

Transportation Project Prioritization Process

Cache County
Quarter Cent Sales Tax Funding
Cache County Council of Governments (CCCOG)

Draft for Public Comment

- **Public comment period is May 26 to June 12, 2008**

Send Comments to CMPO, 179 N. Main, Logan UT 84321 or email to
CCCOG@cachempo.org

- **Public Meeting June 16, 2008, 5:00 PM**

Cache County Courthouse Council Chambers, 199 No. Main, Logan

May 19, 2008

Transportation Project Prioritization Process

I. Introduction

In accordance with Utah State Code 59-12-1704, Cache County voters approved the following ballot measure establishing a county-wide .25% sales tax: ***"Shall Cache County, Utah, be authorized to impose a .25% sales and use tax for transportation projects, corridor preservation, congestion mitigation, or to expand capacity for regionally significant transportation facilities?"***

The state code authorizing the ballot measure requires that the county create the Cache County Council of Governments (CCCOG), which is composed of the Mayor of each incorporated city or town and the Cache County Executive. The CCCOG is required to "develop a written prioritization process for the prioritization of projects to be funded by revenues a county will receive..." UC 59-12-1704 (1).

The legislation established the following process for making recommendations to the County Council:

- 1) Identify the projects that are eligible to be prioritized;
- 2) Identify the criteria and factors needed to evaluate each criterion;
- 3) Collect the necessary project data for each factor;
- 4) Design a tabulation system (spreadsheet) that using the data, ranks the projects according to each criterion;
- 5) Submit the priority list to the Cache County Council for approval (The CCCOG can only submit one priority list per calendar year).

The revenue generated from this tax can be used for any "project" or "service" in Cache County related to a "regionally significant" transportation facility (59-12-1703 (4)(a)). "Regionally significant" is defined by 52-12-1702 (6)(b) for Cache County as:

1. A Principal or Minor Arterial Highway;
2. A Major or Minor Collector Highway or Road; and
3. An Airport of Regional Significance .

The Utah Department of Transportation (UDOT) is charged with applying the federal guidelines for "functionally classified" roadways in Cache County for existing roads (see maps in Appendix 1). Non-existing future roads must be planned to be built to the standard consistent with item 1 or 2 above to be considered eligible. Unclassified existing roads must also be improved to meet a standard described in item 1 & 2.

Both state and local roads that meet the above definition are eligible to receive funding. All aspects of development of these facilities are considered eligible activities. The CCCOG interpretation of "project and service" defined under 59-12-1703 (4)(a) includes preliminary project specific studies, environmental reviews or analysis, preliminary and final engineering services as well as acquisition of road right-of-ways (even well in advance of road construction), and all aspects of roadway construction.

The CCCOG has determined that any utility upgrade cost (e.g. installation of new or larger water or sewer lines) must be covered by the sponsoring jurisdiction.

Projects can be submitted for scoring consideration from any eligible sponsoring jurisdiction (County, incorporated Cities and Towns) in Cache County. In the case of a project that spans more than one jurisdiction, a lead sponsoring jurisdiction must be identified.

Road projects located primarily within the “urbanized” planning boundary of the Cache Metropolitan Planning Organization (CMPO) must also be included in the CMPO’s Regional Transportation Plan.

The CCCOG recognizes a need in Cache County to make location specific “spot improvements” to the transportation network. These projects may include such things as intersection reconstructions, “bottleneck” road widening or location specific safety improvements. Although smaller in scale than larger corridor road improvement projects, spot improvement projects will receive equal consideration with the larger projects

The CCCOG recognizes a need in Cache County to make improvements in the more rural areas of the County, especially those outside the CMPO’s urbanized planning boundary. Although potentially smaller in scale road improvement projects in the urbanized planning boundary these projects may be critical to the County’s future needs. Thus, rural projects will receive equal consideration with the urban projects.

II. Project Selection Process

The legislation requires that the council of governments develop a written rank-ordering process (Section 59-12-1704) that must include:

- (i) a definition of the type of projects to which the written prioritization process applies;
- (ii) specification of a weighted criteria system that is used to rank proposed projects and how the weighted criteria system will be used to determine which projects will be prioritized;
- (iii) specification of the data that is necessary to apply the weighted ranking criteria; and
- (iv) any other provisions the council of governments considers appropriate.

This process must include the following considerations:

- (i) the cost-effectiveness of a project;
- (ii) the degree to which a project will mitigate regional congestion;
- (iii) the compliance requirements of applicable federal laws or regulations;
- (iv) the economic impact of a project;
- (v) the degree to which a project will require tax revenues to fund maintenance and operation expenses; and
- (vi) any other provisions the council of governments considers appropriate.

The CCCOG has adopted the following considerations for selecting eligible projects. The considerations are listed in order of importance, as established by the CCCOG members.

1. Congestion Relief Criterion

Basis for Criterion

H.B. 4001 requires that the weighted criteria system include "the degree to which a project will mitigate regional congestion" (59-12-1704, 2b(ii)). The CCCOG ranks congestion relief as the most important consideration for allocating these funds. A volume/capacity ratio will be used to evaluate congestion relief, until a better measure becomes available. A project submitted for consideration must assign a capacity based on generally accepted traffic engineering standards. This factor simply compares the existing traffic volume that the project is intended to mitigate and compares it to this standard to generate a ratio. Points are assigned accordingly.

Criterion Weight

The CCCOG believes congestion relief is a very important objective and has assigned it a maximum weight of ten points.

