



## Authority Board Meeting **MINUTES**

**MEETING DATE:** February 20, 2013

**MEMBERS PRESENT:** Janet Abelson, Newell Arnerich, Tom Butt, David Durant, Dave Hudson, Karen Mitchoff, Julie Pierce, Ron Leone, Don Tatzin, Robert Taylor

Ex-Officio Representatives: Myrna de Vera, Joel Keller, Amy Worth

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

**MINUTES PREPARED BY:** Danice Rosenbohm

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**A. CONVENE MEETING:** *Chair Tatzin* convened the meeting at 6:01 p.m.

Because *Commissioner Durant* had not yet arrived, *Chair Tatzin* requested that *Ron Leone*, Commissioner Durant's Alternate who was in the audience, take a seat at the dais.

**B. PLEDGE OF ALLEGIANCE**

**C. PUBLIC COMMENT:**

Ralph Hoffmann, Walnut Creek resident, stated that he believed gasoline taxes should be increased, as they have not increased in California since 1996 (actually since 1994). He said that increasing gasoline taxes could be a way to balance state and federal budgets.

**D. ELECTION: Election of Chair and Vice Chair for 2013**

**ACTION:** *Commissioner Mitchoff* nominated *Commissioner Abelson* as the new Chair, seconded by *Commissioner Taylor*. The motion passed unanimously, 8-0. (*Commissioners Butt and Durant had not yet arrived.*)

*ACTION: Commissioner Taylor nominated Commissioner Romick as the new Vice Chair, seconded by Commissioner Abelson. The motion passed unanimously, 8-0. (Commissioners Butt and Durant had not yet arrived.)*

- E. COMMENDATION:** Commendation to Outgoing Chair Don Tatzin, former Commissioners Calloway, Frazier, and Bus Transit Operators' Ex-Officio Representative Ben Johnson.

*Chair Abelson presented an award to former Public Transit Bus Operators' Ex-Officio Representative Ben Johnson, commending him for his service on the Authority in 2012.*

Mr. Johnson thanked the Authority for the opportunity to serve, as well as the Executive Director and CCTA staff for their efforts to secure additional funding and make significant progress in East County.

*Chair Abelson said that she had enjoyed working with outgoing Chair Don Tatzin over the past year, and commended him for the effort he made to introduce himself to each of the Authority's committees. She presented him with a small token of appreciation acknowledging his special interest securing funding for Contra Costa, a plaque representing each of the jurisdictions and a printed commendation to thank him for his service as Authority Chair.*

*Outgoing Chair Tatzin reviewed some of the year's highlights and accomplishments, and thanked the Authority and CCTA staff for their diligent work, creative approach, and focus on improving the quality of life for Contra Costa residents.*

*Chair Abelson presented State Assemblymember and former CCTA Commissioner Jim Frazier an award and printed commendation recognizing his service to the Authority from 2007 through 2012. Former Commissioner Frazier served first on the Citizens Advisory Committee, and then was appointed by TRANSPLAN to the Authority Board, serving on the Planning Committee and as its Chair in 2012.*

*Assemblymember/former Commissioner Frazier said that he was very proud to have worked with each member of the Authority, thanking them for their regional approach and the sacrifices that were made for projects benefitting East County. He said that one of the highlights of his service was the opportunity to participate in the recruitment of an Executive Director, and that it had been an honor to work with Mr. Iwasaki and his team to secure funding for East County projects.*

*Commissioner Butt arrived at 6:18 p.m.*

*Commissioner Durant arrived at 6:20 p.m., at which time Alternate Leone left the dais.*

*Representative Keller arrived at 6:22 p.m.*

Following the commendations and at *Chair Abelson's* suggestion, all present at the dais made self-introductions, with a number of Authority members also thanking outgoing *Chair Tatzin* for his leadership and hard work over the past year.

**F. COMMITTEE ASSIGNMENTS:** The Chair will make committee assignments for 2013.

*Chair Abelson* said that, based on the the preferences that were expressed, she recommended *Commissioners Butt, Taylor, Metcalf, Pierce, and Arnerich* be assigned to the Administration and Projects Committee, and that she along with *Commissioners Durant, Hudson, Romick, and Mitchoff* would be assigned to the Planning Committee.

*ACTION: Commissioner Hudson* moved to approve the 2013 Committee Assignments, seconded by *Commissioner Arnerich*. The motion passed unanimously, 9-0.

