

# Ordinance No. 88-1

## Riverside County Transportation Commission Transportation Expenditure Plan And Retail Transaction and Use Tax Ordinance

### PREAMBLE

The transportation system in Riverside County is rapidly deteriorating. Maintenance and repairs of existing roadways and improvements to relieve congestion cannot be accomplished with available funds. Without additional funds, the system will bog down and pavement will crumble into permanent disrepair. State highway funds are inadequate and competition for funds is increasing. Projects in areas where local sales tax funds are available will be viewed much more favorably in the selection process of the California Transportation Commission. Local governments must either generate revenues to save the system or watch the system collapse and endanger the health, welfare and safety of all Riverside County residents.

A one-half percent sales tax for transportation to supplement traditional revenues and revenues to be generated through locally-adopted developer fees and assessment districts for transportation improvements is the only way local governments can be sure the transportation system will serve the current and future travel needs of Riverside County. The Riverside County Transportation Commission will continue to seek maximum funding for transportation improvements through State programs. The Commission will not provide sales tax revenues to any city or to the county unless revenues currently used by that agency for transportation are continued to be used for transportation purposes.

The Riverside County Transportation Commission ordains as follows:

**SECTION I. SUMMARY.** This ordinance provides for the imposition of a retail transaction and use tax of one-half percent for a period of twenty (20) years, the authority to issue limited tax bonds, and the administration of the tax proceeds and a county transportation expenditure plan.

**SECTION II. DEFINITIONS.** The following definitions shall apply in this ordinance:

- A. Expenditure Plan. "The Expenditure Plan" means the Riverside County Transportation Commission Expenditure Plan (attached as Exhibit B) and adopted as part of the Ordinance including any future amendments thereto.



- B. "County" means the County of Riverside.
- C. "Commission" means the Riverside County Transportation Commission created pursuant to Sections 130053 and 130053.5 of the Public Utilities Code.

**SECTION III. AUTHORITY.** This ordinance is enacted, in part, pursuant to the provisions of Division 25 (commencing with Section 240000) of the Public Utilities Code, and Section 7252.22 of the Revenue and Taxation Code.

**SECTION IV. IMPOSITION OF RETAIL TRANSACTIONS AND USE TAX.** Upon voter approval of the same, the Commission shall impose, in the incorporated and unincorporated territory of the County of Riverside, a retail transactions and use tax (referred to as the "A" fund tax) at the rate of one-half of one percent (0.5%) for a period of twenty (20) years from the date which the Commission and the State Board of Equalization agree to begin collection of the tax. The tax shall be in addition to any other taxes authorized by law, including any existing or future state or local sales tax or transactions and use tax.

**SECTION V. PURPOSES.** Measure "A" funds may only be used for transportation purpose including the administration of Division 25, including legal actions related thereto, the construction, capital, acquisition, maintenance, and operation of streets, roads and highways, including state highways and public transit systems and for related purposes. These purposes include expenditures for the planning, environmental reviews, engineering and design costs, and related right-of-way acquisition.

**SECTION VI. BONDING AUTHORITY.** Upon voter approval of Measure "A" funds, the Commission shall have the power to sell or issue, from time to time, limited tax bonds in the aggregate principal amount at any one time outstanding of not to exceed \$300 million for capital outlay expenditures for the purpose set forth in Section V hereof, including to carry out the transportation projects described in the Expenditure Plan.

**SECTION VII. MAINTENANCE OF EFFORT.** The Commission, by enactment of this Ordinance, intends the additional funds provided government agencies by this chapter to supplement existing local revenues being used for transportation purposes. The government agencies shall maintain their existing commitment of local funds for street highway and public transit purposes pursuant to this Ordinance, and the Commission shall enforce this Section by appropriate actions including fiscal audits of the local agencies.



