



CONTRA COSTA  
transportation  
authority

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COMMISSIONERS: *Maria Viramontes, Chair*     *Robert Taylor, Vice Chair*     *Janet Abelson*     *Newell Arnerich*     *Ed Baltco*  
*Susan Bonilla*     *David Durant*     *Federal Glover*     *Michael Kee*     *Mike Metcalf*     *Julie Pierce*

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TO:            Barbara Neustadter, TRANSPAC            Christina Atienza, WCCTAC  
                  Andy Dillard, SWAT                         Lisa Bobadilla, TVTC  
                  John Cunningham, TRANSPLAN            Calvin Wong, LPMC/SWAT (TAC)

FROM:        Robert K. McCleary, Executive Director

DATE:        April 17, 2009

SUBJECT:    **Items approved by the Authority on April 15, 2009, for circulation to the Regional Transportation Planning Committees (RTPCs), and items of interest**

At its April 15, 2009 meeting, the Authority discussed the following items, which may be of interest to the Regional Transportation Planning Committees:

- 1. Award of Construction Contract No. 258 for the Union Pacific Railroad Team Track (trans-loading) Facility Project.** *The contract was awarded to the William G. McCullough Co.*
- 2. Letter of Support for the eBART Project.** *On April 23, 2009, the BART board will consider adoption of the Environmental Impact Report (EIR). The Authority approved sending a letter of support for the eBART project.*
- 3. State Route 24 - Caldecott Tunnel Improvement Project (Project No. 1698).** *The California Transportation Commission (CTC) has approved \$92.7 million in American Recovery and Reinvestment Act (ARRA) funds for the project, likely clearing the way to advertise for bids.*
- 4. Update on ARRA Funding for Local Streets and Roads.** *As a result of anticipated changes to State ARRA allocations, MTC has identified \$3.43 million in additional funding available to Contra Costa. Per APC direction on January 28<sup>th</sup>, the funds would be distributed by formula to all twenty local jurisdictions. The Authority approved the supplemental allocation.*
- 5. Status of Local Compliance with the Measure J Urban Limit Line (ULL) Requirement.** *According to the information recently obtained by staff, all 20 local jurisdictions in Contra Costa have fulfilled the requirement of the Measure J Growth Management Program (GMP) to adopt a voter-approved ULL. Contra Costa County, San Ramon, Pittsburg, and Antioch have each adopted a "Local ULL." The remaining jurisdictions have adopted the "County ULL." Authority Ordinance 06-04 clarifies the procedure for adopting either type of ULL. The information received indicates that as of the start of Measure J on April 1, 2009, all local jurisdictions have complied with the ULL requirement of the Measure J GMP. This information could be used for the allocation of FY 08-09 Local Street Maintenance and Improvement funds. The Authority conceptually supported this approach.*

6. **Legislation.** Discussion of AB 744 (Torrico), proposed Bay Area HOT lanes network, in the context of Authority-approved principles. *The Authority adopted a support if amended position, emphasizing the bill must be revised to address issues of (1) Partnership, (2) Dollars stay in corridor, (3) Transit is key, and (4) Priorities for implementation. A special Authority meeting will be held on April 23<sup>rd</sup> at 6:00 p.m. to review the status of discussions with MTC.*
  
7. **Proposed Transportation Authority Economic Stimulus Through Accelerated Payment of Local Streets and Roads Funds.** Existing Authority policy provides that local jurisdictions submit a Growth Management Compliance Checklist covering two consecutive calendar years. Once approved, a jurisdiction then receives its share of the 18 percent of funds allocated for local streets and roads maintenance from the first of two fiscal years from which compliance funds are drawn. Funds from the second fiscal year are disbursed one year after the disbursement of the first-year funds. The delay was intended to be an incentive for jurisdictions to submit their checklists in a timely way. *The Authority approved the acceleration of payments.*



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17 April 2009

COMMISSIONERS:

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*Robert Taylor,  
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*Michael Kee*

*Mike Metcalf*

*Julie Pierce*

Hon. Scott Haggerty, Chairman  
Metropolitan Transportation Commission  
101 Eighth Street  
Oakland, CA 94607-4700

RE: Authority Position on AB 744 (Torrico), Regional Express Toll Lanes Network:  
Support if Amended

Dear Chairman Haggerty:

At the Authority meeting of April 15, 2009, the Authority considered its position on this bill and decided to take a "support if amended" position. Our discussion focused on how to achieve the desired outcomes of enhanced corridor management, efficiency and effectiveness, including improving opportunities for those using carpools, vanpools, and buses. Within that context, our members are conceptually supportive of the express toll lanes concept where it can be shown to provide significantly enhanced benefits to corridor travelers, particularly those using carpools, vanpools, and buses, while respecting the interests of local communities and providing environmental benefits. Any degradation of services to those using carpools, vanpools, or buses, or to the local or regional environment, should be avoided.

The specific amendments we believe are essential fall within the four policy objectives adopted by the Commission's Planning Committee on April 10, 2009, as set out below.

- **Partnership.** The Authority believes that MTC, the Bay Area congestion management agencies (CMAs), and Caltrans should be engaged in a true partnership for management of the Bay Area's travel corridors. Where benefits can be shown, such management can include HOT lanes. The partnership should be constructed in the same manner as has been utilized so successfully with the local sales tax projects, where decision-making is shared. AB 744, as currently proposed, does not go far enough to establish such a partnership. The Santa Clara Valley Transportation Authority (VTA) has offered conceptual recommendations which we believe are essential, whereby the CMAs would define corridors, establish corridor working groups, approve the Corridor Improvement Plan (CIP) for each corridor (subject to final approval or rejection by the Bay Area Toll Authority), and ensure that the CIP includes phasing plans for development and deployment, financing plans, toll operations plan and a corridor re-investment plan for projects and services benefitting the corridor. We also believe that the legislation should include a more transparent and explicit strategic planning process consistent with sales tax agency strategic planning, to enhance openness, collaboration, a clear assessment of investment alternatives based on available cash flow and bonding, and accountability. An enhanced public process can allow a clear discussion of trade-offs and help set realistic expectations for what can be accomplished.

