

WCCTAC

West Contra Costa Transportation Advisory Committee

Minutes

December 8, 2006

The regular meeting of the West Contra Costa Transportation Advisory Committee was called to order at 7:38 A.M. on Friday, December 8, 2006 by Vice Chair Maria Viramontes in the City Council Chambers of the City of San Pablo, One Alvarado Square, San Pablo, California.

1. Call to Order/Self Introductions

PRESENT: Maria Viramontes, Vice Chair (Richmond), Janet Abelson (El Cerrito), Irma Anderson* (Richmond), Ed Balico (Hercules) Bob Franklin (BART), John Gioia (Contra Costa County), Rebecca Kaplan (AC Transit), Leonard McNeil (San Pablo), Jerrold Parsons (WestCAT), and Tony Thurmond (Richmond-Alternate)

ABSENT: Maria Alegria (Pinole), Sharon Brown (San Pablo), Tom Butt (Richmond), Joe Wallace (AC Transit)

STAFF: Lisa Hammon, WCCTAC Managing Director
Linda Young, WCCTAC Transportation Project Manager
John Rudolph, WCCTAC Management Assistant
Nancy Cuneo, WCCTAC Administrative Analyst
Jeremy Hughes, WCCTAC Administrative Clerk
Hisham Noeimi, CCTA
Bryan Otake, WCCTAC Council
Bradley Ward, Treasurer

*Arrived after Roll Call

2. Public Comment

Peter Loubal expressed his view that public transportation should be better coordinated, faster, and free. Mr. Loubal stated that BART needs more trains and ticket transfers to buses surrounding the El Cerrito Del Norte Station. He also expressed a need for greater frequency of

buses, faster express routes, and the implementation of smart tickets.

CONSENT CALENDAR

On motion by Jerrold Parsons, seconded by Janet Abelson, and carried unanimously the WCCTAC Board adopted the Consent Calendar as follows:

3. Approved minutes, Sign-In Sheet, and Meeting Summary from the October 27, 2006 Meeting.
4. Approved Staff Reports.
5. Approved the Memorandum of Understanding Between the Contra Costa Transportation Authority, Alameda Congestion Management Agency, and WCCTAC for funding for the Systems Engineering and Management Plan (SEMP) for the I-80 Integrated Corridor Mobility Project.
6. Approved Amendment #2 to the Consulting Services Agreement Between WCCTAC and Dowling Associates, Inc. for Preparation of the Casino Traffic Study.
7. Approved Amendment #2 to the Consulting Services Agreement Between WCCTAC and VBN Architects, Inc. for Architectural Services Related to the Richmond Intermodal Station Building Construction.
8. Approved Amendment #2 to the Consulting Services Agreement Between WCCTAC and MACK5 for Project Management Services Related to the Richmond Intermodal Station Building Construction.
9. Approved Letter of Agreement for Continuation of Consulting Services with Michael Bernick.
10. Approved Agreement with Dan Clurman and Mudita Nisker (Training Consultants) for Communications Workshop with RTPC Staff and Managers.
11. Approved upcoming agenda items as follows:
 - ✓ Election of Board Chair and Vice Chair
 - ✓ Election of CCTA Odd Year Representative and Alternate
 - ✓ Recognition of Outgoing Board Members

- ✓ Measure J Growth Management Program Element Review and Comment
- ✓ Action Plan Work Program Review and Comment
- ✓ Draft STMP Strategic Plan
- ✓ Strategy for Preparing a West County Bicycle and Pedestrian Plan
- ✓ Update on Taxi Safety Issues

REGULAR CALENDAR

12: Board Member Comments and Announcements

Jerrold Parsons requested an update on the Richmond Train Station Project.

Lisa Hammon replied by stating that the Richmond Train Station will be completed in February and will include a vendor, real-time transit information available from a kiosk, and restrooms.

13: Legal Council Comments and Announcements

There were no comments from Legal Council, Bryan Otake.

