

WCCTAC
West Contra Costa Transportation Advisory Committee
Meeting Minutes, 10 December 2010

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

1. **Call to Order and Self-Introductions.** *Chair Maria Viramontes* called the meeting to order at 8:06 a.m.
2. **Public Comment.** *Ms. Nancy Baer*, County Health Services, announced a free training workshop for bicycle and pedestrian planning on March 16 in Richmond, and asked the Board's endorsement. *Ms. Baer* said she was asking for use of WCCTAC's logo in promoting the event, and was not requesting funding at this time. *Director Abelson* asked staff to agendaize this item for discussion at a future meeting.
3. **Recognition of Directors Maria Viramontes and Kris Valstad.** *Vice-Chair Swearingen* read a proclamation and commendation to *Chair Viramontes* and a Certificate of Appreciation to Hercules alternate *Director Valstad*. *Chair Viramontes* expressed appreciation for the staff of WCCTAC and CCTA, and noted that she continues to live in Richmond and expects to remain involved in the community.
4. **Election of WCCTAC Chair, Vice-Chair, CCTA Representative (odd-year term), and CCTA Alternate.** The Board unanimously elected *Director Swearingen* as Chair on the nomination by *Director Balico* and second by *Director Abelson*. The Board unanimously elected *Director Abelson* as Vice-Chair on the nomination by *Director Calloway* and second by *Director Balico*. The cities appointed *Director Calloway* as the odd-year CCTA Representative on the nomination by *Director Abelson* and second by *Director Ritterman*; and appointed *Director Ritterman* to be the CCTA Alternate on the nomination by *Chair Viramontes* and second by *Director Abelson*.
5. **2011 Board and TAC Meeting Schedule.** *Ms. Atienza* noted that the Board had approved the schedule in Oct, and the Sept meeting had been scheduled to avoid conflict with the League of Cities Conference. *Director Wallace* said that he would arrange for AC Transit's alternate to attend the Jan 28 meeting if he is not able to return from TRB in time.
6. **Appointments to Corridor Policy Advisory Committee for SR 4 Integrated Corridor Analysis.** *Ms. Atienza* described the context for this project and asked the Board to

appoint at least two members to serve on the policy committee. The Board appointed *Directors Balico, Hansen, and Ritterman* to the SR 4 Corridor PAC.

CONSENT CALENDAR

- 7. Approval of Minutes of Oct. 29, 2010 Board Meeting, Receive Summaries of Oct 29 Board meeting and Nov 18 TAC Meeting**
- 9a. Student Bus Pass Program – Receive Report on Current Program Enrollment.**
- 9c. Student Bus Pass Program – Approval to Participate in Pilot Implementation of AC Transit Easy Pass for Clipper Value Fulfillment.**
- 9d. Student Bus Pass Program – Receive Update on Efforts to Improve Clipper Enrollment for Upcoming School Year.**

ACTION: *Director Abelson* moved to approve all items on Consent except #8 and #9b; seconded by *Director Ritterman*; and passed unanimously.

DISCUSSION ITEMS

- 9b. Student Bus Pass Program – Approval for West Contra Costa Unified School District to Designate a Permanent Part-time Position for Program Administration.**

ACTION: None.

DISCUSSION: *Ms. Atienza* removed this item altogether because of information obtained since the distribution of the agenda that the current funding agreement covers this matter sufficiently, and the School District's hiring practices are not within WCCTAC's authority. *Director Wallace* noted that AC Transit is considering raising the price for the student passes, which could affect the program.

- 8. HOT Lanes: Approve Submittal of Request to CCTA to Sponsor a \$60,000 Independent Due Diligence Case Study on I-80 to Inform CCTA's Overall Legislation and Advocacy Activities**

ACTION: *Director Abelson* moved to table this item for up to six months while staff meets to determine the potential impacts of WCCTAC action; seconded by *Director Ritterman*; and passed unanimously.

DISCUSSION: *Vice-Chair Swearingen* expressed concern about using \$60,000 to study the HOT lanes proposal, because HOT lanes may negatively impact traffic in West County.

Chair Viramontes clarified that the suggested study will help CCTA advocate more effectively for West County interests, as it would analyze commuter traffic to and from Alameda, Solano, and Marin counties, and would help CCTA advocate for Central County interests, as the study will include I-680. This request for a study would be put into the queue of requests to CCTA. Further, the study will help the West County subregion to remain engaged with the decision-making processes at MTC.

