

Wade Harper, Chair
Antioch
City Council

Robert Taylor, Vice-Chair
Brentwood
City Council

Mary N. Piepho
Contra Costa County
Board of Supervisors

Kevin Romick
Oakley
City Council

Salvatore Evola
Pittsburg
City Council

Kerry Motts
Antioch
Planning Commission

Joseph Weber
Brentwood
Planning Commission

Duane Steele
Contra Costa
Planning Commission

Vacant
Representing the
Contra Costa County
Board of Supervisors

Doug Hardcastle
Oakley
Planning Commission

Bruce Ohlson
Pittsburg
Planning Commission

Staff Contact:
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TRANSPLAN Committee Meeting

Thursday, March 12, 2015 – 6:30 PM

Tri Delta Transit Board Room, 801 Wilbur Avenue, Antioch

We will provide reasonable accommodations for persons with disabilities to participate in TRANSPLAN meetings if they contact staff at least 48 hours before the meeting. Please contact Jamar Stamps at 925-674-7832 or jamar.stamps@dcd.cccounty.us

AGENDA

Items may be taken out of order based on the business of the day and preferences of the Committee.

- 1. OPEN** the meeting.
- 2. ACCEPT** public comment on items not listed on agenda.

Consent Items (see attachments where noted [♦])

- 3. ADOPT** Minutes from 12/11/14 TRANSPLAN Meetings ♦ **Page 2**
- 4. ACCEPT** Correspondence ♦ **Page 11**
- 5. ACCEPT** Status Report on Major Projects ♦ **Page 17**
- 6. ACCEPT** Calendar of Events ♦ **Page 25**
- 7. ACCEPT** Environmental Register ♦ **Page 27**
- 8. APPROVE** Request for 2015 Contra Costa Transportation Authority (CCTA) Safe Routes to School (SR2S) Technical Assistance (City of Oakley). ♦ **Page 29**

End of Consent Items

Open the Public Meeting

Action/Discussion Items (see attachments where noted [♦])

9. ELECT *new Chair and Vice-Chair for 2015: TRANSPLAN elects its officers at the beginning of each calendar year. However, the TRANSPLAN Committee Chair (Mayor Wade Harper) recently stepped down from TRANSPLAN. Elections of chair and vice chair are done in two separate motions. Both must be elected officials. The attachment shows the officers of TRANSPLAN for the past seven years.*

10. ADOPT *the Conflict of Interest Code of the Regional Transportation Planning Committee for Eastern Contra Costa County (“TRANSPLAN Committee”). ♦ Page 36*

13. ADJOURN to next meeting on Thursday, April 9, 2015 at 6:30 p.m. or other day/time as deemed appropriate by the Committee.

ITEM 3
12/11/14 TRANSPLAN COMMITTEE MEETING MINUTES

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

MINUTES

December 11, 2014

The regular meeting of the TRANSPLAN Committee was called to order in the Tri Delta Transit Board Room, 801 Wilbur Avenue, Antioch, California by Chair Salvatore (Sal) Evola at 6:30 P.M.

ROLL CALL

PRESENT: Kerry Motts (Antioch), Bruce Olson (Pittsburg), Mary N. Piepho (Contra Costa County Board of Supervisors), Kevin Romick (Oakley), Duane Steele (Contra Costa Planning Commission), Robert (Bob) Taylor (Brentwood), Joe Weber (Brentwood), Wade Harper (Vice Chair, Antioch) and Chair Salvatore (Sal) Evola (Pittsburg)

ABSENT: Doug Hardcastle (Oakley)

STAFF: Jamar Stamps, TRANSPLAN Transportation Planner

PUBLIC COMMENT FOR ITEMS NOT LISTED ON THE AGENDA

There were no comments from the public.

CONSENT ITEMS

On motion by Kevin Romick, seconded by Mary Piepho, TRANSPLAN Committee members adopted the Consent Calendar, as follows:

3. Adopted Minutes from October 9, 2014 TRANSPLAN meeting
4. Accepted Correspondence
5. Accepted Status Report on Major Projects
6. Accepted Calendar of Events
7. Accepted Environmental Register
8. Adopted 2015 TRANSPLAN meeting calendar

The motion carried by the following vote:

Ayes: Harper, Motts, Olson, Piepho, Romick, Steele, Taylor, Evola
Noes: None
Abstain: Weber
Absent: Hardcastle

ELECT CHAIR AND VICE CHAIR FOR 2015

TRANSPLAN Staff Jamar Stamps reported that the TRANSPLAN Committee elected its officers at the beginning of each calendar year. Elections of chair and vice chair were taken by two separate motions. Both must be elected officials. He noted that the staff report had identified the elected officers over the last few years, and he had included the section of the minutes from the August 14, 2014 meeting which had set the rotation for chair and vice chair among the member agencies in order of Antioch, Brentwood, Oakley, Contra Costa County, and Pittsburg, which would take effect after the action.

Chair Evola explained that he had initially raised the issue in a desire that there be a consistency of rotation among East County transportation agencies.

Chair

On motion by Kevin Romick to nominate Wade Harper as Chair of the TRANSPLAN Committee. The nomination was seconded by Joe Weber. There were no other nominations. The nominations were closed. **Wade Harper** was elected to serve as Chair of the TRANSPLAN Committee for 2015, by the following vote:

Ayes: Harper, Motts, Olson, Piepho, Romick, Steele, Taylor, Weber, Evola
Noes: None
Abstain: None
Absent: Hardcastle

Newly-elected Chair Harper chaired the meeting at this time.

Vice Chair

On motion by Kevin Romick to nominate Bob Taylor as Vice Chair of the TRANSPLAN Committee. The nomination was seconded by Joe Weber. There were no other nominations. The nominations were closed. **Bob Taylor** was elected to serve as Vice Chair of the TRANSPLAN Committee for 2015, by the following vote:

Ayes: Evola, Motts, Olson, Piepho, Romick, Steele, Taylor, Weber, Harper
Noes: None
Abstain: None
Absent: Hardcastle

APPOINT TRANSPLAN REPRESENTATIVE TO THE CONTRA COSTA TRANSPORTATION AUTHORITY (CCTA) BOARD

Mr. Stamps reported that a TRANSPLAN Committee member would have to be appointed for the odd year term on the CCTA Board from February 1, 2015 through January 31,

2017.

Mr. Stamps explained that Kevin Romick had served as the odd year primary representative, with Wade Harper serving as the alternate to the odd year term. He clarified that the representative would have to be an elected official. He clarified, when asked, that there could be two alternates for odd and even terms, if desired.

Sal Evola commented that as the representative on the TRANSPLAN Committee from the City of Pittsburg, he appreciated the leadership that the cities of Brentwood and Oakley had provided in that the City of Pittsburg had benefitted from the consistency of leadership in far East County where most of the work needed to be done, which had included former TRANSPLAN Committee member and now Assemblymember Jim Frazier, and he had been satisfied with the representation.

On motion by Sal Evola to reappoint Kevin Romick as the TRANSPLAN Committee Representative to the CCTA Board to serve from February 1, 2015 through January 31, 2017. Mary Piepho seconded the motion, which carried by the following vote:

Ayes: Evola, Piepho, Romick, Taylor, Harper
Noes: None
Abstain: None
Absent: None

Mary Piepho recommended that Sal Evola be appointed to serve as the alternate to the CCTA Representative for the odd year term.

Mr. Evola stated that he would be interested in serving as the alternate in that the City of Pittsburg had not had a representative on the CCTA Board for some time.

