

West Contra Costa Transportation Advisory Committee
DRAFT Meeting Minutes: October 25, 2013

Members Present: Janet Abelson, Chair (El Cerrito); Tom Butt Vice-Chair (Richmond), Sherry McCoy (Hercules); Maureen Powers (WestCAT); Cecilia Valdez (San Pablo); Zakhary Mallett (BART); Jael Myrick (Richmond); Roy Swearingen (Pinole).

Staff Present: Jerry Bradshaw, Joanna Pallock, Valerie Jenkins, Linda Young; Ben Reyes, Legal Counsel; Martin Engelmann, CCTA staff

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

1. **Call to Order and Self-Introductions – Chair Janet Abelson**
2. **Public Comment.** None

CONSENT CALENDAR

ACTION: *Director Mallett* moved to ADOPT Items 3-7; seconded by *Director Powers*. Passed unanimously.

3. Minutes of September 27th Board Meeting. It was noted that the date of the next meeting should have been October 25th instead of December 6th.
4. Monthly Program and Projects Status Report
5. Financial Report for September 2013.
6. Payment of Invoices over \$10,000.
7. No-Cost, Time Extension for Pinole Bay Trail Gap Closure Project.

DISCUSSION

8. Countywide Transportation Plan – Update Vision and Goals.

ACTION: None; Receive update and provide comments.

DISCUSSION: *Mr. Martin Engelmann*, staff to CCTA, presented an overview of the CTP's Vision and Goals as well as explaining the overall purpose of updating the CTP every four years.

Director Mallett asked what carrots and sticks CCTA uses for the Growth Management Program. *Mr. Engelmann* explained that the 18% return-to-source and participation in their local RTPC are part of the GMP as well as including a Growth Management Element in each city's General Plan. *Director Mallett* responded that he will send his detailed comments directly to CCTA.

Director McCoy pointed out that there is little reference to technological advancements that have occurred in past few years, specifically for trains and electric vehicles and she asked if that was intentional. *Mr. Engelmann* responded that that is an excellent suggestion and CCTA supports innovation and they had failed to mention it in the draft

update of the CTP. He noted it should be added to the section of Goals on page 8-9 in the packet.

Director Swearingen stated that the only way to assist freeway flow is to add longer on/off ramps and widen the off-ramp lanes to two lanes. He pointed out that HOT lanes are not a solution. *Mr. Engelmann* responded that this is one strategy under Operational Improvements and is technically called an “auxiliary lane.”

Mr. Engelmann stated that the Draft CTP will be ready in April 2014. *Chair Abelson* asked that *Executive Director Bradshaw* capture all of the Board comments in a memo to CCTA.

9. Proposed Board Meeting Schedule.

ACTION: *Director Swearingen* moved to change WCCTAC Board meeting to 7:45 a.m. Seconded by *Director Myrick*. Passed unanimously.

DISCUSSION: At the September Board meeting, there was discussion to change the Board meeting start time; moving from 7:30 a.m. to 8:00 a.m. It was proposed to move the meeting start time back to 8 a.m. due to the inability often to start on time because there was not a quorum. A compromise of 7:45 was suggested.

Director Valdez left the meeting temporarily before Item 10a.

10a. CalPERS Final Resolution.

ACTION: *Director Swearingen* moved to approve Final Resolution 2013-05. Seconded by *Director McCoy*. Approved unanimously.

DISCUSSION: ED Bradshaw explained the item as the final step for WCCTAC to form its own PERS contract and ensure a seamless transition from the City of San Pablo PERS contract to a WCCTAC contract at the beginning of 2014.

10b. Pick-up Employee Retirement Contribution

ACTION: *Director Myrick* moved to approve Resolution 2013-06. Seconded by *Director McCoy*. *Director Mallett* abstained and *Director Swearingen* voted no. All others voted in favor of adoption of Resolution 13-06.

DISCUSSION: ED Bradshaw explained since WCCTAC intends to continue to pay (“Pick Up”) a portion of the Employees contribution that they must also put certain conditions on this Pick Up in order for the contributions to remain tax deferred as though the employee was paying it themselves. He explained that this is already what WCCTAC was doing under the City of San Pablo PERS agreement, but now requires a separate resolution (Resolution 2013-06) so WCCTAC can continue this practice without a tax impact to the employees.

Director McCoy asked what the percentage is. *ED Bradshaw* stated the employee has an 8% share/contribution. The employee pays 3.3% and WCCTAC picks up 4.7%.