Criterion Data

CRITERION	DATA 1	DATA 2																								
<u>Existing Roads</u> (majority)	Current Daily Traffic Volume Source: actual traffic counts (provided by USU LTAP center) or possibly UDOT HPMS	Daily Highway Capacity LOS D Urban, LOS C Rural Travel Lanes <table border="1"> <thead> <tr> <th>Functional Class</th> <th>2</th> <th>4</th> <th>6</th> </tr> </thead> <tbody> <tr> <td>Rural Principle Arterial</td> <td>7,700</td> <td>28,800</td> <td>43,200</td> </tr> <tr> <td>Rural Minor Arterial</td> <td>6,800</td> <td>22,700</td> <td>34,100</td> </tr> <tr> <td>Urban Principle Arterial</td> <td>20,200</td> <td>40,500</td> <td>54,700</td> </tr> <tr> <td>Urban Minor Arterial</td> <td>12,700</td> <td>27,000</td> <td>43,000</td> </tr> <tr> <td>Urban & Rural Collector</td> <td>12,000</td> <td>24,200</td> <td>-</td> </tr> </tbody> </table> Source: UDOT*	Functional Class	2	4	6	Rural Principle Arterial	7,700	28,800	43,200	Rural Minor Arterial	6,800	22,700	34,100	Urban Principle Arterial	20,200	40,500	54,700	Urban Minor Arterial	12,700	27,000	43,000	Urban & Rural Collector	12,000	24,200	-
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<u>New Roads</u> (majority)	Current Daily Traffic Volume on the Parallel Facility (that the project is intended to relief congestion on). Source: actual traffic counts (provided by USU LTAP center) or possibly UDOT HPMS	Same as for Existing Roads																								
<small>* Daily Capacities from Arterial Level of Service Standards (InterPlan, 2007), Capacity for rural areas are based up LOS C daily capacities, and LOS D daily capacities for urban areas; Rural Principle Arterial capacities are for a highspeed (50+ mph) uninterrupted flow facility. Rural Minor Arterial capacities are for a lower speed (<50 mph) arterial with uninterrupted flow. Urban Principle Arterial capacities assume lower speeds (<50 mph) with 1 to 3 signals per mile Urban Minor Arterial capacities are for lower speed (<50 mph) facilities with 3 to 5 signals per mile. Urban & Rural Collector capacities are for collectors with 0 - 3 signals per mile</small>																										

Criterion Scoring

Calculating Volume/Capacity Ratio: $(\text{Daily Traffic Volume}) \div (\text{Highway Capacity}) = \text{Volume/Capacity (V/C) Ratio}$

The CCCOG will use the following means of initially assigning points for congestion relief. However, since the scale itself is arbitrary and may not capture all relevant factors, the CCCOG will create a final score that reflects relevant qualitative factors such as, but not limited to, proximity to schools or effects on existing neighborhoods.

Criterion Assignment of Points	
V/C	Points
<.4	0
.5 to .6	3
.7 to .8	5
.9 to 1	7
1 to 1.2	9
> 1.2	10

2. Cost-Effectiveness Criterion

Basis for Criterion

This criterion requires an estimate of potential benefits and costs. It also includes the legislature’s requirement to consider “the degree to which a project will require tax revenues to fund maintenance and operation expenses” (59-12-1704, 2b(v)).

Since all public roads require tax dollars be spent for their maintenance and operation, this portion of the cost-effectiveness criterion simply requires the applicant to identify if there are any extraordinary future costs or savings for maintenance and operation.

Criterion Weight

The CCCOG believes cost-effectiveness is an important objective and has assigned it a maximum weight of eight points. Each applicant is required to justify a proposed project’s costs and benefits. That justification shall include a statement of cost per lane-mile if applicable.

3. Compliance with Applicable Federal Laws or Regulations

Basis for Criterion

The applicant must provide the CCCOG a statement that the project meets all applicable federal laws and regulations. Without that statement, the project will not be considered. No weight will be assigned this criterion, since it is a yes/no requirement. If yes, the project will be considered, if no, it is automatically rejected regardless of its score on other criteria.

4. Community Economic Criterion

Basis for Criterion

H.B. 4001 requires that the weighted criteria system include “**the economic impact of a project**” (59-12-1704, 2b(iv)). Transportation is a key element to a vibrant economy. Without mobility for people and goods, economic growth stagnates and the community suffers universally. Accessibility is one of the main community benefits derived from transportation improvements. The employment accessibility measures the number of jobs accessible within a 1.5 miles distance from different projects.

Criterion Weight

The CCCOG believes maintaining long term economic vitality is an important objective and has assigned it a maximum weight of four points.

Criterion Data

CRITERION	DATA 1
<u>New and Existing Roads</u>	Number of total Jobs within 1.5 miles of project Source: Most recent employment data from the Department of Workforce Services address matched in GIS

Criterion Scoring

Criterion Assignment of Points	
Number of Jobs	Points
<=100	0
101 – 200	1
201-400	2
401-500	3
>500	4

Because employment accessibility is only one measure of economic impact, applicants are encouraged to provide other measures that might increase their project’s ranking. Other measures might include truck traffic as a measure of importance to commerce, effects on commute time, or other, relevant measures.

5. CCCOG Selected Criteria

Basis for Criterion

H.B. 4001 also allows scoring consideration for “**any other provisions the council of governments considers appropriate**” (59-12-1704, 2b(vi)).

