

WCCTAC
West Contra Costa Transportation Advisory Committee
Meeting Minutes, 25 June 2010

Members Present: Janet Abelson (El Cerrito); Aleida Andrino-Chavez (WestCAT); Ed Balico (Hercules); Joel Keller (BART); Gayle McLaughlin (Richmond); Leonard McNeil (San Pablo); Jeff Ritterman (Richmond); Roy Swearingen (Pinole), Vice-Chair; Maria Viramontes (Richmond), Chair. Absent: John Gioia (Contra Costa County); Joe Wallace (AC Transit).

Staff Present: Christina Atienza, Valerie Jenkins, Joanna Pallock, John Rudolph, Linda Young; Michael Rodriquez, Legal Counsel; Bradley Ward, Treasurer.

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 8:02 a.m.
2. **Public Comment.** None.

CONSENT CALENDAR

ACTION: *Director Swearingen* moved to approve all items on the Consent Calendar; seconded by *Director Balico*; and passed unanimously.

3. **Minutes and Summary of May 28, 2010 Board meeting.**
4. **Summary of June 10, 2010 TAC Meeting.**
5. **Staff Report for June 2010.**
6. **Update on Vehicle Registration Fee Ballot Measure.**
7. **Update on SB 375 Implementation.**
8. **Measure J Growth Management Plan Implementation Guide Adoption.**
9. **Transit Wayfinding Plan: Submittal of Initial Project Report (Resolution 10-01).**
10. **Student Bus Pass Program: Update on Status of Transition to Clipper and Request for Authorization to Allocate up to \$10,000 in Reserve Program Funds to West Contra Costa Unified School District and AC Transit to Facilitate Transition.**

DISCUSSION ITEMS

11. **Comprehensive Paratransit Study: Cancellation and Deprogramming of Study Funds.**
12. **Guidance for Programming West County's Measure J Funds for Transportation for Seniors and People with Disabilities.**

ACTION: Items 11 and 12 were combined for discussion purposes. On item 11, *Director Abelson* moved to approve staff's recommendation to cancel the study and deprogram the funds set aside for the study back to the paratransit operators; seconded by *Director Balico*; and passed unanimously. On item 12, *Chair Viramontes* directed staff to dedicate an entire Board meeting to

provide an overview of paratransit services in West County and major issues identified by the Paratransit Working Group for consideration by the Board, before providing guidance on how to program dedicated Measure J funds.

PUBLIC COMMENT: *Harpreet Sandhu* expressed a need for Richmond to address ongoing issues with service overlaps with East Bay Paratransit Consortium, and how to bring down the budget without sacrificing services. *Mr. Sandhu* noted that the current budget for Richmond paratransit is about \$1 million of which about \$500,000 comes from the general fund. See also below for comments made by *Charlie Anderson* and *Sam Casas* during discussion.

DISCUSSION: *Joanna Pallock* gave an overview of staff Working Group and Board subcommittee efforts over a two-year period to address paratransit planning in West County. There is not consensus among the working group members to proceed with the paratransit study as currently scoped. With the divergence of intent at the Working Group level, WCCTAC staff recommends cancelling the study, deprogramming the funds that were set aside for the study, and reprogramming them back to the operators for their use. *Ms. Pallock* also noted that policy direction is sought from the Board with regard to how to program future Measure J funds in the absence of the study that was to inform that effort.

Director Ritterman inquire as to whether any funds had gone to waste, if the study was to be cancelled. *Ms. Pallock* responded that no funds have been spent, only staff time.

Chair Viramontes inquired about which of the five service providers are ADA and non-ADA. *Ms. Pallock* explained that ADA services are provided by the East Bay Paratransit Consortium in the AC Transit, BART, and portions of WestCAT's service area, and that non-ADA services were provided in a portion of WestCAT's service area, and in the cities of El Cerrito, Richmond, and San Pablo. *Director Abelson* clarified that non-ADA providers may attend more carefully to the needs of riders, while ADA services are mandated by law in a manner that non-ADA services are not.

Chair Viramontes provided background as to why the Board originally supported the study: 1) transit operators are experiencing lower levels of funding than existing, 2) there will be a future peak in required levels of service due to the aging of the baby boomers, and 3) the different programs in West Count with their different funding sources may have resulted in gaps and overlaps. The study was expected to identify which populations needs to be served, how many can be served, and how can it be done efficiently. *Ms. Viramontes* further noted the difficulty in planning under an environment where operators are losing funding and are struggling for survival, and that there may be dysfunction in how the service is delivered. She requested to hear from each of the Board members regarding their impressions of the problem and whether they felt they needed a study.

