

ITEM 3
ADOPT MINUTES FROM JUNE 2011 MEETING

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

MINUTES

September 8, 2011

The meeting of the TRANSPLAN Committee was called to order in the Tri Delta Transit Board Room, 801 Wilbur Avenue, Antioch, California by Chair Brian Kalinowski at 6:59 P.M.

ROLL CALL

PRESENT: Gil Azevedo (Antioch), Jim Frazier (Oakley), Mary Piepho, Alternate for Federal Glover (Contra Costa County Board of Supervisors), Ben Johnson (Pittsburg), Bruce Ohlson (Pittsburg), Robert Taylor (Brentwood), Joe Weber (Brentwood), and Chair Brian Kalinowski (Antioch)

ABSENT: Carmen Gaddis (Alternate, Contra Costa County Board of Supervisors), Kevin Romick (Oakley), and Duane Steele (Contra Costa County Planning Commission)

STAFF: John Cunningham, TRANSPLAN Staff

PUBLIC COMMENT

There were no comments from the public.

CONSENT ITEMS

On motion by Jim Frazier, seconded by Ben Johnson, TRANSPLAN Committee members unanimously adopted the Consent Calendar, with the removal of Item 7, as follows:

3. Adopted Minutes from July 14, 2011 TRANSPLAN meeting.
4. Accepted Correspondence.
5. Accepted Recent News Articles.
6. Accepted Status Report on Major Projects.
7. Accept Staff Recommendations on CCTA [Contra Costa Transportation Authority] Comment letter to MTC [Metropolitan Transportation Commission] Regarding the OneBay Area Grant Program. **[REMOVED FOR DISCUSSION]**

The following item was removed from Consent for discussion.

ACCEPT STAFF RECOMMENDATIONS ON CCTA [CONTRA COSTA TRANSPORTATION AUTHORITY] COMMENT LETTER TO MTC [METROPOLITAN TRANSPORTATION COMMISSION] REGARDING THE ONEBAY AREA GRANT PROGRAM

Bruce Ohlson referred to Page 3 of the comment letter requiring agencies to adopt “supportive transportation and land-use policies,” particularly the fourth requirement – having both a “bicycle/pedestrian plan and complete streets policy in general plans” ... *at least where bicycle and pedestrian travel is an issue*. He explained that bicycle and pedestrian travel was always an issue and the TRANSPLAN Committee needed to be inclusive of all transportation methods. Also on that page related to the fourth requirement, he quoted the comment letter that: *To comply with this requirement, jurisdictions may have to spend considerable time and effort just to get a grant through the proposed program. And, if they didn't have a bicycle/pedestrian plan, the expense could be doubled*. He stated that the Contra Costa County bicycle and pedestrian community supported that as a good impetus but did not recommend sending the letter.

Ross Chittenden of the Contra Costa Transportation Authority (CCTA) stated that the letter was a matter of great debate and the letter would be substantially reworked as a result. He noted that the specific points raised by Mr. Ohlson would be reworked and discussed.

On motion by Ben Johnson, seconded by Bob Taylor, TRANSPLAN Committee members unanimously continued consideration of the CCTA comment letter to MTC regarding the OneBay Area Grant Program.

RECEIVE PRE-PROJECT BRIEFING ON STATE ROUTE 239 / BRENTWOOD-TRACY EXPRESSWAY PLANNING PROJECT AND PROVIDE COMMENT / DIRECTION TO STAFF AS APPROPRIATE

John Cunningham, TRANSPLAN staff, advised that Contra Costa County had received two federal appropriations totaling \$14 million for the planning of SR239, a consultant team had been selected which was now under contract with the County, discussions with the County and the CCTA were ongoing, and it had been determined that the CCTA would be a more appropriate body to conduct the study. He noted that staff would report back regularly to the TRANSPLAN Committee on the conduct of the study and any administration changes that would take place. He pointed out that Contra Costa County staff was available as was CCTA staff to respond to questions on the project. He added that he was now the Contract Manager for the planning project replacing John Greitzer.

David Early, a subconsultant to Parsons Engineering which is the prime consultant, stated that the project is to evaluate funding scenarios and an alignment for SR239. He identified the extensive project team, reported that Contra Costa County was the official recipient of the grant, and explained that SR239 was a legislatively designated but unconstructed highway intended to connect SR4 to I-205 in the vicinity of Tracy. Contra Costa County had been awarded funding for the initial planning under federal transportation funding, with the study to determine how the facility might be constructed. He presented a map to show the study area, noted that they were not at a stage to consider specific alternative alignments at this point, although the alignment would run from the City of Brentwood southeast down along the Vasco Road area through Byron, past the Byron Airport, Clifton Court Forebay through or around Mountain House, and into San Joaquin County. He noted that interchanges would be identified and a number of different alignments would be considered.

Mr. Early referred to four parts of the study with three phases: visioning, feasibility and project initiation. The process was currently at a pre-project phase, preceding Phase 1. Once the start-up phase was done, the project itself would proceed, visioning would then be pursued to identify corridors, and then a facility type would be chosen ending that phase with a desired corridor followed by feasibility planning and a determination of ways to fund and identify an alignment. The third phase would be project initiation.

Mr. Early advised that the current work had four distinct parts including a financial screening study being conducted by Wilbur Smith Associates given the lack of state or federal funding available for the project, with a study to identify possible alternative funding sources. There would be checks to make sure the project had funding in order to proceed. In order to do that, LSA Associates would conduct a travel demand analysis to year 2035 traffic, traffic data collection, and vehicle volume and classification counts including travel time and delay. The funding analysis would be based on travel data, socioeconomic data, and transportation. A draft preliminary vision statement would identify the overall intent of the project with a basis for developing a range of options to be studied to help create project "identity." The statement was hoped to be ready for review at the beginning of Phase 1. He noted that the project might ultimately not be a state highway which would change the identity of the project.

It was reported that a project website was being developed with maps, a process flow chart, the schedule, and project updates, with opportunities for public input to be launched with Phase 1. Stakeholder meetings had been conducted with non-governmental organizations and with key elected officials and staff representatives. All involved would be provided a chance to understand the way the project was starting, moving formally with Phase I early in 2012.

The next steps would be additional stakeholder outreach following completion of a financial screening study. The visioning phase would begin in early 2012 following the outcome of the screening study, with stakeholder outreach to review the vision statement.

Bob Taylor noted that the project had been envisioned for years and he recognized the renewed interest in SR239. He asked how much funding was available and whether or not the funds could be secured and preserved for SR239 to allow it to proceed to some point of fruition. Given the number of stakeholders involved in a number of counties, he asked for some assurance that the funds would be available.

Steve Kowalewski, Contra Costa County Public Works Department, advised that most of the \$14 million remained available. The only expenditure to date was staff time to get consultants on board. The first phase would use a portion of the funding although it was anticipated that funding would be available to move into the environmental phase and beyond that with seed money left to be able to pursue additional funds to construct a phase of the project, right-of-way acquisition or protection, and determination of how the project would be funded.

Mr. Taylor asked if there would be an outreach program to get everyone on board given the transportation route that could salvage or make whole a progressive eastern Contra Costa County. He was advised that the project would go through three counties and numerous cities involving non-government stakeholders and metropolitan planning organizations. The scope of services included community outreach which would be conducted in a major way.

Steve Morton explained that the project would involve an open process. He anticipated different layers of outreach at a political level, an executive agency level, a working group level for those involved in the project, with "disciples" communicating out to their groups and the general public at large.

In further response to Mr. Taylor as to the expenditure of funds, Mr. Kowalewski advised that Contra Costa County was the holder of the grant and John Cunningham was the Project Manager. As such, control of costs would go through Mr. Cunningham although there would be discussions with the CCTA.

In response to Jim Frazier's reference to the Vasco Road Safety Task Force and a conceptual drawing of SR239 to Vasco Road and whether or not it would be considered in the process, Mr. Kowalewski noted that Vasco Road would be one of the alignments considered along with all the other information and all the other options.

Mary Piepho offered some of the history of the funding secured for SR239 with consideration of other potential links to consider as part of the study area. She stated that the County's approach had been global, working with other local governments such as Mountain House to address impacts of the potential alignments, and reaching out to as many as possible with as many variables in alignments as possible to offer realistic options for consideration. She emphasized that it was very early in the process which would take some time to develop.

Mr. Ohlson noted that since federal money was involved, all modes must be included and East County bicyclists expected an all around bicycle corridor.

As to MTC's involvement in the process in response to Joe Weber, Mr. Chittenden stated that the project was not in the Regional Transportation Plan (RTP) and part of the outcome from the study would mean that MTC would be involved with discussions of putting jobs in the outer areas, such as in East County, to sell the project. He affirmed that the study would involve all possibilities.

Joe Weber referred to the bullet train project funding that might also be helpful.

RECEIVE REPORT ON SAN JOAQUIN RAIL CORRIDOR ENVIRONMENTAL IMPACT STUDY AND PROVIDE COMMENT / DIRECTION TO STAFF AS APPROPRIATE

Mr. Cunningham introduced a presentation on the San Joaquin Rail Corridor.

Tom Dodson of Tom Dodson & Associates, the environmental consultant working with Caltrans to craft a long-term plan for the San Joaquin Corridor and the Amtrak expansion of operations, introduced his team. He explained that four trains a day went in each direction in the community, which number would be increased to meet passenger demand in the future. Currently a million riders rode the San Joaquin. He identified the program and noted that the project description had been developed for use as a basis for the Environmental Impact Report (EIR) and the Environmental Impact Statement (EIS) that had to be prepared.

Mr. Dodson presented a PowerPoint presentation for the San Joaquin Valley Rail Corridor Future Amtrak Intercity Passenger Rail Operations and reported that the environmental documentation was being prepared to examine the next 25 years of corridor Amtrak rail operation scenarios. He explained that the San Joaquin System was an integrated system with buses from cities to other destinations. In October the potential for the future had been modeled and scenarios defined to identify the number of trains required.

Mr. Dodson noted that there was standing room only during peak periods throughout the corridor with significant increases in ridership anticipated and with the speed of trains to be increased. He added that bicycles fit on the train. He noted the scenarios that had been modeled to support an increase in the number of trains and stated that the number of trains would increase as ridership demanded in the 10- and 25-year plans. He added that the San Joaquin's meeting schedules were at 91 percent.

Mr. Dodson described the criteria needed as part of the EIR process to be able to detail the future needs to be identified. He detailed the particulars of the study and noted the need to determine how the rail system could connect with the high speed system, if developed in the future. Several alternative routes of travel had been suggested in the strategic plan. He described some of the potential connections being considered with a potential connection to Los Angeles, and stated that presentations were being made to elected officials, a scoping process was being pursued, and once done a level of information would allow the project to be shovel ready in a very short period of time to take advantage of available funds.

Mary Piepho thanked the team for providing the information, particularly at the local level.

As to high speed rail, the TRANSPLAN Committee was advised that the proposal was not linking high speed rail, simply making sure that there could be a connection with the corridor to provide service, if required. Connection points would be evaluated but links would not be provided. The San Joaquin Corridor would play a vital role in providing feeder service. If high speed rail was developed, rail itself would increase in California. As to funding, if high speed rail did not develop, there was a Plan B for the rail corridor.

Ms. Piepho referred to the connections in the Bay Area and sought a way to connect to eBART, BART, and other transportation systems.

Mr. Dodson reported that scoping meetings would be held and all comments would be taken into consideration.

Brian Kalinowski thanked the team for the presentation and agreed that there could be some connections to other modes of transportation, such as the ferry terminal, and that Amtrak could offer an opportunity for a normal commute pattern using all modes of transportation.

Mr. Dodson commented that those types of suggestions should be submitted to Mr. Cunningham to make sure there were considered. He explained that they were using a freight rail system and the San Joaquin Rail Corridor had to work with that system.

Jim Frazier sought consideration of stations in other cities for passengers through transit oriented development (TOD). He noted that there used to be an Oakley station and there should be some right-of-way remaining from that station

Bob Taylor thanked the team for the presentation and recognized that the railroad was a legend and it was nice to get a report on a viable option.

RECEIVE REPORT, PROVIDE COMMENTS ON THE STATE ROUTE 4 RAMP METERING PROPOSAL AND APPROVE THE TAC [Technical Advisory Committee] RECOMMENDATION

Mr. Cunningham reported that MTC and Caltrans had approached the CCTA some months ago on a SR4 Ramp Metering Proposal. The TRANSPLAN TAC had made a number of comments on the original draft, had focused on making sure the ramp metering study examined and studied all impacts to local arterials, made sure that the TRANSPLAN Committee had involvement in critical decision points on the contents of the study, and noted that the scope included ramp metering and an implementation component that was contingent upon a successful study of ramp metering benefits and impacts to arterials. He explained that although this would be the forum for the discussion and approval of ramp metering, the Memorandums of Understanding (MOUs) would be negotiated with each individual jurisdiction on the corridor.

Mr. Cunningham stated that the TRANSPLAN TAC had reviewed the scope of work and had made recommendation to approve and authorize the TAC to proceed with the study. CCTA and Caltrans staff were available to respond to comments.

Bruce Ohlson commented that billions of dollars had been spent to make freeways for which bicycles were prohibited and he suggested that ramp metering would encourage motorists to use local streets. He asked that to be studied as well.

Ben Johnson suggested that the James Donlon Boulevard Extension should be considered in light of impacts to Buchanan Road, an issue of regional significance.

Mary Piepho referred to the philosophy of ramp metering, stated that traffic would back up and impact local roadways, which was negative, and that the current road structure was not designed for significant backups. She asked that to be evaluated and noted that the concept worked in mitigating flow and if on the freeway it would be beneficial, but if trying to get on the freeway it would not.

Adrian Levy, Senior Transportation Engineer with Caltrans stated with respect to getting onto the freeway that ramp metering was designed to optimize the efficiency of a freeway corridor and was not designed to spread the pain over local streets, which was not desired.

Mr. Levy expressed a desire to reach out to the local communities to make sure that ramp metering, a safety improvement, worked for everyone. He stated that Caltrans would work with the counties and cities to make sure that was done before any lights were turned on. He reiterated that Caltrans did not want backups on city streets. Ramp metering was intended to optimize the capacity of the entire corridor.

Joe Weber acknowledged the comment and referred to a 1999 task force when he was the TRANSPLAN representative for an I-680 ramp metering study when it had been clear at that time that it was not a situation that was supported. He wanted to see the technical report that indicated that the flow of traffic would be improved. He characterized ramp metering as punitive in nature, stated that the bulk of access to freeways came off signalized intersections, and suggested it would be a disaster waiting to happen. He added that there were huge implications to ramp metering. He emphasized that there was signalized access to freeway access and he did not believe that ramp metering would benefit East County users.

Ben Johnson concurred and did not see that ramp metering had worked in larger communities, such as San Jose to SR237. He noted that ramps in East County were different from other areas and he concurred with the negative effects of ramp metering.

In response to Brian Kalinowski, Mr. Cunningham reiterated that each individual jurisdiction would have an understanding with Caltrans on the operation of each meter in its jurisdiction.

Jack Hall with the CCTA stated that they would continue to work with each agency. He noted that the current format was intended to get to that point. The project would be funded by MTC. The study would evaluate whether or not metering would smooth out congested areas.

Brian Kalinowski did not support the study and suggested that allowing the study to move forward would jeopardize the lives of people expecting some freeway relief. He did not support ramp metering, suggested there would be gridlock, and stated that as the freeway improved through Antioch the backup would push further back beyond Bailey Road. He did not believe that travel times would be improved by queuing vehicles on the on-ramp. He could not support the proposal.

Mr. Hall described the study as a safety issue and reiterated that the study was an attempt to see if ramp metering could improve the situation.

Mr. Cunningham acknowledged that the TRANSPLAN TAC had similar concerns and stated that there had been serious discussions.

Given the comments, Mr. Cunningham recommended a change in the phasing of the study, if possible, to segment out the work so that it was clear. He recommended that the first phase address the concerns expressed by the TRANSPLAN Committee with an analysis and a report back to the Committee prior to continuing.