*Robert K. McCleary  
Executive Director*

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Hon. Scott Haggerty

April 17, 2009

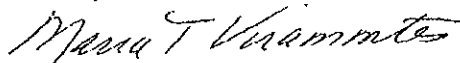
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- **Dollars Stay in Corridor.** The Authority understands and believes that toll lanes gain public acceptability by returning significant investments from the fees collected to benefit travelers in the corridor where the funds are collected. VTA has offered a recommendation that 95 percent of the revenue net of bond funding and operating costs for the corridor be returned to the corridor. Up to 5 percent could, under some circumstances, be applied for start-up activities of the Bay Area Network, which we can accept. This provision is essential to reassure travelers in a corridor that the tolls are fees providing them some benefit.
- **Transit Is Key.** The Authority recognizes it is difficult to determine, in advance, both the levels of net revenue that might flow from corridors or specific project segments, and the competing demands on that funding. Therefore, we propose the legislation explicitly recognize that converting a high occupancy vehicle (HOV) lane to a high occupancy toll (HOT) lane should, at a minimum, "do no harm"; i.e., not degrade the utilization of carpools, vanpools or bus transit. When net revenues are available, the top priority should be investment in transit capital needs and enhancement of transit services. Such commitment should be at least 50 percent of those net revenues.
- **Priorities for Implementation.** The Authority believes that the bill, as currently proposed, does not go far enough to identify criteria that will be applied to determine if an express toll lane will benefit corridor management, and how it will be constructed. We believe the legislation should state such investment will proceed only if objective analysis can demonstrate all of the following: (a) a proposed project will provide significant benefits to the traveling public, including to the local communities through which it runs; (b) the environmental and equity impacts of the project, both locally and regionally, can and will be reasonably mitigated; (c) the project will reduce emissions of air quality contaminants and greenhouse gases; (d) the project does not cause operational or safety impacts on the state highway or adjacent local streets and roads; and (e) if significant right of way or community impacts would be present, the consent of the local community has been given. To answer these questions, both full environmental review and additional detailed, technical studies will be needed.

We also note that, on the I-80 corridor, ICM project will be completed first, and its compatibility with the proposed HOT lanes needs to be carefully assessed.

We appreciate your consideration of our views, and look forward to working with you to make AB 744 a true partnership endeavor between, MTC, the CMAAs, Caltrans and the CHP to enhance management and mobility of the Bay Area's transportation system.

Sincerely,



Maria T. Viramontes  
Chairperson

c.c. Authority Members  
MTC Commissioners  
Steve Heminger  
Andrew Fremier  
Bay Area CMA Directors



**SUMMARY MINUTES**  
**March 18, 2009**

**Commissioners Present:** Janet Abelson, Newell Arnerich, Ed Balico, Michael Kee, Mike Metcalf, Julie Pierce, Bob Taylor, Maria Viramontes

**Commissioners Absent:** Susan Bonilla, David Durant

**Alternates Present:** Dave Hudson for Ed Balico, Gayle Uilkema for Susan Bonilla

**Ex-Officios Present:** Joel Keller, Mike Shimansky

**Staff Present:** Bob McCleary, Arielle Bourgart, Martin Engelmann, Paul Maxwell, Susan Miller, Amin AbuAmara, Brad Beck, Randall Carlton, Erick Cheung, Peter Engel, Jack Hall, Hisham Noeimi, Stan Taylor (Authority Counsel), Danice Rosenbohm (Executive Secretary)

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- A. **CONVENE MEETING:** *Chair Viramontes* convened the meeting at 6:01 p.m.
- B. **PLEDGE OF ALLEGIANCE:**
- C. **PUBLIC COMMENT:**  
*There were no public comments on items not on the Agenda.*
- D. **PUBLIC HEARING:** The Authority will hold a public hearing to receive comments on the Draft 2009 Countywide Comprehensive Transportation Plan (CTP), and the Draft Environmental Impact Report (DEIR) for the 2009 CTP. Members of the public are invited to comment on the Draft 2009 CTP and DEIR. Members of the public who wish to address the Authority should fill out a speaker card and submit it to Authority staff. Comments received at this Public Hearing will be forwarded to the Authority for consideration along with the input received at the Regional Transportation Planning Committees, as well as correspondence from local jurisdictions and other interested parties. (See Agenda Item 3.B.5)

**STAFF REPORT:** Martin Engelmann, Deputy Executive Director for Planning, stated that the Authority had authorized release of the Draft 2009 Countywide Comprehensive Transportation Plan (CTP) at its January 21<sup>st</sup> meeting, and that the CTP was subsequently issued with the Draft Environmental Impact Report (DEIR) on February 18<sup>th</sup>. Mr. Engelmann said that comments were due by April 6<sup>th</sup>.

Mr. Engelmann highlighted the list of corrections and additions, which were distributed as a meeting handout. He said that one of the most significant corrections involved the deletion of the Stone Valley Road/Danville Boulevard Intersection improvements, a project the citizens of Alamo opposed. He said that the project was taken out of the Tri Valley Plan long ago and should not have appeared in the Countywide Plan. Mr. Engelmann said that staff was seeking authorization to release the list of corrections and additions to the Plan.

Mr. Engelmann stated that the public outreach process was progressing well through the utilization of all available forums, including the Authority's website and by e-mail. He said that staff were available to present the Plan to jurisdiction councils, and that hard copies of both the Plan and the EIR could be obtained upon request.

