

TO: BOARD OF SUPERVISORS  
FROM: DENNIS M. BARRY, AICP  
COMMUNITY DEVELOPMENT DIRECTOR



Contra  
Costa  
County

DATE: JULY 12, 2005

D.2

SUBJECT: REPORT ON BALLOT MEASURE FOR EXTENSION OF THE URBAN LIMIT LINE

**SPECIFIC REQUEST(S) OR RECOMMENDATION(S) & BACKGROUND AND JUSTIFICATION**

RECOMMENDATIONS

1. ACCEPT report from the Community Development Director on a proposed ballot measure to extend the term of the County's Urban Limit Line.
2. ACKNOWLEDGE that the ballot measure for a proposal to extend the term of the Urban Limit Line will generally take the form of "Plan C Compromise - Mutually Agreeable Urban Limit Line", including four of the Worth Amendments, as identified in the Board of Supervisors May 10, 2005 motion.

CONTINUED ON ATTACHMENT:  YES SIGNATURE Dennis M. Barry  
 RECOMMENDATION OF COUNTY ADMINISTRATOR  RECOMMENDATION OF BOARD COMMITTEE  
 APPROVE  OTHER

SIGNATURE(S):  
ACTION OF BOARD ON 07/12/2005 APPROVED AS RECOMMENDED  OTHER

APPENDUM ATTACHED

VOTE OF SUPERVISORS  
 UNANIMOUS (ABSENT NONE)  
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 SUPERVISORS ON THE DATE SHOWN

Contact: P. Roche, CDD-Adv. Pln. (Ph #925-335-1242)  
cc: CAO  
Clerk of the Board  
County Counsel  
19 Cities  
Chair, CCTA

ATTESTED 07/12/2005  
JOHN SWEETEN, CLERK OF THE BOARD OF SUPERVISORS AND COUNTY ADMINISTRATOR  
BY [Signature] DEPUTY

### RECOMMENDATIONS –continued

3. AUTHORIZE staff from the Community Development and County Counsel to begin drafting a ballot measure and initiate the California Environmental Quality Act (CEQA) review process.
4. AUTHORIZE the Chair, Board of Supervisors to sign letter in response to the June 10, 2005 letter from the Mayor, City of Concord.

### FISCAL IMPACT

Should the Board authorize drafting of a ballot measure and initiation of the CEQA review to extend the term of the County's Urban Limit Line substantially based on "Plan C- Mutually Agreeable Urban Limit Line", including four of the Worth Amendments, this would be an unfunded mandate and costs would be incurred for staff time to undertake this effort.

### BACKGROUND / REASONS FOR RECOMMENDATION

On June 14, 2005 the Board of Supervisors considered and discussed the results of the June 8, 2005 Special Meeting of the Contra Costa Transportation Authority, whereby Option #2 was approved which allows a city/town and the County to individually – or in groups – pursue a specific Urban Limit Line ballot measure and initiate the environmental review process on their own. Should a city or the County pursue a local ballot measure to establish their own Urban Limit Line, this would satisfy the jurisdiction's compliance with the Measure J – Urban Limit Lines Principles. At the June 14<sup>th</sup> meeting, the Board requested Community Development staff to return with a report on how to proceed with a ballot measure for the unincorporated area and initiate the CEQA review process, and to draft a response to the June 10, 2004 letter from the Mayor, City of Concord received by the Board regarding the tideland portion of the Concord Naval Weapons Station.

The Board adopted a motion on May 10, 2005 which outlined support for an Urban Limit Line under the Measure J –Mutually Agreeable Urban Limit Line proposal based on the Plan C-Compromise, as presented on 1/24/2005 by the Contra Costa Council, Home Builders Association, Save Mount Diablo, Greenbelt Alliance, and California Alliance For Jobs; plus incorporating 4 of the amendments to Plan C authored by Councilwoman Amy Worth (Orinda), specifically amendments 1, 2, 4 and 6; and, included within the proposal an exemption with respect to the tideland portion of the Concord Naval Weapon Station allowing the automatic commencement of the Urban Limit Line review process for this area when the United States Department of Defense determines to dispose of the property.

