



## Authority Board Meeting **MINUTES**

**MEETING DATE:** May 15, 2013

**MEMBERS PRESENT:** Janet Abelson, Newell Arnerich, Tom Butt, Federal Glover, Dave Hudson, Ron Leone (for David Durant), Mike Metcalf, Karen Mitchoff, Julie Pierce, Kevin Romick, Robert Taylor

Ex-Officio Representatives: Myrna de Vera, Gail Murray (for Joel Keller), Amy Worth

**STAFF PRESENT:** Randell Iwasaki, Brad Beck, Randall Carlton, Ross Chittenden, Peter Engel, Martin Engelmann, Jack Hall, Matt Kelly, Susan Miller, Hisham Noeimi, Ivan Ramirez, Mala Subramanian (Authority Counsel), Danice Rosenbohm (Executive Secretary)

**MINUTES PREPARED BY:** Danice Rosenbohm

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**A. CONVENE MEETING:** *Chair Abelson* convened the meeting at 6:06 p.m.

**B. PLEDGE OF ALLEGIANCE**

**C. PUBLIC COMMENT:** There were not public comments.

**1.0 APPROVAL OF MINUTES:** Authority Meeting Minutes of April 17, 2013.

*ACTION: Commissioner Arnerich* moved to approve the Authority Meeting Minutes of April 17, 2013, seconded by *Commissioner Pierce*. The motion passed unanimously, 10-0. (*Commissioner Hudson* had not yet arrived.)

**2.0 CONSENT CALENDAR:** Consent Items recommended by the following committees:

*Chair Abelson* stated that staff requested that Agenda Items 2.A.14 and 2.A.17.2 be removed from the Consent Calendar for discussion.

*ACTION: Commissioner Pierce* moved to approve the Consent Calendar excluding Agenda Items 2.A.14 and 2.A.17.2, seconded by *Commissioner Romick*. The motion passed unanimously, 10-0. (*Commissioner Hudson* had not yet arrived.)

**2.A Administration & Projects Committee:**

- 2.A.1. Monthly Project Status Report.** Staff Contact: Ross Chittenden
- 2.A.2 Accept Monthly Accounts Payable Invoice Report for March 2013.** This report also includes the summary of payroll and benefits costs by organizational unit. Staff Contact: Randall Carlton
- 2.A.3 Accept Monthly Cash and Investment Report for March 2013.** The Authority's Investment Policy calls for this report on investment activity for each month. Staff Contact: Randall Carlton
- 2.A.4 Listing of Contract Change Orders (CCOs) Greater than \$25k for Construction Contracts Less than \$15M, and Greater than \$50k for Construction Contracts Larger than \$15M.** CCOs are used during a project's construction phase to adjust the construction price to reflect agreed-upon changes in the plans, schedule, or in the working conditions that the contract was originally based upon. Authority policy requires that this list be submitted to the APC for information. Staff Contact: Ivan Ramirez
- 2.A.5 Quarterly Sales Tax Revenue Report for the Period Ended March 31, 2013.** This report contains a summary of sales tax revenues, including analysis and comparisons against prior monthly and quarterly periods. Staff Contact: Randall Carlton
- 2.A.6 Internal Accounting Report for the Nine Months Ended March 31, 2013.** This report provides an accounting of the Authority's financial position and a comparison of actual results versus budget for the nine months ended March 31, 2013. Staff Contact: Randall Carlton
- 2.A.7 Select Jurisdictions and Firms for Measure J Compliance Audits for FY 2012-13.** Each year three recipients of Measure J funds are selected for a compliance audit consistent with Authority policy. The audits are performed by an independent auditor to verify that Authority funds have been expended in accordance with specified purposes. Staff Contact: Randall Carlton
- 2.A.8 Interstate 80/San Pablo Dam Road Interchange Improvements (Project 7002) – Utility Agreement No. 370 with East Bay Municipal Utility District (EBMUD).** Staff seeks authorization for the Chair to enter into Utility Agreement No. 370 with EBMUD, in the amount not to exceed \$218,000, to develop the design plans for the relocations of its facilities. The relocations are necessary to accommodate the construction of the I-80/San Pablo Dam Road interchange project. Staff Contact: Hisham Noeimi

