

**TRANSPLAN COMMITTEE**  
**Antioch - Brentwood - Pittsburg - Oakley and Contra Costa County**

MINUTES

August 13, 2020

The regular meeting of the TRANSPLAN Committee was convened via a web-based platform in locations not open to the public to provide the safest environment for staff and the public consistent with Contra Costa County Health Officer's most recent order of March 31, 2020, continuing to prevent public gatherings. In lieu of a public gathering, the Board of Directors was accessible via GoToMeeting to all members of the public as permitted by the Governor's Executive Order 29-20. Members of the public were allowed to participate in the meeting online, or by telephone.

Chair Robert (Bob) Taylor called the meeting to order at 6:30 P.M.

**ROLL CALL / CALL TO ORDER**

PRESENT: Holland White, Alternate for Juan Banales (Pittsburg), Diane Burgis (Contra Costa County), Anita Roberts (Brentwood), Michael Krieg (Oakley), Kerry Motts\* (Antioch), Kevin Romick (Oakley), Sean Wright\* (Antioch), and Robert (Bob) Taylor (Chair, Brentwood)

\*Arrived after Roll Call

ABSENT: Sarah Foster (Pittsburg), and Duane Steele (Contra Costa Planning Commission)

STAFF: Colin Piethé, Contra Costa County Department of Conservation and Development

**PUBLIC COMMENTS**

There were no comments from the public.

**CONSENT ITEMS**

On motion by Diane Burgis, seconded by Kevin Romick, TRANSPLAN Committee members adopted the Consent Calendar, with the exception of the minutes due to a lack of quorum, as follows:

- Adopt Minutes from May 14, 2020 and July 8, 2020 TRANSPLAN Meetings.  
(CONTINUED TO THE NEXT MEETING)
- Accepted Correspondence
- Accepted Status Report on Major Projects

- Accepted Calendar of Events
- Accepted Environmental Register

There was no quorum but the following who were present accepted the information items on the agenda by a Roll Call vote:

Ayes: Burgis, Krieg, Roberts, Romick, White, Taylor

Noes: None

Abstain: None

Absent: Foster, Motts, Steele, Wright

**RECEIVE INFORMATIONAL UPDATE FROM BART STAFF REGARDING THE RELEASE OF “A TECHNICAL GUIDE TO ZONING FOR AB 2923 CONFORMANCE”**

Kamala Parks, Senior Station Planner, BART, reported that BART had finished work on AB 2923, signed into law on September 30, 2018, requiring that transit oriented development (TOD) must be allowed on all BART property in San Francisco, Contra Costa, and Alameda counties, with the goal to address the lack of housing in a way to fulfill the demand in the most environmentally responsible way by increasing density near major transit (BART) stations. In order to qualify for AB 2923, the land must be in the three counties, within a half mile of a BART station entrance, parcels must contain at least 75 percent of their total land area within the half-mile radius, and be single or contiguous parcels of at least one-quarter acre in size. She advised that baseline zoning standards had been set with three TOD place types of Neighborhood/Town Center, Urban Neighborhood/City Center, and Regional Center. All BART stations in Eastern Contra Costa County were below the baseline and more intensive standards had not been chosen.

Ms. Parks identified the baseline zoning standards for each TOD place type, and what that meant for the four stations in East County where the standards had to allow a residential density of 75 dwelling units per acre, 5 stories, 3.0 floor area ratio (FAR), parking to be shared and unbundled with no minimum requirement, with 1.0 vehicle parking space per unit maximum, 2.5 vehicle spaces per 1,000 square foot office unit maximum, and 1.0 secure bike parking space per unit. She noted that the timeline for jurisdictions was to either establish a local TOD zoning standard by July 1, 2020, or let the baseline zoning standard become the TOD zoning standard. Jurisdictions had two years to either conform to the standards or the standards would become the local zoning.