The local cities and the County shall annually submit to the Commission a list of the proposed uses for these funds and a certification that the maintenance of effort requirement be met. If in any fiscal year the maintenance of effort requirements are not met, the agency shall not be eligible for Measure "A" funds in the following fiscal year. Such funds shall be distributed to the remaining local governments using the formula for the area.

**SECTION VIII. RETURN TO SOURCE.** Funds for transportation purposed shall be allocated to the Western County, Coachella Valley, and Palo Verde Valley areas proportionate to the Measure "A" funds generated within these areas.

**SECTION IX. ADMINISTRATION OF PLANS.** The Commission shall impose and collect Measure "A" funds, shall allocate revenues derived, and shall administer the Expenditure Plan, consistent with the Authority cited herein.

**SECTION X. ADMINISTRATIVE COSTS.** The Commission shall expend only that amount of the funds generated from Measure "A" for staff support, audit, administrative expenses, and contract services that are necessary and reasonable to carry out its responsibilities pursuant to Division 25, and in no case shall the funds expended for salaries and benefits exceed one percent (1%) of the annual net amount of revenue raised by Measure "A".

**SECTION XI. ANNUAL APPROPRIATIONS LIMIT.** Pursuant to Article XIII B of the California Constitution and Public Utilities Code S131108(g), an appropriations limit of \$75 million is established for the Commission for the first fiscal year. The appropriations limit shall be subject to adjustment as provided by law.

**SECTION XII. EFFECTIVE AND OPERATIVE DATES.** Subject to voter approval, this ordinance shall take effect at the close of the polls on November 8, 1988.

**SECTION XIII. ELECTION.** The Commission requests the Board of Supervisors to call an election for voter approval of Measure "A" (Exhibit A), which election shall be held on November 8, 1988 and consolidated with other elections to be held on that same date. The election shall be called and conducted in the same manner as provided by law for the conduct of elections by a county. Pursuant to Public Utilities Code S131108, the sample ballot to be mailed to the voters shall be the full proposition as set forth in the ordinance, and the voter information handbook shall include the entire Expenditure Plan. Approval of the attached proposition, and the imposition of Measure "A", shall require the vote of a majority of the electors voting on the attached proposition at the election described in this section.



**SECTION XIV. EXPENDITURE PLAN AMENDMENTS.** The Expenditure Plan for Measure "A" funds may only be amended, if required, by the following process: (1) Initiation of amendments by the Commission reciting findings of necessity; (2) Approval by the Board of Supervisors; and (3) Approval by a majority of the cities constituting a majority of the incorporated population.

**SECTION XV. SEVERABILITY.** If any tax or provision of this ordinance is for any reason held invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining Measure "A" funds or provisions, and the Commission declares that it would have passed each part of this ordinance irrespective of the validity of any other part.

**By: Roy Wilson, Vice Chairman  
Riverside County Transportation Commission**



# Riverside County Transportation Improvement Plan

July 13, 1988

## GOALS AND POLICIES

### **IMPROVE AND MAINTAIN THE QUALITY OF LIFE IN RIVERSIDE COUNTY BY SUPPLEMENTING EXISTING FUNDS FOR TRANSPORTATION.**

- Enhance Riverside County's ability to secure State and Federal funding for transportation by offering matching local funds.
- Avoid "Los Angelization" of Riverside County by reducing current traffic congestion problems now.

### **PROVIDE FOR EQUITY IN THE DISTRIBUTION OF MEASURE A REVENUES.**

- Return funds to the Western County, Coachella Valley and Palo Verde Valley proportionate to funds generated in those areas.
- Adopt Improvement Plan proposals which address the unique needs of each of these areas of the County.
- Provide for a reasonable balance between competing highway, commuter rail, transit and local street and road needs.

### **PROVIDE FOR LOCAL CONTROL OF THE IMPROVEMENT PLAN PROGRAM**

- Provide for cost-effective, local administration of the program through the existing Riverside County Transportation Commission. No new agency would be created to administer these funds.
- Delegate appropriate administrative responsibility to cities, the County, and other local agencies for local programs.

