

# **Transportation Partnership and Cooperation Meeting Notice and Agenda THURSDAY, JULY 10, 2014**

**9:00 A.M. to 11:30 A.M.**

Pleasant Hill City Hall – Community Room  
100 Gregory Lane, Pleasant Hill

**TRANSPAC reserves the right to take formal action on any item included on this agenda, whether or not a form of resolution, motion, or other indication that action will be taken is included on the agenda or attachments thereto.**

- 1. Convene Meeting/Pledge of Allegiance/Self-Introductions**
- 2. Public Comment:** At this time, the public is welcome to address TRANSPAC on any item not on this agenda. Please complete a speaker card and hand it to a member of the staff. Please begin by stating your name and address and indicate whether you are speaking for yourself or an organization. Please keep your comments brief. In fairness to others, please avoid repeating comments.

**3. Approval of June 12, 2014 TRANSPAC Meeting Minutes**

**ACTION: Approve minutes and/or as revised/determined.**

**Attachment:** June 12, 2014 TRANSPAC minutes

**4. Presentation by Peter Engel on the Financial Feasibility of Contra Costa County Ferry Service 2015-2024 prepared for CCTA by Economic & Planning Systems**

This Report presents a financial feasibility analysis of the four direct ferry service lines that are being considered for Contra Costa County: Richmond, Hercules, Martinez, and Antioch. In addition, the Report also evaluates the feasibility of the combined, or interlined, routes of Antioch/Martinez, Martinez/Hercules and Antioch/Martinez/Hercules. The purpose is to understand the magnitude of potential operating efficiencies, as well as changes to the ridership projections. The Contra Costa Transportation Authority (CCTA) commissioned EPS to prepare this Report, in cooperation with the Water Emergency Transportation Authority (WETA).

**ACTION: With thanks to Mr. Engel accept report and/or as determined.**

**Electronic Link:** Financial Feasibility of Contra Costa County Ferry Service 2015-2024  
<http://ccta.net/resources/detail/45/1/53a87c424d21b.pdf>

**5. Proposal by Ray Kuzbari to Establish a Cooperative Agreement to Distribute Central County Measure J Line 28a Funds**

At its meeting on June 12, 2014, TRANSPAC approved the TAC recommendation regarding the distribution of Central County Measure J Line 28a funds as an annual stream of funds similar to the 18% return-to-source funds for Local Streets Maintenance & Improvements (LSMI) and the 2.09% Line 23 funds for Additional LSMI.

To implement this proposal, CCTA staff has drafted a Cooperative Agreement for consideration by the TRANSPAC jurisdictions. The agreement is identical to the Cooperative Agreement that was recently executed by the SWAT jurisdictions for distribution of Line 28 funds as an annual stream of funds.

Feedback on the proposed Cooperative Agreement by TRANSPAC jurisdictions must be provided to Hisham Noeimi at CCTA no later than Monday, July 21, 2014, in order to be able to take the agreement to the APC on September 4, and to the Board on September 17, 2014.

**ACTION: Accept proposal request with TRANSPAC jurisdictions to review and provide comments on proposal to CCTA by July 21, 2014 and/or as determined.**

**Attachment:** Cooperative Agreement No. 28C.02

**6. 511 Contra Costa Staff and TRANSPAC Report:**

**A. 511 Contra Costa Report**

**Attachment:** Bay Area Commuter Benefits Program (provided by Chair Ross)

**B. TRANSPAC Report: Oral Update on JPA Actions**

**ACTION: Accept report(s) and/or as determined.**

**7. TRANSPAC CCTA Representative Reports:** Reports on the most recent CCTA Administration and Projects Committee (Member Pierce), Planning Committee (Member Durant), and the CCTA Board meeting (Members Pierce and Durant).

**ACTION: Accept report(s) and/or as determined.**

**8. CCTA Executive Director's Report regarding Authority Actions/Discussion Items**

**Attachment:** Executive Director's Report dated June 18, 2014.

**9. Items Approved by the Authority for Circulation to the Regional Transportation Planning Committees (RTPCs) and Related Items of Interest**

**Attachment:** Letter to RTPCs from Randell H. Iwasaki dated June 24, 2014 regarding items approved by the Authority on June 18, 2014.

**10. TAC Oral Reports by Jurisdiction:** Reports from Concord, Clayton, Martinez, Pleasant Hill, Walnut Creek, and Contra Costa County, if available.

**ACTION: Accept report and/or as determined.**

**11. Agency and Committee Reports if available:**

- TRANSPAC June 12, 2014 status letter to Randall Iwasaki, CCTA
- TRANSPLAN
- SWAT
- WCCTAC
- County Connection – Fixed Route and LINK reports may be downloaded at:  
<http://cccta.org/public-meetings/agendas/os-june-2014>
- CCTA Project Status Report may be downloaded at: <http://transpac.us/wp-content/uploads/2008/08/CCTA-Project-Status-Report.pdf>
- CCTA Board Agenda for June 18, 2014 meeting may be downloaded at:  
[http://ccta.granicus.com/GeneratedAgendaViewer.php?view\\_id=1&event\\_id=36](http://ccta.granicus.com/GeneratedAgendaViewer.php?view_id=1&event_id=36)
- CCTA Administration & Projects Committee Agenda for July 3, 2014 meeting may be downloaded at:  
[http://ccta.granicus.com/GeneratedAgendaViewer.php?view\\_id=1&event\\_id=169](http://ccta.granicus.com/GeneratedAgendaViewer.php?view_id=1&event_id=169)
- CCTA Planning Committee Agenda for July 2, 2014 meeting may be downloaded at:  
[http://ccta.granicus.com/GeneratedAgendaViewer.php?view\\_id=1&event\\_id=36](http://ccta.granicus.com/GeneratedAgendaViewer.php?view_id=1&event_id=36)

**ACTION: Accept reports and/or as determined.**

**12. For the Good of the Order**

- 13. Adjourn/Next Meeting. The next meeting is scheduled for September 11, 2014 at 9:00 A.M. in the Community Room at Pleasant Hill City Hall unless otherwise determined.**

TRS July 10, 2014

## ***TRANSPAC Meeting Summary Minutes***

**MEETING DATE:** June 12, 2014

**ELECTED OFFICIALS PRESENT:** Mark Ross, Martinez (Chair); Julie Pierce, Clayton, CCTA Representative; Loella Haskew, Walnut Creek; Ron Leone, Concord; Karen Mitchoff, Contra Costa County; and Jack Weir, Pleasant Hill

**PLANNING COMMISSIONERS PRESENT:** John Mercurio, Concord; Bob Pickett, Walnut Creek; and Diana Vavrek, Pleasant Hill

**STAFF PRESENT:** Eric Hu, Pleasant Hill; Ray Kuzbari, Concord; Jeremy Lochirco, Walnut Creek; Charlie Mullen, Clayton; Lynn Overcashier, 511 Contra Costa; Jamar Stamps, Contra Costa County; and Barbara Neustadter, TRANSPAC Manager

**GUESTS/PRESENTERS:** Chadi Chazbeck, HNTB

**MINUTES PREPARED BY:** Anita Tucci-Smith

### **1. Convene Meeting/Pledge of Allegiance/Self Introductions**

The meeting was convened at 9:00 A.M. by Chair Mark Ross, and the Pledge of Allegiance was observed.

### **2. Public Comment**

There were no comments from the public.

### **CONSENT AGENDA**

### **3. Approval of May 8, 2014 TRANSPAC Minutes**

**On motion by Director Pierce, seconded by Director Haskew to adopt the Consent Agenda, as shown, carried by the following vote:**

<b>Ayes:</b>	<b>Haskew, Leone, Mercurio, Mitchoff, Pickett, Pierce, Vavrek, Weir, Ross</b>
<b>Noes:</b>	<b>None</b>
<b>Abstain:</b>	<b>None</b>
<b>Absent:</b>	<b>Stewart</b>

### **END OF CONSENT AGENDA**



**4. A Proposal to Distribute Central County Measure J Line 28a Funds Presented by Ray Kuzbari, City of Concord Transportation Manager**

TRANSPAC Manager Barbara Neustadter referred to the text included on the agenda to identify the TRANSPAC Transportation Advisory Committee (TAC) discussion of ways to distribute Central County Measure J Line 28a funds. Line 28a funds stipulated that *TRANSPAC will propose programming funds for any project or program identified in the Expenditure Plan, and to meet other future transportation needs of Central County eligible under the provisions of the Act.* She explained that Line 28a funds are not specifically allocated to any given project in Measure J but are available for jurisdictions to use.

Ray Kuzbari explained that the City of Pleasant Hill had identified a need for emergency funds to be able to proceed to construction on a CIP project for Contra Costa Boulevard improvements, and the TRANSPAC TAC had indicated at that time, as had TRANSPAC, that it was a great idea to support the project and Pleasant Hill had been approved to receive \$750,000 from the Line 28a account. Also at that time, it had been stipulated that TRANSPAC needed to discuss a policy for Line 28a funds and the TAC had started the conversation in January but had been sidetracked by the Central County Action Plan. Now that the Action Plan had been completed, the TAC had revived the discussion about a potential policy for Line 28a and he had offered a proposal for TAC consideration last month. The premise of the proposal was that currently \$1.55 million was sitting in the Line 28a account and each year Measure J revenue added approximately \$600,000 into the account; the accrual depended upon actual revenues.

Mr. Kuzbari proposed the use of the account as an augmentation to return to source Measure J funds given that in Concord, and probably in other cities, there were unfunded maintenance liabilities where funds were needed as matching funds to be able to pursue federal grants. The idea was to shift from the traditional thinking of project specific programming and use the funds as a regular stream of funds to augment the return to source stream of funding. He had contacted Contra Costa Transportation Authority (CCTA) staff and had asked whether the proposal would be in conflict with Measure J and had been told it was not, and in fact, the Southwest Area Transportation Committee (SWAT) had done the same thing.

Mr. Kuzbari explained that he had submitted that proposal to the TAC and referred to a spreadsheet he had prepared entitled *Proposed Distribution of Measure J Program 28(a) Funds to Local Jurisdictions*, which had been included in the TRANSPAC packets. He advised that the distribution of funds for 2014 to 2017 on the spreadsheet had been based on the population and was the same distribution used for return to source funds as well as the 2.09 percent additional Measure J funds to local jurisdictions for Local Street Maintenance (LSM) and Improvements. For Pleasant Hill, the plan showed zero dollars in 2015, 2016, and 2017 because Pleasant Hill had received \$750,000 in 2014. He stated that Pleasant Hill's proportionate share was about 11 percent based on population and road miles, and while the TAC and TRANSPAC had been happy to approve the \$750,000 given the emergency need in Pleasant Hill's case, it was 200 percent over Pleasant Hill's proportionate share, which was why the distribution was showing zero dollars for Pleasant Hill. The idea was that Pleasant Hill would start collecting funds as soon as the rest of the jurisdictions caught up to its distribution. He added that he had shown a stream of funds to 2017 only because a replacement of Measure J was anticipated.

Mr. Kuzbari stated the idea behind the proposal was for TRANSPAC to use Line 28a funds as an augmentation to return to source without a timeline until TRANSPAC decided to do something else with the funds in the future. The intent was to let the cities exercise discretion as to how to use the money for programs or projects as long as they were transportation related.

Diana Vavrek clarified that the proposal was for transportation related projects and those expenditures would not be subject to the Compliance Checklist. She had concern that there would be no accountability with the proposed distribution method and while it allowed the local jurisdictions to make a decision, it was a countywide sales tax initiative and there should be some accounting for that money.

Mr. Kuzbari explained that there was a precedent for the 2.09 percent, an obligation for return to source without being subject to the Compliance Checklist, and when he had discussed the issue with CCTA staff in terms of accountability, he had been advised that a report would have to be submitted in September of each year to identify how the money would be used. He reiterated that the CCTA was comfortable with the plan which SWAT had also used.