Director Balico stated his agreement with *Director Swearingen*'s analysis of HOV operations and with *Chair Viramontes*' concern to use the study as a tool at the CCTA level to address equity, revenues, and improvements throughout the I-80 corridor, including San Pablo Ave.

Director Abelson noted that the implementation of the HOT lanes could increase congestion on San Pablo Ave and on other local streets, and that the study could help local agencies understand the impacts of HOT lanes. *Director Abelson* observed that while the state may be in a position to pay for San Pablo Ave O&M through revenues from HOT Lanes on I-80, that financial support may come with costs, as cities do not have as much flexibility with respect to streetscape design and other matters on state highways as they do with their own local roads.

Mr. Hisham Noeimi, CCTA, stated that MTC is currently conducting high-level studies that look at the entire network of proposed HOT lanes throughout the Bay Area, in order to develop a "backbone concept" for the purpose of applying for funding to the CTC. Both I-680 and I-80 are at the bottom of MTC's list for implementation, and there is little urgency about undertaking the proposed study. *Mr. Noeimi* suggested that it would be prudent to hold off on asking CCTA for this study until technical staff have had an opportunity to meet and discuss the matter.

Ms. Atienza expressed concurrence with *Mr. Noeimi*'s suggestion to table the request for a study until staff have had an opportunity to meet.

Director Abelson clarified that the study is proposed to be conducted out of CCTA planning funds, and it is important for West County to discuss it at a later time.

10. BCDC's Proposed Bay Plan Amendment Pertaining to Projected Sea Level Rise.

DISCUSSION: *Ms. Atienza* described the letter of Dec 2, and stated that this was an opportunity to provide additional comments beyond the comments already provided.

Director Butt stated that it seems that BCDC is trying to address an issue that local governments are trying to ignore.

Director Balico stated that BCDC has taken a lead in addressing climate change. The process of taking this lead has caused concern among cities that may lose their shorelines to rising sea levels, and possibly their jurisdiction over tidal areas.

Chair Viramontes stated that all cities agree that the sea level is rising. The reason that they are upset is because BCDC has land use authority within 100 ft of the shoreline of each city. *Chair Viramontes* said it would not be wise to allow BCDC to have jurisdiction over all tidal areas within the 55 inch sea level rise predicted by 2100, and stated that it was especially important for charter cities, such as Richmond, to express a view.

Director Ritterman confirmed that Lawrence Berkeley Laboratory is using the predicted 55 inch rise by 2100 numbers in its effort to identify a new campus location. *Director Swearingen* stated that a 55 inch rise will impact Pinole's wastewater treatment. *Chair Viramontes* said Richmond's wastewater will be impacted as well.

Director Butt stated that BCDC is a regional agency with expertise in the Bay, and that BCDC may be in a better position than any individual city to make broad predictions about what's going to happen and how we're going to deal with it.

Chair Viramontes stated that it would be useful in the future to have a full presentation of the amendment and its status after BCDC meets and addresses the comments.

Ms. Atienza noted that she tried to keep the comments within WCCTAC's area of concern, which is primarily focused on transportation. The Capitol Corridor, UPRR, and BNSF run along the entire coast, which will be potentially inundated. Regional efforts may include protection of the rail because it's part of the larger Bay Area economy, in which case West County will be protected as well.

11. Measure J Programs for Transportation of Seniors and People with Disabilities: (a) Approval of Recommendations to CCTA for Appropriation of Growth Increment in West County Portion of Countywide Program Funds, and (b) Approval of Proposed Programming of West County's Additional Funding Increment.

ACTION: *Director Ritterman* moved to approve staff's recommendation as amended to pursue administrative mechanisms through the PCC, not to impose a requirement for "new services," and to revisit the funding apportionments in five years; seconded by *Director Swearingen*; and passed unanimously.

DISCUSSION: *Ms. Atienza* provided an overview of Measure J funding to paratransit providers, and referenced handouts that illustrate staff's recommended Measure J 15 Base, 15 Growth, and 20b apportionments by percent of sales tax and by proportion of fund source.

Ms. Atienza noted that the East Bay Paratransit Consortium (EBPC) would be eligible under these recommendations to apply for 20b funding, over which WCCTAC has discretion, though they would have to show that they are providing "additional" or "new" services. With respect to 15 Growth, staff's recommendation would provide WestCAT a funding stream off the top in proportion to their share of 15 Base; of the remainder, EBPC would receive 50%; and El Cerrito, Richmond and San Pablo would share the other 50% in proportion to what they receive under 15 Base.