*Chair Viramontes* opened the Public Hearing.

Roger Smith, Executive Vice President of the Alamo Improvement Association, stated that he supported Mr. Engelmann's comments to remove the Stone Valley Road/Danville Boulevard Intersection Improvements project from the CTP. He read a letter sent by the Alamo Improvement Association dated March 16, 2009 to Mr. Engelmann, a copy of which was provided for the record.

There were no other Public Comments. *Chair Viramontes* closed the Public Hearing at 6:11 p.m.

1. **APPROVAL OF MINUTES:** Authority Minutes of February 18, 2009.

**ACTION:** *Commissioner Pierce* moved to approve the Minutes of February 18, 2009, seconded by *Commissioner Abelson*. The motion passed unanimously, 10-0.

2. **CONSENT CALENDAR:** Consent Items recommended by the following committees:

**ACTION:** *Commissioner Taylor* moved to approve the Consent Calendar, seconded by *Commissioner Metcalf*. The motion passed unanimously, 10-0.

2.A **Administration & Projects Committee:**

2.A.1 **Monthly Project Status Report.**

2.A.2 **Monthly Expenditure Report for January 2009.** This report also includes the summary of payroll and benefits costs by organizational unit.

2.A.3 **Monthly Investment Report for January 2009.** The Authority's Investment Policy requires this report.

2.A.4 **Annual Acknowledgement of Respect in the Workplace Policy.** The Authority has an administrative policy to provide a work environment that encourages respect and freedom from harassment and discrimination. Employees and Commissioners are required to review this policy and sign an acknowledgement on an annual basis.

2.A.5 **Route 4 (w) Gap Closure Project (Project 1501) – Amendment No. 13 to Contract #87 with Contra Costa County for Right of Way Services (Project 1501).** Staff seeks authorization to augment Agreement #87 by \$104,000 to include additional Right of Way closeout activities.

2.A.6 **State Route 4 – Loveridge Road to Somersville Road – Amendment No. 5 to Agreement #198 with Miller, Owen & Trost to provide Right of Way Services.** Miller, Owen and Trost are providing assistance in negotiations with Union Pacific Railroad relative to the spur line at Loveridge Road, which will be removed.

2.A.7 **Conference Room Audio/Video Equipment – Award Contract #257 to World of Sound & Vision.** This contract will provide for the installation of new audio and video equipment in the Authority's main

conference room. The new equipment and related scope of work will improve access and visibility to audio/video information.

- 2.A.8 Employee Travel Report.** Pursuant to the Authority's travel policy, all staff travel out of state is approved by the Executive Director and reported to the Board. In January, the Chief Deputy Executive Director of Projects attended the Transportation Research Board annual meeting in Washington D.C. The conference addressed transportation, energy and climate change. Expenses to attend the conference, including registration, travel, lodging, and food totaled \$1,773.
- 2.A.9 Legislation.** Staff will report on developments concerning the state budget, economic stimulus packages and follow up legislation. The Authority may take action on these subjects or on any other matter related to the Authority's legislative objectives.
- 2.A.11 Federal Transportation Reauthorization – Potential for Federal Earmarks.** In December the Authority recommended that Contra Costa develop priorities for a short list of high priority projects that could be candidates for a federal earmark in the federal transportation reauthorization bill anticipated later in 2009. The Authority has received project lists from the regional committees and staff has identified four projects that align well with state and local priorities.
- 2.1 NEW ITEM: State Route 4 (e) Widening Project – Somersville Road to SR160 (Project 1407/3001) – Amendment No. 1 to Consultant Agreement No. 211 with Harris & Associates for Additional Services.** The Route 4 Somersville Road to Route 160 project team has collaborated with the City of Antioch to enhance the future aesthetics of the corridor. The enhanced aesthetics include custom designed patterns for retaining walls and bridges. In order to implement the program, ten large molds must be created. Surface Strategy LLC, the panel designer, is currently a sub-consultant under the Harris & Associates Agreement, No. 211. In February, the Authority approved entering directly into an agreement with Surface Strategy LLC. Upon further discussion with Authority legal counsel, staff is now recommending this work be covered as an amendment to the Harris & Associates contract rather than as a sole source contract with Surface Strategy LLC.
- 2.B Planning Committee:**
- 2.B.1 Approval of the City of Lafayette's Calendar Year 2006 & 2007 Growth Management Program (GMP) Compliance Checklist.** The City of Lafayette has submitted its Calendar Years 2006 & 2007 Growth Management Program Compliance Checklist for allocation of Measure C Local Street Maintenance and Improvement (LSM & I) Funds. An allocation of \$386,677 in FY 07-08 LSM & I funds will be paid out, following Authority approval of the GMP Compliance Checklist.
- 2.B.2 Approval of the Fourth Quarter FY 2008-09 (First Quarter Measure J) Allocation for the Countywide Transportation for Seniors and People with Disabilities.** The Paratransit Coordinating Council is requesting that Measure J funds be allocated to existing Measure C recipients for the last quarter of FY 2008-09 to reduce the impact of the economic downturn on paratransit operators. The allocation percentage would be 2.97% of sales tax revenues and be distributed to paratransit operators using the most recent Measure C formula. This item was approved by the Authority in concept in February. **Resolution No. 09-09-G.**
- 2.B.3 Citizens Advisory Committee (CAC) At-Large Membership Appointment.** The CAC requests that the Authority take the following actions regarding At-Large CAC membership: 1) Rescind the appointment of Guillermo Briceno, California League of United Latin American Citizens, due to poor attendance; and 2) Appoint Marylou Laubscher, Area Agency on Aging. The CAC took action to request this proposed change on January 28, 2009.

