



Authority Board Meeting **MINUTES**

MEETING DATE: July 17, 2013

MEMBERS PRESENT: Janet Abelson, Candace Andersen, Newell Arnerich, David Durant, Dave Hudson, Ron Leone, Sherry McCoy, Mike Metcalf, Karen Mitchoff, Julie Pierce, Kevin Romick, Robert Taylor

Ex-Officio Representatives: Myrna de Vera, Amy Worth

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

MINUTES PREPARED BY: Danice Rosenbohm

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

B. PLEDGE OF ALLEGIANCE

C. PUBLIC COMMENT: There were no public comments on items not on the agenda.

1.0 APPROVAL OF MINUTES: Authority Meeting Minutes of June 19, 2013.

ACTION: Commissioner Pierce moved to approve the Authority Meeting Minutes of June 19, 2013, seconded by *Commissioner Romick*. The motion passed 8-0-2, with *Alternates Andersen* and *McCoy* abstaining. (*Commissioner Arnerich had not yet arrived.*)

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

ACTION: Commissioner Pierce moved to approve the Consent Calendar, seconded by *Alternate Andersen*. The motion passed unanimously, 10-0. (*Commissioner Arnerich 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 May 2013.** The accompanying report provides a listing of invoices paid in alphabetical order by vendor or payee name for the month of May 2013. Staff Contact: Randall Carlton
- 2.A.3 Accept Monthly Cash and Investment Report for May 2013.** The Authority's Investment Policy calls for a monthly report on investment activity to be prepared and submitted to the Executive Director, APC, and the Authority Board. The accompanying report covers transactions for May 2013. 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 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.6 I-680 Auxiliary Lanes – Sycamore Valley to Crow Canyon – Segment 2 (Project 1106 S2) – Contract Acceptance and Closeout for Construction Contract No. 360 (Tree Removals).** 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. The work is 100% complete and the Authority's construction management staff has received concurrence from The Professional Tree Care Co., the contractor of record, on the total earned dollar amount for all work performed under construction Contract No. 360. Caltrans provided oversight of the construction work and has provided documentation of acceptance of the contract work. Consistent with the Authority's *Construction Contract Administration Guide*, staff is seeking approval of the release and payment of the remaining retention funds to the contractor in the amount of \$17,582.03 and formal acceptance of the project as complete to allow for contract closeout activities. **Resolution 13-35-P.** Staff Contact: Ivan Ramirez
- 2.A.7 State Route 4 – Railroad Avenue to Loveridge Road (Project 1405) – Contract Acceptance and Closeout for Landscape Construction Contract No. 241.** *This item withdrawn by staff and deferred to a future agenda.*

- 2.A.8 I-680/SR 4 Interchange Improvements (Project 1117/6001) – Authorization to Execute Agreement No. 372 with WMH Corporation for Environmental and Final Design Services.** Staff seeks authorization for the Chair to execute Agreement No. 372 with WMH Corporation in the amount of \$5,969,964 for environmental and final design services and to allow the Executive Director to make non-substantive changes to the language. Staff Contact: Susan Miller.
- 2.A.9 State Route 4/State Route 160 Connector Ramps (Project 5001).**
- 2.A.9.1 Authorization to Execute Cooperative Agreement No. 90.14.27 with Caltrans for Construction and Construction Management Services.** Staff seeks authorization for the Chair to execute Cooperative Agreement No. 90.14.27 with Caltrans for construction of the SR4/SR160 Connector Ramps project in Antioch and to allow the Executive Director to make non-substantive changes to the language. The Authority will advertise, award and administer the construction contract with Caltrans oversight and the project is funded entirely by bridge toll funds. Staff Contact: Jack Hall
- 2.A.9.2 Authorization to Execute Agreement No. 373 With AECOM for Construction Management Services.** Staff seeks authorization for the Chair to execute Agreement No. 373 with AECOM in the amount of \$5,725,000 to provide construction management services for SR4/SR160 connector ramps project. Staff Contact: Ivan Ramirez.
- 2.A.10 State Route 242/Clayton Road Ramps (Project 6002/6004) – Authorization to Execute Amendment No. 1 to Agreement No. 321 with WMH Corporation for Project Approval Services and Environmental Documentation (PA/ED) Services.** Staff seeks authorization for the Chair to execute Amendment No. 1 to Agreement No. 321 with WMH Corporation in the amount not to exceed \$1,733,000, and increase the total agreement value from \$673,000 to \$2,406,000. The original scope was to produce the Project Study Report (PSR). The amendment expands the scope to complete the environmental and project approval phases of the SR 242/Clayton Road Ramps project in Concord. Staff Contact: Susan Miller
- 2.A.11 Authorization to Execute Amendment No. 1 to Agreement No. 369 with Kinder Morgan for Design Services.** Staff seeks approval for the Chair to execute Amendment No. 1 to Agreement No. 369 with Kinder Morgan to increase the scope and fee for project design services by \$590,000, for a total agreement value of \$665,000. The additional project design services include final design for