Criterion weight

The CCCOG recognizes that there are intangible aspects to projects that are not reflected in direct physical costs. The members also recognize that sometimes even the best scoring schemes produce results that may not be best. Finally, they recognize that they are elected officials with responsibilities to their particular constituents and those responsibilities are often frustrated by hard-number scoring systems. Therefore, the CCCOG has reserved 10 points for the Mayors and County Executive to allocate according to subjective or qualitative criteria they believe are important and need to be reflected in a project’s overall score.

When a member of the CCCOG submits his or her score for this criterion it must be accompanied with a brief, written justification for that score. Justifications might include, but are not limited to, how long the project been on the jurisdiction’s transportation master plan, whether or not there is a local match, and its benefits to a community currently underserved by the county’s transportation infrastructure. The justification may include granting even more weight than the scoring scheme allows to one of the other criteria, such as congestion relief.

III. Public Involvement

All meetings of the CCCOG will be open to the public consistent with the provision of Utah Code Annotated Section 52-4-201 for open and public meetings. Public notice shall be given of all meetings as required by Section 52-4-203.

The CCCOG intends the development and implementation of the project prioritization process to be open and transparent. Consistent with Section 59-12-1705(2) the CCCOG will hold a public meeting regarding the following:

- 1) Prior to approval/amendment of the written prioritization process (copies will be made available 2 weeks in advance).
- 2) Prior to approval of the prioritize project list that describes the merits of each project.

If the CCCOG prioritized a project over another project with a higher rank under this weighted criteria system, they will identify this change in a public meeting and justify the merits of prioritizing the project above the higher ranked project. The CCCOG will make these reasons publicly available (59-12-1705(4)).

IX. Conclusion and Summary

Growth in population and travel demand in Cache County is outpacing our ability to keep up with needed transportation infrastructure improvements. This shortfall necessitates that we carefully and fairly allocate what resources we do have. Therefore, the CCCOG, has attempted to arrive at a defensible and measurable technical method of evaluating and prioritizing competing roadway projects.

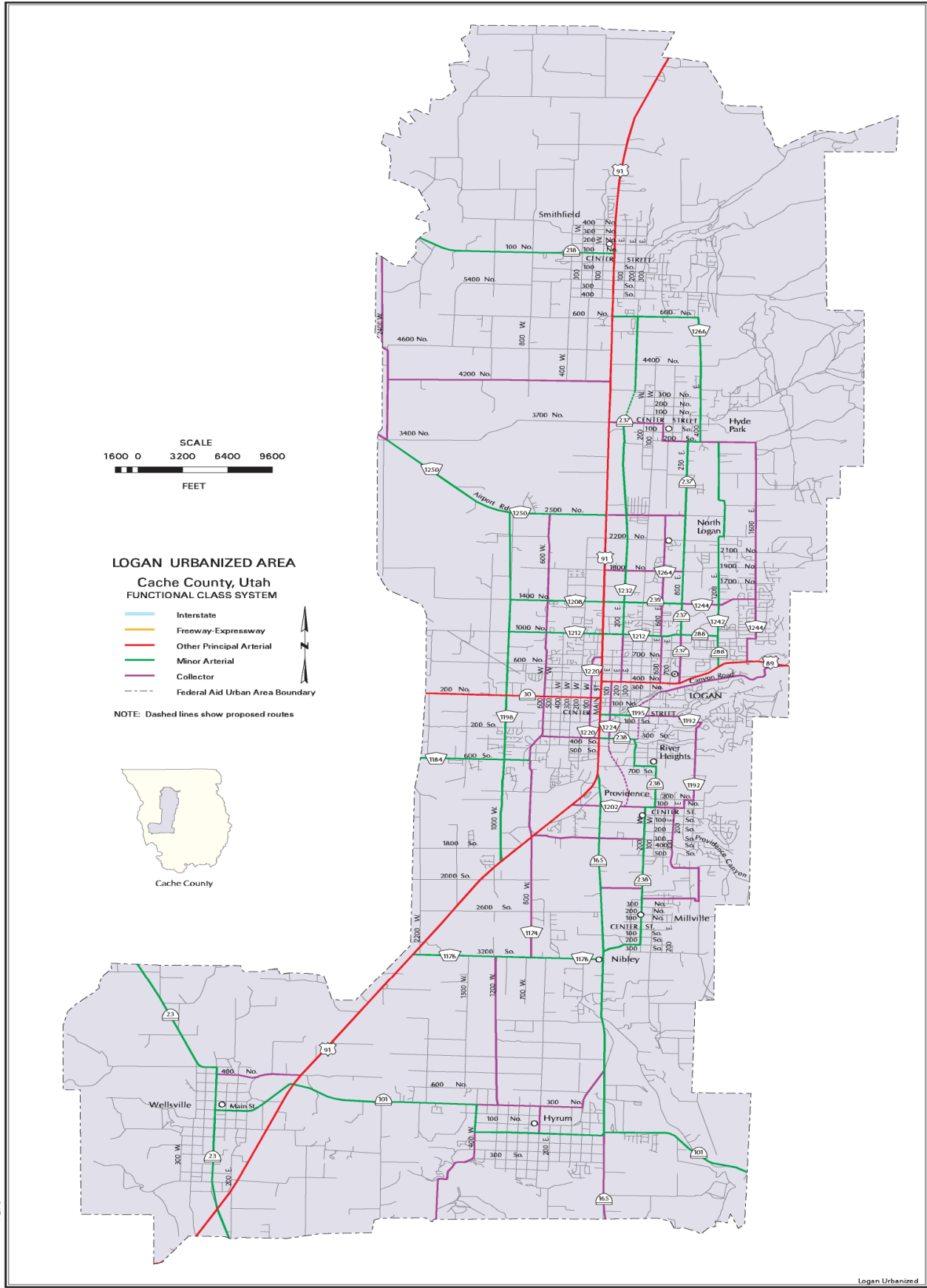
However, the technical process described herein is limited to measurable criteria. Hence, the technical ranking should be adjusted with considerations of other non-quantifiable criteria. HB4001 confers that responsibility upon the CCCOG. Factors beyond the technical criteria must be weighed and discussed before the CCCOG finalizes the rankings and selects the projects for HB4001 funding.