- 2.B.4 Letter of Support for the City of Pleasant Hill's Caltrans Transportation Planning Grant Application for the Contra Costa Boulevard Corridor Concept Report.** City of Pleasant Hill staff has requested that the Authority transmit a letter of support for a \$218,000 grant application. The project would conceptually evaluate corridor improvement strategies for Contra Costa Boulevard, including improved traffic flow, visual aesthetics, landscaping, access, and walkability. Staff recommends support.
- 2.B.7 Approval of Multiple Cooperative Agreements with Eligible Recipients of Measure J Program Funding.** The Measure J Expenditure Plan identifies several bus operators, paratransit operators and other agencies that are eligible to receive Measure J funding from one or more of the Measure's program categories. Approval will authorize the Authority to enter into Cooperative Agreements with these agencies to manage the allocation of funds.
- 2.B.8 Approval of the Fourth Quarter FY 2008-09 (First Quarter Measure J) Allocation for the Countywide Bus Services Program (Program 14).** The Measure J Expenditure Plan establishes the Bus Service Program (Program 14) funding at 5% of sales tax revenues. The annual allocation for the countywide Bus Services Program is developed collaboratively with representatives of the affected bus transit operators in Contra Costa: AC Transit, County Connection, Tri Delta Transit, and WestCAT. Program funds are intended to continue to support services funded under Measure C. **Resolution No. 09-05-G.**
- 2.B.9 Approval of the Fourth Quarter FY 2008-09 (First Quarter Measure J) Allocation for the Express Bus Program (Program 16).** The Measure J Expenditure Plan establishes the Express Bus Program (Program 16) funding at 4.3% of sales tax revenues. The allocation for the countywide Express Bus Program is developed collaboratively with representatives of the affected bus transit operators in Contra Costa: AC Transit, County Connection, Tri Delta Transit, and WestCAT. This allocation is primarily focused on maintaining existing eligible express bus services which the operators have identified for possible service reductions due to funding shortfalls. Annual Bus Transit allocations are based on revised projected sales tax revenues for FY 2008-09. **Resolution No. 09-08-G.**
- 2.B.10 Approval of FY 2009-10 Transportation Fund for Clean Air (TFCA) 40% Expenditure Plan and Measure J Commute Alternatives Allocation for the Fourth Quarter of FY 2008-09.** In order to receive funding through the Transportation Fund for Clean Air (TFCA) Program, the Authority is required to submit an Expenditure Plan to the Bay Area Air Quality Management District (BAAQMD) annually. TFCA funds are allocated by the BAAQMD, per state legislation, to fund local programs and projects that reduce motor vehicle emissions. This year's application is due to the Air District by March 31, 2009. In addition, it has been the Authority's policy to augment these funds with an annual allocation of Measure C Carpool funds to the four RTPCs, to cover costs associated with the implementation of the TFCA program that are not eligible for TFCA funds. It is anticipated that this practice will continue as part of Measure J through the Measure J Commute Alternatives program (Program 17). **Resolution Nos. 09-10-G and 09-11-G.**
- 2.2 NEW ITEM: Letter of Support for WCCTAC's Application for a Caltrans Statewide Transit Planning Studies Grant to Develop a West Contra Costa Transit Investment Strategic Plan.** WCCTAC staff has requested that the Authority provide a letter of support for a \$250,000 grant application from the California Department of Transportation. The project would be to develop a strategic plan for transit and related investments in West Contra Costa County, including prioritizing transit enhancements, integrating transit with planned land uses, improving connectivity of transit centers, and increasing attractiveness of transit facilities. Applications are due on March 27, 2009. Staff recommends support.



## End of Consent Calendar

### 3.0 MAJOR DISCUSSION ITEMS:

- 3.1 **Presentation from Fehr & Peers: "Smart Growth and Climate Impact Evaluation in the SB 375 Era"**. California's climate-change laws AB 32 and SB 375 impose new requirements on regional transportation planning. Fehr & Peers worked on Contra Costa's 2003 "Shaping Our Future" project, and with the Executive Director on the CTC's 2007 update of RTP modeling guidelines. Its staff also serves on the State's greenhouse gas emissions Regional Targets Advisory Committee. Authority staff asked them to provide insights from their work in Sacramento, the Bay Area and elsewhere on strategies to reduce emissions from vehicle trips and miles of travel through the "5Ds" -- development density, diversity, design, destination accessibility and distance from transit.

Bob McCleary introduced Jerry Walters and Julie Morgan, with Fehr & Peers. He thanked them for their work in preparing transportation modeling guidelines as part of the statewide effort for the California Transportation Commission, and said that Mr. Walters was now working on SB 375 modeling issues.

Mr. Walters said that in addition to improved technology and more stringent fuel content regulations, there would still be a gap in meeting CO2 reduction targets which could be addressed primarily through land use changes and aggressive transportation strategies.

Mr. Walters stated that changing demographics, fuel price surges, and the limited availability of large lot residential property (over 5,000 square feet) were factors influencing a change in development patterns and travel choices. He said that beginning in approximately 2006 there had been a dramatic increase in smaller lot development, and that surveys indicated people living in more compact residential areas were more likely to use transit, resulting in a twenty to forty percent reduction in their vehicle miles traveled relative to overall averages. Mr. Walters said that ways of better managing the transportation system and ITS technology would improve CO2 levels.

Mr. Walters outlined factors with quantifiable effects on CO2 which were studied, and described how the elasticities (the sensitivity to changes in transit ridership attributable to factors such as density of development, transit service frequency) were calculated. (The "demand elasticities" were derived from comprehensive studies of BART usage and other sources.) He explained that changing the mix of housing, jobs, and retail could produce a change in transit ridership and vehicle miles traveled.

