fees.

PASSED AND ADOPTED at a regular meeting of the Board of Directors held June 13, 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Attest: _____
Chair

Secretary to Board

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May 2024

Draft Final Report

East Contra Costa Regional Fee Program Update

Draft Final Report

East Contra Costa Regional Fee Program Update

Prepared for:
East Contra Costa Regional Fee &
Financing Authority

May 2024

1001-1655.03

FEHR  PEERS

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1. Introduction

Background

The East Contra Costa Regional Fee and Financing Authority (ECCRFFA or the Authority) is a regional planning agency charged with funding regional transportation improvement projects in eastern Contra Costa County with revenue from the Authority's regional transportation demand impact mitigation (RTDIM) fees. The Authority's jurisdiction includes the eastern portion of the County, including unincorporated areas and the Cities of Antioch, Brentwood, Oakley, and Pittsburg. The Authority's boundaries are shown in **Figure 1**.

The Authority first implemented a transportation development impact fee program in 1994. The fee was calculated to reflect new development's proportional share of the cost of various regional transportation improvements, such as the State Route (SR) 4 Bypass and the widening of SR 4 through Pittsburg and Antioch. The Authority conducted an update of the fee program in 2001 to help fund an expanded list of regional transportation improvements. In the summer of 2005, the Authority completed a comprehensive update of its RTDIM fee program. In June 2005, the ECCRFFA Board approved the *East Contra Costa Regional Fee Program Update Final Report* (the "2005 Report") prepared by Fehr & Peers, and each of the five member jurisdictions adopted an updated set of fees pursuant to that report.

Since that time, the fees have been adjusted annually to reflect changes in construction costs. Beginning in 2008-2009, a fee rebate program was established in response to the economic downturn. The fee rebate has been reduced over time, but the Authority has continued to implement a 15% fee rebate since January 1, 2017. Periodic program assessments have been completed and documented over the past several years to evaluate the progress of the program in funding and delivering projects on the project list. In 2020, the program was updated to include a project that would involve the extension of Sand Creek Road westward to a new intersection with Deer Valley Road in Antioch (documented in a report called *East Contra Costa Regional Fee Program Update Final Report* dated October 2020 and referred to here as the "2020 Report").

Purpose

Since the current project list was defined in the 2005 nexus study and updated in 2020, the member agencies have conducted planning work and defined investment priorities to accommodate the ongoing population and employment growth that continues to occur in East County. The purpose of this report is to evaluate the addition of 18 projects to the ECCRFFA program that have been provided by the member agencies as being recommended through recent East County planning processes, and to determine new development's proportional share of the cost of these additional projects.



Study Area

As shown on **Figure 1**, ECCRFFA's jurisdiction area includes certain unincorporated areas of eastern Contra Costa County, as well as the Cities of Antioch, Brentwood, Oakley, and Pittsburg.

Study Process

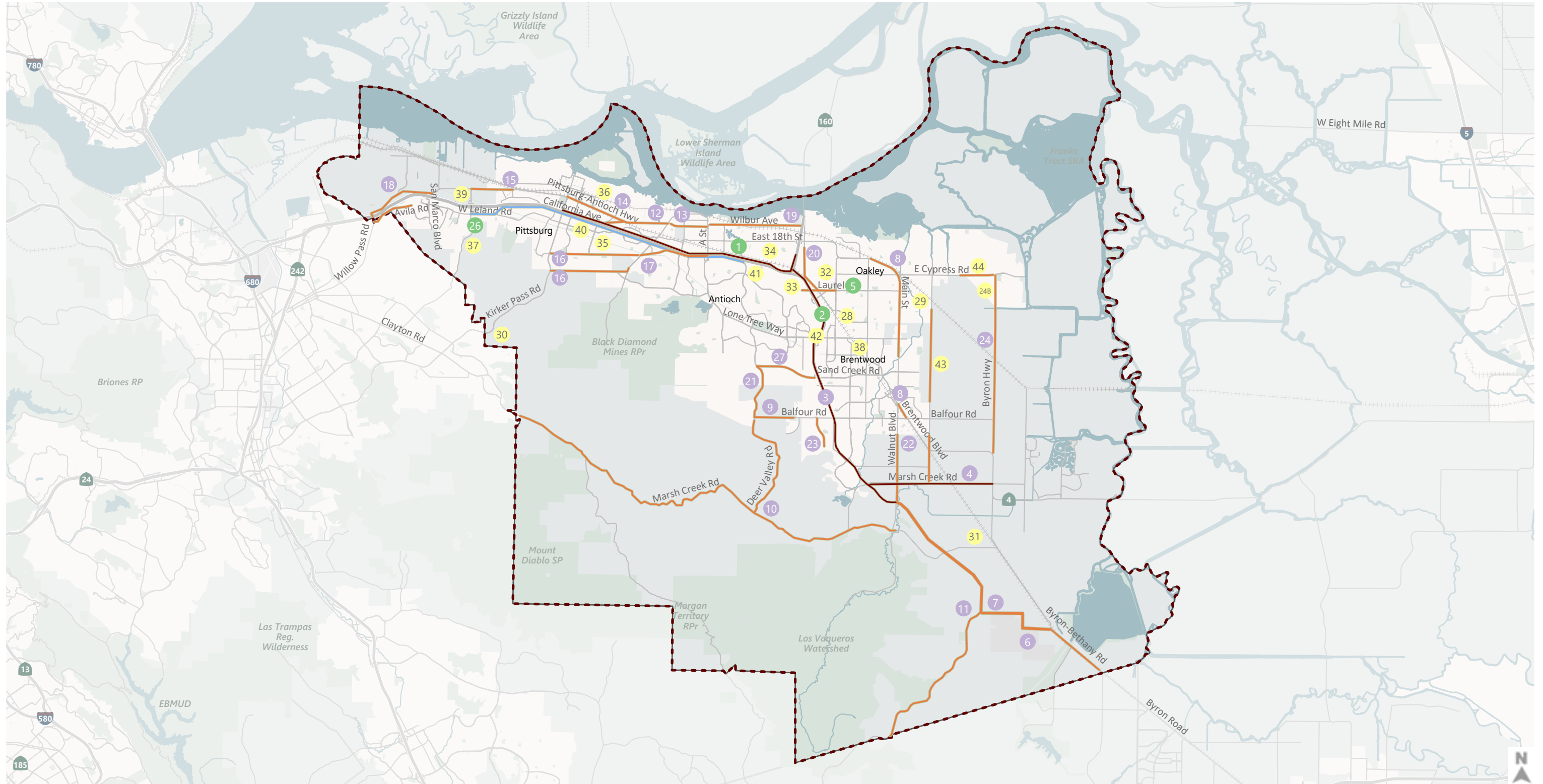
This study was developed under the direction of ECCRFFA staff and with input from staff from each of the member agencies. This study follows the same technical methods and procedures as were used in the 2005 and 2020 Reports. The intent is to maintain the existing structure of the ECCRFFA program; therefore, those prior reports remain the best source of detailed information about the nexus analysis for the existing program. The focus of this current analysis is to determine new development's proportional share of the cost of the proposed additional 18 projects, as well as to incorporate updated cost information regarding all the projects on the current ECCRFFA project list.

Organization of the Report

After this introductory section, the report contains four additional sections:

- *Section 2 – Program Information and Project List* describes the background of the fee program, the current fee amounts, and the list of projects proposed to be included in the program.
- *Section 3 – Growth Projections* documents the amount of growth anticipated in East County through the planning horizon that would be subject to the fee.
- *Section 4 – Nexus Analysis and Fee Calculations* describes the results of the nexus analysis for the new projects and calculates the fee amounts using the updated information presented in the report.
- *Section 5 – Summary of Required Program Elements* describes how the information in this report satisfies the requirements of the Mitigation Fee Act (AB 1600).





Other Projects Not Mapped (Location Not Defined)

- 25 East County Express Bus (Jurisdiction: Tri-Delta Transit)
- 42 Brentwood Intermodal: Co-sponsored, supported, and/or partially funded by CCTA. (Jurisdiction: Brentwood)

- Project Type**
- Freeway Improvements
 - Arterial Improvements
 - Regional Transit Improvements
 - East Contra Costa County Fee Boundary

- Project Type**
- Completed Project
 - Planned Project
 - Proposed Project



Figure 1

2. Program Information and Project List

The existing ECCRFFA program authorizes ECCRFFA’s member agencies to charge RTDIM fees on new development within ECCRFFA’s jurisdiction. The current schedule of ECCRFFA fees is shown in **Table 1**.

The existing ECCRFFA program generates RTDIM fee revenue that can be used to fund new development’s proportional share of any of the 27 transportation improvement projects listed in the 2020 Report. Those projects include freeway and regional transit improvements as well as projects along major arterial roadways that connect different parts of the East County region. See Figure 1 for a map of the project locations, and **Table 2** contains a description of each project along with its current status and estimated cost.

For those projects that have been completed, the cost shown on Table 2 reflects the actual cost of that project at completion. For projects yet to be completed, the cost shown on Table 2 reflects the estimated cost to complete the project. In many cases, these estimates were drawn from the 2020 Report and indexed to current dollars by applying an annual construction cost index, consistent with the process used to index the ECCRFFA fee amounts each year. In a few cases, the project sponsors were able to provide a more recent cost estimate, which was incorporated into Table 2.

Table 1: Current ECCRFFA Fees (as of January 2024)

Land Use Category	Unit	Fee per Unit	ECCRFFA Fee Rebate	Fee Less ECCRFFA Fee Rebate
Single-Family	DU	\$28,313	15%	\$24,066
Multi-Family	DU	\$17,380	15%	\$14,773
Commercial	Sq. Ft.	\$2.35		\$2.35
Office	Sq. Ft.	\$2.04		\$2.04
Industrial	Sq. Ft.	\$2.04		\$2.04
Other	Peak Hour Trip	\$28,313		\$28,313

Notes: DU = Dwelling Unit. For projects that do not fit in one of the general land use categories above, the fee is assessed on the basis of the number of peak hour vehicle trips estimated to be generated by that project.

Source: Contra Costa County.



Table 2: ECCRFFA Project List, Existing and Proposed

#	Project	Description/Project Limits	Sponsor	Total Cost (\$ Million)	Status
Existing Program, Freeway Improvements					
1	SR 4 Freeway widening	<i>Railroad Avenue to Loveridge Road, widen to 8 lanes</i>	<i>CCTA</i>	<i>\$ 101.0</i>	<i>Completed</i>
		<i>Loveridge interchange</i>	<i>CCTA</i>	<i>\$ 157.8</i>	<i>Completed</i>
		<i>Loveridge to Bypass (8 lanes to Hillcrest, 6 lanes to Bypass)</i>	<i>CCTA</i>	<i>\$ 374.7</i>	<i>Completed</i>
		<i>Hillcrest interchange expansion</i>	<i>CCTA</i>	<i>\$ 10.0</i>	<i>Completed</i>
2	SR 4 Bypass Segment 1	<i>Phase 1, 6 lanes to Laurel, interchanges at Laurel Rd and Lone Tree</i>	<i>Bypass Authority</i>	<i>\$ 113.7</i>	<i>Completed</i>
		<i>Phase 2, SR 160 interchange</i>	<i>Bypass Authority</i>	<i>\$ 50.1</i>	<i>Completed</i>
		<i>Laurel interchange, phase 2</i>	<i>Bypass Authority</i>	<i>\$ 1.0</i>	<i>Completed</i>
3	SR 4 Bypass Segment 2	<i>Phase 1, 2 lanes</i>	<i>Bypass Authority</i>	<i>\$ 33.3</i>	<i>Completed</i>
		<i>Phase 2, 4 lanes, Sand Creek Road to Balfour Road</i>	<i>Bypass Authority</i>	<i>\$ 16.0</i>	<i>Completed</i>
		<i>Widen to 6 lanes, Laurel Road to Sand Creek Road</i>	<i>Bypass Authority</i>	<i>\$ 39.9</i>	
		<i>Sand Creek interchange and 4 lanes, Laurel to Sand Creek</i>	<i>Bypass Authority</i>	<i>\$ 43.8</i>	<i>Completed</i>
4	SR 4 Bypass Segment 3	<i>Balfour to Marsh Creek (2 lanes) plus Marsh Creek east-west connector</i>	<i>Bypass Authority</i>	<i>\$ 77.8</i>	<i>Completed</i>
		<i>Marsh Creek to Vasco, 2 lanes</i>	<i>Bypass Authority</i>	<i>\$ 12.6</i>	<i>Completed</i>
		<i>Segment 3, widen to 4 lanes, and Balfour interchange Phase 2</i>	<i>Bypass Authority</i>	<i>\$ 81.1</i>	
		<i>Balfour interchange Phase 1</i>	<i>Bypass Authority</i>	<i>\$ 58.0</i>	<i>Completed</i>
		<i>Marsh Creek interchange</i>	<i>Bypass Authority</i>	<i>\$ 51.2</i>	
		<i>Vasco interchange</i>	<i>Bypass Authority</i>	<i>\$ 42.7</i>	
Existing Program, Arterial Improvements					
5	Laurel Road extension	<i>SR4 Bypass to Empire, 6 lanes</i>	<i>Bypass Authority</i>	<i>\$ 22.6</i>	<i>Completed</i>
6	SR 239/84 Connector	<i>Vasco Road – Byron Highway Connector¹</i>	<i>CCTA</i>	<i>\$ 161.0</i>	<i>Environmental Phase in Progress</i>
7	SR 239	<i>Corridor study and preliminary design (no construction costs)</i>	<i>CCTA</i>	<i>\$ 101.0</i>	<i>Environmental Phase in Progress</i>



Table 2: ECCRFFA Project List, Existing and Proposed

#	Project	Description/Project Limits	Sponsor	Total Cost (\$ Million)	Status
8	SR 4 (Main St or Brentwood Blvd) widening	Close gaps and create consistent four-lane arterial between Fifth Street and Delta Road in Oakley, and between Chestnut Street and Balfour Road in south Brentwood	Oakley, Brentwood	\$ 24.5	Partially Completed
9	Balfour Road widening	Deer Valley to Brentwood city limits, widen to 4 lanes	County	\$ 14.2	
10	Marsh Creek Road/Deer Valley Road Safety Enhancements	Marsh Creek: Walnut Boulevard to Clayton City Limits; Deer Valley: Balfour Road to Marsh Creek Road	County	\$ 29.3	
11	Route 84/Vasco Road	Widen to 4 lanes to County line	County	\$ 317.0	
12	Pittsburg-Antioch Highway	Widen to 4 lanes, Auto Center Drive to Loveridge	Antioch, Pittsburg	\$ 55.9	
13	Ninth and Tenth Streets	Couplet improvements, A St to L St	Antioch	\$ 9.6	
14	California Avenue	Widen to 4 lanes, Railroad to Loveridge	Pittsburg	\$ 6.6	Partially Completed
15	Willow Pass Road	Widen to 4 lanes, Range to Loftus and Bailey to city limits	Pittsburg, County	\$ 14.7	
16	James Donlon Blvd Extension (formerly Buchanan Bypass) or Buchanan Road Improvements	New 2- to 4-lane arterial, Somersville to Kirker Pass Road Improve traffic flow between Railroad Avenue and Somersville Road	Pittsburg	\$ 115.6	Design in Progress (for James Donlon Blvd Extension)
17	West Tregallas/Fitzuren	Widen to 4 lanes, Lone Tree to Buchanan	Antioch	\$ 53.3	
18	West Leland Road or Evora Road	Extend as a 4-lane arterial, Santa Teresa Drive to Avila Road ²	Pittsburg	\$ 33.4	
		Willow Pass Rd (BP) to Willow Pass Rd (Concord), widen to 4 lanes	County		
19	Wilbur Avenue	Widen to 4 lanes, Minaker Drive to SR 160	Antioch, County	\$ 42.7	
20	Neroly Road	Widen to 4 lanes, Oakley Rd to Laurel Rd	Oakley	\$ 10.6	
21	Deer Valley Road	Widen to 4 lanes, Sand Creek Road to Balfour Road	Antioch, County	\$ 31.2	
22	Walnut Boulevard	Widen to 4 lanes, Brentwood city limits to SR 4 Bypass	County	\$ 29.5	