Brian Kalinowski suggested it was too early in the process of the Highway 4 improvements, which needed to be completed prior to considering studies for ways to mitigate congestion. He did not support a segmented concept.

In response to Jim Frazier, Mr. Levy noted that backup detectors and diametric metering would allow more cars onto the freeway and when reaching capacity more cars would be held back from entering the freeway corridor.

Jim Frazier verified with Mr. Hall that MTC was trying to be proactive with mobility and the study. He wanted to see best to worst case scenarios and noted that anything built with a ramp in the last ten years now had a traffic signal.

Mr. Kalinowski reiterated that the corridor needed to be completed before considering ramp metering. He stated that if Highway 4 did not work because of congestion ramp metering could be considered, although the corridor would not be substantially complete for another five years and ramp metering would offer another constraint prior to that time.

Ross Chittenden advised that there would be similar discussions with the TRANSPAC Committee. He agreed with the concerns related to a brand new corridor and stated that the real benefit would be for those downstream. He added that the MTC concept was to evaluate a number of operational improvements, not just ramp metering that would benefit everyone.

Mr. Kalinowski reiterated his concerns and noted that the travel patterns of East County residents were strange given a lack of infrastructure, which would change with the development of the infrastructure.

Jim Frazier stated that the development of the Concord Naval Weapons Station (CNWS) was also a factor to consider.

Mr. Hall clarified that the metering lights would not be activated until the freeway had been built. He stated that the study would determine an implementation plan, which could potentially be from Bailey Road to SR242 and up to Alhambra Avenue. As the freeway came on line the metering rates would then be determined. He stated that the study also proposed to study arterial streets. He added that studies had shown that once ramp metering was activated, a community loved it.

Mr. Hall referred to a prior study where there had been a 26 percent reduction in accidents with ramp metering, even after that metering had initially been turned off and public support had later reactivated that metering.

Mr. Levy explained that the corridor was being built out to a certain capacity and they could be confident in conducting those studies before everything was built out, which was one reason to pursue the study now prior to the build out of the corridor.

Brian Kalinowski questioned whether or not ramp metering was the best use of resources.

Ben Johnson referred to Buchanan Road, an arterial road that was heavily impacted, and asked how that had been studied; to which Mr. Hall stated that the City of Pittsburg's Traffic Engineer, a member of the TRANSPLAN TAC, was monitoring that situation in light of Pittsburg's concerns for congestion along that corridor which was used instead of the freeway.

Mr. Johnson referred to the City of Concord's metering on Kirker Pass Road and noted the frustrations involved in that case.

Mr. Cunningham clarified that his suggestion for staggering was for the scope of work to study ramp metering, not for implementation of metering. He recommended bringing back the information only that addressed the concern of the TRANSPLAN Committee which would make the determination.

As to the estimated cost in response to Ms. Piepho, Mr. Levy stated that the cost was unknown at this point with potential savings now versus a later study yet unknown.

Ms. Piepho asked if there was risk to the agency by not participating on some project funding, to which Mr. Hall stated that there was a finite limit of FPI [Freeway Performance Initiative] money and Marin, Solano, and San Mateo counties were doing the same things.

In further response to Mary Piepho, Mr. Levy explained that Caltrans had an MOU with San Mateo County and the cities in that county, with one MOU, a situation that had worked well in that case.

Mr. Hall clarified with respect to the I-680 ramp metering that each individual city had made a determination and MOUs were only executed if a jurisdiction executed ramp metering.

Joe Weber noted the discussion of safety in the corridor and suggested that the single most influential safety component was the presence and increased presence of the California Highway Patrol (CHP). Without CHP vigilance, he stated there were serious problems. On the safety issue, he stated that there was a construction zone with a 55 MPH speed zone, which was not being monitored. While ramp metering had been proposed as a safety issue down the road, he stated that there was a safety issue now. He did not support ramp metering.

Gil Azevedo suggested that safety appeared to be the argument although he did not want to satisfy safety on the freeway for safety on arterial streets. He stated that traffic congestion was a serious issue and he did not see that safety would be produced.

Mr. Hall explained that timing would be provided to avoid congestion on surface streets. He suggested that while initially surface streets would suffer, the metering lights would prove their worth over time.

Ben Johnson referred to Railroad Avenue where there were a number of signal lights involved with no direct access to the freeway from both sides. He stated that traffic flow across the new overpasses and new improvements would have to be better synchronized to make ramp metering work. He emphasized the need to make sure that off ramps were efficient to support ramp metering.

A motion by Jim Frazier to approve the State Route 4 Ramp Metering Proposal failed for lack of a second.

On motion by Bob Taylor, seconded by Mary Piepho, TRANSPLAN Committee members unanimously referred the State Route 4 Ramp Metering Proposal back to Mr. Cunningham to scope Phase I differently, suggesting that bringing the scope to set the corridor was premature, and requesting a more comprehensive report on other case studies and Best Practices, how ramp metering had benefited other areas, the potential consequences, what it would cost, and the MOUs to allow the TRANSPLAN Committee to make a more informed decision.

On the question, Mr. Ohlson stated that those studies should be of similar freeways and Mr. Kalinowski wanted studies on corridors that were under construction, in phases.

RECEIVE REPORT ON STATUS OF REGIONAL FEE PROGRAM REQUIREMENTS / CITY OF PITTSBURG AND TAKE ACTION AS APPROPRIATE

Mr. Cunningham advised that the item related to the status of the City of Pittsburg's Regional Fee Program.

Mr. Cunningham had nothing in detail to report on the lawsuit other than it was proceeding and that the East Contra Costa Regional Fee and Financing Authority (ECCRFFA) was seeking some sort of agreement which was also proceeding in parallel with the lawsuit.

Mr. Cunningham reported that the CCTA had provided an update to its Planning Committee last night on the status of the lawsuit and compliance with the Growth Management Program (GMP). Ultimately, the CCTA would have to make a decision on compliance with the GMP and whether Pittsburg would receive local streets dollars. Noting the absence in the discussion at the Planning Committee that the CCTA's prior direction to the City of Pittsburg was that compliance with the GMP required approval from the TRANSPLAN Committee, he recommended that the Committee draft a letter to the CCTA to provide a reminder.

RECEIVE UPDATE: STATE ROUTE 4 INTEGRATED CORRIDOR ANALYSIS

Mr. Cunningham had no update on the State Route 4 Integrated Corridor Analysis at this point.

ADJOURNMENT

Chair Kalinowski adjourned the TRANSPLAN Committee meeting at 8:57 P.M., to October 13, 2011 at 6:30 P.M. or other day/time deemed appropriate by the Committee.

Respectfully submitted,

Anita L. Tucci-Smith
Minutes Clerk

Meeting Handouts:

Letter dated September 7, 2011 to Martin Engelmann, Deputy Executive Director, CCTA from Joe Sbranti, City Manager, City of Pittsburg Re: Negotiations with TRANSPLAN

ITEM 4

ACCEPT CORRESPONDENCE



CONTRA COSTA
transportation
authority

COMMISSIONERS

September 29, 2011

David Durant, Chair

Don Tatzin,
Vice Chair

Janet Abelson

Genoveva Galloway

Jim Frazier

Federal Glover

Dave Hudson

Karen Mitchoff

Julie Pierce

Karen Stepper

Robert Taylor

Randell H. Iwasaki,
Executive Director

Mr. Steve Heminger
Executive Director
Metropolitan Transportation Commission
101 Eighth Street
Oakland, CA 94607

Subject: *Comments on July 8, 2011 Draft Proposal for OneBayArea Grant Program*

Dear Mr. Heminger:

Thank you for the opportunity to comment on the proposed OneBayArea grant program for Cycle 2 STP and CMAQ funds. The Contra Costa Transportation Authority (Authority) finds several aspects of the proposed approach to be quite positive. Combining the Transportation for Livable Communities, Regional Bicycle, Local Streets and Roads Shortfall, and Safe Routes to School programs would allow each CMA to tailor how it allocates the available funds to meet the regional transportation system needs locally identified within each county, thus making the program more truly a block grant. The increase in funding for each county would allow CMAs to better direct those funds to meet the maintenance needs of our communities and to support and encourage more walking, bicycling and transit use.

Some parts of the proposal, however, raise significant concerns. The following recommendations are made in the hope that the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) can revise the approach to create a more workable grant program, one that serves to both maintain the existing system and support future growth, and one that better reflects the wide range of communities in the Bay Area.

- 1. The grant program should recognize and allow prior CMA commitments of Cycle 2 funding.** In Contra Costa’s case, recognizing prior CMA commitments would include the \$9.53 million in maintenance funds to which the Authority committed based on MTC’s own formula for funding maintenance needs in the region. Allowing such good faith commitments to be met is sound policy and helps to achieve the broad goals supported by the STP and CMAQ programs.

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2. **Funds for maintenance projects should be treated separately from funds for other programs.** That is, the allocation of funds should reflect the previously agreed-upon regional formula and Authority commitments, and neither the proposed 70/30 split nor the proposed eligibility requirements for jurisdictions should apply.
3. **Use actual forecasts to determine the split.** Since it is not known what improvements are needed in the PDAs and how much they will cost, and since the 70/30 split may not reflect the actual allocation of forecast growth, we suggest:
 - a. Changing the PDA/non-PDA split to reflect actual forecasts OR
 - b. Using locations within or supporting a PDA as only *one* of the criteria for selecting projects for funding.

While recognizing that funding should support PDAs, we believe that an exclusive focus on locations *within* PDAs is too narrow and is inconsistent with the overall goals of these programs. Funding projects that would *support* the development of PDAs, even though they would not be *in* a PDA, helps meet the broad goals of MTC, the Authority and the entire SCS program; and therefore using locations that support PDAs should be counted as part of the PDA share.

4. **Safe Routes to School funds should not be subject to the 70/30 PDA requirement.** Very few schools in Contra Costa are located within designated PDAs. Limiting SRS funds by applying the 70/30 PDA requirement would therefore seem to be a restriction that lifts form over substance. We believe that SRS funding should be used to improve safety on all routes to our schools, regardless of whether those schools are in a PDA.
5. **Projects funded through the Regional Bicycle Program should not be subject to the 70/30 split.** While location within and support of PDAs could be used as a criterion for selecting projects, a strict 70/30 split does not capture the greenhouse gas benefits of projects located outside of PDAs. Indeed, given the nature of most PDAs, we believe that focusing exclusively on locations *within* PDAs is too limiting, and that bicycle routes that lead to, from or otherwise support PDAs should be equally eligible for funding.

6. **The eligibility requirements should be modified**, either to serve as true “performance and accountability” standards or to reflect more realistic standards for supportive policies. Performance and accountability standards would reflect an applicant agency’s track record in delivering projects. If retained, the eligibility standards should be modified to:
 - c. Eliminate parking pricing as a standard since, while many have considered them, few agencies have actually implemented them
 - d. Eliminate the Community Risk Reduction Plan requirement since these plans are still a work in progress and few have been prepared and adopted
 - e. Eliminate the complete streets policy requirement since, again, relatively few agencies have completed them and, in any case, they are not required under State law until an agency substantially updates its Circulation Element. If retained, the complete streets requirement should not be tied to compliance with the Complete Streets Act of 2008; the language in Contra Costa’s Measure O (2010) could serve as a template for a more flexible requirement.¹
7. **Standards on supportive policies should not be used to determine eligibility.** MTC proposes to link an applicant’s eligibility to local adoption of supportive policies. We understand that certain “efficiencies” can be achieved with “bright line” rules. We believe, however, that the eligibility criteria should be more flexible to allow fair consideration of more projects and programs that support the goals of MTC, the Authority and the SCS program. Standards on supportive policies can then, instead, be used in ranking project applications.
8. **Monies set aside for Priority Conservation Areas (PCAs) should be available for actual maintenance and improvement of roads.** The current proposal would only fund pilot planning efforts for PCAs. That

¹ Suggested Language from Measure O: *A local jurisdiction’s eligibility for Local Road Improvement and Repair funds is contingent upon its incorporating into its road improvement and repair projects facilities and amenities that are practicable and recognized as contributing to that jurisdiction’s policies pertaining to the improvement of access and safety for bicycles, pedestrians and transit. For purposes of this requirement, ‘practicable’ means that the jurisdiction will, in good faith, take steps to implement its adopted bicycle and pedestrian plans and policies.*

seems to us to be unduly restrictive. We believe that using these funds to maintain or improve roads in PCAs is consistent with our common goals.

9. **The proposal needs to clarify how TFCA and other funds would be incorporated into the OneBayArea grant.** We are unsure how outside funds (such as TFCA) and the eligibility for such funds will guide the use of OneBayArea grant funds or how that guidance is intended to affect how CMAs allocate funding. We therefore request that this be clarified.

Again, we thank you for the opportunity to comment on the draft proposal for the Cycle 2 OneBayArea grant. We hope that you find our comments useful in creating a program that feasibly achieves the region's goals.

Sincerely,



David E. Durant
Chair

cc: CMA Chairs and Directors
Ezra Rapport, ABAG

File: 20.21.06

TRANSPLAN COMMITTEE

EAST COUNTY TRANSPORTATION PLANNING

Antioch • Brentwood • Oakley • Pittsburg • Contra Costa County
651 Pine Street -- North Wing 4TH Floor, Martinez, CA 94553-0095

September 12, 2011

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

Dear Mr. Iwasaki:

This correspondence reports on the actions and discussions during the TRANSPLAN Committee meeting on September 8, 2011.

Receive Pre-Project Briefing on State Route 239/Brentwood-Tracy Expressway Planning Project and Provide Comment/Direction to Staff as Appropriate: The Committee received a report from the consultant team and Contra Costa County/Contra Costa Transportation Authority (CCTA) staff on the project. Members noted the significance of the project asked to be kept apprised of the progress.

Receive Report on San Joaquin Rail Corridor Environmental Impact Study and Provide Comment/Direction to Staff as appropriate: Consultant and Caltrans staff provided the Committee a report on the subject study. The Committee expressed an interest in continued involvement in the study and asked that TRANSPLAN be provided regular updates.

Receive Report, Provide Comments on the State Route 4 Ramp Metering Proposal: The Committee received a report on a proposed study of ramp metering in eastern Contra Costa County from CCTA, Caltrans and TRANSPLAN staff. The Committee expressed concern about the concept of ramp metering and asked that staff return at a future meeting with a complete ramp metering presentation.

The next regularly scheduled TRANSPLAN Committee meeting will be on Thursday, October 13, 2011 at 6:30 p.m. at the Tri Delta Transit offices in Antioch.