14: Staff Report on the Structure of Finances/Changes to be Made Regarding the City of San Pablo Staffing

Lisa Hammon introduced Bradley Ward, Finance Director of the City of San Pablo and WCCTAC's Treasurer. Ms. Hammon began by providing some background information on the relationship between WCCTAC and the City of San Pablo; since the second year of its inception, WCCTAC has been closely aligned with the City of San Pablo in terms of policies and procedures and its employees' inclusion in the City's Public Employees' Retirement System (PERS). There have been a number of recent changes, to be discussed by Mr. Ward, with regard to employment claims and liability issues that don't directly affect WCCTAC but have impacted other public agencies; these changes necessitated amendments to the service agreement between WCCTAC and the City of San Pablo, and the retirement plan for WCCTAC employees.

Ms. Hammon made note of a letter from the San Pablo City Manager regarding the PERS contract to provide 2.5% @ 55 Full Formula for

employees and the amendment to the service agreement; along with a copy of the financial statements and audit for fiscal year 05-06.

Councilman Gioia inquired as to whether or not the Board is being asked to approve changes or is the Board being informed of changes that have already been made.

Ms. Hammon noted that in the past, the WCCTAC Board has accepted the financial statements and audit as an item. The Board needs to approve changes to the service agreement and the amendments to the employment agreements. These will serve as the action items that will be required by the Board.

John Gioia asked for clarification on whether or not the action items required action from the individual jurisdictions or just the WCCTAC Board.

Ms. Hammon responded by stating that these items only require the WCCTAC vote.

Bradley Ward began by stating that in 1992 the City of San Pablo began handling the payroll and benefits for employees of WCCTAC. Mr. Ward made note of a situation that arose regarding WestCAT's former ties to the City of Hercules regarding workers compensation. The issue of who controls WestCAT arose and gave way to the determination that WestCAT should have their own insurance versus being part of the Contra Costa County Cities, now the Municipal Pooling Authority (MPA). After further analysis the decision was made to align the liability insurance with the City's system.

Mr. Ward noted that it was determined that WCCTAC, being closely aligned with the City of San Pablo, should as well implement a similar system. After deliberation with Jake O'Malley and the MPA it was concluded that WCCTAC and the Board's insurance could be aligned with the City. A problem that arose from this arrangement came from the Employee Risk Management Authority (ERMA). ERMA was created to provide coverage for employment practice liability claims. An attempt was made to include WCCTAC in ERMA however difficulties arose when it was determined that WCCTAC could have been considered under the authority of the San Pablo City Manager.

After discussions with MPA and the ERMA Board, WCCTAC was admitted into ERMA as a special member. Mr. Ward noted that effective July 1st, WCCTAC became part of ERMA with the result being that WCCTAC's liability insurance is the same as employees of the City of San Pablo.

Ms. Hammon noted that this saved \$2,000 a year over a private insurance provider.

Mr. Ward stated that as of this year, WCCTAC is insured entirely through the Risk Management Authority, which necessitated changes to the service agreement with the City of San Pablo.

John Gioia requested that Lisa Hammon highlight the changes or rather point out what is different in the new agreement.

Ms. Hammon replied that previously there existed no language under "J" in the former agreement.

Bryan Otake asserted that there are two things being accomplished by the new agreement and expressed a desire to make two things clear to the Board. First, the purpose of Provision J is to assert that WCCTAC is an independent JPA; the relationship between the City of San Pablo and WCCTAC is purely a "fee for service" relationship. WCCTAC is an independent agency engaging the services of the City of San Pablo Finance Department. WCCTAC could just as easily under the provisions of the JPA perform these tasks in-house or through another third party.

Mr. Otake continued by stating that "J" is clarifying this relationship and stating that in no way does WCCTAC fall beneath the authority of the San Pablo City Manager. WCCTAC is merely making specific alignments to make use of certain fringe benefits that the City of San Pablo Finance Department can provide; this is the point of Provision J. Mr. Otake noted that within the addition of Paragraph C, there are provisions for annual adjustments pursuant to the MOU. Mr. Otake stated that the City of San Pablo's proposal is to pass on the in-house costs that are incurred for services provided.

