

WCCTAC
West Contra Costa Transportation Advisory Committee
Meeting Minutes, 28 January 2011

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

Staff Present: Christina Atienza, Valerie Jenkins, Joanna Pallock, John Rudolph, Linda Young; Michael Rodriguez, Legal Counsel; Martin Engelmann, CCTA.

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

1. **Call to Order and Self-Introductions.** *Chair Roy Swearingen* called the meeting to order at 8:05 a.m.
2. **Public Comment – none.**
3. **Introduction of New Members –** *Mr. Cortland Boozé* (Richmond) and *Mr. Don Kuehne* (Hercules).

CONSENT CALENDAR

ACTION: *Director Abelson* moved to approve all items, excluding #9; seconded by *Director Hansen*; and passed unanimously.

4. **Approve Minutes of Dec. 10 Board Meeting, and Receive Summary of Dec. 10 Board Meeting, Addendum to Summary of Nov. 18 TAC Meeting, and Summary of Jan. 13 TAC Meeting.**
5. **Receive Program and Projects Status Report for Dec. 2010.**
6. **Receive Financial Report for Dec. 2010.**
7. **Receive Notice of Payment of Invoice Over \$10,000.**
8. **Approve Sponsorship of Workshop on Designing for Pedestrian and Bicycle Safety.**

DISCUSSION ITEMS

9. **Approve Programming of Up to \$14,000 in Measure J West County Subregional Transportation Needs (Program 28b) funds for the West Contra Costa Street Smarts Campaign (Resolution 11-01).**

ACTION: *Vice-Chair Abelson* moved to approve programming of Measure J funds from Subregional Transportation Needs (Program 28b) for the Street Smarts campaign,

pursuant to Resolution 11-01; seconded by *Director Butt*; and passed with one nay (*Swearingen*).

DISCUSSION: *Chair Swearingen* requested clarification on the itemization of expenses associated with Street Smarts' request for \$14,000. *Ms. Atienza* indicated an itemized list of expenses in the agenda packet, and clarified staff's proposal. The Street Smarts safety campaigns have been conducted since 2004. Formerly the program had been funded through WCCTAC dues, but the proposal in the current budget is to fund the program through Measure J 28b, Subregional Transportation Needs.

Chair Swearingen inquired about how staff will assess the effectiveness of the program. *Ms. Nancy Baer*, Contra Costa Health Services, explained that the Contra Costa Street Smarts program utilizes the options that were found most effective in the San Jose pilot program. *Ms. Atienza* noted that measurements of educational programs are difficult. For instance, if the safety campaign plants a seed in an automobile driver's head to drive safely, and avoiding collisions is a result, how does one test for the specific cause of the absence of a collision? Perhaps information from San Jose or other traffic safety campaigns would be useful.

Chair Swearingen noted that programs which cannot determine their effectiveness will continue to be questioned until the economy turns around.

10. Report on SB 375 Implementation and Development of Sustainable Communities Strategy (SCS).

ACTION: Staff will work with CCTA to research the impacts on Priority Development Areas and transportation projects if Governor Brown's proposal to eliminate redevelopment agencies moves forward, and to draft a letter of concern to the governor.

DISCUSSION: *Martin Engelmann*, CCTA, presented an overview of SB 375 and provided information to the Board in accord with materials in the agenda packet and handouts. *Mr. Engelmann* introduced *Ms. Ashley Nguyen* from MTC, and stated the SB 375 will be implemented through the concurrent work of the four regional agencies –the Metropolitan Transportation Commission (MTC), the Association of Bay Area Governments (ABAG), the Bay Area Air Quality Management District (BAAQMD), and the Bay Conservation and Development Commission (BCDC) – and the efforts of local staff and elected officials and stakeholders. SB 375 states that regional agencies must prepare a feasible land use and transportation plan designed to reduce greenhouse gas (GHG) emissions for cars and light trucks. Implementation of SB 375 occurs through a Sustainable Communities Strategy (SCS), which is an element of the Regional Transportation Plan (RTP).