Mr. Walters stated that the comprehensive studies assessing TOD impact on transit ridership, trade-offs between parking and TOD, and similar analyses were being used by BART in determining an appropriate level of transit oriented development in Walnut Creek. He said that ways to promote reverse and shorter distance commuting were being explored.

*Commissioner Pierce* said that some of the slides and statistics were very difficult to interpret.

*Commissioner Arnerich* stated that he was concerned about the validity of the statistics, and urged caution in using BART as the model for smart growth, since BART available capacity from the East Bay to San Francisco was limited and already heavily utilized. Mr. Walters responded that the material presented should be viewed as perspective on current usage, and that its application for projections of future transit demand would be closely scrutinized and deliberated.

*Chair Viramontes* commented that increasing density near BART stations and creating jobs near these locations was imperative.

Mr. Walters said that one of the conclusions of Shaping our Future was that it was possible to increase

growth by 8-11 percent in more dense configurations, and that up to a 6-7 percent reduction in vehicle miles traveled could be achieved through such actions. He said that Contra Costa was already doing a good job with its Growth Management Program and the Urban Limit Line, and that there was not much room for improvement. Mr. Walters stated that the SB 375/AB 32 goals were statewide, and that most of the burden would fall on areas experiencing more significant growth.

*Alternate Uilkema* asked what the ideal development plan would look like. Mr. Walters stated that if a 5-10 percent reduction in vehicle miles traveled was the objective throughout the county, then the levels (of focused, more dense development) considered in Shaping our Future should be sufficient to achieve the desired results. He noted that in addition to transit-oriented development, changing urban design characteristics would also be beneficial.

*Commissioner Pierce* stated that Contra Costa had already done far more that was envisioned in Shaping Our Future. She said that she was concerned that the Sustainable Communities Strategy would require extraordinary measures that may not be possible.

*Alternate Hudson* commented that Contra Costa would be trying to meet a 10 percent reduction in the 31 percent of greenhouse gases attributable to small trucks and cars (achieving only 3% of the overall target); this should be viewed as only one component of a jurisdiction's Action Plan.

*Commissioner Arnerich* asked Mr. Walters to make a recommendation to the Authority. Mr. Walters responded that if the transportation plan and land use strategies were congruent, then creating the best possible balance of transportation modes was the solution.

- 3.B.5 PUBLIC HEARING: Status of the Draft 2009 Countywide Comprehensive Transportation Plan (CTP) and DEIR.** At its January 21<sup>st</sup> meeting, the Authority authorized release of the Draft CTP to all interested parties. The Draft CTP and Draft Environmental Impact Report (DEIR) were subsequently published on February 18, 2009. Comments are due by 5:00 p.m. on April 6, 2009. Staff will brief the Authority on current status of the Draft CTP, the public outreach effort, upcoming meetings, and proposed corrections and additions to the Draft document.

*(Note: This item handled during the Public Hearing – See Agenda Item D)*

- 3.B.6 Continued Discussion and Review of the Joint Policy Committee's Proposed Policies for the Bay Area's Implementation of Senate Bill 375.** On January 23, 2009, JPC staff released a draft set of policies to guide the Bay Area's regional agencies through implementation of SB 375. Policy recommendations include: (1) Setting aggressive targets for Greenhouse Gas (GHG) emissions reductions for the Bay Area; (2) Developing a land use-transportation model that improves analyst's ability to assess impacts of land use decisions on GHG emissions; (3) Commit to the development of a realistic and attainable Sustainable Communities Strategy (SCS), leaving the Alternative Planning Strategy (APS) only as a last resort; (4-6) Integrate, coordinate, and facilitate the process through the Partnership to arrive at a consensus SCS no later than June 2010; and (7) Starting immediately, allow for all regional policies affecting land use and transportation infrastructure to be vetted through the JPC, and filtered against the emerging SCS. Staff has prepared, per Authority direction, a draft letter on these proposed policies to forward to the March 20 JPC meeting.

**ACTION:** *Commissioner Arnerich* moved to accept the draft letter to MTC's Joint Policy Committee incorporating comments outlined, seconded by *Alternate Hudson*. The motion passed 9-1, with the "no" vote by *Commissioner Abelson*.

#### **STAFF REPORT:**

Bob McCleary outlined changes made at the direction of the Planning Committee to the draft letter to Ted Droettboom, staff of the MTC/ABAG/Air District/BCDC Joint Policy Committee, regarding the proposed JPC Policies. He highlighted two differences between the draft letter and WCCTAC's letter to the JPC: (1) The Authority draft took a more moderate approach to setting GHG emissions reduction targets, in order to reduce exposure to litigation (Policy #1); and (2) added a recommendation to form a partnership with the Congestion Management Agencies and local land use jurisdictions, working collaboratively through the CMAs to develop a Sustainable Communities Strategy (Policy #3).

*Chair Viramontes* thanked the Planning Committee for its work on the draft letter.

*Commissioner Metcalf* commented that he appreciated the example regarding transit ridership forecasts, in reference to Policy #1, and suggested that a similar example be included for Policy #2. In response to *Commissioner Metcalf's* suggestion, Mr. McCleary cited the BART ridership projections for the San Francisco airport extension. Because projected ridership was well above actual on the overall San Mateo extension, a dispute arose regarding whether BART or SAMTRANS was responsible for defraying a deficit in operating subsidies. Another example he provided: the near collapse of the international banking system based on mathematical models that proved inadequate when a default in Russian bonds occurred that was not anticipated.

*Representative Keller* stated that BART ridership to SFO had approached (if not surpassed) ridership numbers modeled in the EIR, which could have been attained sooner had it not been for the downturn in the economy as a result of the ".com" bust.