This TRANSPORTATION IMPROVEMENT PLAN, which shall also act as the County's expenditure plan, was prepared by the Riverside County Transportation Commission for the proposed ½ % local transactions and use tax for transportation to be collected for the next 20 years if approved by the voters on November 8, 1988 – Measure A. This is proposed by the Commission as a means to fill the funding shortfall to implement needed highway and commuter rail projects, local street and road programs and transit improvements for the seniors and handicapped people.



## SPECIFIC TRANSPORTATION PROJECTS TO BE FUNDED

### WESTERN RIVERSIDE COUNTY

The Improvement Plan Map illustrates both the Western Riverside County and Coachella Valley areas. The Western County area includes the cities of Riverside, Banning, Beaumont, Corona, Hemet, Lake Elsinore, Moreno Valley, Norco, Perris, and San Jacinto. It also includes the unincorporated communities of Sun City, Canyon Lake, and Rancho California and other sparsely populated unincorporated areas.

#### 1. State Highways

Many more State highway projects are needed to deal with congestion and safety problems than existing Federal and State revenues can fund. The major focus in the Western County area is improvement to State Route 91 and the State Routes 91/60/215 interchange. The 1988 costs of these and other priority highway projects in the Western County area exceed \$655.6 million. Estimated funds from existing State and Federal sources will meet only about one-half of these needs. Measure A funds are anticipated to cover the other half.

The highway projects to be implemented with funding assistance from Measure A funds returned to the Western County area are as follows:

<u>Route</u>	<u>Limits</u>	<u>Project</u>	<u>Cost Range (\$Millions)</u>
Route 91	Orange County Line to Magnolia Avenue (South-West Riverside) (Riverside Freeway)	Widen from 6 to 10 lanes (add 2 lanes in each direction)	\$118.0
Route 91	Magnolia Avenue to 91/60/215 interchange (Riverside Freeway)	Add up to 2 lanes in each direction	\$173.5
Route 60	Interstate 215 To Redlands Boulevard (Pomona Freeway)	Widen to 6 lanes (add 1 lane in each direction)	\$21.7
Route 60	Route 91 to Valley Way (Pomona Freeway)	Widen to 6 lanes (add 1 lane in each direction)	\$16.8
Route 74	Interstate 15 to Interstate 215	Widen to 4 lanes	\$28.8



<u>Route</u>	<u>Limits</u>	<u>Project</u>	<u>Cost Range (\$Millions)</u>
Route 74	Winchester Road To Warren Road	Realign curve	\$2.0
Route 79/ Sanderson	Interstate 10 to Route 74 near Hemet/San Jacinto	Widen portions to 4 lanes & construct all-weather crossing at Sanderson	\$19.4
Route 79	Newport Road to Keller Road	Widen to 4 lanes (add 1 lane in each direction)	\$10.0
Route 60/ I-215	Route 91 to Route 60	Widen to 8 lanes (add 1 lane in each direction)	\$18.8
*Route I-215	Interchange to San Bernardino County Line	Widen to 8 lanes (add 1 lane in each direction)	\$14.2
Route 60/91	60/91/215 Interchange	Reconstruct with 2 direct freeway to freeway ramps	\$115.0
Route 60/91	Various locations	Lease Park & Ride lots	\$2.0
Route 60/91/215	Various locations	Interchange work to improve local circulation	\$30.5
All	Various locations	Share cost of interchanges for job development	\$20.0
All	Spaces per Standard/all Highways	Augment highway call box funding	\$2.0
Contingencies			<u>\$32.0</u>
TOTAL			\$624.7

\* If connecting projects are constructed in San Bernardino County.



Funds to support these projects will come from a highway and commuter rail transportation account of \$339 million.