**1.0 APPROVAL OF MINUTES:** Authority Minutes of January 16, 2013.

*ACTION: Commissioner Pierce* moved to approve the Minutes of January 16, 2013, seconded by *Commissioner Tatzin*. The motion passed 7-0-2, with *Commissioners Arnerich and Butt* abstaining.

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

*Chair Abelson* requested that Agenda Item 2.A.14 be removed from the Consent Calendar for discussion.

*Commissioner Mitchoff* requested that Item 2.1 be removed from the Consent Calendar for discussion.

*ACTION: Commissioner Taylor* moved to approve the Consent Calendar excluding Agenda Items 2.A.14 and 2.1, seconded by *Commissioner Arnerich*. The motion passed unanimously, 9-0.

*Commissioner Arnerich* commented that the tree removal in San Ramon was being handled very professionally, and he commended staff for their efforts.

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

**2.A.1. Monthly Project Status Report.** Staff Contact: Ross Chittenden

- 2.A.2 Monthly Accounts Payable Invoice Report for December 2012.** This report also includes the summary of payroll and benefits costs by organizational unit. Staff Contact: Randall Carlton
- 2.A.3 Monthly Cash and Investment Report for December 2012.** The Authority's Investment Policy calls for this report on investment activity for each month. Staff Contact: Randall Carlton
- 2.A.4 Listing of Construction Change Orders (CCOs) Greater than \$25k for Construction Contracts Less than \$15M, and Greater than \$50k for Construction Contracts Larger than \$15M.** 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 December 31, 2012.** 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 Six Months Ended December 31, 2012.** This report provides an accounting of the Authority's financial position and a comparison of actual results versus budget for the six months ended December 31, 2012. Staff Contact: Randall Carlton
- 2.A.7 Proposed Actions to Various Funding Resolutions.** 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 changes are summarized. Staff Contact: Susan Miller
- 2.A.8 Acceptance of Annual Measure J Compliance Audits for the Year Ended June 30, 2012.** Each year the Authority selects Measure J recipients for compliance audits to verify that the use of funds are in conformance with standards established by the Authority. For fiscal year ended June 30, 2012, Nolte Associates, Inc., Vali Cooper & Associates, Inc. and the City of San Ramon were selected. The audits have been submitted and are recommended for acceptance by the Authority. In the auditors' opinion, the recipients complied, in all material respects, with Authority standards. Staff Contact: Randall Carlton
- 2.A.9 Acceptance of Annual Single Audit for the Year Ended June 30, 2012.** Federal regulations require an independent audit on funding awards greater than \$500,000 (referred to as the "Single Audit" report). For the fiscal year ended

June 30, 2012, the auditor noted that the Authority complied with the requirements as applicable to Federal awards. Staff Contact: Randall Carlton

**2.A.10 State Route 4 Widening – Somersville Road to SR160 – Segment 3B, Hillcrest Avenue Interchange (Project 1407/3001/5009) – Approval of Resolution 12-62-P, rev.1.** Staff requests a revision to Resolution 12-62-P to provide flexibility to use Measure C and/or Measure J to fund construction Agreement No. 351. **Resolution 12-62-P (rev. 1).** Staff Contact: Susan Miller .

**2.A.11 Quarterly Project Funding Plans – Major State Highway Projects.** The quarterly report on the status of ongoing consultant project-related contracts as well as on key project funding issues is attached. Staff Contact: Susan Miller

**2.A.12 City of Pleasant Hill – Contra Costa Boulevard Improvements (Project 24026)**

**2.A.12.1 Approval of Peer Review for 65% Design.** A peer review committee completed a 65% design review of the plans and specifications on September 12, 2012. Staff recommends approval of the peer review recommendation. Staff Contact: Amin AbuAmara

**2.A.12.2 Request for Closing Environmental Resolution 11-41-P, Amending Design Resolution 11-42-P, and Appropriating Funds for Construction.** The City of Pleasant Hill requests that Resolution 11-41-P for environmental work be closed. The City also requests that Resolution 11-42-P appropriation of \$330,000 for design work be revised down to \$247,294. The City is requesting an appropriation of \$783,000 for Construction of the project. Staff seeks authorization for the Chair to execute Resolution 13-03-P in the amount of \$783,000. **Resolution 11-41-P (rev. 1), Resolution 11-42-P (rev. 1), Resolution 13-03-P.** Staff Contact: Amin AbuAmara.