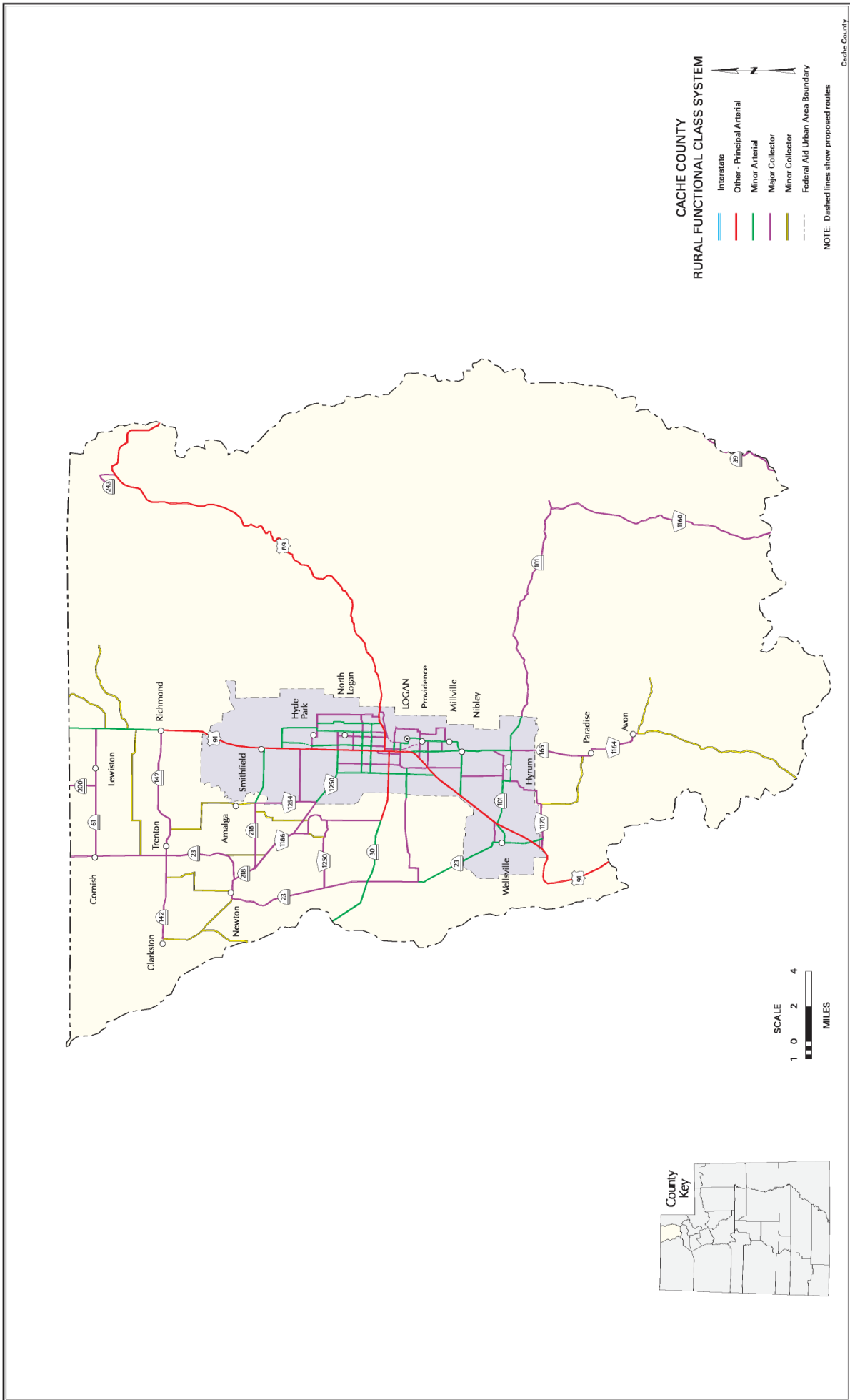
Scoring Summary

Criterion	Maximum Points Available
Congestion Relief	10
Cost-Effectiveness	8
Compliance with Federal Law	1*
Community Economic	4
CCCOG Selected	10
Total	33

* Either the project will meet federal laws and regulations or it will not. A score of "0" for this criterion will cause the proposal to be rejected.

APPENDIX 1

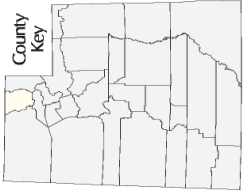




CACHE COUNTY
RURAL FUNCTIONAL CLASS SYSTEM

- Interstate
- Other - Principal Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Federal Aid Urban Area Boundary

NOTE: Dashed lines show proposed routes



APPENDIX 2

59-12-1702. Definitions.

