

**Summary Minutes  
TRANSPAC – March 9, 2006**

**ATTENDANCE:**

**Elected Officials:** Julie Pierce, Clayton, CCTA Representative, TRANSPAC Vice-Chair; Bill Shinn, Concord, TRANSPAC Chair; Mark Ross, Martinez; Charlie Abrams, Walnut Creek, CCTA Representative. Absent: Mary N. Piepho, Contra Costa County [Excused]; David Durant, Pleasant Hill [Excused].

**Planning Commissioners:** Joe Odrzywolski, Clayton; Bill Brumley, Concord; Donnie Snyder, Contra Costa County; David Mascaró, Pleasant Hill; Robert Simmons, Walnut Creek. Vacant Seat: Martinez.

**Staff:** John Templeton, Concord; Hillary Heard, Contra Costa County, Martin Engelmann, CCTA; Cindy Dahlgren, CCCTA; Richard Pearson, Martinez; Steve Kersevan, Pleasant Hill; John Hall, Walnut Creek; Cindy Church, BART; Lynn Osborn, 511ContraCosta Program Manager; Barbara Neustadter, Julia Fuller, TRANSPAC staff.

**Public:** Doug Sibley, CCTA CAC.

**Meeting convened with a quorum by Chair Shinn at 9:00 a.m.**

**1. Convene meeting: Pledge of Allegiance/Self-Introductions - completed**

**2. Public Comment**

Chair Shinn read into the record a letter from Phyllis Roff, which stated: "Dear Chair Bill and Colleagues: May I wish all of you an upcoming Happy St. Patrick's Day? I bet that Day will be honored on March 9 by your having appropriate goodies. I envy you the goodies and the camaraderie. Many issues are before us on Local, State and National scenes particularly. I am sorry to say you won't see my opinions in print for at least 30 days. The Times' limit is silencing, except for a monthly Saturday Forum and Walnut Creek Journal which few of you see. However, I have been active on the W.C. library proposal with letters to the Editor and personal notes to some officials. I hate to see the funding decision be delayed until the June ballot with its outcome for a State measure. The Republican party-state and federal seems to mirror the Democrats in their inability to bridge the gap within the party. What I hope is that Democrats get it together nationally so we can put checks and balances back as a part of our democracy again. It seems to me that we have come perilously close to anarchy or at least dictatorship in recent situations. It puzzles me how many people live in this information age and yet remain abysmally ignorant of the principles on which this nation was founded. The way this letter has turned out, I presume you wish I didn't have to wait so long to write to an Editor. Power to the people as soon as they become educated. (Signed), Phyllis

**CONSENT AGENDA: Pierce/Abrams/unanimous**

**3. Approved February 9, 2006 TRANSPAC meeting minutes**

**END CONSENT AGENDA**

**4. Presentation/Discussion by Arielle Bourgart, Director, Government and Community Relations, Contra Costa Transportation Authority on Legislation under Consideration in Sacramento**

The March 10 deadline for a June ballot measure is upon us. Ms. Bourgart reviewed discussions in Sacramento regarding the ballot measures. Ms. Bourgart also gave an update on the latest developments on the Proposition 42 "fix" which may impact transportation's

financial future.

General information was included in the packet: 2/23/06 Smith, Watts Company Memo on a 2/22/06 Capitol press conference on the Infrastructure/Bond package; news articles from the Contra Costa Times (2/27/06 Op Ed "Infrastructure plan doesn't fly", 2/27/06 "Poll finds majority support school, transportation taxes", 2/26/06 "Parties still split on bonds"); San Francisco Chronicle (2/23/06 "Pain of transportation tops [Bay Area] council poll again, Infrastructure plans by state's leaders called a good thing"); Sacramento Bee (2/27/06 Dan Walters column: "Highway program moves even closer to pork barrel politics"; 2/27/06 "Deadline looms for bond measure"; 2/15/06 "Republicans tie looser regulations to Schwarzenegger's bond plan"; 2/14/06 Dan Walters column, "Infrastructure visions will be put to political test this week"; 2/14/06 Daniel Weintraub column, "Perata on public works: I am in the driver's seat").