**2.A.13 City of Pleasant Hill – Geary Road Widening, Phase 3 (Project 24007) – Approval of Peer Review for 65% Design.** A peer review committee completed a 65% design review of the plans and specifications on October 23, 2012. Staff recommends approval of the peer review recommendation. Staff Contact: Amin AbuAmara

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

**2.A.15 Public Employees' Pension Reform Act of 2013.** The purpose of this item is to provide the Board with an informational briefing on the impacts of the Act on the Authority. Staff Contact: Randall Carlton

**2.A.17 Caldecott Fourth Bore Project (Project 1698/1001)**

**2.A.17.1 Interim Status Update.** The Authority was most recently briefed on the status of the Caldecott Fourth Bore project in October 2012. Since then, a formal risk assessment has been performed to identify and manage risks and to forecast ranges of costs to complete. Authority staff will provide an update on impacts of current cost estimate and efforts to mitigate impacts. Staff Contact: Ross Chittenden.

**2.A.17.2 Authorization to Execute Amendment No. 4 to Agreement No. 261 with Parsons Transportation Group for Design Support During Construction Services.** Staff seeks authorization for the Chair to execute Amendment No. 4 to Agreement No. 261 with Parsons in the amount of \$1,490,000 to provide additional on-call design support services during construction for the Caldecott Fourth Bore Project. Staff Contact: Ross Chittenden.

**2.A.17.3 Authorization to Execute Amendment No. 3 to Agreement No. 262 with Parsons Brinckerhoff, Inc., (formerly PB Americas, Inc.) for Construction Management Services.** Staff seeks authorization for the Chair to execute Amendment No. 3 to Agreement No. 262 with Parsons Brinckerhoff in the amount of \$717,158 to provide additional construction management services for the Caldecott Fourth Bore Project. Staff Contact: Ross Chittenden.

**2.A.18 Policy on Consultant Selection for Architectural and Engineering (A&E) Services.** Staff requests adoption of a new policy regarding consultant selection and direction to develop processes and procedures necessary to implement the policy. **Resolution 13-05-P.** Staff Contact: Ross Chittenden

**2.A.19 Consider Appointment of Non-Elected WestCAT Board Member to Serve as Ex-Officio Bus Transit Representative to the Authority.** In accordance with the Authority's Administrative Code, WestCAT requested that the Authority Board consider the appointment of a non-elected WestCAT board member as the ex-officio bus transit representative to the Authority Board. After the APC meeting WestCAT withdrew its request. Staff Contact: Peter Engel

**2.1** *Removed from the Consent Calendar for discussion*

**2.2 NEW ITEM: I-680 Auxiliary Lanes – Sycamore Valley to Crow Canyon – Segment 2 (Project 1106 S2) – Revised Contract Allotment for Construction Contract No. 360.** Staff requests that the Authority adopt Resolution 12-67-P Revision 1,

which authorizes an increase in contingency funds of \$328,000 for a revised total construction allotment of \$773,617 for Contract No. 360 with The Professional Tree Care Co. The Authority is currently administering the tree removal construction contract for Segment 2 of the I-680 Auxiliary Lanes Project from Sycamore Valley Road to Crow Canyon Road. Additional trees have been identified to be removed which were not shown on the original tree removal plans. As such, an increase to the total construction allotment is necessary to fund the completion of the tree removals for the auxiliary lanes project.

**Resolution 12-67-P Revision 1.** Staff Contact: Susan Miller

A staff report and draft Resolution 12-67-P, Revision 1, was distributed as a meeting handout.

**2.B Planning Committee:**

**2.B.1 2.B.1. Approval of the City of San Ramon's Calendar Years (CY) 2010 & 2011 Growth Management Program (GMP) Compliance Checklist.** The City of San Ramon has submitted its Calendar Years 2010 & 2011 GMP Checklist. An allocation of \$695,949 in 18 percent Local Street Maintenance and Improvement (LSM) funds will be paid out for FY 2011-12 subject to the Authority making a findings of compliance with the Measure J GMP. Staff Contact: Martin Engelmann