Sincerely,



John W. Cunningham
TRANSPLAN Staff

- c:** TRANSPLAN Committee
A. Dillard, SWAT/TVTC
B. Neustadter, TRANSPAC
C. Atienza, WCCTAC D. Rosenbohm, CCTA

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File: Transportation > Committees > CCTA > TRANSPLAN > 2011



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Executive Director

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MEMORANDUM

To: Barbara Neustadter, TRANSPAC
 Andy Dillard, SWAT, TVTC
 John Cunningham, TRANSPLAN
 Christina Atienza, WCCTAC
 Richard Yee, LPMC
Randell H. Iwasaki

From: Randell H. Iwasaki, Executive Director

Date: September 22, 2011

Re: Items approved by the Authority on September 21, 2011, for circulation to the Regional Transportation Planning Committees (RTPCs), and items of interest

At its September 21, 2011 meeting, the Authority discussed the following items, which may be of interest to the Regional Transportation Planning Committees:

1. **Contra Costa Measure J Transportation for Livable Communities (CC-TLC) and Pedestrian Bicycle and Trail Facilities (PBTF) Program: Review of Proposed CC-TLC and PBTF Call for Projects.** *The Authority approved the release of Call for Projects for these two programs. The Call for Projects will be transmitted to project proponents under separate cover.*
2. **Update on BCDC's Proposed Bay Plan Amendment.** *The Authority approved sending a letter to BCDC in support of the proposed Bay Plan Amendment 1-08. (Attachment)*
3. **2012 State Transportation Improvement Program (STIP) Candidate Projects.** *Staff presented TCC recommendations for the 2012 STIP. The Authority approved the project list and the Resolution of Local Support, 11-34-P. The Authority also concurred with the TCC's recommendation to require regular project reporting from the City of Hercules on its Intermodal Station project. (Attachment)*
4. **Letter of Support for the Metropolitan Transportation Commission (MTC) Application to the California Transportation Commission (CTC) regarding the Bay Area Regional Express Lane Network.** *The Authority approved sending a letter in support for MTC's application to the CTC for the Bay Area Regional Express Lane Network, providing the conditions outlined in the letter are met. (Attachment)*

- 5. Measure J Expenditure Plan Amendment of Programs 19 and 20 for West County.**
The Authority approved Ordinance 11-01, adding flexibility to program 19b - Additional Bus Service Enhancements, and 20b – Additional Transportation for Seniors and People with Disabilities, by allowing WCCTAC to program funds to support existing services under certain situations of financial need. Staff was authorized to send a Notice of Proposed Amendment to Measure J Expenditure Plan to the Board of Supervisors, City/Town Managers, and the Conference of Mayors as required by Section 8 of the Measure J Ordinance. The Authority will conduct a public hearing at its meeting of October 19, 2011. (Attachment)

- 6. Review and Discussion of MTC’s Proposed Cycle-2 OneBayArea Grant Program.** On July 8, 2011, the Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG) jointly released a draft proposal for the OneBayArea grant program. This new program would alter the framework for allocating the STP and CMAQ funding that MTC adopted in December 2009. The revised program would give CMAs more flexibility in allocating funds among the previous TLC, Regional Bicycle, Local Streets and Roads Shortfall and Safe Routes to Schools program and would substantially increase the amount of funding to counties. Staff, however, has identified some significant problems with the proposal, including requiring local adoption of various policies to be eligible for funds, directing 70 percent of the funds to projects in Priority Development Areas, and downplaying maintenance needs and prior commitments. *The Authority reviewed the draft comment letter on the OneBayArea Grant proposal, and authorized the Chair to work with staff to finalize and transmit the letter to MTC. The final letter will be transmitted under separate cover.*



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COMMISSIONERS

September 21, 2011

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Randell H. Iwasaki,
 Executive Director

Sean Randolph
 Chairman

BAY CONSERVATION AND DEVELOPMENT
 COMMISSION
 c/o Bay Area Council
 201 California Street, Suite 1450
 San Francisco, CA 94111

Will Travis

Executive Director

BAY CONSERVATION AND DEVELOPMENT
 COMMISSION
 50 California Street, Suite 2600
 San Francisco, California 94111

Subject: *Letter of Support for the Proposed Bay Plan Amendment 1-08*

Dear Chairman Randolph and Executive Director Travis:

In our last letter to you, dated November 23, 2010, the Contra Costa Transportation Authority (the Authority) expressed significant concerns about the conflicts that the policies and guidelines in the proposed Bay Plan Amendment 1-08 (the Amendment) would introduce to the transportation sector in general and to the Authority's mission and goals in particular.

We are therefore pleased to report, that after having reviewed the proposed July 29, 2011 revisions to the Amendment, the Authority has taken a position of support. We appreciate that the July 29 version broadly and comprehensively addresses our early comments. Specifically:

1. The Authority sought revisions to the Amendment to avert conflicts between the Bay Plan Climate Change policies and the Authority's primary mission – to deliver the Measure J transportation projects as approved by the voters of Contra Costa.

The proposed amendment adds policies that specifically limit the application of the Climate Change policies to within 100 feet of the shoreline. For projects or activities that are located partly within the 100 foot band, and partly outside of it, the findings only apply to that portion of the project located within the 100 foot band (see Policy 1, p. 21). While this policy explicitly limits BCDCs jurisdiction to the existing shoreline, a new policy also recognizes that piecemealing decisions based upon overlapping government jurisdictional boundaries can be inefficient and counterproductive. Consequently, the proposed amendment supports BCDC's collaboration with the Joint Policy Committee, which is comprised of the regional agencies (MTC, ABAG, BCDC, and the Air District), to provide a framework for regional decision making (see Policy 6.u, p. 19).

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The proposed amendment also adds a policy that recognizes that transportation facilities and other critical infrastructure that is necessary for existing development or to serve planned development provide regional benefits, advance regional goals, and should be encouraged if the benefits outweigh the risk from flooding (see policy 7.b, p. 26).

2. The Authority sought to avert conflicts between the Bay Plan and the efforts of local jurisdictions to develop Priority Development Areas (PDAs), several of which are located near the Bay.

The policy addressing infill development has been re-written to acknowledge that ABAG and MTC have developed the FOCUS program and have identified PDAs as key components of the Bay Area's Sustainable Communities Strategy (SCS) that will be adopted pursuant to SB 375. The policy further states that one of BCDC's objectives in adopting climate change policies is to facilitate implementation of the SCS (see policy 6.p, p. 17).

3. The Authority sought assurances that the existing infrastructure we rely on daily for the transport of people and goods will be adequately protected from sea level rise.

The revised policies recognize the significant and valuable development that has been built up along the coastal areas. The policies include a new finding that recites the overarching guiding principles of the California Climate Adaptation Strategy, including the objectives of protecting public health, safety, and critical infrastructure. The Strategy recognizes that protecting anything and everything from sea level rise may prove futile in the long run, and looks to decision guidance using cost-benefit analysis to appropriately consider developments that are threatened (see policy 6.w, p. 20).

We commend the staff and Commission members for their thoughtful consideration of all of the comments provided by the involved stakeholders, and for establishing a framework for the regional dialog to begin on the difficult work of responding to the challenges of climate change and sea-level rise.

Sean Randolph and Will Travis
September 21, 2011
Page 3

We look forward to participating in the regional dialog.

Sincerely,

A handwritten signature in black ink, appearing to read "David E. Durant", with a long horizontal flourish extending to the right.

David E. Durant,
Chair

cc via e-mail: BCDC Members and Alternates
The Contra Costa Mayor's Conference
Contra Costa County Supervisors
Contra Costa Transportation Authority Members

2012 STIP Applications - TCC Subcommittee Review

Rank	Project Proponent	Project Name	Project Type*	Funds Requested	Cumulative Total	2012 STIP Funds
1	Hercules	Hercules Intermodal Transit Center, Station Building	T	\$5,100,000	\$5,100,000	\$5,100,000
2	BART	Walnut Creek BART TOD Intermodal	T	\$5,300,000	\$10,400,000	\$5,300,000
3	CCTA/San Pablo	I-80/San Pablo Dam Rd. Interchange Reconstruction	R	\$10,000,000	\$20,400,000	\$10,000,000
4	CCTA/TRANSPAC	I-680 SB HOV Gap Closure, N. Main St to Livorna Rd	R	\$9,000,000	\$29,400,000	\$5,557,000
5	CCTA/TRANSPAC	I-680/SR4 Phase 3 interim Improvements	R	\$19,800,000	\$49,200,000	
6	Pleasant Hill	Contra Costa Blvd Corridor Enhancement Phase 3	R	\$4,923,000	\$54,123,000	
7	CCTA/Danville	I-680 NB Auxiliary Lanes, Seg. 2 Danville and Sam Ramon	R	\$9,000,000	\$63,123,000	
8	AC Transit	Richmond Parkway Transit Center	T	\$15,000,000	\$78,123,000	
9	Lafayette	Pleasant Hill Road Olympic Circle	R	\$1,000,000	\$79,123,000	
10	County	Camino Tassajara Sfty Imps-Windemere Pkwy to Alameda C. Line	R	\$5,764,000	\$84,887,000	
11	Richmond	Richmond Transit Village Ph II, Nevin Ave Improvements	T	\$3,211,000	\$88,098,000	
12	County	Kirker Pass Rd NB Truck Climbing Lane	R	\$3,500,000	\$91,598,000	
13	CCTA/San Ramon	I-680/Norris Canyon Bus/Carpool on/off ramps	R	\$7,000,000	\$98,598,000	
14	EBRPD	Pinole Shore to Bayfront Park Trail	T	\$1,000,000	\$99,598,000	
15	San Ramon	San Ramon Valley Blvd. Pavement Rehabilitation (INCOMPLETE)	R	\$2,223,000	\$101,821,000	
	TOTAL			\$101,821,000		\$25,957,000

*Project Type: Roadway = R, Transit = T



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September 22, 2011

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Randell H. Iwasaki
 Executive Director

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<http://www.ccta.net>

Mr. Dario Frommer, Chair
 California Transportation Commission
 1120 N Street, Room 2221 (MS-52)
 Sacramento, CA 95814

Dear Chairman Frommer and Commissioners:

The Contra Costa Transportation Authority (Authority), acting as the Congestion Management Agency (CMA) for Contra Costa, is writing in support of the application by the Metropolitan Transportation Commission (MTC) for authority to implement the Bay Area Express Lane Network and urges the California Transportation Commission (Commission) to make a finding of eligibility under Streets & Highway Code Section 149.7. The Authority acted at its meeting on September 21, 2011 to affirm this support.

The express lanes network is a component of the *Transportation 2035 Plan for the San Francisco Bay Area*, the long-range transportation plan for the Bay Area. This request before the Commission represents the culmination of significant efforts to define and study the technical and financial feasibility of moving forward with the express lanes network. High Occupancy Vehicle (HOV) lanes are already an essential part of the regional transportation system, but they could be even more extensive and make a greater contribution to regional mobility, if they were to reach their full potential. Currently, the HOV lanes are a "patchwork" rather than a network. The implementation of the network for which MTC is seeking authority on behalf of the region would be a powerful tool for management of the freeway system. It would yield the following benefits:

- **Capacity Enhancement/System Performance.** Current underutilization of HOV lanes creates the opportunity to balance the usage of all lanes and increase vehicle and person throughput, as a result of careful real-time pricing strategies. Overall system performance can be improved by a more extensive HOV/express lane network that can be fine-tuned through pricing.
- **Connectivity.** Additional HOV lanes would be constructed to close gaps and permit longer contiguous trips on the lanes than are currently possible or foreseeable under current funding circumstances. The network will become a much more attractive and efficient mobility option for travelers when gaps are closed.
- **Travel Time Savings.** Offering travelers the option of using the express lane provides an opportunity to save travel time, especially on those occasions when being on time is of great value to the user.
- **Reliability.** In addition to time savings, reliability is an important value to users. If predictability can be assured, experience with express lanes in other regions has shown

that users will pay the toll, even at times when there is not significant congestion on the adjacent general purpose lanes.

- **Bus Transit improvement.** Substantially enhanced connectivity and improved reliability will make express bus travel much more attractive and thereby lead to increased ridership. This will lead to reduced congestion, energy consumption and air emissions.

Of course, each segment of the express lane network has its own special characteristics. As each project of the network is developed, we understand that there will be detailed analysis of operational and environmental impacts specific to that project. The Authority, as well as affected jurisdictions in Contra Costa, expects to participate in the project development process for those corridors within our county.

The Authority's support for the Bay Area Express Lane Network is predicated on the understanding that the following concerns will be addressed prior to implementation:

- **Governance structure:** Important policy decisions are needed for both region-wide and corridor-specific implementation. The Authority, as the CMA for Contra Costa, should be involved with our partners at MTC, Caltrans and other Bay Area CMAs in the development of the governance structure that affects Contra Costa corridors and residents.
- **Financing options:** The MTC application includes costs needed to implement and operate the express lane network, and discusses financing options in limited detail. A more defined financing plan needs to be identified.
- **Start-up costs:** Contra Costa's Measure J expenditure plan includes funding to construct HOV lanes along I-680. These funds cannot be redirected to implement HOT lanes. Rather, these funds should be supplemented from the network financial plan for this purpose.
- **Use of net revenue:** The Authority believes that HOT lane implementation should benefit residents and travelers along tolled corridors, and that excess revenue should be used for transit assistance or other capital projects.
- **The Authority and local involvement in implementation:** Most importantly, the Authority and its affected jurisdictions need to be involved in the continued planning and implementation of the express lane network. This includes participation in operational policy decisions and the development of project development roles for corridors within Contra Costa.

We are pleased to give wholehearted support and endorsement to the MTC application to seek authorization of the Bay Area Express Lane Network as long as the above conditions are met. We urge Commission approval of the application.

Sincerely,



David E. Durant
Chair



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COMMISSIONERS

September 22, 2011

David Durant, Chair

Board of Supervisors
 City/Town Managers
 Conference of Mayors

Don Tatzin,
 Vice Chair

Janet Abelson

Genoveva Calloway

Re: Notice of Proposed Amendment to Measure J Expenditure Plan

Jim Frazier

Dear Sir/Madam:

Federal Glover

Dave Hudson

Karen Mitchoff

Julie Pierce

Karen Stepper

Robert Taylor

In accordance with Section 8 of the Contra Costa Transportation Improvement and Growth Management Program Ordinance, ("Ordinance #06-01", or "Measure J"), we are hereby notifying you of the Authority's proposed amendment of the Measure J Expenditure Plan. By a vote of 10 to 0, the Authority passed Ordinance 11-01 on September 21, 2011 approving the amendment. The amendment addresses only programs specific to West County.

Randell H. Iwasaki,
 Executive Director

Expenditure Plan Programs 19b and 20b (West County) are intended to provide new or enhanced bus service and transportation programs for seniors and people with disabilities, respectively in West County. Section 8 of Ordinance 06-01 states that the Authority may annually review and propose amendments to the Expenditure Plan to provide for the use of additional federal, state and local funds, to account for unexpected revenues, *or to take into consideration unforeseen circumstances*. The Authority is proposing this action at the request of WCCTAC because significant funding reductions resulting from both the economic downturn have left existing bus and paratransit operations in jeopardy of reductions or elimination. The amendments would provide flexibility to WCCTAC to program funds from these specific programs to fund existing transit and paratransit services and programs under situations of declining transit revenues.

In the event that your agency does not agree with the Authority's amendment, Section 8 of Ordinance #06-01 requires that your jurisdiction, by majority vote of the governing body, appeal the Authority's decision, and formally notify the Authority via registered mail within 45 days of receipt of this notice. The appealing jurisdiction will then have a further 45 days to obtain formal resolutions of support from the majority of the cities and towns within the county representing a majority of the population residing within the incorporated area of the county and the Board of Supervisors. If a jurisdiction does not obtain the necessary resolutions supporting its appeal or fails to act within the timeframes provided in Section 8 of Ordinance #06-01 the Authority's amendment to the Expenditure Plan will stand. As required a public

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September 22, 2011

Page 2

hearing on this amendment will be held at the Authority's regularly scheduled board meeting on October 19, 2011.

Should you have any questions, please contact me at (925) 256-4724 or Peter Engel at (925) 256-4741.