On motion by Mary Piepho to appoint Sal Evola as the alternate to Kevin Romick for the CCTA Representative term from February 1, 2015 through January 31, 2017. It was clarified that the alternate for the even year appointment would remain the same. The motion carried by the following vote:

Ayes: Evola, Piepho, Romick, Taylor, Harper
Noes: None
Abstain: None
Absent: None

APPROVE THE "PROPOSAL FOR ADOPTION" EAST COUNTY ACTION PLAN FOR ROUTES OF REGIONAL SIGNIFICANCE TO FORWARD TO CCTA TO INCORPORATE INTO THE FINAL 2014 COUNTYWIDE TRANSPORTATION PLAN (CTP)

Mr. Stamps reported that the TRANSPLAN TAC had been involved in updating the Routes

of Regional Significance (RORS) since 2013.

In that process, there had been several iterations, updates to the Multimodal Transportation Service Objectives (MTSOs) for each regional route, and actions to achieve them, and the TAC was generally satisfied with the Action Plan “Proposal for Adoption.”

Mr. Stamps identified the most recent changes recommended by the TAC during the November TAC meeting under Make Operational Improvements to Freeways and Arterials, where language had been added that *In addition, new technologies are rapidly being developed that will further improve travel safety and efficiency, and reduce environmental impacts of vehicular travel.* An item 3e) under that same section had also been added to read: *In cooperation with CCTA, encourage the ongoing investigation of new transportation-related technologies that have the potential to improve traveler safety, smooth traffic flow and reduce delay, and/or reduce the environmental or quality-of-life impacts associated with current travel modes (Local jurisdictions, CCTA)*

Mr. Stamps reported that the CCTA would include all “Proposals for Adoption” into the final CTP, the CCTA was preparing a final Supplemental Environmental Impact Report (EIR) for the CTP, and the CCTA anticipated taking action to adopt the final CTP and Supplemental EIR in March 2015. Immediately following, the CCTA Board would forward the final Action Plan to each Regional Transportation Planning Committee (RTPC) for adoption.

On motion by Bob Taylor, seconded by Joe Weber to approve the “Proposal for Adoption” East County Action Plan for Routes of Regional Significance to forward to the CCTA for incorporation into the Final 2014 Countywide Transportation Plan (CTP), carried by the following vote:

Ayes: Evola, Motts, Olson, Piepho, Romick, Steele, Taylor, Weber, Harper
Noes: None
Abstain: None
Absent: Hardcastle

APPROVE AMENDMENT NO. 2 TO THE 2013 MEASURE J STRATEGIC PLAN, CCTA STAFF SEEKS TRANSPLAN CONCURRENCE WITH AMENDMENT NO. 2 TO THE 2013 MEASURE J STRATEGIC PLAN

Chair Harper advised that Amendment No. 2 reprograms approximately \$2.4 million from the State Route 4 Widening (Project 3001) to the Pittsburg Center Station (Project 2002). In addition, Amendment No. 2 reprograms \$2.28 million from East County Construction Reserve and \$0.42 million from State Route 4 Widening (Project 3001) to eBART (Project 2001).

Mr. Stamps advised that the item had already been reviewed by the CCTA's Planning Committee as well as the CCTA Board in November, which had approved the item contingent upon TRANSPLAN Committee approval at this time.

The amendment had been considered by the TRANSPLAN TAC in November, which had been well attended, and where there had been a thorough discussion when all of the questions with respect to the action and project had been answered by CCTA staff. The TAC was comfortable forwarding the item to the TRANSPLAN Committee for approval with CCTA action to take effect once the item had been approved by TRANSPLAN.

On motion by Bob Taylor, seconded by Joe Weber, TRANSPLAN Committee Members approved Amendment No. 2 to the 2013 Measure J Strategic Plan, carried by the following vote:

Ayes: Evola, Motts, Olson, Piepho, Romick, Steele, Taylor, Weber, Harper
Noes: None
Abstain: None
Absent: Hardcastle

RECEIVE SEMI-ANNUAL UPDATE ON THE eBART PROJECT

Ric Rattray, eBART Project Manager, presented a semi-annual update for the eBART project, and reported that BART was happy to be able to include the City of Pittsburg station in the construction. He explained that the project had been adopted by the BART Board in 2009 with Diesel Multiple Unit (DMU) technology in the State Route 4 median for a ten-mile extension to the City of Antioch, and would include a transfer platform at the Pittsburg/Bay Point Station, a Pittsburg Center Station, an Antioch Station, and a maintenance facility.

Mr. Rattray reported that the parking lot for the Antioch Station was ready and was currently operating with Tri Delta Transit as a 'kiss and ride.' He explained that the first contract for the transfer platform and guideway was substantially complete with a budget over \$28 million. The transfer platform had been completed only up through the structural foundation and a contract recently awarded would do all the finish work on all the stations to exact an economy of scale.

Mr. Rattray stated that the parking lot and the maintenance facility contract for the Antioch Station, which had been budgeted at \$25.5 million, had been completed on time and on budget, with minimal change in plans. He noted that much of the work in the parking lot was intended to advance the future of Transit Oriented Development (TOD). The maintenance facility was essentially complete, with track and slab to be in the next contract with facility finishes. He added that the maintenance facility was the first Leadership in Energy & Environmental Design (LEED) Certified maintenance facility and would generate a megawatt of solid power at the parking lot.

Mr. Rattray advised that a contract had just been awarded for the trackwork, system integration, facility finishes, and start up, budgeted at \$86 million, and expected to be completed during the summer of 2017. He noted, when asked, that funds had to be reallocated to be able to award the contract to keep the project on schedule.

For vehicle procurement of the DMU units, Mr. Rattray reported that a contract had been awarded last week to a Swiss company for eight vehicles at a budget of \$62.5 million. The vehicles were capable of operating at a speed of 75 MPH. Each vehicle was comprised of three cars; a front, back, and a motor car that could be coupled together in threes for a 200, 400, or 600 person capacity. Rail procurement had been budgeted at \$16.8 million for rails, ties, special trackwork, and switch machines. The material was being stored at the site with trackwork expected to commence by October next year.

Mr. Rattray advised that smaller contracts had been carved out for such components as landscape planting from \$300,000 to \$400,000; sanitary sewer connections from \$500,000 to \$600,000; and final paving and striping from \$600,000 to \$800,000. He explained, when asked, that BART accepted the contracts when complete, and BART did its own inspection and verification to verify the work and allow the facilities to become operational prior to the operation of the eBART system to make sure it was working. The landscape contract, when complete, would include a two-year maintenance period for the California native xeriscaping.

Mr. Rattray also responded to questions related to local hire agreements and explained that there was a local hire agreement in all of the contracts, which had been established with Contra Costa Building Trades, with a 25 percent local hire and 50 percent service local hire. He added that BART had good success monitoring those types of agreements and there had been quite a bit of cooperation.

Mr. Rattray also spoke to the Caltrans and CCTA scope for the project given that eBART would be located in the median of the highway. He presented photos to show the median guideway and utility duct banks, bridges, pedestrian overcrossing, and tunnel work involved, and explained that completion of the highway work was critical to eBART's completion, particularly since Caltrans had slipped a bit with the timeline and there was a desire to minimize the impact of any delays.