Ms. Nancy Baer, CCHS, inquired about the provisioning for bicycle and pedestrian improvements in the SCS. *Mr. Engelmann* stated that bicycle and pedestrian improvements are an important part of the transportation investments in the SCS.

Director Keller stated that the cost of replacement parking around the BART stations is frequently a deal-breaker when BART attempts to build the kind of transit-oriented developments that are integral to the SCS. The private sector cannot pencil out a deal when the cost of replacement parking is not provided for, yet to reduce the supply of parking around the stations is politically untenable. All modes of access to the station are important. A regional bank or competitive source of funding for replacement parking would help BART and cities to build more compact communities around the BART stations. *Director Keller* stated that the Contra Costa Centre near the Pleasant Hill BART station would not have been financially feasible without assistance from the County's Redevelopment Agency, which funded the replacement parking at the station.

Vice-Chair Abelson stated concern about Governor Brown's proposal to eliminate redevelopment agencies and wondered what would be the impact on the SCS. *Mr. Engelmann* agreed that Governor Brown's proposal would eliminate one of the funding sources that are intended to foster development of the PDAs.

Ms. Atienza asked if disappearance of redevelopment agencies would decimate PDAs. *Mr. Engelmann* stated that a useful exercise would be to look at the PDAs and determine the percentage that are in redevelopment areas and come back to the Board with that information.

Chair Swearingen inquired about presenting this information at local city council meetings. *Mr. Engelmann* stated that the best mechanism for providing this information to the cities would be through the RTPCs, specifically through an expanded RTPC meeting, such as will occur at TRANSPAC, where all city council and board members are invited to attend.

Ms. Atienza suggested that staff work with CCTA to review the impact of the elimination of redevelopment agencies on all transportation projects in the planning pipeline, and to review the Comprehensive Transportation Project List (CTPL) to identify which projects are supportive of GHG reductions and which are not. An expanded meeting of WCCTAC could focus on these areas.

Mr. Hisham Noeimi, CCTA, noted that part of *Ms. Atienza's* suggestion will occur over the next few months as CCTA and project sponsors figure out if projects have all the funding required to keep their project in the Committed List of the RTP. Projects that are not fully funded will be placed in the Financially Constrained List or the Vision List.

Director Calloway suggested that cities advocate to the governor not to move forward with the effort to eliminate RDAs. A letter should be written to the governor indicating the impact on transportation projects, which means jobs, as well as the decreased ability by the cities to meet the GHG reductions specified in AB 32 and SB 375.

Ms. Atienza suggested that WCCTAC work with CCTA to develop such a letter, as CCTA is more attuned to the criteria under discussion in Sacramento. *Chair Swearingen* noted that having such a letter on the record could be helpful.

11. Fiscal Audit and Memorandum on Internal Control Structure for the year ending June 30, 2010. 5513

ACTION: *Vice-Chair Abelson* moved to accept the 2010 Audit; seconded by *Director Calloway*; and passed unanimously.

DISCUSSION: *Ms. Atienza* introduced WCCTAC's Treasurer, *Mr. Bradley Ward*, and provided an overview of WCCTAC's four roles with respect to its finances.

One role is the Advisory Committee function, paid for by WCCTAC dues, which includes programming Measure J, administering the Action Plan for Routes of Regional Significance, and monitoring the compliance of all the agencies with the Growth Management Program in Measure J. The second piece of WCCTAC is the Transportation Demand Management program, which aims to reduce solo driving; TDM is funded from grants from the Air District and Measure J. The third responsibility of WCCTAC is to serve as trustee of the Subregional Transportation Mitigation Fee Program (STMP), which collects developer impact fees from the cities and county specifically to fund eleven capital projects that have been identified as regionally significant. The fourth function is to apply for grants and perform them in-house.

Ms. Atienza noted that PERS and health insurance costs had been going up; that the student bus pass program had been funded out of a Lifeline grant but is now funded from Measure J; and that a considerable portion of staff time dedicated to managing financial resources is consumed by the quantity of transactions and level of back-up needed for grant-funded projects and programs.

Director Butt remarked that auditors, unlike architects, are allowed by state regulators to sign their reports with the name of a firm. Architects need to sign their work as individually licensed members of the profession, which encourages accountability.