Director Abelson stated that in El Cerrito, seniors who live in the hills have difficulty getting to grocery stores, a big need and a fundamental problem which guides El Cerrito's administration of paratransit service; and that San Pablo's emphasis was on lower fares, which results in comparatively fewer rides; and that these two are models of serving the local communities in different ways. She noted that what's good about Measure J funding is that it provides the communities the ability to provide services according to their specific needs, as opposed to

ADA, which has to all be the same. She also noted that El Cerrito does not need a study, and added that all operators are hurting through lack of funding. Cut-backs in essential service are a main concern, and that the Board needs to choose what to do within a limited framework. Year after year service levels decline.

Director McNeil stated an interest in leveraging funding with other resources to provide transportation that serves broader constituencies comprised of persons who are differently-abled, seniors, and those with low income; and that he did not perceive a need for the study, but that listening to the needs of other cities should be part of the Board's determination whether to proceed with discontinuing the paratransit study.

Director Swearingen agreed with staff's recommendation to return the funds to the operators to let them get the benefit of it, especially in this climate of service cuts.

Director Balico identified two objectives for Measure J: 1) address upcoming issues that will affect both ADA and non-ADA, and 2) investigate whether we are using the funds as efficiently as possible, and to be open to using a different model if necessary, perhaps going back to contracting for the services. He agreed with staff's recommendation to return the funds now because the operators need it, but moving forward, he would like to take a closer look. *Chair Viramontes* asked if by taking a closer look he meant he wanted to hear about what others are doing, to which *Director Balico* responded yes.

Director Chavez suggested that a regional study should include all service providers and that there is a need to work together to create the most efficient service for those who need it. She also stated that it was a good idea to hear from each of the operators as a body, including East Bay Paratransit, and to find out what is efficient and inefficient.

Mr. Charlie Anderson, General Manager of WestCAT, described the East Bay Paratransit service in West County as originating in San Leandro and providing Richmond-to-Richmond trips in addition to the Richmond-to-Richmond trips provided by Richmond Paratransit. *Mr. Anderson* expressed an interest from the operators to 1) lower unit costs per trip and 2) provide more trips. He noted that East Bay Paratransit would be a new claimant, and that having a regional study to provide facts would be helpful. He recommended funding a subregional study at some point in the future to provide factual information and to look at how to run services more efficiently. *Chair Viramontes* asked if he was talking about analyzing the needs of different populations. *Mr. Anderson* responded that origins and destinations, demographics, and other information are all appropriate to guide policy decisions. He noted that historically, we have evolved to provide services but that we are now bound by geographical and jurisdictional boundaries, and noted the possibility that the needs may not actually vary. He stated that facts are what was needed.

Director Ritterman asked what facts we have. *Ms. Atienza* responded that staff could provide a summary of what the Working Group has learned over the past year and a half. *Vice-Chair Swearingen* asked how much staff could do. *Ms. Atienza* noted that staff could look at boundary and gap issues, but not new services or new service models because expertise would be needed for those. *Chair Viramontes* asked if we had data on populations. *Ms. Atienza* responded yes, but that it was more or less accurate depending upon how much emphasis an operator places on collecting the data. *Director Abelson* noted that operators collect the data differently, and cited as

an example that there was no standard way for identifying seniors. She added that there isn't enough money to provide the services that we want to provide, and reiterated that she wants to spend funds on services. She noted that the funding situation keeps getting worse over the years, and the service is getting worse. She said that there was a need to recognize that thing won't get better unless we get more money, and that this is independent of how operators are doing their job.

Mr. Sam Casas, Richmond Paratransit Coordinator, spoke of the Measure C/Measure J transition, in terms of splitting the pot equitably with EBPC. Two years ago a study seemed the best way to identify ways to coordinate. More recently, better coordination may be obtained through sharing software to route vehicles. But there's an issue, for instance Richmond can't serve trips that are going to Pinole. He noted that EBPC could do it, but the vehicles would have to come from San Leandro, which would contribute to further clogging up I-80, and which makes no sense if there are local vehicles. He noted that a formula is needed to determine how to appropriate Measure J funds, and asked how this could be done without a study.