*Alternate Hudson* said that involving the CMAs was a good approach. He stated that he was troubled by road pricing and charging tolls. Mr. McCleary responded that the draft letter did include a recommendation that the JPC not advocate for a specific policy such as road pricing without further analysis and collaboration.

*Commissioner Pierce* stated that WCCTAC's letter was very well written.

*Chair Viramontes* said that a response to MTC by the entire county was needed.

*Mr. McCleary* said that he had reviewed a draft letter to the JPC from the CMA Directors, and it raised many of the same concerns as those in the Authority's draft letter.

#### **4.0 REGULAR AGENDA ITEMS:**

##### **4.A Administration & Projects Committee**

- 4.A.9 Legislation.** Staff will present proposed principles for legislation regarding future High-Occupancy Toll (HOT) lanes in the Bay Area for discussion and potential action. The Authority may take action on this subject or on any other matter related to the Authority's legislative objectives.

**ACTION:** *Commissioner Abelson* moved to support the overarching considerations and principles as presented by staff, seconded by *Commissioner Pierce*. The motion passed unanimously, 10-0.

##### **STAFF REPORT:**

Bob McCleary stated that AB 477 (Torrico) had been introduced on MTC's behalf for a regional HOT lanes network. He said that MTC staff has indicated that MTC intends to move forward with the network bill, whether or not individual CMAs support it.

Mr. McCleary outlined the overarching considerations and principles for Authority approval. He stressed the importance of a partnership with and support of the Congestion Management Agencies as a

prerequisite for implementation of a HOT lane in a county, and suggested implementation of a three year HOT Lanes demonstration project followed by an independent review. Mr. McCleary said that MTC's anticipated roles would include toll collection, signs, branding, marketing and customer service, and facilitating coordination of the CMAs, Caltrans, and the CHP.

Mr. McCleary said it was important to remain involved in the process, and that the Authority's representatives should not be isolated from other MTC commissioners.

*Commissioner Abelson* agreed that it was important for the Authority to weigh in on the county's destiny relative to this issue. She stated that the considerations and principles were well written and that she would support them.

*Chair Viramontes* stated that she had talked with Senator Mark DeSaulnier (who had opted not to carry the HOT lanes legislation) regarding funding for transit, and that he had difficulty accepting the concept of pay roads with no contributions to transit. She said that the HOT lanes network might not generate the anticipated revenue and could possibly only fund the network.

*Commissioner Pierce* suggested that only transit be addressed in Principle #8c as the top priority for the use of revenues generated from HOT lanes, and that the other items be included in a separate principle. She said that instead of funding HOT lanes, more investments should be directed to transit, and putting more transit into existing HOV lanes.

**4.A.10 FY 2008-09 Mid-Year Budget Adjustment.** Each year the Authority considers mid-year amendments to the budget based on updated revenues and expenditures for the fiscal year. Several revisions are recommended for the FY 2008-09 budget. **Resolution No. 08-03-A (rev. 1).**

**ACTION:** *Commissioner Arnerich* moved to approve the proposed budget revisions, seconded by *Commissioner Abelson*. The motion passed unanimously, 10-0.

**STAFF REPORT:**

Erick Cheung, Management Analyst, stated that the mortgage crisis and financial crisis had evolved into a recession. He mentioned unemployment for the county had risen to 9.0 percent from 5.3 percent a year ago, and said that many jurisdictions were facing difficult decisions, such as personnel cutbacks and reductions in services, as a result of budget cutbacks.

Mr. Cheung said that staff had revised revenue projections to \$105 million (down from \$109 million). He said that decreases in grant revenue were due to timing, and that no grants had been lost.

Sales tax revenues in the budget were revised to \$67.5 million, down from an original estimate of \$73.8 million, or a 9 percent decrease. This is due mainly to a reduction in revenues from gas stations and new auto sales. Mr. Cheung noted that the retail sector had been hard hit by the economic crisis, and that a number of local retail stores had closed.

Mr. Cheung said that the revenue projections were more conservative than ABAG estimates, which reflected a one percent decrease for calendar year 2008, and a one percent increase for calendar year 2009. He stated that the State Department of Finance estimated a statewide sales tax decrease of 7.5 percent for Fiscal Year 2008-09 from the prior year.

*Chair Viramontes* asked if the eBART, State Route 4, and Caldecott Tunnel projects would be moving forward as scheduled, and if both projects and programs had been affected by the budget adjustments. Mr. Cheung responded that the schedule for projects had only been adjusted by a few months, and that projects and programs had been proportionately reduced in the revised budget.

**4.B Planning Committee (None)**

**5.0 CORRESPONDENCE AND COMMUNICATIONS:**

**5.1 Letter from MTC dated March 2, 2009 RE: Transmittal of Response to Comments on the Draft Environmental Impact Report for the Transportation 2035 Plan.**

**5.2 Letter from WCCTAC dated February 27, 2009 RE: Comments on Draft *Transportation 2035*.**

Bob McCleary stated that MTC had not responded substantively to the Authority's comments, and that WCCTAC's letter regarding MTC's Draft Transportation 2035 Plan focused on HOT lanes.

**6.0 ASSOCIATED COMMITTEE REPORTS:**

**6.1 Central County (TRANSPAC): *Report of February 12<sup>th</sup>***

**6.2 East County (TRANSPAC): *Report of February 12<sup>th</sup> (Meeting Handout if Available)***

**6.3 Southwest County (SWAT): *Report of March 2, 2009***

**6.4 West County (WCCTAC): *Report of February 27, 2009***

**6.5 Conference of Mayors (COM):**

**6.6 Contra Costa County (COUNTY)**

**6.7 CCTA Citizen Advisory Committee (CAC)**

**7.0 COMMISSIONER AND STAFF COMMENTS:**

**7.1 Chair's Comments and Reports**

**7.2 Commissioners' Comments and Reports**

*Alternate Uilkema* requested an electronic copy of the Authority's Office Procedure #6 – the Respect in the Workplace Policy.