relocating a booster pump facility as part of the State Route 4: Balfour Road Interchange – Phase 1 (Project 5005). Staff Contact: Jack Hall

2.A.12 East Bay Regional Park District – Atlas Road Bridge (Project 3111) – Request for Appropriation of Measure C Funds for Construction and Construction Management.

The East Bay Regional Park District requests appropriation of \$636,870 of Measure C funds for Construction of the Atlas Road Bridge. Staff seeks authorization for the Chair to execute Resolution 13-11-P in the amount of \$636,870. **Resolution 13-11-P.** Staff Contact: Amin AbuAmara.

2.A.13 City of Martinez – Martinez Intermodal Station - Phase 3 (Project 4002/27001) – Request for Appropriation of Measure J Funds for Construction and Construction Management.

The City of Martinez requests appropriation of \$887,123 from the Capitol Corridor Improvements Category, and \$1,392,877 from the Capitol Corridor Rail Station Improvements at Martinez Category of Measure J funds for Construction of the Martinez Intermodal Station – Phase 3 project. Staff seeks authorization for the Chair to execute a Cooperative Agreement No. 27C-01 with the City of Martinez, Resolution 13-28-P in the amount of \$887,123, and Resolution 13-29-P in the amount of \$1,392,877. Cooperative Agreement No. 27C-01, Resolution **13-28-P**, Resolution **13-29-P**. Staff Contact: Amin AbuAmara.

2.A.14 Interstate 80/San Pablo Dam Road Interchange Improvements (Project 7002) – Exercise of Eminent Domain Agreement.

Staff requests authorization for the Chair to execute Agreement No. 90.70.01 between the State, the City of San Pablo, the Authority, and Contra Costa County. The Agreement reaffirms that the County is the designated party to administer the acquisition of real property on the I-80/San Pablo Dam Road project (Project 7002), through eminent domain or otherwise, and that the County will conduct all proceedings and public hearings related to the acquisition including adoption of Resolutions of Necessity. Staff Contact: Hisham Noeimi

2.A.16 Legislative History.

Staff has reviewed the legislative matrix with Mark Watts of Smith, Watts, and Martinez for updates to bills being watched by the Authority. Mr. Watts has indicated that there has been no significant activity since the legislative matrix went to the Authority Board on June 19, 2013. As such the matrix has not been revised for the APC. Staff Contact: Randell H. Iwasaki

(A Staff Report with an update on legislation of interest was distributed as a meeting handout.)

2.A.17 (See Agenda Item 4.B.9)

2.A.18 Status Update State Route 4 Widening – Loveridge Road to SR160 (Projects 1406/3003 and 1407/3001). Staff provided a PowerPoint update to the APC on the status of the State Route 4 Widening project from Loveridge Road to SR160. Staff Contact: Susan Miller

2.A.19 Adoption of the Authority's Investment Policy for FY 2013-14. Each year the Authority reviews its investment policy and refines it accordingly to conform to any new State regulations or current best practices for the investment of public funds. The policy provisions have been reviewed and a few refinements are recommended. **Resolution 13-33-A.** Staff Contact: Randall Carlton.