Mr. Rattray compared eBART contracts with SR4 contracts and explained that BART had been advised that there would be a four and a half month delay for BART's access to the median. He reiterated that BART was working to minimize the impact to both cost and schedule. He explained that the vehicles could not be delayed since they were being produced in Switzerland, and the objective was to get the civil work accelerated as much as possible to avoid having the vehicles sitting around without being used. Once closer to completion, he stated he would provide more updates.

Referring to the eBART project budget, Mr. Rattray identified what had been expended to

date, the cost to complete the project, the prior working budget, and a revised budget. The prior working budget, before he had received the bid that had reduced the reserve, had been \$503.4 million. Since he was uncomfortable with a \$1.9 million reserve and preferred the prior \$10 million reserve, he had worked out an agreement with the CCTA and the Metropolitan Transportation Commission (MTC) to bring the budget to a fully funded project.

Mr. Rattray clarified that most of the work was in construction and construction management in that the final design and right-of-way was essentially done. He added that while he was pleased with the current contingency, the extent of delays had not been determined at this point. Clarifying the reserve funding, he reported that BART, MTC, and CCTA would each contribute \$2.7 million in equal shares so that everyone, including BART, had a stake in keeping the costs down.

Chair Harper asked about the average contingency reserve for a large project, to which Mr. Rattray explained that contingencies for large projects usually started out at 10 percent, and to date they believed that a 5 percent contingency might be acceptable given that much had been done. He was optimistic that could be done although he reiterated the unforeseen and unknowns. He stated the project would not likely be operational before mid-2018 but likely late 2018.

When asked why there were delays, Mr. Rattray explained that sun and wind had caused delays and BART was at the mercy of Caltrans and CCTA getting the work done. There had been an effort to accelerate that work to address the concern.

With respect to the Pittsburg Center Station that had been estimated to cost \$11.9 million, Mr. Rattray presented a rendering of the station which had been in concept planning for the location since the 1990s. He stated the construction of the station had numerous benefits in that it would increase eBART ridership by 20 percent, complied with BART's System Expansion Policy, and involved little additional operating costs. He added that MTC, BART, and the City of Pittsburg had been working for a long time to bring the station together. Pittsburg had formed an assessment district to fund the station, and Pittsburg had contributed funding to the construction. As a result, he stated it made sense to build the station now.

Sal Evola thanked everyone for their mutual cooperation and noted that Pittsburg was also developing a multimodal station immediately across from the BART station in the heart of the specific plan to contribute TOD. He characterized the proposed Pittsburg Center Station as a humble, pedestrianized station in the heart of a future transit village.

On motion by Mary Piepho, seconded by Kevin Romick to receive the update on the eBART project, carried by the following vote:

Ayes: Evola, Motts, Olson, Piepho, Romick, Steele, Taylor, Weber, Harper

Noes: None
Abstain: None
Absent: Hardcastle

ADJOURNMENT

Chair Harper adjourned the meeting of the TRANSPLAN Committee at 7:15 P.M. to Thursday, January 15, 2015 at 6:30 P.M. or other day/time deemed appropriate by the Committee.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk

**ITEM 4
CORRESPONDENCE**

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

February 17, 2015

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

Re: Status Letter for TRANSPAC Meeting – February 12, 2015

Dear Mr. Iwasaki:

At its meeting on February 12, 2015, TRANSPAC took the following actions that may be of interest to the Transportation Authority:

1. As an urgency item, amended the “Proposal for Adoption” Central County Action Plan, as requested by the City of Martinez, to enhance efforts to bring ferry service to Martinez and Central Contra Costa County, to be forwarded to the CCTA Board.
2. As part of the process to approve a Joint Powers Authority (JPA) for TRANSPAC, approved TRANSPAC Bylaws; adopted Resolution No. 2015-1 adopting a TRANSPAC Conflict of Interest Code; and authorized staff and legal counsel to pursue a Retirement Benefit Package for TRANSPAC Employees.
3. Approved the one-time use of \$43,000 from Measure J Line 20a funds for the Senior Mini Bus Program in the City of Walnut Creek.
4. Approved a letter to the Chair of the CCTA Board to forward comments from the TRANSPAC TAC regarding the Preliminary Scope of Work for the I-680 High Capacity Transit Study.

TRANSPAC hopes that this information is useful to you.

Sincerely,



Mark Ross
TRANSPAC Chair

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



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

Randell H. Iwasaki,
Executive Director

MEMORANDUM

To: Barbara Neustadter, TRANSPAC
Andy Dillard, SWAT
Jamar Stamps, TRANSPLAN, TVTC
John Nemeth, WCCTAC
Tony Coe, LPMC (Interim)

From: Randell H. Iwasaki, Executive Director

Date: January 22, 2015

Re: Item of interest for circulation to the Regional Transportation Planning
Committees (RTPCs)

At its January 21, 2015 meeting, Randy Iwasaki gave a presentation on the GoMentum Station, the Connected Vehicle and Autonomous Vehicle (CV/AV) Program and test facility in Concord. *(brochure attached)*

2999 Oak Road
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CA 94597
PHONE: 925.256.4700
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www.ccta.net

GoMentum Station – in Concord, CA –

is where CCTA leads and facilitates a collaborative partnership with a consortium of partners to accelerate the next generation of transportation technologies: Connected Vehicles & Autonomous Vehicles (CV/AV).

Partners include:

- Automobile Manufacturers
- OEMs and Tier-1 Suppliers
- Communications Companies
- Technology Companies
- Insurance Companies
- Analytics
- Researchers, Academia & Public Agencies
- City of Concord
- Contra Costa Economic Partnership
- Other affiliated test beds

The 5,000-acre former navy weapons station is the largest test facility in the world and will be the center of cutting edge CV/AV activities where the convergence of technologies takes place to redefine the next generation of transportation over the next 25 years.



CONTRA COSTA
**transportation
authority**

2999 Oak Road, Suite 100
Walnut Creek, CA 94597
(925) 255-6700

www.ccta.net





YOU'RE INVITED:

REDEFINING MOBILITY

Contra Costa Transportation Authority (CCTA)
 Connected Vehicle/Autonomous Vehicle (CV/AV)
 Program

Wednesday, January 14, 2015, 6 – 8 p.m.

Marriott Marquis

Meeting Room: "University of DC" (M1)

901 Massachusetts Avenue, NW

Washington, DC 20001

Surface transportation, as we know it today, will soon change dramatically with the introduction of Connected Vehicles & Autonomous Vehicles (CV/AV). With 2,100 acres of testing area and 19.6 miles of paved roadways, the **GoMentum Station** CCTA's test bed – at the Concord Naval Weapons Station in Concord, CA) – is the largest secure test site in the US. Join CCTA's Executive Director Andy Iwasaki for refreshments & hot's d'beverages – to discover how this collaborative partnership can help drive comprehensive research will support redefining multimodal transportation.

THE CV & AV PROGRAM

The Connected Vehicle (CV) Program is a major initiative of the United States Department of Transportation (USDOT) to improve safety, mobility and new energy efficient technology. By focusing on early investments and strategic partnerships, CCTAs **GoMentum Station** is well-positioned in redefining the transportation network infrastructure in the United States and the world. The program incorporates several elements: Vehicle to Vehicle (V2V), Vehicles to Infrastructure (V2I) and Vehicle to Device (V2X).

Autonomous Vehicles (AV) sense their surroundings through radar, lidar (image sensing), global positioning systems (GPS) and computer vision. Companies like Honda, Audi, Mercedes Benz, Bosch, Nissan, Toyota, Volvo and Google are among the trailblazers in the AV field – and, with working prototypes, there has been significant progress in the development of AV technologies.