## **2. Local Streets and Roads**

Over the last 20 years, available funds for maintenance of local streets and roads has declined. At the same time, these facilities are reaching "middle age", with potholes and need for major reconstruction. Local street improvements adjacent to new residential and business developments will continue to be paid for by the developers. The greatest need is for maintenance and rehabilitation of the existing city and county road system. Current resources cover only 25% to 50% of the pavement maintenance needs.

The Improvement Plan proposes that 40% of the Measure A fund to be returned to the Western County area shall be used to assist funding for local streets and roads. Funds should be distributed to the cities and the County by a formula based on 75% on proportionate population and 25% on Measure A revenues generated within each jurisdiction. Five year Capital Improvement Programs will be prepared and annually updated within each city and the County with public participation.

## **3. Discount Fare and More Transit Service for Seniors and Handicapped**

Discount transit fares for senior (age 60 and older) and handicapped people are now one-half the normal fare for fixed route transit service within the Western County area. Measure A funds will be used to guaranteed continuation of this reduced fare for 20 years. In addition, funds will be used to provide further reductions for the truly needy. Funds will be used to expand existing services and implement new services. Ways to do this include providing vans and operating assistance and to social service agencies, contracts for evening taxi service for medical purposes, and an outreach program to advise seniors and handicapped people of al available transit services and how to use them. The intent of this program is to provide service to those with no other means of transportation. Funding for this program would come from \$31 million for specialized transportation.

## **4. Commuter Buses, Carpools and Vanpools**

A systematic program will be implemented that encourages the use of commuter bus, carpools and vanpools to make our existing highway system work better during congested rush hour periods. The commuter bus component will consist of express bus service between major points for home and work trips utilizing special bus/carpool lanes on the freeway system as they are constructed. The use of carpool and vanpools will be encouraged by improving computer assisted ridesharing matching



programs, encouraging positive incentives by major employers and providing “seed” money for the start up of vanpool groups for initial vehicle purchase, insurance and related costs. Funding for this program would come from \$31 million for specialized transportation programs.

## 5. Commuter Rail to Los Angeles and Orange Counties

Recent studies indicate that development of a commuter rail system using existing rail lines from Riverside/San Bernardino areas to Los Angeles and Orange County is feasible. Commuter rail service would be beneficial to Riverside area commuters, and Los Angeles and Orange County employers.

There are considerable Federal and State funds available to match local dollars for the provision of rail transit service. It is the intent of the Improvement Plan to match to the maximum extent possible these Federal and State funds for the implementation of commuter rail service to both Los Angeles and Orange Counties. It is anticipated that this program will involve a cooperative plan to be funded by Riverside, San Bernardino, Los Angeles and Orange Counties.

In order for Riverside County to be able to qualify for full State matching funds for commuter rail, Measure D on this same ballot will need to be passed by the voters. This will allow Riverside County to be allocated a share of \$75 million per year which the California Transportation Commission must, by law, set aside from the State highway account for rail transit.

<u>Commuter Rail Route</u>	<u>Limits</u>	<u>Project</u>	<u>Cost Range (\$ Millions)</u>
Parallel to Route 91, I-10 and I-215	Riverside to Los Angeles and Orange Counties	Commuter rail on existing lines	\$100.0

Riverside County’s share of funds for these projects will come from a highway and commuter rail transportation account of \$339 million.

## COACHELLA VALLEY

The Transportation Improvement Plan generally illustrates the proposals for the Coachella Valley area. The area includes the cities of Cathedral City, Coachella, Desert Hot Springs, Indian Wells, Indio, La Quinta, Palm Desert, Palm Springs, and Rancho Mirage. It also includes the major unincorporated areas and a substantial amount of more unincorporated areas and a substantial amount of more sparsely populated county areas.



## 1. State Highways and Major Regional Road Projects

Fifty-five percent of the Measure A funds generated within the Coachella Valley will be used for State highways and major regional road projects. The Coachella Valley area is served by few State highways. The proposed Regional Arterial Systems developed through the Coachella Valley Association of Governments would function much like State highways to address future needs for the area.