*Representative Shimansky* stated that County Connection would be laying off 38 drivers and 8 administrative personnel, and that it had adjusted schedules and eliminated routes due to a lack of TDA funds and budget cutbacks.

**7.3 Executive Staff Comments**

Bob McCleary said that staff wanted to take an additional month on the Strategic Plan due to a variety of factors, and that the comment period would be extended to late May. He stated that written notification would be made to the RTPCs.

**8.0 CALENDAR: April/May/June 2009**

**10.0 ADJOURNMENT to Wednesday, April 15<sup>th</sup>, at 6:00 p.m.**

The meeting was adjourned at 7:32 p.m. to April 15<sup>th</sup>, 2009, at 6:00 p.m.

Subject	Update on ARRA Funding for Local Streets and Roads
<b>Summary of Issues</b>	As a result of anticipated changes to the State ARRA allocations, MTC has identified \$3.43 million in additional funding available to Contra Costa. Per APC direction on January 28, 2009, the funds would be distributed by formula to all twenty local jurisdictions.
<b>Recommendations</b>	MTC is scheduled to approve this extra funding at its April 22, 2009 Commission meeting.  Upon MTC's approval of the extra funding, staff seeks confirmation from the Authority to approve allocating the extra ARRA funds to the current approved project list based on the formula adopted by the APC at its special meeting on January 28, 2009.
<b>Financial Implications</b>	\$3.43 million in State ARRA funds (Tier 2 funds) are expected to be available for Contra Costa's Local Streets and Roads System Preservation projects in addition to the \$17.85 million already programmed for (Tier 1 funds).
<b>Options</b>	N/A
<b>Attachments</b>	A. Summary of approved projects with Tier 1 funds and extra ARRA funds (Tier 2 funds) for each project
<b>Changes from Committee</b>	

### Background

On March 25, 2009, the Metropolitan Transportation Commission (MTC) released for review a spending proposal for the state element of the American Recovery and Reinvestment Act (ARRA). Three days later, the Governor signed into law ABX3 20, which suballocated 62.5% of the federal highway formula revenues directly to the regions including MTC. As an urgency measure, the bill became law immediately.

Based on final apportionments released by Caltrans, which includes a take-down for their administration costs, the amount available to the Bay Area is summarized in the table below.

<i>All Figures in Millions</i> <b>Bay Area Distribution</b>	<b>Amount Under ABX3 20</b>
MTC Suballocated (Already Programmed):	154.0
Added Highway Element (non-TE):	157.3
Added Transportation Enhancement (TE) Element:	9.6
<b>Total Suballocated</b>	<b>320.9</b>

Approximately 80% of the \$154 million "Already Programmed" was devoted to the Local Streets and Roads system preservation projects. Contra Costa's share of that was \$17.85 million. MTC called those funds Tier 1 funds.

As a result of final apportionments of the State ARRA funds released by Caltrans to MTC, MTC staff is recommending directing \$23.4 million out of the \$157 million "Added Highway Element (Non-TE)" to add extra funds to the Local Streets and Roads System Preservation amount in the region. Accordingly, MTC has identified \$3.43 million in additional funding available to Contra Costa. MTC is calling these funds Tier 2 funds.

At its January 21, 2009 meeting, the Authority delegated authority to the APC to approve a project list and a formula for ARRA funds distribution. The formula that was approved by the APC at its January 28, 2009 special meeting was called Option 4C. This option gave every jurisdiction a minimum of \$400,000 for a total of \$8 million. The remaining available funds would be distributed proportionally among jurisdictions based on their population and lane miles. Here is an excerpt of the minutes of the January 28, 2009 APC meeting:

*"The Committee approved the project list as submitted and directed staff to distribute an email clarifying deadlines after the meeting, 5-0, moved by Commissioner Tatzin and seconded by Commissioner Viramontes. The Committee also 1) authorized staff to adjust project funding based on option 4C formula, should Contra Costa's share of the economic stimulus funding be revised; 2) indicated that if any project fails to meet the deadlines, that the Authority would proportionally reallocate funds to other projects on the approved list."*

Staff contacted all jurisdictions to verify that they can use the extra funds on their projects without having to change the Federal Environmental Clearance (NEPA). Almost all jurisdictions indicated that they can do that. Staff needs to coordinate with Caltrans and MTC on adding these funds to the already programmed projects. Since there are no Environmental Clearance issues expected, staff anticipates no significant issues with allocating the additional funds. The attached list indicates how much each jurisdiction would add to their project. Staff seeks confirmation from the Authority on the proposed allocation of additional Local Streets and Roads System Preservation ARRA funds.

American Recovery and Reinvestment Act  
 Tier 1 LS&R System Preservation Projects & Tier 2 (Per MTC)  
 Amended into the federal TIP with Revision 09-07