In partnership with CCTA, several automobile manufacturers will test and develop their CV/AV technologies at the **GoMentum Station** to accelerate their testing, research, deployment, validation and commercialization.

OUR VISION

As a transportation leader, CCTA is working to create a stronger economic future for Contra Costa County by building partnerships that make transportation safer, more reliable and increasingly efficient. Rather than exclusively trying to "build our way" out of congestion, CCTA's vision centers around the use of emerging

technologies and public-private partnerships to meet transportation demands and reduce greenhouse gas emissions in Contra Costa County. Our strategy is centered on:

1. Creating jobs to increase the region's economic competitiveness
2. Partnering with our communities to improve safety, mobility and the environment
3. Creating a world-class CV/AV test bed with active industry and government participation

OUR PARTNERSHIPS

An effective and innovative partnership strategy is critical to the program's success. CCTA's partnership model seeks to be:

- Multi-modal: comprehensive/inclusive of all modes of surface transportation
- Inclusive of both private and public sector initiatives and investments to drive economic growth and innovation
- Focused on technological solutions by engaging with several auto manufacturers, technology companies and other top tier suppliers

By building America's largest and most comprehensive CV/AV test bed in Contra Costa County and affiliated multi-modal, real-world pilot deployment projects, the Contra Costa Transportation Authority will incubate a new generation of technology that has the potential to revolutionize transportation infrastructure.

ITEM 5
MAJOR PROJECTS STATUS REPORT

TRANSPLAN: Major East County Transportation Projects

- State Route 4 Widening • State Route 4 Bypass
- State Route 239 • eBART

Monthly Status Report: March 2015

Information updated from previous report is in *underlined italics*.

STATE ROUTE 4 WIDENING

A. SR4 Widening: Railroad Avenue to Loveridge Road No Changes From Last Month

Lead Agency: CCTA

Project Description: The project widened the existing highway from two to four lanes in each direction (including HOV lanes) from approximately one mile west of Railroad Avenue to approximately ¾ mile west of Loveridge Road and provided a median for future transit.

Current Project Phase: Highway Landscaping – Plant Establishment Period - Complete.

Project Status: Landscaping of the freeway mainline started in December 2009 and was completed in June 2010. A three-year plant establishment and maintenance period is currently in progress as required by the Cooperative Agreement with Caltrans, was complete on June 24, 2013. Caltrans has accepted the project and will take over the maintenance responsibilities. The CCTA Board accepted the completed construction contract, approved the final contractor progress payment, approved the release of the retention funds to the contractor, and authorized staff to close construction Contract No. 241 at its September 18, 2013 meeting.

Issues/Areas of Concern: None.

B. SR4 Widening: Loveridge Road to Somersville Road

Lead Agency: CCTA

Project Description: The project will widen State Route 4 (e) from two to four lanes in each direction (including HOV Lanes) between Loveridge Road and Somersville Road. The project provides a median for future mass transit. The environmental document also addresses future widening to SR 160.

Current Project Phase: *Close-out*

Project Status: *Administrative close-out work continues. Caltrans is reviewing the contractor's exceptions to the Proposed Final Estimate (PFE). Drafting of the as-built plans continues.*

Issues/Areas of Concern: *Contractor has submitted an exception to the PFE; the claim is \$3.4 million. Caltrans and Authority staffs are assessing the merits of the claim.*

C. SR4 Widening: Somersville Road to SR 160 No Changes From Last Month

Lead Agency: CCTA

Project Description: This project will widen State Route 4 (e) from two to four lanes in each direction (including HOV Lanes) from Somersville Road to Hillcrest Avenue and then six lanes to SR 160, including a wide median for transit. The project also includes the reconstruction of the Somersville Road Interchange, Contra Loma/L Street Interchange, G Street Overcrossing, Lone Tree Way/A Street Interchange, Cavallo Undercrossing and the Hillcrest Avenue Interchange.

Current Project Phase: Construction.

Project Status: The project is divided into four segments: 1) Somersville Interchange; 2) Contra Loma Interchange and G Street Overcrossing; 3A) A Street Interchange and Cavallo Undercrossing and 3B) Hillcrest Avenue to Route 160.

Segment 1: Somersville Interchange

The final pay estimate has been issued. *Work on as-built drawings and ROW closeout is in progress.*

Segment 1 construction is 100% complete.

Segment 2: Contra Loma Interchange and G Street Overcrossing

Construction of the Segment 2 widening began in March 2012 and is anticipated to be complete in August 2015.

On SR4 mainline, drainage, roadway subgrade work, Lean Concrete Base (LCB) and eBART median construction is in progress. At Contra Loma Boulevard undercrossing, abutment, bent cap and girder construction is in progress. At Contra Loma Boulevard, drainage, utility and roadway construction is in progress.

Segment 2 construction is approximately 81% complete, through February 2015.

Segment 3A: A Street Interchange and Cavallo Undercrossing

Construction of Segment 3A started in August 2012 and is anticipated to be complete in spring 2016.

On SR4 mainline inside WB lanes, rough grading, drainage installation, and eBART median work is in progress. Bridge falsework, soffit and deck construction is in progress at five bridges.

Segment 3A construction is approximately 61% complete through February 2015.

Segment 3B: Hillcrest Avenue to SR160

Construction of Segment 3B began in March 2013. Construction is anticipated to be complete in spring 2016.

The WB traffic has been switched to the newly constructed inside EB lanes and will utilize the temporary median crossovers. A temporary Hillcrest WB off-ramp to detour the remaining ramp traffic off of the WB lanes is under construction. SR4 mainline WB construction is in progress, including existing pavement demolition, rough grading and drainage construction. At the eBART Entry House and POC, the elevator pit, utility installation work, footing and wall construction is in progress. Roadway and electrical construction is continuing at Slatten Ranch Road and the WB ramps.

Segment 3B construction is approximately 47% complete through February 2015.

Issues/Areas of Concern:

Segment 1 - Somersville Interchange

None.

Segment 2 - Contra Loma Interchange and G Street Overcrossing

The City of Antioch sewer line at Contra Loma Boulevard/Fitzuren Road has been redesigned. Pricing has been provided by the contractor and provided to the City of Antioch for their approval.

Segment 3A - A Street Interchange and Cavallo Undercrossing

Additional modifications to the construction staging are being implemented by the project team to reduce delays to the project schedule.

Segment 3B - Hillcrest Avenue to SR160

CCTA is working with the contractor, Caltrans and BART to implement modification of traffic staging for Segment 3B to allow earlier completion of WB mainline work.

Segments 0, 1 ,2, 3A, and 3B

Adverse weather affecting JPCP construction continues to impact progress throughout the corridor and the following eBART construction work. Authority staff, Caltrans, and BART continue to identify and implement steps, such as the crossover relocation, to minimize costs and schedule impacts.

D. SR4 Bypass: SR4/SR160 Connector Ramps

Project Fund Source: Bridge Toll Funds

Lead Agency: CCTA

Project Description: Complete the two missing movements between SR4 Bypass and State Route 160, specifically the westbound SR4 Bypass to northbound SR160 ramp and the southbound SR160 to eastbound SR4 Bypass ramp.

Current Phase: Construction.

Project Status: *Falsework erection is complete for the SR160/SR4 Separation Bridge. The contractor has begun placing forms and rebar for the superstructure. Falsework erection continues at the NB 160 Viaduct. Construction of columns continues at the SB 160 Viaduct.*

Discussions continue regarding winterization of the construction site which may reduce the impact of wet grade. However, since the project is half-way through the rain season, winterization may not be necessary.