Sincerely,



Randell H. Iwasaki
Executive Director

Attachment: Ordinance 11-01

File: 04.17.01.05

Distribution List
Ordinance 11-01
Notice of Proposed Amendment

Distribution List - County Board of Supervisors, City/Town Managers, Conference of Mayors

FirstName	LastName	Company1	BusinessStreet	City	State	Zip
Jim	Jakel	City of Antioch	P.O. Box 5007	Antioch	CA	94531-5007
Donna	Landeros	City of Brentwood	708 Third St	Brentwood	CA	94513-1396
Gary	Napper	City of Clayton	6000 Heritage Trail	Clayton	CA	94517-1250
Dan	Keen	City of Concord	1950 Parkside Drive	Concord	CA	94519-2578
Scott	Hanin	City of El Cerrito	10890 San Pablo Ave.	El Cerrito	CA	94530-2392
Eguzki	Olano	City of Hercules	111 Civic Drive	Hercules	CA	94547
Steven	Falk	City of Lafayette	3675 Mt. Diablo Blvd., Ste. 210	Lafayette	CA	94549-1968
Philip	Vince	City of Martinez	525 Henrietta St	Martinez	CA	94553-2337
Bryan	Montgomery	City of Oakley	3231 Main Street	Oakley	CA	94561
Janet	Keeter	City of Orinda	22 Orinda Way	Orinda	CA	94563
Belinda	Espinosa	City of Pinole	2131 Pear Street	Pinole	CA	94564-1716
Marc	Grisham	City of Pittsburg	65 Civic Ave.	Pittsburg	CA	94565
June	Catalano	City of Pleasant Hill	100 Gregory Ln	Pleasant Hill	CA	94523-3323
William	Lindsay	City of Richmond	450 Civic Center Plaza	Richmond	CA	94804
Matt	Rodriguez	City of San Pablo	13831 San Pablo Avenue	San Pablo	CA	94806
Greg	Rogers	City of San Ramon	2222 Camino Ramon	San Ramon	CA	94583-1372
Ken	Nordhoff	City of Walnut Creek	1666 North Main Street	Walnut Creek	CA	94596
David	Twa	Contra Costa County	651 Pine St., 11th Floor	Martinez	CA	94553-2337
Joe	Calabrigo	Town of Danville	510 La Gonda Way	Danville	CA	94526-1722
Jill	Keimach	Town of Moraga	329 Rheam Blvd.	Moraga	CA	94556
Tiffany	Lennear	Clerk of the Board of Supervisors	651 Pine Street, Room 106	Martinez	CA	94553
Don	Blubaugh	Contra Costa County Mayors' Conference	1715 Chardonnay Ln.	Brentwood	CA	94513



ORDINANCE 11-01

**AMENDING THE MEASURE J TRANSPORTATION EXPENDITURE PLAN
BY REVISING AND CLARIFYING HOW THE WEST CONTRA COSTA TRANSPORTATION ADVISORY
COMMITTEE MAY DEVELOP GUIDELINES AND ALLOCATE FUNDS FOR THE ADDITIONAL BUS SERVICE
ENHANCEMENTS AND ADDITIONAL TRANSPORTATION SERVICES FOR SENIORS AND PEOPLE WITH
DISABILITIES PROGRAMS**

AN ORDINANCE amending the Measure J Transportation Expenditure Plan by revising and clarifying how the West Contra Costa Transportation Advisory Committee (WCCTAC) may develop guidelines and allocate funds for the Additional Bus Service Enhancement Program (Subregional Program 19) and the Additional Transportation Services for Seniors and People with Disabilities Program (Subregional Program 20).

WHEREAS, the Measure J Transportation Expenditure Plan includes a Subregional Projects and Programs category in order to allow Regional Transportation Planning Committees (RTPCs) representing each subregion to propose projects and programs critical to addressing local transportation needs; and

WHEREAS, with respect to the Subregional Programs 19 and 20, the Measure J Transportation Expenditure Plan provides for the development of enhanced service funding-eligibility guidelines and specifies the uses for which enhanced service funding may be allocated; and

WHEREAS, a request was received from WCCTAC to amend the language for programs 19b and 20b of the transportation expenditure plan to allow for additional flexibility in determining the use of the funds for existing operations; and

WHEREAS, the Authority Staff has reviewed and recommended changes to Subregional Projects and Programs requirements to allow RTPCs, in cooperation with the Authority, to establish and apply subregional operator-eligibility guidelines for enhanced service funding from Subregional Programs 19 and 20, including reporting requirements; and

WHEREAS, the Authority Staff has reviewed and recommended changes to Subregional Projects and Programs 19 and 20 to allow RTPCs the flexibility to use enhanced service funds for existing services under certain circumstances; and

WHEREAS, the Board has determined that the proposed amendments do not change the substance or intent of the drafters of Measure J, but clarify the circumstances under which WCCTAC may allocate enhanced service funds.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

1. The Measure J Transportation Expenditure Plan (as amended through July 15, 2009) is amended as follows:

Expenditure Plan page 21, "Subregional Projects and Programs – West County (WCCTAC)" is amended to read in full as set forth in Attachment A, which Attachment is incorporated by reference and made a part of this ordinance as if fully set forth herein.

Passed and adopted by the Contra Costa Transportation Authority on September 21, 2011, by the following vote:

AYES: *Abelson, Ritterman, Durant, Frazer, Glower, Hudson, Mitchell, Pierce, Stepper, Tatzjin.*

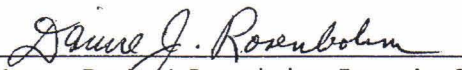
NOES: *Ø*

ABSENT: *Taylor*



David E. Durant, Chair

This ORDINANCE was entered into at a meeting of the Contra Costa Transportation Authority held on September 21, 2011, in Walnut Creek, California, and became effective forthwith.



Attest: Danice J. Rosenbohm, Executive Secretary

ATTACHMENT A

Expenditure Plan page 21, West County Subregional Programs 19b and 20b

WEST COUNTY (WCCTAC)

19b Additional Bus Service Enhancements 2.2% (\$44.5 million)

Funds will be used to enhance local bus service in West County, as determined by WCCTAC and the west county bus operators. Funds will be used to operate new service, including new bus lines, expanded service hours, improved frequency, expanded days of the week, etc. At least \$4 million of the \$44.5 million total would go to WestCAT.

~~In years when, as a result of economic downturn, the combined revenue and reserves provided under Bus Services (Program 14) to eligible West County operators is less than the revenue received in the prior year (after being adjusted for inflation), the additional revenue may be used to fund the shortfall, if requested by the operator. Under those circumstances, the additional funds may be used for services that would be eligible for funding under Program 14.~~

As determined by WCCTAC, certain conditions beyond the control of the operators may warrant the use of the additional funds to maintain services that are eligible for funding under Program 14. Such circumstances could include, but not be limited to declines in sales tax revenues, revenues used for transit operations or other supplemental revenues, or increases in insurance and fuel costs.

20b Additional Transportation for Seniors and People with Disabilities 0.65% (\$13 million)

As determined by WCCTAC, funds will be used to supplement the services provided by the countywide transportation program for seniors and people with disabilities and may include, but are not limited to, provision of dedicated shuttles to specific programs and activities, as well as sedan/taxi service, supplemental service provided by the cities, the County or transit agencies, expanded subsidies for fares, etc. ADA and non-ADA service will qualify. Funds shall be allocated annually as a percentage of total sales tax revenues, and in addition to funds provided under the base program as described above.

~~In years when, as a result of economic downturn, the combined revenue and reserves provided under Transportation for Seniors and People with Disabilities (Program 15) to eligible West County operators is less than the revenue received in the prior year (after being adjusted for inflation), the additional revenue may be used to fund the shortfall, if requested by the operator. Under those circumstances, the additional funds may be used for services that would be eligible for funding under Program 15.~~

As determined by WCCTAC, certain conditions beyond the control of the operators may warrant the use of the additional funds to maintain services that are eligible for funding under Program 15. Such circumstances could include, but not be limited to declines in sales tax revenues, revenues used for transit operations or other supplemental revenues, increases in demand beyond that assumed in Program 15, or increases in insurance and fuel costs.

ITEM 5

ACCEPT RECENT NEWS ARTICLES

Low construction bid could kick-start two Highway 4 projects

By Paul Bugarino
Contra Costa Times

Posted: 09/19/2011 07:43:57 AM PDT

Updated: 09/19/2011 07:44:19 AM PDT

Cost savings from one road project in East Contra Costa may help fund another.

Thanks to a low bid for a segment of the Highway 4 widening in Antioch, a highly anticipated project in Brentwood could receive money to start construction.

Rancho Cordova-based CC Myers, Inc. is expected to get the contract for building the next segment of widening -- from just west of Contra Loma Boulevard to near G Street -- after a bid of about \$48.8 million, local transportation officials announced last week.

The bid represents a savings of more than \$9 million from the anticipated cost, said Ross Chittenden, deputy executive director of projects for the Contra Costa Transportation Authority.

If the bid is awarded, the savings likely will fill the funding gap for a Highway 4 bypass interchange at Sand Creek Road.

Caltrans will award the bid in the next month or two.

"It's very promising," Chittenden said.

The Sand Creek project would add onramps and offramps at Sand Creek and widen the bypass to four lanes from Laurel Road in Oakley to the interchange. The project, expected to cost \$33 million, received \$25 million in state bond funds in June.

At that time, local officials also received assurances from the California Transportation Commission that any cost savings for the Highway 4 widening would go toward other regional projects.

The new interchange will allow commuters to continue uninterrupted instead of having to

stop at the signal light at Sand Creek. Southbound traffic often backs up during peak evening hours because of the red lights beyond Lone Tree Way.

"We're going to see some smiling people in the next couple of years when that road is completed," said Contra Costa Supervisor Federal Glover, of Pittsburg.

If the Highway 4 widening bid is approved, the next step would be to make sure money is in place to start construction. The county transportation authority either would wait for the state to sell transportation bonds in the spring or look at using local funds to cover expenses until the sale, Chittenden said.

Construction on Sand Creek could start as early as May or June, he said.

The widening project includes a full interchange at Contra Loma. The configuration now has only a westbound onramp and eastbound offramp.

G Street no longer will have an onramp or offramp once the widening is complete.

Widening work is in progress from Loveridge Road in Pittsburg to Contra Loma Boulevard.

Contact Paul Bugarino at 925-779-7164.
Follow him at [Twitter.com/paulbugarino](https://twitter.com/paulbugarino).



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Contra Costa County wants more clout on BART board

By Denis Cuff
dcuff@bayareanewsgroup.com

Posted: 10/03/2011 12:00:00 AM PDT

Updated: 10/03/2011 08:10:05 AM PDT

Contra Costa County deserves more clout on the BART board, say two local officials who are angling to get the county a bigger share of the pie during the decennial redrawing of the transit agency's elected boundaries.

Just two of the nine elected BART representatives -- who oversee everything from setting fares to adopting police policies -- are from Contra Costa, even though it is the second largest of the three counties in the transit district.

"We have to find a way that the 1 million people who live in Contra Costa County are represented by their fair share of directors," said BART Director Joel Keller, of Brentwood, a longtime advocate of rail extensions in Contra Costa County.

His cohort on the board agrees: "The county's representation remains a concern to me," said Director Gail Murray, of Walnut Creek.

But finding a way to redraw BART's nine districts so that three will sit within Contra Costa County will be a struggle.

The BART board is considering station locations, the ethnicities and incomes of voters and other criteria for grouping together "communities of interest" in districts that are each supposed to average about 374,000 residents.

Another factor is the political reality that four directors live in Alameda County, the biggest BART county, and three directors live in San Francisco, the smallest county but the most popular destination for train riders.

BART Director Tom Radulovich, of San

Francisco, said he doesn't like the idea of making county boundaries a dominant priority in drawing district lines.

"We represent people, not counties," Radulovich said. "We shouldn't be trying to play a zero-sum game in which some counties lose or gain. It's in the public's interest to do things that benefit the entire transit system."

The redistricting is required every 10 years to equalize populations based on the census.

While a state commission draws boundaries for California lawmakers, it's up to local boards such as BART's to draw the political boundaries determining voters in a district.

On Monday, BART begins a series of 10 public workshops seeking comments on how to redraw the districts.

San Francisco has about 805,000 residents, Contra Costa about 1 million and Alameda County about 1.5 million residents.

Figures released by BART make clear that some district boundaries must shift to the east to accommodate population growth in eastern Contra Costa and Alameda counties.

The biggest population growth occurred in Keller's District 2 in eastern Contra Costa County, and John McPartland's District 5, which includes eastern Alameda County and a portion of the San Ramon Valley in Contra Costa County.

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The most difficult and politically delicate districts to redraw appear to be those in the middle of the system, not on the eastern or western ends, said BART Board President Bob Franklin, of Oakland, whose District 3 also includes Kensington in Contra Costa County.

One area -- District 7, represented by Director Lynette Sweet, of San Francisco -- has slices of all three counties. It includes a portion of eastern San Francisco, but most of its residents live in Contra Costa and Alameda counties in an area stretching from Richmond and San Pablo to Oakland and Berkeley.

Sweet rejects the notion that Contra Costa is underrepresented on the BART board, because parts of the county are included within the boundaries of five separate districts.

Sweet said that up to five BART board members could live in Contra Costa County if Contra Costa candidates won board races in the districts with some of its territory.

The first election with the new boundaries is in November 2012. Murray, McPartland, and Franklin said they plan to run for re-election, while Radulovich and Sweet said they haven't decided whether to run.

"I've worked hard to serve Richmond and other Contra Costa areas in my district," Sweet said. "My address should not be the only factor in judging my performance."

Contact Denis Cuff at 925-943-8267. Follow him at [Twitter.com/deniscuff](https://twitter.com/deniscuff). Read the Capricious Commuter at www.ibabuzz.com/transportation.

If you go
BART public meetings on redistricting:

ALAMEDA COUNTY

- 6:30 Wednesday at Joseph P. Bort MetroCenter, 101 Eighth St., Oakland.
- 6:30 p.m. Thursday, Centerville Community Center, 3355 Country Drive, Fremont.
- 6:30 p.m. Oct. 10, San Leandro Library, 300 Estudillo Ave., San Leandro.
- 6:30 p.m. Oct. 13th, Livermore City Council Chambers, 3575 Pacific Ave.

CONTRA COSTA COUNTY

- 6 p.m. Monday at Richmond City Council chambers, Civic Center Campus, 440 Civic Center Plaza.
- Noon to 1:30 p.m., Wednesday at Pittsburg Senior Center, 300 Presidio Lane.
- Noon to 1:30 p.m. Oct. 11, Lafayette Library, 3491 Mt. Diablo Blvd.

INFORMATION: www.bart.gov. Click on the link for redistricting meetings.

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ITEM 6

ACCEPT 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: September 2011

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

STATE ROUTE 4 WIDENING

A. SR4 Widening: Railroad Avenue to Loveridge Road

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

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.

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: SR4 mainline construction.

Project Status: Construction of the SR4 mainline and Loveridge Road widening began in June 2010. It is estimated that the project construction will be completed in late 2013, but the completion date depends on weather and the contractor's approved working schedule.

The construction staging and duration is significantly affected by environmental permit restrictions associated with existing creeks and waterways within the project limits.

Current construction activities include new drainage and electrical facilities, the retaining wall adjacent to North Park Plaza, median eBART barrier, and column support work for the new southbound Loveridge Road bridge over SR 4. Erection of temporary bracing (falsework) has begun at the Loveridge Road overcrossing which will support the construction of the new southbound Loveridge Road bridge. Full closures of SR 4 at night are required during the installation of this temporary support

system. Construction of the new inside (median) area of the freeway east of Century Boulevard was completed to allow for the next contractor to begin work on the adjacent SR 4/Somersville Road Interchange Project.

The project construction is approximately 34% complete.

Issues/Areas of Concern: none

C. SR4 Widening: Somersville Road to SR 160

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: Segment 1 Somersville Interchange: Construction Phase; **Segments 2 – bidding phase, 3A and 3B:** Right of Way Acquisition, Utility Relocation & Final Design Phase

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: The Somersville Road Interchange project was awarded on December 23, 2010 to R & L Brosamer, Inc. for the bid price of \$35,727,083.49 (25% below Engineer's Estimate). The total project allotment is \$39,641,000.00.

Contract approval was received on January 19, 2011. Contract time started on March 16, 2011. The anticipated completion date is May 31, 2013 with no plant establishment period.

Since the start of construction, the Contractor has been working on the various Stage construction requirements of the Project. The Contractor has completed, or has under construction, various retaining walls and soundwalls both on the north and south sides of the freeway as well as around all four quadrants of the Somersville Road interchange.

The bridge for the new westbound Somersville Road off-ramp has started. Other ongoing work has included: closure of the existing eastbound "diamond" off-ramp to Somersville Road and start of the new eastbound off-ramp; temporary paving, K-rail and striping for early access and detours/ re-routing of traffic in and around the existing interchange; clearing & grubbing and stormwater protection installations; and median work along Somersville Road. The Baseline schedule submittal has been approved and monthly updates are being received. Caltrans continues a special effort in working with the Loveridge Contractor, O. C. Jones, Inc., to allow early access for R&L Brosamer to the Segment 1 work area abutting the Loveridge Road Project. This has been working well, with both contractors participating in meetings to facilitate earlier completions, wherever possible.