**2.B.2 Approval of the City of Orinda Calendar Years (CY) 2010 & 2011 Growth Management Program (GMP) Compliance Checklist.** The City of Orinda has submitted its Calendar Years 2010 & 2011 GMP Checklist. An allocation of \$350,602 in 18 percent Local Street Maintenance and Improvement (LSM) funds will be paid out for FY 2011-12 subject to the Authority making a findings of compliance with the Measure J GMP. Staff Contact: Martin Engelmann

**2.B.3 East Bay Regional Park District – San Francisco Bay Trail, Martinez Intermodal to Crockett (Project 130008) – 90 Percent Design Peer Review.** A peer review committee completed a 90 percent design review of the plans and specifications/special provisions (SSPs) on September 26, 2012. Staff recommends approval of the peer review recommendation. Staff Contact: Brad Beck

**2.B.4 Approval of FY 2013-14 Transportation Fund for Clean Air (TFCA) 40 Percent Expenditure Plan.** To receive funding through the Transportation Fund for Clean Air (TFCA) Program, the Authority is required to submit an Expenditure Plan Application to the Bay Area Air Quality Management District (BAAQMD) annually. For FY 2013-14, \$1.386 million in new TFCA funds are allocated by the BAAQMD to fund programs and projects in Contra Costa that reduce motor

vehicle emissions. This year's application is due to the Air District by March 4, 2013. **Resolution 13-06-G.** Staff Contact: Peter Engel

- 2.B.5 CTPL Call for Projects.** The Authority's Comprehensive Transportation Project List (CTPL) is Contra Costa's financially-unconstrained, universal list of projects that is used to identify and track all types of projects to support a variety of key functions. At present, staff wishes to update the CTPL. The most immediate purposes for the update are to formulate the seven-year Capital Improvement Program for the upcoming 2013 Congestion Management Program (CMP) Update, to jump-start the OneBayArea Grant (OBAG) Program "call for projects" scheduled for this March, and to update the CTPL itself for inclusion in the 2014 Countywide Transportation Plan (CTP) Update. To initiate the process, Authority staff will contact all project lead agencies – local jurisdictions, transit agencies, RTPCs and other potential sponsors – announcing our intent to update the CTPL, along with instructions on how to access the Authority's web-based CTPL portal. Staff Contact: Brad Beck
- 2.B.6 Approval to Release RFP 13-1 for Preparation of the EIR for the 2014 Countywide Transportation Plan Update.** To comply with the California Environmental Quality Act (CEQA), the Authority will need to analyze the potential effects of adopting the 2014 Update to the Contra Costa Countywide Comprehensive Transportation Plan (CTP). The CEQA analysis would also cover the updating of the Action Plans for Routes of Regional Significance, and, if necessary, the technical update to the Countywide Bicycle and Pedestrian Plan. In accordance with the adopted work program for the Authority planning-related efforts, staff will release a Request for Proposal to procure consultant services for preparation of the CTP EIR. Staff Contact: Brad Beck
- 2.B.7 Authorization to seek a Contract Planner to Assist the Planning Section in Completing its Work Plan for 2013 & 2014.** Staff seeks Authority approval to engage a part-time contract planner to support the Authority's planning section with a number of new responsibilities that will require additional staff resources during the next two years. Staff believes that the nature of these responsibilities, which involve project oversight and policy implementation, should be served by an individual contract planner rather than by a consulting firm. In the past, the Authority employed a contract planner to supplement Authority staff efforts to develop the CTP and review the CTP EIR. That engagement proved to be helpful and productive. Staff Contact: Martin Engelmann
- 2.B.8 Approval of Amendment No. 1 to Agreement No. 365 with Parsons Transportation Group (PTG) for the State Route (SR) 239 Corridor Study, to**

**Extend the Term of the Agreement, and to Eliminate the Retention Provision.**

In January 2012, the Authority assumed responsibility for overseeing consultant work on the planning phases and future activities for the development of SR 239 in Eastern Contra Costa County. The County secured approximately \$14 million in federal funding under the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). The Authority is currently overseeing use of approximately \$3.6 million of this amount for the SR-239 Corridor Study. Staff recommends approval of an amendment to the agreement with PTG to extend the terms of services and eliminate the ten-percent retention provision. Staff Contact: Martin Engelmann

**End of Consent Calendar**

**2.A.14 State Route 4 – SR 4/SR 160 Connector Ramps (Project 5001) – Authorization to Execute Agreement No. 367 with the East Contra Costa County Habitat Conservancy.** Staff seeks authorization for the Chair to execute Agreement No. 367 with the Conservancy to fulfill the remaining obligations under the HCP. Staff Contact: Jack Hall

*ACTION:* Commissioner Tatzin moved to authorize the Chair to execute Agreement No. 367 with the Conservancy, delegate authority to the Executive Director to make non-substantive changes to the agreement, and pay the HCP mitigation fees when finalized, seconded by Commissioner Hudson. The motion passed unanimously, 9-0.