2.A.20 Amendment No. 5 to the 2011 Measure J Strategic Plan. Staff seeks authorization for the Chair to execute Resolution 13-32-P to approve Amendment No. 5 to the *2011 Measure J Strategic Plan*. Amendment No. 5 reprograms approximately \$726,000 in 2004 dollars (\$885,000 escalated) from Ygnacio Valley Road Permanent Restoration – Phase 2 (Project 24027) to Commerce Avenue Extension (New Project 24030) and reprograms approximately \$4,105,000 in 2004 dollars (\$5,000,000 escalated) from State Route (SR) 4 East Widening: Somersville Road to SR 160 (Project 5009) to SR 4 Bypass: Sand Creek Road Interchange – Phase 1 (Project 5003). This amendment also adds the Contra Costa Transportation Authority as a project sponsor and modifies the project scope for the SR 4 Bypass: Sand Creek Road Interchange – Phase 1 (Project 5003). **Resolution 13-32-P.** Staff Contact: Jack Hall

2.A.21 State Route (SR) 4 Sand Creek Road Interchange and 4-Lane Widening (Projects 5002/5003) – Construction of Second SR 4 Sand Creek Road Overcrossing and Widening of Westbound SR 4 Sand Creek Bridge.

2.A.21.1 Authorization to Execute Amendment No. 1 to Agreement No. 331 with Parsons Brinckerhoff for Contract Administration and Construction Management Services. Staff seeks authorization for the Chair to execute Amendment No. 1 to Agreement No. 331 with Parsons Brinckerhoff in the amount of \$659,054 to provide additional construction management services for the Second State Route 4 Sand Creek Rd Overcrossing. Staff Contact: Amin AbuAmara

2.A.21.2 Authorization to Execute Amendment No. 1 to Agreement No. 335 with Mark Thomas & Company, Inc. for Design Services During Construction. Staff seeks authorization for the Chair to execute Amendment No. 1 to Agreement No. 335 with Mark Thomas &

Company, Inc. in the amount of \$76,500 to provide additional Design Support Services During Construction for the State Route 4 Second Sand Creek Road Overcrossing. Staff Contact: Amin AbuAmara

2.A.21.3 Authorization to Execute Amendment No. 1 to Cooperative Agreement No. 90.14.25 with Caltrans (District Agreement 04-2266) and the SR 4 Bypass Authority. Staff requests authorization for the Chair to execute Amendment No. 1 to Cooperative Agreement 90.14.25 with the State of California (Caltrans) (District Agreement 04-2266) and the SR 4 Bypass Authority to add Construction of the Second SR 4 Sand Creek Road Overcrossing and Widening of Westbound SR 4 Sand Creek Bridge. The cooperative agreement is necessary to specify roles and responsibilities and to obtain reimbursement for construction costs from Proposition 1B CMIA funds. Staff Contact: Amin AbuAmara

2.B Planning Committee:

- 2.B.1. Approval of the City of Antioch's Calendar Years (CY)s 2010 & 2011 Growth Management Program (GMP) Compliance Checklist.** The City of Antioch has submitted its Calendar Years 2010 & 2011 GMP Checklist. An allocation of \$979,883 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 Pinole's Calendar Years (CY)s 2010 & 2011 Growth Management Program (GMP) Compliance Checklist.** The City of Pinole has submitted its Calendar Years 2010 & 2011 GMP Checklist. An allocation of \$276,962 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 Approval of the City of Oakley's Calendar Years (CY)s 2010 & 2011 Growth Management Program (GMP) Compliance Checklist.** The City of Oakley has submitted its Calendar Years 2010 & 2011 GMP Checklist. An allocation of \$469,211 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.4 Approval of the City of San Pablo's Calendar Years (CY)s 2010 & 2011 Growth Management Program (GMP) Compliance Checklist.** The City of San Pablo has submitted its Calendar Years 2010 & 2011 GMP Checklist. An allocation of \$321,604 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.5 Allocation of Measure J Central County Additional Transportation Programs for Seniors and People with Disabilities (Program 20a) Funding.** Approval would allocate \$160,138 of Measure J Central County sub-regional program funds to the City of Concord to provide transportation services to seniors and people with disabilities in the monument corridor. The projects were considered and approved by TRANSPAC on November 8, 2012. **Resolution 13-34-G.** Staff Contact: Peter Engel
- 2.B.6 City of Lafayette – Lafayette East End Ped/Bike and Streetscape Improvements Project (Project 120024) – Phase I Design Review.** On April 17, 2013, a peer review committee consisting of Miki Tsubota (City of Brentwood) and Laurie Sugang (Town of Moraga) along with Mike Higgins (Parsons Transportation Group) reviewed the 65 percent design plans for the Lafayette East End Ped/Bike and Streetscape Improvements Project (120024). The committee recommended that the Authority approve the design plans with minor modifications and that no additional committee review is necessary prior to advertisement and award of the project’s construction phase. Staff Contact: Brad Beck
- 2.B.7 Approval to Extend the Deadline for Submittal of the CYs 2010 & 2011 GMP Compliance Checklist based upon Statements of Progress Received from Pittsburg, Pleasant Hill, and Martinez.** To receive FY 2011-12 and FY 2012-13 Measure J 18 percent Local Street Maintenance and Improvement (LSM) Funds, local jurisdictions must submit a Compliance Checklist indicating that all of the requirements of the GMP have been met for the reporting period of CY 2010 & 2011. To date, 17 of 20 local jurisdictions have submitted or plan to submit completed Checklists by the June 30, 2013 due date. Three local jurisdictions are requesting schedule extensions beyond the due date. In accordance with adopted Authority policy, to remain eligible to receive LSM funds, as well as certain other funds as specified in the Measure J Expenditure Plan, local jurisdictions that are unable to fulfill the GMP requirements and submit a Checklist by June 30th have the option to submit a “Statement of Progress” to the Authority, indicating progress made towards compliance, remaining issues, and a schedule for achieving compliance. Three local jurisdictions (Pittsburg, Pleasant Hill, and Martinez) have submitted Statements of Progress. Staff recommends that the Authority approve the requests for a schedule extension. Staff Contact: Martin Engelmann

2.B.8 Review of Off-Year Payment to Contra Costa County. Contra Costa County submitted its Calendar Years (CY) 2010 & 2011 GMP Checklist in March 2012. Authority approval of the Checklist was delayed pending staff's review of the County's Measure C Growth Management Element (GME) to determine whether it substantially complied with the Measure J requirements. Following that review, Authority staff determined that the intent of the Measure J GME could be met through a technical amendment to the County's General Plan. In July 2012, the Authority conditionally approved allocation of the first-year payment of \$1,950,297 in FY 2011-12 18 percent Local Street Maintenance and Improvement (LSM) funds. Allocation of off-year funds (FY 2012-13) was put on hold subject to the County taking appropriate action to incorporate the Measure J GME into its General Plan through a technical amendment. Staff recommends that the Authority review the progress made by the County on the Technical Amendment to its General Plan, and determine whether the off-year payment of approximately \$2.036 million (estimated) should be paid out to the County. Staff Contact: Martin Engelmann

2.B.10 Release of the Administrative Draft 2013 Congestion Management Program (CMP). As the Congestion Management Agency (CMA) for Contra Costa, the Authority is responsible for preparing a Congestion Management Program and updating it every other year. The Authority adopted its first CMP in 1991 and the 2013 CMP will be the Authority's eleventh. Based on the scope approved by the Authority in May, staff has prepared an administrative draft 2013 CMP for circulation, review and comment by RTPC-TACs and other interested parties. Comments will be incorporated into a draft CMP to be forwarded to MTC in October. Staff Contact: Matt Kelly.

2.B.11 Recommendations for Allocating Cycle 2 Regional Safe Routes to School (SR2S) Funding. As the Congestion Management Agency (CMA) for Contra Costa, the Authority has the responsibility for recommending projects for funding available through MTC's Regional Safe Routes to School (SR2S) program. MTC has allocated \$3.289 million to Contra Costa for SR2S projects and programs for fiscal years 2013–2016 (Cycle 2). The Authority earlier agreed to divide the funding among the four sub-regions based on population and K–12 enrollment. In response, the four RTPCs have identified 10 capital projects and one program for this funding. The SR2S Oversight Committee has recommended that these projects be forwarded to MTC for funding. Staff Contact: Brad Beck

2.B.12 SB 375/SCS Implementation Update. Staff Contact: Martin Engelmann

(A letter from MTC dated July 10, 2013 regarding the Authority's comments on the Plan Bay Area Draft Environmental Impact Report was distributed as a meeting handout.)