During the month of September, construction work has continued on retaining walls that have the Delta Region Native Landscape Architectural Treatment along the north and south sides of the freeway. Work has also continued on the new masonry-block soundwalls on the south side of the freeway, along San

Jose Drive and Buchanan Road. Progress on the new bridge for the westbound Somersville Road off ramp has included work on abutments, placement of falsework, and major concrete pours.

Segment 1 construction is approximately 22% complete.

Segment 2: Caltrans District 4 Caltrans advertised this segment for construction bids on July 18, 2011. Bids were opened on September 14, 2011 and the apparent low bidder is CC Myers, Inc. with a bid amount of \$42,380,000 approximately 16.6% below the Engineer's Estimate. Contract award is targeted for November 2011, with construction starting by February 2012.

Segment 3A: The final PS&E documents were submitted to Caltrans Headquarters and are currently under review. The Ready to List (RTL) date for this segment is targeted for late November / early December 2011. The Authority will be submitting a Letter of No Prejudice (LONP) to the CTC in order to keep the project advertisement on schedule.

Segment 3B: This segment, Hillcrest Interchange area, was delayed due to coordination issues related to the future eBART station and geometric approval by Caltrans of the proposed Hillcrest Interchange. A combined roadway and structures package is targeted for submittal in November 2011. The RTL date for this segment is targeted for June 2012. The Authority will advertise, award and administer the construction contract for this segment.

Issues/Areas of Concern: Availability of all fund sources in time to meet the project delivery schedule continues to be a concern for this corridor project. *A Letter of No Prejudice (LONP) to authorize expenditure of Measure J funds in lieu of Proposition 1B funds programmed for Segment 3A construction will be submitted to the CTC in order to keep the project on schedule. If availability of State funds continues to be delayed, construction of the last segment, Segment 3B, will be compromised. The delay of the freeway project will affect construction of eBART, which will run in the newly constructed median of SR4.*

STATE ROUTE 4 BYPASS PROJECT

Segment 1

This project has been completed and closed out.

Segment 2

Current activities on Segment 2 are being funded with Measure J funds and are presented below by phase.

Sand Creek Interchange Phase I Stage I - Intersection Lowering Project (Construction /CM)

The project has been completed and closed out.

Sand Creek Interchange Phase I, Stage 2 - Final Design

The project has been submitted for CMIA funding. Design is essentially complete and the schedule is presented below. The project is ready to advertise for construction.

Tasks	Completion Date
Plans, Specs. & Estimates (PS&E) - 65% Design	February 2008 (A)

Plans, Specs. & Estimates (PS&E) - 95% Design	August 2008 (A)
Plans, Specs. & Estimates (PS&E) - 100% Design	January 2009 (A)
Final Design - Plans, Specs. & Estimates (PS&E)	November 2010 (A)
Right-of-Way Activities /Acquisition (R/W)	May 2010 (A)
Utility Relocation	Aug/Sept 2011
Advertise Project for Construction – Subject to Availability of Funding	<u>TBD</u>
Award Construction Contract – Subject to Availability of Funding	<u>TBD</u>

(A) – Actual Date

Sand Creek Interchange Phase 1, Stage 2 - Right of Way Acquisition

Right of way acquisition and utility relocation *is scheduled for October 2011.*

SR4 Bypass Widening (Laurel to Sand Creek) – Final Design

The project has been submitted for CMIA funding. Design is essentially complete and the schedule is presented below. The project is ready to advertise for construction.

Tasks	Completion Date
Plans, Specs. & Estimates (PS&E) - 65% Design	February 2008 (A)
Plans, Specs. & Estimates (PS&E) - 95% Design	August 2008 (A)
Plans, Specs. & Estimates (PS&E) - 100% Design	January 2009 (A)
Final Design - Plans, Specs. & Estimates (PS&E)	November 2010 (A)
Right-of-Way Activities /Acquisition (R/W)	May 2010 (A)
Utility Relocations/Protections	<u>Aug/Oct 2011</u>
Advertise Project for Construction – Subject to Availability of Funding	<u>Fall 2011</u>
Award Construction Contract – Subject to Availability of Funding	<u>Late 2011</u>

SR4 Bypass Widening (Laurel Road to Sand Creek Road) - Right of Way Acquisition

Right of way acquisition is complete and some utility relocation work has been completed. *A vault, manhole and air valve associated with the EBMUD aqueduct have been relocated. The EBMUD aqueduct encasement work is underway and expected to be completed by mid November 2011.*

Segment 3

Right-of-way acquisition is essentially complete. Construction has been completed and is being closed out.

State Route 239 (Brentwood-Tracy Expressway) Phase 1 - Planning

Staff Contact: John Cunningham, (925) 335-1243, john.cunningham@dcd.cccounty.us

July 2011 Update

The Consultant team conducted three pre-project briefings in September, 1) non-governmental agencies, 2) elected officials, and 3) TRANSPLAN. Current project activities include the conduct of the the traffic and revenue study as well as completing the development of internal/external management documents and plans.

eBART

Staff Contact: Mark Dana: mdana@bart.gov

September 30, 2011 Update

eBART Construction Progress

- The first eBART Contract, 04SF-110A, Transfer Platform and Guideway project, located in the tailtracks of the Pittsburg/Bay Point BART Station, is progressing well.
- The project is proceeding with tunnel, ancillary building, and guideway barrier wall construction.
- Approximately 30 people are employed at the site.
- Contract is on time and on budget.

Design Progress

- The design of Contract 04SF-120 for the construction of the Hillcrest Station Parking Lot and Maintenance Facility is being finalized. Advertisement is anticipated in December 2011.
- Design of Contract 04SF-130 for Hillcrest Station and maintenance facility finishes and track and systems installation is progressing, and the Contract will be ready for advertisement in late 2012.
- BART, Contra Costa Transportation Authority, and Caltrans continue to closely coordinate funding, design and construction of the billion-dollar Integrated Project (Highway 4 widening, and eBART construction).

Real Estate

- Final offers have been made for real estate required for the Hillcrest Station, parking and maintenance facility.

Vehicles Procurement

- Advertisement of the Vehicle Procurement Contract 04SF-140 is anticipated soon. Manufacturer of the diesel multiple unit trains will be selected in mid-2012.

eBART Extension

- A Next Segment study is being initiated this Fall. The study will be a pre-feasibility evaluation of the Bypass and Mococo alignments, and station site opportunities. The Next Segment study will be completed Fall 2012.

Figure 1: Tunnel Exit



Figure 2: New Tunnel to Access eBART from Existing Maintenance Tunnel



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ITEM 7
AMENDMENT NO. 1 TO THE 2011 MEASURE J STRATEGIC PLAN ITEM

Administration and Projects Committee Meeting **STAFF REPORT**

Meeting Date: October 6, 2011

Subject	Amendment No. 1 to the <i>2011 Measure J Strategic Plan</i>
Summary of Issues	<p>Amendment No. 1 to the <i>2011 Measure J Strategic Plan</i> reprograms approximately \$170,832 in 2004 dollars (\$200,000 escalated) from the SR4 East Widening Project (Project 5009) to the SR4 Bypass widening project – Laurel Road to Sand Creek Road (Project 5002). This amendment is necessary to prepare bid documents for the SR4 Bypass widening project. The SR4 Bypass project was successful in receiving a commitment of \$33 million in Proposition 1B - Corridor Mobility Improvement Account (CMIA) funds.</p> <p>TRANSPLAN will review this item at their meeting on October 13, 2011.</p>
Recommendations	<p>Adopt Resolution 11-45-P, which approves Amendment No. 1 to the <i>2011 Measure J Strategic Plan</i>, contingent upon TRANSPLAN concurrence at their meeting on October 13, 2011.</p>
Financial Implications	<p>This amendment reprograms funds between projects in the same Measure J category. It is anticipated that bid savings on SR 4 East will offset the slight reduction in Measure J funding. Should bid savings not materialize East Contra Costa Regional Fee and Financing Authority (ECCRFFA) funds will backfill the shortfall (up to their project commitment of \$30 million).</p>
Options	<p>The APC could decide not to adopt Resolution 11-45-P at this time. This will delay the advertisement of the SR4 Bypass project by at least three months, pending allocation of CMIA funds by the CTC.</p>
Attachments	<ul style="list-style-type: none"> A. Resolution 11-45-P, adopting Amendment No. 1 to the <i>2011 Measure J Strategic Plan</i>. B. Revised Program of Projects in 2004 and escalated dollars. C. SR4 Bypass: Widen to 4 Lanes – Laurel Road to Sand Creek Road (Project 5002) Revised Fact Sheet. D. SR4 East Widening (3001/5009) Revised Fact Sheet
Changes from Committee	

Background

This SR4 Bypass project will widen the SR4 Bypass from 2 to 4 lanes (2 in each direction) from Laurel Road to Sand Creek Road (Project 5002), including the construction of Sand Creek Road Interchange (Project 5003). In June 2011, the California Transportation Commission (CTC) approved the programming of \$25 million in Proposition 1B - Corridor Mobility Improvement Account (CMIA) funds to the project. Due to favorable bid results on SR4 East widening – Segment 2, an additional \$8 million in CMIA funds are expected to be reprogrammed to the SR4 Bypass project at the December CTC meeting. However, the work cannot proceed until the State sells bonds.

Amendment No. 1 to the 2011 Measure J Strategic Plan will allow the Authority to immediately retain a construction management firm to prepare the bid documents for SR4 Bypass construction advertisement. This will expedite the project allowing it to be in a position to advertise the construction contract in early Spring 2012.



RESOLUTION 11-45-P

RE: AMENDMENT NO. 1 TO THE 2011 MEASURE J STRATEGIC PLAN

WHEREAS, the Contra Costa Transportation Authority, by Resolution 11-25-P adopted the *2011 Measure J Strategic Plan* on July 20, 2011;

WHEREAS, Resolution 11-25-P provides for interim amendments when warranted; and

WHEREAS, Amendment No. 1 to the *2011 Measure J Strategic Plan* reprograms approximately \$200,000 in escalated dollars (\$170,832 in 2004 dollars) from the State Route 4 East Widening (5009) to the State Route 4 Bypass: Widen to 4 Lanes – Laurel Road to Sand Creek Road (Project 5002);

NOW, THEREFORE, BE IT RESOLVED, that the Contra Costa Transportation Authority adopts the first amendment to the *2011 Measure J Strategic Plan*, attached hereto as Exhibit A and made a part hereof by reference.

David E. Durant, Chair

This RESOLUTION was entered into at a Meeting
of the Contra Costa Transportation Authority
held October 19, 2011 in Walnut Creek, California

Attest: _____
Danice J. Rosenbohm, Executive Secretary

Brian Kalinowski
Chair
Antioch
City Council

Jim Frazier
Vice-Chair
Oakley
City Council

Ben Johnson
Pittsburg
City Council

Federal D. Glover
Contra Costa County
Board of Supervisors

Robert Taylor
Brentwood
City Council

Gil Azevedo
Antioch
Planning Commission

Joseph Weber
Brentwood
Planning Commission

Carmen Gaddis
Representing the
Contra Costa County
Board of Supervisors

Duane Steele
Contra Costa
Planning Commission

Kevin Romick
Oakley
Planning Commission

Bruce Ohlson
Pittsburg
Planning Commission

Staff Contact:
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TRANSPLAN
651 Pine Street
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Martinez CA 94553
Phone
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www.transplan.us
john.cunningham@
dcd.cccounty.us

TRANSPLAN Committee Meeting

Thursday, October 13, 2011 – 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 John Cunningham at (925) 335-1243 or john.cunningham@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 September 8, 2011 TRANSPLAN Meeting. ♦ PAGE 4**
- 4. Accept Correspondence. ♦ PAGE 17**
- 5. Accept News Articles ♦ PAGE 37**
- 6. Accept Status Report on Major Projects. ♦ PAGE 41**

End of Consent Items

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

- 7. Approve Amendment No. 1 to the 2011 Measure J Strategic Plan:** Contra Costa Transportation Authority (CCTA) staff requests approval of Strategic Plan amendment No. 1 which reprograms approximately \$200,000 from the SR4 East Widening Project (Project 5009) to the SR4 Bypass widening project – Laurel Road to Sand Creek Road (Project 5002). See attached CCTA staff report. Timing issues resulted in this item being placed on the TRANSPLAN agenda prior to Technical Advisory Committee (TAC) review. TAC input is being solicited and any comments will be brought before the Committee for discussion. ♦ **PAGE 48**

- 8. Authorization to Enter into Memorandum of Understanding with Contra Costa Transportation Authority and the East Contra Costa Regional Fee and Finance Authority:** The State Route 4 Bypass Authority has requested that the CCTA assume certain project development responsibilities (detailed in the included staff report) related to the Bypass. The proposed MOU is to assist CCTA in demonstrating that the projects will be fully funded. ♦ **PAGE 58**

↓ *continued on next page* ↓

9. Consider Report on Status of Regional Fee Program Requirements/City of Pittsburg and Take Action as Appropriate ♦ PAGE 66

10. Receive Update: State Route 4 Integrated Corridor Analysis

The subject study has been in a holding pattern while the consultant team developed options/phasing for the I-680/SR4 interchange. A number of options have been developed and will be reviewed by the TRANSPLAN Technical Advisory Committee meeting at their October meeting. A more complete report to TRANSPLAN on the status of the Analysis will be provided at an upcoming meeting.

End of Action/Discussion Items – Adjournment

11: Adjourn to next meeting on Thursday, November 10, 2011 at 6:30 p.m. or other day/time as deemed appropriate by the Committee.

♦ = An attachment has been included for this agenda item.

CONTRA COSTA TRANSPORTATION AUTHORITY
PROGRAM OF PROJECTS (2011 STRATEGIC PLAN - AMENDMENT 1)

(2004 Dollars x 1000)

9629	EAST COUNTY CORRIDORS	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16 - 34	TOTAL
5001	SR4 Bypass: WB SR4 to NB SR160 Connector	-	-	-	-	-	-	-	-	-	-	-
5002	SR4 Bypass: Widen to 4 Lanes - Laurel Rd to Sand Creek Rd	-	693	1,420	370	1,013	204	-	-	-	-	3,700
5003	SR4 Bypass: Sand Creek Interchange - Phase 1	30	4,546	2,762	278	40	9	-	-	-	-	7,665
5005	SR4 Bypass: Balfour Road Interchange - Phase 1	-	-	-	-	-	-	-	-	-	-	-
5006	Vasco Road Safety Improvements - Phase 1 (CC County)	-	-	-	0	570	-	-	-	-	-	571
5007	SR239 Study	-	-	-	-	-	-	-	-	-	-	-
5008	Commercial Paper Net Cost	-	-	-	1,005	-	-	-	-	-	-	1,005
5009	SR4 East Widening: Somersville to SR160 (ECCRFFA share)	-	-	-	-	-	4,455	11,007	14,154	11,429	-	41,045
5010	SR4 Bypass: Segments 1 and 3	13,891	8,968	-	-	-	-	-	-	-	-	22,859
Subtotal		13,921	14,207	4,182	1,653	1,623	4,668	11,007	14,154	11,429	-	76,844