Of the 55% share, about one-quarter will supplement Federal and State funds for the following State highway projects:

<u>Route</u>	<u>Limits</u>	<u>Project</u>	<u>Cost Range (\$ Millions)</u>
Route 86	Dillon Road to Oasis	Construct 4 lane freeway	\$55.7
Route 111	Ramon to Indio Boulevard	Various operational Improvements	\$20.0
All	Spaced per Standard/all Highways	Augment highway call box funding	\$1.0
Contingencies			<u>2.8</u>
TOTAL			\$79.5

The remaining Measure A share of this fund will be used to implement the planned Regional Arterial System. The estimated cost for arterial system improvements will exceed \$200 million. The proposed system is to be implemented with a mix of existing funding required from new development, a Uniform Traffic Mitigation Fee which would also be paid by developers from new development, and Measure A funds returned to the Coachella Valley area. The Uniform Traffic Mitigation Fee schedule shall be established in order to generate at least the equivalent of Measure A funding toward the Regional Arterial System.

It is anticipated that this plan will be implemented through the Coachella Valley Association of Governments. The highest priority projects include the Mid-Valley Parkway (from Gene Autry north of Vista Chino to I-10 at Monterey), Palm Drive/Gene Autry Trail (from the Mid-Valley Parkway to Desert Hot Springs), Fred Waring Drive (from Route 111 in Palm Desert to Indio Boulevard), and Jefferson Street (from Avenue 54 to Indio Boulevard).



## **2. Local Streets and Roads**

As in Western Riverside County, over the last 20 years available funds have not kept pace with local streets and roads needs in the Coachella Valley. Cities and the County are also faced with the problems of an aging system and potholes. The Measure A funds would supplement existing Federal, State and local funds. Local street improvements adjacent to new residential and business developments will continue to be paid for by the developers. This creates need for maintenance and rehabilitation of the existing city and county road system. Current resources cover only 25% of the pavement maintenance needs.

The Coachella Valley Association of Governments will play a role in determining allocations to local governments for streets and roads. Local streets and roads funds will be provided to Coachella Valley cities and the County if they participate in the Uniform Traffic Mitigation Fee program to assist in financing the priority Regional Arterial System. If local agencies choose not to levy the additional developer fees, the fund they would otherwise receive for local streets and roads will be added to the Measure A funds for the Regional Arterial System. In addition, the Coachella Valley Association of Governments will have the discretion to provide a portion of these funds to increase funding for specialized transit programs for seniors and handicapped people, bus replacement or other transit programs which may improve air quality.

## **3. Discount Fare and More Transit Service for Senior and Handicapped**

Discount transit fares for seniors (age 60 and older) and handicapped people are normal fare for fixed route transit service for most of the day within the Coachella Valley area. Measure A funds will be used to guarantee reduced fares for 20 years. In addition, Measure A funds will be used to provide further reductions for the truly needy. Funds will be used to expand existing services and implement new services. Ways to do this include providing vans and operating assistance to social service agencies, contract for evening taxi service for medical purposes, and an outreach program to advise seniors and handicapped people of all available transit services. The intent of this program is to provide service to those with no other means of transportation. Funding for this program would come \$12 million of the retail transaction and use tax funds set aside for specialized transportation programs.

## **4. Commuter Buses, Carpools and Vanpools**

A systematic program to encourage the use of commuter buses, carpools and vanpools is also proposed for the Coachella Valley. This program would be particularly beneficial to get employees to seasonal jobs in the Desert hospitality industry. It will also improve air quality within the Coachella Valley. The commuter bus component will consist of express buses serving major work locations. The use



of carpools and vanpools will also be encouraged by improving computer assisted ridesharing matching programs, encouraging positive incentives by major employers and providing "seed" money for the start up of vanpool groups for initial vehicle purchase, insurance and related costs. Funding for this program would come from the \$12 million set aside for specialized transit programs.