End of Consent Calendar

3.0 MAJOR DISCUSSION ITEMS: *None*

4.0 REGULAR AGENDA ITEMS:

4.A Administration & Projects Committee:

4.A.15 Acceptance of Retiree Healthcare Actuarial Valuation Results. Accounting standards call for the Authority to prepare an actuarial valuation to calculate the Annual Required Contribution (ARC) for funding retiree healthcare benefits (also known as Other Post-Employment Benefits or "OBEB"). According to the actuary, the current ARC rate of 9.8% will remain unchanged for the next two fiscal years and no budgetary adjustments are required. Staff Contact: Randall Carlton.

ACTION: Commissioner Taylor moved to accept the 9.8 percent ARC Rate for Fiscal Years 2013-14 and 2014-15, seconded by Commissioner Metcalf. The motion passed unanimously, 10-0. (Commissioner Arnerich had not yet arrived.)

DISCUSSION: Randall Carlton, Chief Financial Officer, said that every two years staff works with an actuary to re-examine the status, assumptions, and contribution rate for the funding of retiree healthcare benefits to ensure that the Authority remains on schedule. Mr. Carlton said that he was pleased to report that the current contribution rate of 9.8 percent (the rate which the Authority has been contributing for the last two years) would not be increasing for the next two years. Mr. Carlton said that of the Other Post Employee Benefits (OPEB) accrued liability was currently funded at 73 percent, representing an improvement from 63 percent two years ago.

Mr. Carlton stated that the APC discussed the internal rate of return on the assets and asked whether 7.25 was a reasonable assumption. He explained that for a long-term asset, 7.25 was among the lowest of assumptions used throughout the county, and noted also that actual returns, which are averaged over a 5-year period, had exceeded the projected rate.

Mr. Carlton said that the APC also asked about health benefit eligibility. He explained that qualifying retirees (those with 5 years of CCTA service) were eligible for medical benefits consistent with what active employees receive,

which can include spouses. Of the 5 retirees, currently 3 have two-party plans and 2 are single participants.

Mr. Carlton noted that the Authority's adopted Budget reflected the recommended contribution rate, and requested acceptance of the Staff Report and adoption of the actuarial report.

4.A.22 Caldecott Fourth Bore Project (Project 1698/1001)

4.A.22.1 Caldecott Fourth Bore Project – Interim Status Update. The Authority was most recently briefed on the status of the Caldecott Fourth Bore project in February 2013. Ross Chittenden will provide an update on projected schedule to open the tunnel to traffic, additional funds required to continue construction, and efforts to mitigate future cost impacts. Staff Contact: Ross Chittenden.

ACTION: Commissioner Pierce moved to direct staff to continue discussions with Caltrans and exercise all possible influence with Contra Costa's legislative delegation in an aggressive pursuit of additional funding for the project and Authority advocacy with colleagues in Sacramento for the return of the State funding that was withdrawn, seconded by Commissioner Hudson. The motion passed unanimously, 11-0.

DISCUSSION: Ross Chittenden, Deputy Executive Director for Projects, reviewed the Staff Report, which he said had been completely revised to address comments made by the APC and to provide a more comprehensive overview of the project, schedule and budget. He introduced Cristina Ferraz, Project Manager from Caltrans, who assisted with the presentation.

Mr. Chittenden said that the tunnel had a high likelihood of opening to traffic in late October or Early November of 2013, and that the budget figures included in the Staff Report were based on this assumption. Additionally, Mr. Chittenden said that it was highly likely that the project would be completed under the original budget. He noted, however, that considering the costs and progress to date and the fact that the State removed \$16.6 million of committed funds after the bid award, there was a good chance that additional funds would be required to complete the project. He estimated the exposure (best case) at nearly \$7 million.

Mr. Chittenden noted that the project started with an extremely low bid by Tutor-Saliba – \$71 million below the construction budget – with an aggressive schedule. Although the State removed \$16.6 in committed funding, he said that

staff believed there was ample reserve (\$55 million) to cover any construction difficulties.