- 2.A.9 Authorization to Execute Amendment No. 1 to Agreement No. 353 with Gray-Bowen for Project Management Services.** Staff seeks approval for the Chair to execute Amendment No. 1 to Agreement No. 353 with Gray-Bowen to increase the scope of project management services, to increase the total agreement value by \$369,000 and to extend the term of the agreement to December 31, 2015. The additional project management services include project management for the I-680 North Segment Express Lane Conversion Project (5009) and additional effort towards right-of-way and utility contract close-out of the State Route 4 (E) widening project. Staff Contact: Susan Miller
- 2.A.10 City of El Cerrito – Transit Oriented Development (TOD) and Access Improvements at El Cerrito Plaza and del Norte BART Stations (Project 10002-01) – Authorization to Sign Cooperative Agreement 10W.01 and Approve Appropriation of Measure J Funds.** Staff seeks authorization for the Chair to approve Resolution 13-14-P to fund El Cerrito’s request of \$125,000 in Measure J funds to develop a multi-modal capital improvement program for the area around the El Cerrito stations and execute Agreement No. 10W.01 with the City of El Cerrito. **Resolution 13-14-P.** Staff Contact: Jack Hall
- 2.A.11 State Route 4 – SR 4/SR 160 Connector Ramps (Project 5001) – Authorization to Execute Agreement No. 367 (Revised) with the East Contra Costa County Habitat Conservancy.** Staff seeks authorization for the Chair to execute Agreement No. 367 (Revised) with the Conservancy to fulfill the remaining obligations under the Habitat Conservation Plan. Staff Contact: Jack Hall
- 2.A.12. Legislative History.** This item comprises an overview of proposed state legislation of interest or potential interest to the Authority. The attached matrix summarizes the content of specific bills, tracks their progress through the legislative process, and indicates the Authority’s position on the bills, if taken, as well as the support or opposition of other agencies/entities. Updates in legislative activity are reflected in the attached matrix. The Authority may take action to support, oppose or watch any bill listed on the Legislative History, or any state or federal legislation pertaining to the Authority’s legislative program. Staff Contact: Randell H. Iwasaki
- 2.A.13 Approval of FY 2013-14 Preliminary Budget for the Contra Costa Transportation Authority and Congestion Management Agency.** Staff will present the preliminary Authority budget for FY 2013- 14. Any comments or adjustments to the Preliminary Budget will be incorporated into the Proposed Budget to be considered in June, following a public hearing on the matter. Staff Contact: Randall Carlton

**2.A.14** *Removed from the Consent Calendar for discussion*

**2.A.15 Amendment No. 4 to the 2011 Measure J Strategic Plan.** Staff seeks authorization for the Chair to execute Resolution 13-13-P to approve Amendment No. 4 to the *2011 Measure J Strategic Plan*. Amendment No. 4 reprograms approximately \$2,817,641 in 2004 dollars (\$3,432,000 escalated) from SR4 East Widening – Somersville to SR160 (Project 3001) to SR4 East Widening – Loveridge to Somersville (Project 3003). This amendment also adds the City of El Cerrito as a project sponsor and modifies the project scope for the Transit Oriented Development (TOD) and Access Improvements at El Cerrito Plaza and del Norte BART Stations (Project 10002-01) **Resolution 13-13-P**. Staff Contact: Hisham Noeimi

**2.A.17 State Route 4 Widening – Somersville Road to SR160 – Segment 3B(Project 1407/3001)**

**2.A.17.1 Amendment No. 2 to Agreement No. 330 with S&C Engineers, Inc. for Construction Management Services.** Staff recommends the Authority authorize the Chair to execute Amendment No 2. to Agreement No. 330 with S&C Engineers, Inc. for construction management services in the amount of \$729,184 for the Authority-administered construction contract. The amendment is for additional services related to public outreach. Staff Contact: Susan Miller

**2.A.17.2** *Removed from the Consent Calendar for discussion*

**2.A.17.3 Authorization to Execute Amendment No. 3 to Cooperative Agreement 90.14.21 with Caltrans to Fund Segment 1 Construction Through Completion.** Staff seeks approval for the Chair to execute Amendment No. 3 to Agreement No. 90.14.21 with Caltrans to increase funds to the Somersville project in the amount of \$4,500,000. Caltrans has requested the additional funds to cover impacts to the contractor's operations due to a variety of new issues that have been identified. These impacts result in additional costs as the project moves to completion. The proposed action funds these additional costs. Staff Contact: Ivan Ramirez

**2.1 NEW ITEM: Proposed Actions to Funding Resolution.** Consistent with Authority policy, appropriation resolutions may be modified to extend their expiration date or reflect actual construction bid amounts, or be terminated if the activity that was funded has been completed. Recommended change has been summarized. Staff Contact: Susan Miller