Director Haskew noted that as a Councilperson for Walnut Creek she wanted to have as much money as possible for transportation projects, but as an area-wide representative, she asked why the accumulation of a pot of money might not be preferable to be able to take on a big project similar to what had been done by Pleasant Hill.

Ms. Vavrek agreed and stated in the past TRANSPAC had the opportunity to focus on larger projects and even though a project was located in one jurisdiction it benefitted other areas as well.

Mr. Kuzbari noted that jurisdictions were trying to come out of the recession which was the intent of the return to source. For the time being, he stated that cities, including Concord, were struggling financially and while he was all for funding great regional projects, there were other sources of funds available to do that. If there was an opportunity to address the many deferred maintenance liabilities, he suggested that should be pursued. He stated that only a small pot of money was available and the jurisdictions needed all the help they could get, and added that there were a number of streets that were dangerous to drive because of all the potholes, sagging points in the pavement, and subsurface failed areas, among other issues.

Director Pierce expressed her appreciation for the report and suggested that accountability would be addressed by the required reports, the return to source money of 18 percent was subject to random audit by the CCTA, and many jurisdictions had been audited on a regular basis because they had not done as good a job of being transparent. She was not worried about the accountability aspect and suggested the point was well taken that Pleasant Hill had a considerable project that needed to be augmented and if there had been a return to source fund in the beginning the City may not have needed the help. Having funds to use for projects, programs, and operational issues as well helped. She commented that her jurisdiction would get the least funding because it was so small although \$50,000 would be very helpful to use for street repair, paving, and those kinds of projects.

Director Pierce suggested it was a great return to source and noted that the SWAT region had been talking recently about the 20 percent return to source, which was why SWAT had pursued that process and it had made a difference. She added that one of the questions on the CCTA's poll related to local streets and roads and the importance of traffic smoothing.

Director Leone agreed with the comments and Mr. Kuzbari's proposal. He suggested that the proposal would allow local jurisdictions flexibility to address transportation needs, and while only a small pot of money it would allow each jurisdiction to determine the best use of the funds and there would be accountability with the required reports. He supported the proposal.

Director Mitchoff verified that each jurisdiction would get 18 percent, and clarified that the 20 percent SWAT would get was the 18 percent plus the 2 percent from Line 28a, with the percentage driven by population and road miles in the entirety of Contra Costa County. She verified with staff that Measure J expired in 2034, and that the proposed policy would stop in 2017 since there might be an augmentation measure in 2016, which could involve a different framework.

Ms. Neustadter advised that Line 28a had originally been a holding fund. She reiterated the text of Line 28a and commented that whenever there was a major CCTA project that needed help, those that gave would receive later on. In the current term, she supported Mr. Kuzbari's proposal.

Eric Hu helped clarify the concerns. He understood that there could be a more costly project but in this case \$250,000 was helpful. He noted that usually matching requirements represented 11.47 percent, and Line 28a funds could be used to help fund a larger project so the amount could help in that capacity as well.

Director Haskew noted her understanding that Line 28a was a slush fund, a savings to be used when needed, and she suggested that staff was being asked to obligate a search for grants and things like that and there was definitely a push/pull involved.

Director Pierce explained that as a small city that got a small check, Clayton had made the decision to accumulate funds and to partner with others to be able to plan for bigger projects and allow Clayton to leverage, which had been done when a slide on Clayton Road had shut down the roadway. In that case, the return to source had been used for the matching funds for the federal grant to fund that \$5 million project, and it would be a choice each jurisdiction would have to make to be able to fund those types of projects.

**On motion by Director Mitchoff, seconded by Director Pierce to approve the TAC recommendation regarding the distribution of Central County Measure J Line 28a funds, carried by the following vote:**

<b>Ayes:</b>	<b>Haskew, Leone, Mercurio, Mitchoff, Pickett, Pierce, Vavrek, Weir, Ross</b>
<b>Noes:</b>	<b>None</b>
<b>Abstain:</b>	<b>None</b>
<b>Absent:</b>	<b>Stewart</b>

Chair Ross suggested it was not a bad idea to show that the money could be used appropriately and would be helpful in the renewal process.

TRANSPAC thanked Mr. Kuzbari for the proposal.

**5. What's Up at the Bay Area Air Quality Management District (BAAQMD) by Mark Ross, TRANSPAC Chair**

Chair Ross presented a handout entitled *Moving Forward, Expanding Our Plans and Programs* from the Bay Area Air Quality Management District (BAAQMD), and explained that he represented Contra Costa County cities on the BAAQMD Board, having been appointed by the Mayors' Conference. He explained that there were four Contra Costa County representatives on the 22-member BAAQMD Board and he had been one of those representatives for 15 years. He stated there was a lot of science involved, and the Air District had been designed for health benefits vis-à-vis through the air. As to why the Air District did what it did, he noted it involved discussion of free market constraints by regulation guided by federal and state laws and health requirements, and if not doing what it had to do highway funds would be taken away, and if not meeting federal goals money would be lost to build freeways.

Chair Ross explained that he was Chair of the Air District's Public Outreach and the handout detailed how the Air District's programs had produced substantial public health benefits and saved the region millions of dollars in health-related costs, although there were still challenges that had to be met as population, traffic, and industry continued to expand throughout the region. One of the challenges was getting the message out to where the funds were going; how regulations of the Air District were promulgated and enforced, which was important to the activists and community organizers who felt their communities were not getting a fair shake when it came to air quality; and there had to be meetings and public participation to tell people what the Air District was doing. The Air District had been very pro-active in trying to improve its relationship with community groups, the community's themselves, and residents who appealed to the Air District to address burning, for instance, on Spare the Air days. A public participation plan had been put in place in conjunction with the Air District website, which he commented was user unfriendly. To address that situation, the website was being improved to be a much better portal to the public.

For people who engaged in biking, Chair Ross referred to the Bay Area Bike Share service that had been launched last summer as the first public bike share program in the nation to start up as a regional service. He described the program, stated it had started with 600 bikes, and there were now 1,000 bikes up and down the peninsula along Caltrain's commuter rail corridor where the Metropolitan Transportation Commission (MTC) had provided the funds and the Air District was operating the system with taxpayer dollars. Ultimately, he expected that 6,000 to 10,000 bikes would be available. He noted some of the problems associated with the bike sharing program and stated it was not just getting bikes in the racks and the vending but there had to be a crew that would shuttle the bikes from point to point to make sure the bikes were available where needed. He added that the system seemed to be working, seemed to be popular, and seemed to be better than anticipated. He suggested the bike share program would work in Central County.

With respect to the Bay Area Plug-In Electric Vehicle Readiness Plan, Chair Ross referred to the City of Martinez where one charging station by the Courthouse was so popular the City had to charge \$1 an hour to be able to make the space available to others, although he noted that it would have cost \$1/hour to park there anyway even without the meter. Given that was an issue elsewhere as well and electric vehicles were addressing air pollution, he explained that the Air District was considering fast charge stations in some areas, as opposed to the regular chargers, to help meet the increasing demand.

Lynn Overcashier noted that the Air District funded \$2,000 per charging station, to be retrofit to Level 2 that could accommodate two vehicles at a time, and they were faster. The \$2,000 did not include the installation and it was only a fraction of the cost and she urged the Air District to make more money available to address that need.

Chair Ross noted that the Air District was trying to catch up to reality and he suggested that in the future people could become stranded in electric cars because they could not get a charge because there was no availability of charging stations.

Chair Ross stated that at the behest of 350.org that wanted the Air District to be more specific as to the goals for how to reduce greenhouse gases (GHGs), which had not been quantified in list form or any resolution as part of its mission statement, the Air District had passed a Climate Protection Resolution committing the agency to developing a regional climate protection strategy and setting as a regional goal the reduction of GHG emissions to 80 percent below 1990 levels by 2050. He suggested that was doable more by attrition of certain types of vehicles and was a big effort to be undertaken, also through individual responsibility by the personal reduction of items that caused GHGs.

With respect to the coordinated effort related to the five-year update of the Bay Area 2010 Clean Air Plan, Chair Ross referred to the 2013-2014 winter Spare the Air season with respect to particulate matter (PM) and ozone during the summer. He stated that what was killing people was soot, PM, from wood smoke and the difference was that smog had some particulate matter in it and would irritate breathing and cause asthma and respiratory problems, though some people, primarily those with pre-existing conditions, were dying from exposure because wood smoke got into the lungs and into the blood stream and affected the heart causing heart attacks. He stated that sounded harsh but they were finding out in Colorado where smoking in bars and restaurants had been prohibited that the number of heart attack cases had dropped 45 percent, and he was sure that there had been fatalities in the Bay Area brought on by wood smoke every year, which was why the Air District was so hell bent to prevent it. He referred to a chart in the handout and the violations in Marin County and reported that the greatest violators were the affluent areas. He reiterated that wood smoke was more dangerous than smog and the other health related hazards associated with wood smoke such as asthma, and noted that 85 percent of the cancers in the Bay Area from air pollution were related to PM and most noticeably diesel PM.

John Mercurio asked if there were tighter standards coming for trains, to which Chair Ross stated that railroads were exempt from just about everything although there were some electric locomotives. He emphasized that the biggest problem were the trucks and the Air District required 15,000 trucks to be outfitted with particulate filters and had probably expended \$45 million to that effort.

Chair Ross added that the cancer rate in West Oakland was four times what it was elsewhere in the Bay Area so removing diesel PMs was a very big issue.

As to how that affected Central County, Chair Ross referred to the freeway and noted that the bulk of Martinez was upwind from the freeways (and from the refineries), which would mean that those along I-680 and State Route 4 were exposed to greater risks than in Martinez, and Walnut Creek was ground zero. As a result, the Air District was figuring out where the hot spots were.

Chair Ross referred to Dublin and noted the bad air in that city given its proximity to I-580, and emphasized that the proximity to freeways was important. He referred to the California Environmental Quality Act (CEQA) rules and smart growth and the huge push over the last decade for infill housing near transit, which was unfortunately near highways and buses, and the Air District was attempting to look at CEQA in a different way to identify the effect of a project on the environment and how it could be mitigated.

Chair Ross referred to the medical cost of pollution and the chart included in the handout where three quarters of the chart represented the health costs in the Bay Area for PM 2.5, which he characterized as a conservative estimate. He suggested that cities did not have health systems so all those uninsured, all those emergency room visits, were being borne by the County (taxpayers) that he estimated at \$100 million in direct costs. So he emphasized that having clean air would be cheaper than having dirty air, especially wood smoke which represented 28 percent of the health effects.

Referring to the Bay Area Commuter Benefits Program, Chair Ross stated that employers with 50 or more full-time employees in the Bay Area would have to have a plan and he referred to a packet where employers would have to subscribe to one of four programs.

Ms. Overcashier reported that 511 Contra Costa had been meeting with city staff to address the Commuter Benefits Program. She sought more funding at the local level.

Chair Ross stated that the Air District was a good organization and staff was open to input about doing things better.

Director Pierce emphasized the need for communication.

When asked about the building that MTC had purchased in downtown San Francisco for \$1.6 million which would need to be retrofit, Chair Ross stated that MTC still had the issue of what had propelled it to get more space and MTC was committed to proceed. The Air District was following along with that although he stated that the building was worth double the cost and was prime real estate. It was clarified that the building was not ready for move-in at this point.

TRANSPAC thanked Chair Ross for the report.

