

**West Contra Costa Transportation Advisory Committee
Meeting Minutes, 22 July 2011**

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

Staff Present: Christina Atienza, Valerie Jenkins, John Rudolph, Linda Young.

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 8:01 a.m., and announced that Discussion Item #12 would occur first in the agenda, because of other commitments of guests.

2. Public Comment – none.

12. CONSIDER CCTA Staff's Recommendation to Support MTC's Application to the California Transportation Commission to Implement the Backbone of A Regional Express Lane Network, Including Interstate 80.

ACTION: *Director Boozé* moved that WCCTAC go on record as not supporting the HOT Lane Network; seconded by *Director Ritterman*; passed unanimously.

DISCUSSION: *Chair Swearingen* introduced *Ross Chittenden*, CCTA, who said that the purpose of today's presentation is to apprise the Board of the HOT lane proposal and receive WCCTAC's ideas before CCTA's discussion in September. *Mr. Chittenden* introduced Amy Worth, MTC Commissioner, and Andrew Fremier, MTC staff.

Commissioner Worth thanked WCCTAC for the invitation to attend this meeting, and noted that she represents the 19 cities of Contra Costa County on MTC. In contrast to an effort several years ago to garner support for AB 744, this proposal is smaller and more focused. WCCTAC's considerations will inform discussions at CCTA and MTC.

Mr. Chittenden provided a presentation in accord with materials in the agenda packet. Each segment in the network will be analyzed for its traffic and revenue potential; those with the least expensive implementation costs and highest revenue potential will be implemented first. Project sponsors have talked of shrinking the backbone in order to develop a shorter horizon, such as 2025 instead of 2035, but the detailed financial analysis has not been done yet. Revenues will help to complete the HOV network in the region. *Commissioner Worth* added that the Bay Area is in a situation with significantly reduced funding for transit, as the WestCAT Board discussed last week. This project will keep revenues within each corridor when the project achieves net revenue. The local communities will be able to determine how those revenues are spent.

Director Boozé said that he doesn't see a benefit for the people in west County, and asked what would happen if WCCTAC did not endorse this project. *Mr. Chittenden* said that if WCCTAC's doesn't endorse it, CCTA staff and Board will discuss the matter. *Director Boozé* asked what would happen if the project does not achieve user projections. *Mr. Chittenden* said in that circumstance there would be two choices: either shut it down, or continue to fund it and hope it comes back.

Director Ritterman inquired about enforcement. *Mr. Chittenden* said that the gantries on I-680 provide signals to CHP to indicate the presence of a valid FasTrak device. *Director Ritterman* said that with respect to transportation equity and fairness, it would be beneficial to have control of funds as they come in. *Director Ritterman* asked for details on how revenues are to be collected and distributed to local agencies. *Mr. Chittenden* said that this matter is to be fleshed out. First, the project needs to recover its costs, and then fill gaps on the corridor.

Director Ritterman said that the plan benefits those who are already advantaged, and does not put money into transit. West County is experiencing a transit crisis. There are limited local benefits if the plan is to take whatever revenues accrue and put them back into the HOT lane system, and then eventually get to transit. The plan would increase the number of people who can use the highway conveniently, with associated impacts on greenhouse gas emissions, and would further inequities. *Director Ritterman* said he would support the project if it were to put all of its revenues or an overwhelming percentage of its revenues into transit.

Director Abelson said she saw a number of problems with this proposal, starting with the impossibility of taking transit on I-680 during the weekday PM peak. In west County, one can live one's life on transit, but not in the I-680 corridor. The statistics between the two roadways are not comparable. Further, when the economy was good, the HOV 3+ in west County was oversubscribed.

Director Abelson inquired about who makes decisions on spending the revenues. *Mr. Chittenden* said that that is not yet defined in the application to the CTC. *Director Abelson* said WCCTAC wants to be part of those decisions. *Director Abelson* expressed concerns about raising the HOV occupancy in west County, and about figures in the presentation indicating that the I-680 HOT lane users travel at average speeds above 70 mph while the speed limit is 65 mph.

Director Wallace expressed concern about whether improvements to transit mean capital investments or operations funding, and does transit mean rail or bus? *Director Wallace* stated that AC Transit riders tend to be poor, and frequently they get nothing. AC Transit and BART are going through hardships now. MTC has been helpful recently, but in the future the money might not be there, especially if revenues are directed into capital projects. The real need is transit operations.