**2.B Planning Committee:**

**2.B.1 Appropriation of Measure J Program 12 funds for Design Phase of Golf Club Road Bridge Widening/Replacement Project (Project 120021).** The Programming Plan for Measure J Transportation for Livable Communities and Pedestrian, Bicycle and Trail Facilities Programs allocated \$496,200 to the City of Pleasant Hill for the Golf Club Road Bridge Widening/Replacement Project (Project 120021). The City has requested an appropriation of \$118,000 of these funds for the design phase of the project. Staff is recommending that the Chair execute Resolution 13-15-G to fund this appropriation. An additional \$378,200 remains for the construction phase of this project. **Resolution 13-15-G**  
Staff Contact: Brad Beck

**2.B.3 Approval of 2013 Congestion Management Program (CMP) Update Approach, Scope and Schedule.** As the Congestion Management Agency (CMA) for Contra Costa, the Authority must prepare a Congestion Management Program (CMP) and update it every other year. The 2013 CMP will update the required seven-year capital improvement program (CIP), monitor the status of CMP network performance standards, and demonstrate consistency of the Countywide Model with the MTC regional model. Staff seeks Authority approval of the proposed approach, scope and schedule. Staff Contact: Matt Kelly

**End of Consent Calendar**

*Representative de Vera arrived at 6:09 p.m.*

**2.A.14 Authority Healthcare Benefits.** The APC has requested a discussion related to the Authority's policy on funding healthcare benefits for employees. Staff Contact: Randall Carlton

*ACTION: Commissioner Mitchoff moved to accept staff's report on health benefits, and direct staff to report back to the APC in April 2014 following the completion of a salary and benefits study, seconded by Commissioner Arnerich. The motion passed unanimously, 10-0. (Commissioner Hudson had not yet arrived.)*

*DISCUSSION: Randall Carlton, Chief Financial Officer, stated that the APC had discussed the status of health benefits and requested that staff provide information about Authority and employee costs related to staff and retiree health benefits. He reviewed a spreadsheet that showed current health benefit premium cost sharing, with corresponding cost sharing breakdowns for potential alternatives.*

Mr. Carlton also reviewed a spreadsheet that compared Authority health benefits to health benefits provided by other agencies, which illustrated that

both the average and median of comparators were above what the Authority currently pays for employee/retiree health benefits.

*Commissioner Mitchoff* asked what action or direction, if any, the APC needed from the Authority. *Commissioner Pierce* responded that the information provided by staff was very helpful, however health benefits needed to be considered as part of a complete benefit package, normally studied by the Authority every three years. She suggested that because the Authority's health benefit was only slightly lower than the median of comparators, no changes should be made until after the comprehensive salary and benefits study is completed and could be reviewed by the APC next April.

*Commissioner Mitchoff* added that she wanted the Authority to look at total compensation when the study is reviewed next year. *Commissioner Arnerich* agreed that the APC would consider total compensation in a comprehensive "apples to apples" comparison to other agencies.

- 2.A.17.2 Authorization to Execute a Memorandum of Understanding (MOU), Agreement No. 14.07.07, between the Authority and the San Francisco Bay Area Transit District (BART).** Staff seeks authorization for the Chair to execute a Memorandum of Understanding, Agreement No. 14.07.07 with BART outlining funding commitment, in the amount of \$2,786,491 plus interest not to exceed \$25,000, and terms for a remainder parcel as part of a joint right-of-way settlement for the SR4 Widening project, Segment 3B, Hillcrest Avenue to SR160 (Project 1407/3001/5009). Staff Contact: Susan Miller

*ACTION: Commissioner Arnerich* moved to authorize the Chair to execute Agreement No. 14.07.07 when final with BART, seconded by *Commissioner Pierce*. The motion passed unanimously, 10-0. (*Commissioner Hudson* had not yet arrived.)

*DISCUSSION:* Susan Miller, Director for Projects, said that a revised Memorandum of Understanding, Agreement No. 14.07.07, with BART had been distributed as a meeting handout. She stated that staff was requesting authorization to work with BART and make non-substantive changes to finalize the agreement, and then authorization for the Chair to sign the final agreement.

### **3.0 MAJOR DISCUSSION ITEMS:**

*Commissioner Hudson arrived at 6:33 p.m.*

**3.B.4 TriLink SR-239 Update.** The Authority is presently overseeing a major study to determine the feasibility of implementing highway and transit improvements in the transportation corridor connecting Brentwood and Tracy. Staff and the consultant team will provide an update on the project status and schedule. Staff Contact: Martin Engelmann

*ACTION: None taken – information only*

*DISCUSSION:* Martin Engelmann, Deputy Executive Director for Planning, stated that SR 239 was defined in state statute as a corridor from Route 580 west of Tracy to Route 4 near Brentwood, and that the precise location of the facility was yet to be determined, pending completion of a major planning study. He explained that the effort was initiated by Contra Costa County in 2009 and transferred to the Authority in February 2012. Since that time, Mr. Engelmann said that Authority staff had been working closely with the Parsons Transportation Group consultant team and stakeholders along the corridor to develop some corridor concepts.