As used in this part:

- (1) "Annexation" means an annexation to a county under Title 17, Chapter 2, Annexation to County.
- (2) "Annexing area" means an area that is annexed into a county.
- (3) "Council of governments" is as defined in Subsection 72-2-117.5(1)(a).
- (4) "Fixed guideway" means a public transit facility that uses and occupies:
 - (a) rail for the use of public transit; or
 - (b) a separate right-of-way for the use of public transit.
- (5) "Metropolitan planning organization" is as defined in Section 72-1-208.5.
- (6) "Regionally significant transportation facility" means:
 - (a) in a county of the first or second class:
 - (i) a principal arterial highway as defined in Subsection 72-4-102.5(1)(g);
 - (ii) a minor arterial highway as defined in Subsection 72-4-102.5(1)(f);
 - (iii) a fixed guideway that:
 - (A) extends across two or more cities or unincorporated areas; or
 - (B) is an extension to an existing fixed guideway; or
 - (iv) an airport of regional significance, as defined by the Transportation Commission;
 - (b) in a county of the third, fourth, fifth, or sixth class:
 - (i) a principal arterial highway as defined in Section 72-4-102.5;
 - (ii) a minor arterial highway as defined in Section 72-4-102.5;
 - (iii) a major collector highway as defined in Section 72-4-102.5;
 - (iv) a minor collector road as defined in Section 72-4-102.5; or
 - (v) an airport of regional significance, as defined by the Transportation Commission.

Enacted by Chapter 1, 2006 Special Session 4

59-12-1703. Opinion question election -- Base -- Rate -- Imposition of tax -- Use of tax revenues -- Administration, collection, and enforcement of tax by commission -- Administrative fee -- Enactment or repeal of tax -- Annexation -- Notice.

(1) (a) Subject to the other provisions of this part, a county legislative body may impose a sales and use tax of up to .25%:

- (i) on the transactions:
 - (A) described in Subsection 59-12-103(1); and
 - (B) within the county, including the cities and towns within the county;
- (ii) for the purposes described in Subsection (4); and
- (iii) in addition to any other sales and use tax authorized under this chapter.

(b) Notwithstanding Subsection (1)(a)(i), a county legislative body may not impose a tax under this section on:

(i) the sales and uses described in Section 59-12-104 to the extent the sales and uses are exempt from taxation under Section 59-12-104;

(ii) amounts paid or charged by a seller that collects a tax under Subsection 59-12-107(1)(b); and

(iii) except as provided in Subsection (1)(d), amounts paid or charged for food and food ingredients.

(c) For purposes of this Subsection (1), the location of a transaction shall be determined in accordance with Section 59-12-207.

(d) A county legislative body imposing a tax under this section shall impose the tax on amounts paid or charged for food and food ingredients if:

(i) the food and food ingredients are sold as part of a bundled transaction attributable to food and food ingredients and tangible personal property other than food and food ingredients; and

(ii) the seller collecting the tax is a seller other than a seller that collects a tax in accordance with Subsection 59-12-107(1)(b).

(2) (a) Except as provided in Subsection (2)(d), before imposing a tax under this part, a county legislative body shall:

(i) obtain approval from a majority of the members of the county legislative body to impose the tax; and

(ii) submit an opinion question to the county's registered voters voting on the imposition of the tax so that each

registered voter has the opportunity to express the registered voter's opinion on whether a tax should be imposed under this part.

(b) (i) In a county of the first or second class, the opinion question required by Subsection (2)(a)(ii) shall state the following:

"Shall (insert the name of the county), Utah, be authorized to impose a (insert the amount of the sales and use tax up to .25%) sales and use tax for corridor preservation, congestion mitigation, or to expand capacity for regionally significant transportation facilities?"

(ii) In a county of the third, fourth, fifth, or sixth class, the opinion question required by Subsection (2)(a)(ii) shall state the following:

"Shall (insert the name of the county), Utah, be authorized to impose a (insert the amount of the sales and use tax up to .25%) sales and use tax for transportation projects, corridor preservation, congestion mitigation, or to expand capacity for regionally significant transportation facilities?"

(c) Except as provided in Subsection (2)(d), the election required by this Subsection (2) shall be held:

(i) at a regular general election conducted in accordance with the procedures and requirements of Title 20A, Election Code, governing regular elections; or

(ii) at a special election called by the county legislative body that is:

(A) held only on the date of a municipal general election as provided in Subsection **20A-1-202(1)**; and

(B) authorized in accordance with the procedures and requirements of Section **20A-1-203**.

(d) Notwithstanding Subsection (2)(a) or (c), if a county seeks to impose a tax under this part on or after April 1, 2007, but on or before December 31, 2007, the county legislative body shall:

(i) obtain the approval required by Subsection (2)(a)(i) within five calendar days of September 20, 2006;

(ii) direct the county clerk to submit the opinion question required by Subsection (2)(a)(ii) during the November 7, 2006 general election; and

(iii) hold the election required by this section on November 7, 2006.

(3) If a county legislative body determines that a majority of the county's registered voters voting on the imposition of the tax have voted in favor of the imposition of the tax in accordance with Subsection (2), the county legislative body shall impose the tax in accordance with this section.