Table 2: ECCRFFA Project List, Existing and Proposed

#	Project	Description/Project Limits	Sponsor	Total Cost (\$ Million)	Status
23	John Muir Parkway	<i>New Roadway between Balfour Road and Fairview Avenue</i>	<i>Brentwood</i>	\$ 17.7	<i>ECCRFFA commitment completed</i>
24	Byron Highway	Safety Improvements between Delta Road and SR 4	County	\$ 20.0	
27	Sand Creek Road	Extension of 4-lane roadway between SR 4 and Deer Valley Road	Antioch	\$ 38.2	
Existing Program, Regional Transit Projects					
25	East County Express Bus	Planning and design of regional rapid bus program	Tri-Delta Transit	\$ 9.1	
26	Commuter Rail	<i>eBART extension to Antioch</i>	<i>CCTA</i>	<i>\$ 513.0</i>	<i>Completed</i>
Proposed Projects for Updated Program					
24B	Byron Highway Extension	Extend road between Delta Road and Rock Slough Bridge	Oakley	\$ 26.6	
28	Empire Avenue Widening and Rail Crossing	Construct four-lane arterial and railroad overcrossing, between Wicklow Way and Neroly Road	Oakley	\$ 45.5	
29	Laurel Road Extension	Extend Laurel Road as a four-lane arterial from Teton Road to Sellers Avenue	Oakley	\$ 42.0	
30	Kirker Pass Road Truck Climbing Lane	Construct a southbound truck climbing lane along Kirker Pass Road	County	\$ 38.6	
31	Camino Diablo Safety Improvements	Safety improvements between Vasco Road and Byron Highway	County, CCTA	\$ 7.4	
32	Slatten Ranch Road Extension, South Segment	New 4-lane roadway from Wicklow Street to Wild Horse Road	Antioch	\$ 28.0	
33	Slatten Ranch Road Extension, North Segment	New 4-lane roadway from Wild Horse Road to existing terminus at the Antioch BART station	Antioch	\$ 17.3	
34	Viera Avenue Extension	New 2-lane roadway from Oakley Road to Slatten Ranch Road	Antioch	\$ 10.9	
35	Standard Oil Avenue	New 2-lane road from Delta Fair Boulevard to James Donlon Boulevard	Pittsburg	\$ 16.6	
36	Loveridge Road Improvements	Widened sidewalks and improved bicycle facilities between SR 4 and Pittsburg-Antioch Highway	Pittsburg	\$ 3.0	



Table 2: ECCRFFA Project List, Existing and Proposed

#	Project	Description/Project Limits	Sponsor	Total Cost (\$ Million)	Status
37	Bailey Road Improvements	Between Southern City Limits and West Leland Road, add turn lanes, sidewalks, and intersection upgrades	Pittsburg	\$ 62.1	
38	Lone Tree Way Rail Crossing	Union Pacific undercrossing widened from Fairview Avenue to Gann Street	Brentwood	\$ 32.8	
39	SR-4 Operational Improvement Project	Improve operations along SR 4 between 0.3 miles west of the SR 4/SR 242 interchange to the Bailey Road interchange.	CCTA	\$ 177.0	Environmental Phase in Progress
40	SR-4 Integrated Corridor Management	East County share (i.e., one-half the total cost) of Countywide SR-4 ICM development.	CCTA	\$ 10.0	Concept of Operations in Progress
41	High-Capacity Transit from Antioch BART to Brentwood	Express bus along SR 4 between Antioch and Brentwood	CCTA	\$ 14.1	
42	Brentwood Intermodal	Park and ride lot south of the Lone Tree Way/SR-4 interchange, adjacent to a future BART station	Brentwood	\$ 11.6	
43	Sellers Avenue Safety Improvements	Upgrade Sellers Avenue to current design standards between Delta Road and Chestnut Road, and between Main Canal and Marsh Creek Road	County	\$ 27.2	
44	East Cypress Rd Improvement	Construction of East Cypress Road as a 4-lane arterial on a new alignment between Jersey Island Rd and Bethel Island Rd, with the existing East Cypress Rd alignment preserved for local access	Oakley	\$20.0	
SUM				\$ 3,526.0	

Notes:

1. In the 2005 Report, the description of project #6 was "Armstrong Road Extension, 2 lanes (formerly Byron Airport Road). Since the 2005 Report was completed, further environmental and preliminary design work has been conducted on this project and the SR 239/84 Connector has now been named the "Vasco Road – Byron Highway Connector", so for clarity and to reflect current conditions that is the terminology that is now being used for Project #6.
2. In the 2005 Report, the description of project #18 was to "Extend West Leland Road from San Marco to Avila Road". Since the 2005 Report was completed, a portion of the West Leland Road extension has been constructed and West Leland now terminates at Santa Teresa Drive. Therefore, for clarity and to reflect current conditions, the description of project #18 is now shown as Extend West Leland from Santa Teresa Drive to Avila Road.

Source: ECCRFFA, CCTA, Contra Costa County, Cities of Antioch, Brentwood, Oakley, and Pittsburg.



3. Growth Projections

An important element of every fee calculation is the estimate of future growth in the fee area. As part of this update, the current land use files available from the Contra Costa Transportation Authority (CCTA) travel demand model were reviewed. These files contain projections of the amount of residential and employment growth that is anticipated to occur in East County. CCTA completed an update of the travel model and developed a new set of land use files that reflect the totals from the Association of Bay Area Governments (ABAG) Projections 2017 publication, which is the most current set of regional growth projections available for the CCTA travel model.

The first step in the process was to identify which of the model’s traffic analysis zones (TAZs) are within ECCRFFA’s jurisdiction. The ECCRFFA jurisdictional boundary was available as a GIS file and was overlaid with the CCTA TAZ structure to identify the TAZs that are located within ECCRFFA’s jurisdiction. For those TAZs that are only partially within ECCRFFA’s jurisdiction, the TAZ was included in the calculation only if more than 50% of the TAZ land area was within ECCRFFA’s jurisdiction.

The next step was to tabulate the total amount of households and employment in the ECCRFFA TAZs, as shown in **Table 3**. The year 2023 is used as the baseline and the year 2040 is the horizon year. The employment categories shown are those that have historically been used in prior nexus studies for the ECCRFFA program and are used here for consistency with the existing fee program. **Table 4** shows a summary of these growth projections for East County.

Table 3: Projected Land Use in East County

Jurisdiction	Year 2023 ¹					Year 2040				
	Employment			Residential Units		Employment			Residential Units	
	Service	Retail	Other	Single Family	Multi-family	Service	Retail	Other	Single Family	Multi-family
Antioch	6,285	8,135	8,431	28,534	7,791	7,587	9,923	10,280	31,808	10,425
Brentwood	2,271	2,949	3,239	16,236	1,981	2,901	3,321	3,833	20,037	2,555
Oakley	1,244	1,416	2,004	10,861	2,277	1,944	1,762	2,494	13,411	3,836
Pittsburg	4,490	4,650	7,563	15,230	7,717	5,952	5,660	8,129	18,953	11,557
Unincorporated East County	1,548	3,140	5,409	16,252	3,640	2,798	3,643	4,815	18,657	4,685
Total East County	15,838	20,290	26,646	87,113	23,406	21,182	24,309	29,551	102,866	33,058

¹2023 land use was derived by a linear interpolation between the 2020 and 2040 land use data provided by CCTA in March 2019. Note: Relationship between land use categories in the model and the fee program were assumed to be: Retail=Commercial; Service=Office; and Other=Industrial, Manufacturing, Agriculture and other land use categories included in the CCTA model. Source: ECCRFFA, CCTA, Fehr & Peers.



Table 4: East County Growth Projections Summary

Land Use Type	2023 Base Year	2040 Projection	Growth	Percentage Growth
Population	358,182	421,603	63,421	18%
Residential Units	110,519	135,924	25,405	23%
Employment	62,774	75,042	12,268	20%
Service Population ¹	420,956	496,645	75,689	18%

1: Service population is defined as the sum of residents and employees.
 Source: ECCRFFA, CCTA, Fehr & Peers

Dwelling Unit Equivalent Factors

It is common in many fee programs to convert the projected growth into a standard unit of measurement called the dwelling unit equivalent (DUE), in order to account for the fact that different types of development have different travel characteristics. The factors used to convert the future land use numbers into DUEs are shown in **Table 5**. These factors have been developed following the same structure established in the 2005 and 2020 Reports; the values in each column have been updated to reflect the most current data available. These DUE conversion factors involve the following elements: land use-specific PM peak hour trip rates from *ITE Trip Generation*, 11th Edition; estimates of the percent new trips from *SANDAG Brief Guide of Vehicular Traffic Generation Rates (2002)*; and average trip lengths from the 2012 California Household Travel Survey for census tracts within ECCRFFA’s jurisdiction.



Table 5: DUE Conversion Factors

Land Use Category	Unit	PM Peak Trip Rate ¹	% New Trips ²	Average Trip Length (miles) ³	PM Peak VMT per Unit ⁴	DUE per Unit ⁵
Housing						
Single Family ^a	Dwelling Unit	0.94	100	7.8	7.3	1.00
Multi-Family ^b	Dwelling Unit	0.51	100	7.8	4.0	0.54
Employment						
Commercial ^c	1,000 square feet	3.40	45	6.0	9.1	1.25
Office ^d	1,000 square feet	1.44	75	13.8	14.9	2.03
Industrial ^e	1,000 square feet	0.65	80	13.8	7.2	0.98

- The average PM peak hour (between 4 and 6 PM) trip rate was taken from the ITE *Trip Generation Manual*, 11th Edition, for the following land use codes:
 - Single Family Detached - Code 210
 - Multifamily Housing (Low Rise) - Code 220
 - Shopping Center - Code 820
 - General Office - Code 710
 - General Light Industrial - Code 110
- Taken from the SANDAG Brief Guide of Vehicular Traffic Generation Rates, April 2002.
- Average trip lengths for the East County area as derived from 2012 California Household Travel Survey Data. For single family and multifamily housing, used travel survey data for all home-based trip purposes. For commercial uses, used data for home-based shopping purpose. For office and industrial uses, used data for all work-related trips.
- Calculated as: PM Peak Trip Rate * % New Trips * Average Trip Length.
- DUE per Unit is calculated by normalizing the PM Peak VMT for each category such that the single-family residential category is assigned a DUE of 1.00. This is accomplished by dividing the PM Peak VMT for each category by the PM Peak VMT of the single-family residential category. So, for example, the DUE per Unit for the Multi-family category is calculated as $4.0 / 7.3 = 0.54$.

Source: ECCRFFA, Fehr & Peers.

Projected Growth in East County

Forecasted growth in East Contra Costa County is shown in **Table 6** in absolute numbers of new jobs and residential units, and then those numbers are converted to DUEs. The total number of new DUEs projected in the 17 years from 2023 to 2040 is 27,935. As a point of comparison, in the 2005 Report the amount of growth projected over the 20-year period from 2005 to 2025 was approximately 42,000 DUEs. This result is an indication that the East County area is moving closer to a build-out condition, as the amount of future growth begins to moderate.



Table 6: Forecasted Growth in East Contra Costa County (2023 to 2040)

Jurisdiction	Estimated Growth (2023 to 2040)					Estimated Growth in DUEs (2023 to 2040)					Total DUEs
	Employment			Residential Units		Employment DUEs			Residential DUEs		
	Retail	Service	Other	Single Family	Multi-family ⁴	Office ¹	Commercial ²	Industrial ³	Single Family	Multi-family ⁴	
Antioch	1,302	1,788	1,849	3,274	2,634	811	999	724	3,274	1,429	7,237
Brentwood	630	372	594	3,801	574	393	208	232	3,801	311	4,945
Oakley	700	346	490	2,550	1,559	436	193	192	2,550	846	4,217
Pittsburg	1,462	1,010	566	3,723	3,840	911	564	221	3,723	2,083	7,503
Unincorporated East County	1,250	503	0	2,405	1,045	779	281	0	2,405	567	4,032
Total East County	5,344	4,019	3,499	15,753	9,652	3,330	2,246	1,369	15,753	5,237	27,935

Relationship between land use categories in the model and the fee program were assumed to be: Retail=Commercial; Service=Office; and Other=Industrial, Manufacturing, Agriculture and other land use categories included in the CCTA model.

1. Office DUE conversion assumes 275 square feet per employee and a DUE per thousand square feet of 2.03. $DUE = EMP * 0.275 * 2.03$
2. Commercial DUE conversion assumes 500 square feet per employee and a DUE per thousand square feet of 1.25. $DUE = EMP * 0.500 * 1.25$
3. Industrial DUE conversion assumes 400 square feet per employee and a DUE per thousand square feet of 0.98. $DUE = EMP * 0.400 * 0.98$
4. The multifamily units were multiplied by a DUE of 0.54.

Source: ECCRFFA, Fehr & Peers.



4. Nexus Analysis and Fee Calculations

Existing Deficiencies

One of the key functions of a fee program is to charge fees to new development in order to fund new development's proportional share of transportation improvements needed to serve the demand and impacts generated by that new development. The purpose of an impact fee is not to correct existing deficiencies, which should be funded through other revenue sources. Therefore, in order to add the 18 proposed projects to the program, it is necessary to determine whether there are existing deficiencies in the roadway network that may be related to or affected by those proposed projects.

The *East County Action Plan for Routes of Regional Significance* report (the most recent version was prepared in 2023 and is available at https://ccta.net/wp-content/uploads/2023/03/Draft-East-County-Action-Plan_03-13-23.pdf) has been used to identify potential deficiencies across the facilities affected by the proposed new projects. This report designates routes of regional significance throughout East Contra Costa County and sets performance measures, or Regional Transportation Objectives (RTOs), for each one.

Of the 18 proposed additional projects, 13 are located on a roadway identified as a Route of Regional Significance. Based on the RTO values presented for each facility in the report, only one of these facilities, State Route 4 (SR-4), does not currently meet its RTO. More specifically, for the RTO called Buffer Index, which measures the variability in travel time, the target was set at 0.5 and the observed value for SR-4 in the eastbound direction during the PM peak was measured at 0.75, thus exceeding the target. Proposed projects #39 and #40 are located along SR-4, and an existing deficiency reduction of 50% was applied to these projects' cost before including them in the fee calculations.

Proportional Cost Allocation

As described previously, the purpose of this study is to evaluate the incorporation of the proposed 18 new projects into the ECCRFFA fee program. As such, the focus here is on defining the proportion of the costs of these projects that could be included in the program. No changes are being made to the cost proportions included in the program for any of the projects that are already part of the existing ECCRFFA fee program. **Table 7** includes the total cost of each project, as well as the portion of that cost that is considered eligible for inclusion in the fee program, sometimes referred to as the "nexus percentage".