Mr. Engelmann stated that the work was funded through a \$4 million dollar federal earmark that came out of SAFE-TEA LU: the Safe, Accountable, Flexible, Efficient Transportation Equity Act, a Legacy for Users, signed by President Bush in 2005.

Mr. Engelmann introduced David Early from the Planning Center – DC &E, who then gave a PowerPoint presentation on the TriLink SR 239 Study. The presentation was a summary of what had been provided in presentations to groups in east County and beyond. He said that Steve Morton of Parsons Transportation Group, Inc. was available in the audience to answer any questions about the project.

The presentation included background information about the TriLink Study, project partners and non-governmental organizations, study impetus, potential study alignments and maps, and outreach activities. Mr. Early noted that among the extensive outreach activities that include web and media outreach, a virtual, online workshop, council and board presentations, the third in a series of three public open house meetings would be held at the Mountain House Community Services District on May 16<sup>th</sup>.

Mr. Early reviewed the project's four distinct components and cost estimates, which include an airport connector, and south, north, and I-580 links. He noted that because SR 239 was a long term project with no funding yet identified, each

component, which has independent utility and could stand alone, could be constructed as clearance is achieved and funding becomes available.

Mr. Early outlined future planning activities which include the draft feasibility study scheduled for Summer 2013, the final feasibility study scheduled for Fall 2013, and preparation of the Project Study Report (PSR)/Project Development Support (PDS), which is targeted for early 2014.

*Commissioner Taylor* asked about the financial plan for the project. Mr. Early explained that of the \$14 million in the federal earmark, nearly \$4 million would be consumed through the planning stages. Of the approximately \$10 million remaining, environmental studies could be conducted with some seed money for one or more construction projects.

*Commissioner Pierce* thanked Mr. Early for the presentation, and commented that once the project was planned the Authority would somehow find funding.

#### **4.0 REGULAR AGENDA ITEMS:**

##### **4.A Administration & Projects Committee:**

**4.A.16 State Route 4 Widening Project – Loveridge Road to Somersville Road (Project 1406/3003) – Authorization to Execute Amendment No. 7 to Consulting Services Agreement No. 197 with Parsons Brinckerhoff, Inc.\*** Staff seeks approval for the Chair to execute Amendment No. 7 to Agreement No. 197 with Parsons Brinckerhoff, Inc. to increase the scope of construction management services, to increase the Total Agreement Value by \$3,498,876 for a new total of \$13,367,960, and to extend the term of the Agreement through December 31, 2015. The additional scope of services covered under the proposed Amendment No. 7 includes construction management services for the Loveridge Road to Somersville Road Project, assistance with construction management services for the ongoing construction projects between Somersville Road and SR-160, and administration services associated with maintaining a Resident Engineer's office that currently serves multiple State Route 4 construction projects. Staff Contact: Susan Miller

*ACTION:* *Commissioner Pierce* moved to approve Amendment No. 7 to Agreement No. 197 with Parsons Brinckerhoff, seconded by *Commissioner Romick*. The motion passed unanimously, 11-0.

*DISCUSSION:* Susan Miller, Director for Projects, began with an apology for an incorrect attachment in the Authority packet. She explained that while the APC packet included the correct cost estimate to complete services from Parsons



Brinckerhoff (dated April 23<sup>rd</sup>) as Attachment B, the Authority packet erroneously included a prior version. Therefore, the correct version of Attachment B was distributed as a meeting handout.

Ms. Miller said that staff was requesting approval of Amendment No. 7 to Agreement No. 197 with Parsons Brinckerhoff (PB) for additional construction management services and office administration services for the Resident Engineer's office for all of the State Route 4 (SR4) Corridor projects (Loveridge through Lone Tree).

She explained that the PB contract dated back to 2005, following the firm's selection through a Request for Qualifications process to provide all the construction management services for a very complex Loveridge Project consisting of three separate construction packages: a new storm drainage pumping plant station; a Union Pacific Railroad Team Track or cargo transfer facility; and the main contract for the widening and reconfigured interchange at Loveridge. Ms. Miller stated that in accordance with CCTA's practices, contract amendments for the phases were issued when the various contracts were ready to go to construction and a precise staffing plan was better defined. Also, based on an earlier strategic planning process for the corridor, corridor services were also added to this contract.

Ms. Miller highlighted the three sections of the proposed Amendment, which include additional construction management services and costs related to extended construction duration, SR4 corridor support, and the resident engineer's office.