(4) (a) Subject to Subsections (5) and (6), the revenues generated by a tax under this part may only be expended for:

(i) a project or service:

(A) relating to a regionally significant transportation facility;

(B) for the portion of the project or service that is performed within the county;

(C) for new capacity or congestion mitigation if the project or service is performed within a county:

(I) of the first class;

(II) of the second class; or

(III) that is part of an area metropolitan planning organization;

(D) (I) if the project or service is a principal arterial highway or a minor arterial highway in a county of the first or second class, that is part of the county and municipal master plan and part of:

(Aa) the statewide long-range plan; or

(Bb) the regional transportation plan of the area metropolitan planning organization if a metropolitan planning organization exists for the area; or

(II) if the project or service is for a fixed guideway or an airport, that is part of the regional transportation plan of the area metropolitan planning organization if a metropolitan planning organization exists for the area; and

(E) that is on a priority list:

(I) created by the county's council of governments in accordance with Subsection (5); and

(II) approved by the county legislative body in accordance with Subsection (6);

(ii) corridor preservation for a project described in Subsection (4)(a)(i) as provided in Subsection (7)(b); or

(iii) any debt service and bond issuance costs related to a project described in Subsection (4)(a)(i) or (ii).

(b) In a county of the first or second class, a regionally significant transportation facility project or service described in Subsection (4)(a)(i)(A) must have a funded year priority designation on a Statewide Transportation Improvement Program and Transportation Improvement Program if the project or service described in Subsection (4)(a)(i) is:

(i) a principal arterial highway as defined in Section **72-4-102.5**;

(ii) a minor arterial highway as defined in Section **72-4-102.5**; or

(iii) a major collector highway:

(A) as defined in Section **72-4-102.5**; and

(B) in a rural area.

(c) Notwithstanding the designated use of revenues in Subsection (4)(a), of the revenues generated by the tax imposed under this section by any county of the first or second class, 25% or more shall be expended for the purpose described in Subsection (4)(a)(ii).

(d) For purposes of this Subsection (4), the revenues a county will receive from a tax under this part do not include amounts retained by the commission in accordance with Subsection (8).

(5) (a) The county's council of governments shall create a priority list of regionally significant transportation facility projects described in Subsection (4)(a) using the process described in Subsection (5)(b) and present the priority list to the county's legislative body for approval as described in Subsection (6).

(b) Subject to Sections **59-12-1704** and **59-12-1705**, a council of governments shall establish a council of governments' endorsement process which includes prioritization and application procedures for use of the revenues a county will receive from a tax under this part.

(6) (a) The council of governments shall submit the priority list described in Subsection (5) to the county's legislative body and obtain approval of the list from a majority of the members of the county legislative body.

(b) A county's council of governments may only submit one priority list per calendar year.

(c) A county legislative body may only consider and approve one priority list per calendar year.

(7) (a) (i) Except as provided in Subsections (7)(a)(ii) and (7)(b), revenues described in Subsection (4) shall be transmitted:

(A) by the commission;

(B) to the county;

(C) monthly; and

(D) by electronic funds transfer.

(ii) A county may request that the commission transfer a portion of the revenues described in Subsection (4):

(A) directly to a public transit district:

(I) organized under Title 17B, Chapter 2a, Part 8, Public Transit District Act; and

(II) designated by the county; and

(B) by providing written notice to the commission:

(I) requesting the revenues to be transferred directly to a public transit district as provided in Subsection

(7)(a)(ii)(A); and

(II) designating the public transit district to which the revenues are requested to be transferred.

(b) (i) Except as provided in Subsection (7)(b)(ii), revenues generated by a tax under this part that are allocated for a purpose described in Subsection (4)(a)(ii) shall be:

(A) deposited in or transferred to the Local Transportation Corridor Preservation Fund created by Section **72-2-117.5**; and

(B) expended as provided in Section **72-2-117.5**.

(ii) In a county of the first class, revenues generated by a tax under this part that are allocated for a purpose described in Subsection (4)(a)(ii) shall be:

(A) deposited in or transferred to the County of the First Class State Highway Projects Fund created by Section **72-2-121**; and

(B) expended as provided in Section **72-2-121**.

(8) (a) (i) Except as provided in Subsection (8)(b), the tax authorized under this part shall be administered, collected, and enforced in accordance with:

(A) the same procedures used to administer, collect, and enforce the tax under:

(I) Part 1, Tax Collection; or

(II) Part 2, Local Sales and Use Tax Act; and

(B) Chapter 1, General Taxation Policies.

(ii) A tax under this part is not subject to Subsections **59-12-205(2)** through (7).

(b) (i) The commission may retain an amount of tax collected under this part of not to exceed the lesser of:

(A) 1.5%; or

(B) an amount equal to the cost to the commission of administering this part.

(ii) Any amount the commission retains under Subsection (8)(b)(i) shall be:

(A) placed in the Sales and Use Tax Administrative Fees Account; and

(B) used as provided in Subsection **59-12-206**(2).

(9) (a) (i) Except as provided in Subsection (9)(b) or (c), if, on or after April 1, 2007, a county enacts or repeals a tax or changes the rate of a tax under this part, the enactment, repeal, or change shall take effect:

(A) on the first day of a calendar quarter; and

(B) after a 90-day period beginning on the date the commission receives notice meeting the requirements of Subsection (9)(a)(ii) from the county.