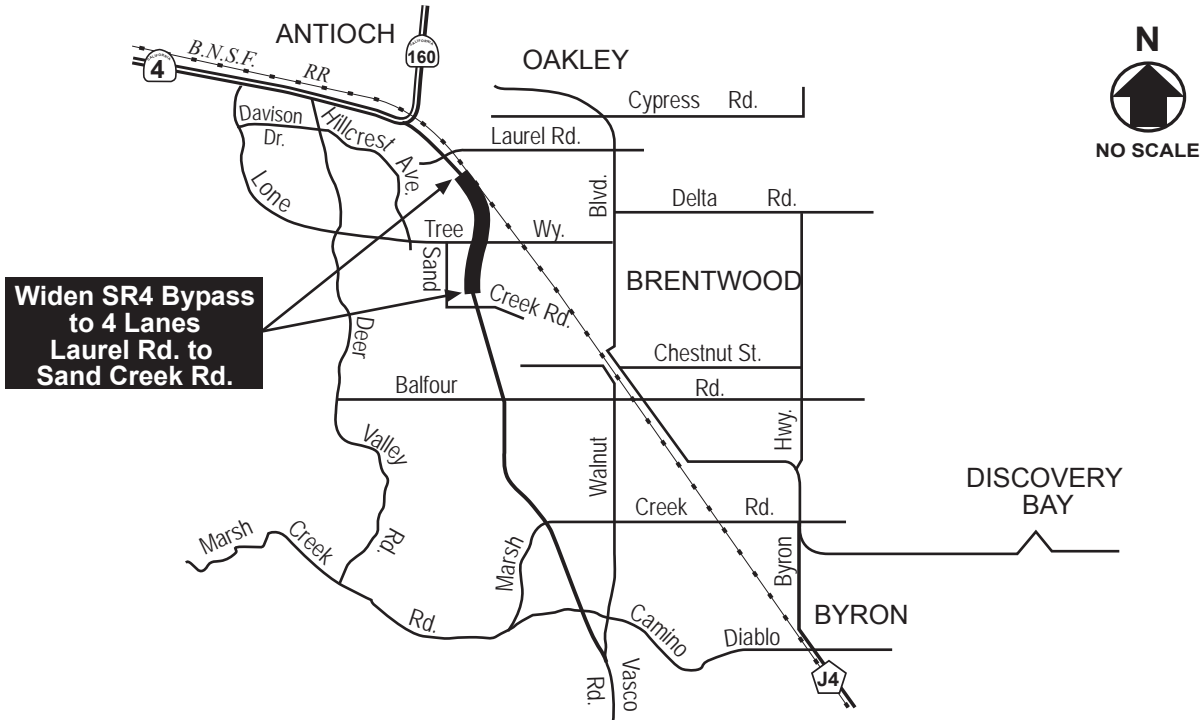
**CONTRA COSTA TRANSPORTATION AUTHORITY
PROGRAM OF PROJECTS (2011 STRATEGIC PLAN - AMENDMENT 1)**

(Escalated Dollars x 1000)

9629	EAST COUNTY CORRIDORS	FY07	FY08	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY 16-34	TOTAL
5001	SR4 Bypass: WB SR4 to NB SR160 Connector	-	-	-	-	-	-	-	-	-	-	-
5002	SR4 Bypass: Widen to 4 Lanes - Laurel Rd to Sand Creek Rd	-	773	1,610	424	1,174	239	-	-	-	-	4,220
5003	SR4 Bypass: Sand Creek Interchange - Phase 1	32	5,070	3,131	319	46	11	-	-	-	-	8,608
5005	SR4 Bypass: Balfour Road Interchange - Phase 1	-	-	-	-	-	-	-	-	-	-	-
5006	Vasco Road Safety Improvements - Phase 1 (CC County)	-	-	-	0	661	-	-	-	-	-	662
5007	SR239 Study	-	-	-	-	-	-	-	-	-	-	-
5008	Commercial Paper Net Cost	-	-	-	1,154	-	-	-	-	-	-	1,154
5009	SR4 East Widening: Somersville Rd to SR160 (ECCRFFA share)	-	-	-	-	-	5,216	13,144	17,240	14,199	-	49,799
5010	SR4 Bypass: Segments 1 and 3	15,000	10,000	-	-	-	-	-	-	-	-	25,000
	Subtotal	15,032	15,843	4,742	1,897	1,881	5,465	13,144	17,240	14,199	-	89,443



State Route 4 Bypass: Widen to 4 Lanes – Laurel Road to Sand Creek Road



Project Number

5002

Project Sponsor

SR 4 Bypass Authority

Project Type

Transit

Highway

Local Streets

Major Arterial

Bike/Pedestrian

Other

Project Scope

Widen SR4 Bypass from 2 to 4 lanes (2 in each direction) from Laurel Road to Sand Creek Road, including the Mokelumne Bike/Pedestrian overcrossing of SR4 Bypass.

Funding Sources (\$ in million)

Total	17.2
Measure J Transportation Sales Tax ¹	4.2
Proposition 1B: Corridor Mobility Improvement Account (CMIA)	13.0

¹Measure J funds shown in escalated dollars. Actual commitment is in 2004 dollars as shown in Appendix A.

SR4 Bypass: Widen to 4 lanes – Laurel Road to Sand Creek Road (cont.)

Need/Purpose

Traffic studies show that once Segment 1 of the Bypass and SR4 Somersville to SR 160 opens, significant traffic congestion will occur between Laurel Road and Sand Creek Road, resulting in major delays and significant diversionary traffic. The proposed project provides relief for traffic congestion.

Project Location



Possible Segmentation

N/A

Issues

Construction schedule is subject to available funding.

Current Status

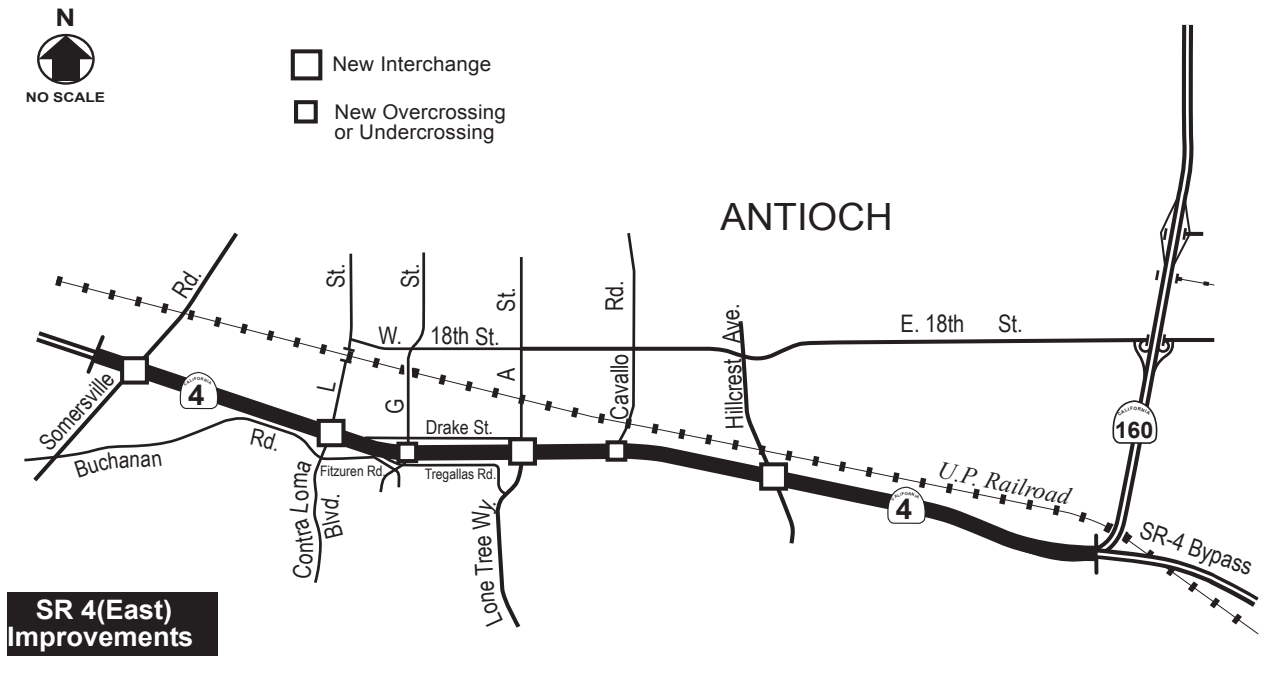
Project design and right of way acquisition are complete. Utility relocations will be completed in the August/September 2011 time frame.

Project Schedule





State Route 4 East Widening: Somersville Road to State Route 160



SR 4(East) Improvements

Project Number

3001 / 5009

Project Sponsor

Contra Costa Transportation Authority

Project Type

Transit

Highway

Local Streets

Major Arterial

Bike/Pedestrian

Other

Project Scope

Widen State Route 4 East to eight (8) lanes - three (3) mixed flow lanes and one (1) High Occupancy Vehicle (HOV) lane in each direction from Somersville Road to Hillcrest Avenue (plus auxiliary lanes) including a wide

Funding Sources (\$ in million)

Total	397.0
Measure J Transportation Sales Tax ¹	109.9
Proposition 1B: Corridor Mobility Improvement Account (CMA)	73.3
Measure C Transportation Sales Tax Measure	12.4
Subregional Transportation Fees (ECCRFFA)	30.0
Federal Earmark (SAFETEA-LU)	1.6
State Transportation Improvement Program - Regional (STIP-RIP)	38.5
Bridge Tolls (RM1, RM2, AB 1171)	90.0
State Local Partnership Funds	15.0
City Funds	1.8
BART Structures	24.5

¹Measure J funds shown in escalated dollars. Actual commitment is in 2004 dollars as shown in Appendix A.

State Route 4 East Widening: Somersville Road to State Route 160 (cont.)

Project Scope (cont.)

median for transit; and to six (6) lanes - three (3) mixed flow lanes in each direction from Hillcrest Avenue to the interchange with State Route 160 and the new State Route 4 Bypass.

Need/Purpose

The State Route 4 East corridor serves as the only major east-west transportation link joining the communities of Antioch, Pittsburg, Oakley and Brentwood with central Contra Costa County and the Bay Area. This corridor provides access to major industrial facilities (including refineries) in both northern and western Contra Costa County.

By the year 2025, travel time through the corridor is projected to increase tenfold if no improvements are constructed within it.

The purpose of this project is to increase capacity and safety within the eastern segment of the State Route 4 corridor. Construction of a HOV lane in each direction will both promote and facilitate carpooling.

Possible Segmentation

The project is currently planned to be constructed in five segments.

Segment 1: Somersville Road to Contra Loma Boulevard

Segment 2: Contra Loma Boulevard to A-Street/Lone Tree Way

Segment 3A: A Street/Lone Tree Way to Hillcrest Avenue

Segment 3B: Hillcrest Avenue (with partial interchange improvements) to State Route 160

Corridor-wide: Landscaping

Issues

Significant right-of-way acquisition and utility relocations will be required prior to construction.

Current Status

Segment 1 construction started in March 2011. Segment 2 construction is targeted for fall 2011. Segments 3A and 3B construction are targeted for mid and late 2012, respectively.

Project Location



Project Schedule




ITEM #
AUTHORIZATION TO ENTER INTO MEMORANDUM OF
UNDERSTANDING WITH CCTA AND ECCRFFA:

TRANSPLAN COMMITTEE

EAST COUNTY TRANSPORTATION PLANNING

Antioch • Brentwood • Oakley • Pittsburg • Contra Costa County
651 Pine Street -- North Wing 4TH Floor, Martinez, CA 94553-0095

TO: TRANSPLAN Committee

FROM: John Cunningham, TRANSPLAN Staff 

DATE: October 5, 2011

SUBJECT: **Authorization to Enter into Memorandum of Understanding (MOU) with Contra Costa Transportation Authority (CCTA) and the East Contra Costa Regional Fee and Finance Authority (ECCRFFA)**

Background

The SR 4 Bypass Authority has requested that Contra Costa Transportation Authority (CCTA) staff assume responsibility for project development activities to design and construct capital improvement projects to complete Segment 1 and Segment 2 of the SR 4 Bypass. To date, CCTA has secured funding for SR 4 Bypass projects, specifically \$50 million in bridge toll funds and \$33 million in Corridor Mobility improvement Account (CMIA) funds have been secured for the SR 4 Bypass/SR 160 connector ramps and the SR 4 Bypass Widening/Sand Creek interchange projects respectively.

Discussion

The funding request for each project was based on the estimated cost to complete provided by SR 4 Bypass Authority staff. CCTA staff have not developed detailed, independent estimates to verify these amounts, however, they believe the estimates provided by the SR 4 Bypass Authority are reasonable for the scope of work. As a condition of funding, each funding agency (Metropolitan Transportation Commission [MTC] and the California Transportation Commission [CTC]) is requiring that the CCTA enter in to a funding agreement that, among other requirements, specifies that the funding provided is a "not to exceed" amount. Notwithstanding this constraint, the funding agreements also commit the CCTA to complete the project, even if costs exceed the approved amounts. It is this commitment that brings the matter before TRANSPLAN.

The proposed MOU is to assist CCTA in demonstrating that the projects will be fully funded, to completion, in the event that the actual project cost exceeds the estimates provided by the SR 4 Bypass Authority. CCTA commits to deliver the project with a goal of completing within or below budget. By signing the MOU, TRANSPLAN and ECCRFFA commit to assist in securing additional funds to complete the projects, if the funds provided by MTC and the CTC are not sufficient to complete the work.

The TAC was involved in a conference call that resulted in the approach described in this staff report and as seen in the attachments. Additional TAC input has been solicited and will be brought before the Committee for consideration. Also outstanding is input from TRANSPLAN legal counsel which will also be brought before the Committee.

Recommendations

Staff Recommends:

1. The Committee discuss the MOU and make any necessary revisions
2. Approve the MOU
3. Authorize the Chair to sign the MOU.

Attachments

1. CCTA Staff Report to the Administration and Projects Committee
2. CCTA Agreement 14.05.04 Memorandum of Understanding

c: TRANSPLAN TAC

Administration and Projects Committee Meeting **STAFF REPORT**

Meeting Date: October 6, 2011

Subject	Authorization to Enter into Memorandum of Understanding (MOU) with TRANSPLAN Committee and the East Contra Costa Regional Fee and Finance Authority (ECCRFFA) (Projects 5002 and 5003)
Summary of Issues	The SR 4 Bypass Authority has requested that Contra Costa Transportation Authority (Authority) staff assume responsibility for project development activities to design and construct capital improvement projects to complete Segment 1 and Segment 2 of the SR 4 Bypass. To date, the Authority has secured funding for SR 4 Bypass projects based on estimates produced by SR 4 Bypass Authority staff. Specifically, \$50 million in bridge toll funds and \$33 million in Corridor Mobility improvement Account (CMIA) funds have been secured for the SR 4 Bypass / SR 160 connector ramps and the SR 4 Bypass Widening / Sand Creek interchange projects respectively. The proposed MOU would provide that TRANSPLAN and ECCRFFA commit to assist in securing additional funds to complete the projects, if needed.
Recommendations	Authorize the Chair to enter into a MOU with TRANSPLAN and ECCRFFA (draft attached), and delegate authority to the Executive Director to make non-substantive changes to the MOU.
Financial Implications	The SR 4 Bypass projects have no Measure J funding in the current Measure J Expenditure Plan. Any costs needed to complete the projects in excess of the budgeted amounts would require external funding or redirection of funds from another sub-region. The MOU provides the Authority with protection against future cost increases.
Options	<ol style="list-style-type: none"> 1. Decline to accept project development responsibilities for SR 4 Bypass projects. 2. Reject the MOU and accept financial risk.
Attachments	A. Proposed MOU No. 14.07.08 with TRANSPLAN and ECCRFFA.
Changes from Committee	

Background

Authority staff have been successful in securing external funding for two projects on behalf of the SR 4 Bypass Authority. Specifically, \$50 million in bridge toll funds have been secured from the Metropolitan Transportation Commission (MTC) for the SR 4 Bypass / SR 160 connector ramps project, and \$33 million in Corridor Mobility improvement Account (CMIA) funding has been secured from the California Transportation Commission (CTC) for the SR 4 Bypass Widening / Sand Creek interchange project. The funding request for each project was based on the estimated cost to complete provided by SR 4 Bypass Authority staff. Authority staff have not developed detailed, independent estimates to verify these amounts, however, staff believes the estimates provided by the SR 4 Bypass Authority are reasonable for the scope of work.

The SR 4 Bypass Authority is currently in final negotiations with Caltrans to transfer the SR 4 Bypass to the State. It is anticipated that the transfer of the SR 4 Bypass to the State and will be approved at the December 2011 California Transportation Commission (CTC) meeting. Concurrently, the existing SR 4 through Oakley, Brentwood and east Contra Costa County will be relinquished to the respective jurisdictions to operate as a local facility. Upon transfer, the SR 4 Bypass will no longer be a local facility. Rather, it will be formally designated as the legislatively defined State Route 4 and will be maintained and operated by Caltrans as a State Highway similar to other highway facilities.