She said that the corridor services component of the amendment would extend the time for the Public Information Officer (PIO) and corridor scheduler, and add two positions – one for oversight of the electrical facilities construction and one for oversight of storm water pollution prevention plan best management practices. Ms. Miller noted that consistency throughout the corridor in these areas was important for reducing the potential for claims, and that the planned work on each segment would otherwise be performed by other consultant construction management staff or Caltrans.

Ms. Miller stated that the additional construction management services for the Loveridge project component of the amendment was necessary due to a later than originally anticipated completion date for construction. She noted that while the additional work was not anticipated, it could be accommodated by the SR4 project budget.

Lastly, Ms. Miller explained that Agreement No. 197 included the resident engineer's office which serves multiple projects in the SR4 corridor through Segment 3A. She said that the APC had a number of questions related to costs for the office and that the updated staff report included a number of clarifications. Ms. Miller said that staff would explore options for a more cost-effective location for the resident engineer's office near the end of the calendar year.

Ms. Miller stated that the APC also requested an update on the overall budget for the SR4 Project, which would be provided in July at the time of the next scheduled quarterly update on major projects.

Therefore, Ms. Miller said that staff recommended approval to execute Amendment No. 7 to Agreement No. 197 in the amount of \$3,498,876 and extending the term of the agreement through December 31, 2015.

*Commissioner Taylor* said that the APC spent considerable time scrutinizing elements of the requested amendment and that he appreciated the detail provided by staff.

*Commissioner Metcalf* said that he was bothered by the significant amount of the amendment and length of time since the last contract amendment (3 years), and requested that staff plan to discuss the reasons when it reports to the APC in July.

- 4.1 NEW ITEM: Hercules Intermodal Transit Center (Project 4001) - Letter of Support for City of Hercules Grant Application for Fiscal Year (FY) 2013 TIGER Discretionary Grant Program.** The United States Department of Transportation (USDOT) is authorized to award \$473.847 million in TIGER Discretionary Grants pursuant to the full-year Continuing Appropriations Act passed by Congress. As with previous rounds of TIGER grant programs, funds for the FY 2013 TIGER program will be awarded on a competitive basis for projects that have a significant impact on the Nation, a metropolitan area or a region. The City of Hercules is planning to submit a grant application for the FY 2013 TIGER Program to fund the next stages of the Hercules Intermodal Transit Center (ITC) project and seeks a letter of support from the Authority. Staff Contact: Ross Chittenden

*ACTION:* *Commissioner Glover* moved to authorize the Chair to sign the letter of support for the City of Hercules' ITC grant application for 2013 TIGER funds, seconded by *Commissioner Hudson*. The motion passed unanimously, 11-0.

*DISCUSSION:* Ross Chittenden, Deputy Executive Director for Projects, stated that due to the recent announcement of the TIGER grant and the June 3<sup>rd</sup> deadline for

grant applications, staff was required to bring Agenda Item 4.1 directly to the Authority. He explained that the Authority had been a long-time supporter of the Hercules Intermodal Transit Center (ITC) and had provided significant funding for the project, with approximately \$7.3 million in Measure J project and program funds, and \$15.1 million through the State Transportation Improvement Program (STIP). Mr. Chittenden said that Hercules' funding at hand would provide for a groundbreaking in Hercules with the next couple of months, and that TIGER funds combined with other funds would allow the City to construct the train station, 8,000 feet of new third track as the station track that would provide multiple benefits, and additional roadway access.

Mr. Chittenden stated that staff was seeking authorization for the Chair to sign a letter of support for Hercules' TIGER application with the ability to edit the letter to conform with Hercules' final TIGER grant application, as specifics of the application and the scope of work were still being developed.

Mr. Chittenden introduced William Silva, Hercules ITC Project Manager, who was available to answer any questions.

*Commissioner Glover* thanked Mr. Silva for the great work being done with the City of Hercules. He said that the TIGER funds would go a long way toward advancing the Hercules ITC project and that he supported the letter.

*Commissioner Butt* mentioned recent discussions in West County initiated by new BART Director Zachary Mallett regarding endorsement for a study for an extension of BART along I-80. *Commissioner Butt* said that he was not sure he would want to support the Hercules ITC grant application unless it included the proposed new BART service.

*Commissioner Metcalf* suggested that the support letter would be stronger if it mentioned the possibility of BART possibly running through the Hercules ITC in the future.

*Commissioner Arnerich* stated that the BART proposal should be agendized for future discussion by the Authority. He said that he was concerned about fulfilling a master plan which includes the Hercules ITC, and said that he supported moving forward with the letter as written.