## **6. 511 Contra Costa Staff and TRANSPAC Reports**

### **A. 511 Contra Costa Report**

Lynn Overcashier, 511 Contra Costa Program Manager, referred to the TRANSPAC/TRANSPLAN 511 Contra Costa Transportation Demand Management (TDM) Spring 2014 Update report and advised that the Association for Commuter Transportation (ACT) Annual Conference would be held in San Francisco in August, and she had prepared a presentation on sustainable TDM for the ACT Conference. An abstract detailing the Street Smarts Diablo K-12 programs had been accepted by the Institute of Transportation Engineers (ITE) for presentation and publication at its Annual Conference in Seattle from August 10-13, which had focused on multijurisdictional, multifaceted school based programs. With respect to the electric charging program, Ms. Overcashier noted that most cities were now charging \$1/hour for use of the charging stations and converting from Level 1 to Level 2 charging stations which were faster and where two people could charge at the same time. One location had been identified in Concord, and Antioch was in the final assessment of its charging station for East County. The rest of the report highlighted the District V 2014 Summer Youth Pass Pilot Program, the Street Smarts programs, report writing, and the assessment phase. She added that the summer period was when all the infrastructure improvements would be completed.

Director Haskew thanked Ms. Overcashier for her presentation for the school programs specific to Walnut Creek.

Ms. Overcashier stated that 511 Contra Costa staff was available to make presentations at other venues as well.

#### **B. TRANSPAC REPORT: Update on JPA Actions**

TRANSPAC Manager Neustadter referred to the process of establishing a Joint Powers Authority (JPA) for TRANSPAC; thanked everyone involved in the process to get the JPA accomplished; and reported that Clayton, Pleasant Hill, and Contra Costa County had approved the JPA documents, Concord was scheduled to approve the documents, Walnut Creek would consider the documents on June 17, and Martinez was now scheduled to consider the documents in September. She described the difficult issue and the pressure to proceed as quickly as possible, adding that a concern had been raised by the County as to whether there would be changes to the document, and if so, it would have to be reviewed by the County again. She also advised that Mala Subramanian, who had recently been hospitalized, would be replaced by a Best Best & Krieger backup attorney to allow the process to proceed.

Chair Ross stated that there was an issue in Martinez that was causing some consternation with the JPA because of litigation related to the formation of a different JPA many years ago.

Members expressed concern if Martinez waited until September to consider the JPA documents and requested that Chair Ross clarify the issues involved so that they could be addressed as soon as possible. On the discussion, it was determined that if the issues had not been satisfied by June 30 prior to the next scheduled TRANSPAC meeting on July 10, 2014, a closed session meeting could be scheduled to address the issues given that the JPA, once approved locally, would still have to cycle through CalPERS for approval.

Chair Ross advised that he would get the information requested and pass it on immediately.

**7. TRANSPAC CCTA Representative Reports:** Reports on the most recent CCTA Administration & Projects Committee (Member Pierce), Planning Committee (Member Durant), and the CCTA Board meeting (Members Pierce and Durant).

Director Pierce reported that the Administration & Projects Committee (APC) had a fair number of projects on the Consent Calendar that affected Central County including the approval of Highway 4 utility relocation; final negotiations with MTC to exchange all bridge toll funding with Measure J funds to the Caldecott Tunnel Fourth Bore Construction project; authorized the appropriations of \$19 million for right of way in Concord and approved an amendment to the Measure J Strategic Plan that allowed the reprogram of dollars from the Waterworld Parkway Bridge to the Farm Bureau Road Safe Routes to School (SR2S) improvements; approved an Alcosta Boulevard Pavement Rehabilitation Project in San Ramon; the CCTA was to assume project responsibility for all future work on the Hercules Intermodal Transit Center, to be paid by Hercules; had received an informative legislative update; had a lengthy discussion about the Countywide Transportation Plan (CTP) update and would be issuing the CTP draft in July which would incorporate the five subregional Action Plans for Routes of Regional Significance (RORS); there would be a proposed public education and outreach plan for the CTP and the consultant had been asked by both the APC and the Planning Committee to bring back a budget for the Outreach Program through July 2015 to make it a full fiscal year and to make sure it had been included in the mid-year budget adjustment; and the APC had reviewed the budget and authorized it to proceed.

Ms. Neustadter reported that the Planning Committee had approved a number of allocations for projects and programs including the Countywide Bus Services Program, Countywide Transportation for Seniors and People with Disabilities, and the Express Bus Program; a program and funding package for the Transportation Demand Management program for 511 Contra Costa; authorized the Executive Director to sign off on Transportation Fund for Clean Air (TFCA) money; adopted the TFCA projects that met the BAAQMD cost effectiveness criteria; approved the Measure J Commute Alternatives Program, Central County and Central County Additional Bus Service Enhancements Program, and the 2014/15 allocation for the Sub-Regional Southwest County Safe Transportation for Children School Bus Program, as well as Contra Costa County's 2012/2013 Growth Management Plan (GMP) Compliance Checklist; made revisions to an agreement with the consulting firm regarding the 2014 Countywide Comprehensive Transportation Plan (CCTP); and approved the MTC Freight and Northern Waterfront Revitalization Project as part of MTC's Freight Movement Study and the Northern Waterfront Revitalization Plan; and released the Draft Final Financial Feasibility of Contra Costa Ferry Service report.

**8. CCTA Executive Director's Report from Randell H. Iwasaki Regarding Authority Actions/Discussion Items**

Mr. Iwasaki's report dated May 21, 2014 had been included in the packet.

**9. Items Approved by the Authority for Circulation to the Regional Transportation Planning Committees (RTPCs) and Related Items of Interest**

Mr. Iwasaki's report dated June 4, 2014 had been included in the packet.



- 10. TAC Oral Reports by Jurisdiction:** Reports from Concord, Clayton, Martinez, Pleasant Hill, Walnut Creek, and Contra Costa County, if available.

Jamar Stamps distributed handouts to identify the I-680/Treat Boulevard Bicycle and Pedestrian Improvement Plan, a project that TRANSPAC helped to fund, which was underway.

Mr. Stamps reported that a consultant was formulating the plan, preparing an Existing Conditions Analysis, and would later conduct a public outreach effort. Currently the stakeholders were the City of Walnut Creek, CCTA, Caltrans, BART, the City of Pleasant Hill had been contacted, and Contra Costa Centre, where he had made the same presentation to be able to get the cooperation of property owners and tenants along the corridor in an effort to get the public involved. He offered a brief project description and stated there was more information on the project website at <http://www.cccounty.us/680Treat>.

Director Mitchoff requested that Mr. Stamps contact Laura Case in her office to also include the Municipal Advisory Commission (MAC).

As one who utilized that area, Chair Ross agreed it was in great need of improvement.

Jeremy Lochirco reported that the Olympic Corridor Trail Connector Study Existing Conditions Analysis would be released for public comment. The Study was a collaborative effort between Contra Costa County, Walnut Creek, and Lafayette. The report would look at ways to improve bike/ped access between the Iron Horse Trail and the Lafayette/Moraga Trail and the corridor as a whole to make both short- and long-term improvements. The report would be brought to each subregion for input. He asked to be apprised of any others interested in looking at the document.

**11. Agency and Committee Reports:**

There were no reports.

**12. For the Good of the Order:**

Chair Ross referenced a booklet he had distributed entitled *Grant Program - Improving Bay Area Air Quality, Strategic Incentives Division, BAAQMD*.

Director Pierce reported that Mala Subramanian had taken an unexpected maternity leave and had been hospitalized, as had Brad Beck who had been in a car/bicycle accident and who had been injured. Both were at John Muir Hospital and both were sent best wishes from TRANSPAC for a speedy recovery.

**13. Adjourn/Next Meeting.**

The meeting was adjourned at 10:48 A.M. The next meeting is scheduled for July 10, 2014 at 9:00 A.M. in the Community Room at Pleasant Hill City Hall unless otherwise determined.

## **COOPERATIVE AGREEMENT NO. 28C.02**

This COOPERATIVE AGREEMENT (this "AGREEMENT") is effective this \_\_\_\_ day of \_\_\_\_\_, 2014 among CONTRA COSTA TRANSPORTATION AUTHORITY, a local transportation authority ("AUTHORITY"), CONTRA COSTA COUNTY, a political subdivision of the State of California ("CONTRA COSTA"), CITY OF CONCORD, a municipal corporation of the State of California ("CONCORD"), the CITY OF CLAYTON, a municipal corporation of the State of California ("CLAYTON"), the CITY OF MARTINEZ, a municipal corporation of the State of California ("MARTINEZ"), the CITY OF PLEASANT HILL, a municipal corporation of the State of California ("PLEASANT HILL"), and the CITY OF WALNUT CREEK, a municipal corporation of the State of California ("WALNUT CREEK" and together with AUTHORITY, CONTRA COSTA, CONCORD, CLAYTON, MARTINEZ, PLEASANT HILL and WALNUT CREEK, the "PARTIES" and each separately, a "PARTY").

### **RECITALS**

THE PARTIES ENTER THIS AGREEMENT on the basis of the following facts, understandings and intentions:

A. Pursuant to the Measure C Sales Tax Renewal Ordinance (#88-01) "hereinafter MEASURE C") as amended by (#04-02), hereinafter referred to as "MEASURE J" approved by the voters of the Contra Costa County on November 2, 2004, CONTRA COSTA, CONCORD, CLAYTON, MARTINEZ, PLEASANT HILL, AND WALNUT CREEK (each, a "PARTNER JURISDICTION" and collectively, the "PARTNER JURISDICTIONS"), and AUTHORITY desire to enter into this AGREEMENT to define a framework to enable the parties to utilize Program 28a funds in MEASURE J.

B. PARTNER JURISDICTIONS shall propose programming Program 28a funds to any project or program identified in the Measure J Expenditure Plan or eligible under the provisions of the Local Transportation Authority and Improvement Act ("PROJECT") and AUTHORITY shall disburse collected funds under Program 28a as provided herein.

NOW, THEREFORE, in consideration of the mutual agreements set forth above and the rights and obligations set forth in this AGREEMENT and other good and valuable consideration, the receipt and sufficiency of which is acknowledged, AUTHORITY and each PARTNER JURISDICTION hereby agree to the following:

## SECTION 1

### PARTNER JURISDICTIONS AGREE:

1. On September 1st of each year to submit a form indicating how Program 28a funds were expended for the previous fiscal year and how much, if any, of the funds are remaining.
2. Commit to not use Program 28a funds for staff time, unless it is directly related to a project funded by Program 28a.
3. Each PARTNER JURISDICTION shall maintain true and complete records in connection with the PROJECT, and shall retain all such records for at least thirty-six (36) months after the delivery of the form to the AUTHORITY as provided in Section 1.
4. To allow the AUTHORITY to audit all expenditures relating to the PROJECT funded through this AGREEMENT. For the duration of each fiscal year of the PROJECT, and for four (4) years following each fiscal year of the PROJECT, or earlier discharge of the AGREEMENT, PARTNER JURISDICTION will make available to the AUTHORITY all records relating to expenses incurred in performance of this AGREEMENT.

## SECTION 2

### AUTHORITY AGREES:

1. To disburse Program 28a funds to PARTNER JURISDICTIONS in January 2015 for revenues collected for Fiscal Year 2013-2014, and thereafter make annual allocations to PARTNER JURISDICTIONS starting in November for the previous fiscal year, from November 2015 until November 2034 using a 50/50 population and road miles split formula, adjusted for appropriation made to Pleasant Hill under Resolution 14-02-P, as provided in Exhibit A attached hereto and incorporated herein by reference.