Chair Swearingen noted that multiple persons worked on the audit, and requested clarification on the statement that was made by the auditors on the General Ledger that "the true financial results and position of WCCTAC cannot be accurately predicted or analyzed."

Ms. Atienza explained that this was a finding from 2009, when the auditors found that the budget could not be called comprehensive because STMP and the other reimbursable pieces had not been included. This was corrected by an amendment in 2009. Since 2010, the new financial system allows the analysis that had been occurring outside of the system to occur within the system.

12. FY 2010-11 Mid-Year Budget Review

ACTION: *Vice-Chair Abelson* moved to place on the next meeting's agenda a budget review to include revenue concerns and proposed expenditure adjustments; seconded by *Director Calloway*; and passed unanimously.

DISCUSSION: *Ms. Atienza* directed the Board's attention to the one-page chart on page #12-2. *Vice-Chair Abelson* said that the chart is too small to read, and that a larger font size should be used, even if the larger font necessitates larger paper or multiple pages. *Chair Swearingen* concurred with *Vice-Chair Abelson's* observations, and added that such a quantity of information would require more time to process by the Board.

Vice-Chair Abelson requested clarification on where WCCTAC stood financially. *Ms. Atienza* said the agency has received 38% of its projected revenues, from dues and STMP. On the expense side, the agency has drawn down 26% of its available expenditures. *Ms. Atienza* confirmed that the agency is in the black and that revenues are ahead of expenditures, and noted that encumbrances are not included in the worksheet.

Ms. Atienza stated that the budget before the Board was an informational piece. After receiving feedback from the Board, she will work with *Mr. Ward* to streamline the reporting and come back with an amended budget.

Chair Swearingen stated that consultant fees should be monitored closely to prevent large expenditures. Further, a monthly warrants list of income and payables would be helpful. *Ms. Atienza* indicated Item #6, which was an attempt to provide that information. *Director Swearingen* said that for now such a report seems to work to keep the Board updated on income and expenses.

With respect to personnel, *Chair Swearingen* suggested the Board freeze the vacant position. Legal Counsel *Mr. Mike Rodriguez* stated that subject to the Brown Act, such an action by the Board must be properly noticed. *Vice-Chair Abelson* suggested that a future discussion include income concerns and expenses related to each income area: for instance, Measure J revenues might be down and STMP up, or vice versa, and decisions need to be made from within each category.

Ms. Atienza said such topics will be the subject of a future budget amendment. The findings on page #12-1 will also inform the budget amendment process.

STANDING ITEMS

13. Correspondence/Other Information

- a. **Incoming**
 - Dec. 16, from CCTA, Items Approved by the Authority on Dec. 15
 - Dec. 21, from CCTA, Request for Appointments to the SR 4 ICA PAC
 - Jan. 20, from CCHS, Request for Sponsorship of West County Pedestrian and Bicycle Design Workshop
- b. **Outgoing**
 - Dec. 14, to BAAQMD, Confirmation of Matching Grant for Richmond Shuttle Operation
 - Jan. 14, to ACTC and Caltrans, West Contra Costa County Suggestions for I-80 ICM Operations & Maintenance MOU

- c. **Workshops/Conferences/Events**
 - CTF Transportation Forum, Feb. 22, Sacramento, \$150 per person if registering before Feb. 16 (www.transportationfoundation.org)

14. Board and Staff Comments

- a. Board Member Comments, Conference/Meeting Reports (AB 1234 Requirement), and Announcements
- b. Report of CCTA Representatives
- c. Executive Staff Comments and Announcements

15. Other Business

CLOSED SESSION

- 16. Closed Session.** The Board recessed to closed session to consider personnel matters pursuant to Government Code Section 54957 – Performance Evaluation – Executive Director.

RECONVENE OPEN SESSION

- 17. Closed Session Report.** No reportable actions.

- 18. Employment Contract.** The Board discussed whether it wants to initiate any changes to the Executive Director's employment contract as a result of the performance evaluation. The discussion was continued to next month.

- 19. Adjourn.** Next meeting is Friday, February 25, 2011 at 8:00 a.m.