Mr. Gioia pointed out that the current fee for services rendered is going to increase to \$760 per month and the \$77 per hour rate would increase based upon Consumer Price Index numbers.

He continued by asserting that the verbiage "WCCTAC is closely aligned with the City of San Pablo" be stated in a different manner so as not to imply a physical relationship with the City of San Pablo in addition to services rendered.

Mr. Otake responded by stating that Mr. Gioia's point was well taken and stated that for clarification of the record, approval of the amendment is in "substantially the same form as contained herein."

Vice Chair Viramontes requested clarification of the minimum 3% and cap 6% with regard to the Consumer Price Index.

Mr. Ward responded by stating that this simply ties in to all the MOU's.

Mr. Ward continued by addressing changes to the employment agreements. Mr. Ward noted that City of San Pablo employees voted and agreed to the 2.5% @ 55 effective December 16, which maintains that all employees will receive a 3.3% deduction from their paychecks to cover the cost of the increase to 2.5%.

Vice Chair Viramontes stated that the switch to 2.5% from the previous 2% has been approved by labor unions in addition to the city's employees.

Regarding future gaps in funding for retirement that may arise, requiring government compensation, John Gioia inquired as to what the City of San Pablo's policy would be in handling unfunded liabilities that would necessitate increased contributions to PERS.

Mr. Ward responded right now there is no unfunded liability.

Vice Chair Viramontes suggested that a reserve fund be worked into next year's budget so that in the event of depreciation in assets, the rate increase which employees must pay in would be compensated for by the reserve fund.

John Gioia made clear that the Board is concerned with protecting WCCTAC's future interests specifically, as an employer through San Pablo as their fiscal agent.

Mr. Ward stated that a reserve fund is a good idea and that he would work with Lisa Hammon on next year's budget to create a PERS liability reserve fund.

Irma Anderson stated that if the impact that a PERS contribution increase would have upon WCCTAC could be determined then the Board should take action to determine the impact.

Lisa Hammon stated that she would work with Mr. Ward to put a line item in the 07-08 Budget.

Vice Chair Viramontes made it clear that the Board is increasing benefits to their employees and that this will cost money now and later. She expressed hope that the WCCTAC Board is prepared to make the contribution to a reserve fund to protect this cost going forward.

Rebecca Kaplan suggested that moving forward the Board should get a report on the projected demographic as it relates to future retirees.

Vice Chair Viramontes stated that an abstraction of the actuary report would provide the necessary demographic and age change information moving forward.

On motion by John Gioia, seconded by Irma Anderson and carried unanimously with one abstained vote from Tony Thurman, the WCCTAC Board approved amendments to the service agreement between WCCTAC and the City of San Pablo and will follow up on the creation of a budgeted reserve at a later date. (Tony Thurman indicated that he will be abstaining from all votes.)

Financial Statements for Fiscal Year 05-06

Mr. Ward began by stating that there exists a great deal of concern regarding the GASB Statement Number 45 also referred to as OPEB (Other Post Employment Benefits). Mr. Ward noted that a course of action that was pursued was the obtaining of an actuarial study to determine what the liability is for OPEB; essentially what the medical is going to cost. With PERS medical, the contract states that the City of San Pablo will pay for a certain amount of retirees medical. Mr. Ward noted that the City of San Pablo and WCCTAC have started funding for retirement and retiree's medical costs.

Mr. Ward pointed out some of the highlights of the new GASB pronouncements which included the following:

- ✓ WCCTAC reduced its net deficit by \$68,000
- ✓ WCCTAC now has its own legal representation
- ✓ WCCTAC is a partner in the West County Transportation Center Project
- ✓ WCCTAC has established an internship program

Regarding joining the Municipal Pooling Authority for insurance, Mr. Ward noted that WCCTAC will now be fully responsible for the STMP program.