Issues/Areas of Concern: *The contractor's schedule has been slipping. To recover, the contractor will add resources in February and will begin accelerating their work.*

The resident engineer has been in discussions with the East Contra Costa County Habitat Conservancy (HCP) regarding bird protection of the falsework construction. A protection plan is in development.

E. East County Rail Extension (eBART)

CCTA Fund Source: Measure C and J

Lead Agency: BART/CCTA

eBART Construction Contact: Mark Dana: mdana@bart.gov

Project Description: Implement rail transit improvements in the State Route 4 corridor from the Pittsburg Bay Point station in the west to a station in Antioch in the vicinity of Hillcrest in the east.

Current Project Phase: Final Design and Construction.

Project Status: BART is the lead agency for this phase. The overall construction of the Transfer Platform and eBART Facilities (Contract 110) in the median to Railroad Avenue is complete.

The work is complete for the parking lot area for Contract 120. The existing park and ride lot at Hillcrest has been vacated and switched to the new eBART parking lot. *Remaining work on the maintenance building consists of "punch-list" items.*

Contract 130, consisting of stations and maintenance facility finishes, track work and systems is underway. Rail has been delivered to the project site and the contractor will mobilize soon to begin laying rail.

Coordination between BART and CCTA is ongoing because the construction is directly north and adjacent to the Segment 3B construction area. A master integrated schedule has been developed for the eBART and SR4 construction contracts *and is updated and reviewed on a regular basis.*

Issues/Areas of Concern: Coordination of SR4 highway construction contracts and eBART contracts continues. *See discussion regarding potential delays due to schedule slippage of SR4 contracts.*

F. SR4 Operational Improvements: I-680 to Bailey Road (6006)

CCTA Fund Source: Measure J

Lead Agency: City of Concord

Project Description: The project will evaluate various operational improvements along SR4 between I-680 and Bailey Road, including the addition of mixed flow lanes, high occupancy vehicle (HOV) lanes and auxiliary lanes.

Current Project Phase: Project Initiation Document (PID) Phase.

Project Status: *PDT meetings began in October 2014. At the completion of the PID Phase, project packages and phasing will be identified to proceed to separate PA/ED clearance.*

Issues/Areas of Concern: None.

STATE ROUTE 4 BYPASS PROJECT

G. SR4 Bypass: Widen to 4 Lanes – Laurel Rd to Sand Creek Rd & Sand Creek Rd I/C – Phase 1

CCTA Fund Source: Measure J

Lead Agency: CCTA

Project Description: Widen the State Route 4 Bypass from 2 to 4 lanes (2 in each direction) from Laurel Road to Sand Creek Road, and construct the Sand Creek Interchange. The interchange will have diamond ramps in all quadrants with the exception of the southwest quadrant.

Current Phase: Construction.

Project Status: *Traffic has been staged to the final alignment for both the EB and WB directions.*

Punchlist and change order work is continuing with installation of miscellaneous drainage, permanent erosion control, electrical, Lone Tree Way hardscape and landscaping, and conform grading to the adjacent development.

Construction is approximately 98% complete through *February 2015*.

Issues/Areas of Concern: None.

H. SR4 Bypass: Balfour Road Interchange – Phase 1 (5005)

CCTA Fund Source: East Contra Costa Regional Fee and Finance Authority (ECCRFFA)

Lead Agency: CCTA

Project Description: The Phase 1 project will include a new SR4 bridge crossing over Balfour Road, providing one southbound and one northbound lane for SR4; northbound and southbound SR4 loop on-ramps, servicing both westbound and eastbound Balfour Road traffic; and northbound and southbound SR4 diagonal off-ramps.

Current Phase: Design.

Project Status: *A Longitudinal Utility Exception Request from Caltrans for Contra Costa Water District (CCWD) to leave a 90-inch water line within the project limits in place was approved on February 5, 2015, saving taxpayers an estimated \$18 million. ROW acquisition is underway by the SR4 Bypass Authority. The 95% design was submitted in July 2014 and comments are being addressed. Final design is anticipated to be complete in March 2015. Utility agreements were completed for the PG&E joint trench in Balfour Road, the relocation of two PG&E transmission towers and the agreement with Kinder Morgan for the pumping plant relocation is being developed. An environmental addendum was completed to address changes to the project, including the utility relocations, and the findings were adopted in December 2014.*

Issues/Areas of Concern: *The project estimate has risen and project elements have been revised resulting in a funding shortfall of between \$7.5 and \$10 million. Utility relocation plans are currently behind schedule, which may affect the ROW certification process.*

I. SR4 Bypass: Mokelumne Trail Bike/Pedestrian Overcrossing (portion of Project 5002) No Changes From Last Month

CCTA Fund Source: Measure J

Lead Agency: CCTA

Project Description: Construct a pedestrian and bicycle overcrossing near the Mokelumne Trail at SR4. The overcrossing will include a multi-span bridge with columns in the SR4 median. Bridge approaches will be constructed on earthen embankments. The path width is assumed to be 12 feet wide. This project is required as a condition of approval under the SR-4 Bypass project.

Current Phase: Design.

Project Status: *Caltrans has provided comments on the 65% complete plans. BART announced that the recommended new station location for a future eBART extension should be at a location adjacent to the POC. Impacts of this decision will need to be considered.*

Issues/Areas of Concern: Construction funding for the project has not yet been identified.

STATE ROUTE 239 (BRENTWOOD-TRACY EXPRESSWAY) PHASE 1 - PLANNING

Staff Contact: Martin Engelmann, (925) 256-4729, mre@ccta.net

March 2015 Update – No Changes From Last Month

Study Status: Current project activities include model development, compilation of mapping data/conceptual alignments, development of staff and policy advisory groups, Project Visioning/Strategy-Scenario Development, and preparation of the Draft Feasibility Study.

Administration: Responsibility for the State Route 239 Study the associated federal funding was transferred from Contra Costa County to the Contra Costa Transportation Authority in January 2012.

eBART Next Segment Study

eBART Next Segment Study Contact: Ellen Smith: esmith1@bart.gov

The Next Segment Study is a pre-feasibility evaluation of the Bypass and Mococo alignments beyond Hillcrest Avenue, and review of six possible future station site opportunities. Station sites being evaluated on the Bypass alignment are: Laurel Road, Lone Tree Way, Mokelumne Trail crossing of SR4, Sand Creek Road, Balfour, and a location near Marsh Creek Road and the Bypass serving Byron and Discovery Bay. The Next Segment Study will be completed in early 2013.

Staff will provide updates as needed.