Director Swearingen asked what will happen to the income tax on the employee portion. *ED Bradshaw* stated the employee ultimately pay the taxes when they retire. Currently the employee is not taxed on this benefit.

Chair Abelson asked if it was income tax or employment tax. *ED Bradshaw* explained that it is all income tax and there is no separate PERS retirement tax.

Director Mallett asked if there are any considerations to review the pension pick-up. He stated he has reservations towards continuing this practice. He asked how much it will cost WCCTAC when fully staffed. *ED Bradshaw* stated that number was in the September packet. The Board adopted an MOU in December 2102 that set the benefits.

Director Mallett has notes on the pension for WCCTAC and is not ready to support this entirely. *Director Swearingen* mentioned that the 4.7% share that WCCTAC pays now could increase. He noted that WCCTAC would be also paying another portion. *ED Bradshaw* explained that any changes would require labor negotiations. *Director Swearingen* asked if this is the same rate as City of San Pablo. *ED Bradshaw* stated that nothing has changed from the current employment agreement with WCCTAC staff but City of San Pablo is going there own way with separate labor negotiations.

Director Myrick asked *ED Bradshaw* if the figures are unsustainable with the level of staff WCCTAC has? *ED Bradshaw* responded that it is not unsustainable; in other words, the funds can support the current levels of PERS share.

Director Valdez returned to the meeting before Item 10c.

10c. PERS Health Care

ACTION: *Vice-Chair Butt* moved to approve Resolution 2013-07. Seconded by *Director McCoy*. Passed unanimously.

DISCUSSION: *ED Bradshaw* explained the current health benefits offered by WCCTAC. The current contract states that WCCTAC will pay the CalPERS minimum so it would not affect any future contract. The WCCTAC Personnel Policy supersedes and dictates exactly what WCCTAC pays employees for their health benefits.

Director McCoy asked if passing this resolution locks in the numbers. *ED Bradshaw* stated that this is true; it might require modifying the resolution, but it does not lock you in permanently to the benefits offered to employees.

Director Mallett noted that BART did away with PERS medical and went to Kaiser and Blue Cross. He asked if there is any cost-sharing for medical plan. He asked if WCCTAC offers Kaiser and PERS medical plans. *ED Bradshaw* stated there is a suite of plans under PERS. *Mr. Ben Reyes* stated that a labor negotiation process would be required to change medical benefits and any changes now could expose the agency to bad faith practices. *Director Mallett* stated he would go along with the vote but did not support the continuation of this practice but on a practical level would support this item.

Director McCoy asked if the basic PEMHCA rate is lower than the Kaiser rate? *ED Bradshaw* said yes, that the bar is low and but there is no conflict between WCCTAC practices and the PERS minimum rate.

10d. Post-Retirement Employment Agreement and 180-Day Wait Period Exception.

ACTION: Motion made by *Director Mallet* to approve Resolution 2013-08 and the contract for services with consultant Linda Young. Seconded by *Vice-Chair Butt*. Passed unanimously.

DISCUSSION: *ED Bradshaw* explained that when a person retires under the CalPERS system, they are not allowed to work for a CalPERS agency as a temporary employee for 180 days after their retirement – with certain exceptions. One exception is the need for extra help requiring specialized skills possessed by the retired annuitant. *Linda Young* retired on October 8th, and it is recommended that she be hired back as an extra help retired annuitant to perform special tasks including the duties of the TDM Program Manager while a new Program Manager is hired to provide training and orientation for the new employee, and work on a special audit for a TFCA project.

STANDING ITEMS

10. Correspondence/Other Information

- a. **Incoming**
- b. **Outgoing**
- c. **Workshops/Conferences/Events – no upcoming events**
- d. **Summary and Minutes of recent Technical Advisory Committee meetings**
- e. **Acronym List**

11. Board and Staff Comments

- Board Member Comments, Conference/Meeting Reports (AB 1234 Requirement), and Announcements
- Report of CCTA Representatives (*Directors Abelson & Butt*)
Chair Abelson noted that the Caldecott 4th Bore Tunnel Opening is by invitation only due to the limited space in the staging area. *Vice-Chair Butt* reflected on his experience representing WCCTAC on CCTA's Board and his disappointment that the rest of the County is still pushing for freeway expansion.
- Executive Director's Report: *Interim ED Bradshaw* gave a brief update on recruitment efforts.

12. Other Business

13. Adjourn. Next meeting is Friday, December 6th at 7:45 a.m.