#	Responsible Agency (agency to receive funds)	Project name	Project Location	Phase	Local Funding	Federal Funding (Non-Economic Recovery)	ARRA Tier 1 Funding	Other Local Funding (Tier 2 Balance)	Total Funding
1	Antioch	Antioch - Hillcrest Pavement Rehabilitation	Hillcrest Ave. from Davison Drive to Lone Tree Way	PE: ROW: CON:	\$1,507,000		\$1,293,000	\$310,000	\$3,110,000
2	Brentwood	City of Brentwood 2009 PMP - overlay - Balfour Road	Balfour Rd. - from Fairview Ave. to Highway 4 Bypass and from Highway 4 Bypass to East County Club Drive	PE: ROW: CON:	\$49,000		\$900,000	\$170,000	\$1,158,000
3	Clayton	City of Clayton, 2009 Arterial Overlay Project	Clayton Road - from El Camino Drive to East of Mitchell Canyon Road; Oakhurst Drive - Westerly City Limits to Eagle Peak Avenue	PE: ROW: CON:	\$25,000				\$579,000
4	Concord	Clayton Road Rehabilitation: Market Street to Oakland Avenue	Clayton Road from SR242 Off ramp at Market Street and ends at the BART station on Oakland Ave.	PE: ROW: CON:	\$165,000		\$514,000	\$40,000	\$1,644,000
5	Concord	Clayton Road Intersection Improvements	The Clayton Road intersections: at Ayers Road, Treat Boulevard, Alberta Way, Bailey Road, and Farm Bureau Road.	PE: ROW: CON:	\$5,000		\$1,270,000	\$0	\$1,458,000
6	Contra Costa County	Vasco Road Overlay - Segment 5 (will add segment 3 to do extra work covered under NEPA)	Vasco Road Segment 5: Between the Alameda County Line and SB truck climbing lane (3.1 miles)	PE: ROW: CON:	\$680,000		\$208,000	\$380,000	\$2,842,960
7	Danville	Diablo Road/Green Valley Road Rehabilitation	Diablo Road from Green Valley Road to Avenida Nueva; Green Valley Road from Diablo Road to Stone Valley Road	PE: ROW: CON:	\$82,960		\$2,150,000	\$610,000	\$1,072,000
8	El Cerrito	El Cerrito Pavement Rehabilitation Project	Moeser Lane from Navellier St. to Shevlin Drive; Ashbury Drive from Moeser Lane to Stockton Avenue; Seaview Drive from Colusa Avenue to Eureka Dr.; Buckingham Dr. from Arlington Blvd to Contra Costa Dr.; and King Drive from Contra Costa Dr. to Shevlin Dr.	PE: ROW: CON:	\$99,000		\$823,000	\$150,000	\$1,108,000
9	Hercules	San Pablo Avenue Pavement Rehabilitation	Overlay Segments of San Pablo Avenue from John Muir Pkwy to the City limit at Rodeo	PE: ROW: CON:			\$601,000	\$70,000	\$875,000
10	Lafayette	Lafayette Pavement Rehabilitation Project	Deer Hill Road; St. Mary's Rd.	PE: ROW: CON:	\$20,000		\$655,000	\$90,000	\$765,000
11	Martinez	Arterial Pavement Management Project	Alhambra Avenue from Buckley to 300 ft from Hwy 4, Alhambra Hills Dr to Benham, Blue Ridge to City Limits 2) Berrellesa - Buckley to Arch 3) Pacheco Blvd Court to Potter 4) Marina Visa - Escobar to Shell Ave.	PE: ROW: CON:	\$0		\$734,000	\$120,000	\$854,000
12	Moraga	Moraga Rd Pavement Resurfacing	Moraga Rd between Buckingham Dr to Draeger Dr	PE: ROW: CON:	\$30,000				\$710,000
					\$75,000		\$555,000	\$50,000	



13	Oakley	Oakley Rd Pavement Rehabilitation	Oakley Rd from 3111 Oakley Rd (western limit) to Empire Avenue (eastern limit).	PE: \$88,000 ROW: CON: \$350,000					\$981,000
14	Oakley	Delta Rd Pavement Rehabilitation	Delta Rd from SR4/Main St to Sellers Avenue	PE: \$86,000 CON: \$493,000				\$50,000	\$955,000
15	Orinda	Charles Hill Road/Honey Hill Road/Miner Road Pavement Rehabilitation	Charles Hill Road/Honey Hill Road/Miner Road.	PE: \$125,000 CON: \$469,000				\$50,000	\$834,000
16	Pinole	San Pablo Avenue at Fern/Alvarez and at Quinan Crosswalk Safety Improvements Project	San Pablo Avenue at Fern/Alvarez Ave and at Quinan	PE: \$11,000 CON: \$18,000			\$618,000	\$80,000	\$254,000
17	Pinole	Applian Way Pavement Overlay Project	Applian Way from Tara Hills Drive to San Pablo Ave	PE: \$100,000 CON: \$83,000			\$153,000	\$0	\$1,303,000
18	Pittsburg	Pittsburg Pavement Rehabilitation Project	Power Avenue from Davi Avenue to Case Drive, and California Avenue from Harbor Street to Railroad Avenue.	PE: \$183,000 CON: \$100,000		\$540,000	\$420,000	\$60,000	\$1,941,000
19	Pleasant Hill	Contra Costa Boulevard Pavement Rehabilitation Project	Contra Costa Boulevard between 2nd Avenue and Golf Club Road.	PE: \$840,000 CON: \$110,000			\$921,000	\$180,000	\$948,000
20	Richmond	Carlson Boulevard Improvements	Carlson Blvd. from Tehama Avenue to south city limits.	PE: \$0 CON: \$0			\$728,000	\$110,000	\$4,900,000
21	San Pablo	San Pablo Avenue Overlay	San Pablo Avenue, from San Pablo Dam Road to 23rd Street.	PE: \$3,327,000 CON: \$1,992,000			\$1,273,000	\$300,000	\$3,018,000
22	San Ramon	San Ramon Valley Blvd. Pavement Rehabilitation - Norris Canyon to Bollinger Canyon	San Ramon Valley Blvd. from Norris Canyon Road to Bollinger Canyon Road.	PE: \$185,500 CON: \$880,400		\$328,000	\$618,000	\$80,000	\$2,190,900
23	Walnut Creek	Civic Drive Rehabilitation - Arroyo Way to Waiden Road	Civic Drive from Arroyo Way to Waiden Road.	PE: \$80,000 CON: \$320,000			\$935,000	\$190,000	\$1,845,000
							\$1,175,000	\$270,000	