

**West Contra Costa Transportation Advisory Committee  
Meeting Minutes: December 7, 2012**

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

**Staff Present:** Christina Atienza, Valerie Jenkins, Linda Young; Ben Reyes, Legal Counsel; Hisham Noeimi (CCTA); Jerry Bradshaw (F.J. Kennedy Project Management)

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

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1. **Call to Order and Self-Introductions.** *Chair Janet Abelson* called the meeting to order at 8:06 a.m. and asked everyone to introduce themselves.
2. **Public Comment.** None.
3. **Recognition of Departing Directors**

**ACTION:** Chair Abelson presented a Certificate of Appreciation to Vice-Chair Bill Wilkins (Hercules) and indicated that the certificates for Jeff Ritterman (Richmond) and Leonard McNeil (San Pablo Alternate) will be forwarded to them. The Chair then presented departing Executive Director Christina Atienza with a certificate of appreciation for her contribution to WCCTAC as Executive Director since September 2008.

4. **Election: (a) WCCTAC Chair, (b) WCCTAC Vice-Chair, (c) CCTA Representative (odd-year term), (d) CCTA Alternate(s).**

**ACTION:** (a) WCCTAC Chair - The *WCCTAC Executive Director* called for nominations for WCCTAC Chair, *Director Wallace* nominated Janet Abelson to be the WCCTAC Chair, seconded by *Director Butt*; and passed unanimously. (b) Vice-Chair nomination - *Chair Abelson* suggested that due to the rotation of responsibilities it would be advisable to wait to determine who Hercules appoints to the WCCTAC Board before nominating a Vice-Chair, the committee unanimously concurred. (c) CCTA Representative (odd-year term) – *Director Wallace* nominated Tom Butt to be the CCTA Representative as the odd-year term, seconded by *Director Gioia*. Point of note the CCTA Representative term begins January 31, 2013. (d) CCTA Alternate(s) – *Chair Abelson* once again indicated that due to the pending appointments of various jurisdictions it would be prudent to postpone the CCTA Alternate nominations until the January, 2013 WCCTAC Board meeting. The WCCTAC Board unanimously concurred. Point of note, *Director Calloway* indicated that she would be able to attend the December

2012 CCTA meeting but needed to confirm her alternate's attendance at the January meeting (the alternate is *Director Swearingen*).

### **CONSENT CALENDAR**

**ACTION:** *Director Gioia* made a motion to APPROVE the Consent Calendar Items #5-7 and Items #9-12; with the removal of Item #8 for discussion (per *Chair Abelson's* request); Seconded by *Director Wallace* and passed unanimously.

5. **Minutes and Summary of September 28 Board Meeting, Minutes of September 13 TAC Meeting**
6. **Monthly Program and Projects Status Report**
7. **Financial Reports for September 2012 through October 2012**
8. **Pulled, see item below**
9. **Appointments to CCTA's Technical Coordinating Committee**
10. **No-Cost, Time Extension for Pinole Bay Trail Gap Closure Project**
11. **WCCUSD's Proposed FY 12-13 Budget for Student Bus Pass Program Administration**
12. **Transportation Demand Management Program:**
  - a. **FY 12-13 Master Cooperative Agreement with CCTA No. 17W.13**
  - b. **Amendment No. 4 to Funding Agreement with Air District for Purchase of Bicycle Racks and Lockers**
  - c. **Notice of New Regional Commuter Benefit Requirement**
  - d. **Contingency Plan for Employee Retirement During Transition**

### **Proposed 2013 Board and TAC Meeting Schedule – Item #8 pulled from Consent Calendar**

**ACTION:** *Director Gioia* made a motion that the WCCTAC Board meeting in September, 2013 be moved to Friday, September 20, 2013; and, to move the WCCTAC Board of Directors meeting start time to 7:30 am. *Director Wallace* seconded the motion, the decision was unanimous.

**DISCUSSION:** *Chair Abelson* noted that the proposed WCCTAC Board meeting schedule conflicts with the League of California Cities September 27, 2013 meeting date. *Director Gioia* noted that the WCCTAC Board meeting starting time of 8:00 am conflicts with other meetings, travel time and responsibilities, several other Board Members also indicated conflicts with the 8:00 am start time. *Director Gioia* asked that this issue be reviewed on the January, 2013 agenda to determine if additional conflicts exist.

### **REGULAR AGENDA ITEMS - None**

**MAJOR DISCUSSION ITEMS**

**13. Retention of Interim Executive Director**

**ACTION:** *Director Gioia* made a motion to authorize the Chair to Execute a Professional Service Contract with Kennedy and Associates for Retention of Jerry Bradshaw as Interim Executive Director; seconded by *Director Wallace* and approved unanimously.

**DISCUSSION:** Executive Director, *Ms. Atienza* reported on the findings of the Board Ad Hoc Committee recommendations for the retention of the Interim Executive Director; she indicated the Ad Hoc Committee reviewed four candidates for the position and interviewed two candidates. It was a unanimous decision of the committee to recommend Mr. Jerry Bradshaw (Kennedy & Associates) to act as Interim Executive Director for a six-month period of January 1 to June 30, 2013. Mr. Bradshaw has recently retired from the City of El Cerrito, has extensive knowledge of the WCCTAC area and has worked with several of the WCCTAC Board members and with the WCCTAC staff on several projects. Mr. Bradshaw indicated that he had not prepared a statement but he was looking forward to working with the WCCTAC Board and Staff.

**14. Update on Status of PERS Negotiations**

**ACTION:** *Chair Abelson* approved the process to convene the SPECIAL Board of Directors Meeting to review the Memorandum of Understanding (MOU) for PERS-Related Retirement and Medical Benefits.

*Director Butt* made a motion to approve the MOU with the notation that the MOU term should be JULY 1, 2011 THROUGH JUNE 30, 2013; and include legal wording which indicates that the benefits spelled out in the MOU are not vested rights. Seconded by *Director Gioia* and passed unanimously.

**DISCUSSION:** WCCTAC has initiated the process of contracting with the California Public Employees Retirement System (PERS); *Executive Director Atienza* provided an update to the process, and called the Board's attention to the attachment to the Board Packet noted as pages S2-1 through S2-10. The MOU dated prior to January 1, 2013 is required by PERS to continue the negotiations.

*Directors Butt and Gioia* asked for legal counsel confirmation that the process was granted through a MOU process and not a resolution; and that the MOU could be for a period of time through June 30, 2013. *Directors Butt and Gioia* also asked that the language of the MOU spell out the fact that this MOU does not preclude the WCCTAC Board from negotiating new benefit levels (i.e. employees pay a larger portion of the employee retirement cost). Legal Counsel indicated that the MOU date of operation would be July 1, 2011 through June 30, 2013 and that the benefit levels were not a vested right.

Directors Gioia and Wallace left the meeting; at this point Chair Abelson indicated that the meeting had lost its quorum and she declared the meeting adjourned at 8:40 am.

Chair Abelson indicated that interested parties should contact the Executive Director on any other issues pertaining to the December 7, 2012 WCCTAC Board of Directors Agenda.