Ms. Bourgart discussed the need for the State Legislature to agree on a package for infrastructure funding. There are a number of bond proposals put forward by the Administration and members of the Legislature in an effort to fund the infrastructure around the state. The task at hand is to take various proposals to create something salable to the Legislature, palatable to the Governor and which will be approved by the electorate.

She has discovered that information becomes almost obsolete between the time she prepares the Authority packet and the day of the meeting. E-mails and faxes are constantly coming in. The good news for us is that any information that the Authority wishes to see considered as part of this discussion is usually considered because of McCleary's close contacts in Sacramento. Final versions of the measure seem to reflect at least a majority of the points that CCTA considers important because of McCleary's impact in Sacramento.

The latest version of the proposal is expected to be acted on this afternoon. Senator Perata noted in his speech in Oakland that he intends to jam the Assembly to put all the pressure on he can to ensure that something workable comes out of these deliberations. There is a genuine interest on all sides to come up with something in time for the June ballot and as the election gets closer, the long drawn out fight impacts this discussion.

It seems that it is in everyone's interest to find a solution now. The parties all agree that infrastructure of the State of California is not in good shape and needs a cash infusion. The bond measure that the Senate will be considering and a whole package of legislation boils down to an endless talk about the money. Right now it's a \$47B bond measure. Originally the Governor had proposed \$68B. The plan is to offer five bonds over ten years. The \$47B will be proposed over two election cycles: \$37B in 2006 consisting of \$11B for education, \$2B for housing, \$8.6B for highways, \$5B for transit, \$9B for levees and \$1.4B for parks. At this time she doesn't have more details for the allocations.

Abrams asked about a rumor he heard that \$3.5B would be allocated for high speed rail. Ms. Bourgart responded that the high speed rail lobby is trying to get \$1B in the transit funding. She's heard numerous numbers associated with that. The Administration has some interest in postponing the whole subject.

Of the total \$13.6B for transportation, one scenario is to allocate \$1B to STIP, \$1B for SHOPP, \$2.4B for air quality improvement projects, \$4B+ for state-wide projects of interregional significance. The way the funds are currently allocated makes it difficult for the state to provide

something for huge highway programs that fall between and among the various regions. The Authority has interjected a principle for consideration to use some of the funds allocated to oversize and jumbo projects for lack of a better title. It is expected that there will be a \$1B reward funding for those counties that have transportation sales taxes. There is \$3B for transit with some focus on rail which may be what Abrams heard was designated for high speed rail. There are also funds for rehabilitation and new starts and an urban rail category. This is the breakdown from yesterday and is still subject to change on a momentary basis.

The new jumbo projects category criteria will provide the legislature with facts so it will have better information up front. Caltrans has developed statewide projects based on its criteria and presented a draft list. Caltrans' intention is to further develop the criteria for the projects and put together a final list. That approach did not play well on any level throughout the state. That allocations process is not the way it's going to happen. Funds that are not specifically allocated will go to STIP which has its own process. There will be a bottom up process that should fit into the jumbo projects category. This has been another area where the Authority and other local transportation agencies have been able to make a mark on this process.

The second ballot measure in 2008 will have \$10B for education. Ms. Bourgart didn't have any of the details for that funding.

The Authority and other self help county transportation agencies have made a case that the Proposition 42 fix needs to be incorporated in this process. There are indications from the Assembly Speaker that the Legislature is not that eager to give up redirecting Prop 42 funds to the General Fund. It seems to be shaping up to be a deal breaker but at this point all we can do is wait to see what happens.

What is expected to happen before the end of today is that the Senate will vote and adjourn. The Assembly won't get the Senate version of the bill before the end of today so the Assembly will meet no sooner than Monday. There are outstanding issues and side trips that have to be discussed. Republican members who want to see enhancements for project delivery want to see a design- build sequencing process written into this package including public private partnerships, HOT lanes, etc. That discussion will probably take place subsequent to language being developed for the bond issue. Once the Measure comes out of the Assembly it will go to the Governor.