Mr. Chittenden highlighted significant factors affecting the project, including geology which was different from what was expected with an impact of approximately \$45 million, changes imposed by Caltrans and the State Fire Marshall with an impact of several million (and an adverse effect on the contractor's schedule), miscellaneous changes resulting in approximately \$2.3 million, and increased construction administration and design support costs that would result in approximately \$10 million over what was budgeted. He noted that while CCTA had added nearly \$7 million to the support budget, staff had also requested that the State cover its fair share.

Mr. Chittenden said that delays to the contractor's aggressive schedule resulted in additional costs of \$4.5 million, and could have an impact of up to \$10 million if the project is not completed by October.

Mr. Chittenden stated that staff had met with Caltrans Director Dougherty, and that Caltrans had requested additional ARRA funds unused on other projects be added to the Caldecott project. He noted that CCTA's Executive Director Iwasaki had followed-up on the request with Deputy Secretary Porcari, but had not yet received any firm commitment of funding. Mr. Chittenden said that the request could yield \$2.3 million.

Mr. Chittenden said that staff planned to continue to aggressively pursue funding options through work with the State and others to avoid any additional commitment of Measure J funding, and requested further direction from the Authority.

Cristina Ferraz noted that approximately 85 percent of the Caldecott Fourth Bore project work had been completed. She said that staff would attain a much better sense of any risks sometime in August, and would then provide a full report to the Authority in September. Both Ms. Ferraz and Bill Bornman (Caltrans Construction Manager who was in attendance in the audience) concurred that late October is a realistic date to open the tunnel.

A brief discussion ensued regarding the project funding and the likelihood of securing additional State funds to complete the project.

Alternate Leone asked if it would be a better strategy to withhold approving additional Measure J funds until the State returned the funds that it had removed from the project. Mr. Chittenden responded that Caltrans needs funds to pay the contractor and the proposed action moved Measure J "all-in" per the

expenditure plan. This demonstrates good faith to Caltrans and Contra Costa voters.

Commissioners Hudson and Pierce stressed that the project is on-time and under the original budget. This message cannot be lost.

Representative Worth discussed MTC strategy to request Caltrans bring in additional State funds before allocating the remaining Regional Measure 2 funds held in reserve.

Chair Abelson asked about the likelihood of the State returning the funds removed from the project. Ms. Ferraz stated that this is unlikely. Executive Director Iwasaki and Mr. Chittenden noted that arrangement to make a local project sponsor whole in this type of situation has occurred many times at Caltrans.

The information item concluded with a brief discussion of planning for a ribbon-cutting.

Commissioner Arnerich arrived at 6:33 p.m.

4.A.22.2 Authorization to Execute Amendment No. 4 to Cooperative Agreement No. 90.16.04 with Caltrans for Construction and Construction Management and Design Support During Construction Services. Staff seeks authorization to execute Amendment No. 4 to Cooperative Agreement No. 90.16.04 (District Agreement No. 04-2203) to move Measure J funds from the existing construction reserve to fund construction contract cost increases and construction management and design support during construction cost increases. Staff Contact: Ross Chittenden

ACTION: *Commissioner Pierce* moved to approve Amendment No. 4 to Cooperative Agreement No. 90.16.04 with Caltrans and authorize the Executive Director to make non-substantive changes and execute the agreement, seconded by *Commissioner Taylor*. The motion passed unanimously, 11-0.

DISCUSSION: Ross Chittenden, Deputy Executive Director for Projects, stated that staff was seeking authorization to execute Amendment No. 4 to Cooperative Agreement No. 90.16.04 with Caltrans, which would transfer the remaining Measure J funds from the project reserve to cover consultant costs increases and add to the construction budget.

Commissioner Durant arrived at 7:02 p.m., at which time Alternate Leone left the dais.

4.A.22.3 Authorization to Execute Amendment No. 5 to Agreement No. 261 with Parsons Transportation Group, Inc. for Design Services During Construction. Staff seeks authorization for the Chair to execute Amendment No. 5 to Agreement No. 261 with Parsons in the amount of \$400,000 to provide additional on-call design services during construction for the Caldecott Fourth Bore Project. Staff Contact: Ross Chittenden.

ACTION: Commissioner Arnerich moved to authorize the Chair to execute Amendment No. 5 to Agreement No. 260 with Parsons Transportation Group, Inc., seconded by Commissioner Pierce. The motion passed unanimously, 11-0.