Ms. Parks identified the critical milestones in the AB 2923 and TOD Work Plan and the AB 2923 Technical Guide and advised that BART had notified all jurisdictions and other stakeholders about the documents. She identified the timeline involved and explained that the documents included on-line mapping and a database that identified what BART owned in the station area and whether it was AB 2923 eligible.

Ms. Parks explained that The Technical Guide to Zoning for AB 2923 Conformance, released in June with comments due by August 7, provided guidance to local jurisdictions on how to look at their own zoning ordinances and how to amend it, and about allowable density, allowable building height, and allowable FAR, with the requirements for vehicle and bicycle parking. All the materials and information were available at [www.bart.gov/AB2923](http://www.bart.gov/AB2923). BART had reached out to all jurisdictions that would be affected and had received great input. She clarified that the approach was to stick with the letter of the law although there might be some flexibility, such as with building height and the measurement with respect to specific foot height or the number of stories. Conformance would be determined with the local jurisdictions and would have to occur by July 31, 2022. If there were issues when a developer wanted to develop, BART would ensure conformance.

Ms. Parks highlighted the key chapters of the Technical Guide, identified the supporting materials, and stated the Technical Guide was about zoning and not development. The TOD Work Plan articulated BART's approach to prioritizing development on its property, with the public draft to be released the week of August 17, and with the BART Board to adopt the AB 2923 Development Principles, including transit demand management (TDM) requirements for TOD projects, on August 27, 2020. Engagement and outreach was anticipated in the fall of 2020.

Ms. Parks identified four development principles as to how to prioritize TOD projects to cost-effectively implement BART's TOD-related policies, meet regional goals while respecting local planning; work with jurisdictions to incorporate local design standards in order to create vibrant safe, well-designed TOD projects; and encourage sustainable mobility for residents, workers, visitors, and BART customers.

Ms. Parks expressed her hope for a discussion and whether there were local events or efforts to piggyback on with respect to outreach for the TOD work plan and other things that had to be addressed, input on how to engage the communities of concern, and whether there were language needs in specific areas.

Kevin Romick commented that September had always been the month of festivals in East County, and while that would not likely occur this year, he asked other members if any replacement events had been scheduled.

On the discussion, members recommended that the BART presentation be provided to each jurisdiction, although given that the cities of Brentwood and Oakley had little BART land, the consensus was to pursue a regional approach that could include representation from each jurisdiction.

Diane Burgis commented that many people did not understand the process of zoning and housing and how it was connected to transportation, which should be clarified and that housing advocates needed to be involved to understand what the county and the region was doing with respect to transportation.

## **RECEIVE INFORMATIONAL UPDATE FROM CCTA STAFF REGARDING COVID-19 IMPACTS TO MEASURE J REVENUE**

Hisham Noeimi, Director Programming, Contra Costa Transportation Authority (CCTA), described actions taken by the CCTA Board related to interim measures as a result of COVID-19 impacts on Measure J revenues long term to ensure that Measure J expenditures did not exceed revenues when the measure expired in 2034, and to ensure a positive cash flow.

Mr. Noeimi explained that when the voters had approved Measure J in 2004, an assumption had been made on the revenue to be generated by the measure and had been assigned to specific projects and programs, and there had been no contingency plan for revenue reductions such as the 2008 recession and COVID-19. While the dollar amount fluctuated from year to year, the expenditures were fixed to 57.5 percent to programs and 42.5 percent to projects. Bonds had been issued against the projects portion of revenues to allow projects to be built sooner, and low interest rates had been secured on the bonds to take advantage of the federal stimulus funds in 2009 and Proposition 1B funds. He noted that bonding was only against the projects portion of the revenues, and whenever revenues fluctuated the strategic plan was updated to address those fluctuations to remain within the established percentages. Because of the ability to accelerate projects, the project list had become shorter and shorter.