*Commissioner Pierce* said that Hercules ITC was a strong, stand-alone multi-modal plan, with the Capitol Corridor service running through it and operating where the new BART service is being proposed. She said that she agreed with

*Commissioner Arnerich* that the Authority should later discuss the proposed extension of BART.

*Commissioner Hudson* noted that the Hercules ITC project was extremely important to Congressman Mike Thompson and said that the letter of support needed to be sent as soon as possible. He agreed that a future discussion of the proposed BART service expansion was appropriate, and also suggested that *Alternate Tatzin*, as the Authority's representative on the San Joaquin Joint Powers Authority (SJJPA), be provided a copy of the letter.

*Representative de Vera* stated that in February the Hercules City Council unanimously adopted a resolution in support of the Hercules ITC, which she distributed at the dais.

*Representative de Vera* asked about the amount of the TIGER grant. Mr. Silva responded that the grant application would be approximately \$22 million (with strategic opportunities working with the Park District to enhance it possibly to \$25 million), but that the grant application would also show scalability of the grant down to approximately \$12-\$14 million. He said that the 8,000 feet of track, significant for goods movement and passenger rail service, would be the core element of the application.

*Representative Worth* thanked staff for their hard work to keep the Hercules ITC project alive. She said that information about the Authority's investments in the BART system would be important when BART is later discussed.

*Alternate Representative Murray* said that BART supported the Hercules ITC, and noted also that BART was the operating agency for the Capitol Corridor. She clarified that a West County BART extension (being called wBART) was an initiative by Director Mallett to generate interest so that it could become a study. She said that BART was conducting a metro study, and that BART would be interested in hearing from the Authority and the community.

*Commissioner Butt* noted that the Capitol Corridor would never be a dedicated passenger track, and that rail freight traffic was expected to increase. He said that it seemed inappropriate and irresponsible not to talk about how BART might factor into the Hercules ITC.

*Commissioner Glover* said that Hercules had worked very hard to make the ITC project a reality, and that he did not want to steal the thunder from a project the Authority had supported by engaging in a discussion of a potential wBART.

*Commissioner Arnerich* said that the Hercules ITC support letter should not include mention of BART because it was not in a plan and not on BART's list.

*Commissioner Hudson* suggested that WCCTAC further discuss the wBART issue.

The staff report and draft letter of support were distributed as meeting handouts.

#### **4.B Planning Committee**

**4.B.2 Comments on Draft *Plan Bay Area* – MTC's 2013 Regional Transportation Plan (RTP).** The Draft *Plan Bay Area* document was released by MTC on Friday, March 22, 2013, and may be downloaded from MTC's website. Authority staff has prepared comments on the Draft Plan and EIR. Staff seeks authorization to submit comments to MTC on May 16<sup>th</sup>. Staff Contact: Martin Engelmann

*ACTION: Commissioner Taylor* moved to authorize staff to finalize the comment letter with changes as outlined, seconded by *Commissioner Arnerich*. The motion passed unanimously, 11-0.

*DISCUSSION:* Martin Engelmann, Deputy Executive Director for Planning, stated that SB 375 (Steinberg) was signed into law by Governor Schwarzenegger in 2008, requiring each Metropolitan Planning Organization (MPO) in California to develop, as part of its Regional Transportation Plan, a Sustainable Communities Strategy (SCS) that will result in emissions reductions for cars and light trucks.

He said that in the Bay Region, the Metropolitan Transportation Commission (MTC) was the responsible MPO, and that MTC staff had been working collaboratively with the Authority, other Congestion Management Agencies, jurisdictions and all stakeholders for the last couple of years to develop an SCS that meets the 15 percent reduction in greenhouse gas emissions for cars and light trucks as stipulated by the California Air Resources Board.

Mr. Engelmann stated that MTC released its Draft 2013 RTP, the *Plan Bay Area* document, on March 22<sup>nd</sup>, and according to MTC's analysis the SCS exceeds the 15 percent goal by achieving an 18 percent reduction in emissions.

Mr. Engelmann reviewed the Authority's draft comment letter on the Draft Plan and Draft Environmental Impact Report (DEIR), the latter of which was released on March 29<sup>th</sup>. He explained that the SCS did not fit with the current regional plan, and said that staff had questions regarding affordable housing and the subsidy required to achieve the goals. Mr. Engelmann outlined the five

alternatives included in the DEIR, and said that staff planned to return to the Authority in September once an alternative is selected by MTC and the plan is adopted.

Mr. Engelmann noted that because comments on the Draft Plan and DEIR were due by Thursday, May 16<sup>th</sup>, the Authority's letter was drafted for signature by staff to allow for any necessary edits and timely submittal to MTC by the May 16<sup>th</sup> deadline.