Projects in Existing Program

For all of the projects currently in the existing ECCRFFA program, the nexus percentages have been taken directly from the 2005 and 2020 Reports. For most projects, the nexus percentage is 100% based on the conclusions from the 2005 Report. There are a few exceptions, as follows:



- Projects that address existing deficiencies (Project #16 Buchanan Bypass/James Donlon Blvd Extension): The cost share attributed to new traffic is included in the fee program. In the case of Project #16, that percentage was determined to be 68% in the 2005 Report.
- Projects that involve transit or safety enhancements (Project #10 Marsh Creek/Deer Valley Rd safety enhancements, #24 Byron Highway safety enhancements, #25 East County Express Bus): The cost share proportional to new development's share of total future population is included in the fee program. At the time of the 2005 Report, that value was 33%.
- Projects that are designed to serve both local access to adjacent development areas and regional travel demand (Project #27 Sand Creek Road extension): The Sand Creek Road extension would be a four-lane road that will serve as local access for the planned development areas in southern Antioch located on either side of Sand Creek Road, and would also fill a gap in east-west connectivity for regional travel needs between Antioch, Brentwood, and surrounding communities. The cost of constructing the project elements needed to serve local access are excluded from the fee program, and the remaining project costs that are regional in nature are included. In the case of Project #27, the regional project elements included the center median and one lane of travel in either direction, while the local portion included all other cost elements (one lane in either direction, retaining walls, landscaping, most grading and utilities); the regional percentage was determined to be 31% in the 2020 Report.

Proposed New Projects

For the proposed new projects, the nexus percentages have been determined based on similar considerations as were applied to the existing projects.

- Projects that address existing deficiencies (Project #39 SR-4 Operational Improvement Project, and #40 SR-4 Integrated Corridor Management): As described above, these projects have been identified as being located on a facility with an existing deficiency and have been assigned a percentage of 50%.
- Projects that involve transit or safety enhancements (Project #31 Camino Diablo safety improvements, #36 Loveridge Road improvements, #41 High-capacity Transit from Antioch to Brentwood, #42 Brentwood Intermodal, and #43 Sellers Avenue safety improvements): The cost share proportional to new development's share of total future population is included in the fee program. Because these projects are being newly added to the program, the share of total future population must be calculated based on current data about existing population and projections of future growth. Per the 2023-2040 growth projections shown in Table 4, that value is 18%.
- Projects that are designed to serve both local access to adjacent development areas and regional travel demand (Project #24B Byron Highway extension, #28 Empire Avenue widening and rail crossing, #29 Laurel Road extension, #32 Slatten Ranch Road extension (South segment), #33 Slatten Ranch Road extension (North segment), and #34 Viera Avenue extension): The projects listed here are similar to Project #27, Sand Creek Road extension, in that these projects propose to construct a four-lane roadway that will provide local access to adjacent planned development areas and would also serve regional travel between East County communities. The cost of



constructing the project elements needed to serve local access needs should be excluded from the fee program, and the remaining project costs that are regional in nature should be included. These projects do not have sufficiently detailed cost estimates to identify the precise costs of each element and separate them between local and regional components; however, the basic elements of these projects are anticipated to be very similar to the elements of Project #27, Sand Creek Road extension, in that the project elements that serve regional needs will include a center median and one lane of travel in either direction, while the project elements that serve local needs will be one travel lane in either direction, retaining walls, landscaping, most grading and utilities. Therefore, the regional nexus percentage of 31% determined in the 2020 Report for Project #27, Sand Creek Road extension, has been applied here.

- All other new projects (Project #30 Kirker Pass and South Hess Road, #35 Standard Oil Avenue, #37 Bailey Road, #38 Lone Tree Way, #44 East Cypress Road): The nexus percentage for these projects was determined by applying the CCTA travel demand model for the year 2040 and using a “select link” procedure to track the usage of each facility by travelers making regional trips in East County. A “regional” trip is defined as a trip that begins and/or ends within East County and that crosses at least one jurisdictional boundary. For instance, a trip between Oakley and Pittsburg, or a trip between Antioch and Walnut Creek, or a trip between Brentwood and Livermore, are all examples of “regional” trips. The percentage of regional trips is different for each of these five project locations but is always greater than 80%, which indicates that these facilities are primarily used for regional travel.

Table 7: Projects and Fee Contribution Amounts

#	Project	Description/ Project Limits	Sponsor	Total Cost (\$ Million)	% Eligible for Future Fee Contribution	Future Potential Fee Contribution (\$ million)
Existing Program, Freeway Improvements						
1	SR 4 Freeway widening	<i>Railroad Avenue to Loveridge Road, widen to 8 lanes</i>	<i>CCTA</i>	<i>\$ 101.0</i>		
		<i>Loveridge interchange</i>	<i>CCTA</i>	<i>\$ 157.8</i>		
		<i>Loveridge to Bypass (8 lanes to Hillcrest, 6 lanes to Bypass)</i>	<i>CCTA</i>	<i>\$ 374.7</i>		
		<i>Hillcrest interchange expansion</i>	<i>CCTA</i>	<i>\$ 10.0</i>		
2	SR 4 Bypass Segment 1	<i>Phase 1, 6 lanes to Laurel, interchanges at Laurel Rd and Lone Tree</i>	<i>Bypass Authority</i>	<i>\$ 113.7</i>		
		<i>Phase 2, SR 160 interchange</i>	<i>Bypass Authority</i>	<i>\$ 50.1</i>		
		<i>Laurel interchange, phase 2</i>	<i>Bypass Authority</i>	<i>\$ 1.0</i>		
3	SR 4 Bypass Segment 2	<i>Phase 1, 2 lanes</i>	<i>Bypass Authority</i>	<i>\$ 33.3</i>		



#	Project	Description/ Project Limits	Sponsor	Total Cost (\$ Million)	% Eligible for Future Fee Contribution	Future Potential Fee Contribution (\$ million)
		<i>Phase 2, 4 lanes, Sand Creek Road to Balfour Road</i>	<i>Bypass Authority</i>	\$ 16.0		
		Widen to 6 lanes, Laurel Road to Sand Creek Road	Bypass Authority	\$ 39.9	100%	\$ 39.9
		<i>Sand Creek interchange and 4 lanes, Laurel to Sand Creek</i>	<i>Bypass Authority</i>	\$ 43.8		
4	SR 4 Bypass Segment 3	<i>Balfour to Marsh Creek (2 lanes) plus Marsh Creek east-west connector</i>	<i>Bypass Authority</i>	\$ 77.8		
		<i>Marsh Creek to Vasco, 2 lanes</i>	<i>Bypass Authority</i>	\$ 12.6		
		Segment 3, widen to 4 lanes, and Balfour interchange Phase 2	Bypass Authority	\$ 81.1	100%	\$ 81.1
		<i>Balfour interchange Phase 1</i>	<i>Bypass Authority</i>	\$ 58.0		
		Marsh Creek interchange	Bypass Authority	\$ 51.2	100%	\$ 51.2
		Vasco interchange	Bypass Authority	\$ 42.7	100%	\$ 42.7
Existing Program, Arterial Improvements						
5	Laurel Road extension	<i>SR4 Bypass to Empire, 6 lanes</i>	<i>Bypass Authority</i>	\$ 22.6		
6	SR 239/84 Connector	Vasco Road – Byron Highway Connector	CCTA	\$ 161.0	100%	\$ 161.0
7	SR 239	Corridor study and preliminary design (no construction costs)	CCTA	\$ 101.0	100%	\$ 101.0
8	SR 4 (Main St or Brentwood Blvd) widening	Close gaps and create consistent four-lane arterial between Fifth Street and Delta Road in Oakley, and between Chestnut Street and Balfour Road in south Brentwood	Oakley, Brentwood	\$ 24.5	100%	\$ 24.5
9	Balfour Road widening	Deer Valley to Brentwood city limits, widen to 4 lanes	County	\$ 14.2	100%	\$ 14.2
10	Marsh Creek Road/Deer Valley Road Safety Enhancements	Marsh Creek: Walnut Boulevard to Clayton City Limits; Deer Valley: Balfour Road to Marsh Creek Road	County	\$ 29.3	33%	\$ 9.7



#	Project	Description/ Project Limits	Sponsor	Total Cost (\$ Million)	% Eligible for Future Fee Contribution	Future Potential Fee Contribution (\$ million)
11	Route 84/Vasco Road	Widen to 4 lanes to County line	County	\$ 317.0	100%	\$ 317.0
12	Pittsburg-Antioch Highway	Widen to 4 lanes, Auto Center Drive to Loveridge	Antioch, Pittsburg	\$ 55.9	100%	\$ 55.9
13	Ninth and Tenth Streets	Couplet improvements, A St to L St	Antioch	\$ 9.6	100%	\$ 9.6
14	California Avenue	Widen to 4 lanes, Railroad to Loveridge	Pittsburg	\$ 6.6	100%	\$ 6.6
15	Willow Pass Road	Widen to 4 lanes, Range to Loftus and Bailey to city limits	Pittsburg, County	\$ 14.7	100%	\$ 14.7
16	James Donlon Blvd Extension (formerly Buchanan Bypass) or Buchanan Road Improvements	New 2- to 4-lane arterial, Somersville to Kirker Pass Road Improve traffic flow between Railroad Avenue and Somersville Road	Pittsburg	\$ 115.6	68%	\$ 78.6
17	West Tregallas/Fitzuren	Widen to 4 lanes, Lone Tree to Buchanan	Antioch	\$ 53.3	100%	\$ 53.3
18	West Leland Road or Evora Road	Extend as a 4-lane arterial, Santa Teresa Drive to Avila Road Willow Pass Rd (BP) to Willow Pass Rd (Concord), widen to 4 lanes	Pittsburg County	\$ 33.4	100%	\$ 33.4
19	Wilbur Avenue	Widen to 4 lanes, Minaker Drive to SR 160	Antioch, County	\$ 42.7	100%	\$ 42.7
20	Neroly Road	Widen to 4 lanes, Oakley Rd to Laurel Rd	Oakley	\$ 10.6	100%	\$ 10.6
21	Deer Valley Road	Widen to 4 lanes, Sand Creek Road to Balfour Road	Antioch, County	\$ 31.2	100%	\$ 31.2
22	Walnut Boulevard	Widen to 4 lanes, Brentwood city limits to SR 4 Bypass	County	\$ 29.5	100%	\$ 29.5
23	John Muir Parkway	<i>New Roadway between Balfour Road and Fairview Avenue</i>	<i>Brentwood</i>	<i>\$ 17.7</i>		
24	Byron Highway	Safety Improvements between Delta Road and SR 4	County	\$ 20.0	33%	\$ 6.7
27	Sand Creek Road	Extension of 4-lane roadway between SR 4 and Deer Valley Road	Antioch	\$ 38.1	31%	\$ 11.8



#	Project	Description/ Project Limits	Sponsor	Total Cost (\$ Million)	% Eligible for Future Fee Contribution	Future Potential Fee Contribution (\$ million)
Existing Program, Regional Transit Projects						
25	East County Express Bus	Planning and design of regional rapid bus program	Tri-Delta Transit	\$ 9.1	33%	\$ 3.0
26	Commuter Rail	<i>eBART extension to Antioch</i>	CCTA	\$ 513.0		
Proposed Projects for Updated Program						
24B	Byron Highway Extension	Extend road between Delta Road and Rock Slough Bridge	Oakley	\$ 26.6	31%	\$ 8.3
28	Empire Avenue Widening and Rail Crossing	Construct four-lane arterial and railroad overcrossing, between Wicklow Way and Neroly Road	Oakley	\$ 45.5	31%	\$ 14.1
29	Laurel Road Extension	Extend Laurel Road as a four-lane arterial from Teton Road to Sellers Avenue	Oakley	\$ 42.0	31%	\$ 13.0
30	Kirker Pass Road Truck Climbing Lane	Construct a southbound truck climbing lane along Kirker Pass Road	County	\$ 38.6	96%	\$ 37.1
31	Camino Diablo Safety Improvements	Safety improvements between Vasco Road and Byron Highway	County, CCTA	\$ 7.4	18%	\$ 1.3
32	Slatten Ranch Road Extension, South Segment	New 4-lane roadway from Wicklow Street to Wild Horse Road	Antioch	\$ 28.0	31%	\$ 8.7
33	Slatten Ranch Road Extension, North Segment	New 4-lane roadway from Wild Horse Road to existing terminus at the Antioch BART station	Antioch	\$ 17.3	31%	\$ 5.4
34	Viera Avenue Extension	New 2-lane roadway from Oakley Road to Slatten Ranch Road	Antioch	\$ 10.9	31%	\$ 3.4
35	Standard Oil Avenue	New 2-lane road from Delta Fair Boulevard to James Donlon Boulevard	Pittsburg	\$ 16.6	100%	\$ 16.6
36	Loveridge Road Improvements	Widened sidewalks and improved bicycle facilities between SR 4 and Pittsburg-Antioch Highway	Pittsburg	\$ 3.0	18%	\$ 0.5
37	Bailey Road Improvements	Between Southern City Limits and West Leland Road, add turn lanes, sidewalks, and intersection upgrades	Pittsburg	\$ 62.1	97%	\$ 60.2



#	Project	Description/ Project Limits	Sponsor	Total Cost (\$ Million)	% Eligible for Future Fee Contribution	Future Potential Fee Contribution (\$ million)
38	Lone Tree Way Rail Crossing	Union Pacific undercrossing widened from Fairview Avenue to Gann Street	Brentwood	\$ 32.8	82%	\$ 26.9
39	SR-4 Operational Improvement Project	Improve operations along SR 4 between 0.3 miles west of the SR 4/SR 242 interchange to the Bailey Road interchange.	CCTA	\$ 177.0	50%	\$ 88.5
40	SR-4 Integrated Corridor Management	East County share (i.e., one-half the total cost) of Countywide SR-4 ICM development.	CCTA	\$ 10.0	50%	\$ 5.0
41	High-Capacity Transit from Antioch BART to Brentwood	Express bus along SR 4 between Antioch and Brentwood	CCTA	\$ 14.1	18%	\$ 2.5
42	Brentwood Intermodal	Park and ride lot south of the Lone Tree Way/SR-4 interchange, adjacent to a future BART station	Brentwood	\$ 11.6	18%	\$ 2.1
43	Sellers Avenue Safety Improvements	Upgrade Sellers Avenue to current design standards between Delta Road and Chestnut Road, and between Main Canal and Marsh Creek Road	County	\$ 27.2	18%	\$ 4.9
44	East Cypress Rd Improvement	Construction of East Cypress Road as a 4-lane arterial along a new alignment between Jersey Island Rd and Bethel Island Rd, with the existing East Cypress Rd alignment preserved for local access	Oakley	\$20.0	96%	\$ 19.3
SUM				\$ 3,526.0		\$ 1,547.8

Notes: Projects shown in *italics* have been completed, so no future fee contributions are anticipated.
 Source: ECCRFFA.

Fee Calculations and Application

Table 8 displays the calculated maximum impact fees based on this nexus analysis. These fees have been calculated based on the complete list of projects as shown in **Table 7**. The total potential future fee contribution toward all the projects shown in Table 7 (\$1,547,8 million) has been divided by the total



number of future Dwelling Unit Equivalent (DUEs) expected in East County as shown in Table 6 (27,935 DUEs), to calculate the resulting maximum fee per DUE of \$55,406. These calculations represent new development’s proportional share of the cost of both the existing ECCRFFA projects that are yet to be completed and the proposed new projects, as determined by this study.

The new maximum fees shown here are substantially higher than the current ECCRFFA fees as were shown in Table 1. This outcome is similar to prior ECCRFFA nexus studies, in that the ECCRFFA Board has typically chosen to impose fees at a level lower than the maximum fees calculated through a nexus analysis. The ECCRFFA program has not generally been intended to serve as the sole source of funding for the projects within the program, but rather as one of several funding sources that can be combined to deliver projects.

The ECCRFFA Board periodically prepares and adopts a strategic transportation improvement plan that defines the priorities for expenditure of ECCRFFA funds over the upcoming five-year period. This strategic plan takes into account other sources of funds that may become available for each project. One potential source of funds for some projects is the local transportation impact fee established by the local agency; in some cases, elements of a project listed in Table 2 may also appear in a local agency’s fee program. If such a project becomes a priority for ECCRFFA funds as reflected in the ECCRFFA strategic transportation improvement plan, then there is coordination between ECCRFFA and the local agency to ensure that the two programs are being applied in a complementary fashion, which may necessitate adjustments to the local fee program.