Board members will recall that a key feature of the Plan C-Compromise was to leave the Urban Limit Line in its present location, coterminous with City Limits, there would be no changes to the Urban Limit Line for a minimum of ten years and then changes would be allowed only if it is shown that there not a 20-year housing supply in Contra Costa County per certain criteria. The Plan C-Compromise also provided for a periodic review of the Urban Limit Line based on a 5-year cycle beginning after voter adoption of the line.

## BACKGROUND / REASONS FOR RECOMMENDATION -continued

Another key feature under the Plan C-Compromise was the requirement that 10 years after the adoption of the line there should be a sub-regional review of the remaining capacity of the land within the Urban Limit Line to determine if the housing and job needs over the next 20 years could be met within the line. This land availability review would then recommend specific changes in land use designations within the Urban Limit Line and/or recommend the inclusion of additional land within the Urban Limit Line to meet the 20-year housing and jobs needs. A copy of the Plan C-Compromise and the Worth Amendments are provided for Board reference under Attachment "A".

Based on the concepts under the Plan C-Compromise along with the Worth Amendments previously supported by the Board, the following outlines staff's understanding of what the ballot measure would ask the voters to approve:

1. Amend and update the 65/35 Land Preservation Plan Ordinance, including:
  - a) Extend the term for the Urban Limit for another twenty years (2026);
  - b) Incorporate the procedure to review the Urban Limit Line based on a 5- year cycle, beginning after voter adoption, and mandate that after 10 years from adoption a sub-regional review of whether there is sufficient remaining capacity within the Urban Limit Line to meet the 20-year housing and jobs needs for Contra Costa County;
  - c) Mandate voter approval to expand Urban Limit Line boundary by more than 30 acres following the 5-year schedule of periodic review of the Urban Limit Line and 10-year sub-regional land availability review;
  - d) Provide for the automatic commencement of a review of the Urban Limit Line in the vicinity of the tideland portion of the Concord Naval Weapons Station at such time as the United States Department of Defense determines to dispose (surplus) this land area (this could occur outside the 5-year and 10-year cycles of review) ;
  - d) Retain procedure for changes to the Urban Limit Line under 30 acres based on 4/5 vote of Board after holding public hearing and making certain findings;
  - e) Retain the concept of a standard for land preservation, whereby a certain percentage of the overall County land area will be retained for non-urban uses over the twenty year period;
  - f) Retain the concept of protections for the County's prime agricultural land (e.g. Agricultural Core) by maintaining a 40-acre minimum parcel size and limiting uses to agricultural production or uses incidental to agricultural production;

BACKGROUND / REASONS FOR RECOMMENDATION -continued

- g) Incorporate the voter approved ordinance into the General Plan document.
- h) Adopt a new Urban Limit Line Map, reflecting the following (see items 1, 2, 4, and 6 from the Worth Amendments):
  - i. Incorporate San Ramon's voter approved General Plan Land Use and Urban Growth Boundary map;
  - ii. Locate the 27 acres for a public playfield as part of the Gateway development in Orinda on the inside of the Urban Limit Line;
  - iii. Locate the 38 acres of the Pine Creek Detention Basin parcels owned by the Contra Costa County Water Conservation and Flood Control District in the North Gate area on the outside of the Urban Limit Line;
  - iv. Locate the approved Alhambra Valley Ranch residential subdivision (Sub # 6443) on the inside of the Urban Limit Line, and make corresponding adjustments placing waterfront area in the Martinez area outside the Urban Limit Line, as recommended by the Martinez City Council.

2. Amend the Contra Costa County General Plan (2005-2020), Land Use and Conservation elements to incorporate the voters' approval of an updated Urban Limit Line.

At the June 14<sup>th</sup> meeting, the Board also requested staff to identify the probable timeline with key milestones for placing an Urban Limit Line ballot measure before the voters under three different scenarios:

- November 8, 2005 Special Statewide Election Ballot
- June 6, 2006 Statewide Primary Election Ballot
- November 14, Statewide General Election Ballot

A detailed timeline with key milestones for each of these scenarios is provided under Attachment "B" to this report. Staff notes that due to the County Election Official's need to prepare a Countywide Election ballot for the November 8, 2005 Special Election Ballot it would appear to be nearly impossible to submit an Urban Limit Line ballot measure to them on time without severely truncating the 30-day review and comment period of draft ballot measure language by cities and the public and without compressing time needed by staff to prepare both the ballot measure language and complete the CEQA review.