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ITEM 6
CALENDAR OF EVENTS

Calendar of Upcoming Events*

| 2015 | Location | Event |
|------|----------|-------|
| | | |

*"Upcoming Events" are gleaned from public agency calendars/board packets, East Bay Economic Development Alliance Calendar of Events, submissions from interested parties, etc. If you have suggestions please forward to Jamar Stamps at jamar.stamps@dcd.cccounty.us

**ITEM 7
ENVIRONMENTAL REGISTER**

| LEAD AGENCY | GEOGRAPHIC LOCATION (City, Region, etc.) | NOTICE /DOCUMENT | PROJECT NAME | DESCRIPTION | COMMENT DEADLINE | RESPONSE REQUIRED |
|----------------|---|---------------------------|---|--|---------------------------|-------------------------------|
| City of Oakley | 4300 Railroad Ave. APN089-010-016 | Request for Comments | 4300 Railroad Apartments – The Reserve at Woodland Hills | Request for general plan amendment from business/commercial/office to medium density residential and design review to convert office building into apartments. | 3/2/15 | n/a |
| City of Oakley | 3351 Doyle Road APN033-080-017 | Notice of Public Hearing | 3351 Doyle Road Minor Subdivision (TPM 02-14) | Request for approval of a tentative parcel map (MS 14-977) to split on 2.64-acre lot into two lots of 0.98-acres and 1.18-acres. | 2/24/15 (hearing date) | No Comments |
| City of Oakley | Cedar Glenn Drive in Live Oak Ranch APN034-250-008 | Notice of Public Hearing | Cedar Glenn Estates Design Review (DR 09-14) | Request for design review approval of house plans and architecture, and development plan for 20 entitled lots located w/in proposed final map (SD9104). | 2/24/15 (meeting date) | No Comments |
| City of Oakley | Emmerson Ranch APN037-192-026 | Request for Agency Review | Emmerson Ranch Neighborhood 6 Contact: Ken Streelo, Senior Planner strelo@ci.oakley.ca.us | General Plan Amendment to designate approximately 16 acres of an existing 25 acre undeveloped commercial site from “Commercial” to “Multi-Family Low, rezoning, development plan and vesting tentative map for 109 single family lots. | 2/12/15 | Emailed Comments (1/20/15) |
| City of Oakley | Citywide | Notice of Availability | Draft Housing Element Contact: Joshua McMurray mcmurray@ci.oakley.ca.us | Public Review Draft Housing Element. | 12/18/14 | n/a |

ITEM 8
SAFE ROUTES TO SCHOOL TECHNICAL ASSISTANCE



MEMORANDUM

Date January 16, 2015

To RTPC Managers

From Martin R. Engelmann, Deputy Executive Director, Planning

RE **Safe Routes to School Technical Assistance**

Over the past two years, the Authority has sponsored a comprehensive effort to understand current Safe Routes to School (SR2S) activities around Contra Costa and to evaluate the needs for future programs and capital improvements. Work products from this effort include a SR2S Resource Guide (available on the CCTA website) and a Safe Routes to School Needs Assessment Report (currently being finalized in response to comments from each RTPC).

The last phase of the SR2S effort is to provide direct technical support to local jurisdictions and public school districts in Contra Costa to help them identify barriers to walking and bicycling and/or to plan for specific SR2S improvements at individual school sites. Examples of the types of services that can be provided through this technical assistance program include:

- Conducting and documenting a walking and bicycling audit
- Developing concept plans for specific capital improvements (which may be identified through a walk/bike audit)
- Preparing a walk/bike route map
- Collecting data around a school (such as traffic volumes, speeds, pedestrian/bicycle volumes or routes, parent surveys regarding school travel, etc.) to better understand current travel and to plan for improvements
- Preparing a traffic control plan for a school area

The table below provides more detail on what could be covered in each of these activities, and includes approximate costs.

At this time, we are seeking only the general information requested below. A more detailed scope of work would be developed prior to commencement of services. Please note that grant-writing assistance is not an allowable use of these technical assistance funds, although the products of the services listed above are often important elements of successful grant applications.

Request for Prioritized List of Technical Assistance Needs

The current budget for this effort is relatively meager —\$120,000. The Authority will allocate these funds to the RTPCs based on school enrollment. We ask that each RTPC submit a prioritized list of SR2S technical assistance needs. Resources will be allocated to each project on the list in turn until that RTPC's allocation has been exhausted. The percentage of school enrollment and the allocation for each subarea is as follows: West – 19% or \$22,800, Central – 26 % or \$31,200, East – 31% or \$37,200, and SWAT – 24% or \$28,800. The prioritized list, however, does not need to be financially constrained as we are hopeful that additional funds may become available in upcoming funding cycles.

For each SR2S technical assistance project included on the list, please provide the following information:

1. Name and contact information of the requesting agency and the responsible individual.
2. Name of school to be addressed and contact information for school administrator.
3. Brief (no more than two paragraphs) description of the technical assistance being requested, why that assistance is needed, and what the desired outcome would be.
4. Desired schedule for the completion of the technical assistance project, and explanation of schedule constraints (if any).

Please submit the prioritized list from your RTPC by March 31, 2015 to Julie Morgan at j.morgan@fehrandpeers.com with a copy to Brad Beck at CCTA bbeck@ccta.net .

Sample Menu of Services for SR2S Technical Assistance Program

Walking and Bicycling Audit

- Kick-off Meeting: Attend a kick off meeting (conference call or in-person) with school staff/stakeholders to discuss known issues in advance of audit. School or school district would identify staff/stakeholders and arrange meeting and audit date.
- Conduct Audit: Lead a walking and bicycling audit during either the morning drop-off or afternoon pick-up period. Lead stakeholders on an assessment of the school area to observe drop-off/pick-up operations and walking and bicycling activity, note infrastructure deficiencies, and assess opportunities for safety and operational improvements. Following the audit convene inside the school to discuss potential improvements.
- Prepare Summary Report: Outline key issues and recommended infrastructure and programmatic improvements. Recommendations can be categorized as Short, Mid or Long-term, and the responsible agency identified. The Draft Report can be submitted electronically to the school/district and COE for review and comment.
- Final Meeting: Attend a final meeting with the school stakeholders/city staff to discuss recommendations and receive comments.
- Final Report: Incorporate comments received into Final Summary Report and improvement graphic. Submit electronic copy to school/district and COE.
- Typical cost: Approximately \$5,000

School Walk/Bike Route Map

- Conduct Field Review: Inventory existing traffic controls, crossing guard locations, sidewalks, crosswalks, bicycle facilities, pedestrian and bicycle access points.
- Develop Draft Route Map: Develop map in GIS showing preferred walking and bicycling routes (within 1-mile radius or school boundary area), crossing guard locations, traffic controls, and school access points.
- Meeting to Review Draft Map: Conduct meeting with stakeholders (to be identified by school representatives) to review and solicit comments on draft map.
- Prepare Final Map: Incorporate comments into final map and provide electronic copy for printing/distribution by the school and/or posting on school website.
- Typical cost: Approximately \$5,000 per school

Safe Routes Concept Plan

- Preparation of detailed engineering concept plan for SR2S-related infrastructure improvements. Includes background map, scaled concept drawing, planning-level cost estimate, and project description. These can be valuable to include in grant applications.
- Typical cost: \$2,000 to \$3,000 per plan, depending upon scope of work

Data Collection

- Collection of data to better understand current travel characteristics around schools and support the determination of appropriate SR2S measures or strategies. This could include: counts of vehicle traffic, bicycles and pedestrians; traffic speed surveys using radar; parent surveys to determine typical mode of access to school; and other methods.
- Typical cost: Depends upon scope of work