Director Wilkins asked how long the project will take to recover costs. *Mr. Chittenden* said the financial model will help to determine that figure. *Director Ritterman* asked if that time period is 15 years. *Mr. Chittenden* said the time period currently contemplated is 2035, but 2025 has been suggested. *Director Ritterman* asked if there will be sufficient revenues before 2035 to invest in transit, or do local communities have to wait until after 2035 to receive revenues for transit? *Mr. Chittenden* said the application to CTC will allow project sponsors to explore that question through detailed analysis of a corridor or segment.

Director Calloway asked about the timeline for WCCTAC's decision. *Mr. Chittenden* said today is the opportunity for WCCTAC to provide a decision. *Director Calloway* noted that (1) the lack of space on I-80 is an impediment to constructing the kind of system in place on I-680; (2) the benefits of revenue generated after all the gaps have been closed will not be realized in these communities within the foreseeable future; and (3) even when the economy is bad, the traffic in west County is congested.

Chair Swearingen said there are too many uncertainties in the proposal. Even if the time horizon were compressed to 2015, the physical limitations of I-80 in this area present an obstacle to implementation. The risk that the HOV lanes could be oversubscribed and hinder transit operations is a valid concern, and the cost and revenue projections are incomplete. Operations on I-680 present challenges to those motorists who cannot leave the HOT lane ahead of their exit. *Director Boozé* expressed concurrence with *Chair Swearingen*, and said that the Highway 4/I-80 interchange needs attention more than HOT lanes. *Director Boozé* observed that even non-motorists pay highway taxes so that motorists can drive for free, which is inequitable.

Commissioner Worth added that corridor working groups will be established to allocate net revenues, which may be used for transit operations as well as capital needs. *Director Ritterman* stated that WCCTAC's primary concerns are local control of revenue, and a business plan that shows revenue in a short enough time horizon that local agencies can use it.

Director Keller suggested that WCCTAC might conditionally support this project in order to maintain WCCTAC's interests going forward. *Director Boozé* said that he appreciates *Director Keller's* diplomatic approach, but he is unwilling to change his motion. If the project sponsors can provide figures to answer the Board's questions, they are welcome to come back. *Mr. Chittenden* expressed hope that the dialogue will continue. *Chair Swearingen* said WCCTAC is open to further dialogue.

3. PUBLIC HEARING to Consider Initiating An Amendment to the Measure J Transportation Sales Tax Expenditure Plan Provisions for Bus and Paratransit Services.

ACTION: *Chair Swearingen* suggested that in the interest of time Item #11 would be considered concurrently with the public hearing, which he opened at 9:25 a.m.

DISCUSSION: *Ellen Paasch*, El Cerrito staff, thanked WCCTAC for the 20b allocation which helps the city provide an additional day of service. Last year the service expanded from 3 days per week to 4; this year, from 4 days to 5. Ridership is increasing; the operation runs a tight ship. The city council and administration are supportive. Thanks to the 20b allocation, El Cerrito residents who are 65 or over and who no longer drive and who are not eligible for ADA, can go shopping, run errands, go to the hair dresser, and maintain quality of life while they age in place.

With no other speakers, *Chair Swearingen* closed the public hearing at 9:27 a.m.

11. CONSIDER Initiating An Amendment to the Measure J Transportation Sales Tax Expenditure Plan Provisions for Bus and Paratransit Service.

ACTION: *Director Abelson* moved to initiate an amendment to the Measure J Expenditure Plan; seconded by *Director Wallace*; passed unanimously.

DISCUSSION: *Director Abelson* said she is supportive of this initiative to maintain existing service. At the time the Measure J expenditure plan was developed, it was a different world. Now it's a deep recession. Maintenance of existing services is difficult in these economic times. *Director Ritterman* said he could not see a downside. *Director Boozé* said this is what WCCTAC should be doing.

CONSENT CALENDAR

ACTION: *Director Wallace* moved to approve all items; seconded by *Director Ritterman*; passed unanimously.

4. **APPROVE Minutes and RECEIVE Summary of June 24 Board Meeting, RECEIVE Summary of June 9 TAC Meeting.**
5. **RECEIVE Monthly Program and Projects Status Report.**
6. **RECEIVE Monthly Financial Report.**
7. **APPROVE Payment of Invoices Over \$10,000.**
8. **APPROVE Letter of Support for All West County Applications for 2012 Cycle of State Transportation Improvement Program (STIP).**
9. **APPROVE Policy to Tie Measure J Student Bus Pass Program Subsidy Amount to the Cost of AC Transit's Monthly Youth Pass.**
10. **APPROVE Comments on CCTA's Draft By-Laws for the Countywide Bicycle and Pedestrian Advisory Committee (CBPAC).**

DISCUSSION ITEMS

13. **AUTHORIZE Executive Director to Enter in An Agreement with Recommended Firm for General Counsel and Legal Services - Firm to Be Announced at the Meeting.**

ACTION: *Director Boozé* moved that the Executive Committee discuss this matter with the Executive Director and that the Board reconsider it at its next meeting; seconded by *Director Abelson*; passed with one Nay (*Calloway*).