Mr. Noeimi stated that fluctuations had been made in response to reductions in revenues but in spite of best efforts COVID-19 would impact the revenues and in fiscal year 2020-21 there would be a \$30 million loss in Measure J revenues from what had been anticipated in the 2019 Strategic Plan. He identified possible scenarios for recovery and when that might be projected to occur, and advised that an actual projection of revenues from the economist was expected within the next ten days. While \$754 million remained to fulfill capital projects, 96 percent of that amount would be spent in the next fiscal year. Doing nothing, under the worst case scenario expenditures would exceed the revenues, which would not be allowed by the CCTA Board.

Mr. Noeimi stated that whenever revenues dropped, the response was to reduce the funding of projects, and defunding \$30 million should be able to accommodate the projects and programs, although actions were being considered by the CCTA Board if there was a larger reduction of revenues. Without a new revenue forecast, no new operations could be approved. He explained that the CCTA Board was not impacting the operational programs or return to source monies, but whenever there were savings on a project there would be a strategic plan amendment. At this time, if there were any savings that could be put in reserve to help absorb the impact of COVID-19 that would be done. He stated that a \$4 to \$5 million savings was anticipated on the Highway 4 East Widening project, the Caldecott landscaping, and other projects.

Mr. Noeimi described the CCTA Board's actions to help with the cash flow by suspending Measure J appropriations to capital projects; retaining all Measure J savings in reserve to soften the impact of revenue reduction; managing allocations pursuant to the Transportation Expenditure Plan (TEP) for operating programs based on revised revenue estimates; continuing to delay programming the next cycle of the Transportation for Livable Communities (TLC) and Pedestrian, Bicycle and Trail Facilities (PBTF) programs; increasing the frequency of reimbursement requests for state and federal funds to help with the cash flow; requesting Federal Highway Administration (FHWA) waiver and/or reduction of the local match requirement; requesting that pre-award costs be eligible for reimbursement; monitoring opportunities to refinance issued bonds or obtaining zero-interest bridge loans to help with cash flow; identifying grant opportunities to supplant Measure J funds programmed for projects and programs; and advocating for federal and state stimulus funding.

Besides adopting those actions, Mr. Noeimi stated the CCTA Board had directed staff to work on an allocation plan to help guide the future of Measure J funds, which would apply to the 32 projects remaining in Measure J. He referred to the Allocation Plan Principles the CCTA Board had approved in June that favored projects using state and local funds that were shovel ready to prioritize the allocation of projects using an established criteria.

Besides the Allocation Plan, the Board noted that matching funds were not available and the Board was looking for other ways to get matching funds, and thinking of using the money that was available in exchange for local flexible funds that could be used to apply for other funding sources that could be used as a local match. Staff was also exploring a way to place Measure J funds on projects with other funding sources.

To that end, Mr. Noeimi stated over the last couple of months, CCTA staff had worked with local agencies to gather information on projects, and had completed a ranking of those projects which would be presented to the California Transportation Commission (CTC) at its August 20 meeting. CCTA staff had also been looking at CCTA-led projects and had suspended all the projects that were fully funded with Measure J funds that did not have other funding sources to move forward. The only contracts moving forward at this time were for projects that were totally or partially funded by funding sources other than Measure J.

The next steps would involve a revenue forecast in September or November to be able to determine which of the projects would proceed with Measure J operations that would fit into the 2020 Strategic Plan.

Holland White asked about the Pittsburg projects that would be impacted by the COVID-19 reductions, and Mr. Noeimi identified the BART Pedestrian Bicycle Connectivity project (\$600,000 in Measure J funds) and the James Donlon Extension project (\$6.7 million) that would be impacted.

Mr. Noeimi stated that more information would be provided when available.

**ADJOURNMENT**

Chair Taylor adjourned the meeting of the TRANSPLAN Committee at 7:36 P.M. to the next meeting on September 15, 2020 at 6:30 P.M. or other day/time as deemed appropriate by the Committee.

Respectfully submitted,

Anita L. Tucci-Smith  
Minutes Clerk