School Area Traffic Control Plan

- Development of school area traffic control plan, consistent with Chapter 7 of the California Manual on Traffic Control Devices. Includes plan preparation and illustration of existing and proposed school area signage and pavement markings.
- Typical cost: \$3,000 to \$5,000 per plan, depending upon scope of work

| | A | B |
|----|--|---|
| 1 | <u>TRANSPLAN SR2S TECHNICAL ASSISTANCE WISH LIST</u> | |
| 2 | | |
| 3 | CITY | Oakley |
| 4 | | |
| 5 | CITY STAFF CONTACT INFO (name, phone/email) | Kevin Rohani, 925-625-7003, rohani@ci.oakley.ca.us |
| 6 | | |
| 7 | NAME OF SCHOOL | Orchard Park School |
| 8 | | |
| 9 | SCHOOL CONTACT INFO (IF NEEDED) | Didi Del Chiaro, Principal |
| 10 | | |
| 11 | CROSS STREETS OR LOCATION OF PROJECT | 5150 Live Oak Avenue, Oakley, CA 94561 |
| 12 | | |
| 13 | BRIEF DESCRIPTION (2 PARAGRAPHS) OF TECHNICAL ASSISTANCE REQUESTED AND DESIRED OUTCOME | <p>Orchard Park School is an elementary school with enrollment of around 800 students located in City of Oakley on Live Oak Avenue. This school was constructed in the rural part of the community and does not have formal infrastructure around it. Lack of sidewalks and pedestrian pathways to and from this school has been a major source of concern since the opening of school.</p> <p>The other major site problem is parking in front of school and student drop-off and pick-up in the morning and afternoon. There have been several near misses in front of this school involving vehicles and pedestrians. We would like assistance in analyzing the access to the school and traffic flows to and from school to design an improved frontage and access to this site to protect the children who attend the school from accidents with vehicles.</p> |
| 14 | | |
| 15 | DESIRED SCHEDULE FOR COMPLETION OF TECH. ASST. AND EXPLANATION OF SCHEDULE CONSTRAINTS (IF ANY) | We would like to have the SR@S grant help in analyzing and determining solutions for traffic flows at this school by end of 2015. |
| 16 | | |
| 17 | ESTIMATED COST OF TECH. ASST. | \$5,000 |




ITEM 10
CONFLICT OF INTEREST CODE

TRANSPLAN COMMITTEE

EAST COUNTY TRANSPORTATION PLANNING

Antioch • Brentwood • Oakley • Pittsburg • Contra Costa County
30 Muir Road, Martinez, CA 94553

TO: TRANSPLAN Committee

FROM: Jamar Stamps, TRANSPLAN staff 

DATE: March 12, 2015

SUBJECT: **TRANSPLAN Conflict of Interest Code.**

Recommendation

ADOPT Ordinance 15-01 executing the Conflict of Interest Code of the Regional Transportation Planning Committee for Eastern Contra Costa County (“TRANSPLAN Committee”).

Background

In 2014, the Contra Costa Transportation Authority (CCTA), in accordance with State law, reviewed their Conflict of Interest (COI) Code and as a result adopted a revised COI Code (Ordinance 14-01) on November 19, 2014. CCTA’s revised Conflict of Interest Code expanded the list of designated positions governed by the Code to include a wide range of CCTA staff and members of committees, including the Regional Transportation Planning Committees (WCCTAC, TRANSPAC, TRANSPLAN, and SWAT).

However, TRANSPLAN is an independent government agency (Joint Powers Agency/”JPA”) and as such must separately demonstrate compliance with the Political Reform Act (PRA) by adoption of its own COI Code. In the proposed COI Code, TRANSPLAN Committee member positions and administrative staff have been designated to file an annual Statement of Economic Interests (Form 700).

Once TRANSPLAN adopts the COI Code, a copy of the Code along with a copy of the action taken by TRANSPLAN will be forwarded to the Clerk of the Board of Supervisors and placed on the Contra Costa County Board of Supervisors’ agenda for approval (Contra Costa County is TRANSPLAN’s designated code reviewing body). The TRANSPLAN COI Code will take effect once approved by the Board of Supervisors.

att: TRANSPLAN Conflict of Interest Code

c: TRANSPLAN TAC

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**REGIONAL TRANSPORTATION PLANNING COMMITTEE FOR EASTERN
CONTRA COSTA COUNTY
ORDINANCE NO. 2015-01**

ADOPTING THE TRANSPLAN COMMITTEE CONFLICT OF INTEREST CODE

WHEREAS, on August 17, 1999 the TRANSPLAN Committee (“TRANSPLAN”), consisting of the County of Contra Costa, the City of Antioch, the City of Brentwood, the City of Oakley, and the City of Pittsburg, hereinafter referred to as the “CITIES,” entered into a Joint Exercise of Powers Agreement (“JEPA”) effectively establishing TRANSPLAN as a separate public entity duly organized and existing under the Constitution and other laws of the State of California; and

WHEREAS, the JEPA establishes a multi-jurisdictional transportation planning process for eastern Contra Costa County consistent with the Contra Costa Transportation Improvement and Growth Management Expenditure Plan (Measure J) of the Contra Costa Transportation Authority (CCTA); and

WHEREAS, the State of California enacted the Political Reform Act of 1974, Government Code Section 81000 et seq. (“Act”), which contains provisions relating to conflicts of interest which potentially affect all officers, members, employees and consultants of TRANSPLAN and requires all public agencies to adopt and promulgate a Conflict of Interest Code (“Code”); and

WHEREAS, notice of the time and place of a public meeting on, and of consideration by TRANSPLAN of, the proposed Code was provided for each affected designated position and publicly posted for review at the offices of the CITIES; and

WHEREAS, a public meeting was held upon the proposed Conflict of Interest Code at a regular meeting of TRANSPLAN, March 12, 2015, at which all present were given an opportunity to be heard on the proposed Code.

NOW THEREFORE BE IT RESOLVED THAT:

This Ordinance was approved by the necessary vote of the TRANSPLAN Committee and the Code shall become effective upon approval by the Contra Costa County Board of Supervisors.

PASSED, APPROVED AND ADOPTED at the meeting of March 12, 2015 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Robert Taylor, Chair
Tri-Valley Transportation Council

ATTEST:

Jamar Stamps, TRANSPLAN Administrative Staff

**CONFLICT OF INTEREST CODE OF THE
TRANSPLAN COMMITTEE**

Adopted March ____, 2015, by the TRANSPLAN Committee

Approved April ____, 2015, by the Contra Costa County Board of Supervisors

**CONFLICT OF INTEREST CODE OF THE
REGIONAL TRANSPORTATION PLANNING COMMITTEE
FOR EASTERN CONTRA COSTA COUNTY (“TRANSPLAN COMMITTEE”)**

The Political Reform Act (Gov. Code §§ 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted regulation section 18730 of title 2 of the California Code of Regulations (“Section 18730”), which contains the terms of a standard conflict of interest code that can be incorporated by reference in an agency’s code. After public notice and hearing, Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. The terms of Section 18730 and any amendments to it that are adopted by the Fair Political Practices Commission are incorporated by reference into this Conflict of Interest Code. Section 18730 (attached) and the attached Appendix designating officials and employees and establishing disclosure categories, constitute the conflict of interest code of the TRANSPLAN Committee.

Persons in designated positions required to submit a statement of economic interests will file their statements with the Senior Planner of the Contra Costa County Department of Conservation and Development who is assigned as the TRANSPLAN Committee’s Filing Officer. The Filing Officer will retain the original statements filed by persons in designated positions and will make all retained statements available for public inspection and reproduction during regular business hours.

(Regulations of the Fair Political Practices Commission Title 2, Division 6 of the California Code of Regulations)

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq.

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies. ¹

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated employee's disclosure categories are the kinds of economic interests which he or she foreseeably can affect materially through the conduct of his or her office.

(4) Section 4. Statements of Economic Interests: Place of Filing.