The Town of Moraga's comment letter was distributed as a meeting handout.

*Representative de Vera* said that staff's comments regarding affordable housing were very appropriate, and requested clarification of the DEIR alternative recommended by staff. Mr. Engelmann responded that staff recommended the proposed plan, or Alternative 2, which he noted was the alternative supported by the other Congestion Management Agencies in the region.

*Commissioner Metcalf* stated that the Authority's draft comment letter seemed unnecessarily unctuous, and considering the time constraints, he was not sure much could be done about it.

With respect to the Authority's point about housing and the development of housing, *Commissioner Metcalf* noted that jurisdictions could not force developers to do anything they don't want to do, which presents a very serious problem. He also commented that Moraga had very limited transit, had a PDA denied and because it scored low and was now out of the game. He said that the Authority's letter should better convey these points.

*Commissioner Butt* said that the comment letter raised a number of legitimate questions but that he was bothered by the suggestion that a jobs-housing balance and distribution of low income housing throughout the county were not achievable, which he said were both the foundation of smart growth which he supports.

*Commissioner Arnerich* said that he supported the letter because it respects each jurisdiction's General Plan, but agreed with *Commissioner Metcalf's* point that jurisdictions that could not pass a PDA would be "donors" to the system. With respect to affordable housing, he noted that the subsidy amount per unit was significantly unrealistic and said that he would prefer that a subsidy number not be included.

*Representative Worth* thanked the Authority and CCTA staff for being engaged in the process, and also thanked *Commissioner Pierce*, as the Authority's representative on ABAG, for her time and effort working with the Regional Housing Needs Assessment (RHNA) numbers. She said that she agreed with comments made regarding the affordable housing component, and that she too had concerns about the subsidy figure being included in the letter because there is such a range. *Representative Worth* also noted that the Authority's Measure J return to source funding was tied to its commitment to affordable housing. She said that with the lack of redevelopment funds, the State needs to come up with a way to make it work.

She also noted that while the OBAG "pot" was increased and local cities in the first round would be kept whole, money available to cities with PDAs and cities without PDAs was virtually the same. She said that it would be wise to put something in the letter that would encourage planning even in communities without PDAs.

*Commissioner Hudson* said that he agreed with the points made by *Commissioners Arnerich* and *Metcalf*, and said that there would need to be cooperation within the Tri-Valley to show jobs-housing balance to get money for the PDAs in the second round.

*Commissioner Pierce* thanked Martin Engelmann and other CCTA staff as well as Contra Costa's Planning Directors for their work. She noted that ABAG was working diligently on support for another form of subsidy that would possibly be provided to jurisdictions on a return to source basis. *Commissioner Pierce* stated that the Authority's letter could refer to a "significant subsidy" (without including a figure).

*Alternate Leone* said that Concord had its fair share of affordable housing and with the Naval Weapons Station was planning for possibly even more than its fair share of affordable housing. He agreed that with the loss of RDA funds, finding other sources of revenue would be key. *Alternate Leone* said that he concurred with the suggestion to exclude a subsidy amount in the letter.

*Chair Abelson* noted that El Cerrito was working with a developer on plans to construct a number of affordable housing units at Del Norte. She also noted that the transit services she uses are exceeding overloaded.

*Commissioner Arnerich* commented that the funding formula could become disproportionate over time.

Martin Engelmann reviewed the direction given to staff to revise the letter keeping the current tone, add a remark under affordable housing (on page 2) that the Authority supports affordable housing, smart growth, and the concept of building sustainable communities. The letter would also eliminate the affordable housing subsidy amount, mention the loss of RDAs and the added complexity of achieving housing goals and the need to identify substitute sources of funding, and emphasize on page 3 that the Authority supports Alternative 2, and note the reasons that Alternative 3 cannot be supported. Also, by consensus it was agreed that the revised letter would be directed to MTC and ABAG staff from Authority staff.

*Commissioner Butt* suggested that the letter make clear that the Authority supports the goals but has questions and needs additional information.

*Representative Worth* agreed with *Commissioner Butt*, and suggested that the letter start by making the point that the Authority's supports the preferred alternative.

**4.B.5 SB 375/SCS Implementation Update.** Staff Contact: Martin Engelmann

*ACTION: None taken – Information only.*

At the suggestion of *Commissioner Mitchoff*, staff did not provide an update on this item and the Authority advanced directly to discussion of Agenda Item 4.B.6.

A summary of applications for Local Streets and Roads Preservation funds was distributed as a meeting handout.