Table 8: New Maximum Fee Calculations

Land Use Category	New Maximum Fee
Single-Family Residential (dwelling unit)	\$55,406
Multi-Family Residential (dwelling unit)	\$30,061
Commercial (square foot)	\$69.1
Office (square foot)	\$112.6
Industrial (square foot)	\$54.2
Other (per peak hour trip)	\$55,406

Source: Fehr & Peers.



5. Summary of Required Program Elements

This report has provided a detailed discussion of the elements of the East Contra Costa Regional Transportation Impact Fee program and explained the analytical techniques used to develop this nexus study. The report addresses the following fee program elements required by the Mitigation Fee Act (Government Code Section 66000 et seq), as summarized below.

Fundamental Nexus Requirements

Section 66001 contains several fundamental requirements that an agency must document when establishing or imposing an impact fee.

1. *Identifying the purpose of the fee*

The ECCRFFA program is established for the purpose of supporting regional public infrastructure improvements and facilities needed to mitigate the traffic-related impacts of new development in eastern Contra Costa County.

2. *Identifying how the fee will be used and the facilities to be funded through the fee*

The fee is used to help fund capital improvement projects that will accommodate future transportation needs throughout the ECCRFFA area. Table 2 identifies the projects eligible to be funded through the fee.

3. *Determining a reasonable relationship between the fee's use and the type of development on which the fee is imposed*

As described in this report, different types of development generate traffic with different characteristics. The calculations presented in Table 5 account for these characteristics by calculating the travel-related characteristics of different land use types. These considerations account for the differential impacts on the transportation system generated by different development types.

4. *Determining a reasonable relationship between the need for the public facility and the type of development on which the fee is imposed*

The need for the facilities listed in Table 2 has been established through local and regional planning processes prepared by the Contra Costa Transportation Authority and the ECCRFFA member agencies.



5. *Determining a reasonable relationship between the amount of the fee and the cost of the public facility (or portion of facility) attributable to new development*

Section 4 of this report describes the calculations applied to determine the cost of the public facility that is attributable to new development in the ECCRFFA area, accounting for the effects of existing deficiencies. Thus, a reasonable effort has been made to quantitatively establish the relationship between the fees charged in the ECCRFFA program and the costs of public improvements attributable to new development within eastern Contra Costa County.

Additional Elements

Due to recent changes in state legislation, Section 66016.5 now defines several additional elements beyond the fundamental nexus requirements that have historically been part of the Mitigation Fee Act. These additional elements include the following:

- *If a nexus study supports the increase of an existing fee, review the assumptions of the nexus study supporting the original fee and evaluate the amount of fees collected under the original fee.*

As expected, the proposal to add 18 new projects to the program does result in an increased maximum fee calculated through this nexus analysis process. However, the intent is not to impose an increased fee, but rather to modify and update the list of capital improvement projects that would be considered eligible to receive ECCRFFA funds. As described in Section 1 of this report, the ECCRFFA program has been in place for many years and has been updated several times, most recently in 2020. All of the updates have maintained the same program structure as was initially established, and assumptions about future growth and future capital improvements have been updated each time using the most current data available. Further, ECCRFFA periodically conducts a “program assessment” to review the fee program’s assumptions and evaluate its progress. The most recent program assessment was just recently completed and is attached as an appendix to this report. The assessment concluded that the program structure has remained stable, the estimated costs of the projects in the program have remained in line with expectations, and the growth projections used in the fee calculations continue to be reasonable. The total amount of fees collected through the ECCRFFA program from inception are approximately \$491 million.

- *Calculate a fee imposed on a housing development project proportionately to the square footage of proposed units of the development, or explain why that would not be an appropriate metric for calculating fees.*

The ECCRFFA fees on housing developments have always been calculated based on the type of unit, with one fee level for single-family units and a different (lower) fee level for multi-family units. This has been a common practice for most fee programs around the state for many years.



In the case of ECCRFFA, this practice aligns with the methods used by the member agencies in calculating their own local transportation impact fees, which are also imposed based on the type of unit. (All of the ECCRFFA member agencies except the City of Antioch have local fee programs to fund local transportation improvements, which are charged in addition to the ECCRFFA fees.) In addition, this practice aligns with the data that is readily available about the transportation impacts of housing developments; industry-standard reference documents about the trip generation rates, trip lengths, and pass-by/diverted trip characteristics of new development projects present that data either for all types of housing units combined or for a few different types of housing units, and do not typically present that data based on the unit size. Examples of data sources routinely used to support fee calculations include the *ITE Trip Generation Manual*, the *ITE Trip Generation Handbook*, the *SANDAG Brief Guide of Vehicular Traffic Generation Rates*, and the California Household Travel Survey.

The Mitigation Fee Act requires that there be a demonstrated relationship between the fee being charged to a new development and the level of demand that development places on public facilities and services. As described previously, the calculations presented in Table 5 account for these characteristics by calculating the travel-related characteristics of different land use types. These considerations account for the differential impacts on the transportation system generated by different development types. There is no available reference document that directly links trip generation rates to the square footage of a housing unit. Given the lack of readily available reference data about how the size of a housing unit might be related to the demand that unit would place on the transportation system, some agencies in California have undertaken statistical analyses to attempt to better understand that relationship.

Several of these recent statistical analyses have found limited information available from which to derive conclusions. The analyses cite some sources of information that link trip generation rates to the number of people living in a housing unit, although those sources often present values that are averaged over large geographic areas and the results can differ substantially; for example, some analyses cite the 2017 National Household Travel Survey which indicates that a 4-person household in California generates 12.6 daily trips, while others cite a 2012 national report on *Travel Demand Forecasting: Parameters and Techniques* that indicates a 4-person household generates 16.1 daily trips. These analyses then estimate the relationship between the number of people living in a house and the square footage of the house using US Census data, and then combine those factors to estimate trip generation rates by house size.

An alternative approach has been taken in Western Riverside County, where an analysis was done based on actual trip generation rates and house size data collected from residential neighborhoods throughout that region. This locally-specific analysis found that single-family house size explained approximately one-half of the variation in trip generation rates, while the other half of the variation was related to other economic and demographic factors such as household income, number of residents with jobs, number of school-age children in the household, number of vehicles owned by the residents, and other factors. In addition, the



relationship between single-family house size and trip generation rates was found to hold only for houses up to 2,500 square feet; for larger houses, the statistical relationship was much less strong. No statistically significant relationship was found for multi-family developments.

In light of the lack of consistent and available sources of data to support conclusions about how housing units of varying sizes affect the transportation system, ECCRFFA has determined that square footage is not currently an appropriate metric to use in calculating fees on residential developments, nor is there substantial evidence that the current method of calculating fees is disproportionate to a residential development's effects on the transportation system.

Finally, the ECCRFFA Board has adopted a policy related to setting fees for Accessory Dwelling Units (ADUs), which are relatively small units located on a parcel already occupied by a primary dwelling unit. Per the policy (<https://www.eccrffa.org/wp-content/uploads/2024/05/ECCRFFA-Policy-for-Accessory-Dwelling-Units-ADUs.pdf>), ADUs are either exempt from ECCRFFA fees or are charged a reduced fee, depending on the size of the unit. Notwithstanding the lack of data on the relationship between housing unit size and effects on the transportation system, discussed above, this ECCRFFA policy is consistent with state ADU law. This ECCRFFA policy supports smaller developments and, in conjunction with a fee structure that is not disproportionate to a residential development's effect on the transportation system, ensures smaller developments are not charged disproportionate fees.

- *In large jurisdictions, adopt a capital improvement plan as a part of the nexus study.*

For this purpose, a large jurisdiction is defined as a county with a population of at least 250,000 and all the cities within that county, so the ECCRFFA area would meet the definition of a large jurisdiction.

ECCRFFA does not function as a direct project sponsor, but instead provides funds to the agencies that deliver capital improvement projects in eastern Contra Costa County. ECCRFFA regularly prepares and updates a strategic transportation improvement plan that describes the planned expenditure of ECCRFFA funds on specific projects over the coming five-year period (the current ECCRFFA strategic transportation improvement plan can be found at <https://www.eccrffa.org/documents/>). In addition, all of the ECCRFFA member agencies and project sponsors regularly prepare their own capital improvement plans to guide the expenditure of funds on capital improvements within their jurisdictions. For a particular project to receive ECCRFFA funds, that project must be reflected in the ECCRFFA strategic transportation improvement plan and must also be included in the project sponsor's capital improvement plan.



Appendix A: 2024 Program Assessment



Memorandum

Date: May 8, 2024
To: Dale Dennis, Program Manager, East Contra Costa Regional Fee & Financing Authority
From: Julie Morgan and Bruno Lertora, Fehr & Peers
Subject: **Assessment of the East Contra Costa Regional Transportation Impact Fee Program**

1001-1655.03

Background

The East Contra Costa Regional Fee & Financing Authority (ECCRFFA) oversees a regional development impact fee program that generates funds to support the construction of capital improvements to the regional transportation system in eastern Contra Costa County. In the summer of 2005, the ECCRFFA Board approved a comprehensive nexus study called the East Contra Costa Regional Fee Program Update Final Report, referred to here as the "2005 Report". All ECCRFFA member jurisdictions adopted an updated set of fees pursuant to that report.

Since that time, the fees have been adjusted annually to reflect changes in construction costs. Beginning in 2008-2009, a fee rebate program was established in response to the economic downturn. The fee rebate has been reduced over time, but the Authority has continued to implement a 15% fee rebate since January 1, 2017. The latest update of the project list was approved in October 2020, and was documented in a report called East Contra Costa Regional Fee Program Update Final Report referred to here as the "2020 Report".

Periodic program assessments have been conducted and documented over the years, the most recent being completed in 2017, to evaluate the progress of the program in funding and delivering projects on the project list. This memorandum is a new program assessment, building upon the most recent assessment from 2017 and incorporating current information to the extent available.

Capital Projects and Delivery Status

The current ECCRFFA program includes a list of 27 capital projects that are eligible for funding through fee revenues. Table 1 presents the list of capital projects, the estimated cost of each project, and its current status. For those projects that are completed or under construction, the



total project cost shown in the table is the actual cost for that project. For those projects yet to be constructed, the total cost shown is based on the cost estimate presented in the 2020 Report, plus a cost escalation factor of 0.375 to bring the 2020 cost estimates up to year 2023 dollars.

Assessment:

- Significant progress has been made in delivering the capital projects on the list. Several major projects have been completed and others are in various stages of being designed, constructed, or closed out.
- Per the information provided, ECCRFFA is still committed to delivering the program of projects identified in the 2020 Report.
- The actual costs of the capital projects on the list have generally remained relatively consistent with the cost estimates presented in the 2005 Report. At the time of the 2005 Report, the total aggregate cost of the full list of capital projects was \$1.69 billion. The construction cost escalation factor between 2005 and 2023 is 1.004; applying that factor to the total cost from 2005 equates to \$3.39 billion in 2023 dollars. The current estimate of project costs shown in Table 1 (excluding project #27, which was not part of the 2005 Report) is \$2.9 billion; it is logical that this value would be lower than the fully escalated cost, because some of the projects were completed years ago and the costs of those projects shown in Table 1 have been fixed at their actual values and have not been escalated to current dollars.

Development Patterns and Fee Expectations

Both the 2005 Report and the 2020 Report addressed a 21-year planning period, from 2005 to 2025 and from 2020 to 2040, respectively. These reports included projections of future population and employment growth throughout the East County area for that planning period, which were used in calculating an appropriate fee per unit of new development. Table 2 shows a comparison between these projections. As seen on this table, the 2020-2040 projected employment growth in East County is around 30 percent of what was projected in 2005, while the projected residential growth is very similar in both cases. Table 2 also presents an updated growth projection between 2023 and 2040 that results from interpolating the 2020 Report projections to the current year.

Table 3 shows the fee amounts that are currently levied on new development in East County. Applying the current fee amounts to the updated growth projections, and accounting for the ongoing 15% fee discount that is being applied, results in an estimate of total fee revenue over the 2023-2040 time period of about \$533 million (in current year dollars). For reference, Table 3 also shows the total fee revenues that have been collected from the inception of the program through 2023, at about \$491 million.



Assessment:

- The 2005 Report estimated fee revenue of \$406.5 million (in 2005 dollars) over the 21-year planning horizon of that study, or an average of approximately \$19 million per year. The updated projections from 2023 to 2040 indicate revenues of approximately \$29 million (in current dollars) annually going forward.

Program Funding Status

The fee revenues generated by the ECCRFFA program are one of several funding sources that are used to support regional transportation improvements. The 2005 Report included a discussion of the broader funding picture for the full ECCRFFA program; this included known and anticipated revenues from the fee program, the countywide sales tax program (at that time, Measure C and Measure J), regional fund sources such as RM2, state sources such as the STIP, and other funding programs. The conclusion of the 2005 Report was that the majority of the project funding had been identified, but there remained a shortfall of approximately \$390 million (in 2005 dollars). The 2017 program assessment concluded that the program's shortfall was approximately \$552 million (in 2017 dollars).

Table 4 provides an updated picture of the funding status of the projects included in the ECCRFFA program. The table includes an accounting of fee revenues already collected and those anticipated, known funding that has already been used to support or is committed to specific projects, and funds that are available for programming through the Measure J Strategic Plan Update. Taken together, the program is now anticipated to have a shortfall of approximately \$601 million (in current dollars). Converting that number to 2005 dollars would result in a shortfall estimate of \$300 million, indicating that the overall program shortfall has decreased in real terms compared to the original calculation of \$390 million in 2005.

Assessment:

- Fee revenue collections have been strong during periods of relatively high economic activity, and the region has successfully attracted funding from other sources. In constant dollars, the program shortfall has declined compared with what was predicted in the 2005 Report.

Conclusions

This memo has presented a basic assessment of the status of the ECCRFFA program. Based on the information presented here, the program has been tracking well compared to the expectations from the 2005 and 2020 Reports. Substantial progress has been made on project delivery and the region remains committed to the list of capital projects. The region has successfully attracted funds from other sources for many of its projects.