### SECTION 3

#### IT IS MUTUALLY AGREED:

1. Term. The term of this AGREEMENT shall commence on \_\_\_\_\_, 2014 and shall remain in effect until terminated as provided in Section 9.
2. Additional Acts and Documents. Each PARTY agrees to do all such things and take all such actions, and to make, execute and deliver such other documents and instruments, as shall be reasonably requested to carry out the provisions, intent and purpose of the AGREEMENT.
3. Amendment. This AGREEMENT may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of this AGREEMENT shall be void and of no effect.
4. Assignment. This AGREEMENT may not be assigned, transferred, hypothecated, or pledged by any PARTY without the express written consent of the other PARTIES.
5. Binding on Successors. This AGREEMENT shall be binding upon the successor(s), assignee(s) or transferee(s) of the PARTIES. This provision shall not be construed as an authorization to assign, transfer, hypothecate or pledge this AGREEMENT other than as provided above.
6. Indemnification.
  - a. AUTHORITY hereby agrees to indemnify, defend, assume all liability for and hold harmless each PARTNER JURISDICTION, its officers, employees, agents, and representatives, to the maximum extent allowed by law, from all actions, claims, suits, penalties, obligations, liabilities, damages to property, costs and expenses (including, without limitation, any fines, penalties, judgments, actual litigation expenses and experts' and actual attorneys' fees), environmental claims or bodily and/or personal injuries or death to any persons (collectively, "CLAIMS") arising out of or in any way connected to AUTHORITY its officers, agents, or employees in connection with or arising from any of its activities pursuant to this AGREEMENT. This indemnification shall survive the termination of the AGREEMENT and shall apply except as to the sole negligence or willful misconduct of a PARTNER JURISDICTION.

b. Each PARTNER JURISDICTION hereby agrees to indemnify, defend, assume all liability for and hold harmless AUTHORITY and its member agencies, officers, employees, agents and representatives, to the maximum extent allowed by law, from all CLAIMS arising out of or in any way connected to the PARTNER JURISDICTION, its officers, agents or employees in connection with or arising from any of its activities pursuant to this AGREEMENT. This indemnification shall survive the termination of the AGREEMENT and shall apply, except as to the sole negligence or willful misconduct of AUTHORITY.

7. Compliance with Laws. AUTHORITY and each of the PARTNER JURISDICTIONS shall comply with all applicable federal and state laws and regulations regarding the work performed and the reimbursements requested.

8. Notices. All required or permitted payments, reports, demands and notices may be sent by regular mail or electronic mail. Notices that are mailed by regular mail shall be deemed delivered two (2) business days after deposited in the mail. Notices may be personally delivered and shall be deemed delivered at the time delivered to the appropriate address set forth below. Notices delivered by electronic mail shall be deemed received upon the sender's receipt of an acknowledgment from the intended recipient (such as by the "return receipt requested" function, as available, return electronic mail or other written acknowledgment of receipt); provided that, if such notice is not sent during normal business hours of the recipient, such notice shall be deemed to have been sent at the opening of business on the next business day of the recipient. Unless and until notified otherwise in writing, a PARTY shall send or deliver all such communications relating to this Agreement to the following address:

Hisham Noeimi  
Contra Costa Transportation Authority  
2999 Oak Road, Suite 100  
Walnut Creek, CA 94597  
[hnoeimi@ccta.net](mailto:hnoeimi@ccta.net)

John Cunningham  
Contra Costa County  
30 Muir Road  
Martinez, CA 94553  
[john.cunningham@dcd.cccounty.us](mailto:john.cunningham@dcd.cccounty.us)

Charlie Mullen  
City of Clayton  
6000 Heritage Trail  
Clayton, CA 94517  
[cmullen@ci.clayton.ca.us](mailto:cmullen@ci.clayton.ca.us)

Ray Kuzbari  
City of Concord  
1950 Parkside Drive  
Concord, CA 94519  
[ray.kuzbari@cityofconcord.org](mailto:ray.kuzbari@cityofconcord.org)

Tim Tucker  
City of Martinez  
525 Henrietta Street  
Martinez, CA 94553  
[ttucker@cityofmartinez.org](mailto:ttucker@cityofmartinez.org)

Eric Hu  
City of Pleasant Hill  
100 Gregory Lane  
Pleasant Hill, CA 94523  
[EHu@ci.pleasant-hill.ca.us](mailto:EHu@ci.pleasant-hill.ca.us)

Jeremy Lochirco  
City of Walnut Creek  
1666 North Main Street  
Walnut Creek, CA, 94596  
[lochirco@walnut-creek.org](mailto:lochirco@walnut-creek.org)

9. Termination of Agreement. A PARTY may terminate this Agreement at any time by giving written notice of termination to each of the other PARTIES which shall specify the effective date thereof; provided that any notice of termination shall be given at least thirty (30) days before its effective date.

10. Entire Agreement. This Agreement is the entire agreement among AUTHORITY and the PARTNER JURISDICTIONS relating to the subject matter of this Agreement. All PARTIES acknowledge they have not relied upon any promise, representation or warranty not expressly set forth in this Agreement in executing this Agreement. If any provision of this Agreement is void or otherwise unenforceable, the remainder of the Agreement shall continue in full force and effect. Any changes to the terms and provisions of this Agreement or affecting the obligations of the PARTIES set forth in this Agreement shall be by written amendment signed by all PARTIES.

11. Severability. Should any part of this Agreement be declared unconstitutional, invalid, or beyond the authority of a PARTY to enter into or carry out, such decision shall not affect the validity of the remainder of this Agreement which shall continue in full force and effect; provided that the remainder of this Agreement can, absent the excised portion, be reasonably interpreted to give effect to the intentions of the PARTIES.

12. Waiver. No waiver by a PARTY of any default or breach of any covenant by the other PARTIES shall be implied from any omission to take action on account of such default if such default persists or is repeated and no express waiver shall affect any default other than the default specified in such waiver and then such waiver shall be operative only for the time and to the extent stated in such waiver. Waivers of any covenant, term or condition contained herein shall not be construed as a waiver of any subsequent breach of the same covenant, term or condition. No waiver of any provision under this Agreement shall be effective unless in writing and signed by the waiving PARTY.

13. Controlling Law and Venue. This Agreement and all matters relating to it shall be governed by the laws of the State of California and venue shall be in Contra Costa County.

14. Authority. All PARTIES executing this Agreement represent and warrant that they are authorized to do so.

15. Counterparts. This AGREEMENT may be executed in counterparts.

16. Limitations. All obligations of AUTHORITY under the terms of this AGREEMENT are expressly subject to the AUTHORITY'S continued authorization to collect and expend the sales tax proceeds provided by MEASURE C and MEASURE J. If for any reason the AUTHORITY'S right to collect or expend such sales tax proceeds is terminated or suspended in whole or part, the AUTHORITY shall promptly notify PARTNER JURISDICTIONS, and the PARTIES shall consult on a course of action. If, after twenty five (25) working days, a course of action is not agreed upon by the parties, this AGREEMENT shall be deemed terminated by mutual or joint consent; provided, that any obligation to fund from the date of the notice shall be expressly limited by and subject to (i) the lawful ability of the AUTHORITY to expend sales tax proceeds for the purposes of this AGREEMENT; and (ii) the availability, taking into consideration all the obligations of the AUTHORITY under all outstanding contracts, agreement to other obligations of the AUTHORITY, of funds for such purposes.

[Signatures on the following pages]



**CONTRA COSTA TRANSPORTATION AUTHORITY**

---

By: Ken Romick, Chair

Date \_\_\_\_\_, 2014

APPROVED AS TO FORM:

---

By: Malathy Subramanian, General Counsel

Date \_\_\_\_\_, 2014

**CONTRA COSTA COUNTY**

---

By:

Date \_\_\_\_\_, 2014

APPROVED AS TO FORM:  
Sharon Anderson, County Counsel

---

By: Deputy County Counsel

Date \_\_\_\_\_, 2014

**CITY OF CLAYTON**

---

By: (Name, Title)

Date \_\_\_\_\_, 2014

APPROVED AS TO FORM:

---

By: Best Best & Krieger, City Attorney

Date \_\_\_\_\_, 2014

**CITY OF CONCORD**

---

By: (Name, Title)

Date \_\_\_\_\_, 2014

APPROVED AS TO FORM:

---

By: Mark Coon, City Attorney

Date \_\_\_\_\_, 2014

**CITY OF MARTINEZ**

---

By: (Name, Title)

Date \_\_\_\_\_, 2014

APPROVED AS TO FORM:

---

By: Walter & Pistole, City Attorney

Date \_\_\_\_\_, 2014

**CITY OF PLEASANT HILL**

---

By: (Name, Title)

Date \_\_\_\_\_, 2014

APPROVED AS TO FORM:

---

By: Janet Coleson, City Attorney

Date \_\_\_\_\_, 2014

**CITY OF WALNUT CREEK**

---

By: (Name, Title)

Date \_\_\_\_\_, 2014

APPROVED AS TO FORM:

---

By: Steve Mattas, City Attorney

Date \_\_\_\_\_, 2014

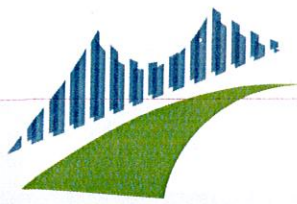
## Exhibit A\*

PROGRAMMING OF MEASURE J PROGRAM 28(a) FUNDS TO LOCAL JURISDICTIONS													
Jurisdiction	Distribution of Funds by Population & Road Miles			Projected Disbursements of Funds									
	Population	Road Miles	Average	Jan-15	Nov-15	Nov-16	Nov-17	Nov-18	Nov-19	Nov-20	Nov-21	Nov-22 to Nov-34	TOTAL
Clayton	3.47%	4.26%	3.87%	\$94,112	\$28,195	\$30,327	\$31,501	\$32,676	\$33,938	\$32,285	\$32,466	\$533,177	\$848,677
Concord	38.75%	34.34%	36.55%	\$889,866	\$266,590	\$286,748	\$297,856	\$308,964	\$320,895	\$305,270	\$306,978	\$5,041,383	\$8,024,551
County	15.24%	19.60%	17.42%	\$424,175	\$127,076	\$136,685	\$141,980	\$147,275	\$152,962	\$145,514	\$146,328	\$2,403,089	\$3,825,084
Martinez	11.45%	11.18%	11.32%	\$275,519	\$82,541	\$88,783	\$92,222	\$95,661	\$99,355	\$94,517	\$95,046	\$1,560,904	\$2,484,548
Pleasant Hill	10.53%	11.81%	11.17%	\$750,000	\$0	\$0	\$0	\$0	\$0	67,979	\$93,828	\$1,540,902	\$2,452,709
Walnut Creek	20.56%	18.81%	19.69%	\$479,327	\$143,599	\$154,457	\$160,441	\$166,424	\$172,850	\$164,434	\$165,354	\$2,715,546	\$4,322,432
<b>TOTAL</b>	100.00%	100.00%	100.00%	\$2,913,000	\$648,000	\$697,000	\$724,000	\$751,000	\$780,000	\$810,000	\$840,000	\$13,795,000	\$21,958,000

\*Future disbursements are subject to change as Measure J revenue forecast is updated. Disbursements will be based on actual receipts

\*\*City of Pleasant was appropriated \$750,000 on January 15, 2014 for the Contra Costa Blvd Improvements project (Project 24026) under Resolution 14-02-P (Cooperative Agreement 28C.01) which will be provided under reimbursement basis.





# Bay Area Commuter Benefits Program

NEW REQUIREMENT FOR EMPLOYERS • NEW REQUIREMENT FOR EMPLOYERS • NEW REQUIREMENT FOR EMPLOYERS

**Employers with 50 or more full-time employees in the Bay Area are now required to offer commuter benefits to their employees.**

## WHO

Employers with **50** or more full-time employees in the Bay Area

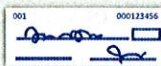
Must offer employees one of the following four options:

## WHAT

Pre-Tax Benefit



Employer-Provided Subsidy



Employer-Provided Transit



Alternative Commuter Benefit



## WHEN



Employers subject to the Program must select and implement one of the four Commuter Benefit options by **September 30, 2014.**

## WHY

The Commuter Benefits Program is mandatory for all employers in the Bay Area with 50 or more full-time employees, per Senate Bill 1339, codified in California Government Code section 65081.

The Program will help to reduce air pollution and traffic congestion by decreasing single-occupant vehicle commute trips to Bay Area worksites, while providing tax savings for employees and employers.

## HOW

To get started, visit: **511.org**

Employer outreach staff are available to provide assistance and support to employers. Call 511 and say "Commuter Benefits" or visit 511.org to locate assistance.

The Bay Area Commuter Benefits Program is a partnership led by the Metropolitan Transportation Commission and the Bay Area Air Quality Management District.



