

**West Contra Costa Transportation Advisory Committee  
Meeting Minutes, 25 February 2011**

**Members Present:** Roy Swearingen, Chair (Pinole); Janet Abelson, Vice-Chair (El Cerrito); Courtland Boozé (Richmond); Tom Butt (Richmond); Aleida Chavez (WestCAT); Joel Keller (BART); Don Kuehne (Hercules); Jeff Ritterman (Richmond); Joe Wallace (AC Transit). Absent: Genoveva Calloway (San Pablo); John Gioia (County).

**Staff Present:** Christina Atienza, Valerie Jenkins, Joanna Pallock, John Rudolph, Linda Young; Michael Rodriquez, Legal Counsel; Hisham Noeimi, CCTA.

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

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1. **Call to Order and Self-Introductions.** *Chair Roy Swearingen* called the meeting to order at 8:02 a.m. *Directors Ritterman and Abelson* announced that due to other commitments, they would be leaving at 9:00 a.m.
2. **Public Comment** – none
3. **Welcome of Christian Peeples as AC Transit Alternate.** *Ms. Atienza* announced that *Mr. Peeples* would replace *Mr. Joel Young* as AC Transit's alternate.

**CONSENT CALENDAR**

**ACTION:** *Directors Abelson and Butt* pulled items #8 and #9, respectively, from the Consent Calendar. *Director Abelson* moved to approve all items, excluding #8 & #9; seconded by *Director Wallace*; and passed unanimously.

4. **Approved Minutes of Jan. 28 Board Meeting, and Received Summary of Feb. 10 TAC Meeting.**
5. **Received Program and Projects Status Report for Jan. 2011.**
6. **Received Financial Report for Jan. 2011.**
7. **Approved authorization of Chair to Sign Letter to State Legislative Representatives Identifying Transportation Impacts Related to Governor's Proposal to Eliminate Redevelopment Agencies**
10. **Approve Expenditure Plan for West County's Apportionment for FY 2011-12 Transportation Funds for Clean Air (TFCA) Funds.**
11. **Approve a) Process for Administration of Measure J Funds for Additional Transportation for Seniors and People with Disabilities (Program 20b); and b) Guidelines to East Bay Paratransit Consortium for Developing Proposed Projects for Program 20b Funds.**

## **DISCUSSION ITEMS**

### **8. Approval of Comment Letter to AC Transit's Efforts to Establish a Comprehensive Fare Policy.**

**ACTION:** *Director Ritterman* moved to postpone consideration of the letter until March, to direct staff to work with *Director Abelson* in crafting a revised letter, and to state in the letter that the WCCTAC Board is opposed to fare increases for seniors, youth, and the disabled; seconded by *Vice-Chair Abelson*; and passed unanimously.

**DISCUSSION:** *Vice-Chair Abelson* expressed concern with the language and substance of the proposed letter and suggested that she work with WCCTAC staff to revise the letter. *Director Wallace* stated that seniors, youth, and disabled persons are unable to pay increased fares. *Nathan Landau*, AC Transit, said that the AC Transit Board would hold a public hearing on April 27, and a letter approved at the end of March would fit into that timeline.

### **9. Approval of Alternate Approaches to Addressing West County's Concerns Regarding Uncertain Trip Generation for the Gaming Alternatives Analyzed Under the Point Molate Casino Resort EIR.**

**ACTION:** *Director Butt* moved to direct staff to send a letter to Richmond before March 8 indicating concerns about several impacts of the proposed project being classified as significant and unavoidable and overall how the impacts may be potentially worse than indicated in the Final EIR, and that if Richmond approves the project, that the mitigation monitoring strategy earlier proposed be in effect; seconded by *Vice-Chair Abelson*; and passed unanimously.

**DISCUSSION:** *Director Butt* described current circumstances, that the consultant authoring the Draft and Final EIR had expressed disagreement with the methodology and findings of the WCCTAC casino traffic impact study, and that WCCTAC had provided comments on the Draft EIR indicating that provisions be made to monitor the actual traffic impacts over time as the project develops, and then exacting Subregional Transportation Mitigation fees based on actual traffic counts. *Director Butt* said that WCCTAC's letter should be worded strongly, so that WCCTAC's concerns that the FEIR is fatally flawed be part of the record, in the event the city approves the project with a statement of overriding consideration. *Director Butt* said that unidentified mitigations cannot be postponed without imperiling the certification of the EIR.

*Ms. Aienza* stated that the WCCTAC casino traffic study was undertaken before specific information from the Point Molate development was available; and that while the conclusions may be flawed because the baseline was different, the methodology was sound. Staff produced eight pages of comments on the Draft EIR because there were discounts for TDM, discounts for ferry though there was nothing to indicate that ferry service would become a reality, and other potentially flawed assumptions. Staff has not had time to compare the Draft and Final EIRs for consistency against WCCTAC's comments on the DEIR. If WCCTAC were to contest the EIR because of its flaws,

Richmond may be precluded from certifying the EIR; but if WCCTAC enters its letter into the record, then future CEQA monitoring may be possible.