BACKGROUND / REASONS FOR RECOMMENDATION -continued

As a final matter, the Board requested staff to prepare a response to the June 10, 2005 letter from the Mayor, City of Concord. Attached for the Board's consideration under Attachment "C", is a draft letter for the Chair of the Board's signature responding to the concerns raised in the Concord letter.

Attachments (3)

1. Attachment "A" : Plan C-Compromise and the Worth Amendments
2. Attachment "B": 3 Scenarios for placing ULL Ballot Measure before the voters
3. Attachment "C": *draft* response letter to Mayor, City of Concord

Attachment "A": Plan C – Compromise and the Worth Amendments

**Contra Costa Council  
Home Builders Association  
Save Mount Diablo  
Greenbelt Alliance  
California Alliance for Jobs**

**PLAN C – Compromise**

January 24, 2005

**TO: ALL ULL SUB REGIONAL TASK FORCE COMMITTEE  
MEMBERS**

**FROM:** Linda Best – Contra Costa Council  
Guy Bjerke – Home Builder’s Association  
Ron Brown – Save Mount Diablo  
David Reid – Greenbelt Alliance  
Tomi Van de Brooke – California Alliance for Jobs

**SUBJECT: ALTERNATIVE “PLAN C” FOR CONSIDERATION**

We have been meeting since the CCTA passed the Measure J language in August 2004. Our goal has been to work together to find a ULL approach that the environmental and business communities could agree on thereby avoiding the ensuing litigation and campaign battles that often follow land-use decisions.

We have found common ground on the attached “Plan C”. While we recognize that the recently proposed “Plan B” was an attempt to incorporate our approach, the end result left us far from the compromise position we had achieved.

The crux of the compromise found by the environmental and business community was to leave the line in place for now and provide for a rational process that allowed the line to be moved in the future if the county does not have a 20 year housing supply. We agreed that the Shaping our Future came to the reasonable conclusion that, **“If certain land-use planning measures were successfully implemented”**, then the county has a twenty year housing supply as required by law and, further, there would be no need to move the “recently adjusted ULL”.

This consensus group has stuck together though some very difficult decisions and both sides have given up a great deal to meet our goal. The process we developed links back to the Shaping our Future conclusion by providing for an assessment of how the county is doing in implementing the land-use planning measures assumed in Shaping our Future’s conclusion that the county has a 20 year housing supply.

While we appreciate those who believe that they must get all of their changes in now, we don't believe that approach will garner the support needed not only for the cities and the county to accept it but for success with the voters who will have a voice in November 2006.

**It is with this realistic perspective in mind that we bring forth Plan C.**

## **PLAN C**

**WITH RESPECT TO URBAN LIMIT LINE PLACEMENT TO BE PRESENTED TO THE VOTERS IN 2006, there will be no changes the recently adjusted ULL for a minimum of ten years and then, changes would be allowed only if it is shown that there is not a 20 year housing supply available in the County as per criteria set forth below.**

### **THE CONTRA COSTA COUNTY URBAN LIMIT LINE: PERIODIC REVIEW AND CRITERIA FOR LAND INCLUSION**

As part of the reauthorization of Contra Costa's ½-cent transportation sales tax measure (Measure J), the Contra Costa Transportation Authority adopted a Growth Management Program that requires the establishment of a voter approved Urban Limit Line (ULL) by November 2006.

The purposes of the ULL are: (1) to ensure preservation and protection of identified non-urban land, including agricultural, open space, parkland, and other areas, by establishing a line beyond which urban uses generally cannot be designated; (2) to link land use decisions with the transportation investments in Measure J by channeling future growth to locations more suitable for urban development; (3) to ensure that land use policies within the ULL effectively promote appropriate development that accommodates the area's projected housing and job needs over a 20-year period.

The ULL would apply to Contra Costa County and all cities/towns within Contra Costa County. Alternately, cities and the County have the option of establishing their own voter approved ULL or Urban Growth Boundaries.