Recognizing that the SR 4 Bypass will soon be a State Highway, the SR 4 Bypass Authority has requested that Authority staff take over project delivery responsibility for SR 4 Bypass capital improvement projects. Negotiations are underway among Authority staff, SR 4 Bypass Authority staff and County staff regarding this transfer of responsibility. The current focus of the negotiation is for the SR 4 Bypass / SR 160 connector ramps and the SR 4 Bypass Widening / Sand Creek interchange projects as these are currently the only funded projects.

As a condition of funding, each funding agency (MTC and CTC) is requiring that the Authority enter in a funding agreement that, among other requirement, specifies that the funding provided is a "not to exceed" amount. Notwithstanding this constraint, the funding agreements also commit the Authority to complete the project, even if costs exceed the approved amounts.

The purpose of the proposed MOU is to provide the Authority with protection in the event that the actual project cost exceeds the estimates provided by the SR 4 Bypass Authority. The

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Authority commits to deliver the project with a goal of completing within or below budget. By signing the MOU, TRANSPLAN and ECCRFFA commit to assist in securing additional funds to complete the projects, if the funds provided by MTC and the CTC are not sufficient to complete the work.

Staff recommends approval of the MOU.

CCTA Agreement 14.05.04

MEMORANDUM OF UNDERSTANDING

State Route 4 Bypass – Sand Creek Interchange and 4-Lane Widening Project State Route 4 Bypass – SR4 / SR 160 Connector Ramps Project

This MEMORANDUM OF UNDERSTANDING, referred to herein as “MOU”, entered into on _____, 2011, is between the Contra Costa Transportation Authority, referred to herein as “AUTHORITY”, the TRANSPLAN Committee, referred to herein as “TRANSPLAN,” and the East Contra Costa Regional Fee and Financing Authority, referred to herein as ECCRFFA.

RECITALS

- A. The State Route 4 (SR 4) Bypass Authority and the California Department of Transportation (Caltrans) are in final negotiation to transfer the State Route 4 Bypass (SR 4 Bypass) from local control into the State Highway System.
- B. The following capital improvement projects remain to be completed in Segment 1 and Segment 2 of the SR 4 Bypass:
 - 1. SR 4 / SR 160 connector ramps
 - 2. Sand Creek Interchange and 4-Lane Widening Project
 - 3. 4-lane Sand Creek to Balfour
 - 4. Balfour interchange
 - 5. Mokelumne Overcrossing
- C. The SR 4 Bypass Authority has requested that the AUTHORITY assume responsibility for project development activities to design and construct capital improvement projects to complete Segment 1 and Segment 2 of the SR 4 Bypass.
- D. TRANSPLAN Committee, in its role as the Regional Transportation Planning Committee for East Contra Costa County, establishes priorities for the use of the regional share of Measure J funds. TRANSPLAN, through its authority, programmed a significant portion of the Measure J East County Corridors funding to the State Route 4 Bypass in the 2007 Measure J Strategic Plan.
- E. Due to a combination of increased costs to complete the State Route 4 East Widening project and decreased Measure J revenues, TRANSPLAN reprogrammed most of the Measure J East County Corridors funding to the State Route 4 East Widening project. However, TRANSPLAN continues to support completion of the State Route 4 Bypass as a priority project.

- F. ECCRFFA is responsible for administering the transportation mitigation fee program in East Contra Costa County and setting priorities for policy direction for regional transportation project, including the State Route 4 Bypass. ECCRFFA adopted the following project priorities in April 2007 for the use of ECCRFFA fees on transportation projects: 1) SR 4 East – Somersville Road to SR 160; 2) eBART to Hillcrest Avenue and 3) the SR 4 Bypass.
- G. AUTHORITY has secured an allocation of \$50 million from the Bay Area Toll Authority (BATA) to design and construct the SR 4 / SR 160 connector ramps project.
- H. AUTHORITY has secured programming of \$33 million in Corridor Mobility Improvement Account (CMIA) from the California Transportation Commission to construct the SR 4 Bypass / Sand Creek Interchange and 4-Lane Widening project.
- I. The SR 4 / SR 160 connector ramps project and the SR 4 Bypass / Sand Creek Interchange and 4-Lane Widening project is collectively referred to herein as WORK.

Now therefore, the parties do hereby agree as follows:

SECTION I

AUTHORITY AGREES:

- A. To enter in agreements with BATA and the CTC to obtain fund allocations and comply with all financial, reporting and other administrative requirements to ensure full use of funds to complete WORK.
- B. To manage and administer the design and construction of SR 4 / SR 160 connector ramps project in accordance to Caltrans specifications and project report.
- C. To manage and administer the construction of SR 4 Bypass / Sand Creek Interchange and 4-Lane Widening project in accordance to Caltrans specifications and project plans.
- D. To execute WORK in an efficient and effective manner in order to deliver scope within allocated funds.
- E. To provide quarterly progress reports to TRANSPLAN and ECCRFFA on the cost and schedule to perform WORK.
- F. To timely notify TRANSPLAN and ECCRFFA in the event that WORK cannot be completed within the allocated funds.
- G. To seek additional funds, if needed, to complete WORK.

SECTION II

TRANSPLAN AGREES:

- A. To adopt completion of the SR 4 / SR 160 connector ramps project and the SR 4 Bypass / Sand Creek Interchange and 4-Lane Widening project as a priority for use of Measure J East County Corridors funds not needed to complete the SR 4 East – Somersville to SR 160 project.
- B. To act, in response to any notice from AUTHORITY that WORK cannot be completed within allocated funds, to establish a Measure J funding reserve by shifting funds from other programs or projects through Measure J Expenditure plan amendments, proposed Measure J Expenditure Plan amendments if needed to fully fund additional costs for WORK, or take other actions deemed necessary to fund completion of WORK.

SECTION III

ECCRFFA AGREES:

- A. To maintain completion of the SR 4 / SR 160 connector ramps project and the SR 4 Bypass / Sand Creek Interchange and 4-Lane Widening project as priority projects, in addition to the completion of the SR 4 East Widening and East Contra Costa Rail Extension (eBART) projects.
- B. To act, in response to any notice from AUTHORITY that WORK cannot be completed within allocated funds, to identify funding options, establish funding reserves, or take other actions deemed necessary to fund completion of WORK.

SECTION IV

IT IS MUTUALLY AGREED:

- A. That funds programmed by MTC and the CTC should be sufficient to complete WORK, based on currently available project information and estimated design and construction costs.
- B. That all parties will cooperate to actively monitor the progress and estimated cost to complete the WORK.
- C. Any notices that may be required under this MOU shall be in writing.
- D. That, in the event that AUTHORITY notifies parties that WORK cannot be completed within allocated funds, all parties will collaborate to identify options to reduce costs, or identify options for additional funding to complete WORK.

- E. Each party agrees to do all such things and take all such actions, to make, execute and deliver such other documents as shall be reasonably requested to carry out the provisions, intent and purpose of this MOU.
- F. That all parties will place action items on the agenda of regular meeting of respective Boards of Directors, as needed, to address potential additional funding needed to complete WORK.
- G. No amendment, alteration or variation of the terms of this MOU shall be valid unless made in writing and signed by the parties hereto, and no oral understanding or agreement not incorporated herein shall be binding on any of the parties hereto.
- H. Unless terminated in writing earlier, this MOU will terminate immediately upon completion of WORK.

**EAST CONTRA COSTA REGIONAL
FEE AND FINANCING AUTHORITY**

**CONTRA COSTA
TRANSPORTATION AUTHORITY**

_____, Chair

ATTEST:

_____, Executive Director

TRANSPLAN COMMITTEE

**RECEIVE REPORT ON STATUS OF REGIONAL FEE PROGRAM
REQUIREMENTS/CITY OF PITTSBURG AND TAKE ACTION AS
ITEM #
APPROPRIATE**



Planning Committee **STAFF REPORT**

Meeting Date: September 7, 2011

Subject	The City of Pittsburg ECCRFFA GMP Compliance Issue
Summary of Issues	<p>Due to the City of Pittsburg's withdrawal from the East Contra Costa Regional Fee and Financing Authority (ECCRFFA), the City's compliance with the Growth Management Program was brought into question during the Authority's review of the City of Pittsburg's compliance checklist in September 2010. As a consequence, the Authority took a "watch" position on allocating "off-year" (FY 2010-11) Measure J Local Street Maintenance and Improvement funds to the City in the amount of \$604,920. Since then, the City has adopted its own fee program – the Pittsburg Regional Transportation Development Impact Mitigation (PRTDIM) Fee Program – with the intention that it substitute for participation in ECCRFFA. TRANSPLAN has rejected the PRTDIM, and both TRANSPLAN and ECCRFFA have taken legal action alleging that Pittsburg has a mandatory legal duty to fully participate in the ECCRFFA regional fee program.</p>
Recommendations	<p>Receive staff report, receive update on actions taken by the City of Pittsburg during the past year regarding fulfillment of the Regional Transportation Mitigation Program (RTMP) requirement, maintain a "watch" position on the allocation of FY 2010-11 LSM funds, and continue discussion at a later time.</p>
Financial Implications	<p>The City of Pittsburg is eligible to receive \$604,920 in FY 2010-11 LSM funds, pending the Authority making a findings of compliance with the Measure C/J Growth Management Program (GMP).</p>
Options	<p>n/a</p>
Attachments	<ul style="list-style-type: none"> A. Letter from the City of Pittsburg summarizing actions taken during the past year (forthcoming). B. Synopsis of the GMP Compliance Checklist Review and Approval Process
Changes from Committee	

Background

In September 2010 the Planning Committee and the Authority had a full discussion regarding the City of Pittsburg's action to withdraw from ECCRFFA, and the implications of this action with regard to compliance with the Measure C/J GMP. Following this discussion, the Authority approved payment of the first year's allocation (FY 2009-10) in the amount of \$574,168, based upon the City having participated in ECCRFFA through June 30, 2010.

During the last discussion, *Alternate Nancy Parent* stated that although the City of Pittsburg did not agree with the Authority's decision, it was prepared to work with the Planning Committee over the next year to inform them that the City of Pittsburg had adopted the same ECCRFFA project list, and had not withdrawn from TRANSPLAN. Furthermore, she noted that the City of Pittsburg was the only jurisdiction that had committed fixed amounts to regional projects.

Post-September 2010 Update

During the past year, the following events have occurred:

- September/October 2010: The city adopted ordinances adopting the PRTDIM Fee Program. The PRTDIM involves a 50-year agreement between the City and private developers to collect transportation fees to fund the same 26 regional projects funded by ECCRFFA at the following rates, with annual adjustments based on the construction cost index: \$15,795 per single family dwelling unit (DU); \$9,700.50 per multi-family DU; \$1.32 per square foot commercial; and \$1.16 per square foot for office and industrial;
- The remaining parties to ECCRFFA (Antioch, Brentwood, Oakley, and Contra Costa County) continued to meet, and continued to collect regional fees at the ECCRFFA- adopted rates, which are higher than the rates of the PRTDIM (approximately \$2,000 more for a single family DU);
- January 2011: TRANSPLAN affirmed that the ECCRFFA fee program was the sole approved program for East County, and determined that Pittsburg was not in compliance with the East County Action Plan, which requires participation in a cooperative process for managing growth in East County. This action was approved on an 8-2 vote, with representatives from the City of Pittsburg opposed;
- February 2011: Again on an 8-2 vote, TRANSPLAN ordered Pittsburg to rejoin ECCRFFA, and set a deadline of March 4, 2011;
- April 2011: TRANSPLAN and ECCRFFA filed a lawsuit against Pittsburg requesting that the Court command Pittsburg to rejoin ECCRFFA, that Pittsburg transfer all PRTDIM fee revenues back to ECCRFFA with interest, that the court issue a restraining order prohibiting Pittsburg from using PRTDIM fee revenues, for damages in the amount of \$2.7 million, and for legal expenses incurred by the proceedings.

Additional information regarding actions that may have transpired since April 2011 is forthcoming, pending receipt of correspondence from the involved parties (Attachment A, forthcoming).

Staff Recommendation

At this time, given that a lawsuit is in play, staff recommends that the Authority maintain a “watch” position and postpone a decision to allocate FY 2010-11 LSM funds to the City of Pittsburg until further information is available.

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ATTACHMENT A

LETTER FROM THE CITY OF PITTSBURG SUMMARIZING
ACTIONS TAKEN DURING THE PAST YEAR (FORTHCOMING).

ATTACHMENT B

Synopsis of the GMP Compliance Checklist Review and Approval Process

After Measure C was enacted in 1988, the Authority established policies for local jurisdictions to annually report on their compliance with the Growth Management Program (GMP) through submittal of a one-year Checklist. In 2001, the Authority adopted Ordinance 01-01, which changed the compliance cycle from one year to two years. Following adoption of the Ordinance, the Authority adopted Resolution 01-01-G (Revision 1), which sets forth the policies for biennial (two year) reporting, payment of 18 percent funds, findings of noncompliance, and treatment of unallocated funds withheld from local jurisdictions found to be out of compliance with the GMP.

This synopsis, along with Resolution 01-01-G (Revision 1), which follows, are provided here as background to the GMP compliance issue found in the board letter.

Local jurisdictions are eligible to receive 18% Local Street Maintenance and Improvement (LSM) funds provided that they are in compliance with the GMP. Every two years, each local jurisdiction is required to complete and submit a Checklist demonstrating their compliance with the Measure C/J GMP requirements. The Authority releases a biennial Checklist in January of even-numbered years. Local jurisdictions complete the checklist and submit it to the Authority for review, where it is first reviewed by the Citizens Advisory Committee (CAC), then the Planning Committee (PC), and finally by the Authority for approval and allocation of funds.

In reviewing the checklists, the Authority has the option to disapprove a checklist, request additional information, such as an audit of a specific checklist question, grant conditional approval, or otherwise apply flexibility to individual circumstances.

For the last cycle, the Checklist was released in January 2010. It covered the reporting period of Calendar Year (CY) 2008 & 2009, and was required for allocation of Fiscal Year (FY) 2009-10 LSM funds, which became available on July 1, 2010, and FY 2010-11 LSM funds, which became available on July 1, 2011.

The next Checklist cycle begins in January 2012, with release of the CY 2010 & 2011 Checklist, and allocation of FY 2011-12 funds (after July 1, 2012) and 2012-13 LSM funds (after July 1, 2013).