The code reviewing body shall instruct all designated employees within its code to file statements of economic interests with the agency or with the code reviewing body, as provided by the code reviewing body in the agency's conflict of interest code. ²

(5) Section 5. Statements of Economic Interests: Time of Filing.

(A) Initial Statements. All designated employees employed by the agency on the effective date of this code, as originally adopted, promulgated and approved by the code reviewing body, shall file statements within 30 days after the effective date of this code. Thereafter, each person already in a position when it is designated by an amendment to this code shall file an initial statement within 30 days after the effective date of the amendment.

(B) Assuming Office Statements. All persons assuming designated positions after the effective date of this code shall file statements within 30 days after assuming the designated positions, or if subject to State Senate confirmation, 30 days after being nominated or appointed.

(C) Annual Statements. All designated employees shall file statements no later than April 1. If a person reports for military service as defined in the Servicemember's Civil Relief Act, the deadline for the annual statement of economic interests is 30 days following his or her return to office, provided the person, or someone authorized to represent the person's interests, notifies the filing officer in writing prior to the applicable filing deadline that he or she is subject to that federal statute and is unable to meet the applicable deadline, and provides the filing officer verification of his or her military status.

(D) Leaving Office Statements. All persons who leave designated positions shall file statements within 30 days after leaving office.

(5.5) Section 5.5. Statements for Persons Who Resign Prior to Assuming Office.

Any person who resigns within 12 months of initial appointment, or within 30 days of the date of notice provided by the filing officer to file an assuming office statement, is not deemed to have assumed office or left office, provided he or she did not make or participate in the making of, or use his or her position to influence any decision and did not receive or become entitled to receive any form of payment as a result of his or her appointment. Such persons shall not file either an assuming or leaving office statement.

(A) Any person who resigns a position within 30 days of the date of a notice from the filing officer shall do both of the following:

- (1) File a written resignation with the appointing power; and
- (2) File a written statement with the filing officer declaring under penalty of perjury that during the period between appointment and resignation he or she did not make, participate in the making, or use the position to influence any decision of the agency or receive, or become entitled to receive, any form of payment by virtue of being appointed to the position.

(6) Section 6. Contents of and Period Covered by Statements of Economic Interests.

(A) Contents of Initial Statements.

Initial statements shall disclose any reportable investments, interests in real property and business positions held on the effective date of the code and income received during the 12 months prior to the effective date of the code.

(B) Contents of Assuming Office Statements.

Assuming office statements shall disclose any reportable investments, interests in real property and business positions held on the date of assuming office or, if subject to State Senate confirmation or appointment, on the date of nomination, and income received during the 12 months prior to the date of assuming office or the date of being appointed or nominated, respectively.

(C) Contents of Annual Statements. Annual statements shall disclose any reportable investments, interests in real property, income and business positions held or received during the previous calendar year provided, however, that the period covered by an employee's first annual statement shall begin on the effective date of the code or the date of assuming office whichever is later, or for a board or commission member subject to Section 87302.6, the day after the closing date of the most recent statement filed by the member pursuant to Regulation 18754.

(D) Contents of Leaving Office Statements.

Leaving office statements shall disclose reportable investments, interests in real property, income and business positions held or received during the period between the closing date of the last statement filed and the date of leaving office.

(7) Section 7. Manner of Reporting.

Statements of economic interests shall be made on forms prescribed by the Fair Political Practices Commission and supplied by the agency, and shall contain the following information:

(A) Investment and Real Property Disclosure.

When an investment or an interest in real property³ is required to be reported,⁴ the statement shall contain the following:

1. A statement of the nature of the investment or interest;
2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds \$2,000, exceeds \$10,000, exceeds \$100,000, or exceeds \$1,000,000.

(B) Personal Income Disclosure. When personal income is required to be reported,⁵ the statement shall contain:

1. The name and address of each source of income aggregating \$500 or more in value, or \$50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was \$1,000 or less, greater than \$1,000, greater than \$10,000, or greater than \$100,000;
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.

(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported, ⁶ the statement shall contain:

1. The name, address, and a general description of the business activity of the business entity;
2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than \$10,000.

(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.

(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.

(8) Section 8. Prohibition on Receipt of Honoraria.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section.

This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.

(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of \$460.

(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than \$460 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.

Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.

(8.2) Section 8.2. Loans to Public Officials.

(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.

(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.

(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.

(E) This section shall not apply to the following:

1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed \$500 at any given time.

4. Loans made, or offered in writing, before January 1, 1998.

(8.3) Section 8.3. Loan Terms.

(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of \$500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan, amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.

(B) This section shall not apply to the following types of loans:

1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans made, or offered in writing, before January 1, 1998.

(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.

(8.4) Section 8.4. Personal Loans.

(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:

1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
 - a. The date the loan was made.
 - b. The date the last payment of \$100 or more was made on the loan.
 - c. The date upon which the debtor has made payments on the loan aggregating to less than \$250 during the previous 12 months.

(B) This section shall not apply to the following types of loans:

1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.

(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.

(9) Section 9. Disqualification.

No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:

(A) Any business entity in which the designated employee has a direct or indirect investment worth \$2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth \$2,000 or more;

(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating \$500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;

(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or

(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating \$460 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.

(9.3) Section 9.3. Legally Required Participation.

No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.

(9.5) Section 9.5. Disqualification of State Officers and Employees.

In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:

(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or

(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value \$1,000 or more.

(10) Section 10. Disclosure of Disqualifying Interest.

When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.

(11) Section 11. Assistance of the Commission and Counsel.

Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.

(12) Section 12. Violations.

This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

¹ Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

² See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

³ For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

⁴ Investments and interests in real property which have a fair market value of less than \$2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

⁵ A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

⁶ Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

(Current as of 2/20/2015)

EXHIBIT A

CONFLICT OF INTEREST- DESIGNATED POSITIONS

DESIGNATED POSITIONS

| <u>Designated Positions</u> | <u>Disclosure Categories</u> |
|---------------------------------|------------------------------|
| TRANSPLAN Committee Members* | 1 |
| TRANSPLAN Committee Alternates* | 1 |
| TRANSPLAN Committee Staff | 1 |
| Consultants/New Positions** | 1 |

* TRANSPLAN Committee Members and Alternates who are public officials within the meaning of Government Code section 87200 will file their statements of economic interests with the filing officer designated for their elected/appointed positions pursuant to Government Code section 87500.

** The TRANSPLAN Committee Chair may determine in writing that a consultant is hired to perform a range of duties that is limited in scope and therefore is not required to comply with the disclosure requirements. The written determination is a public record and the Senior Planner that staffs the TRANSPLAN Committee shall retain the determination for public inspection.

EXHIBIT B

DISCLOSURE CATEGORIES

Category 1. Persons holding designated positions in Category "1" must report:

(a) All investments, interests in real property, business positions, sources of income, including gifts, loans, and travel payments, and any business entity in which the employee is a director, officer, partner, trustee, employee, or holds any position of management. These financial interests are reportable only if located within Contra Costa County or if the business entity is doing business or plans to do business in the County (and such plans are known by the person holding a designated position), or if the business entity has done business within the County at any time during the two years prior to the filing of the statement.

(b) Investments in any business entity, income from any source and status as a director, officer, partner, trustee, employee, or holder of a position of management in any business entity that has, within the last two years, contracted, or foreseeably may contract with Contra Costa County, or with any public agency within Contra Costa County, to provide services, supplies, materials, machinery, or equipment to either party.