Ms. Atienza asked to provide the Board with some clarification. Elderly and disabled persons have three choices: fixed route; complementary ADA, for those who can't take fixed route, which is associated with geographic and temporal constraints, and requires advanced reservation; and non-ADA, which are the city programs. She referred to the handout with a chart of Measure J funding sources, and explained the intended purpose of each. She noted that Program 20b was to expand services in West County and that the Measure states that both ADA and non-ADA are eligible. *Chair Viramontes* noted that that was done in order to provide flexibility. *Director Abelson* noted that it was also to increase the level of funding.

Ms. Atienza noted that the scope of work that the Board approved in 2008 was regional in focus, but that last month, the focus was changed to be more on local programs, which is why staff was recommending that it no longer be led by WCCTAC. *Chair Viramontes*, pointing to the area for Program 15 Base guarantee, noted that this is why the study has been a challenge, because some think that it's ok to look into it, but some not; and she further noted that there may be value in a study for Program 15 Growth and Program 20b. *Ms. Atienza* added that further complicating the issue is that Measure J is only a small piece of the total funding for elderly and people with disabilities, and reiterated the need to corral the question of programming because otherwise, everything is fair game.

Director Ritterman noted that he did not want to go against staff's recommendation, but that he did find value in finding ways to improve coordination.

Director Abelson clarified that EBPC rides don't all come out of San Leandro because they use scheduling software that allows trips to be linked. She stressed that EBPC provide comprehensive services.

Director Ritterman asked *Mr. Casas* whether the software of the different systems could be hooked up. *Mr. Casas* responded that EBPC uses Stratagen, WestCAT uses Trapeze, Richmond uses Route match, and that San Pablo and El Cerrito don't use scheduling software.

Director McLaughlin noted that this was a complicated issue, and agreed that it would be useful for the Board to have staff summarize what the Working Group has learned. *Ms. Atienza* responded that what she heard from the Board is that they need data and a fleshing out of the issues. She asked for a decision regarding staff's recommendation for item 11, so that the funds could be deprogrammed and allocated back to the operators as soon as possible. Regarding item 12, she offered to the Board for staff to reconvene the Working Group to develop a picture of what's being provided today, identify opportunities for coordination, gaps, and overlaps, and assess what staff can do themselves, without a consultant.

Vice-Chair Swearingen asked *Mr. Casas* what the coverage was for Pinole. *Mr. Casas* responded that Richmond Paratransit did not cover Pinole. *Ms. Atienza* noted that to get from Richmond to Pinole, one could take fixed route or if eligible, ADA paratransit. *Director Abelson* noted that a transfer would need to be made either way. *Vice-Chair Swearingen* noted that the program needs to be coordinated.

Chair Viramontes directed staff to dedicate one whole meeting to this issue, either in July or to have a special meeting in August. The meeting should provide an overview and discuss major issues, growth, and gaps in service so that everyone can be looking at the same information. She stated that the goals would be to define whether a study was needed; if so, what needed to be studied; and what sort of legal structure would be needed, for example to form one transit district with voluntary participation and to figure out how to make the financing work.

Chair Viramontes asked if the deprogramming of funds recommended by staff would preclude doing a study. *Ms. Atienza* clarified that the funds being proposed to be deprogram were prior year funds, and that the Board was free to program future funds in any fashion they desired.

Director Keller noted that it was a great to see local operators wanting to cooperate with each other and take a regional perspective. He recommended that developing a baseline level of service could be the focus of a study, and cooperative agreement to make it happen.

13. Transit Enhancement Strategic Plan and Transit Wayfinding Plan: Recommended Consultant.

ACTION: *Director Ritterman* moved to authorize staff to enter into contract negotiations with Fehr & Peers, seconded by *Director Abelson*; and passed unanimously.

DISCUSSION: *John Rudolph* provided a presentation to accompany the hand-out, detailing grants received, the Board's actions to combine the grants into one RFP, and the selection committee's recommendation. *Directors Abelson* and *Ritterman* asked for clarification regarding the process of selecting a recommended consultant. *Ms. Atienza* referenced the hand-out that outlines consultant selection criteria and associated timeline. *Director Swearingen* noted that a time-and-material contract requires staff time to monitor. [Correction: Subsequent to the Board meeting, staff determined that in fact the contract is fixed fee, and not time-and-materials.]

14. Adoption of FY 2010-11 Work Program, Member Agency Dues, and Budget (Resolution 10-02) and Amendment to FY 2009-10 Budget.

ACTION (1): *Director Swearingen* moved to adopt by resolution the FY 2010-11 Work Program, Member Agency Dues, and Budget, seconded by *Director Balico*; with *Director Abelson's* amendment to delete from the Work Program the task "Continue paratransit study"; and passed 9-0 by roll call vote.