METROPOLITAN  
TRANSPORTATION  
COMMISSION

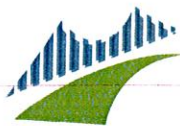


BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT



Call 511 | 511.org





Bay Area

## Commuter Benefits Program

### How the *Commuter Benefits Program* Works

The Bay Area Commuter Benefits Program requires employers with 50 or more full-time employees in the Bay Area to offer commuter benefits to their employees. Employers subject to the Program must select and implement their program by September 30, 2014.

#### **STEP 1:** Evaluate the four commuter benefit options and select one (or more) of the options to offer to your employees.

Option 1: <b>Pre-Tax Benefit</b>	Allow employees to exclude their transit or vanpooling expenses from taxable income, up to \$130 per month.
Option 2: <b>Employer-Provided Subsidy</b>	Provide a subsidy to reduce or cover employees' monthly transit or vanpool costs, up to \$75 per month.
Option 3: <b>Employer-Provided Transit</b>	Provide a free or low-cost transit service for employees, such as a bus, shuttle or vanpool service.
Option 4: <b>Alternative Commuter Benefit</b>	Provide an alternative commuter benefit that is as effective in reducing single-occupancy commute trips as Options 1, 2 or 3.

#### **STEP 2:** Designate a Commuter Benefits Coordinator. *For the purpose of the Program, this is simply the person who will complete the registration form and report to the Air District/MTC.*

#### **STEP 3:** Go to the Program webpage and register at **511.org**.

#### **STEP 4:** Notify employees of the commuter benefit that your company will provide. Make the benefit available and let employees know how to take advantage of it.

#### **STEP 5:** Keep records to document implementation of your commuter benefits program and make the records available to the Air District and/or MTC upon request.

More information about the Commuter Benefits Program and employer requirements can be found in the "Employer Guide" at **511.org**.



METROPOLITAN  
TRANSPORTATION  
COMMISSION

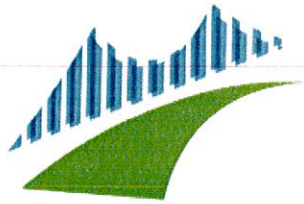


BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT



Call 511 | **511.org**





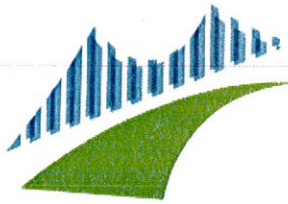
Bay Area

# Commuter Benefits Program

## Bay Area Commuter Benefits Program Talking Points

- The Metropolitan Transportation Commission and the Bay Area Air Quality Management District approved the Bay Area Commuter Benefits Program, a joint pilot program that requires employers with 50 or more full-time employees in the Bay Area to offer commuter benefits to their employees.
- Employers subject to the program must select a commuter benefit, register via the program website and implement their program by September 30, 2014.
  - Transportation is the largest source of air pollution in the Bay Area.
  - This program encourages the use of alternatives to driving alone to work and reduce air pollution and traffic congestion.
  - Both employers and employees will benefit greatly from this program.
  - Commuter benefits include reduced stress, improved health, cost savings and more free time.
  - Employer benefits include payroll tax savings, enhanced employee recruitment, improved employee retention, reduced employee health costs, reduced employee stress.
- Employers can visit [511.org](http://511.org) to register and find out more about the program.
- Employers can receive assistance on meeting the basic program requirements by contacting their local 511 Employer Service representative for more information on starting an air-friendly commute program.





# Bay Area Commuter Benefits Program

## Social Media for Bay Area Commuter Benefits Program

You can help spread the word about the Bay Area Commuter Benefits Program on social media. The Air District has drafted suggested messages for you to post on your social media channels. The posts are a friendly reminder to encourage businesses to get on board with the Commuter Benefits Program in advance of the deadline.

Here are sample posts for your consideration:

### Facebook

1. Let's help transit riders save on taxes! Make sure your employer is signed up for the Bay Area Commuter Benefits Program before the September 30, 2014, deadline. <http://ow.ly/xxpKC>
2. Encourage your employees to commute by transit, vanpool, carpool, and bicycle or walk to work, rather than drive alone. Ask your employer about the Bay Area Commuter Benefits Program. Employers with 50 or more full-time employees are required to sign up before September 30, 2014. <http://ow.ly/xxpKC>

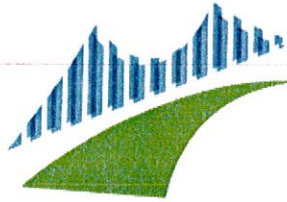
### Twitter

1. Great opp for employees! Get your employer into the #BayAreaCommuterBenefitsProgram before the 9/30/14 deadline <http://ow.ly/xxpUT>
2. 50 or more FTEs? Register for the #BayAreaCommuterBenefitsProgram before 9/30/14 deadline <http://ow.ly/xxpUT>
3. Employees save on taxes! Employers register for the #BayAreaCommuterBenefitsProgram before the 9/30/14 deadline <http://ow.ly/xxpUT>
4. Reduce commuter costs, traffic and #air #pollution - register for the #BayAreaCommuterBenefitsProgram <http://ow.ly/xxpUT>

###







Bay Area

# Commuter Benefits Program

## Commuter Benefits Program E-Newsletter Template

Bay Area employees have a new incentive to take transit!

Employers with 50 or more full-time employees must now register for the Bay Area Commuter Benefits Program and offer commuter benefits for employees. Commuter benefits encourage employees to take transit, vanpool, carpool, bicycle and walk, rather than drive alone to work. Employees are more willing to try commute alternatives when encouraged by their employer's. The Commuter Benefits Program will reduce traffic congestion and air pollution, thus improving the quality of life for all Bay Area residents.

The Commuter Benefits Program is based on [Regulation 14, Rule 1](#), developed by the Bay Area Air Quality Management District in collaboration with the Metropolitan Transportation Commission. Employers can select from four commuter benefit options and decide which option will work best for their company.

It's a good deal for employees. If the employer chooses to allow employees to exclude their transit or vanpool commute costs from taxable income (up to maximum of \$130 per month currently allowed by the IRS), employees can save as much as 40 percent (or more) on the cost of their commute.

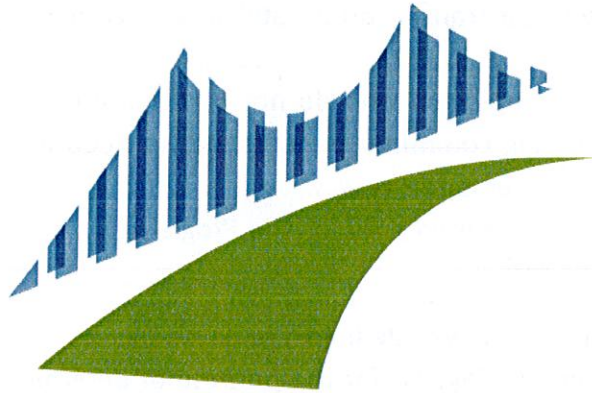
### **But also it's a good deal for employers' bottom line:**

- Potential payroll tax savings
- Enhanced employee recruitment
- Improved employee retention
- Reduced employee health costs
- Reduced employee stress

Visit [511.org](http://511.org) and click on [Bay Area Commuter Benefits Program](#) for more information and to register for the program. To request free assistance or for more information, just click on the "Needs Assistance" section or call 511 and say "Commuter Benefits."







*Bay Area*  
**Commuter Benefits Program**

*Find a better way to work!*

**FREQUENTLY ASKED QUESTIONS**

May 6, 2014

The Bay Area Commuter Benefits Program is a partnership led by the Metropolitan Transportation Commission and the Bay Area Air Quality Management District. (May 2014)



METROPOLITAN  
TRANSPORTATION  
COMMISSION



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT



**511** Call 511 | [511.org](http://511.org)

<b>Program Overview and Requirements .....</b>	<b>1</b>
What is the purpose of the Bay Area Commuter Benefits Program (Program)? .....	1
Which employers are subject to the Program? .....	1
Is the Program mandatory? .....	1
What are the Program requirements?.....	1
What are the commuter benefit options? .....	1
Our worksite is not located near transit - do we still have to comply with the requirements of the Program?.....	1
Are there any penalties for employers who do not participate in the Program?.....	2
My company is already offering commuter benefits, do we need to do more?.....	2
What are the reporting requirements? .....	2
What are the record-keeping requirements for the Program?.....	2
<b>Key Definitions &amp; Provisions.....</b>	<b>2</b>
How is the term “full-time employee” defined?.....	2
How do we count “full-time employees” for the purpose of determining whether our company is subject to the Program?.....	2
Which employees are entitled to commuter benefits?.....	2
What if we offer a commuter benefit, but our employees choose not to take advantage of it?.....	2
Do employers need to meet any numerical targets or standards?.....	3
<b>Savings &amp; Costs.....</b>	<b>3</b>
How much will the Program cost employers?.....	3
Can the Program save money for my company?.....	3
How will my employees benefit?.....	3
<b>Multiple Worksites.....</b>	<b>3</b>
What if we have more than one worksite in the Bay Area?.....	3
We have multiple worksites, can we offer different commuter benefits at the various worksites?....	3
What if one (or all) of our worksites are located in a city with an existing commuter benefit ordinance act?.....	4
<b>General Questions about the Program .....</b>	<b>4</b>
Our company has less than 50 full-time employees, can we still participate in the Program?.....	4
At our company, employees benefits are subject to collective bargaining. How does this relate to the Program?.....	4
My employer is certified by the “Best Workplaces for Commuters”. Are we therefore automatically in compliance with the Program?.....	4
Can we offer more than one commuter benefit?.....	4
At the end of the pilot period on January 1, 2017, what will happen?.....	4
My company requires a waiting period for newly-hired employees before they are eligible to receive benefits. If the commuter benefits that we offer are also subject to the waiting period, would we be compliant with the Bay Area Commuter Benefits Program?.....	5



<b>Option 1</b> .....	5
Is the pre-tax benefit similar to a flexible spending account for medical expenses, in the sense that if “you dont use it, you lose it”?.....	5
<b>Option 2</b> .....	5
How much is the required subsidy amount for Option 2?.....	5
If we offer a lower subsidy amount, will we still comply?.....	5
If we provide an annual transity pass (such as Santa Clara VTA’s EcoPass or AC Transit’s EasyPass) to all employees, does that qualify for the purpose of complying with the Program via Option 2?.....	5
Are there any tax savings associated with Option 2?.....	5
<b>Option 3</b> .....	6
Are there any tax savings associated with Option 3?.....	6
My company belongs to a consortium of employers who collectively pay for a shuttle for all of our employees to use. Does this qualify for the purpose of compliance with the Program?.....	6
My company worksite is served by a shuttle (or bus), but we do not contribute monetarily to help operate the shuttle service. Does this qualify for the purpose of complying with the Program via Option 3?.....	6
How is “low-cost” transit defined for the purpose of Option 3?.....	6
<b>Bicycling</b> .....	6
Can employees exclude bicycling costs from their taxable wages, like transit/vanpool costs?.....	6
What can my company offer employees who wish to bicycle to work?.....	6
<b>Carpooling</b> .....	7
Can employees exclude carpooling costs from their taxable wages, like transit/vanpool costs?.....	7
What can we offer employees who wish to carpool to work?.....	7
What is the difference between a vanpool and a carpool?.....	7
<b>Teleworking</b> .....	7
My company allows our employees to telework. Does this qualify for the purpose of complying with the Program?.....	7
<b>Compressed Work-Week Schedule</b> .....	7
Can my company comply with the Program by allowing our employees to work a “Compressed Work Week” schedule?.....	7
<b>Parking Cash-Out</b> .....	8
Does “Parking Cash-Out” qualify for the purpose of complying with the Program?.....	8
<b>Electric Vehicles</b> .....	8
Can my company comply with the Program by promoting the use of electric vehicles by our employees?.....	8





## FREQUENTLY ASKED QUESTIONS

### Program Overview and Requirements

#### **Q: What is the purpose of the Bay Area Commuter Benefits Program (Program)?**

A: The purpose of the Program is to improve air quality and reduce traffic congestion by promoting the use of alternative commute modes such as transit, ridesharing, bicycling, and walking. The Program will accomplish this by increasing the number of employers who provide commuter benefits to their employees.