(ii) The notice described in Subsection (9)(a)(i)(B) shall state:

(A) that the county will enact, repeal, or change the rate of a tax under this part;

(B) the statutory authority for the tax described in Subsection (9)(a)(ii)(A);

(C) the effective date of the tax described in Subsection (9)(a)(ii)(A); and

(D) if the county enacts the tax or changes the rate of the tax described in Subsection (9)(a)(ii)(A), the rate of the tax.

(b) (i) For a transaction described in Subsection (9)(b)(iii), if the billing period for the transaction begins before the effective date of the enactment of the tax or tax rate increase under Subsection (1), the enactment of a tax or a tax rate increase shall take effect on the first day of the first billing period that begins after the effective date of the enactment of the tax or the tax rate increase.

(ii) For a transaction described in Subsection (9)(b)(iii), if the billing period for the transaction begins before the effective date of the repeal of the tax or the tax rate decrease

imposed under Subsection (1), the repeal of a tax or a tax rate decrease shall take effect on the first day of the last billing period that began before the effective date of the repeal of the tax or the tax rate decrease.

(iii) Subsections (9)(b)(i) and (ii) apply to transactions subject to a tax under:

(A) Subsection **59-12-103**(1)(b);

(B) Subsection **59-12-103**(1)(c);

(C) Subsection **59-12-103**(1)(d);

(D) Subsection **59-12-103**(1)(e);

(E) Subsection **59-12-103**(1)(f);

(F) Subsection **59-12-103**(1)(g);

(G) Subsection **59-12-103**(1)(h);

(H) Subsection **59-12-103**(1)(i);

(I) Subsection **59-12-103**(1)(j); or

(J) Subsection **59-12-103**(1)(k).

(c) (i) If a tax due under this chapter on a catalogue sale is computed on the basis of sales and use tax rates published in the catalogue, an enactment, repeal, or change in the rate of a tax described in Subsection (9)(a)(i) takes effect:

(A) on the first day of a calendar quarter; and

(B) beginning 60 days after the effective date of the enactment, repeal, or change in the rate of the tax under Subsection (9)(a)(i).

(ii) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the commission may by rule define the term "catalogue sale."

(d) (i) Except as provided in Subsection (9)(e) or (f), if, for an annexation that occurs on or after April 1, 2007, the annexation will result in the enactment, repeal, or change in the rate of a tax under this part for an annexing area, the enactment, repeal, or change shall take effect:

(A) on the first day of a calendar quarter; and

(B) after a 90-day period beginning on the date the commission receives notice meeting the requirements of Subsection (9)(d)(ii) from the county that annexes the annexing area.

(ii) The notice described in Subsection (9)(d)(i)(B) shall state:

(A) that the annexation described in Subsection (9)(d)(i)(B) will result in an enactment, repeal, or change in the rate of a tax under this part for the annexing area;

(B) the statutory authority for the tax described in Subsection (9)(d)(ii)(A);

(C) the effective date of the tax described in Subsection (9)(d)(ii)(A); and

(D) if the county enacts the tax or changes the rate of the tax described in Subsection (9)(d)(ii)(A), the rate of the tax.

(e) (i) For a transaction described in Subsection (9)(e)(iii), if the billing period for the transaction begins before the effective date of the enactment of the tax or a tax rate increase under Subsection (1), the enactment of a tax or a tax rate increase shall take effect on the first day of the first billing period that begins after the effective date of the enactment of the tax or the tax rate increase.

(ii) For a transaction described in Subsection (9)(e)(iii), if the billing period for the transaction begins before the effective date of the repeal of the tax or the tax rate decrease imposed under Subsection (1), the repeal of a tax or a tax rate decrease shall take effect on the first day of the last billing period that began before the effective date of the repeal of the tax or the tax rate decrease.

(iii) Subsections (9)(e)(i) and (ii) apply to transactions subject to a tax under:

(A) Subsection 59-12-103(1)(b);

(B) Subsection 59-12-103(1)(c);

(C) Subsection 59-12-103(1)(d);

(D) Subsection 59-12-103(1)(e);

(E) Subsection 59-12-103(1)(f);

(F) Subsection 59-12-103(1)(g);

(G) Subsection 59-12-103(1)(h);

(H) Subsection 59-12-103(1)(i);

(I) Subsection 59-12-103(1)(j); or

(J) Subsection 59-12-103(1)(k).

(f) (i) If a tax due under this chapter on a catalogue sale is computed on the basis of sales and use tax rates published in the catalogue, an enactment, repeal, or change in the rate of a tax described in Subsection (9)(d)(i) takes effect:

(A) on the first day of a calendar quarter; and

(B) beginning 60 days after the effective date of the enactment, repeal, or change in the rate under Subsection (9)(d)(i).

(ii) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the commission may by rule define the term "catalogue sale."

Amended by Chapter 329, 2007 General Session

Amended by Chapter 201, 2007 General Session

Amended by Chapter 288, 2007 General Session

59-12-1704. Written project prioritization process for new transportation capacity projects.

(1) The council of governments shall develop a written prioritization process for the prioritization of projects to be funded by revenues a county will receive from a tax under this part.

(2) (a) The following shall be included in the written prioritization process under Subsection (1):

(i) a definition of the type of projects to which the written prioritization process applies;

(ii) specification of a weighted criteria system that is used to rank proposed projects and how the weighted criteria system will be used to determine which projects will be prioritized;

(iii) specification of the data that is necessary to apply the weighted ranking criteria; and

(iv) any other provisions the council of governments considers appropriate.