Contra Costa County and all cities/towns within Contra Costa County agree that there shall be periodic review of the ULL (Periodic Review) and criteria governing amendments to the ULL (Amendment Criteria). These policies will be placed before Contra Costa County voters in November 2006.

### **PERIODIC REVIEW OF ULL: DEVELOPMENT REVIEW AND LAND AVAILABILITY REVIEW**

5 years after adoption of the ULL, and every 5 years thereafter, the City-County Relations Committee shall oversee the completion of a review of residential and

Non-residential development during the preceding 5-year period (Development Review). If the Development Review determines that there has not been substantial progress toward meeting the area's 20-year projections, the Development Review shall recommend specific changes in land use designations, policies, and programs within the ULL that will demonstrably increase the likelihood that appropriate development will occur within the ULL. Expanding the ULL will not be considered as an initial response to the results of a Development Review. Development Reviews shall occur in 2011, 2016, 2021, 2026, and 2031.

10 years after the ULL is adopted, and every 10 years thereafter, the City-County Relations Committee shall oversee the completion of a sub-regional review of the remaining capacity of the land within the ULL (Sub-regional Land Availability Review). If the sub-regional Land Availability Review determines that there is no longer sufficient land planned and zoned in a sub-region to accommodate the projected housing and job needs over the next 20 year period, the Land Availability Review shall recommend specific changes in land use designations within ULL and/or recommend the inclusion of additional land such that the 20-year needs can be met within the revised ULL. Changes to the ULL will be subject to voter approval. Land Availability Reviews shall occur in 2016 and 2026.

#### **LAND INCLUSION CRITERIA**

Maximum efficiency of land uses within and on the fringe of the existing urban area—whether, in comparison with other land that might be added to the ULL, addition of the subject land will better achieve the land use, residential and employment targets, and transportation objectives of the Shaping Our Future Vision Plan.

Orderly and economic provision of public facilities and services—whether adding the subject land to the ULL, as compared with other land that might be added, will result in a more logical extension of public facilities and services.

Environmental, energy, economic and social consequences—whether the consequences of adding the subject land to the ULL would be, on the whole, more positive than not including the land, and more positive than including other land.

Compatibility of urban uses with nearby agricultural activities—whether urban development on the subject land would likely cause a change in farm practices, or an increase in the cost of farm practices, on farms in areas designated for agriculture.

Proposed Amendments to Plan C  
Councilwoman Amy Worth Amendments, presented at the 2/26/2005 ULL Summit

1. As provided in the Measure J Expenditure Plan, accept minor (less than 30 acres) non-consecutive adjustments to the ULL.
2. Accept City and County requests for tightening of the ULL.
3. Accept adjustments to bring inside the line split parcels in Clayton where city services are needed and where the change will not result in new development beyond that which is currently allowed in the March Creek Specific Plan, including preserving the undeveloped land currently protected by County scenic easements.
4. Bring inside the ULL those areas in the City of Martinez's Sphere of Influence that are already developed and concurrently place outside the ULL an equal number of acres in the waterfront area that are not already developed.
5. If the Federal Government releases the Concord Naval Weapons Station (CNWS) for civilian use, the following shall occur: the ULL will be changed to include up to 1,500 acres of the tidal portion for non-residential development if, concurrently, an amount of land equal to 125% of newly included acreage is placed outside the line from the inland portion of the CNWS.
6. Consistent with the city of San Ramon's voter approved ULL; approve two areas for addition on the west side of town. These were voted upon as part of San Ramon's voter approved General Plan. Approve the automatic line adjustment to include Camp Parks, should it be released from Federal control.