DISCUSSION (1): *Ms. Atienza* presented two action items for the Board. The first includes the FY 2010-11 Work Program, which may need to be amended given the Board's action with respect to the paratransit study; member agency dues; and budget. The second involves de-programming Greenprint funding.

Director Abelson suggested an amendment to effect that the words "Continue paratransit study" be crossed out of Line 2.c of the Work Program. *Directors Swearingen* and *Balico* accepted *Director Abelson's* amendment. *Director Chavez* expressed support for a paratransit study at least until the Board engages in its study session. *Director Abelson* clarified that the Work Program item retains an item for "Transportation for Seniors and People with Disabilities," which should be sufficient.

Director Abelson inquired about the need for a West County Bicycle and Pedestrian Plan; *Director Balico* suggested that retaining this item in the Work Program could be useful to the region; *Director McLaughlin* suggested benefits for the region in retaining this item; *Chair Viramontes* stated that retaining this item in the Work Program gives the agency flexibility in responding to both local and county bicycle and pedestrian planning activities, without requiring expenditures to produce a West County plan.

ACTION (2): *Director Ritterman* moved to de-program approximately \$9,000 in Greenprint Project funding from the FY 2009-10 budget, seconded by *Director Balico*; and passed unanimously.

DISCUSSION (2): *Chair Viramontes* stated that the second action on this item involves de-programming approximately \$9,000 in funding for the Greenprint Project. *Ms. Atienza* stated that the Greenprint Project had been awarded \$2 million in funding from Chevron, and no longer required WCCTAC's contribution, and had agreed with staff suggestion to disencumber funds and return them back to WCCTAC's General Fund.

15. Personnel Policies: Proposed Amendments (Resolution 10-03).

ACTION: *Director Abelson* moved to adopt by resolution the proposed amendments to the Personnel Policies; seconded by *Director Swearingen*, and passed unanimously.

DISCUSSION: *Mr. Rodriguez* introduced this item as an effort to clean up the personnel policies and provisions that are in conflict with the at-will status of WCCTAC employees.

STANDING ITEMS

16. Correspondence/Other Information

- a. **Incoming**
 - May 20 and June 17, Randell Iwasaki, CCTA: Items Approved by the Authority for Circulation to RTPCs and Items of Interest
- b. **Outgoing**
 - May 26, Attorney Diversified Services: Response to Subpoena for Production of Business Records Pertaining to I-580 Bicycle Crash (attachments include only copies of subpoena and list of requested records, affidavit of the custodian of records, and description of the public records submitted)
 - June 1, to Ashley Nguyen, MTC, from Bill Lindsay, Richmond: Innovative Grant Application from Richmond in partnership with WCCTAC and CyberTran
- c. **Workshops/Conferences/Events**
 - None

17. WCCTAC Board and Staff Comments

- a. *Director Balico* stated that Prop. 22, the Local Taxpayer, Public Safety and Transportation Protection Act, will appear on the November 2010 statewide ballot. *Chair Viramontes* stated that a resolution of support for Prop 22 from WCCTAC would be appropriate.
- b. *Director Chavez* announced that thanks to 511 Contra Costa, WestCAT was offering a buy-one-get-one-free ticket sale for a limited time.
- c. *Director Keller* asked for clarification on BART's voting powers on WCCTAC. [Update: Immediately after the meeting, *Ms. Atienza* and *Mr. Rodriguez* confirmed for *Director Keller* that according to the JPA, BART may vote on all items except for WCCTAC's representatives to CCTA.]
- d. *Director McNeil* inquired whether WCCTAC receives regular reports from the Transportation Communication and Public Works Committee of the League of California Cities. *Chair Viramontes* indicated that staff would sign up for the mailing list and provide updates to the Board.
- e. *Ms. Atienza* stated that she had testified at the June 23 meeting of the AC Transit Board of Directors to volunteer the assistance of WCCTAC and staff in maintaining Line 76 service through North Richmond, at *Director Wallace's* request, following an incident involving gunmen boarding a bus and AC Transit's subsequent consideration of modifying or dropping Line 76 service through North Richmond. *Ms. Atienza* noted that the AC Transit Board, following much public testimony, passed a motion to work with *Supervisor John Gioia's* office and WCCTAC in maintaining current levels of Line 76 service and enhancing security. *Chair Viramontes* noted *Director Wallace's* testimony in this matter.

18. Other Business. None

19. Adjourned until Friday, July 30, 2010 at 8:00 a.m.