Director Abelson remarked on what is meant by "new services." Administrative support for public outreach for eligibility determination would not count as "new services," but non-ADA pickups beyond ADA's required coverage area may be an example of new service.

Ms. Atienza explained that the growth in the population of seniors will quickly outpace the funding, and that to maintain the requirement for "new services" may be unworkable given that transit and paratransit operators are facing severe shortfalls. With respect to administration, *Ms. Atienza* added that after her re-reading of the Paratransit Coordinating Council's (PCC) charter, a good deal of administrative oversight authority may be delegated to the PCC, and requested that staff be allowed to flesh out this opportunity.

Director Hansen said that he would not vote for a motion that included a mandate for new services because the transit providers are facing severe funding shortfalls for existing services.

Ms. Laura Timothy, EBPC, stated that staff's recommendations are different from those that were previously reviewed in the working group, and asked that the Board consider restoring previous funding levels to EBPC. *Ms. Timothy* noted that Measure B in Alameda County provides more funding for paratransit service than Measure J, and that staff's recommendation provides no assurance that West County programs will be coordinated, and does not encourage such coordination. *Ms. Timothy* requested that the recommended apportionments be an interim plan for two years, and that the Board in the future authorize and receive a report describing and comparing the quality of the various paratransit programs, and that the 2010 Census could be used when it's available to determine demographic changes over time.

Ms. Ellen Paasch, City of El Cerrito, stated that Measure J enables older adults who are well and able and 65 years of age to have transportation. Many of the older adults are not eligible for ADA, so if they are looking to age in place, stay in their communities, and continue to be active in the community, agencies must ensure that there is transportation for them. Further, the El Cerrito program also provides transportation for those who are disabled, or who have difficulty navigating the hills and discontinuous sidewalks of El Cerrito.

Mr. Sam Casas, City of Richmond, stated that he was in favor of a study because of the difficulty in comparing apples to apples in the paratransit business. *Mr. Casas* noted that in the last few years, various funding sources at MTC, such as STA and TDA, have disappeared or have been restricted so that city-based programs are ineligible to apply.

Ms. Atienza noted that staff and the Board had been working on this for over two years, and that it is apparent that no choice will please everybody, and there isn't enough money to go around. *Ms. Atienza* stated that the topic could be studied more, but in her opinion the Board would just end up in the same place of having to make a compromise.

Chair Viramontes underscored that there is more need than funding; acknowledged the lack of political will to consolidate paratransit services under one operator; noted that federal and state funding requirements do not reward consolidation efforts; and stated that as funders we have to be fair to the smaller and larger cities.

Director Wallace stated that EBPC is operating under a deficit to both BART and AC Transit, and that he wishes the coordination would be better so operators don't fight each other over a nickel and lose a quarter. *Director Wallace* stated that seniors should be the most important common client, and all operators should figure out how to serve them.

Director Keller stated that he was disappointed that WCCTAC did not move forward on a study that would have outlined many of the areas that were being discussed. The EBPC is underfunded, and the problem will not disappear, he said. Through the 2010 Census, *Director Keller* suggested that WCCTAC and other agencies will have better information, such as how many seniors are dependent on public transportation. To make a decision without that information is difficult, and *Director Keller* suggested that the recommendations be in effect for two years, as an interim program will provide time to gather information.

STANDING ITEMS

12. Correspondence/Other Information

a. Incoming

- From CCTA: Items Approved by the Authority on Nov. 17, 2010
- From CCTA: Expiration of Authority Member Term and Appointment of Representative for 2011-2013
- From WCCUSD: Request to Designate Permanent Part-Time Position for Administration of Student Bus Pass Program

b. Outgoing

- To Hercules: Comments on Intermodal Transit Center DEIR/DEIS
- To BCDC: Comments on Proposed Bay Plan Amendment 1-08 Concerning Climate Change

c. Workshops/Conferences/Events

- None to report

13. Board and Staff Comments

- Board Member Comments, Conference/Meeting Reports (AB 1234 Requirement), and Announcements – none.
- Legal Counsel Comments and Announcements – none.

14. Other Business – none.

15. Closed Session – deferred until next meeting.

16. Closed Session Report – deferred until next meeting.

17. Employment Contract – deferred until next meeting.

18. Adjourn. Next meeting is Friday, January 28, 2011 at 8:00 a.m.