#### **Q: Which employers are subject to the Program?**

A: The Program applies to all public, private and non-profit employers in the Bay Area with 50 or more full-time employees within the [geographic boundaries](#) of the Bay Area Air Quality Management District (Air District). The employee count is based on the total number of full-time employees ([see FAQ: How is the term "full-time employee" defined?](#)) at all Bay Area worksites combined.

#### **Q: Is the Program mandatory?**

A: Yes, the Program is mandatory for all public, private and non-profit employers in the Bay Area with 50 or more full-time employees within the geographic boundaries of the Air District.

#### **Q: What are the Program requirements?**

A: The Program requires employers with 50 or more full-time employees in the Bay Area to:

- Select one of the four commuter benefit options ([see FAQ: What are the Commuter Benefit Options?](#)),
- Designate a Commuter Benefits Coordinator,
- Register via the web-based registration system,
- Notify employees of the commuter benefit option selected and how to take advantage of the benefit,
- Update the employer registration form on an annual basis,

- Maintain records to document implementation of the commuter benefit, and
- Provide information requested by the Air District/MTC for Program evaluation purposes.

#### **Q: What are the commuter benefit options?**

A: An employer must choose one (or more) of the following commuter benefits to offer to their employees:

- **Option 1:** Allow employees to exclude their transit or vanpooling costs from taxable income, to the maximum allowed by federal law (currently \$130 per month);
- **Option 2:** Provide a transit or vanpool subsidy to cover or reduce employees' monthly transit/vanpool costs (up to \$75 per month);
- **Option 3:** Provide a low-cost or free shuttle, vanpool or bus service, operated by or for the employer; or
- **Option 4:** Provide an alternative commuter benefit that would be as effective as one of the other options in reducing drive-alone commuter trips (and/or vehicle emissions).

#### **Q: Our worksite is not located near transit - do we still have to comply with the requirements of the Program?**

A: Yes. The Program applies to any employer with 50 or more full-time employees throughout the jurisdiction of the Air District, regardless of its proximity to public transit. The Program provides employers with the flexibility to offer commuter benefits appropriate to the needs of their employees and worksites. Option 3 or Option 4 may be most appropriate for employers with worksites that are not well served by public transit. Option 4 allows an employer to comply by providing commuter benefits for alternative commute modes such as carpooling, bicycling, walking, telecommuting, and compressed work week schedules. For additional information on Option 4, [click here](#).



## FREQUENTLY ASKED QUESTIONS

**Q: Are there any penalties for employers who do not participate in the Program?**

A: The focus of the Program is to achieve voluntary compliance by employers by providing education and compliance assistance to employers. Free assistance is available to help employers comply with the Program. [Click here](#). However, all employers that are subject to the Program are required to participate. If an employer refuses to comply, then the Air District can impose a financial penalty as authorized by the California Health and Safety Code. The penalty for failure to comply would be determined on a case-by-case basis, based upon factors that the Air District is required to consider pursuant to the California Health and Safety Code.

**Q: My company is already offering commuter benefits, do we need to do more?**

A: All employers need to comply with the requirements described in the response to [FAQ: What are the Program Requirements?](#). However, if your company already offers

a commuter benefit that is consistent with one of the four options described in [FAQ: What are the Commuter Benefit Options?](#), you will not need to do anything more from a substantive standpoint. You will only need to complete the online registration form and continue to make the commuter benefit(s) available to your employees.

**Q: What are the reporting requirements?**

A: Employers are required to complete a [simple online registration](#) process specifying which commuter benefit the employer provides. Employers are required to update their registration form on an annual basis.

**Q: What are the record-keeping requirements for the Program?**

A: The employer must maintain records, files, and documentation to establish compliance with the requirements of this Program, retain these records for a period of three years, and make them available to the Air District upon request.

## Key Definitions & Provisions

**Q: How is the term “full-time employee” defined?**

A: For the purpose of the Program, an employee is defined as anyone who is treated as an employee for tax purposes, i.e., anyone who receives a W-2 form from the employer. A “full-time employee” is defined as an employee who has worked an average of at least 30 hours per week during the previous calendar month. Independent contractors would not be counted as employees.

**Q: How do we count “full-time employees” for the purpose of determining whether our company is subject to the Program?**

A: Your employee count should be based on the average number of “full-time employees” (see [FAQ: How is the term “full-time employee” defined?](#)) in the Bay Area carried on your payroll over the course of the most recent three-month period. Seasonal or temporary employees who work less than 120 days per year are excluded.

**Q: Which employees are entitled to commuter benefits?**

A: Employers must offer their commuter benefit to all “covered employees”. A covered employee is defined as an employee who worked an average of 20 or more hours per week within the previous calendar month. Seasonal or temporary employees who work less than 120 days per year are excluded.

**Q: What if we offer a commuter benefit, but our employees choose not to take advantage of it?**

A: The Program does not require employees to take advantage of the commuter benefit or to change their commute mode. The Program only requires that employers offer and make available a commuter benefit to all “covered employees” (see [FAQ: Which employees are entitled to commuter benefits?](#)). If you make one of the commuter benefits available to your employees, you will be in compliance with Program requirements, regardless of how many employees choose to use the commuter benefit.



**Q: Do employers need to meet any numerical targets or standards?**

**A:** No, the Program does not require employers to attain any specific standards or targets.

### Savings & Costs

**Q: How much will the Program cost employers?**

**A:** The potential costs will depend upon which commuter benefit option the employer selects, and the number of employees who choose to utilize the benefit. Option 1, the pre-tax option, has the potential to save employers money by reducing their payroll taxes. In the case of Options 2, 3 and 4, the costs will depend upon the specific benefits that an employer offers pursuant to these options. For more discussion on the costs of each option, [see page 16 of the Bay Area Commuter Benefits Program - Staff Report \(January 2014\)](#).

Many Bay Area employers already offer commuter benefits, and currently meet the substantive requirements of the Program. These types of employers would incur minimal costs, if any, to register and provide basic information about their existing Program to the Air District/MTC.

**Q: Can the Program save money for my company?**

**A:** Employers may experience direct savings in response to the Program based on the commuter benefit provisions or other applicable provisions in the federal tax code. Employers offering Option 1 can allow their employees to

exclude their transit/vanpool commuting costs from their taxable wages. This saves the employer money because those transit/vanpool costs are also excluded from the employer's payroll taxes, thereby saving the employer 7.65% (or more) on every dollar set aside as pre-tax by employees for transit/vanpooling.

**Q: How will my employees benefit?**

**A:** The specific benefit to your employees will depend upon which commuter benefit option you provide. If you offer Option 1, then your employees who commute by transit or vanpool can save \$600 per year or more by excluding their transit or vanpool costs (up to \$130 per month) from taxable income. If you offer Option 2, 3 or 4, your employees will save money by paying for transit through a subsidy (Option 2), riding in a company vanpool or shuttle (Option 3), or some other means of commuting other than a single-occupancy vehicle (Option 4). In addition to saving money, employees who take advantage of a commuter benefit will free up time that would otherwise be spent behind the wheel. In addition to monetary savings, the Program may have other indirect benefits such as reduced commute stress from less driving.

### Multiple Worksites

**Q: What if we have more than one worksite in the Bay Area?**

**A:** The threshold of 50 or more full-time employees in the jurisdiction of the Air District (for determining applicability) is based on the total number of employees at all Bay Area worksites combined for each respective employer, regardless of how the employees are distributed among worksites. If you have more than 50 full-time employees at all your Bay Area worksites combined, then you need to provide commuter benefits at all the Bay Area worksites.

**Q: We have multiple worksites, can we offer different commuter benefits at the various worksites?**

**A:** Yes, as long as the commuter benefit offered at each worksite is consistent with Option 1, 2, 3, or 4 of the Program. The Air District and MTC encourage employers to offer commuter benefits that are appropriate for each worksite.



**Q: What if one (or all) of our worksites is located in a city with an existing commuter benefit ordinance act?**

A: Four local jurisdictions (the cities of Berkeley, Richmond, and San Francisco; and San Francisco International Airport) have adopted local commuter benefit ordinances. While the substantive requirements for these local ordinances are very similar to the requirements of this regional Program, the local ordinances have more stringent applicability thresholds (see table to the right). All employers that are subject to the regional Program by virtue of having 50 or more full-time employees in the Bay Area will report to the Air District/MTC. The Air District/MTC will share information with the local entities regarding the worksites within their respective jurisdictions that are subject to this Program. Smaller employers not subject to this Program should continue to work with the applicable entity according to their worksite location(s).

Jurisdiction	Applicability Threshold
City & County of San Francisco	20 or more employees nationwide
San Francisco International Airport	20 or more employees nationwide
City of Berkeley	10 or more employees nationwide
City of Richmond	10 or more employees nationwide

### General Questions about the Program

**Q: Our company has less than 50 full-time employees, can we still participate in the Program?**

A: The Air District and MTC encourage smaller employers to offer commuter benefits consistent with the options described in above. The potential savings and positive outcomes of the Program are equally valid for smaller companies. However, employers with less than 50 full-time employees in the Bay Area are not required to register or report to the Air District/MTC.

**Q: At our company, employees benefits are subject to collective bargaining. How does this relate to the Program?**

A: The Program does not absolve an employer or other party from any obligation required by an existing collective bargaining agreement with employees.

**Q: My employer is certified by the “Best Workplaces for Commuters”. Are we therefore automatically in compliance with the Program?**

A: If your company holds a current certification from the [Best Workplaces for Commuters](#), then you should have no

trouble complying with the Program. However, you will need to complete the brief, online registration process and indicate which of the four commuter benefit options (see [FAQ: What are the Commuter Benefit Options?](#)) you are providing to your employees.

**Q: Can we offer more than one commuter benefit?**

A: You are only required to offer one of the four commuter benefits described in [FAQ: What are the Commuter Benefit Options?](#) to your employees. However, you may choose to provide additional commuter benefits to your employees, thus enhancing the potential effectiveness of your Program.

**Q: At the end of the pilot period on January 1, 2017, what will happen?**

A: What happens beyond the end of 2016 will depend upon whether the California State Legislature takes action to extend the Program. Employers will be notified at the appropriate time, based upon the outcome of the pilot period.



## FREQUENTLY ASKED QUESTIONS

**Q: My company requires a waiting period for newly-hired employees before they are eligible to receive benefits. If the commuter benefits that we offer are also subject to the waiting period, would we be compliant with the Bay Area Commuter Benefits Program?**

**A:** Since employees are still in the process of choosing their commute mode when they start a new job, employers are encouraged to provide commuter benefits to new employees

as close to the employee hire date as possible. In addition, employers and employees can realize potential commuter benefit tax savings right from the start. Employers may impose a waiting period for commuter benefits consistent with the waiting period for other employee benefits that they provide. However, the waiting period to provide commuter benefits cannot be more than 90 calendar days from the employee's hire date.

### Option 1

**Q: Is the pre-tax benefit similar to a flexible spending account for medical expenses, in the sense that if "you don't use it, you lose it"?**

**A:** No. Under IRS Code Section 132(f), employees may carry over unused transit tickets purchased with pre-tax dollars to subsequent months, provided that the transit pass or ticket allows unused value to be carried forward.

### Option 2

**Q: How much is the required subsidy amount for Option 2?**

**A:** The subsidy must be equal to the employee's monthly transit or vanpool fare, to a maximum of \$75 per month. (However, an employer can choose to provide a higher subsidy amount on a voluntary basis. The federal tax code currently allows an employer to provide a transit or vanpool subsidy of up to \$130 per month on a tax-free basis. If the employer provides a subsidy greater than \$130 per month, then the amount above \$130 would be subject to taxation).