*DISCUSSION:* Jack Hall, Associate Engineer, stated that staff was revising the Habitat Conservation Plan Fee estimate from \$124,000 to \$275,000. He explained that the Conservancy was in the process of determining what mitigation fees had already been paid during the construction of the State Route 4 Bypass Segment 1, since this project's area overlaps with Segment 1.

Mr. Hall stated that both the Conservancy and Authority staff agree that the Authority should pay the required HCP fee after the Conservancy fully researches the matter. He said that the updated estimate of \$275,000 is within the budget, but could be reduced based on previous applicable mitigation. He noted that because the Conservancy meets only on a quarterly basis, the item was being brought to the Authority to ensure that the project remains on schedule.

A revised staff report showing the increase in the estimated HCP mitigation fees was distributed as a meeting handout.

- 2.1 NEW ITEM: Approval of Resolution 12-07-A, Revision 2 Establishing a Discretionary Pay for Performance Program for Authority Employees.** Staff has prepared a discretionary pay for performance program with provisions and eligibility requirements consistent with direction from the Board on January 16, 2013. The purpose of the program is to provide an option to compensate employees for exceptional outcomes, boost morale and encourage continued high level of performance. Staff Contact: Randall Carlton

*ACTION: Commissioner Tatzin* moved to approve the proposed discretionary pay for performance program, seconded by *Commissioner Pierce*. The motion passed 6-2-1, with “No” votes by *Commissioners Mitchoff* and *Taylor*, and *Commissioner Butt* abstaining.

*DISCUSSION: Commissioner Mitchoff* stated that she would be voting in opposition to Agenda Item 2.1 because she is philosophically against “pay for performance”. *Commissioner Mitchoff* said that in today’s environment she could not support the concept of paying employees more than their salary using taxpayer dollars. She added that she represents 8,000 County employees who have been forced to pay more toward their retirement and healthcare costs, and that she was feared that the new policy could reflect unfavorably on the Authority.

*Commissioner Arnerich* commented that Danville was one of only a few cities in California that does not have a defined pension benefit plan for employees, 401Ks, or post retirement costs, but does have pay for performance which has leveraged employees to perform to even higher standards and helped in retaining good employees. He added that CCTA was by far the most cost effective of any agency in the county, and that CCTA staff constitutes a very small, unique pool of talent.

**3.0 MAJOR DISCUSSION ITEMS:** *None*

**4.0 REGULAR AGENDA ITEMS:**

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

**4.A.16 Legislation.** Staff Contact: Arielle Bourgart

**4.A.16.1 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. 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.

**4.A.16.2 State Legislation—Items for Discussion and/or Action.** Mark Watts of Smith, Watts & Martinez will provide an update on developments in state policy, legislation and finance of relevance to the Authority.

*ACTION:* Commissioner Tatzin moved to accept the APC's recommendation on the bills, and have the Authority's legislative advocate convey its views and preferences to the bills' authors, seconded by Commissioner Hudson. The motion passed unanimously, 9-0.

*DISCUSSION:* Arielle Bourgart, Director of Government and Community Relations, explained that the legislative history matrix included bills on which the Authority had already discussed and/or taken action on in previous meetings, bills discussed by the APC, and other bills of interest that staff would be following for potential discussion or action by the Authority in the future. She noted that the staff report included links to the bills' text.

Ms. Bourgart introduced Mark Watts, the Authority's Sacramento lobbyist, who reviewed legislation that the Authority might want to consider taking action on.

Mr. Watts stated that Friday, February 22<sup>nd</sup> was the deadline for bill introductions. He said that since the beginning of the current legislative session, over 400 Assembly bills and over 300 Senate bills had been introduced.

Mr. Watts said that the Governor had publicly acknowledged that transportation finance in the State of California is in peril, and had directed Brian Kelly, currently the Business Transportation and Housing (BT&H) Secretary, to convene a working group to look at the causes and effects, evaluate how transportation programs are delivered in Sacramento and at the local level, and consider solutions. Mr. Watts said that he had met with Mr. Kelly three times over the past two months, and that he was hopeful that a work product of value would result from the effort.