Neustadter asked if the Caldecott 4<sup>th</sup> bore and 680/4 Interchange might be considered as part of the jumbo category and Ms. Bourgart responded that this was the inspiration behind the Authority's push to develop that kind of a project. Southern California has projects of a similar configuration, like the Caldecott, that would never get enough funding without this approach.

Ms. Bourgart reported that there is a Superior Court case in process which addresses how far public agencies can go to educate the public before their efforts are labeled "campaigning" which is forbidden by the Hatch Act. CCTA was extraordinarily conservative during the Measure J campaign and tried to be very straightforward in providing information in a manner that couldn't be confused by the public as campaigning. There is a problem when a public agency conducts a campaign and calls it an educational process.

Abrams said that the real danger is what will happen in the last hour leading up to the vote in the Senate and Assembly. His concern is that is when the pork barrel types of projects get

included in the bill in the last minutes before the vote.

Ms. Bourgart said she would be reading all the information she can access over the weekend to see what has changed. She will be happy to provide any information to members of TRANSPAC as soon as she receives it.

It depends on who you ask when you try to discover who is in the driver's seat on this legislation. Right now it looks like Perata is in the driver's seat and can deliver the Senate. He reportedly said yesterday at the Oakland Chamber of Commerce meeting that he doesn't care what happens after this and that gives him a certain amount of power to push as hard as he can. That is his strength right now.

**ACTION: Abrams/Snyder/unanimous**

**Accepted report with thanks to Ms. Bourgart for the informative update.**

**5. TRANSPAC and CCTA Representatives' reports.** The minutes of the January 18, 2006 CCTA meeting were attached for information.

Congratulations to Charlie Abrams on his election to Vice Chair of the CCTA. Fortunately next year when we are knee deep in Measure J we should have able assistance from the top.

a. Administration and Projects Committee meeting

Member Pierce reported that the Administration and Projects Committee will meet tomorrow so there is no report since the last TRANSPAC meeting. Pierce noted that there were discussions at the last meeting about money to be allocated from future funds. CCTA doesn't have a process for this yet and the Committee will be discussing the process for program funding. The thrust is to get ready for 2009 so the preparation can be done and CCTA can move in the proper direction as soon as that money actually comes in.

b. Planning Committee meeting

Member Abrams reported that the Planning Committee met last week and discussed the county's regional bike and pedestrian program. The Committee also approved a recommendation for three projects that will be funded in Contra Costa. Another item was the status of the Urban Limit Line process and there was a discussion on the environmental assessment. Another issue dealt with the MTC draft report which proposes a set of policies and accommodations for bicyclists and pedestrians. It sets up committees to make sure pedestrian/transit/sidewalk are all included in this list of comments from cities. The CCTA staff encouraged toning this down in order to avoid building another bureaucracy that slows down projects. Most of the questions raised are already answered in the process. The draft will be revised and come back over the next few months.

Neustadter had copies of the City of Concord's letter to the County on the ULL which was received too late to go into the packet.

**Reports Received; No Action Taken**

**6. 2005/06 Conditions of Compliance**

This document is prepared by the TRANSPAC Manager and the TRANSPAC TDM

Program Manager for local jurisdiction use in completing Growth Management Compliance Checklists which are required by CCTA for jurisdictions to receive Local Street and Road Maintenance funds. The Conditions of Compliance document is based on TRANSPAC's adopted 2000 Action Plan for Routes of Regional Significance. TRANSPAC has always operated on the premise that TRANSPAC jurisdictions are all in this together. As a result, all jurisdictions are responsible for the regional actions in the Plan and TRANSPAC staff tracks regional actions. Updates are also included on the individual Routes of Regional Significance to the extent known. The document may be customized by a jurisdiction to reflect any additional individual actions.

The document provides a perspective of activities that have been done in the TRANSPAC area. Pierce said it occurred to her that it might be advantageous to look at the whole selection process again for Routes of Regional Significance, especially Marsh Creek Road, Bailey Road and Clayton Road. Templeton said he thought this might be a process to think about as Concord goes through the reuse plan for the Naval Base, however right now Concord doesn't see an advantage for doing that at this time. Pierce wanted to examine the pros and cons of whether or not this would provide a political or funding advantage.