**Q: If we offer a lower subsidy amount, will we still comply?**

**A:** If your company chooses to offer a lower amount (i.e., if the subsidy you provide is capped at less than \$75 per month), then you will not be able to comply via Option 2. However, you can comply by offering Option 1 in combination with a lesser subsidy. Alternatively, you could comply via Option 4 by offering the lower subsidy amount in combination with two additional secondary measures defined in the [Pre-Approved Alternative Benefit Options](#).

**Q: If we provide an annual transit pass (such as Santa Clara VTA's EcoPass or AC Transit's EasyPass) to all employees, does that qualify for the purpose of complying with the Program via Option 2?**

**A:** If your company provides a transit pass such as VTA's EcoPass or AC Transit's EasyPass, you would comply under Option 2.

*Note: If multiple transit agencies serve the worksite, employers who provide an EcoPass or EasyPass are encouraged to also provide a benefit (by means of either Option 1 or Option 2) to employees who commute using other transit providers.*

**Q: Are there any tax savings associated with Option 2?**

**A:** An employer-provided subsidy for transit or vanpool costs is tax-free to both the employer and the employee, up to maximum amount permitted by the federal tax code. (The maximum amount is currently \$130 per month.) Employers do not pay FICA taxes on the subsidy amount provided to employees, nor do employees pay income taxes or their share of the FICA tax on the subsidy. Additionally, for the purpose of calculating corporate income taxes, the transit/vanpool subsidy may be deductible as a business expense. (Employers should check with their tax advisor).



### Option 3

**Q: Are there any tax savings associated with Option 3?**

A: Employers may be able to deduct the cost of providing the transportation as a business expense for the purpose of calculating corporate income taxes. (Employers should check with their tax advisor).

**Q: My company belongs to a consortium of employers who collectively pay for a shuttle for all of our employees to use. Does this qualify for the purpose of compliance with the Program?**

A: Yes, for the purpose of Option 3, an employer may collaborate with other employers to provide transportation for their employees on a collective basis, provided that the employer is making a financial contribution to support the shuttle service. This also applies in the case of employers who collaborate to finance long-distance bus service for their employees.

**Q: My company worksite is served by a shuttle (or bus), but we do not contribute monetarily to help operate the shuttle service. Does this qualify for the purpose of complying with the Program via Option 3?**

A: No. In order to comply with the Program by means of

Option 3, an employer must contribute to funding the shuttle, either directly, or by participating in a formal transportation management association.

**Q: How is "low-cost" transit defined for the purpose of Option 3?**

A: For the purpose of complying with the Program via Option 3, employers may charge a fare to their employees, provided that the fare is "low cost". The Air District and MTC define "low cost" as follows:

**Short-distance transportation:** For short-distance transportation, such as a shuttle from a nearby transit station to the worksite, the employer may charge a maximum of \$2.00 per employee for a one-way trip.

**Long-distance transportation:** For long-distance transportation, such as buses or van service from the employee's home community to the worksite, the employer may charge a one-way fare of no more than \$0.20 per mile times the one-way trip distance. For example, in the case of an employer providing a bus service for a 30-mile trip from the employee's home to the worksite, the "low-cost" threshold for the purpose of the Program means that the employer could charge the employee a maximum of \$6.00 per one-way trip.

### Bicycling

**Q: Can employees exclude bicycling costs from their taxable wages, like transit/vanpool costs?**

A: Section 132(f) of the federal tax code allows employers to provide a tax-free subsidy of up to \$20 per month (\$240/year) to offset an employee's bicycle commuting expenses (the purchase of a bicycle, and bicycle maintenance and storage). However, the IRS Code does not allow employees to use their own pre-tax dollars to pay for bicycle commuting expenses. Therefore, allowing employees to use pre-tax dollars to pay for bicycle commuting costs is not included in Option 1.

**Q: What can my company offer employees who wish to bicycle to work?**

A: Pursuant to Option 2, in addition to offering a subsidy for transit and vanpooling you can choose to provide a tax-free subsidy of up to \$20 per month (\$240/year) to offset an employee's bicycle commuting expenses. (Note: The IRS code states that an employee can receive either a tax-free transit/vanpool subsidy or a tax-free bicycle subsidy, but not both.) Alternatively, you can provide incentives to promote bicycle commuting, such as the tax-free subsidy and/or secure bicycle parking, in the context of an alternative commuter benefit Program pursuant to Option 4.



### Carpooling

**Q: Can employees exclude carpooling costs from their taxable wages, like transit/vanpool costs?**

**A:** No. The federal tax code does not allow carpool costs to be excluded from taxable wages.

**Q: What can we offer employees who wish to carpool to work?**

**A:** You could choose to offer [Option 4A: Carpool Subsidy](#), which is a carpool subsidy of \$3/day per employee that carpools to work, along with preferred parking for carpoolers and one additional commuting measure of your choice. You could also choose to offer [Option 4B: Carpool Promotion](#), which includes the provision of preferred parking for carpoolers, participation in a guaranteed ride home Program, and two additional commuting measures of your choice.

**Q: What is the difference between a vanpool and a carpool?**

**A:** In the IRS Code, a vanpool is defined as any highway vehicle with seating capacity for at least six adults, excluding the driver, that meets two requirements for mileage use:

1. At least 80 percent of the vehicle use must be for commuter transportation, and
2. When used for commuting, at least half of the seats must be occupied, on average, excluding the driver.

*Note: The cost for participating in a vanpool for commuting purposes can be excluded from taxable wages, pursuant to the IRS Code. However, the IRS Code does not allow carpool commuting costs to be excluded from taxable wages.*

### Teleworking

**Q: My company allows our employees to telework. Does this qualify for the purpose of complying with the Program?**

**A:** The Air District and MTC recognize that teleworking can be an effective means of reducing drive-alone commute trips, especially at work sites that are not well served by transit. Teleworking can be used as a "Primary Measure"

for the purpose of complying with the Program by means of [Option 4A](#). Staff recommends implementing a company-wide telework policy for your employees, and suggests that employees who participate in teleworking to do so at least once per week on a regular basis. To comply with the Program by means of [Option 4A](#), in addition to implementing a telecommuting policy, you must also offer two secondary benefits ([see the guidance on Option 4](#)).

### Compressed Work-Week Schedule

**Q: Can my company comply with the Program by allowing our employees to work a "Compressed Work Week" schedule?**

**A:** The Air District and MTC recognize that compressed work week (CWW) schedules may be an effective means to reducing drive-alone commute trips, especially at work sites that are not well served by transit. A CWW schedule can be used as a "Primary Measure" for the purpose of

complying with the Program by means of [Option 4A](#). Staff recommends implementing a company-wide compressed work-week policy for your employees, and suggests that participating employees use a 9/80 or 4/10 schedule. To comply with the Program by means of [Option 4A](#), in addition to implementing a CWW schedule policy, you must also offer two secondary benefits ([see the guidance on Option 4](#)).



### Parking Cash-Out

**Q: Does “Parking Cash-Out” qualify for the purpose of complying with the Program?**

**A:** “Parking cash-out” (PCO) means that an employer that provides subsidized parking for its employees offers them the option to take a cash payment in lieu of the parking subsidy. Studies show that PCO is an effective means to reduce drive-alone commuting. State law requires employers who meet certain criteria to offer PCO to

their employees. An employer that makes PCO available to its employees, either to comply with State law, or on a voluntary basis, may submit an alternative commuter benefit proposal pursuant to Option 4A, choosing PCO as the “Primary Measure”. To comply with the Program by means of Option 4A, in addition to parking cash-out, you must also offer two secondary benefits ([see guidance on Option 4](#)).

### Electric Vehicles

**Q: Can my company comply with the Program by promoting the use of electric vehicles by our employees?**

**A:** Yes, you can submit a proposed Program to promote the use of electric vehicles by your employees as a “Primary Measure” in an alternative commuter benefit proposal

pursuant to Option 4A. To comply with the Program by means of Option 4A, in addition to implementing a CWW schedule policy, you must also offer two secondary benefits ([see the guidance on Option 4](#)). Or you may propose an electric vehicle Program by means of Option 4C.



## **EXECUTIVE DIRECTOR'S REPORT**

### **June 18, 2014**

#### **International Partnering Institute Awards Ceremony: May 15, 2014**

Ivan Ramirez attended the IPI Awards ceremony at San Francisco International Airport (SFO). The event is designed to recognize the leaders in partnering during the construction phase of a project. SFO engineers have used partnering and innovative procurement tools to build both the International Terminal and most recently the additions to Terminal 3 and have hosted the event for the past few years. There were many owners that were recognized for their excellence in partnering. Staff plans to nominate CCTA's projects when they are completed.

#### **IPI Board of Advisors: May 16, 2014**

I attended my first board of advisors meeting for IPI, which includes representatives from government and the private sector. A contractor from Sweden sits on the board. At the meeting, we discussed ways of measuring the effectiveness of formal partnering in construction. Caltrans has adopted formal partnering a few years ago and presented some of their data on reduced claims and budget control. We also discussed marketing techniques to get the word out about partnering and IPI. I promised to set up a short introduction for Rob Reaugh, Executive Director at IPI, at the CMA meeting CCTA hosted in May.

#### **SR 160/ Highway 4 Groundbreaking Event: May 20, 2014**

CCTA hosted the groundbreaking event for SR160/Highway 4 interchange completion project. The current configuration of the interchange won't allow the connection from WB Highway 4 to SR 160 – drivers have to travel to Hillcrest and make a U-turn and SB SR 160 to EB Highway 4. This event marked the start of the completion of the western end of the Highway 4 bypass project.

#### **Interview with David Padilla, KCBS: May 20, 2014**

After the groundbreaking event, I gave an interview to David Padilla, KCBS radio on the connector ramps project and what it will bring to the region when completed. He also wanted to know the overall status of the Highway 4 projects.

#### **Interview with KGO's John Marshall: May 20, 2014**

When I returned to the office, KGO radio wanted to conduct an interview concerning the groundbreaking event. I interviewed with Johan Marshall with KGO radio. John asked a few questions about the groundbreaking event, the type of work started on the interchange, and the status of Highway 4 projects overall.

**Contractor Payments: May 20, 2014**

CCTA made a payment of \$4.03 million to a single contractor, RGW, the largest monthly construction progress payment to date. The previous record was a payment of \$3.9 million on June 20, 2013, to CC Myers Inc./Bay Cities Paving and Grading.

**Mark Jones Interview: May 21, 2014**

Mark Jones interviewed me regarding the status of the Car.ma pilot project, one of CCTA's innovative projects. He is developing a short video for interested people.

**Self Help Counties Coalition Meeting: May 21, 2014**

Ross Chittenden and I teleconferenced into the May SHCC meeting. We discussed the status of the CTIP report and the progress of the subcommittees. We also had a short briefing on the SSTI report and the next steps. We are concerned about the lowering of the sales tax threshold and what must be given up to get it down to 55%. The last item was a Cap and Trade update, which was provided by Bill Higgins from CALCOG.

**WTS Annual Event: May 21, 2014**

CCTA received the WTS Innovative Project of the Year award. Because the Authority Meeting conflicted with the WTS event, Ivy Morrison and Amy Worth accepted the award for CCTA.

**Construction Management Association of America Awards Banquet: May 21, 2014**

Ross Chittenden, Ivan Ramirez and I attended the CMAA annual awards banquet in Sacramento. CCTA was honored as an owner of choice. Prior to the event, Ross, Ivan and I sat down with CMAA President and CEO Bruce D'Agostino prior to the banquet. He requested a meeting to obtain our views on construction management.

**California Transportation Foundation (CTF) Awards Luncheon: May 22, 2014**

An assortment of CCTA staff and commissioners attended the CTF Awards Luncheon held in Sacramento, at which the Caldecott Tunnel was honored as the Project of the Year. Chair Romick gave the acceptance speech.