Regarding the developer fee program, Lisa Hammon noted that in the past the CCTA was WCCTAC's fiscal agent; with the updated fee

program the City of San Pablo will now be responsible for the collection of fees, oversight, and reporting.

Mr. Ward expressed that the City of San Pablo staff will be working more closely with the cities to aid in the timely collection of fees and better oversight.

Mr. Ward directed the Board's attention to Page 10 and made note of the balance sheet which shows \$287,709 in receivable program revenue; this is the amount that has been billed CCTA. As of the end of the year the City was still awaiting payment. Mr. Ward noted the difficulty in obtaining funds receivable from CCTA and commented on the extensive nature of the reporting requirements.

Ms. Hammon noted that Mr. Ward was referring to the TDM Program for which WCCTAC is reimbursed. CCTA is the Program Manager for the TFCA money that is received from the Air District for the TFCA. Ms. Hammon noted that the additional reporting is an Air District requirement. Ms. Hammon noted that WCCTAC has worked consistently with the Air District in an attempt to simplify the paper work but no head way has been made in 15 years. Ms. Hammon also noted that the funds receivable from CCTA have to-date, been received.

Mr. Ward stated that the numbers reflect the amount receivable as of June 30, 2006.

Regarding the pension plan and paying off the deficit, Vice Chair Viramontes suggested that moving forward as a JPA the WCCTAC Board should consider seeing if a new interest rate could be obtained through which the City of San Pablo could be paid back for the previously stated negative cash. She expressed belief that 7.75% is too high an interest rate.

Mr. Ward stated that he and Lisa Hammon will look into obtaining a new, lower interest rate and produce a staff report on the issue.

Maria Viramontes asked that Mr. Ward reiterate the end of the year deficit balance of \$115,000.

Mr. Ward stated that this amount reflects the PERS component; \$115,000 being the amount that is amortized over a 14 year period.

On motion by Mayor Anderson, seconded by Rebecca Kaplan and carried unanimously the WCCTAC Board approved the basic financial statements for Fiscal Year 05-06.

15: Update on the I-580/Western Drive Bicycle Accident/San Pablo Ave Visioning Project Affordable Housing Incentive Group Meetings

John Rudolph provided a synopsis of the bicycle accident on I-580 and Western Drive. He noted that the area is lacking sufficient signage to alert motorists to the presence of bicyclists and to indicate how the bicycle trail can be accessed by cyclists. Mr. Rudolph noted that a proposal was put forward by him, members of MTC, and Michael Jones from Caltrans to Caltrans upper management, urging them to do something about the lack of signage. Mr. Rudolph stated that he received a call from Roland Au-Yeung, COO at DOT District 4, Caltrans, stating that Caltrans would be installing all of the necessary signage in addition to rumble strips.

Mr. Au-Yeung stated that nothing would be done until the second week of January. Mr. Rudolph said that he conveyed a greater sense of urgency to Mr. Au-Yeung and as a result Mr. Au-Yeung stated that he would take steps to accelerate the installation process.

Mr. Rudolph added that he would travel to the scene of the accident within the next few days to see if Caltrans had posted any signage.

John Gioia asked about the status of a proposed barrier.

Mr. Rudolph stated that barriers have not been discussed with Caltrans.

Irma Anderson stated that she will be in contact with the Caltrans District Director and that she would ask him about the status of the barrier proposal.

Lisa Hammon stated that a previous letter which was drawn up at the request of the WCCTAC Board and directed to the Caltrans District Director was delegated to Roland Au-Yeung who has been working on the issue. Ms. Hammon noted the benefits a barrier would provide and emphasized the validity of having them installed.

Mr. Thurmond requested that the Board consider adopting this issue as an item and advocate for the barrier due to the frequency with which signage is missed and driver error that a barrier would aid in combating.

Rebecca Kaplan as well endorsed the barrier and suggested that signage which indicates to cyclists the correct route should be given

due consideration.