DISCUSSION: Ross Chittenden, Deputy Executive Director for Projects, stated that staff recommended authorization for the Chair to execute Amendment No. 5 to Agreement No. 261 with Parsons Transportation Group for design support services during construction. He said that the additional \$400,000 was needed due to Parsons' involvement to address the high number of requests for information and contract change orders.

4.B Planning Committee

4.B.9 Approval of Gray-Bowen/Zell Public Outreach Work Plan for Developing and Implementing the 2014 Countywide Transportation Plan (CTP). In consultation with Authority staff, the Gray-Bowen/Zell and Associates consultant team has developed an initial work plan for stakeholder outreach, focus groups and polling to support the development and implementation of the 2014 CTP. Staff seeks Authority approval to proceed with the work plan. Staff Contact: Martin Engelmann.

ACTION: Commissioner Arnerich moved to approve the work plan as proposed with the not-to-exceed budget amount of \$600,000, direct staff to return to the Authority in September with a proposal and budget for a comprehensive communications plan for Authority consideration, and authorize the Chair to designate an ad hoc committee, seconded by Commissioner Hudson. The motion passed unanimously, 11-0.

DISCUSSION: Martin Engelmann, Deputy Executive Director for Planning, introduced Bill Gray from Gray-Bowen, and Eric Zell from Zell and Associates, representatives of the consultant team engaged to assist with public outreach, polling, and strategic planning in support of the 2014 Countywide Transportation Plan (CTP). Mr.

Engelmann explained that the CTP was driven by the Action Plans for Routes of Regional Significance, and that staff planned to work through the remainder of 2013 to develop the Action Plans to the draft stage, for later incorporation into a draft CTP during 2014.

Mr. Engelmann noted that the 2009 CTP included \$9.4 billion in projects, and that updates to the Comprehensive Transportation Project List (CTPL) included a growing list of projects that totaled \$14 billion to date. He said that the 2014 CTP would include a financially unconstrained CTPL that identifies projects and programs designed to carry out the strategies in the Plan. Mr. Engelmann said that staff would initially work to reduce the project list to approximately \$5 billion, to correspond to the \$2.5 billion available through the 2017 RTP and possible increases in available transportation funding through local, regional, state, or federal sources, and later reduce the list to the \$2.5 billion available through the 2017 RTP.

Mr. Engelmann said that in July the proposed CTP outreach plan was presented to the Authority's sub-committees. He said that feedback was positive and that both the APC and PC supported moving forward with the plan as proposed. Additionally, he said there was discussion of developing an overall communications plan to ensure a unified message and tie together the upcoming Caldecott and SR4 ribbon cuttings with Plan Bay Area, the new Bay Bridge, and unanticipated events such as the BART strike. Mr. Engelmann noted that it was clear that development and implementation of a comprehensive communications plan could exceed the initial contract value of \$600,000. He said that the Authority's new Director of External Affairs would be on board by September, after which time the Authority would be updated with details and the actual cost for a comprehensive communications plan.

Chair Abelson stated that it was suggested that an ad hoc committee be appointed to review the focus group protocol and draft polling questions, and proposed that the committee include one member from each of the four regions, two each from the APC and the PC, and a County Supervisor (*Federal Glover*, who is not appointed to either committee). Following a brief discussion and clarification by Authority Counsel (to avoid a quorum of either the APC, PC, or Executive Committee), it was determined that the ad hoc committee would consist of *Janet Abelson* (WCCTAC), *Dave Hudson* (SWAT), *Robert Taylor* (TRANSPLAN), *Julie Pierce* (TRANSPAC), and *Federal Glover* (County Board of Supervisors), with *Candace Andersen* as his Alternate.

Commissioner Mitchoff asked when the costs for the comprehensive communication plan would be known. Mr. Engelmann responded that a framework for the communications plan had been developed by the Gray-Bowen team in partnership with Barbary Coast, and that staff planned to return to the Authority in September with options for amending the budget to include additional funding to implement the coordinated plan.

Commissioner Arnerich said that he agreed that a coordinated message was appropriate.

Commissioner Hudson said that there might be an opportunity to include the stakeholders in the process for sharing the Authority's success stories.

The overall schedule for the 2014 CTP and Action Plans was distributed as a meeting handout.