Attachment "B": 3 Scenarios for placing ULL Ballot Measure  
before the voters

**TIMELINE AND KEY MILESTONES  
NOVEMBER 8, 2005 SPECIAL STATEWIDE ELECTION BALLOT**

**BOARD-INITIATED URBAN LIMIT LINE MEASURE**

<b>DATE</b>	<b>MILESTONE</b>	<b>BOARD ACTION</b>	<b>CEQA PROCESS</b>
June 13, 2005	Deadline for Governor to call for Special Statewide Election for Nov. 8, 2005	--	--
June 14, 2005 Board of Supervisors meeting	Initiate process for ULL Ballot Measure on Nov. '05 Special Election.	Board authorizes staff to prepare ULL Ballot Measure for Nov. '05 Special Election and determines the main elements of the measure.	Staff finalizes Initial Study under CEQA following Board authorization. (1)
June 21, 2005 Board of Supervisors meeting	Approve <b>draft</b> language for Ballot Measure for public comment	Approve <b>draft</b> ULL Ballot Measure language for public comment and circulate to cities and stakeholders.	Circulate Initial Study and Notice of Intent for a Negative Declaration (20 days, closing on July 12, 2005). Post and file with County Clerk.
July 19, 2005 Board of Supervisors meeting (2)  OR  August 9, 2005 Board of Supervisors meeting (3)	Adopt Resolution on Special Measure Election	Accept report on comments received on draft ULL Ballot Measure.  Make CEQA determination.  Adopt Resolution calling for a Special Measure Election to place ULL Measure on the ballot for the Nov.8, 2005 Special Statewide Election.	Post and file Notice of Determination (NOD) for Negative with County Clerk.

Notes:

- (1) An EIR would need to be prepared, if substantial evidence is identified or presented to support a fair argument that the project would result in physical changes to the environment, and the proposed action was not evaluated in a previous environmental review. An EIR could not be completed prior to the latest date for Board consideration to approve final Ballot Measure language, see notes 2 & 3. A Negative Declaration is anticipated should the Board-initiated ULL Ballot Measure not propose any substantial changes to the existing ULL boundary since it would not induce growth.
- (2) The Contra Costa County Election Official requests that resolution calling the election be filed with Registrar of Voters not less than 106 days prior to the date of the election, in order to provide sufficient time for arguments, preparation of materials for the printer (including translation, proofing, etc.) prior to issuing absentee ballots.
- (3) 88 days prior to the election is the latest that a resolution can be filed with the County Election Official.

**TIMELINE AND KEY MILESTONES  
JUNE 6, 2006 PRIMARY ELECTION BALLOT**

**BOARD-INITIATED URBAN LIMIT LINE BALLOT MEASURE**

<b>BOARD MEETING DATE</b>	<b>MILESTONE</b>	<b>BOARD ACTION</b>	<b>CEQA PROCESS</b>
<p>Earliest start: Board Meeting Sept. 13, 2005</p> <p>Latest start: Board Meeting Nov. 1, 2005</p>	<p>Determine the key elements of the ballot measure based on report from Community Development and County Counsel. Initiate process for drafting an ULL Ballot Measure to be schedule for the June '06 Primary Election.</p>	<p>Board authorizes staff to formally prepare ULL Ballot Measure for June 6, 2006 Primary Election</p>	<p>Begin CEQA review process (1).</p>
<p>Earliest: Board Meeting Nov. 15, 2005</p> <p>Latest: Board Meeting Jan. 17, 2006</p>	<p>Approve <b>draft</b> language for Ballot Measure for public comment</p>	<p>Approve <b>draft</b> ULL Ballot Measure language for public comment and circulate to cities and stakeholders for 30 days.</p>	<p>Circulate Initial Study and Notice of Intent for a Negative Declaration (30 days, closing on Dec. 15, 2006, or Feb. 17, 2006). Post and file with County Clerk.</p>
<p>Earliest Board Meeting Feb. 21, 2006 (2)</p> <p>OR</p> <p>Latest: Board Meeting March 7, 2006 (3)</p>	<p>Adopt Resolution on Special Measure Election</p>	<p>Accept report on comments received on draft ULL Ballot Measure.</p> <p>Make CEQA determination.</p> <p>Adopt Resolution calling for a Special Measure Election to place ULL Measure on the ballot for the June 6, 2006 Primary Election. (2)</p>	<p>Post and file Notice of Determination (NOD) for Negative Declaration County Clerk.</p>

**Notes:**

- (1) An EIR would need to be prepared, if substantial evidence is identified or presented to support a fair argument that the project would result in physical changes to the environment, and the proposed action was not evaluated in a previous environmental review. It is doubtful that an EIR could be completed prior to the latest date for Board consideration to approve final Ballot Measure language, see notes 2 & 3. A Negative Declaration is anticipated should the Board-initiated ULL Ballot Measure not propose any substantial changes to the existing ULL boundary since it would not induce growth.
- (2) The Contra Costa County Election Official requests that resolution calling the election be filed with Registrar of Voters not less than 106 days prior to the date of the election, in order to provide sufficient time for arguments, preparation of materials for the printer (including translation, proofing, etc.) prior to issuing absentee ballots.
- (3) 88 days prior to the election is the latest that a resolution can be filed with the County Election Official.