DISCUSSION: *Ms. Atienza* referenced handouts at the directors' desks, which had also been emailed earlier, and stated that she recommends that the Board contract with Jarvis Fay. The blue handout details staff's evaluation process, and provides ratings on qualifications and cost-effectiveness of the eight responsive firms. *Ms. Atienza* said all eight firms can do the job, and the Board would be well served by any of them.

Ms. Atienza provided background, stating that the reason the Board is considering these proposals is because the specific staff person who served WCCTAC for three years has left Meyers Nave, which last month provided a letter outlining WCCTAC's options: (1) continue with Meyers Nave with a different staff person, (2) continue with the staff person at his new firm, or (3) contract with a new firm altogether. Last month the Board directed staff to hold an open procurement.

Director Boozé said the pricing is close, and moved to stay with Meyers Nave. There was no second to *Director Boozé's* motion. *Director Abelson* said the ratings chart was unclear, and noted that in hiring a city attorney El Cerrito considered not only costs but also depth in the firm. *Chair Swearingen* suggested that because there is not an emergency, and Meyers Nave is still under contract to provide services to WCCTAC, that the matter be discussed by the Executive Committee and reconsidered by the Board at its next meeting. *Director Boozé* amended his motion.

Director Calloway said the Board has enough information. It's important to maintain continuity of experience in legal counsel and to respect and support staff's process.

14. AUTHORIZE An Administration, Compensation, and Relocation Study At A Cost Not-to-Exceed \$10,000 and APPOINT An Ad Hoc Subcommittee to Provide Guidance and Direction on Scope and Conduct of the Study.

ACTION: *Director Calloway* moved to authorize the study, seconded by *Director Boozé*; passed unanimously. *Chair Swearingen* appointed *Directors Abelson, Boozé, and Wallace* to the subcommittee.

DISCUSSION: *Ms. Atienza* stated that several agency matters warrant a strategic approach, and she is asking the Board's help in fleshing out these issues. With respect to staff, there are potentially several opportunities to change job descriptions, depending on the direction the Board wants to take, and to assess compensation. Another issue is dues, and what policy options the Board may want to develop when member agencies have difficulty paying their dues because of the economy. Another issue is the location of WCCTAC offices: the City of San Pablo has made some major changes, including closing down its offices to 4 days per week, and staff have received offers to relocate. Another issue is PERS, and whether WCCTAC should be tied to a city or perhaps to the Municipal Pooling Authority. *Director Boozé* stated that Richmond had invited

WCCTAC to relocate to its City Hall. *Director Abelson* stated that it is very important that WCCTAC's offices be accessible for everyone, not just those who drive cars.

STANDING ITEMS

15. Correspondence/Other Information

a. Incoming

- June 21, from Contra Costa Health Services, re Project Homeless Connect

b. Outgoing

- June 27, to Richmond Planning Dept., re Richmond-Ohlone Greenway Gap Closure
- July 7, to East Bay Regional Park District, re Pinole Shores to Bay Front segment of Bay Trail
- July 12, to Caltrans, re Support for Richmond's Safe Routes to School Cycle 3 Grant Application

c. Workshops/Conferences/Events

- None

16. Board and Staff Comments.

Director Wallace remarked on a recent KTVU news piece which highlighted MTC's Transit Sustainability Project in the context of AC Transit and BART.

Director Boozé said that it is an extreme pleasure to work with this group, this chair, and to move things forward in a positive way.

Ms. Atienza stated that she recently served on an interview panel for a consultant team for a revised Greenprint Project in Richmond. The original proposal was a development that would eliminate cars. The reworked project will look at different types of development in Richmond, determine transportation needs, and pilot different programs such as car-sharing or bike-sharing for neighborhoods that are not close to transit, and other ways to incentivize folks to use alternative means to get around. *Ms. Atienza* stated that she has volunteered to serve on the project's steering committee, and looks forward to sharing with the Board what can be learned from this endeavor.

17. Other Business – none.

18. ADJOURNED in memory of Kanwal Sandu, San Pablo Assistant Planner, until September 30, 2011.