(b) The weighted criteria system described in Subsection (2)(a)(ii) shall include the following considerations:

(i) the cost-effectiveness of a project;

(ii) the degree to which a project will mitigate regional congestion;

(iii) the compliance requirements of applicable federal laws or regulations;

(iv) the economic impact of a project;

(v) the degree to which a project will require tax revenues to fund maintenance and operation expenses; and

(vi) any other provisions the council of governments considers appropriate.

(3) The council of governments of a county of the first or second class shall submit the proposed written prioritization process described in this section to the Executive Appropriations Committee for approval prior to taking final action on the proposed written prioritization process or any proposed amendment to the written prioritization process.

Enacted by Chapter 1, 2006 Special Session 4

59-12-1705. Project selection using the written prioritization process -- Report.

(1) Except as provided in Subsection (4), in determining priorities and funding levels of projects to be funded by the revenues a county will receive from a tax under this part, the council of governments shall use the weighted criteria system adopted in the written prioritization process under Section **59-12-1704** to create a priority list of regionally significant transportation facility projects as described in Subsection **59-12-1703(5)**.

(2) Prior to finalizing priorities and funding levels of projects, the council of governments shall conduct a public meeting on:

(a) the written prioritization process; and

(b) the merits of the projects that will be prioritized under this section.

(3) The council of governments shall make the weighted criteria system ranking for each project publicly available prior to the public hearings held under Subsection (2).

(4) (a) If the council of governments prioritizes a project over another project with a higher rank under the weighted criteria system, the council of governments shall identify the change at a meeting held under this section on the merits of prioritizing the project above higher ranked projects.

(b) The council of governments shall make the reasons for the prioritization under Subsection (4)(a) publicly available.

APPENDIX 3

CCCOG Application - ROADS

¼ CENT SALES TAX FUNDING FOR TRANSPORTATION PROJECTS

Cache County Council of Governments (CCCOG)

APPLICATIONS ARE DUE BY 5:00 PM ON JULY 1, 2008

1. DATE OF SUBMITTAL -

2. PROJECT NAME

- a. *Title:*
- b. *Limits:*

3. PROJECT DESCRIPTION -

4. PROJECT MANAGEMENT

- a. *Sponsor Jurisdiction:*
- b. *Contact person:*
- c. *Phone number:*
- d. *FAX Number:*
- e. *Email Address:*

5. PROJECT COST ESTIMATE - Total: PE: ROW: Construction:

6. Year Funding Needed - PE: ROW: Construction:

7. REGIONAL SIGNIFICANCE OF PROJECT -
(Explain how project will benefit the region)

ROAD PROJECT INFORMATION

1. Is project in an approved municipal transportation plan -
2. Describe purpose and need of project -
3. Congestion -
 - a. *What is the current cause of congestion in the project area (i.e. insufficient turn lanes, lack of signal coordination, etc.)*
-
 - b. *What will this project do to alleviate congestion on this or other facilities -*
4. Project Length in miles -
5. Project Data -

	Current Year
Average Daily Traffic (ADT)	
Level of Service (LOS)	
Functional Class	
Design Speed	

6. Utility Work -
 - a. *Describe utility work to be performed and indicate who will do work - (funds cannot be used for new utility construction. Municipalities can require utility company to relocate utilities.)*
7. Right-of-Way –
 - a. *What current right-of-way is already secured –*
 - b. *What additional right-of-way is needed –*
8. Pedestrian / Bike / Trail Facilities –
 - a. *Explain how these types of facilities will be incorporated into project -*
9. Plans/Sketches:
 - a. *Proposed Improvements – Provide concept level engineering sketches both plan and section for proposed improvements. Show the transition from existing to the proposed final improvement. Include all proposed lane widths and other dimensions, pedestrian facilities, right-of-way acquisition, etc.*
 - b. *Project Time Line – Provide an outline of the project development and a proposed timeline. The timeline should be detailed from the year funding is requested and show the amount of time needed to complete the various activities associated with the project.*

PROJECT COST ESTIMATE

Item	Description	Quantity and Unit	Unit Price	Total Cost
1. Right-of-way				
2. Utilities	Phone			
	Gas			
	Electric			
	Water			
	Sewer			
	Cable TV			
	Rail Road			
	Fiber			
3. Earthwork				
4. Structures				
5. Drainage	Storm Drain			
	Irrigation			
6. Pavement Sub-base				
7. Landscaping				
8. Environmental Mitigation				
9. Curb, Gutter, Sidewalk				
10. Lighting				
11. Traffic Mitigation				
12. Traffic Control Devises	Signals			
	Signage			
	Marking			
13. Other Costs				
14. Contingency				

Projects must be built (at a minimum) to the construction standards found in the draft “Cache County Manual of Design and Construction Standards-Roadway Design Standards”. A copy of this document can be found on the CMPO’s website www.cachempo.org/cache_RDS.pdf.

TOTAL COSTS

Item	Total Cost
Preliminary Engineering	
Environmental Work	
Construction	
Construction Engineering	
Total Cost	
Inflation Cost Factor (inflate to year of proposed construction)	Yrs. 0 @ 3%
Total Inflated Cost	

CCCOG Scoring Considerations

A) Identify any extraordinary cost savings expected for your project's ongoing operation and maintenance. Justify your projects overall cost-benefit. If applicable, what is your projects cost per lane mile?

B) Will your project meet all applicable Federal laws and regulations?

C) Describe the overall economic impact of your project.

Submit completed application(s) to:
 Cache County, Executive
 199 N. Main, Logan UT