

**West Contra Costa Transportation Advisory Committee
Board of Directors Meeting
Meeting Minutes: December 6, 2013**

Members Present: Janet Abelson, Chair (El Cerrito); Cortland Boozé (Richmond), Sherry McCoy (Hercules); Aleida Andrino-Chavez (WestCAT); Cecilia Valdez (San Pablo); Zakhary Mallett (BART); Jael Myrick (Richmond); Roy Swearingen (Pinole), Joe Wallace (AC Transit).

Staff Present: Jerry Bradshaw, Joanna Pallock, Valerie Jenkins, Linda Young; Ben Reyes, Legal Counsel;

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

1. **Call to Order and Self-Introductions – Chair Janet Abelson**
2. **Public Comment.** None

CLOSED SESSION

3. **Public Employee Appointment:** Board met in Closed Session to negotiate an employment offer with the qualified candidate for the Executive Director position.

RECONVENE TO OPEN SESSION

Director Wallace departed at 8:35

CONSENT CALENDAR

ACTION: *Director Mallett* moved to ADOPT Items 4-7; seconded by *Director Swearingen*. Passed unanimously.

4. Minutes of October 25th Board Meeting.
5. Monthly Program and Projects Status Report
6. Financial Report for September 2013.
7. Payment of Invoices over \$10,000.

DISCUSSION

8. City of San Pablo Services Agreement

ACTION: Motion made by *Director Boozé* and seconded by *Director Myrick* to adopt Option 3 of the staff report stating WCCTAC will accept the new terms of the City of San Pablo services contract, and explore options for alternative arrangements. This requires a budget adjustment of \$22,000 to cover the new costs between now and July 2014. The Board also asked staff to begin seeking options to the current office space with an emphasis on ADA compliance and access to transit.

DISCUSSION: *Mr. Jerry Bradshaw*, presented an overview of the City of San Pablo's new service contract with WCCTAC. Fees would increase from \$914 per month to \$4,459. Three options were provided for Board discussion.

Director Boozé recommended committing to a short window with the City of San Pablo and then relocating to the City of Richmond and setting up offices as well as using their Council Chambers.

Director Myrick asked if Option 3 was too complicated. *ED Bradshaw* clarified that Option 3 was the option staff recommend and that Option 2 was complicated.

Director Myrick made a motion to accept Option 3 and look around for new services between all the other WCCTAC cities.

Chair Abelson stated that there is no motion on the table. She asked to add that any facility needs to be ADA compliant. She also requested that any location be accessible to public transit. *Director Myrick* and *Director Boozé* concurred that that is essential.

ED Bradshaw explained that Option 3 does not include moving offices. Option 3 is just for financial services. Another motion would be needed.

Chair Abelson stated that what she is hearing is that the Board is seeking to look at other locations but remain at San Pablo for now.

Director Valdez said that is later in the agenda.

ED Bradshaw said it can be added now.

Chair Abelson said she is hearing members say they are interested in looking at locating services and WCCTAC in other cities.

Legal Counsel Ben Reyes stated that is correct and that this agenda item is focused on the continuation of a service agreement with the City of San Pablo but a separate agenda item at a future meeting could be created to seek Board direction on the location of WCCTAC's offices.

Mr. Reyes stated that the Board has the discretion to add that item into the item before them.

ED Bradshaw stated that the Board needs to decide to enter into a new contract with the City of San Pablo. *Chair Abelson* said the motion needs to be made in pieces but as it stands it is a motion to accept a new service agreement and look for new office space.

Director Myrick clarified the Board is okay with a deal with the City of San Pablo and that is called Option 3. *Director Boozé* agreed that he is okay with that motion. *Director Myrick* seconded his motion.

Director Chavez asked if there is a need to make a budget adjustment of \$22,000. *ED Bradshaw* said with the changes would require a budget adjustment to take it to June 30, 2014. The action for a budget adjustment would come in January with the actual agreement.

Director Valdez stated that Option 3 is a simple motion and allows WCCTAC to search for options.

Director McCoy asked if the City of San Pablo is amenable to a month-to-month contract. *ED Bradshaw* stated there is a 60-day clause in any contract WCCTAC Board signs. *Director McCoy* followed up with a request to *Mr. Sessions* from the City of San Pablo Finance Department. *Mr. Sessions* stated that the termination clauses will remain the same. He stated that the City Manager created the letter to encourage a decision and costs are based on a fair share portion.

