

WCCTAC
West Contra Costa Transportation Advisory Committee
Meeting Minutes, 26 February 2010

Members Present: Maria Viramontes (Richmond), Chair; Janet Abelson (El Cerrito); Tom Butt (Richmond); John Gioia (Contra Costa County); Tom Hansen (WestCAT); Joel Keller (BART); Roy Swearingen (Pinole), Vice-Chair; Joe Wallace (AC Transit). Absent: Ed Balico (Hercules); Jeff Ritterman (Richmond). Cecilia Valdez (San Pablo) attending as non-voting representative.

Staff Present: Christina Atienza, Nancy Cuneo, Joanna Pallock, John Rudolph, Linda Young; Peter Engel, CCTA; Michael Rodriquez, Meyers Nave.

Location: San Pablo Council Chambers, 13831 San Pablo Avenue, San Pablo, CA 94806

1. Call to Order Self-Introductions. *Chair Viramontes* convened the meeting at 8:06 a.m. Board members introduced themselves.

2. Public Comment. No public comment.

CONSENT CALENDAR

ACTION: *Director Abelson* moved to adopt all items of the Consent Calendar, seconded by *Director Wallace*, and passed unanimously.

- 3. Minutes and Summary of Jan. 29, 2010 Board meeting, with Correction to Oct. 2009 minutes.**
- 4. Summary of Feb. 11, 2010 TAC meeting.**
- 5. Staff Report for Jan. and Feb. 2010.**
- 6. Ad hoc Subcommittee Assignments.**
- 7. Clarification on WCCTAC's Appointment for the Alternate to the Even-Year Representative on the CCTA Board. Christina Atienza clarified that the Altenrate could be the same person.**
- 8. Recommended Postponement of Grant Application for West County's Community-Based Transportation Plan.**
- 9. Update on Paratransit Study Subcommittee Meeting.**
- 10. Student Bus Pass Subcommittee Recommendations.**
- 11. Proposed FY 2010-11 Transportation Demand Program.**

DISCUSSION ITEMS

12. Consideration of a Resolution of Support for Local Taxpayer, Public Safety, and Transportation Protection Act of 2010 Ballot Initiative.

ACTION: *Director Wallace* moved to adopt Resolution 10-01, in support of the proposed ballot initiative, seconded by *Director Abelson*, and passed unanimously.

13. MTC Transit Sustainability Project.

ACTION: *Director Gioia* moved to receive a verbal report, and to submit written comments to CCTA, seconded by *Director Swearingen*, and passed unanimously.

DISCUSSION: *Ms. Christina Atienza* introduced *Mr. Peter Engel*, CCTA, who provided an overview. *Chair Viramontes* stated that ABAG should be included in the Project Steering Committee, separate from the JPC, as the ABAG Board is directly elected by voters in their respective jurisdictions. *Director Gioia* stated that the Air District should have separate representation as well. *Director Butt* suggested that academics be included in the TAC. *Director Abelson* said that special districts should be included in the Steering Committee. *Director Hansen* suggested that the decision-making process should include outsiders.

15. Point Molate Casino Resort DEIS/DEIR.

ACTION: *Director Swearingen* moved that WCCTAC: a) request Richmond to begin negotiations for an agreement, with either the Tribe or the Developer as appropriate, that would specify impact fees and outline parameters for monitoring impacts as the project develops over time, whereby the fees would be segregated to the extent feasible from the Subregional Transportation Mitigation Fee Program (STMP) so as to pay only for improvements that are specific to the project's impacts; b) request Richmond to find a means for paying for the legal services associated with the development of the agreement; and c) instructed staff to begin preparing the technical requirements for monitoring impacts on the affected routes of regional significance for potential inclusion in Richmond's Land Disposition Agreement (LDA) with the Developer. The motion was seconded by *Director Butt* and passed unanimously.

DISCUSSION: *Director Butt* asked WCCTAC Legal Counsel, *Mr. Michael Rodriquez*, whether there might be a conflict of interest at this meeting with Richmond City Council and Contra Costa Board of Supervisors members in attendance. *Mr. Rodriquez* replied that he saw no conflict at this time, and would notify the Board if he perceived one.