Mr. Watts stated that CEQA reform measures were proposed to make the process work better, more quickly, and preclude certain court challenges, however, significant opposition had developed.

Mr. Watts highlighted each of the seven major bills developed to deal with the reduction of voter threshold for local taxes. He noted that the last major effort to accomplish this was in 1999-2000, and that he expected a collaborative effort among the various sectors. Mr. Watts stated that the APC recommended a “watch” position on SB 1 (Steinberg), a bill that would authorize public entities to adopt a Sustainable Communities Investment Area and to form a Sustainable Communities Investment Authority to carry out the Community Redevelopment Law in a specified manner.

Additionally, Mr. Watts said that the APC recommended “watch” positions on SB 33 (Wolk), which would eliminate the voter approval requirement for a city or county to create an infrastructure financing district (IFD) and expands the types of projects that may be financed by an IFD, and on AB 14 (Lowenthal), which would provide parameters on an ongoing basis for the formation of a freight advisory committee.

Mr. Watts explained that Alameda County had sponsored legislation that raised (in Alameda County) the aggregate rate per county allowable by state law of specified taxes in order to accommodate the .5 percent increase being proposed in Alameda County’s transportation sales tax measure. Because the measure failed to pass, this provision will be automatically repealed on January 1, 2014. Mr. Watts said that AB 210 (Wieckowski, Co-Authors: Bonta, Buchanan and Skinner), would extend the provision for purposes of a transportation sales tax in Alameda County until January 1, 2017, and that Contra Costa might want to consider the author’s offer to be included in the legislation.

Following the presentation, *Commissioner Butt* asked why the Authority would take a watch position on a bill instead of a support or oppose position, which initiated a brief discussion regarding the value and timing of weighing-in on legislation, and the types of bills the Authority should take positions on.

*Representative Worth* said that it would be helpful to know how some of the bills that do not appear connected to transportation are in fact

related. *Commissioner Durant* agreed that he would consider supporting legislation with a nexus to transportation.

Lastly, Mr. Watts noted that the Authority would be updated on the State Budget when analysis of the budget proposal has been completed by the Legislative Analyst. He noted that Proposition 1B would continue at least until next year when appropriation authority is depleted.

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

##### **4.B.9 SB 375/SCS Implementation Update.** Staff Contact: Martin Engelmann

*ACTION: None taken – information only*

*DISCUSSION:* Martin Engelmann, Deputy Executive Director for Planning, reviewed the schedule for implementation of the first Sustainable Communities Strategy for the Bay Region. He stated that the draft 2013 Regional Transportation Plan (RTP) would be released by MTC in March, with adoption of the final RTP in June or July 2013.

Mr. Engelmann said that MTC staff planned to present the draft 2013 RTP to the Authority on April 17, 2013. He explained that, depending on the date of the release, Authority comments on the Draft 2013 RTP might need to come from the Planning Committee.

Mr. Engelmann stated that there had been two meetings in January and February of the PDA/OBAG Working Group, comprised of approximately 50 percent staff and 50 percent stakeholders, and that there was a wide spread of opinions on how the Cycle 2 Federal funding should be allocated. He said that the TCC would be reviewing the draft OBAG Call for Projects on February 21<sup>st</sup>, which would then be reviewed by the Planning Committee on March 6<sup>th</sup> prior to release on March 8<sup>th</sup>. Mr. Engelmann said that responses would be due by the end of April, projects would be ranked in May, and that the Authority would decide in June which projects to fund.

Mr. Engelmann also reported that staff was developing the PDA Investment Growth Strategy, an annual task, which would be presented to the PDA/OBAG Working Group later in February, to the TCC in March, and then to the Authority in April for transmittal to MTC.

*Commissioner Butt* mentioned AB 416 (Gordon), a brand new bill related to funding, a follow-up related to AB 1532 and SB 535 that has to do with allocation of cap and trade funds to local jurisdictions, and this could be a significant source of funds for both local and regional agencies for transportation projects that implement AB 32/SB 375. He asked that staff review AB 416 and request the Authority's legislative advocate to do the same.