**4.B.6 Allocation of OBAG Funds for the Dornan Drive Tunnel Rehabilitation Project in Richmond.** The Authority previously agreed that a portion of the \$45.2 million in federal funds available through the OneBayArea Grant (OBAG) program should be allocated, by formula, to jurisdictions for local streets and roads preservation (LSRP). The City of Richmond has asked the Authority to recommend to MTC that it advance the allocation of a portion of the \$3.4 million that the City would get under this approach for the repair of the Dornan Drive Tunnel. The \$413,000 requested would be used to address unforeseen conditions that the City encountered during the repair of the 100-year-old tunnel. Staff Contact: Brad Beck

*ACTION: Commissioner Pierce* moved to approve early allocation of \$413,000 in OBAG funds to the City of Richmond for the Dornan Drive Tunnel repair, seconded by *Commissioner Arnerich*. The motion passed unanimously, 11-0.



*DISCUSSION:* Brad Beck, Senior Transportation Planner, said that staff was requesting approval for an early allocation of \$413,000 to the City of Richmond to address unforeseen conditions that were discovered during the process of rehabilitating the Dornan Drive Tunnel. He explained that the City learned that the tunnel did not have adequate reinforced concrete and that there were voids above the tunnel wall that needed to be rectified. Mr. Beck noted that the City had received its HCD certification and was eligible for OBAG funding, and that an early distribution of OBAG funds to the City would allow final repairs to be made earlier and would avoid delays in the reopening of the tunnel.

**5.0 CORRESPONDENCE AND COMMUNICATIONS:**

- 5.1 “Alameda, Contra Costa Counties Eye Ballot Measures to Increase Sales Taxes for Transportation” article by Denis Cuff posted in the Contra Costa Times on April 21, 2013.
- 5.2 “Long-awaited Pittsburg Road Extension Project Plans Roll Forward” article by Paul Bugarino posted in the Contra Costa Times on April 27, 2013.
- 5.3 “No More East Contra Costa Cul-de-sac? Meetings to Discuss Transit Link to San Joaquin Area” article by Paul Bugarino posted in the Contra Costa Times on April 30, 2013.
- 5.4 “Roadshow: Highway 4 Work Seems To Go On and On” article by Gary Richards posted in the Contra Costa Times on May 1, 2013
- 5.5 “Commuters Must Change Habits or the East Contra Costa Traffic Mess Will Continue” article by Federal Glover posted in the Contra Costa Times on May 1, 2013

**6.0 ASSOCIATED COMMITTEE REPORTS:**

- 6.1 Central County (**TRANSPAC**): Report of April 11, 2013. *The report of May 9, 2013 was distributed as a meeting handout.*
- 6.2 East County (**TRANSPLAN**): *The report of May 9, 2013 was distributed as a meeting handout.*
- 6.3 Southwest County (**SWAT**): *(Meeting of May 6, 2013 canceled)*
- 6.4 West County (**WCCTAC**): *(Meeting of April 26, 2013 canceled)*

**7.0 COMMISSIONER AND STAFF COMMENTS:**

**7.1** Chair's Comments and Reports

**7.2** Commissioners' Comments and Reports

*Commissioner Hudson* noted that Contra Costa County Supervisor and Authority Board *Alternate John Gioia* was the new representative on the California Air Resources Board.

*Commissioner Hudson* noted that Senator DeSaulnier's bill, AB 792, had been significantly amended earlier in the day. *Commissioner Pierce* added that the Senator had met with a group to review the bill and that there was an ongoing process to ensure that acceptable language regarding the Joint Policy Committee (JPC) was included.

**7.3** Executive Staff Comments and Reports

Mr. Iwasaki reviewed his Executive Director's report. He recognized staff for their excellent work. He noted that a number of media interviews had been conducted by staff, and that there was much excitement about a number of upcoming ribbon-cuttings. Mr. Iwasaki said that staff would return to the Authority in June or July to discuss a communications plan that would ensure a coordinated message and vision for the future.

Mr. Iwasaki noted that Ross Chittenden recently met with the Director of Caltrans regarding additional funding for the Caldecott Tunnel and possible cost sharing.

Mr. Iwasaki also noted also that staff was working with the CTC, County Staff and consultants to rectify agreements that were made in order to get funding for the right-of-way for the Iron Horse Trail.

**8.0 CALENDAR:**

**8.1** Meeting Calendar: May, June, July 2013

**8.2** Calendar of Upcoming Events

**9.0 ADJOURNMENT** to Wednesday, June 19, 2013, at 6:00 p.m.

The meeting was adjourned at 8:04 p.m. to Wednesday, June 19<sup>th</sup> at 6:00 p.m.