

S. Taylor #29 BOS 2/28/17

2-28-17 BOS Open Forum

re: 1-24-17 BOS Agenda Item #30, File #16-1146, MC&FP

Supervisors,

It was brought to our attention that the Board of Supervisors used Measure J to bypass Measure E at the January 24, 2017 Board of Supervisor meeting regarding the Missouri Flat Master Circulation Financing Plan.

The 2000 Measure J is irrelevant and was incorrectly used. Below are excerpts from (1) approved 2000 Measure J ballot, which was superseded by (2) the 2009 version of TC-Xa , and then superseded by, (3) the current Measure E. Measure J is therefore irrelevant, having been superseded by the 2008 extension of Y.

**(1) from the 2000 ballot:**

EL DORADO COUNTY MEASURE J	
<b>J</b> Shall the County be authorized to use that portion of its sales tax revenues generated by new development to pay for building road capacity improvements to offset the impacts of traffic generated by non-residential development as allowed under Policy 3.2.2.5 of Measure Y, enacted by the voters on November 3, 1998?	YES +
	NO +

**(2) post Measure Y-extension policy TC-Xa:**

**Policy TC-Xa**

The following policies shall remain in effect until December 31, 2018:

1. Traffic from single-family residential subdivision development projects of five or more parcels of land shall not result in, or worsen, Level of Service F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.
2. The County shall not add any additional segments of U.S. Highway 50, or any other roads, to the County's list of roads that are allowed to operate at Level of Service F without first getting the voters' approval or by a 4/5ths vote of the Board of Supervisors.
3. Developer-paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county.

**(3) post Measure E policy TC-Xa:**

<b>Policy TC-Xa</b>	The following policies shall remain in effect until December 31, 2018:
	<ol style="list-style-type: none"><li>1. Traffic from residential development projects of five or more units or parcels of land shall not result in, or worsen, Level of Service F (gridlock, stop-and-go) traffic congestion during weekday, peak-hour periods on any highway, road, interchange or intersection in the unincorporated areas of the county.</li><li>2. The County shall not add any additional segments of U.S. Highway 50, or any other highways and roads, to the County's list of roads from the original Table TC-2 of the 2004 General Plan that are allowed to operate at Level of Service F without first getting the voters' approval.</li><li>3. All necessary road capacity improvements shall be fully completed to prevent cumulative traffic impacts from new development from reaching Level of Service F during peak hours upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county before any form of discretionary approval can be given to a project.</li><li>4. County tax revenues shall not be used in any way to pay for building road capacity improvements to offset traffic impacts from new development projects. Non-county tax sources of revenue, such as federal and state grants, may be used to fund road projects. Exceptions are allowed if county voters first give their approval.</li><li>5. The County shall not create an Infrastructure Financing District unless allowed by a 2/3<sup>rd</sup>'s majority vote of the people within that district.</li><li>6. Mitigation fees and assessments collected for infrastructure shall be applied to the geographic zone from which they were originated and may be applied to existing roads for maintenance and improvement projects.</li><li>7. Before giving approval of any kind to a residential development project of five or more units or parcels of land, the County shall make a finding that the project complies with the policies above. If this finding cannot be made, then the County shall not approve the project</li></ol>
<i>Page 70</i>	<i>(Amended July 2016) July 2004</i>

Sue Taylor

Save Our County