*Director Butt* cautioned that staff's approach may be missing a critical point: that throwing money at a problem, if it is not enough to actually construct the mitigations, is not going to fix the problem. *Ms. Atienza* explained that the Subregional Transportation Mitigation Program collects fees from developments in all parts of West County to pay for eleven identified STMP projects, though there is not enough money in the account to build all eleven at the same time. She concurred with *Director Butt* that a giant project that may trigger the need for those projects simultaneously to mitigate the effects of its traffic would put the subregion at a strategic disadvantage. She further noted that that concern has not been raised in WCCTAC's response to the Draft EIR.

Staff's suggestion was to work with *Director Butt* and legal counsel on a letter, and to provide this letter to Richmond ahead of its City Council meeting on March 8. *Chair Swearingen* commented on the tight timeline between the Board's actions at this meeting and the Richmond City Council meeting on March 8, and agreed that a timely letter would be appropriate.

**12. Regional Transportation Plan (RTP) Call for Projects: a) Receive Overview Presentation on Focus Areas and Schedule for Upcoming Call for Projects; and b) Discuss and Provide Comments as Appropriate on Proposed Outreach Plan to Non-Governmental Organizations (NGOs) and Communities of Concern.**

**ACTION:** *Vice-Chair Abelson* moved to approve the overall approach to the proposed public outreach program; seconded by *Director Butt*; and passed unanimously.

**DISCUSSION:** *Hisham Noeimi*, CCTA, provided background information on the RTP process, and described MTC's call for projects. At its meeting in March, the Board will review and potentially prioritize West County's lists of projects. In an effort to include NGOs and Communities of Concern in the RTP process, CCTA has developed a proposed outreach plan, which *Mr. Noeimi* described with reference to the handout.

*Chair Swearingen* asked who would pay for the outreach workshops, and whether the Board is being asked to provide funding for the RTP. *Mr. Noeimi* stated that MTC and CCTA would fund the workshops, and that CCTA is asking not for funding but for approval of its approach to public outreach.

*Vice-Chair Abelson* suggested that the RTPCs provide their contact lists to CCTA, and expressed concern that West County residents would be disadvantaged if outreach meetings were held in Central County, particularly in the context of declining bus service in the evenings. *Vice-Chair Abelson* stated that the RTP consists of projects that may be funded through redevelopment agencies, and that the Governor's plan to eliminate redevelopment agencies would devastate the cities and introduce flaws in the RTP.

*Director Abelson* noted that she needed to leave, but first wanted to acknowledge that staff did a fantastic job in revising the presentation of the budget under item 14.

### **13. I-80 Integrated Corridor Mobility (ICM) Project Update**

**ACTION:** *Director Boozé* moved that staff develop a proposal to include a policy committee in the draft MOU to be reviewed at a future date by the Board; seconded by *Director Butt*; and passed unanimously. *Chair Swearingen* appointed WCCTAC's CCTA representatives and alternate, *Directors Abelson, Calloway, and Ritterman*, to work with staff in developing this proposal.

**DISCUSSION:** *Ms. Atienza* provided an update on the project.

*Director Boozé* stated that it is critical for elected officials in this area to be kept apprised of lane closures because of the volume of vehicles on local roads, especially San Pablo Ave. *Chair Swearingen* inquired about O&M costs. *Ms. Atienza* said that CCTA and MTC may have figured out a way to use savings from EB HOV lane construction on I-80 between SR4 and Carquinez to pay for West County's share of O&M for 20 years.

*Ms. Atienza* indicated that O&M costs are part of what should be included in an O&M agreement, and another part is policy oversight. *Ms. Atienza* stated that her suggestion, at a minimum, would be for WCCTAC's CCTA representatives to serve on a project policy body, along with Alameda County's counterparts, Caltrans' District 4 Director, and MTC. *Ms. Atienza* said her suggestion would ultimately be to form a JPA with representation from all the cities along the corridor plus the regional agencies, and to vest the JPA with policy authority for the entire corridor. The interim plan is to propose a policy committee for Caltrans to consider at this juncture in project development.

*Director Boozé* inquired about the activities of the proposed policy body. *Ms. Atienza* said there are many policy seams in this integration project, including the potential for inequity. *Chair Swearingen* inquired about staffing such a policy body. *Ms. Atienza* said there are currently proposed three levels of staff oversight, with no policy body to oversee staff's decisions. *Director Chavez* asked if these staff committees might be collapsed into fewer; *Ms. Atienza* stated that this was one of the goals in her proposal. *Ms. Atienza* recommended that the Chair appoint an ad hoc subcommittee to provide her with direction and feedback during negotiations pertaining to the MOU, and recommended the CCTA representatives to be appointed to the subcommittee.