Table 1: ECCRFFA Project List

Number	Project	Description/Project Limits	Jurisdiction	Total Cost (\$ million)	Potential or Actual Fee Contribution (\$ million)	Status	
1	SR 4 Freeway widening	Railroad Avenue to Loveridge Road, widen to 8 lanes	CCTA	\$101.0	\$2.0	Completed	
		Loveridge interchange	CCTA	\$157.8		Completed	
		Loveridge to Bypass (8 lanes to Hillcrest, 6 lanes to Bypass)	CCTA	\$374.7		Completed	
		Hillcrest interchange expansion	CCTA	\$10.0		Completed	
2	SR 4 Bypass Segment 1	Phase 1, 6 lanes to Laurel, interchanges at Laurel Rd and Lone Tree	Bypass Authority	\$113.7	\$88.7	Completed	
		Phase 2, SR 160 interchange	Bypass Authority	\$50.1	\$0.2	Completed	
		Laurel interchange, phase 2	Bypass Authority	\$1.0	\$1.0	Completed	
3	SR 4 Bypass Segment 2	Phase 1, 2 lanes	Bypass Authority	\$33.3	\$33.3	Completed	
		Phase 2, 4 lanes, Sand Creek Road to Balfour Road	Bypass Authority	\$16.0		Completed	
		Widen to 6 lanes, Laurel Road to Sand Creek Road	Bypass Authority	\$39.9	\$39.9		
		Sand Creek interchange and 4 lanes, Laurel to Sand Creek	Bypass Authority	\$43.8	\$5.8	Completed	
		Balfour to Marsh Creek (2 lanes) plus Marsh Creek east-west connector	Bypass Authority	\$77.8	\$77.8	Completed	
4	SR 4 Bypass Segment 3	Marsh Creek to Vasco, 2 lanes	Bypass Authority	\$12.6	\$12.6	Completed	
		Segment 3, widen to 4 lanes, and Balfour interchange Phase 2	Bypass Authority	\$81.1	\$81.1		
		Balfour interchange Phase 1	Bypass Authority	\$58.0	\$28.0	Completed	
		Marsh Creek interchange	Bypass Authority	\$51.2	\$51.2		
		Vasco interchange	Bypass Authority	\$42.7	\$42.7		



5	Laurel Road extension	SR4 Bypass to Empire, 6 lanes	Bypass Authority	\$22.6	\$22.6	Completed
6	SR 239/84 Connector	Armstrong Road extension, 2 lanes (formerly Byron Airport Road)	County	\$161.0	\$161.0	Environmental Phase in Progress
7	SR 239	Corridor study and preliminary design (no construction costs)	County	\$101.0	\$101.0	Environmental Phase in Progress
8	SR 4 (Main St or Brentwood Blvd) widening	Vintage Pkwy in Oakley to Marsh Creek bridge in Brentwood and from Chestnut Street to Balfour Road in south Brentwood, 4 lanes	Oakley, Brentwood	\$24.5	\$24.5	Partially Completed
9	Balfour Road widening	Deer Valley to Brentwood city limits, widen to 4 lanes	County	\$14.2	\$14.2	
10	Marsh Creek Road/Deer Valley Road Safety Enhancements	Marsh Creek: Walnut Boulevard to Clayton; Deer Valley: Balfour Road to Marsh Creek Road	County	\$29.3	\$9.7	
11	Route 84/Vasco Road	Widen to 4 lanes to County line	County	\$317.0	\$317.0	
Northern Parallel Arterials						
12	Pittsburg-Antioch Highway	Widen to 4 lanes, Somersville to Loveridge	Antioch, Pittsburg	\$55.9	\$55.9	
13	Ninth and Tenth Streets	Couplet improvements, A St to L St	Antioch	\$9.6	\$9.6	
14	California Avenue	Widen to 4 lanes, Railroad to Loveridge	Pittsburg	\$6.6	\$6.6	Partially Completed
15	Willow Pass Road	Widen to 4 lanes, Range to Loftus and Bailey to city limits	Pittsburg, County	\$14.7	\$14.7	
Southern Parallel Arterials						
16	James Donlon Blvd Extension (formerly Buchanan Bypass)	New 4-lane arterial (perhaps 2 lanes, depending on study results)	Pittsburg	\$115.6	\$78.6	Design in Progress (for James Donlon Blvd Extension)
	or Buchanan Road	Widen to 4 lanes, Railroad to Somersville	Pittsburg			
17	West Tregallas/Fitzuren	Widen to 4 lanes, Lone Tree to Buchanan	Antioch	\$53.3	\$53.3	



18	West Leland Road	Extend, San Marco to Avila Road (Concord)	Pittsburg	\$33.4	\$33.4	
	or Evora Road	Widen to 4 lanes, Willow Pass (BP) to Willow Pass (Concord)	County			
Regional Arterial Projects						
19	Wilbur Avenue	Widen to 4 lanes, Minaker Drive to SR 160	Antioch, County	\$42.7	\$42.7	
20	Neroly Road	Widen to 4 lanes, Oakley Rd to Laurel Rd	Oakley	\$10.6	\$10.6	
21	Deer Valley Road	Widen to 4 lanes, Antioch city limits to Balfour Road	County	\$31.2	\$31.2	
22	Walnut Boulevard	Widen to 4 lanes, Brentwood city limits to SR 4 Bypass	County	\$29.5	\$29.5	
23	John Muir Parkway	New Roadway between Balfour Road and Fairview Avenue	Brentwood	\$17.7	\$3.6	<i>ECCRFFA commitment completed</i>
24	Byron Highway	Safety Improvements between Delta Road and SR 4	County	\$20.0	\$6.7	
27	Sand Creek Road	Extension of 4-lane roadway between SR 4 and Deer Valley Road	Antioch	\$38.1	\$11.8	
Regional Transit Projects						
25	East County Express Bus		Tri-Delta Transit	\$9.1	\$3.0	
26	Commuter Rail		CCTA	\$513.0	\$38.0	<i>Completed</i>
TOTAL				\$2,935.3	\$1,543.5	

Table 2: East County Growth Projections

	Growth Projections from 2005-2025 (from 2005 Report)	Growth Projections from 2020-2040 (from 2020 Report)	Updated Projections from 2023-2040
New Households	29,293	29,889	25,406
New Jobs	50,971	15,132	12,862



Table 3: ECCRFFA Fee Revenues

ECCRFFA Fee Schedule (2024)	
Single-Family Residential (per DU, accounting for 15% fee rebate)	\$24,066
Multi-Family Residential (per DU, accounting for 15% fee rebate)	\$14,773
Commercial (per SF)	\$2.35
Office (per SF)	\$2.04
Industrial (per SF)	\$2.04
Anticipated Fee Revenues	(\$ million)
Total Estimated ECCRFFA Revenue at Full Fees, 2023-2040	\$624.7
Fee Revenues Foregone Due to 15% Discount, 2023-2040	\$92.1
Total Future Fee Revenues Anticipated, 2023-2040	\$532.6
ECCRFFA Fees Collected, Inception – 2023	\$491.0
Total Fee Revenues, Inception through 2040	\$1,023.6



Table 4: ECCRFFA Program Funding Considerations

Program Funding Sources		(\$ million)
Total Program Cost		\$2,935.3
Total Future Fee Revenues Anticipated, 2023-2040		\$532.6
Fees Already Collected, Inception through 2023		\$491.0
Measure J Funds - 2022 Strategic Plan Update (James Donlon Extension - \$7.3M)		\$7.3
Other Known Funds (see below)		\$1,303.6
Total Funding		\$2,334.5
Total Surplus/Deficit		(\$600.8)
Other Known Funds for Specific Projects		(\$ million)
Railroad Avenue Interchange		\$101.0
Loveridge Road Interchange		\$157.8
SR 4, Somersville to SR4 Bypass		\$374.7
eBART Extension to Hillcrest Avenue		\$475.0
SR160/SR4 Connectors		\$49.9
SR 4 Bypass Segments 1 and 3		\$25.0
Sand Creek Interchange and Widening from Laurel to Sand Creek Road		\$49.2
Balfour Road Interchange and Widening from Sand Creek to Balfour		\$46.0
Future RM3 funds: Byron Airport Connector (\$10M) and Vasco Road Improvements (\$15M)		\$25.0
TOTAL		\$1,303.6

Fifth Amendment
to the
Joint Exercise of Powers Agreement
for
ECCRFFA

**FIFTH AMENDMENT TO JOINT EXERCISE
OF POWERS AGREEMENT FOR EAST
CONTRA COSTA REGIONAL FEE AND
FINANCING AUTHORITY**

1. EFFECTIVE DATE AND PARTIES

Effective _____, 2024, the CITY OF ANTIOCH, a municipal corporation duly organized and existing under the laws of the State of California (“Antioch”), the CITY OF BRENTWOOD, a municipal corporation duly organized and existing under the laws of the State of California (“Brentwood”), the CITY OF OAKLEY, a municipal corporation duly organized and existing under the laws of the State of California (“Oakley”), the CITY OF PITTSBURG, a municipal corporation duly organized and existing under the laws of the State of California (“Pittsburg”), and the COUNTY OF CONTRA COSTA, a political subdivision of the State of California (the “County”), as member agencies of the East Contra Costa Regional Fee and Financing Authority, mutually agree as follows:

2. PURPOSE

Effective August 9, 1994, Antioch, Brentwood, Pittsburg, and the County formed the East Contra Costa Regional Fee and Financing Authority (ECCRFFA), a separate joint powers agency, by entering into a written agreement entitled “EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY JOINT EXERCISE OF POWERS AGREEMENT” (referred to as the “Agreement”). ECCRFFA was formed to assist in establishing and administering a uniform regional development fee program and in funding and implementing regional road improvement projects in the East County area. The Agreement has previously been amended as follows: a First Amendment, dated October 4, 1999, added Oakley as additional party; a Second Amendment, dated July 11, 2005, coordinated activities of ECCRFFA and East County Transportation Improvement Authority (ECTIA) and revised ECCRFFA regional fee schedule; a Third Amendment dated September 10, 2013, readmitted Pittsburg after its withdrawal, revised provisions for withdrawal, provided for appointment of ECCRFFA Board members, and provided uniformity of ECCRFFA fees collected by member agencies, among other changes; and a Fourth Amendment, dated February 16, 2021, to add the Sand Creek Road Extension to Deer Valley Road project to the list of ECCRFFA projects. Antioch, Brentwood, Oakley, Pittsburg, and the County now desire to enter into this Fifth Amendment to the Agreement, to add 18 new projects to the ECCRFFA list of projects (Attachment 2), to revise the project prioritization provisions that were established under the Third Amendment, and to make other technical changes to the Agreement, as previously amended. Attachment 1 to the Agreement also will be amended to refer to the “April 2024 Final Report, East Contra Costa Regional Fee Program Update,” with no change to ECCRFFA’s Regional Transportation Development Impact Mitigation (“RTDIM”) fees.

3. **AMENDMENTS TO AGREEMENT**

- A. Attachment 1 (2020 Amendment) is replaced in its entirety with Attachment 1 (2024 Amendment) attached to this Fifth Amendment, with no changes to the fees in the RTDIM fee schedule. The fees on the fee schedule reflect the current RTDIM fees inclusive of the 2024 fee increases based on changes in the Construction Cost Index authorized under the Agreement, as previously amended. Other changes included in Attachment 1 make it current and bring it up to date.
- B. Attachment 2 (2020 Amendment) is replaced in its entirety with Attachment 2 (2024 Amendment) attached to this Fifth Amendment, to add 18 new projects to ECCRFFA's list of projects.

4. **REMAINING PROVISIONS**

Subject to the changes made by this Fifth Amendment and all previous amendments, all provisions of the Agreement shall remain in full force and effect. If this Fifth Amendment is determined by a court to be invalid or unenforceable, the Agreement, as previously amended through the Fourth Amendment, shall remain unchanged and in full force and effect.

5. **COUNTERPARTS**

This Fifth Amendment may be executed in one or more counterparts, each of which shall be deemed to be an original instrument.

6. **SIGNATURES**

These signatures attest the parties' agreement to this Fifth Amendment.

[Remainder of page left blank. Signatures on next page.]

CITY OF ANTIOCH

FORM APPROVED:
Thomas Lloyd Smith, City Attorney

By: _____
Kwame Reed, Acting City Manager

By: _____

CITY OF BRENTWOOD

FORM APPROVED:

By: _____
Tim Ogden, City Manager

By: _____
City Attorney

CITY OF OAKLEY

FORM APPROVED:
Cole Huber, LLP

By: _____
Joshua McMurray, City Manager

By: _____
Derek Cole, City Attorney

CITY OF PITTSBURG

FORM APPROVED:
Donna Mooney, City Attorney

By: _____
Garrett Evans, City Manager

By: _____

COUNTY OF CONTRA COSTA

FORM APPROVED:
Thomas L. Geiger, County Counsel

By: _____
Monica Nino, County Administrator

By: _____
Stephen M. Siptroth
Assistant County Counsel

Attachment 1 – 2024 Amendment
to
East Contra Costa Regional Fee and Financing Authority
Joint Exercise of Powers Agreement

**IMPLEMENTATION OF REGIONAL TRANSPORTATION DEVELOPMENT IMPACT
MITIGATION (RTDIM) FEE PROGRAM**

A. Imposition of RTDIM Fees by Antioch, Brentwood, Oakley, and County. In order to fund the Program and Projects of the Authority, the parties agree that the following Regional Transportation Development Impact Fees (“RTDIM Fees”), which were originally adopted in 2005, shall continue to be implemented by Antioch, Brentwood, Oakley, and the County (each agency and Pittsburg is sometimes referred to as a “Member Agency” and, together, as the “Member Agencies”).

Regional Transportation-Development Impact Mitigation (RTDIM) Fees			
Type of Use	Fee Units	Fee Schedule	
		2005	2024*
Single family residential units, duet homes, and residential condominiums	Per dwelling unit	\$15,000	\$24,066
Multiple family residential	Per dwelling unit	\$9,207.92	\$14,773
Commercial	Per square foot of gross floor area	\$1.25	\$2.35
Office	Per square foot of gross floor area	\$1.10	\$2.04
Industrial	Per square foot of gross floor area	\$1.10	\$2.04
Other	Per peak hour trip as determined	\$15,000	\$28,313

* The 2024 fee schedule reflects fees in effect from January 1, 2024, through December 31, 2024, inclusive of the annual adjustments specified in the Authority’s Resolution No. 2005/06. The fees will increase each January 1, in accordance with Section F, below. The figures in parentheses reflect the net residential fee amounts payable after the Authority’s fee rebate last approved December 2023, which provides for a rebate applicable to residential fee rates, as further described in Section B, below. ECCRFFA fees for senior housing shall be calculated in accordance with ECCRFFA’s “Policy on Reduced Fees for Age-Restricted Senior Housing.” ECCRFFA fees for Accessory Dwelling Units (ADUs) shall be calculated in accordance with Government Code section 65852.2 and ECCRFFA’s “Policy for Accessory Dwelling Units.” ECCRFFA’s fees for certain transit-oriented development projects will be calculated in accordance with ECCRFFA’s “Fee Reduction Policy for Certain Transit-Oriented Developments” adopted pursuant to Government Code section 66005.1.

The above fee schedule is based on the June 2005 East Contra Costa Regional Fee Program Update (referred to as the “2005 Report”) prepared by Fehr & Peers, which has been approved by the Authority’s Board. The above fees are unchanged since the fees were last adopted in 2005 and are below the maximum fee rates calculated in the “East Contra Costa Regional Fee Program Update,” dated May 2024, prepared by Fehr & Peers (“2024 Report”). The 2005 Report was previously adopted as the governing program of the Authority and is incorporated in this Agreement by reference. The “East Contra Costa Regional Fee Program Update” (“2020 Report”) was previously adopted to add the Sand Creek Extension Project to the ECCRFFA project list, with no changes to the RTDIM Fees in the above fee schedule. The 2024 Report was adopted to add 18 additional projects to the ECCRFFA project list, with no changes to the RTDIM Fees in the above schedule. The RTDIM Fees in the above fee schedule are subject to annual adjustment, as provided in Section F, below, and as provided in the fee ordinances and/or resolutions adopted by the Member Agencies. In addition to the listed amounts, each Member Agency may collect and retain an administrative charge up to 1% of the listed amounts.

B. Adoption of Revised RTDIM Fees by the Authority. The Authority established an RTDIM Fee rebate program in 2013. The fee rebate program does not change the RTDIM Fees last adopted in 2005. Rather, the fee rebate program provides a rebate on the amount of the RTDIM Fees that are collected by the Member Agencies. Since 2013, the Authority Board of Directors has approved continuing the fee rebate. The Authority Board last approved to continue an RTDIM Fee rebate on December 14, 2023, when the Authority Board authorized a 15% rebate to all applicants who pay RTDIM Fees for residential uses (*i.e.*, single family residential units, duet homes, residential condominiums, and multi-family residential) during the period from January 1, 2024, through December 31, 2025. The fee rebate program is subject to reevaluation at any time by the Authority Board, and the Authority Board has sole discretion to terminate or modify the fee rebate program.

C. Imposition of PRTDIM Fees by Pittsburg. In order to fund the Program and Projects of the Authority, the Member Agencies agree that the following Pittsburg Regional Transportation Development Impact Fees (“PRTDIM Fees”), which were originally adopted in 2010, shall continue to be implemented by Pittsburg as follows:

Beginning October 10, 2013, Pittsburg shall ensure its commercial, office, and industrial fee rates match the Authority’s commercial, office, and industrial fee rates listed in Section A above, including the annual adjustment specified in Section F below.