**TIMELINE AND KEY MILESTONES  
NOVEMBER 14, 2006 GENERAL ELECTION BALLOT**

**BOARD-INITIATED URBAN LIMIT LINE BALLOT MEASURE**

<b>BOARD MEETING DATE</b>	<b>MILESTONE</b>	<b>BOARD ACTION</b>	<b>CEQA PROCESS</b>
<p>Earliest: Board Meeting Sept. 13, 2005</p> <p>Latest: Board Meeting April 11, 2006</p>	<p>Determine the elements of the ballot measure based on report from Community Development and County Counsel. Initiate process for drafting an ULL Ballot Measure to be schedule for the Nov. '06 General Election.</p>	<p>Board authorizes staff to formally prepare ULL Ballot Measure for the Nov. '06 General Election</p>	<p>Begin CEQA review process (1).</p>
<p>Earliest: Board Meeting Nov. 15, 2005</p> <p>Latest: Board Meeting June 13, 2006</p>	<p>Approve <b>draft</b> language for Ballot Measure for public comment.</p>	<p>Approve <b>draft</b> ULL Ballot Measure language for public comment and circulate to cities and stakeholders for 30 days.</p>	<p>Circulate Initial Study and Notice of Intent for a Negative Declaration (30 days, closing on Dec.15, 2006, or Feb. 17, 2006). Post and file with County Clerk.</p>
<p>Earliest: Board Meeting Feb. 21, 2006</p> <p>OR</p> <p>Latest: Board Meeting July 18, 2006 (2) or August 8, 2006 (3)</p>	<p>Adopt Resolution on Special Measure Election</p>	<p>Accept report on comments received on draft ULL Ballot Measure.</p> <p>Make CEQA determination.</p> <p>Adopt Resolution calling for a Special Measure Election to place ULL Measure on the ballot for the June 6, 2006 Primary Election. (2)</p>	<p>Post and file Notice of Determination (NOD) for Negative Declaration County Clerk.</p>

**Notes:**

- (1) An EIR would need to be prepared, if substantial evidence is identified or presented to support a fair argument that the project would result in physical changes to the environment, and the proposed action was not evaluated in a previous environmental review. It is doubtful that an EIR could be completed prior to the latest date for Board consideration to approve final Ballot Measure language, see notes 2 & 3. A Negative Declaration is anticipated should the Board-initiated ULL Ballot Measure not propose any substantial changes to the existing ULL boundary since it would not induce growth
- (2) The Contra Costa County Election Official requests that resolution calling the election be filed with Registrar of Voters not less than 106 days prior to the date of the election, in order to provide sufficient time for arguments, preparation of materials for the printer (including translation, proofing, etc.) prior to issuing absentee ballots.
- (3) 88 days prior to the election is the latest that a resolution can be filed with the County Election Official.

Attachment "C": *draft* response letter to Mayor, City of Concord

# The Board of Supervisors

County Administration Building  
651 Pine Street, Room 106  
Martinez, California 94553-4068

John Gioia, District I  
Gayle B. Uilkema, District II  
Mary Piepho, District III  
Mark DeSaulnier, District IV  
Federal D. Glover, District V

# Contra Costa County

John Sweeten  
Clerk of the Board  
and  
County Administrator  
(925) 335-1900



July 12, 2005

Honorable Laura M. Hoffmeister  
Mayor, City of Concord  
City of Concord  
1950 Parkside Drive, MS/01  
Concord, CA 94519-2578

**Subject:** *2006 Ballot Measure for Extension of the County's Urban Limit Line*

Dear Mayor Hoffmeister:

Thank you for your letter of June 10, 2005 to the Board of Supervisor on behalf of the Concord City Council explaining your city's position on the May 10, 2005 Board motion which outlined our support for an Urban Limit Line under the Measure J- Mutually Agreeable Urban Limit Line process based on the Plan C-Compromise, as presented on January 24, 2005 by the Contra Costa Council, Home Builders Association, Save Mount Diablo, Greenbelt Alliance, and California Alliance for Jobs.