Ms. Atienza referenced a hand-out of discussion points, and noted the requirement under the Measure J Growth Management Program for all jurisdictions to participate in cooperative, multi-jurisdictional planning. Jurisdictions that are not in compliance with the requirement may risk the Measure J allocation for local streets and roads, and eligibility for Transportation for Livable Communities grants. *Ms. Atienza* noted that the Subregional Transportation Mitigation Fee Program (STMP) does not include a provision for casinos. While CEQA provides for an opportunity to revisit the EIR after it has been certified, the sovereign immunity of the tribe with respect to the transfer of land may preclude this. There are a number of legal issues associated with WCCTAC's potential engagement with the project and WCCTAC does not have the resources to pay for extended legal counsel.

Chair Viramontes asked Board members to name additional issues to consider. *Director Abelson* stated that the current decrease in traffic volumes due to the sluggish economy should be

noted in the project's traffic analysis. *Ms. Atienza* noted that the counts used for the existing conditions were done when the economy was better, and therefore represent a worst case.

Director Butt stated Richmond should not absorb additional costs, but arrangements should be made to pass on costs to the appropriate project sponsor, such as the Tribe or the developer.

Director Wallace stated that provisions for transit to the site should not be at the expense of core funding for public transit, and that fares for core transit service in the subregion should not be increased to provide transit to the project.

Director Swearingen remarked on the enforceability of contracts pertaining to provisions for public safety.

Director Gioia stated that the cumulative impacts of Casino San Pablo plus Point Molate were analyzed in the 2007 WCCTAC Casino Study only in the context of the North Richmond casino also.

Ms. Cecilia Valdez asked for clarification regarding the location of the proposed North Richmond casino; inquired which San Pablo roads would be impacted by the Point Molate project; and observed that the Richmond San Rafael Bridge might be included in the project study area.

Director Gioia suggested that WCCTAC should work with Richmond to address the concerns that might be included in an MOU, as Richmond is in the best position to negotiate with the Tribe and enforce agreements.

14. El Cerrito-Richmond San Pablo Avenue Specific Plan.

ACTION: WCCTAC received an overview. *Chair Viramontes* asked for a follow-up presentation on Del Norte area circulation and parking issues at a future WCCTAC meeting.

DISCUSSION: *Ms. Atienza* introduced *Ms. Lori Trevino*, El Cerrito staff, who provided an overview of the San Pablo Avenue Specific Plan and the efforts by El Cerrito to create a strategic plan to develop the Del Norte area. *Director Abelson* noted that traffic and parking issues are fundamental to an understanding of the development challenges at the site.

16. Draft Strategic Plan for MTC's CMA Block Grant Program for Regional Bicycle, County TLC, and Regional Streets and Roads.

ACTION: *Director Wallace* moved to accept the draft plan and relay the comment to CCTA that WCCTAC is in support of not flexing funds from the Regional Bike Program, seconded by *Director Abelson*, and passed unanimously.

17. Contra Costa's SB 375 Principles for Collaborative Development of the Sustainable Communities Strategy.

ACTION: *Chair Viramontes* directed staff to place this item on a future WCCTAC agenda.

STANDING ITEMS

18. Correspondence/Other Information:

- a. **Incoming:**
 - Jan. 22, from Paul Maxwell, Items Approved by the Authority on Jan. 20, 2010
- b. **Outgoing:**
 - Feb. 1, to Martin Engelmann, Comments on Proposed Measure J General Plan Amendment Review Process
 - Feb. 12, to Martin Engelmann, Comments on State Route 4 Corridor System Management Plan
- c. **Workshops/Conferences/Events:**
 - CalACT Spring Conference and Expo, San Francisco, April 20-20.

19. WCCTAC Board and Staff Comments: *Ms. Atienza* announced that SB 83 allows CMAs to put a measure on the local ballots to impose up to \$10 in an additional vehicle registration fee for transportation improvements, and that San Francisco and Alameda counties were moving forward with polling; CCTA is also contemplating polling on this issue; the projected revenue from the fee, if passed, would be approximately \$8 million per year countywide.

20. Other Business: none

21. Adjournment until March 26, 2010 at 8:00 a.m.