Should a valid Memorandum of Understanding (MOU) signed prior to September 11, 2010, prevent Pittsburg from collecting commercial, office, or industrial fees at the rates listed above, Pittsburg shall make up the shortfall from its own separate funds and shall forward the full amount to the Authority per the terms of this Agreement.

- (1) Beginning September 10, 2013, Pittsburg shall ensure its residential fee rates are collected as follows:
 - (a) At the same time as the other Authority Members, Pittsburg shall apply fee rebates to match and collect the same net residential fee amounts collected by the other Member Agencies under the ECCRFFA fee rebate program (see Section B, above).
 - (b) In the event that the Authority approves a revised fee schedule, or a new or revised fee rebate program pursuant to Section D below, at the same time as the other Member Agencies, Pittsburg shall adopt and collect the revised fee schedule, or shall apply the new or revised fee rebates, to match and collect the same net residential fee amounts as the other Member Agencies, including the annual adjustment specified in Section F below.
 - (c) The residential fees collected by Pittsburg under this Subsection C(1) shall apply uniformly to all development in Pittsburg, except as provided otherwise for MOUs between Pittsburg and developers.
- (2) Pittsburg shall defend (with counsel selected by Pittsburg), indemnify, save, and hold harmless the Authority, the other Member Agencies, and their officers, agents, and employees from any litigation, claims, costs, expenses, or liability arising from or in any way related to Pittsburg's fee rebate program or Pittsburg's collection of different fee rates pursuant to Subsection C(1) above. The Authority and the other Member Agencies shall not be required to defend, indemnify, save, or hold harmless Pittsburg under Section B of Attachment 2, or otherwise, for claims related to the Pittsburg fee rebate program or Pittsburg's collection of different fee rates pursuant to Subsection C(1) above.

D. Subsequent Approval of Revised Fee Schedule or New or Revised Fee Rebate Program by the Authority. Between January 1, 2016, and December 31, 2030, the Authority Board may, from time to time, approve revised fee schedules, or new or revised fee rebate programs, which shall be subject to the following limitations unless otherwise approved unanimously by the full Authority Board, with all Board members present:

- (1) Any revised residential fees shall not exceed the following maximum rates, subject to the annual adjustment specified in Section F below: Single family residential \$16,176/dwelling unit; Multiple family residential \$9,934/dwelling unit; Other \$16,176/peak hour trip.
- (2) Any new or revised residential fee rebates shall result in net residential fee amounts of at least 50% of the maximum rates listed in Subsection D(1) above.

Within 60 days after such approval, each Member Agency (Antioch, Brentwood, Oakley, Pittsburg, and the County) shall consider adopting a fee ordinance or resolution implementing the revised fee schedule, or shall promptly consider applying the new or revised fee rebates. This procedure does not apply to annual fee adjustments, which are automatic and do not require further approval or action.

E. Fees for Uses Not Listed. The fees for uses not listed shall be determined by the Member Agency with land use authority through information generated by appropriate traffic studies conducted in accordance with ITE standards and applicable Authority policies. These traffic studies shall be approved by the Authority Board before the Member Agency imposes the fees.

F. Annual Fee Adjustment. Every January 1, the fee rates listed above, including any maximum fee rates, shall be automatically adjusted by the amount of the increase or decrease in the Engineering News-Record Construction Cost Index for the San Francisco Bay Area for the one-year period ending September 30 of the preceding year.

G. Credit for Construction Costs or Land Acquisition. Subject to the priority order set forth in Section E of Attachment 2, with prior approval of the Authority Board, credit may be granted against the payment of the fee for a usable portion of any Project. The amount of credit shall be limited to the regional component of the Project, as determined by the Authority Board in its sole discretion. Notwithstanding anything to the contrary, no fee credit shall be granted for any lands that are required to be dedicated as specified in Attachment 2, Section B.

H. Fee Collection and Management. Except for approximately \$5.5 million of PRDIM fees used by Pittsburg as described in the last paragraph of Section E of Attachment 2, all fee revenues received or collected by the Member Agencies, together with any separate funds and increased fees to eliminate a shortfall, shall be disbursed monthly by the Member Agencies to the Authority. Fees and other revenues shall be held by the Authority in a general fund account; bond proceeds shall be held in accordance with the applicable indenture and may be invested, consistent with the provisions of the applicable indenture, in accounts such as the

CAMP or LAIF fund. Subject to any provision in an applicable indenture, interest accruing on funds held in such accounts and accrued interest on funds held in the general fund account shall be deemed general funds available for any lawful purpose of the Authority. Unless otherwise agreed by the Member Agencies, the total obligation of each Member Agency shall be the contribution of fees collected by that Member Agency from owners seeking issuance of building permits as provided for in this Section. The obligation to contribute fees to the Authority shall terminate on December 31, 2030 (*i.e.*, the termination date specified in Section 3 of the Agreement).

Attachment 2 – 2024 Amendment
to
East Contra Costa Regional Fee and Financing Authority
Joint Exercise of Powers Agreement

**PROJECTS; FUNDING COMMITMENTS AND ELIGIBLE COSTS;
IMPLEMENTATION SCHEDULE**

A. Current List of Projects. The fees provided for in the above fee schedule shall be used for project development, right-of-way acquisition, and construction for the following regional Projects:

Freeway Improvements		
1	SR 4 Freeway widening	Railroad Avenue to Loveridge Road, widen to 8 lanes Loveridge interchange Loveridge to Bypass (8 lanes to Hillcrest, 6 lanes to Bypass) Hillcrest interchange expansion
2	SR 4 Bypass Segment 1	Phase 1, 6 lanes to Laurel, interchanges at Laurel Rd and Lone Tree Phase 2, SR 160 interchange Laurel interchange, phase 2
3	SR 4 Bypass Segment 2	Phase 1, 2 lanes Phase 2, 4 lanes, Sand Creek Road to Balfour Road Widen to 6 lanes, Laurel Road to Sand Creek Road Sand Creek interchange and 4 lanes, Laurel to Sand Creek
4	SR 4 Bypass Segment 3	Balfour to Marsh Creek (2 lanes) plus Marsh Creek east-west connector Marsh Creek to Vasco, 2 lanes Segment 3, widen to 4 lanes Balfour interchange Marsh Creek interchange Vasco interchange
Arterial Improvements		
5	Laurel Road extension	SR4 Bypass to Empire, 6 lanes
6	SR239: Vasco Road – Byron Highway Connector	New 2-lane roadway between Vasco Road and Byron Highway and associated local improvements
7	SR 239	Pre-construction activities for complete corridor (Contra Costa segment): Includes environmental review, design, and right-of-way protection. No construction costs. Excludes elements covered under Project #6.
8	SR 4 (Main St or Brentwood Blvd) widening	Close gaps and create consistent four-lane arterial between Fifth Street and Delta Road in Oakley, and between Chestnut Street and Balfour Road in south Brentwood
9	Balfour Road	Deer Valley to Brentwood city limits, widen to 4 lanes

Arterial Improvements (Continued)

10	Marsh Creek Road/Deer Valley Road Safety Enhancements	Marsh Creek: Walnut Boulevard to Clayton City Limits; Deer Valley: Balfour Road to Marsh Creek Road
11	Route 84/Vasco Road	Widen to 4 lanes to County line
12	Pittsburg-Antioch Highway	Widen to 4 lanes, Auto Center Drive to Loveridge.
13	Ninth and Tenth Streets	Couplet improvements, A St to L St
14	California Avenue	Widen to 4 lanes, Railroad to Loveridge.
15	Willow Pass Road	Widen to 4 lanes, Range to Loftus and Bailey to City Limits
	James Donlon Blvd Extension	New 2- to 4-lane arterial, Somersville to Kirker Pass Road
16	or Buchanan Road Improvements	Improve traffic flow between Railroad Avenue and Somersville Road; improve intersections at Harbor, Loveridge, and Ventura with additional turn lanes; add bike lanes; widen sidewalks to achieve current design standards; install signal interconnect and adaptive signals.
17	West Tregallas/Fitzuren	Widen to 4 lanes, Lone Tree to Buchanan
	West Leland Road	Extend as a 4-lane arterial, Santa Teresa Drive to Avila Road
18	or Evora Road	Willow Pass Rd (Bay Point) to Willow Pass Rd (Concord), widen to 4 lanes
19	Wilbur Avenue	Widen to 4 lanes, Minaker Drive to SR 160
20	Neroly Road	Widen to 4 lanes, Oakley Rd to Laurel Rd
21	Deer Valley Road	Widen to 4 lanes, Sand Creek Road to Balfour Road
22	Walnut Boulevard	Widen to 4 lanes, Brentwood city limits to SR 4 Bypass
23	John Muir Parkway	New Roadway between Balfour Road and Fairview Avenue
24A	Byron Highway	Safety Improvements between SR 4 and Delta Road
27	Sand Creek Road	Extension of 4-lane roadway between SR 4 and Deer Valley Road
24B	Byron Highway Extension	Extend road between Delta Road and Rock Slough Bridge
28	Empire Avenue Widening and Rail Crossing	Construct four-lane arterial and railroad overcrossing, between Wicklow Way and Neroly Road
29	Laurel Road Extension	Extend Laurel Road as a four-lane arterial from Teton Road to Sellers Avenue
30	Kirker Pass Road Truck Climbing Lane	Construct a southbound truck climbing lane along Kirker Pass Road
31	Camino Diablo Safety Improvements	Safety improvements between Vasco Road and Byron Highway
32	Slatten Ranch Road Extension, South Segment	New 4-lane roadway from Wicklow Street to Wild Horse Road
33	Slatten Ranch Road Extension, North Segment	New 4-lane roadway from Wild Horse Road to existing terminus at the Antioch BART station
34	Viera Avenue Extension	New 2-lane roadway from Oakley Road to Slatten Ranch Road
35	Standard Oil Avenue	New 2-lane road from Delta Fair Boulevard to James Donlon Boulevard
36	Loveridge Road Improvements	Widened sidewalks and improved bicycle facilities between SR 4 and Pittsburg-Antioch Highway

Arterial Improvements (Continued)		
37	Bailey Road Improvements	Between Southern City Limits and W Leland Road, add turn lanes, sidewalks, and intersection upgrades.
38	Lone Tree Way Rail Crossing	Union Pacific undercrossing widened from Fairview Avenue to Gann Street
39	SR-4 Operational Improvement Project	Improve operations along SR 4 between 0.3 miles west of the SR 4/SR 242 interchange to the Bailey Road interchange
40	SR-4 Integrated Corridor Management	East County share (i.e., one-half the total cost) of Countywide SR-4 ICM development
41	High Capacity Transit from Antioch BART to Brentwood	Express bus along SR 4 between Antioch and Brentwood
42	Brentwood Intermodal	Park and ride lot south of the Lone Tree Way/SR-4 interchange, adjacent to a future BART station
43	Sellers Avenue Safety Improvements	Upgrade Sellers Avenue to current design standards between Delta Road and Chestnut Road, and between Main Canal and Marsh Creek
44	East Cypress Road Improvements	Construct 4-lane arterial between Jersey Island Road and Bethel Island Road
Regional Transit Projects		
25	East County Express Bus	Planning and design of regional rapid bus program
26	Commuter Rail	eBART extension to Antioch

B. Funding Commitments and Eligible Costs. Program revenues shall be available for necessary Project costs through completion of construction. Subject to prior approval by the Authority Board, Project costs paid from program revenues may include environmental clearance, conceptual engineering, traffic studies, design, right-of-way acquisition, utility relocation, litigation and settlement costs, and costs of construction. The commitment to each Project shall be considered complete when the Project is accepted by the sponsor or sponsors.

The Authority's administrative costs shall not exceed 1% of program revenues. Administrative costs include the development of the JPA as well as the administration of duties included in this Agreement.

Eligible Project costs will be determined by the Authority based on cost guidelines and other criteria to be developed by the Authority. Where the Authority deems it advisable in order to avoid undue burdens on Project sponsors, the Authority may advance fund Project expenses on a monthly, quarterly, or other basis. Project costs otherwise will be reimbursed pursuant to procedures to be determined by the Authority.

Project sponsors, as a condition of Project funding through regional fees, commit to protect Project rights-of-way, by, among other things, requiring dedication of right-of-way as a condition of land use entitlement approval or otherwise, pending Project commencement. Project sponsors further commit not to take actions that could adversely impact the cost of Projects, including, but not limited to, utility location or relocation, public development, and the granting of easements in a proposed right-of-way.

The right-of-way dedication policy for the State Route 4 Bypass is as follows. Properties along or fronting the Projects identified in this Agreement shall be required to dedicate right-of-way up to 110 feet wide as measured from the centerline of the adopted precise alignment with no credit or compensation from the regional fee. Any additional right-of-way in excess of the 110-foot width may be either credited toward the regional fee or compensated. However, in circumstances where the allowable density has been transferred off the right-of-way area, then no compensation or credit will be granted for the right-of-way dedicated. The Authority shall develop policies that will encourage the early dedication of lands that are required under this provision.

Any costs of defense and any liability incurred in connection with implementation of the regional fee proposal shall be borne by the Authority. The Authority agrees to the fullest extent permitted to indemnify and hold harmless the parties to this Agreement from any liability, loss, costs, and claims related to the adoption or implementation of the regional fee program. Fee revenues and any other revenues transferred to the Authority by the parties pursuant to this Agreement may be used for this purpose.

C. Implementation Schedule. Subject to environment clearance, right-of-way acquisition and dedication, utility relocation, and other factors, the timing of which may be beyond the control of the Authority, and subject to the availability of regional fee and other funding sources as may be required, the following implementation guidelines shall apply to Project development:

(i) The parties intend that funding will be provided to support steady progress in construction of the State Route 4 Bypass.

(ii) The Authority shall prepare, adopt, and periodically update a Strategic Plan for implementation of the Projects, reflecting current information on Project costs and schedules, the Project sponsor(s) for the various Projects, the availability of other revenue sources, the pace of fee collection, the schedule for and the costs associated with the sale of bonds to advance funds, and other relevant factors.

D. Indemnification. As a condition of funding for Projects in this Program, Project sponsors shall enter into an agreement with the Authority that shall provide indemnification and insurance coverage for the Authority and the parties to this Agreement during design and construction. The indemnification and insurance shall be subject to approval by the Authority.

E. Project and Funding Priorities. The following priority order shall hereafter apply to funding and implementation of the Authority's regional Projects:

First Priority:

Initial projects and ECCRFFA existing commitments:

- (a) SR4 East widening (for project description, see CCTA's Measure J Strategic Plan);
- (b) eBART extension to Hillcrest Avenue, which excludes Railroad Avenue station, with ECCRFFA to provide \$1.2 million to BART by 12/31/2013 (for project description, see CCTA's Measure J Strategic Plan);
- (c) SR4 Bypass projects, including the following:
 - (1) SR4/SR160 Connector Ramps (project involves constructing direct connectors between SR4 Bypass and SR160);
 - (2) Sand Creek Road Interchange (project includes a partial cloverleaf configuration on west side and a tight diamond on east side);
 - (3) Balfour Road Interchange – Phase 1 (project includes partial cloverleaves on both east and west sides and a single bridge over Balfour Road with two-directional traffic);
 - (4) 4-Laning between Lone Tree Way and Balfour Road; and
- (d) Outstanding ECCRFFA commitments (\$13.0 million), consisting of the following:
 - (1) Reimburse Contra Costa County Proposition 1B funds – \$3.0 million;
 - (2) John Muir Parkway – Brentwood: \$2.9 million;
 - (3) Vasco Road – Alameda County: up to \$3.0 million (final amount to be determined based on actual bids received); and
 - (4) Old SR4 relinquishment costs: \$4.1 million.

Second Priority:

eBART extension beyond Hillcrest Avenue – environmental review for the eBART extension (up to \$3.0 million).