### **14. FY 2010-11 Mid-Year Budget Review and Amendment**

**ACTION:** *Director Wallace* moved to approve the proposed mid-year budget amendments; seconded by *Director Butt*; and passed unanimously.

**DISCUSSION:** *Ms. Atienza* noted that the documents before the Board were provided in a different form last month: the spreadsheets have been enlarged and reformatted for readability. *Ms. Atienza* provided an update on the payment of dues by member agencies, and stated that the agency is in the black.

*Chair Swearingen* said that he would like to see on the next agenda a discussion of reducing member dues by 25% or \$10,000 whichever is greater. *Director Boozé* said that

the agency would lose money if it cut dues. *Chair Swearingen* suggested that staff time could be charged to projects. *Ms. Atienza* clarified that there may be potential areas for cost recovery, and she would look into them and report back to the Board.

*Chair Swearingen* said it would be worthwhile to investigate how to reduce costs to the agencies, especially as Pinole has been impacted by the state's action with respect to redevelopment agencies. Pinole knows that programs like WCCTAC are important, but the city is contemplating further cuts, although cuts have been made to the bone.

*Director Boozé* asked if Pinole were contemplating withdrawing from WCCTAC. *Chair Swearingen* said there is definitely that possibility, and that it is on the block to be discussed. *Director Boozé* asked how can the city operate without WCCTAC. *Chair Swearingen* asked how can a city operate without police and fire? *Director Boozé* said the Governor is concerned that redevelopment funds are not being used for redevelopment. *Chair Swearingen* agreed, and said that the state has been talking about taking away redevelopment for over a year or two, and his intent is to be ahead of the matter rather than behind it.

*Ms. Atienza* noted that while cities and transit agencies are in financial difficulty, it is important for the Board to understand the impacts and options to their potential choices. Such input is timely for getting in front of budget development for the coming fiscal year. *Director Boozé* said that it is important to remember that the agency is in the black, and to make a plan to stay in the black. *Director Boozé* suggested that WCCTAC could give Pinole credit. *Ms. Atienza* noted that that is one option the Board could look at. *Director Chavez* said that it would be useful to know what the options are. Legal counsel *Mr. Mike Rodriguez* said the item (on dues reduction) had not been agendaized for this meeting, and a fuller discussion could occur after the matter has been duly noticed.

*Ms. Atienza* went over the proposed budget amendment and indicated a potential reduction of \$10,000 in anticipated year-end fund balance, on page #14-2, owing to a reduction in STMP administration revenues and increases in the professional services budget for auditors, because they have increased their fees, and increased office expenses, because of increased cost of paper and such items.

## **STANDING ITEMS**

### **15. Correspondence/Other Information**

- a. **Incoming**
  - Jan. 20, from CCTA, Items Approved by the Authority on Jan. 19
- b. **Outgoing**
  - Jan. 26, to Caltrans, Support for AC Transit's Request for Extension for STIP Funds for Richmond Pkwy Transit Center
- c. **Workshops/Conferences/Events**
  - Local Government Commission 2011 Conference, March 18-20, Yosemite

### **16. Board and Staff Comments**

- a. *Director Boozé* inquired about talking to WestCAT to address an issue about bus shelters in the Hilltop area. *Chair Swearingen* asked *Director*

*Chavez* to provide WestCAT Board schedule and contact information to *Director Boozé*.

- b. None.
- c. *Ms. Atienza* said there is an item she would like to bring to the Board's attention, namely, a proposal to conduct an organizational performance assessment. WCCTAC is operating with one less staff person than originally budgeted, and this is an opportune time to conduct more proactive transitional planning for a staff member who will be retiring within three years. An assessment would also provide an opportunity to look at what WCCTAC is doing today, and what can be reasonably forecast for the agency for the next several years, including position descriptions, and identifying needs and gaps in personnel, and where staff might need additional assistance depending on what is coming up. This would be a separate initiative, as staff's efforts to do this assessment interstitially between projects has not worked. It is being flagged today because it will be brought back at a future date with a request to engage a consultant with specific expertise in organizational efficiency, as a set of fresh eyes to look at conclusions staff will develop.

*Chair Swearingen* suggested that Lisa Hammon could help with this assessment. *Ms. Atienza* noted that she envisioned consulting with an organizational efficiency expert who might see the organization from a fresh perspective. *Director Boozé* stated that a consultant with a fresh set of eyes may see something that everyone is missing. *Director Butt* moved to direct the Executive Director to conduct a search for an organizational consultant, and to return to the board with costs; seconded by *Director Chavez*; and passed unanimously.

**17. Other Business – none**

**CLOSED SESSION**

**18. Closed Session – Deferred until next meeting.**

**19. Closed Session Report – None**

**20. Employment Contract – Deferred until next meeting.**

**21. Adjournment – Next meeting is Friday, March 25, 2011 at 8:00 a.m.**