*Representative Worth* asked how the Local Streets and Roads Preservation (LSRP) funding worked based on the Return-to-Source formula and what previous commitments and new commitments were being considered relative to the OBAG process. Mr. Engelmann responded that a commitment for Cycle 2 LSRP had been made during Cycle 1 in the amount of \$9.5 million and that staff plans to abide by that decision. More recently, MTC had made a significant change to the "color of money," which would allow for increased expenditures on LSRP in the amount of \$7 million, for a potential Cycle 2 commitment of \$16.5 million, which would be allocated to the local jurisdictions by formula. Mr. Engelmann noted that staff was studying this option with regard to minimum project size requirements. He also noted that some stakeholders were opposed to the idea of allocating all of the new funds to LSRP by formula.

Mr. Engelmann stated that the TCC would be deciding on screening criteria, minimum project size, and scoring criteria at its meeting on February 21, 2013, with a follow-up meeting to be held the week following if needed.

*Commissioner Arnerich* said that it was important to keep in mind that all jurisdictions do not have PDAs.

*Commissioner Durant* said that he was concerned about the Planning Committee getting all the information it needs and having time to evaluate it prior to making a decision on March 6<sup>th</sup>. Mr. Engelmann suggested that the Planning Committee approve in March the release of the Call for Projects on March 8<sup>th</sup>, to allow adequate time for discussion prior to the Authority making its final decision in June.

**5.0 CORRESPONDENCE AND COMMUNICATIONS:** *None*

**6.0 ASSOCIATED COMMITTEE REPORTS:**

**6.1 Central County (TRANSPAC):**

**6.2 East County (TRANSPLAN):** *The Report of February 14, 2013 was distributed as a meeting handout.*

**6.3** Southwest County (**SWAT**): Report of February 4, 2013

**6.4** West County (**WCCTAC**): Report of January 25, 2013

**7.0 COMMISSIONER AND STAFF COMMENTS:**

**7.1** Chair's Comments and Reports

*Chair Abelson* said that she looked forward to an exciting year ahead, and getting to know her fellow Commissioners better.

*Chair Abelson* reported that she attended the California Transportation Foundation (CTF) 2013 Transportation Forum in Sacramento in January 29<sup>th</sup>. She said that she found the report on Alameda County's Measure B-1 (which did not pass) by Larry Tramutola, Tramutola Advisors, to be very interesting. *Chair Abelson* shared a number of tips and lessons learned from the presentation, which she said might be helpful to the Authority in the future.

*Outgoing Chair Tatzin* said that he had enjoyed working with Randy Iwasaki over the past year, and that he appreciated his prompt responses to inquiries and expeditious remedies to problems that occurred over the past year.

He noted that the Authority received more money over the past year from non-Measure J sources than from Measure J, giving credit to Mr. Iwasaki and Ross Chittenden, Deputy Director for Project.

*Outgoing Chair Tatzin* said that Mr. Iwasaki had led staff to welcome new challenges and responsibilities.

**7.2** Commissioners' Comments and Reports

*Commissioner Hudson* stated that the Authority should become familiar with SB 1532 (Steinberg), related to cap and trade. He also noted that Ken Yeager, the Bay Area Air Quality Management District representative on the California Air Resources Board, would be vacating his position on the board.

*Commissioner Taylor* said that the SR4 Media Tour was a great success, and that it highlighted all of the progress in East County and reflected favorably on CCTA.

**7.3** Executive Staff Comments and Reports

Mr. Iwasaki reviewed his Executive Director's report.

He noted that staff was constantly looking for ways to consolidate funding for the benefit of Contra Costa's projects.

Mr. Iwasaki also reported that Erick Cheung, Finance Manager, had accepted a position with the City of Piedmont and would be leaving the Authority after 5+ years of exceptional service. He said that Mr. Cheung had been a key member of the Finance team and certainly would be missed.

*Commissioner Taylor* added that Mr. Cheung had been particularly helpful when *Commissioner Taylor* was new to the Authority, taking the time and patience necessary to respond to his inquiries. *Commissioner Taylor* agreed that Mr. Cheung would be missed.

**8.0 CALENDAR:**

**8.1** Meeting Calendar: March, April, May 2013

**8.2** Calendar of Upcoming Events

**9.0 ADJOURNMENT** to Wednesday, February 20, 2013, at 6:00 p.m.

The meeting was adjourned at 8:14 p.m. to Wednesday, March 20<sup>th</sup> at 6:00 p.m.