5.0 CORRESPONDENCE AND COMMUNICATIONS:

- 5.1** Letter dated July 5, 2015 from SWAT RE: 2013 Measure J Strategic Plan Update – Project Category Programming for the SWAT Sub-region
- 5.2** Letter dated June 13, 2013 to Caltrans from PG&E RE: Application of “Buy America” Provisions to Utility Relocation Projects (23 U.S.C. 313, et seq.): Update on Pacific Gas and Electric Company's Compliance Efforts
- 5.3** “Pittsburg Ready for ‘Milestone’ Completion of Loveridge Road Overpass on Highway 4” article by Paul Burgarino posted on June 25, 2013 in the Contra Costa Times

6.0 ASSOCIATED COMMITTEE REPORTS:

- 6.1** Central County (**TRANSPAC**): (Note: Meeting of June 13, 2013 Canceled) *(The report for the meeting of July 11, 2013 was distributed as a meeting handout.)*
- 6.2** East County (**TRANSPLAN**): *(The report for the meeting of July 16, 2013 was distributed as a meeting handout.)*
- 6.3** Southwest County (**SWAT**): Report of July 1, 2013
- 6.4** West County (**WCCTAC**): Report of June 28, 2013

7.0 COMMISSIONER AND STAFF COMMENTS:

7.1 Chair's Comments and Reports

7.2 Commissioners' Comments and Reports

Myrna de Vera, Ex-officio Representative of the Bus Transit Operators, stated that a cooperating area transit systems group from the four Contra Costa bus operators had met and discussed Clipper technology, which will be modified and coming first to Contra Costa in approximately 18 months. She also reported that during the BART strike WestCAT doubled its bus service to accommodate BART riders and that preparations were underway for another potential strike in August.

Chair Abelson asked if there would be any changes affecting those who already had Clipper cards. *Representative de Vera* responded that the changes would only affect the four bus operators, and would allow use of the Clipper cards on any of the bus transit providers.

7.3 Executive Staff Comments and Reports

Mr. Iwasaki reviewed his Executive Director's report. He also highlighted success stories contained within the Consent Calendar, which included: (1) the acceptance and closeout for the tree removal construction contract for the I-680 Auxiliary Lanes – Sycamore Valley to Crow Canyon, Segment 2 – which he said was important to allow an appropriate and timely final payment to be made to the contractor; (2) the I-680/SR4 Interchange Phase 3 improvement project, which had entered the final design phase; (3) the plan to advertise the SR4/SR 160 Connector Ramps in September; and (4) the excellent PowerPoint update on the status of the State Route 4 Widening project from Loveridge Road to SR 160 provided by Susan Miller. He noted that there was still \$10 million in contingency funds remaining on the project (for possible programming elsewhere in the corridor), and that the Authority would be constructing a second overcrossing at Sand Creek Road in Brentwood.

Martin Engelmann reported that prior to the BART strike, the Avego contractor requested permission to do additional outreach, which was done at their own expense and resulted in thousands of sign-ups on the real-time ridesharing website and an increase from 50-75 rides per week to 1,000 rides logged during the BART strike. Mr. Engelmann said that in response to an excess of drivers and not enough drivers, Avego rented vans and buses. He noted also that the Avego

team was very supportive, and that their ridesharing “app” received a lot of very positive press.

8.0 CALENDAR:

8.1 Meeting Calendar: August/September/October 2013

8.2 Calendar of Upcoming Events

9.0 CLOSED SESSION

9.1 Annual Review of Executive Director. Public Employee Performance Evaluation pursuant to Government Code §54957. Title: Executive Director.

9.2 Conference with Labor Negotiators Pursuant to Government Code § 54957.6. Unrepresented Employee: Executive Director. Agency designated representatives: APC Chair Robert Taylor and Authority Chair Janet Abelson

9.3 Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to Government Code Section 54956.9(b) (1 case)

10.0 RECONVENE IN OPEN SESSION

The meeting was reconvened in open session. There was no action taken in Closed Session to report.

11.0 ADJOURNMENT to Wednesday, September 18, 2013, at 6:00 p.m.

The meeting was adjourned at 8:48 p.m. to Wednesday, September 18th at 6:00 p.m.

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