Other Projects:

All first and second priority projects have been completed. The priority and funding for all other ECCRFFA Projects will be determined by the Authority Board through the adoption of its strategic plan.

Pittsburg shall use PRTDIM fees collected between September 7, 2010, and the effective date of the Third Amendment to the Agreement (approximately \$5.5 million) as follows: approximately \$5.3 million for JDE (i.e., environmental clearance, right-of-way acquisition, and project design) and the Railroad Avenue eBART station; and up to \$196,000 for legal fees incurred by Pittsburg in the TRANSPLAN/ECCRFFA lawsuit.”

F. Cooperation among ECCRFFA Member Agencies. ECCRFFA and each of its Member Agencies agree to cooperate so as to maximize all regional, state, and federal funding available to complete construction of the Priority Projects, as set forth in Section E above, as soon as reasonably possible, unless the Priority Projects would not compete as well as other candidate projects in East County, due to project readiness or other funding criteria required for project selection. For clarity, the intent is to ensure that the Priority Projects receive priority for available outside funding, while balancing the goal of maximizing funding/delivery of all transportation projects in East County.



FEHR  PEERS

Julie Morgan
June 13, 2024

East Contra Costa Regional Fee Program Update

Background

- ❖ Fee program in place since 1994
- ❖ Funds used for regional transportation improvements such as SR 4 Bypass, widening of SR 4 through Pittsburg and Antioch, eBART
- ❖ Comprehensive update completed in 2005
- ❖ Targeted update completed in 2020 (added Sand Creek Road project to program)

Current Activities

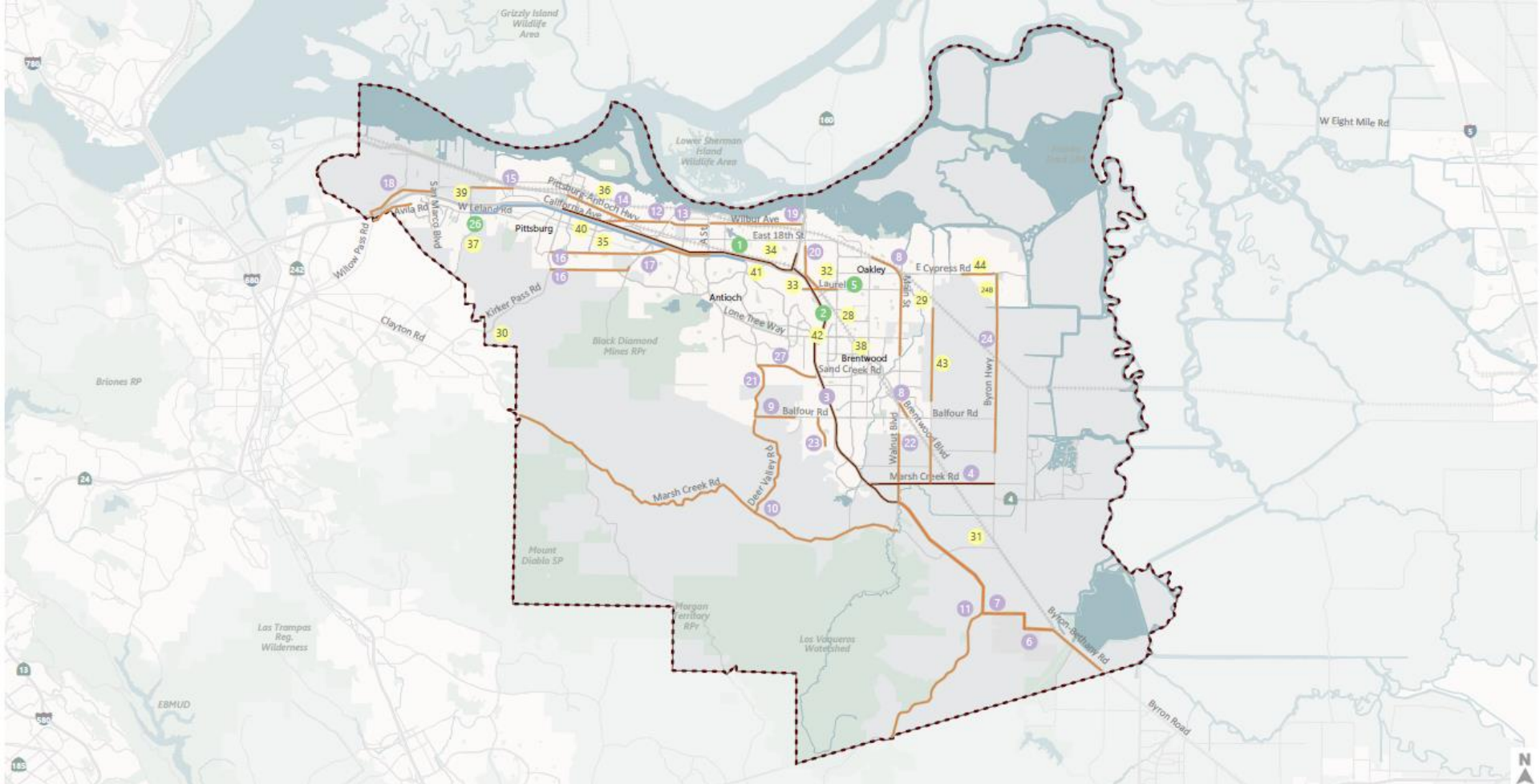
- ❖ Complete a program assessment to evaluate current status of program and progress on delivering projects
- ❖ Complete a comprehensive nexus study update, as directed by Board

Program Assessment

- ❖ Looked at existing program, capital projects, and delivery status
- ❖ Documented growth projections and fee revenues, and compared to projections from the previous nexus study
- ❖ Program has made substantial progress on attracting funding from other sources and on delivering projects, and remains on track with expectations from previous nexus study
- ❖ Documentation is attached as appendix to nexus report

Nexus Study Update

- ❖ Worked with member agency staff to identify capital projects for inclusion in program, and screen projects for consistency with program purpose
- ❖ Compiled a list of projects that was approved by Board in April



Other Projects Not Mapped (Location Not Defined)

- 25 East County Express Bus (Jurisdiction: Tri-Delta Transit)
- 42 Brentwood Intermodal: Co-sponsored, supported, and/or partially funded by CCTA. (Jurisdiction: Brentwood)

- Freeway Improvements
- Arterial Improvements

- Completed Project
- Planned Project



Nexus Evaluation

- ❖ Confirmed project descriptions and cost estimates
- ❖ Checked for existing deficiencies
- ❖ Conducted traffic modeling to determine how each project serves future travel demand from new population and employment growth

Conclusions

- ❖ Nexus study supports addition of 18 projects to the program; eligible amounts shown on Table 7 of nexus report
- ❖ Based on completion status of existing projects, addition of the 18 new projects, and current projections of population and employment growth, the nexus study includes new maximum fee calculations (see Table 8 of nexus report)
- ❖ Staff report recommends approving nexus study while maintaining current fee amounts

Questions?

**EAST CONTRA COSTA
REGIONAL FEE AND FINANCING AUTHORITY
Antioch - Brentwood - Oakley - Pittsburg and Contra Costa County**

JOINT EXERCISE OF POWERS AGENCY

April 11, 2024

The regular meeting of the EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY (ECCRFFA) was convened as an in-person meeting with the option for members of the public to appear in person or to participate via Zoom teleconference. Members of the public were permitted to participate in the meeting online, or by telephone, and in lieu of making public comments at the meeting, members of the public could submit public comments before or during the meeting through Dale.Dennis@pw.cccounty.us.

The regular meeting was called to order by Chair Burgis at 6:57 P.M.

ROLL CALL

PRESENT: Joel Bryant (Brentwood), Aaron Meadows (Oakley), Jelani Killings, Alternate for Shanelle Scales-Preston (Pittsburg) and Chair Diane Burgis (Contra Costa County)

ABSENT: Vice Chair Lamar Thorpe (Antioch)

STAFF: Dale Dennis, Program Manager
Stephen Siproth, Assistant County Counsel

ELECTION OF OFFICERS

Program Manager Dale Dennis identified the typical rotational change of officers and reported that if the Board chose to use that same practice, Vice Chair Lamar Thorpe would become the Chair and Director Joel Bryant would become the Vice Chair of the East Contra Costa Regional Fee and Financing Authority for 2024.

On motion by Director Bryant, seconded by Director Meadows, the East Contra Costa Regional Fee and Financing Authority elected **Lamar Thorpe** as the Chair and **Joel Bryant** as the Vice Chair of the East Contra Costa Regional Fee and Financing Authority for 2024, by the following Roll Call vote:

AYES: Bryant, Meadows, Killings, Burgis
NOES: None
ABSTAIN: None
ABSENT: Thorpe

PUBLIC COMMENT

No written comments were submitted, or oral comments made, by any member of the public.

CONSENT ITEMS

On motion by Director Meadows, seconded by Director Killings, the Authority adopted the Consent Calendar, as shown, which carried by the following Roll Call vote:

- A. APPROVED minutes of the June 8, 2023 meeting (July 2023 through March 2024 meetings cancelled).
- B. APPROVED Fiscal Year 2023/24 Mid-year Budget.
- A. ACCEPTED Audit Report prepared by Cropper Rowe, LLP, Certified Public Accountants, for the Fiscal Year ending June 30, 2023. (Copies sent to Board Members and made available at the meeting. Copies also to be made available to the public upon request.)

AYES: Burgis, Meadows, Killings, Bryant
NOES: None
ABSTAIN: None
ABSENT: Thorpe

DETERMINATION

- A. ECCRFFA Website Update: RECEIVE Update on the Status of the Development of a new ECCRFFA Website.

Mr. Dennis reported that the ECCRFFA Website was now active.

- B. Fee Reduction Policy for Certain Transit-Oriented Developments: CONSIDER Adopting the Fee Reduction Policy for Certain Transit-Oriented Developments ("Policy"), consistent with new requirements of the Mitigation Fee Act (Government Code Section 66005.1); and DIRECT ECCRFFA Member Agencies to implement the Policy when imposing RTDIM Fees on qualifying developments.

Mr. Dennis identified a recent change in law under the Mitigation Fee Act where a fee discount should be given for developments close to transit stations that met certain requirements; specifically residential developments that satisfied all characteristics identified in the Act where a lower fee should be charged to reflect that the development was likely to have lower trip generation.

Those characteristics were identified as being located within one-half mile of a transit station and having direct access to that station on a walkable pathway no more than one-half mile in length; having convenient retail uses including a store that sold food within one-half mile of the residential development; and that the development provide either the minimum number of parking spaces required by the local ordinance, or no more than one parking space for each studio/1-BR/2-BR unit and two parking spaces for each 3+BR unit, whichever is less.

Mr. Dennis explained that the Mitigation Fee Act did not specify the amount of reduction for each unit but stated the reduction should be established by the Board to be reasonable. He added that Fehr and Peers prepared a technical memo attached to the staff report dated April 11, 2024, to justify charging a Transportation Impact Fee that was 87 percent of what would otherwise be charged. Julie Morgan, of Fehr and Peers, was available on Zoom to respond to any technical questions.

Mr. Dennis recommended that the Board adopt the Fee Reduction Policy consistent with the new legal requirements and direct ECCRFFA member agencies to implement the policy when imposing Regional Transportation Development Impact Mitigation (RTDIM) fees on new development.

Julie Morgan, Fehr and Peers, responded to the question of whether the new policy also applied to transit transfer stations or bus hubs that met the definition in the Mitigation Fee Act, and she explained that same policy would apply although there were currently none in East County that met the definition. She reported only the three BART stations met the definition. The intent of the Act was to account for developments close to transit to be able to use some for their overall daily needs. Bus hubs had not been included because currently the transfer stations that existed in the Tri Delta Transit region operated at headways greater than that defined in the state's law.

No written comments were submitted, or oral comments made, by any member of the public.

On motion by Director Burgis, seconded by Director Killings, the Authority ADOPTED the Fee Reduction Policy for Certain Transit-Oriented Developments (as attached to the staff report dated April 11, 2024) consistent with the new requirements of the Mitigation Fee Act (Government Code Section 66005.1); and DIRECTED ECCRFFA member agencies to implement the Policy when imposing RTDIM Fees on qualifying developments, carried by the following Roll Call vote:

AYES: Burgis, Meadows, Killings, Bryant
NOES: None
ABSTAIN: None
ABSENT: Thorpe

- C. James Donlon Extension Project: DIRECT staff to work with City of Pittsburg staff to evaluate the status of the delivery of the James Donlon Extension Project ("JDE Project") due to unexpected cost increases and to explore the possibility of establishing substitute projects (currently in the ECCRFFA Program) that could be delivered in place of the JDE Project. Per the ECCRFFA JEPAs, proceeding with substitute projects would require a reprioritization of ECCRFFA projects.

Mr. Dennis stated this item was to discuss the delivery of the James Donlon Extension (JDE) project, which used to be the third priority of the Joint Exercise of Powers Agency (JEPAs). The cost of the project a year ago had been estimated at \$300 million. As a result of the increasing cost, the City of Pittsburg and ECCRFFA staff had looked at the JDE project to see if the cost could be reduced. At this time City of Pittsburg staff had determined there was no significant reduction. The request to the Board was to direct staff to work with City of Pittsburg staff to evaluate the status and support the possibility of discussing substitute projects in the program to move those projects forward. Given the JEPAs' previous determination, the JDE would have to be the next project unless there was a vote to change that priority and this would allow the City of Pittsburg to work toward other projects and for ECCRFFA to move other projects forward.

Mr. Dennis explained that the City of Pittsburg had identified two potential substitute projects including: 1) the Pittsburg portion of the Pittsburg-Antioch Highway project; and 2) West Leland Road Project extended as a four-lane arterial from its current terminus at Santa Teresa to join with Avila Road and widen Avila Road to four lanes down to the Pittsburg/Concord city limit. He stated that proceeding with substitute projects would require a reprioritization of ECCRFFA projects.

Director Burgis noted the situation was consistent with what had occurred with respect to the placement of Sand Creek Road in Brentwood on the priority list. She wanted to make sure that ECCRFFA was not sitting on funds.

Garrett Evans, Pittsburg City Manager, concurred and explained that the \$300 million JDE project was an important project but the cost kept rising. He suggested there might be alternatives to consider and he appreciated the ECCRFFA staff recommendation.

John Samuelson, Pittsburg Public Works Director, suggested the second substitute project, the West Leland Road project, might be a better option to help reduce the traffic backup in the area on State Route 4.

Asked if the Pittsburg City Council had discussed the projects, Pittsburg staff stated that if ECCRFFA was open to this approach, the item would move to the City Council for consideration.

Director Killings wanted to see things move forward and suggested the primary issue related to impacts in terms of what the JDE project meant to the Pittsburg community given the number of cars moving through the corridor. He stated the City was looking at more than one project and he too recommended both substitute projects would help reduce impacts. He indicated that both projects were needed to keep the same benefit of capacity and reduce congestion on Highway 4.

Mr. Dennis clarified that both projects combined (Pittsburg/Antioch Highway project - \$38.1 million; West Leland Road project - \$33.4 million) were equal to the approximate funding ECCRFFA had reserved for the JDE.

Mr. Samuelson clarified that the City of Pittsburg had a preliminary plan for both. Both projects would require California Environmental Quality Act (CEQA) documents requiring one to 1.5 years of work. The design of both projects was simple and straight forward.

Mr. Dennis clarified that the ECCRFFA funding depended on the amount of regional traffic versus local traffic, which was covered as part of the Nexus Study. He stated the price was not fixed, escalation had been based on the Consumer Price Index (CPI), but to date ECCRFFA had not put that as the ceiling and relied on staff to make sure that efficient engineering and cost effectiveness techniques would be employed.