Neustadter said there are no advantages to arterial projects in this funding process. In Measure J there is some money for arterials. The first issue is how to approach project development activities surrounding those arterial projects in order to end up in a back-up position for the \$300M bond that will be issued in 2009. If arterials are not included, there is a possibility for the proposed \$150M bond in 2012. Pierce asked if it would give us political leverage in discussions with East County over Bailey Road. Templeton said it took away some leverage in getting mitigations identified if it is a Route of Regional Significance. This might apply to Clayton and Marsh Creek Road as well.

Engelmann summarized the Measure C definition of a Regional Route. If issues on the route are up to one city, it should be a basic non-regional route. If the traffic congestion is up to two or more jurisdictions then the issues should be solved in TRANSPAC. There were four criteria at the time to make an evaluation: 1) road connects two or more "regions" of the County; 2) road crosses county boundaries; 3) road carries a significant amount of through-traffic, and 4) the road provides access to a regional highway or transit facility. The county went through this process at a time when if a route is not designated a Route of Regional Significance then it is subjected to LOS standards which are linked to land use in 2009. Those standards for local streets will evaporate along with performance standards for police, fire and flood roads that are on the cusp as a result of Measure J. Standards won't exist unless the city in which the route lies continues to hold those standards in the General Plan. The city has that option but the standards won't be mandated.

Engelmann said it would be prudent to do a cursory check to see whether these segments are in the Metropolitan Transportation System (MTS). MTC drew lines to include segments in the MTS system such as Mt. Diablo Road in Orinda and Moraga Way. It would make more sense if all of the MTS routes were Routes of Regional Significance but right now some of them aren't.

Neustadter said there are a couple of perspectives on the table and perhaps we should think about using some of the future Measure J money to look at the whole arterial and freeway issues relative to the Action Plan. Shinn said, being a new guy, that it might be good to re-think some of these issues, especially if there might be a political or funding advantage to do

so.

Engelmann said in some of the funding criteria there are proposed projects to help mitigate congestion on the MTS that peripherally make it pretty easy to say it's a parallel route. Neustadter said this has been a long standing argument whether or not Regional Route designation in MTS assists in obtaining funding. It is supposedly so, but she has yet to see that happen. From that perspective it is not something that we need to be concerned about right now.

## **Reports Received; No Action Taken**

### **7. Updated TRANSPAC Acronym Decoder Ring - Information Only**

Now infamous in some circles, the TRANSPAC Acronym Decoder Ring was originally developed in 1993 at the request of Robert Kendall, the City of Clayton's TRANSPAC Representative to assist Central County elected officials in learning "transportationese" and to provide clues to understanding staff reports both written and oral. In the words of Bill McManigal, the document is offered "in the spirit in which it was created – to better understand our mission as well as what our staffs are talking about. We hope that you find it useful and even a little entertaining." The document is updated on an erratic basis and is available online at [www.transpac.us](http://www.transpac.us). It was expanded to include some aviation terms thanks to our recent briefing on Buchanan Field.

### **8. Reports from Staff Committees - Accepted**

**a) Update on I-680/SR 4 Park and Ride Lot now re-named "Pacheco Transit Center".** A second review of the conceptual layout of the Park and Ride Lot was held on February 9, 2006 and additional changes were made. As a result, a new set of drawings was prepared and a review meeting held on February 23, 2006. Refinements and additional information were added to the conceptual layout and next steps in the project development process identified. TRANSPAC will receive a briefing on the progress of project development at its April meeting.

CCCTA staff has determined that there is a shortfall in the financial plan for this project due to the skyrocketing cost of concrete and asphalt. It was anticipated that TRANSPAC would be asked to support a request to CCTA for Measure C funding to cover an estimated \$450,000 shortfall in the project budget. However, as Neustadter explained at the meeting, this amount needs to be increased by \$100K in order to cover the environmental clearance including additional noise and air quality modeling for the new project. There are categories in Measure C where such funding exists but TRANSPAC's action is required for approval.