On June 8, 2005 the Contra Costa Transportation Authority approved Option #2 which allows a city/town and the County on their own – or in groups – to pursue the establishment of an Urban Limit Line through a ballot measure. Based on this action, the Board of Supervisors has determined to proceed with a ballot measure for the unincorporated area substantially following the Plan C-Compromise proposal along with certain of the amendments authored by Councilwoman Amy Worth.

With respect to the 1500 acre tideland portion of the Concord Naval Weapons Station, the ballot measure would include a provision to automatically commence the review of the Urban Limit Line boundary for this portion of the base at such time as the United States Department of Defense determines to dispose (surplus) this land area. It should be noted that this provision means that the review could occur outside the regular cycle of the Urban Limit Line review, as defined under the Plan C-Compromise. Any change to the Urban Limit Line boundary for the tideland portion of the Concord Naval Weapons Station exceeding 30 acres would still require voter approval.

Letter to Mayor Hoffmeister re: Urban Limit Line Ballot Measure  
July 12, 2005  
Page Two

We have directed our staff to begin the process of drafting the ballot measure language and to initiate the review process under the California Environmental Quality Act (CEQA). It is our expectation that this ballot measure will be placed before the voters in 2006. It is our intention to circulate the draft ballot measure language to each of the 19 cities and the various stakeholder groups for a 30-day comment period prior to the Board's formal adoption of a resolution on a special measure election and forwarding of the ballot measure to the County Elections Official.

We look forward to the City of Concord's continued interest in this matter.

Sincerely,

Gayle B. Uilkema,  
Chair, Board of Supervisors

## ADDENDUM TO ITEM D.2

July 12, 2005

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On this day, the Board of Supervisors considered accepting a report from the Community Development Director on a work program and schedule for the County-initiated Urban Limit Line (ULL) ballot measure.

Dennis Barry, Community Development Director, presented staff's report, noting that a proposed timeline was attached to the Board Order for this item.

Chair Uilkema asked in what way the cities ballot measures and/or privately led initiatives appearing on the ballot would affect what the County does.

Supervisor Glover noted that several East Bay cities are planning to place ULL measures on the November 8<sup>th</sup> ballot.

Chair Uilkema asked what will happen if the County cannot make it onto that November 8<sup>th</sup> ballot with its own measure.

Mr. Barry responded that the Board could direct staff to incorporate the outcome of those ballot measures, should they affect a change in the line, into the County's proposed line.

Supervisor DeSaulnier noted that Concord and Clayton may join with the County, bringing the County's line closer to achieving the Measure J requirement for mutual agreement by 3/4 of the cities and 4/5 of the Supervisors. Supervisor DeSaulnier then raised a question about the acceptability of city residents voting on a line that is outside of city boundaries.

Mr. Barry responded that there is a difference between a General Plan Amendment and a line that will be honored to quality for Measure J Return to Source funds.

Chair Uilkema asked if the Board's acceptance of this item sets a date for the County's measure to go to the ballot.

Mr. Barry said Board acceptance begins the process, but that staff will be returning to the Board as part of that process. He said the earliest date, and that date for which staff will aim, would be the June 2006 election.

The public was invited to speak. No public testimony was provided.

***Chair Uilkema made a motion, seconded by Supervisor Gioia, and by a unanimous vote with no Supervisors absent the Board:***

ACCEPTED the report fro the Community Development Director on a proposed ballot measure to extend the term of the County's Urban Limit Line; ACKNOWLEDGED that he ballot measure for a proposal to extend the term of the Urban Limit Line will generally take the form of "Plan C Compromise – Mutually Agreeable Urban Limit Line", including four of the Worth Amendments, as identified in the Board of Supervisors May 10, 2005 motion; AUTHORIZED staff from the Community Development Department and County Counsel to begin drafting a ballot measure and initiate the California Environmental Quality Act (CEQA) review process; and AUTHORIZED the Chair, Board of Supervisors, to sign a letter in response to the June 10, 2005 letter from the Mayor, City of Concord.

# # #