Speaking under public comment for this item, Bruce "Ole" Ohlson stated that East County's bicycle community had no problem with any of the projects but he spoke to the few routes available to bicycle from East County to Central County, and all presented potential safety concerns for bicyclists. He spoke to the challenges of each route and noted that while bicyclists were normally allowed to travel on Highway 4 that was currently prohibited by Caltrans in the area of the freeway widening construction.

Director Killings thanked the Board for considering this item to consider substitute projects for the James Donlon Extension Project.

On motion by Director Killings, seconded by Director Meadows, the Authority DIRECTED staff to work with City of Pittsburg staff to evaluate the status of the delivery of the James Donlon Extension Project (JDE Project) due to unexpected cost increases and to explore the possibility of establishing substitute projects (currently in the ECCRFFA Program) that could be delivered in place of the JDE Project. Per the ECCRFFA JEP, proceeding with substitute projects would require a reprioritization of ECCRFFA projects. The motion carried by the following Roll Call vote:

AYES:	Burgis, Meadows, Killings, Bryant
NOES:	None
ABSTAIN:	None
ABSENT:	Thorpe

- D. ECCRFFA Comprehensive Nexus Study Project List: CONSIDER approving the Updated List of Proposed Projects to be included in the Comprehensive Nexus Study Update for the ECCRFFA Fee Program, with the East Cypress Road Improvement Project (Jersey Island Road to Bethel Island Road) added.

Mr. Dennis reported that staff had been working with Fehr and Peers and the member agencies to develop the Comprehensive Nexus Study. City of Oakley staff had recently requested that the East Cypress Road Improvement Project (Jersey Island Road to Bethel Island Road) be added to the list of ECCRFFA projects.

Director Burgis recommended that the request be approved with support on the regional level given the safety factors involved.

Josh McMurray, Oakley City Manager, viewed the project as critical and stated it would be shovel ready by the end of year. He advised that the City of Oakley had made progress to acquire right of way and this would be part of a three-phase project where Phases 1 and 2 had already been funded. Phase 3 was needed to complete the actual route for safety purposes. He added there had been issues with East Cypress Road due to accidents and this would fix a regional safety issue.

Director Burgis noted the project was No. 44 on the list and asked if that was a problem, and Mr. Dennis clarified the list had been included in the Nexus Study and in the ECCRFFA Fee Program; the number on the list just made it eligible for ECCRFFA funding.

Mr. Dennis commented that since this would be a new project on this Nexus Study, the draft would be submitted to the Board in June and the funds collected would have to have Nexus Study approval and be supported by the member agencies to be on the list. He added that one of the reasons to move forward with a Comprehensive Nexus Study was that with the completion of some of the major projects priorities for the City of Oakley had to be rethought, and when bringing projects to the ECCRFFA Fee Program they could be selected off the list. He indicated that with the Comprehensive Nexus Study, staff would be recommending that the JEPAs be amended to remove prioritization from the JEPAs and the Board would determine project prioritization through the Strategic Plan approval process.

On motion by Director Meadows, seconded by Director Burgis, the Authority APPROVED the Updated List of Proposed Projects (attached to the staff report dated April 11, 2024) to be included in the Comprehensive Nexus Study Update for the ECCRFFA Fee Program, with the addition of the East Cypress Road Improvement Project (Jersey Island Road to Bethel Island Road), carried by the following Roll Call vote:

AYES:	Burgis, Meadows, Killings, Bryant
NOES:	None
ABSTAIN:	None
ABSENT:	Thorpe

BOARDMEMBER COMMENTS

Vice Chair Bryant thanked the Board for the reprioritization of Sand Creek Road and stated it was moving along and would be a benefit to both Antioch and Brentwood residents.

ADJOURNMENT

Vice Chair Bryant adjourned the meeting of the East Contra Costa Regional Fee and Financing Authority at 7:33 P.M. to Thursday, May 9, 2024, at 6:30 P.M. or other day/time deemed appropriate.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk

EAST CONTRA COSTA
REGIONAL FEE AND FINANCING AUTHORITY

DATE: June 13, 2024

TO: Board of Directors

FROM: Dale Dennis, Program Manager



SUBJECT: End of Year FY 2023/24 Work Plan and Budget

Recommendation: APPROVE the End of Year FY 2023/24 Work Plan and Budget.

Discussion:

Staff recommends the Board approve the attached FY2023/24 Work Plan and Budget.

ACTION OF BOARD ON _____

APPROVED AS RECOMMENDED ___ OTHER___

VOTE OF DIRECTORS

UNANIMOUS (ABSENT _____)

AYES: _____ NOES: _____

ABSENT: _____ ABSTAIN: _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED _____

Secretary to the Authority

EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY

End of Year (EOY)
Budget

WORK PLAN AND BUDGET FOR FISCAL YEAR 2023/24

Summary of Estimated Revenue

TOTAL Available Funds at beginning of fiscal year		\$ 110,990,800
Estimated Revenue		Projected Revenues
Regional Transportation Fees		15,000,000
Other Revenue - Mokelumne Loan Repayment from CCTA		11,000,000
Interest		29,000
	Subtotal	\$ 26,029,000

TOTAL ESTIMATED FUNDS AVAILABLE THROUGH 6/30/24	\$ 137,019,800
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Summary of Estimated Expenditures

		Estimated Expenses
1 ECCRFFA General		320,000
	Subtotal	\$ 320,000
2 State Route 4 Bypass Program		
A. General		160,000
B. Segment 1		0
C. Segment 2		6,700,000
D. Segment 3		120,000
	Subtotal	\$ 6,980,000
	TOTAL	\$ 7,300,000

TOTAL ESTIMATED EXPENDITURES THROUGH 6/30/24	\$ 7,300,000
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TOTAL ESTIMATED REVENUES LESS EXPENDITURES	\$ 129,719,800
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Fiscal Year Budget	End of Year (EOY) Budget
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**EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY
WORK PLAN AND BUDGET FOR FISCAL YEAR 2023/24**

ECCRFFA Program - General Program No. 60730				
WORK ORDER	ITEM	Item Description	FY Budget	EOY Budget
4085	Administration	Management of ECCRFFA program, including audit report .	200,000	200,000
4103	Strategic Planning	Preparation of planning document(s) using a combination of staff and consultant effort.	100,000	100,000
—	James Donlan Extension	Fund a portion of the James Donlan Extension Project	20,000	20,000
ECCRFFA Program No. 60730 - General Subtotal			\$ 320,000	\$ 320,000

State Route 4 Bypass - General Program No. 60725				
WORK ORDER	ITEM	Item Description	FY Budget	EOY Budget
4409	Project Management / Admin.	Management of SR4BP Program. (Staff time, including audit, accounting, county counsel and administrative support)	80,000	80,000
4410	Risk Management	Maintain a risk management program. Budget includes payment of policy insurance premium for the SR4BPA for \$10M of coverage.	20,000	20,000
4414	SR4 Transfer and R/W Activities	ROW staff and consultants will continue working with Caltrans on the completion and submittal of records and documents for the transfer of Bypass to Caltrans, complete and record of Survey and and other R/W activities.	30,000	30,000
4444	Property Management & Maintenance	Property management activities related to SR4BPA parcels not transferred to Caltrans. Includes property at SW quadrant of Sand Creek IC area and others. Includes maintenance activities on an as-needed basis , including - debris removal, fence repair, and weed abatement. Also, ongoing DTSC review costs for former gun club property.	30,000	30,000
State Route 4 Bypass Program No. 60725 - General Subtotal			\$ 160,000	\$ 160,000

Fiscal Year Budget	End of Year (EOY) Budget
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**EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY
WORK PLAN AND BUDGET FOR FISCAL YEAR 2023/24**

State Route 4 Bypass: Segment 2 Program No. 60434				
WORK ORDER	ITEM		FY Budget	EOY Budget
N/A	Sand Creek Extension Project	Reimbursement to the City of Brentwood for the environmental documentation, , design and construction of the Sand Creek Extension Project	5,300,000	6,650,000
4499	Mokelumne Pedestrian and Bicycle Overcrossing	Right of way / Construction Mokelumne Pedestrian and Bicycle Overcrossing of SR4	50,000	50,000
State Route 4 Bypass: Segment 2 - Program No. 60435 Subtotal			\$ 5,350,000	\$ 6,700,000

State Route 4 Bypass: Segment 3 Program No. 60436				
WORK ORDER	ITEM		FY Budget	EOY Budget
4425, 4497	Balfour Road Design and Utility Relocation	CCTA is responsible for project for design, utility relocation and construction activities. SR4BA is responsible for R/W acquisition. Any ROW activities related to CCWD, will be reimbursed by CCWD.	100,000	120,000
State Route 4 Bypass: Segment 3 - Program No. 60436 Subtotal			\$ 100,000	\$ 120,000

TOTAL EXPENDITURES	\$ 5,930,000	\$ 7,300,000
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EAST CONTRA COSTA
REGIONAL FEE AND FINANCING AUTHORITY

DATE: June 13, 2024

TO: Board of Directors

FROM: Dale Dennis, Program Manager



SUBJECT: FY 2024/25 Work plan and Budget

Recommendation: APPROVE the FY2024/25 Work Plan and Budget.

Discussion:

Staff recommends that the Board approve the attached FY 2024/25 Work Plan and Budget. The primary focus for ECCRFFA in FY 2024/25 will be the delivery of the following projects:

- Balfour Road Interchange Project – Closeout and R/W Transfer
- Mokelumne Bicycle/Pedestrian Overcrossing Project – Closeout and R/W Transfer
- Sand Creek Road Extension Project

ACTION OF BOARD ON _____

APPROVED AS RECOMMENDED ___ OTHER___

VOTE OF DIRECTORS

_____ UNANIMOUS (ABSENT _____)

AYES: _____ NOES: _____

ABSENT: _____ ABSTAIN: _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED _____

Secretary to the Authority

EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY

Fiscal Year Budget

WORK PLAN AND BUDGET FOR FISCAL YEAR 2024/25

Summary of Estimated Revenue

TOTAL Available Estimated Funds at beginning of fiscal year		\$ 129,719,800
<i>Estimated Revenue</i>		Projected Revenues
Regional Transportation Fees		15,000,000
Interest		30,000
	Subtotal	\$ 15,030,000

TOTAL ESTIMATED FUNDS AVAILABLE THROUGH 6/30/25	\$ 144,749,800
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Summary of Estimated Expenditures

		Estimated Expenses
1	ECCRFFA General	320,000
	Subtotal	\$ 320,000
2	State Route 4 Bypass Program	
	A. General	160,000
	B. Segment 1	0
	C. Segment 2	5,350,000
	D. Segment 3	100,000
	Subtotal	\$ 5,610,000
	TOTAL	\$ 5,930,000

TOTAL ESTIMATED EXPENDITURES THROUGH 6/30/25	\$ 5,930,000
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TOTAL ESTIMATED REVENUES LESS EXPENDITURES	\$ 138,819,800
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**EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY
WORK PLAN AND BUDGET FOR FISCAL YEAR 2024/25**

ECCRFFA Program - General Program No. 60730			
WORK ORDER	ITEM	Item Description	FY Budget
4085	Administration	Management of ECCRFFA program, including audit report .	200,000
4103	Strategic Planning	Preparation of planning document(s) using a combination of staff and consultant effort.	100,000
—	James Donlan Extension	Fund a portion of the James Donlan Extension Project	20,000
ECCRFFA Program No. 60730 - General Subtotal			\$ 320,000

State Route 4 Bypass - General Program No. 60725			
WORK ORDER	ITEM	Item Description	FY Budget
4409	Project Management / Admin.	Management of SR4BP Program. (Staff time, including audit, accounting, county counsel and administrative support)	80,000
4410	Risk Management	Maintain a risk management program. Budget includes payment of policy insurance premium for the SR4BPA for \$10M of coverage.	20,000
4414	SR4 Transfer and R/W Activities	ROW staff and consultants will continue working with Caltrans on the completion and submittal of records and documents for the transfer of Bypass to Caltrans, complete and record of Survey and other R/W activities.	30,000
4444	Property Management & Maintenance	Property management activities related to SR4BPA parcels not transferred to Caltrans. Includes property at SW quadrant of Sand Creek IC area and others. Includes maintenance activities on an as-needed basis , including - debris removal, fence repair, and weed abatement. Also, ongoing DTSC review costs for former gun club property.	30,000
State Route 4 Bypass Program No. 60725 - General Subtotal			\$ 160,000

**EAST CONTRA COSTA REGIONAL FEE AND FINANCING AUTHORITY
WORK PLAN AND BUDGET FOR FISCAL YEAR 2024/25**


State Route 4 Bypass: Segment 2 Program No. 60434			
WORK ORDER	ITEM		FY Budget
N/A	Sand Creek Extension Project	Reimbursement to the City of Brentwood for the environmental documentation, , design and construction of the Sand Creek Extension Project	1,400,000
4499	Mokelumne Pedestrian and Bicycle Overcrossing	Right of way / Construction Mokelumne Pedestrian and Bicycle Overcrossing of SR4	50,000
State Route 4 Bypass: Segment 2 - Program No. 60435 Subtotal			\$ 1,450,000

State Route 4 Bypass: Segment 3 Program No. 60436			
WORK ORDER	ITEM		FY Budget
4425, 4497	Balfour Road Design and Utility Relocation	CCTA is responsible for project for design, utility relocation and construction activities. SR4BA is responsible for R/W acquisition. Any ROW activities related to CCWD, will be reimbursed by CCWD.	150,000
State Route 4 Bypass: Segment 3 - Program No. 60436 Subtotal			\$ 150,000

TOTAL EXPENDITURES	\$ 2,080,000
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**EAST CONTRA COSTA
REGIONAL FEE AND FINANCING AUTHORITY**

DATE: June 13, 2024

TO: Board of Directors 
FROM: Stephen Kowalewski, Contra Costa County Chief Deputy Public Works Director
SUBJECT: Approve Consulting Services Agreement Amendment with PDM Group, Inc. for Program Manager and Support Services

Recommendation: **APPROVE** an amendment to the Consulting Services Agreement between the Authority and PDM Group Inc., to increase the payment limit by \$194,688, to a new payment limit of \$2,255,391, and to extend the termination date from June 30, 2024, to a new termination date of June 30, 2025, for continued Program Manager services, and **AUTHORIZE** the Secretary, or designee, to execute the amendment on behalf of the Authority.

Discussion:

PDM Group Inc. (Dale Dennis) has been serving as the Authority's Program Manager since 2003 and has done an excellent job. Dale's knowledge and expertise in project delivery, budgeting, strategic planning, and his inter-agency coordination skills have made ECCRFFA a successful project funding and delivery agency. The program is fortunate to have Dale's project management skills to deliver many critical regional projects that have helped improve the transportation network for east Contra Costa County. It is recommended that the Board approve an amendment to Consulting Service Agreement with PDM Group Inc. (Dale Dennis) in a not-to exceed amount of \$194,688 for a new payment limit of \$2,255,391 to continue providing Program Manager services for the Authority thorough June 30, 2025. The proposed scope and budget (attached) describes in more detail the services Mr. Dennis will be providing as Program Manager. Staff support would be provided by consultant staff Nancy Wein (PDM Group Inc.) and Lucy Owens, along with Contra Costa County Public Works.

Warren Lai, Secretary to the Authority, or Steve Kowalewski, Chief Deputy Director will sign the proposed amendment for PDM Group Inc.

SK:nw
DRAFT ECCRFFA Staff Report PDM Group CSA Amendment

ACTION OF BOARD ON _____

APPROVED AS RECOMMENDED ___ **OTHER** ___

VOTE OF DIRECTORS

_____ UNANIMOUS (ABSENT _____)

AYES: _____ **NOES:** _____

ABSENT: _____ **ABSTAIN:** _____

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Directors on the date shown.

ATTESTED _____
Secretary to the Authority