**CALCOG Meeting: May 27, 2014**

I attended the monthly CALCOG meeting in Sacramento. This month's meeting focused on Cap and Trade. We were also given an update regarding the next Federal Surface Transportation Bill by Kathy Ruffalo, Riverside County Transportation Commission's federal lobbyist.

**Asian America Architect and Engineers (AAa/e) Open House: May 27, 2014**

I spoke at the AAa/e open house in San Francisco. The attendees were provided agency updates from Ed Reiskin from SF Muni, Tillie Chang from SFCTA, and me. They were most interested in the upcoming procurement opportunities. Ross Chittenden and Jack Hall attended the event as well.

**East Bay Leadership Council Event: May 28, 2014**

I participated on a panel with Art Dao, Executive Director for the Alameda County Transportation Commission, to discuss the results of the Beacon Economics Commute Study for the tri-valley area. Chris Thornberg, founding partner of Beacon Economics, gave the results of his commute

study and answered a few questions. Art and I were asked a few questions about the data and how it helps us plan for future transportation needs in the tri-valley area.

**Tri Valley Mayors Meeting:** May 28, 2014

Art Dao and I spoke to the tri-valley area Mayors and City staff and provided information about our agencies and updates on the projects and programs that we are working on at our respective agencies.

**California Transit Association (CTA) Spring Legislative Conference:** May 28, 2014

Peter Engel and Linsey Willis attended the CTA Spring Legislative Conference in Sacramento where they were able to get updates on several important issues high on CTA's legislative priority list. Included was a general update from California State Transportation Agency Secretary Brian Kelly and Senator Darrell Steinberg; panel discussions about Zero Emission Bus projects, Federal Section 13(c) labor and PEPRAs conflicts and Cap and Trade proposals. There was also a presentation on CTA sponsored bills and other important transit bills moving through the Legislature this session.

**UC Berkeley Partners for Advanced Transit and Highways (PATH):** May 29, 2014

Peter Engel and I met with Wei-Bin Zhang, Research Engineer and Program Director at PATH, to discuss the status of the request for innovative funding to develop a technology based solution to public transit connection protection, dynamic routing and dispatch; and real time ridesharing for transit riders. The plan is for CCTA to partner with PATH and a transit agency to develop these tools.

**National Freight Advisory Committee's Public Webinar Meeting:** May 29, 2014

I participated on the webinar to finalize the recommendations of the committee to the US Department of Transportation for their review and input into their Strategic Freight Plan.

**Contra Costa Taxpayers Association:** May 30, 2014

I presented an update regarding Measure J. The presentation included the projects and programs that have been delivered so far and an update regarding the amount of sales tax collected and how it is trending. I also included a slide reviewing various safeguards that are in place for Measure J including audits, 1% cap for administration, etc. Finally, I presented the results of the recent polling efforts for the comprehensive transportation plan and the start of the necessary steps to put another Measure on the ballot in 2016. The meeting went well and there were many good questions.

**Monthly CMA Director's Meeting:** May 30, 2014

CCTA hosted the monthly CMA Directors' meeting. Ross Chittenden and Martin Engelmann provided an update on "What's happening in Contra Costa." Rob Reaugh from IPI gave the group a tutorial on formal partnering in construction. MTC provided an update on the Bay Area freight study. Caltrans staff provided information about the California Strategic Freight Plan. There was an update on the Cap and Trade proposals.

**Central Subway Tour: May 31, 2014**

Ivan Ramirez, Jack Hall, Ross Chittenden and I toured the 1.5-mile, 22-foot diameter southbound Central Subway tube under San Francisco. We were interested in talking to the engineering and construction staff about the differences in the method we used at the Caldecott Tunnel (New Austrian Tunneling Method) and the Central Subway Project (Tunnel Boring Machine).

**TRB Long Term Pavement Performance Committee (LCOM) Meeting: June 3-4, 2014**

I attended the LCOM meeting in Washington, DC. We reviewed the Federal Highway Administration's response to the 33<sup>rd</sup> Letter Report. The latest version of the federal surface transportation bill will reduce the amount of research. This may affect this committee. We also discussed how to get the word out to the local agencies about the vast amount of data that has been collected across the United States to help them with their decision making regarding strategies to prolong the life of their pavements.

**Student Intern Program: June 4, 2014**

Linsey Willis received approval from MTC to fund CCTA's student intern program. The plan is to start this year with one student who will work from June to August/September. The funding will come from MTC's student intern program funds. Thank you MTC.

**Government Finance Officers Association: June 4, 2014**

CCTA received notification from the Government Finance Officers Association that our Comprehensive Annual Financial Report for the fiscal year ended June 30, 2013 qualifies for a Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

**Institute for Local Government: June 5, 2014**

Linsey Willis has secured a technical assistance grant with an in-kind value of approximately \$17,500 from the Institute for Local Government designed to help prepare and position the organization for an increase in public engagement activities, facilitate better internal and external communications, and teach best practices in regards to public participation. These activities will take place from June – September 2014.

**Joint Partnering Session for Highway 4 Widening Projects: June 6, 2014**

Ross Chittenden, Ivan Ramirez, Amin AbuAmara, Jack Hall and I met with the contractor's team, Caltrans, Construction Management consultants for Contra Loma, Lone Tree, Hillcrest, and Sand Creek for a joint partnering session. The session included a safety briefing by the contractor's safety officer, who applauded the team for its focus on safety in the workplace. The superintendent formed four teams for a team building exercise.

**Senator DeSaulnier Meeting: June 6, 2014**

Ross Chittenden, Linsey Willis and I met with Senator DeSaulnier and the Senate consultant to the Transportation and Housing Committee to discuss AB 1724, the Construction Manager/General Contractor bill. PECG has expressed opposition to the bill unless it specifically dictates that Caltrans will provide inspectors for work performed on the State Highway.



**Strategic Discussion on Future Bonds: June 10, 2014**

Ross Chittenden, Randall Carlton and I met with CCTA's financial advisor Peter Shellenberger of PFM Financial Management. We discussed preliminary plans regarding future bonds for capital projects. Projections indicate that we can raise approximately \$200 million over the next few years based on the current revenue forecast. The timing of the next issuance, of approximately \$100 million, is anticipated in early 2015. We will be updating the APC and Board periodically as the timing and details come together over the next few months. As a reminder, CCTA enjoys a very high credit rating of AA+ from Standard & Poor's and AA+ from Fitch Rating.

*This Page Intentionally Blank*



CONTRA COSTA  
transportation  
authority

COMMISSIONERS

Kevin Romick,  
Chair

Julie Pierce,  
Vice Chair

Janet Abelson

Newell Americh

Tom Butt

David Durant

Federal Glover

Dave Hudson

Mike Metcalf

Karen Mitchoff

Robert Taylor

## MEMORANDUM

To: Barbara Neustadter, TRANSPAC

Andy Dillard, SWAT, TVTC

Jamar Stamps, TRANSPLAN

John Nemeth, WCCTAC

Shawna Brekke-Read, LPMC

From:  Randell H. Iwasaki, Executive Director

Date: June 24, 2014

Re: Items approved by the Authority on June 18, 2014, for circulation to the Regional Transportation Planning Committees (RTPCs), and related items of interest

At its June 18, 2014 meeting, the Authority discussed the following items which may be of interest to the Regional Transportation Planning Committees:

- 1. Overall Schedule and Public Education Plan in Support of the 2014 CTP Update and Possible Measure J Renewal Expenditure Plan, and Update on the Status of the 2014 CTP and Proposed Public Education and Outreach Plan.** Authority staff is working towards release of the draft 2014 CTP Update in July 2014. As part of the update, the RTPCs have recently completed drafts of the five subregional Action Plans for Routes of Regional Significance. In June, staff presented an update to both the APC and PC on the status of the Draft Action Plans and the 2014 CTP, and reviewed a preliminary scope, schedule and budget for a comprehensive public education and outreach plan that would accompany the release of the 2014 Countywide Transportation Plan (CTP) Update, and subsequent activities leading up to development of a Measure J renewal Transportation Expenditure Plan (TEP). *The Authority approved "in concept" the outreach plan and proposed budget for outreach activities to be completed through December 2014. As recommended by both the PC and APC, the Authority's FY 2014-15 Budget was revised to include proposed education and outreach activities that extend beyond the adoption of the CTP in December, through the end of the fiscal year.*

Randell H. Iwasaki,  
Executive Director

2999 Oak Road  
Suite 100  
Walnut Creek  
CA 94597  
PHONE: 925.256.4700  
FAX: 925.256.4701  
www.ccta.net

- 2. FY 2014-15 Proposed Budget for the Contra Costa Transportation Authority and Congestion Management Agency.** The FY 2014-15 Proposed Budget was submitted to the APC for recommendation for Authority approval following a noticed public hearing on June 18, 2014. The Proposed Budget calls for funding appropriations totaling \$278.1 million for projects, congestion management, planning, programs, administration and debt service necessary for Authority operations, capital improvements and programmed activities planned from July 1, 2014 through June 30, 2015. **Resolution 14-32-A.** *Following a Public Hearing, the Authority adopted Resolution 14-32-A approving the FY 2014-15 Budget, which was revised to include proposed CTP stakeholder outreach and consultant support activities through the end of the fiscal year.*
- 3. Release of the Draft Final Financial Feasibility of Contra Costa County Ferry Service, 2015-2024.** Over the past year, a working group of Contra Costa ferry service stakeholders has been meeting to discuss issues related to Water Emergency Transportation Authority (WETA) expansion into Contra Costa. A financial feasibility study was developed and presented to the Authority Board for approval to distribute to ferry stakeholders and the general public. *The Authority approved release of the study, which is available for download on CCTA's website at <http://www.ccta.net/resources/detail/45/1>.*

# TRANSPAC Transportation Partnership and Cooperation

Clayton, Concord, Martinez, Pleasant Hill, Walnut Creek and Contra Costa County  
2300 Contra Costa Boulevard, Suite 110  
Pleasant Hill, CA 94523  
(925) 969-0841

June 20, 2014

Randell H. Iwasaki, Executive Director  
Contra Costa Transportation Authority  
2999 Oak Road, Suite 100  
Walnut Creek, CA 94597

Re: Status Letter for TRANSPAC Meeting – June 12, 2014

Dear Mr. Iwasaki:

At its meeting on June 12, 2014, TRANSPAC took the following actions that may be of interest to the Transportation Authority:

1. Received a presentation of proposal from Ray Kuzbari, City of Concord Transportation Manager, related to Central County Measure J Line 28a funds; and TRANSPAC approved the proposal by a unanimous vote for the distribution of Central County Measure J Line 28a funds.
2. Received a presentation from TRANSPAC Chair Mark Ross on the activities of the Bay Area Air Quality Management District (BAAQMD).
3. Received update from Lynn Overcashier, 511 Contra Costa Program Manager on the TRANSPAC/TRANSPLAN 511 Contra Costa Transportation Demand Management (TDM) Spring 2014 Report.
4. Received update from Barbara Neustadter, TRANSPAC Manager, on the status of establishing a Joint Powers Authority (JPA) for TRANSPAC.

TRANSPAC hopes that this information is useful to you.

Sincerely,



Barbara Neustadter  
TRANSPAC Manager

Mr. Randall H. Iwasaki

June 20, 2014

Page 2

cc: TRANSPAC Representatives; TRANSPAC TAC and staff  
Candace Andersen, Chair – SWAT  
Sal Evola, Chair – TRANSPLAN  
Martin Engelmann, Hisham Noeimi, Brad Beck (CCTA)  
John Nemeth – WCCTAC  
Janet Abelson – WCCTAC  
Jamar I. Stamps – TRANSPLAN  
Andy Dillard – SWAT  
Danice Rosenbohm, CCTA  
June Catalano, Diana Vavrek, Diane Bentley – City of Pleasant Hill