## 5. Bus Replacement and More Service

SunLine Transit Agency does not have enough Federal or State funds to replace their buses as they wear out. Despite continuous maintenance and periodic rehabilitation, the need to replace the fleet within the next 20 years is anticipated. Replacement buses would also meet more stringent air pollution control requirements. Funding may also be needed for additional bus service. The Coachella Valley Association of Governments may provide up to an additional \$12 million.

## PALO VERDE VALLEY

The Palo Verde Valley is located on the far eastern side of Riverside County. It is geographically separated and remote from the Western and Coachella Valley areas. The population within the area is relatively small, and significant growth over the next 20 years is not anticipated.

The Palo Verde Valley is served by Interstate 10 as a divided freeway providing adequate connections to more westerly portions of Riverside County and east to Arizona. Increased transit needs can be adequately met from existing available sources. The greatest need within the Palo Verde Valley area is additional funding to maintain and rehabilitate local streets and roads.

All of the \$13 million Measure A funds to be returned to the Palo Verde Valley are to be used for local streets and roads. Funds shall be distributed to the City of Blythe and the County of Riverside by formula. The formula distribution is based 75% on proportionate population and 25% on sales tax revenues generated in each jurisdiction.

### Measure A Revenue Allocations ( \$ Millions)

Western County Area	
Highways and Commuter Rail Account	\$ 339.0
Local Streets and Roads Account	\$ 247.0
Specialized Transportation Account	\$ 31.0
<b>Total Western County Area Measure A Funds</b>	<b>\$ 617.0</b>



Coachella Valley Area	
Highways and Regional Arterial Account	\$ 132.0
Local Streets and Roads Account	\$ 84.0 – \$ 96.0
Specialized Transportation Account	\$ 12.0 – \$ 24.0
<b>Total Coachella Valley Measure A Funds</b>	<b>\$ 240.0</b>
Palo Verde Valley Area	
Local Streets and Roads Account	\$ 13.0
<b>Total Palo Verde Valley Area Measure A Funds</b>	<b>\$ 13.0</b>
<b>TOTAL 20 YEAR MEASURE A REVENUES</b>	<b>\$ 870.0</b>

### GENERAL PROVISIONS OF THE IMPROVEMENT PLAN

#### 1. Basis for Revenue Estimates

Federal and State participation for highway and commuter rail funding is based upon an assumed statewide \$1 billion annual capacity expanding program. (Excluding highway rehabilitation and safety improvement projects.) Riverside County's "70% county minimum" share of this amount is assumed to be about \$25 million. Reflecting the need to reserve about 20% of these funds for projects proposed by Caltrans which are not included in the Transportation Improvement Plan, the assumed Federal and State funding is about \$20 million per year. This is approximately 50% of the highway projects within this Plan.

Measure A revenue estimates have not been adjusted to reflect inflation. It is assumed that inflation related revenue increase will be offset by inflating project costs. "Real growth" is assumed to parallel county-wide population growth. Prudent growth rates of the State Department of Finance have been used – 4.5% to 1990, 3.4% to 1995 and 2.5% thereafter. Based upon these factors, total Measure A revenues over the 20 year period are assumed to be about \$870 million.

#### 2. Basis for Cost Estimates

All cost estimates within this Improvement Plan are preliminary and are based on 1988 values. Future costs may increase due to inflation or other factors beyond the control of the Commission. The 1988 cost estimates are to be used to determine the proportionate distribution of funds by area and category of transportation program.