Director Boozé asked if there were a different rate from another city, would San Pablo negotiate. *Mr. Sessions* stated that the rate is based on capacity of staffing availability and the extra work by City staff requires overtime.

Director McCoy asked to have WCCTAC staff begin pursuing other options sooner than later and not wait for the new ED. She stated that the service contract is a significant increase and we need to take action soon since WCCTAC is a small agency and cannot continue on this basis for too long. *ED Bradshaw* stated he already is pursuing options. *Director McCoy* asked to have information at the January Board meeting. *ED Bradshaw* said he will do his best.

Director Mallet had questions for *Mr. Sessions*. He asked if WCCTAC could be evaluated per people or by department. *ED Bradshaw* explained the formula and process used. WCCTAC is about 3.5% of the total FTEs at the City. *Mr. Sessions* stated that he read in the contract that WCCTAC is treated as a department of the City.

Director Mallet asked if there would be a decrease in costs to the City if WCCTAC left. *Mr. Sessions* said yes but he does not have an exact measure to show what the costs are. He stated there are a lot of services that go into supporting WCCTAC and a per-unit cost is not possible to create.

Director Swearingen stated that the costs should have been done sooner. He stated that the City of San Pablo's estimate is a poor estimate. He was concerned with accepting the amount proposed that has not been adequately analyzed and defined. He asked if WCCTAC had time to work on this. *ED Bradshaw* stated that the costs will be \$4,459 and this will be what is used in the new agreement.

Director Valdez stated that the services were under market rate and that this amount is final. Changes came from CalPERS and the City goals are changing. City staff has developed this and has no objections to Option 3.

El Cerrito City Councilmember Greg Lyman addressed the Board to encourage WCCTAC to pursue office space that is ADA compliant. He also asked to appropriate the amount in Option 3 and move it forward while looking for alternatives.

8b. Termination of Municipal Pooling Authority Insurance Coverage and Benefits.

ACTION: *Director McCoy* moved and *Director Mallet* seconded to accept staff's recommendation to begin looking for options to the MPA's insurance and benefits package. Passed unanimously.

DISCUSSION: *ED Bradshaw* presented this item, related to 8a, resulting in changes to WCCTAC's insurance coverage as well as employee non-health/dental coverage that up until now had been provided through a joint agency pooling group known as the Municipal Pooling Agency (MPA). The City of San Pablo will no longer carry WCCTAC as an agency under MPA and MPA will not accept WCCTAC as a stand-alone agency.

9. Proposed 2014 Board and TAC Meeting Schedule.

ACTION: *Director Mallet* moved and *Director McCoy* seconded. Passed unanimously.

DISCUSSION: *Executive Director Jerry Bradshaw* explained that the draft calendar schedule has changed in January, with a recommendation to move the Board meeting to the fifth Friday. Also to avoid Memorial Day weekend in May, the Board meeting will be on a fifth Friday.

10. Employment Agreement – Interim Executive Director

ACTION: *Director Myrick* moved to approve and *Director Boozé* seconded. Passed unanimously.

DISCUSSION: *ED Bradshaw* explained due to a PERS conflict, it is necessary for his employment to move from a 3rd party agreement, thus becoming a WCCTAC employee. Costs would remain the same for WCCTAC.

STANDING ITEMS

11. Correspondence/Other Information

- a. **Incoming**
- b. **Outgoing**
- c. **Workshops/Conferences/Events – no upcoming events**
- d. **Summary and Minutes of recent Technical Advisory Committee meetings**
- e. **Acronym List**

12. Board and Staff Comments

- Board Member Comments, Conference/Meeting Reports (AB 1234 Requirement), and Announcements
- Report of CCTA Representatives (*Directors Abelson & Butt*)

Chair Abelson reviewed Measure J activity in West County in 2013. She stated that there were projects in every west county jurisdiction and summarized by saying it has been a good year with the CCTA team.

- Executive Director's Report:

13. Other Business

14. Adjourn.

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- Executive Director's Report:

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14. Adjourn.