The Board thanked Mr. Rudolph for the update, suggested further efforts to install a barrier, and proposed that official written notice directed to the office of the Mayor of the City of Richmond, be drafted and sent.

Jerrold Parsons asked how the Board actually involves itself with Caltrans in the process of installing signage. Mr. Parsons cited difficulties that the City of Hercules has encountered in its dealings with Caltrans on similar issues.

Lisa Hammon replied that Caltrans has numerous departments that oversee different issues and therefore WCCTAC often deals with a number of people on a single issue. Ms. Hammon noted that John McKenzie of Caltrans is a consistent member of the TAC through whom issues may be disseminated through the chain of command in an attempt to cut through the bureaucracy.

Mayor Anderson noted that CCTA has a representative with Caltrans.

Hisham Noeimi noted that CCTA staff meets monthly with Caltrans management; any issues may be addressed through the CCTA delegate. Noeimi stated that CCTA attempts to involve the cities in the design process and copies of plans are issued to city's for comment.

John Rudolph stated that WCCTAC has been meeting with Loni Hancock to discuss possible improvements to San Pablo Ave. He noted that the infrastructure Bond IC provides some incentives for affordable housing and he expressed intent to work with the cities to help them interact on projects. Mr. Rudolph noted that WCCTAC, in coordination with the San Pablo Avenue Working Group, has been working to determine what can be done to increase affordable housing along transit corridors.

Mr. Rudolph gave mention to the practice of building 6-8 unit housing structures with only 2 parking spaces, as a method to encourage alternate modes of transportation and increase the amount of space available for such amenities as yards, which may prove to be an incentive for young families that may not typically consider living in an urban environment.

He noted that by getting rid of minimum parking space requirements and having one of the available parking spaces designated as a City Car Share space, (with a 30 year membership to City Car Share and a 30 year transit pass built into the mortgage), tenants occupying these facilities will be more likely to make use of public transportation.

Mr. Rudolph expressed hope that through Prop 1-C, resources pooled by Loni Hancock, and interested non-profit entities, this type of housing can be built along San Pablo Avenue.

Vice Chair Viramontes suggested that the WCCTAC Board have Loni Hancock support a spot bill upholding that as an incentive to the jurisdictions for increased height limits and re-zoning along San Pablo Avenue and that Caltrans would be responsible for the cost of maintenance of San Pablo Avenue as an alternate route.

Rebecca Kaplan added that AC Transit is currently 2/3 of the way through creating a new package of bulk transit passes; a "developer eco-pass program," where developers can sign up to have transit passes for all residents of new housing developments. Ms. Kaplan noted that this type of pre-paid transit pass may as well prove to be an effective incentive for seniors who are seeking greater mobility that close proximity to a transit corridor can provide.

16: WCCTAC Staff Organization Chart

Lisa Hammon noted that the purpose of the Staff Organization Chart is to let the Board and any interested parties know what projects are delegated to specific members of the WCCTAC Staff; this provides that any inquiries can be accurately routed.

Councilmen McNeil requested that the Staff Organization Chart be posted to the WCCTAC website.

Ms. Hammon responded by stating that the Staff organization Chart will be posted to the website.

17. OTHER

Vice Chair Viramontes noted that the cities will be conducting re-organization following the election and that there may be some changes to appointments as a result. She stated that the next meeting is on January 26 and if reorganization does not take place prior to this date the standing members will remain as the voting members. If reorganization has taken place, she requested that this information be forwarded to WCCTAC to insure that the correct roster can be created.

John Gioia commended Mayor Anderson for her service.

Lisa Hammon noted that outgoing members would be acknowledged

for their service at the January Board meeting.

With no further business to come before the WCCTAC Board, Vice-Chair Maria Viramontes adjourned the meeting at 8:53 AM, until the next meeting on January 26, 2007 at 7:30 AM at the San Pablo City Council Chambers, 13831 San Pablo Avenue, San Pablo Avenue, San Pablo, California, 94806.

Respectfully submitted,

Jeremy Hughes
Minutes Clerk