### 3. State Highway and Commuter Rail Programs

- A. Eligible State highway project costs include engineering, right-of-way acquisition, long-term leases, and construction. Funds are intended to supplement existing Federal and State sources, not replace them. At minimum, 50% of the funds for the highway projects listed in the Plan should come from State and Federal sources. If it is determined that Riverside County is not receiving its fair share of existing funds, sales tax funds may be redirected to other types of transportation needs.
- B. Commuter Rail projects are anticipated to be on existing rail lines to Los Angeles and Orange Counties, or internal to Riverside County. If commuter rail service is to occur, railroads must agree to a Plan to use their right-of-way and tracks, an agency for implementation of a multi-county system must be created, funding must be secured for on-going operations if a subsidy is required, and State and/or Federal and other county funding participation must be secured.
- C. The scope of highway and commuter rail projects to be implemented is to be determined through required environmental analysis and full consideration of alternatives. Public participation during the environmental analysis process is required.
- D. The Commission shall establish a "State Highway and Commuter Rail Transportation Account" for funding capital expenditures for State highways and commuter rail. This account will consist of 60% of the Measure A funds for the Western County area and 15% of the funds for the Coachella Valley area.

### 4. Specialized Transportation Programs

- A. Eligible transit programs include special discount fares for seniors and handicapped people, commuter bus services, funding for computer assisted rideshare programs, and "seed" programs to encourage the creation of vanpools. Bus capital replacement and additional bus service may also be an eligible program within the Coachella Valley, subject to a determination of funding by the Coachella Valley Association of Governments.
- B. The Commission shall establish a "Specialized Transportation Programs Account" for funding these programs. The Commission shall determine to which public transportation or specialized transportation service



operators, or carpool/vanpool facilitating agencies, shall receive funding assistance. Based on 20 year funding estimates, the amount of funds should be \$30.8 million for the Western County area and \$12 million for the Coachella Valley area. The fund for the Coachella Valley may increase up to an additional \$12 million for SunLine Transit Agency capital replacement, at the discretion of the Coachella Valley Association of Governments.

## **5. Local Streets and Roads Projects**

- A. Eligible local street and road projects costs include any engineering, capital or maintenance cost. Decisions on projects are to be made by local jurisdictions, but subject to Capital Improvement Program requirements. The first five year program shall be submitted to the Commission by the local agencies by May 1, 1989.
- B. Annual population estimates used for the distribution formula for the Western County and Palo Verde Valley areas shall be from the State Department of Finance. Dwelling unit estimates used for the distribution formula for the Coachella Valley shall be from the Riverside County Planning Department. Actual State Board of Equalization retail sales transactions shall be used for the formula in all three areas for cities. The County Planning Department shall estimate the share for each of the unincorporated areas for the three areas, from the total retail sales transactions for the total unincorporated area.
- C. The Commission shall assure the cities' and county compliance with maintenance of effort funding requirements before allocating funds for local streets and road. Further, the Commission shall not allocate funds to an individual city or the County for local streets and road use within the Coachella Valley area unless the Coachella Valley Association of Governments indicates participation of that agency in the Uniform Traffic Mitigation Fee program necessary for implementation of the planned Regional Arterial System.
- D. The Commission shall establish a "Local Streets and Roads Program Account." Based on 20 year funding estimates, the amount of funds should be \$216 million for the Western County area, and from \$84 to \$96 million for the Coachella Valley area.



## **6. Funding Flexibility and Bonding to Expedite Program**

The Commission may make maximum use of available funds by temporarily shifting allocations between geographic areas and transportation purposes. However, the proportionate shares for areas or the purposes over the 20 year period may not be changed without an amendment to the Improvement Plan as required by law. Shifts may not be made without previous consultation with the affected agencies. The Commission may also use bonds to speed implementation of some projects. Bonding will not be used without first determining that the benefits of an accelerated program outweigh the additional cost of interest on borrowed funds.

## **7. Informing the Public of Local Funding Support**

All State highway, commuter rail, and regional Arterial projects using \$1 million or more of sales tax revenues shall be signed to inform the public that local voter approved revenues are being used to support the project.

## **8. Severance Provision**

If any provision of this Improvement Plan is for any reason held invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining provisions, and the Commission declares that it would have passed each part of the Plan irrespective of the validity of any other part.