**CONTRA COSTA TRANSPORTATION AUTHORITY
RESOLUTION #01-01-G (Revision 1)**

RE: Authority policy regarding allocation of Measure C Local Street Maintenance and Improvement (18 percent) Funds

WHEREAS, the voters of Contra Costa approved the Measure C Transportation Improvement and Growth Management Program in November 1988; and

WHEREAS, Measure C includes a Local Street Maintenance and Improvements Program, whereby 18 percent of annual sales tax revenues are returned to local jurisdictions on a formula basis for local, subregional and regional transportation projects as determined by cities and the county, including street and road maintenance and/or transit improvements; and

WHEREAS, under Measure C, these Local Street Maintenance and Improvement (18%) funds shall be allocated annually to each jurisdiction; and

WHEREAS, the Authority adopted the Growth Management *Implementation Documents* in December 1990 which included an annual compliance checklist for the determination of local compliance with the Growth Management Program (GMP); and

WHEREAS, in August 1999, the Authority embarked on a comprehensive effort to review the Measure C GMP to define a new GMP for a possible sales tax extension program beyond 2009, and to identify whether any "mid-course" corrections were warranted for immediate implementation; and

WHEREAS, in September 2000, the Authority's Citizen's Advisory Committee (CAC) recommended in its proposal for GMP revisions that the local jurisdictions found to be in compliance with the GMP should be allowed to submit a GMP Checklist every other year, rather than annually as required in the existing program; and

WHEREAS, shifting from annual to biennial compliance reporting requires that the Measure C Expenditure Plan be amended; and

WHEREAS, following that comprehensive review, in October 2000, the Authority approved circulation of a proposed amendment to Measure C that would allow jurisdictions that were in compliance with the GMP to shift from annual to biennial reporting, which was subsequently revised in December 2000 to apply to all jurisdictions; and

WHEREAS, upon determining that the local jurisdictions and RTPCs supported the biennial reporting proposal, on January 17, 2001, the Authority amended the Measure C Expenditure Plan (see Ordinance 01-01) to allow all jurisdictions to shift from annual compliance reporting to biennial reporting; and

WHEREAS, the Authority's implementation of Ordinance 01-01 requires that a number of procedural and policy issues such as the timing of biennial checklist issuance, and annual payment of funds in the "off year" be addressed; and

WHEREAS, the Authority issued the Calendar Year (CY) 1999 GMP Compliance Checklist in January 2000, and local jurisdictions must complete and submit that Checklist by June 30, 2001 to receive an allocation of FY 1999-00 18% Funds; and

WHEREAS, Authority adoption of Ordinance 01-01 effectively waives the requirement for the Authority to issue the CY 2000 Checklist, which under existing policy would have been released by January 31, 2001; and

WHEREAS, Ordinance 01-01 enables local jurisdictions to receive their FY 00-01 and future "off-year" funds without a compliance review;

NOW, THEREFORE BE IT RESOLVED, that the Authority hereby adopts the following policies for biennial reporting, payments of 18 percent funds, findings of noncompliance, and the treatment of unallocated funds withheld from jurisdictions found to be out of compliance with the GMP;

(1) Transitioning to Biennial Reporting:

- a. **Effective Date:** The procedures and policies necessary for successful transition from annual to biennial reporting, with continued annual allocation of 18% Funds, shall commence simultaneously with the effective date of Ordinance Amendment 01-01, which, unless overridden in accordance with Section 8¹, is 45 days beyond the date of the Authority's adoption of the amendments.
- b. **Initial "off year" payment:** The Authority shall allocate 18% funds for FY 2000-01 one year following its review and approval of each jurisdiction's CY 1999 Checklist and allocation of FY 99-00 funds. The CY 1999 Checklist was issued in January 2000, is due by June 30, 2001, and Authority approval of a 1999 Checklist is required for allocation of FY 99-00 funds.

(2) Biennial Reporting:

- a. **Checklist Issuance:** The first Biennial Growth Management Checklist shall be issued by January 31, 2002 and shall require that local jurisdictions report on their growth management program activities for CYs 2000 & 2001. Subsequent biennial Checklists shall be issued by January 31 of each even-numbered year thereafter (2004, 2006, 2008, and 2010).
- b. **Checklist Submittal Deadline:** After the Checklist has been issued, each jurisdiction will be given until June 30th of each odd-numbered year (a

¹ Contra Costa Transportation Improvement and Growth Management Ordinance 88-01 (Measure C), page 19.

seventeen month window for submittal) to submit its completed checklist or a Statement of Progress to the Authority. To comply with the GMP, a jurisdiction must submit a Checklist and the Authority must approve that Checklist.

(3) Payment of 18 Percent Funds:

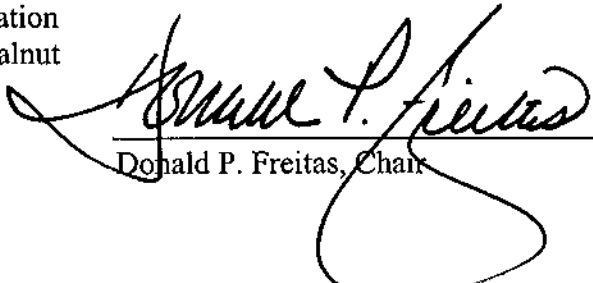
- a. **Payments Based Upon Authority Compliance Review.** Funds for even-numbered FYs will be available for allocation on July 1 of each even-numbered year following the FY in which the funds have been accrued, provided a jurisdiction has submitted a Biennial Checklist and has been found in compliance with the GMP. The Authority retains the funds until a jurisdiction comes into compliance with the GMP.
- b. **“Off-year” payments:** Funds for odd-numbered FYs will be available for allocation on July 1 of each odd-numbered year following the FY in which the funds have been accrued. The Authority shall make “off-year” 18 percent payments on the one-year anniversary of the previous year’s payment.

(4) Findings of Noncompliance and Treatment of Unallocated Funds:

- a. **Non-submittal:** If a jurisdiction has not submitted its checklist or a Statement of Progress and request for extension by the above-specified date, it will be found out of compliance. For jurisdictions that do submit their checklist and are found out of compliance, the Authority would issue a *Findings of Noncompliance* stating the reason for noncompliance and the deadline for curing the defects in the jurisdiction’s checklist. If a jurisdiction submits its checklist in advance of the June 30th date and is found out of compliance, in no case shall the deadline for compliance be before the June 30th date.
- b. **Statement of Progress:** A Statement of Progress shall consist of a letter approved by the jurisdiction’s Council/Board including: a) progress made on compliance with the GMP; and b) a proposed schedule for submittal of a completed GMP Checklist. The Authority will respond in writing to each Statement of Progress, indicating approval or the need for revision. The Authority may reject a Statement of Progress and set deadlines for a jurisdiction’s Checklist submittal. It is the intent of the Authority to have all checklists approved within one year following the initial June 30th deadline.
- c. **Withholding of Funds:** The Authority shall withhold funds from local jurisdictions found to be out of compliance with the GMP, and by written issuance of a *Findings of Noncompliance* may set deadlines and impose conditions for achieving compliance.
- d. **Reinstatement of Compliance:** Gaps in compliance would be permissible; however, a jurisdiction would not be eligible to receive 18% Funds for a year when, based upon Authority review of its biennial checklist, it is found to be out of compliance with the GMP. “Off-year” payments would also be withheld.

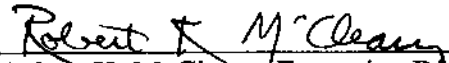
- e. **Treatment of Unallocated Funds:** After expiration of a compliance deadline, a non-complying jurisdiction's 18% Funds will revert to the Authority for allocation to projects contained in Measure C that are not fully funded, are of high priority, and are of broader regional significance.
 - f. **Interest Accrual:** No interest will be accrued to local jurisdictions on behalf of their unallocated 18% Funds.
 - g. **Retroactive Findings:** When a response on a formerly approved checklist is discovered which would have led to a *Findings of Noncompliance*, and that condition continues, the Authority will issue a *Findings of Noncompliance*. Current and future year allocations will be withheld until the condition is corrected. No retroactive action will be taken.
- (5) **The Authority hereby rescinds Resolution #94-02-G adopted on October 19, 1994, and hereby adopts in its place, this Resolution 01-01-G.**

This RESOLUTION was entered into at a meeting of the Contra Costa Transportation Authority held January 17, 2001, in Walnut Creek, California.



Donald P. Freitas, Chair

Attest:



Robert K. McCleary, Executive Director

Adopted: January 17, 2001
Revision 1: January 16, 2002



CONTRA COSTA
transportation
authority

COMMISSIONERS

March 16, 2011

David Durant, Chair

Mr. Joe Sbranti

Don Tatzin,
Vice Chair

Assistant City Manager, Development Services
City of Pittsburg

Janet Abelson

65 Civic Avenue

Genoveva Calloway

Pittsburg, CA 94565-3814

Jim Frazier

Subject: City of Pittsburg's Compliance with the Measure J Growth Management Program

Federal Glover

Dear Mr. Sbranti:

Dave Hudson

Thank you for your letter of March 3rd which gives a status report on recent efforts by the City of Pittsburg to initiate a dialogue with TRANSPLAN to form a consensus-based Regional Transportation Mitigation Program (RTMP) for East County. I would like to take this opportunity to respond, and make a suggestion regarding next steps in the process.

Karen Mitchoff

Julie Pierce

Karen Stepper

Robert Taylor

As noted in our letter of October 8, 2010, we indicated that Pittsburg, having withdrawn from the East Contra Costa Regional Fee and Financing Authority (ECCRFFA), would need to seek TRANSPLAN's approval of a RTMP for East County, and suggested as an option entering into a cooperative agreement (Co-op) or Memorandum of Understanding (MOU) with TRANSPLAN to re-establish the City of Pittsburg's participation in the East County RTMP. Your letter indicates that the City pursued this course of action, but TRANSPLAN did not concur with the City's request. Instead, TRANSPLAN determined that the RTMP for East County was ECCRFFA, and that Pittsburg's creation of the Pittsburg Regional Transportation Development Impact Mitigation (PRDTIM) fee program did not equate to or substitute for participation in ECCRFFA.

Randell H. Iwasaki,
Executive Director

We applaud your efforts to meet the requirement of the Measure J Growth Management Program (GMP) through participation in an RTMP, however, to underscore the point again, we believe compliance with the GMP requires approval from TRANSPLAN that the PRDTIM fee program fulfills the requirements of the East County RTMP.

The Measure J Expenditure Plan states that local jurisdictions shall work with the RTPCs to create the RTMP. As you know, the RTMP for East County was created in the mid 1990's through ECCRFFA. The East County Action Plan for Routes of Regional Significance delineates the role of ECCRFFA. Regional action 3.c of the East County Action Plan, adopted unanimously by TRANSPLAN on August 13, 2009 states that the local jurisdictions of East County shall 'continue to participate in the fee program through ECCRFFA' (p. 35). This action specifically identifies ECCRFFA as the RTMP for East County.

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In our view, Pittsburgh's assertion that the PRTDIM can serve in lieu of ECCRFFA is inconsistent with the requirement in section 2 of the GMP, which states that: "[e]ach Regional Transportation Planning Committee shall develop the regional development mitigation program for its region, taking account of planned and forecast growth and the Multimodal Transportation Service Objectives and actions to achieve them established in the Action Plans for Routes of Regional Significance." Our interpretation of the above and of paragraph 3.c of the Action Plan that authorizes "use of ECCRFFA or other agency (as appropriate)", is that they give TRANSPLAN the flexibility to change or modify the RTMP by consensus. We therefore suggested, as an option for demonstrating that consensus had been achieved, use of a Co-op or MOU that is ultimately approved by TRANSPLAN.

To summarize, we believe that compliance with the RTMP requirement in the GMP requires TRANSPLAN's approval of the City's actions. Without it, the City of Pittsburgh may be found out of compliance with the GMP, and could lose Local Street Maintenance and Improvement funds. Therefore, we urge the City to continue its dialogue with TRANSPLAN in an effort to re-establish a consensus-based RTPM for East County.

Thank you for your continued participation in the GMP, and please do not hesitate to contact me should you need further information regarding this matter.

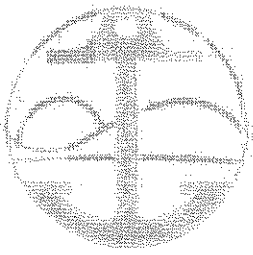
Sincerely,



Martin R. Engelmann, P. E.
Deputy Executive Director, Planning

cc: Marc Grisham, City of Pittsburgh
Paul Reinders, City of Pittsburgh
John Cunningham, TRANSPLAN

File: 02.17.02



City of Pittsburg
65 Civic Avenue • Pittsburg, California 94565

September 7, 2011

Martin Engelmann, Deputy Executive Director
Contra Costa Transportation Authority
2999 Oak Road, Suite 100
Walnut Creek, CA 94597

RE: Update Regarding Pittsburg's Negotiations with TRANSPLAN

Dear Mr. Engelmann:

This letter responds to your request that the City of Pittsburg ("City") provide a summary of the City's actions relating to its regional traffic fees during the past year. In short, over the last year, the City has met its commitments to develop and implement a regional transportation fee (aka Pittsburg Regional Transportation Development Impact Mitigation or PRTDIM), to offer options to TRANSPLAN for a joint regional fee program, and to negotiate a possible settlement of the lawsuit filed by ECCRFFA and TRANSPLAN against the City.

In September 2010, after more than a year of attempting to negotiate with ECCRFFA, the City withdrew from ECCRFFA consistent with the terms of the joint powers agreement. When the City initially joined ECCRFFA in 1991, ECCRFFA had identified Buchanan Road Bypass (now known as the James Donlon Boulevard Extension) as a top priority project. A key reason for the City's withdrawing from ECCRFFA was that, after almost twenty years, ECCRFFA had provided approximately \$1 million in funding towards the James Donlon Boulevard Extension, while providing other projects over \$220 million in funding.

At the same time the City withdrew from ECCRFFA, the City also established the PRTDIM program to continue to collect regional transportation mitigation fees and to remain in compliance with Measure J's Growth Management Program (GMP). These fees can only be used for projects of regional significance and the list of projects is identical to the list of projects identified for funding by ECCRFFA. Thus, the City created a regional transportation mitigation fee program to ensure that new development in the City continued to pay its fair share toward transportation projects of regional significance. Through its regional program, the City has continued supporting multi-jurisdictional transportation planning efforts and projects of regional significance in East County.

Since adopting the PRTDIM fees, the City of Pittsburg has collected approximately \$1.6 million. The City continues to be willing to work with TRANSPLAN to utilize these fees for transportation projects of regional significance.

An October 8, 2011 letter from CCTA directed the City to work with TRANSPLAN to: "integrate Pittsburg's new [PRTDIM fee] with the ECCRFFA program. ... As a next step, the City should bring its proposed RTMP to TRANSPLAN for discussion, with the intent of seeking TRANSPLAN's concurrence on a joint or hybrid RTMP that satisfies the Measure J requirements. Authority staff will be available to attend the TRANSPLAN meetings, and we are committed to working with [Pittsburg] on developing options and strategies that result in a timely off-year payout."

Accordingly, the City presented its PRTDIM fee to TRANSPLAN for discussion on December 9, 2010. At that meeting, TRANSPLAN directed staff to work with Pittsburg staff, the Technical Advisory Committee (TAC), and CCTA staff to come up with a MOU/Agreement that would describe the framework in which the two RTMPs will operate and integrate Pittsburg's new RTMP with the ECCRFFA Program. Pursuant to the direction of TRANSPLAN, Pittsburg staff sent a draft MOU to the TAC on January 11, 2011. However, the TAC meeting that was scheduled to discuss the MOU was subsequently cancelled. Interestingly, the City has never received feedback on its draft MOU.

Instead, at a special meeting on January 27, 2011, TRANSPLAN opined that: (1) the preexisting arrangement between TRANSPLAN and ECCRFFA was the official regional mitigation fee program under the East County Strategic Action Plan and (2) the City was not in compliance with its obligations under the East County Action Plan.

At meetings held in February and March 2011, TRANSPLAN and ECCRFFA determined that their preferred course of action for achieving East County cooperation as to a regional fee was not to consider the City's proposed MOU, but rather was to sue the City to force it both to rejoin ECCRFFA and to adopt, wholesale, the regional transportation fee adopted by ECCRFFA members.

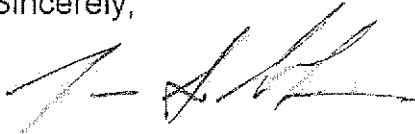
The City demurred to the entirety of the lawsuit by ECCRFFA and TRANSPLAN. At the August 10, 2011 hearing, the Court sustained the City's demurrer granting leave, as is the custom, to ECCRFFA and TRANSPLAN to amend their complaint to see if they could state a valid cause of action against Pittsburg. Because of additional time requested by ECCRFFA's and TRANSPLAN's attorney, that amendment is not due until September 21.

Throughout this process, the City has remained open to working out a settlement as to regional fees in East County. In early August of this year, City and ECCRFFA

representatives met to discuss settlement. ECCRFFA representatives promised to provide a draft settlement to the City; at this time, the City is still waiting to receive that document.

It has been, and continues to be, the City's position that it is complying fully with Measure J, including the City's implementation of a regional transportation fee and the City's continuing willingness to work with TRANSPLAN and ECCRFFA on using revenue from that fee for transportation projects of regional significance.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Sbranti". The signature is stylized with a large, sweeping initial "J" and a long horizontal stroke.

Joe Sbranti
City Manager