Neustadter distributed two layouts for the Transit Hub. Phase One shows the configuration for the near term and Phase two will accommodate future construction of slip ramps at I-680/SR4. Unfortunately, throughout the course of the development of the Hub the consulting engineer made a number of discoveries. In short, the project will cost more than was originally thought.

Abrams was surprised at how small the project has gotten over time. There are 150 parking spaces planned. Neustadter responded that there are currently about 50 spaces and in the grand scheme of things, long term, there is the opportunity to get more spaces once Caltrans' leaseholders leave which will allow for a tripling of the number of parking spaces. Abrams questioned the plan. He asked if it is planned to eventually be part of the Express Bus Plan. Dahlgren said this location was identified as a big gap for facilitation of express bus service. Martinez is a destination for all of the transit agencies because of all the county facilities.

Abrams hoped the facility would be a whole lot bigger in the future. Ross added that it would be a good location for casual carpooling availability.

Neustadter noted that TRANSPLAN and WCCTAC joined TRANSPAC in approving the allocation of remainder TFCA funds to this project and that is being used for project development. Those three areas all have bus service that would come in to serve this facility. In April, TRANSPAC will receive a more detailed presentation.

**ACTION: Ross/Snyder/unanimous**

**Approved request to CCTA for \$550,000 for the Pacheco Transit Center project.**

**b) Caltrans DBE Program.** A letter included in the packet explained an opportunity to comment on possible changes to the State's DBE program requirements based on a recent decision of the Ninth Circuit Court of Appeals.

**9. Correspondence/Copies/Newsclips/Information - Accepted**

**Correspondence:** 2/24/06 "i-stops", solar powered bus stops, information from Sacramento Regional Transit forwarded by Robert Simmons, Walnut Creek Planning Commissioner; 2/22/06 TRANSPAC Status letter from Chair Abrams to the CCTA Chair; Items approved by the Authority on February 16, 2006 for Circulation to the Regional Transportation Planning Committees (RTPCs) and items of interest; 2/15/06 City of Concord's comment letter on the Draft EIR for the City of Pittsburg's Sky Ranch II Residential Subdivision; 1/30/06 WCCTAC Status letter from Vice Chair Maria T. Viramontes to Bob McCleary, CCTA Executive Director; County Connection, November 2005 and December 2005 Fixed Route Reports; January 2006 CCTA Project Status Report.

**Newsclips:** California Chapter of the American Planning Association: January/February 2006 "12 Myths About Downtown"; Planning Commissioners Journal: "Ten Successes That Shaped the 20th Century American City"; LA Times: "Taking the rapid out of transit" Harris Poll: 2/8/06 "Americans Would Like to See a Larger Share of Passengers and Freight Going by Rail in Future"; S.F. Chronicle: 2/28/06 "YOUR COMMUTE IS SHRINKING"; 2/28/06 John King column, "In the Bay Area, bad traffic's part of the landscape"; 2/27/06 "Cost of housing among area's top woes"; 2/27/06 "Groundbreaking for Caltrain bike parking"; 2/24/06 "Ferry Godmother, After a big quake, water travel may save the day – and lives"; Bizarro, "Parking in New York City"; Oakland Tribune: "FasTrak users want to know...where does all the money go?"; Contra Costa Times: 2/27/06 Editorial "Ferry service challenge"; 2/27/06 "Work is just a 90-minute walk away"; 2/19/06 Lisa Vorderbrueggen column "Local officials attack transit plan"; Queen of the Road columns, 2/19/06 "New Benicia-Martinez Bridge, from inside out, 2/05/06 "Commuters stick with mass transit", 2/8/06 Editorial "Let the bill languish"; Washington Post: 2/14/06 Hybrid Perks May Become Problems.

Steve Kersevan announced that this will be his last TRANSPAC meeting because he has accepted a job as Traffic Engineer for the City of Brentwood starting April 3<sup>rd</sup>. Steve Wallace will be attending the TRANSPAC and TAC meetings until Kersevan's replacement is hired. Everyone wished him well in his new endeavor.

**10. Adjournment.** Chair Shinn asked if there was anything for the Good of the Order. None was received and the meeting was adjourned at 9:52a.m. The next TRANSPAC meeting is scheduled for April 13, 2006.