

# The County Connection

2477 Arnold Industrial Way    Concord, CA 94520-5326    (925) 676-7500    www.cccta.org

Agenda Item No. 4.a.

## CCCTA BOARD OF DIRECTORS

### MINUTES OF THE REGULAR MEETING August 18, 2011

#### CALL TO ORDER/ROLL CALL/CONFIRM QUORUM

Chair Hudson called the meeting to order at 9:00 a.m. Board Members present were Directors Andersen, Dessayer, Horn, Manning, Schroder, Simmons, Uilkema, Weir and Worth. Director Hoffmeister was absent.

Staff:        Ramacier, Conneran, Glenn, Bowron, Casenave, Churchill, Hill,  
                  Madrigal, Miraglio, Mitchell, Muzzini, Perry, Proctor-Williams and Rettig

Guests:     Ross Chittenden and Jack Hall (Contra Costa Transportation Authority)

**PUBLIC COMMUNICATION:** There was no communication from the public.

#### CONSENT CALENDAR

**MOTION:** Director Manning moved approval of the Consent Calendar, consisting of the following items: (a) Approval of Minutes of Regular Meeting of July 21, 2011 and (b) PERS Pretax Resolution and Resolution No. 2012-004. Director Uilkema seconded the motion and it received the following vote of approval.

Aye:         Directors Andersen, Dessayer, Horn, Hudson, Manning,  
                  Schroder, Simmons, Uilkema, Weir and Worth

No:         None

Abstain:    None

Absent:     Director Hoffmeister

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Moraga • Orinda • Pleasant Hill • San Ramon • Walnut Creek

## **REPORT OF CHAIR**

### **Election of CCCTA Officers**

Chair Hudson reported that the slate of officers recommended by the Nominating Committee consists of Director Worth as Chair, Director Horn as Vice Chair and Director Simmons as Secretary. Chair Hudson asked if there were any additional nominations; none was received.

**MOTION:** Director Uilkema made a motion to close the nominations and to support the recommendation of the Nominating Committee for Election of CCCTA Officers, consisting of Director Worth as Chair, Director Horn as Vice Chair and Director Simmons as Secretary. Director Manning seconded the motion and it was approved as recorded below.

Aye: Directors Andersen, Dessayer, Horn, Hudson, Manning,  
Schroder, Simmons, Uilkema, Weir and Worth  
No: None  
Abstain: None  
Absent: Director Hoffmeister

## **REPORT OF GENERAL MANAGER**

### **Recognition of Departing Employee**

Rick Ramacier, General Manager, recognized Steve Miraglio, Chief Scheduler, for his twenty-one years of service. Mr. Miraglio thanked the Board and staff for their support and the opportunity to make a positive impact in the community.

### **MTC Transportation Sustainability Project Update: Referral to the MP&L Committee**

Mr. Ramacier noted that the MTC Transportation Sustainability Project is moving forward and staff will be taking proposals from the consultants to the MP&L Committee for their review and referral to the Board.

## **REPORT OF STANDING COMMITTEES**

### **Administration and Finance Committee**

#### Pacheco Transit Hub Project: Request from CCTA to Complete Project Design Work

Director Dessayer advised the A&F Committee supports the concept of the Pacheco Transit Hub project but believes it is unnecessary to pay \$59,000 to Nolte Associates, Inc. until CCCTA receives assurance from either CCTA or the City of Martinez that they will assume responsibility for the project. The A&F Committee is looking for something more specific in terms of which agency would take responsibility for the project and when that would occur so the transfer could be made by CCCTA. Director Schroder stated that the City of Martinez wants to do the

project and they will manage it. They filed an application with LAFCO for annexation of land where the park-and-ride lot will be located. It may be a couple of months before LAFCO takes action on their request for annexation.

Director Manning expressed concern that the cost to complete the design work might exceed \$59, 00 and he asked if CCCTA would be responsible for any extra cost. Director Horn questioned whether completion of the design work would make the project ready to solicit construction bids. If additional work is required for the bid documents, he wanted to know which agency would be responsible for the cost of those bid documents.

Mr. Ramacier pointed out that the costs for this project are paid from the grant funds secured by CCCTA. If \$59,000 is not sufficient to make the project ready to bid for construction, any additional costs would come from the grant funds which would result in fewer funds available for construction. The request from CCTA is to complete the design work prior to turning the project over to another agency. Once it is decided which agency will take on this project, CCCTA staff will come to the Board with a request to sign an agreement with that agency, which will transfer the project to that agency along with the remaining grant funds. If the project goes over the budget, CCCTA will not be responsible for those funds. It was always the intent of CCCTA staff to have the project fully funded by grants

Ross Chittenden, Deputy Executive Director for Projects at CCTA, noted the project is being built on Caltrans-owned property in compliance with Caltrans specifications. Nolte Associates, Inc. prepared a set of plans that could have gone out to bid were it not for some changes requested by Caltrans. The justification for the additional work is legitimate. CCTA staff has had extensive experience working with Nolte Associates, Inc.\*and Caltrans and they do not expect any additional changes from them.

Director Simmons stated the project needs to be completed. In the event CCTA and the City of Martinez are not able to assume responsibility for the project, he asked if a construction contract can be awarded without approval of the CCCTA Board. Mr. Ramacier responded that the Board authorized the completed design work and any additional design work or construction of the facility needs to be approved by the CCCTA Board if the project is not assigned to another agency.

Chair Hudson pointed out that TRANSPAC is committed to this project. Director Uilkema stated that it has always been the vision of the O&S Committee that there is an affiliation between the Pacheco Transit Hub and the City of Martinez for an intermodal center with an emphasis on transportation. This is a very important project for the future, and she asked that the Board think favorably about having it go to the City of Martinez when the annexation occurs.

Mr. Chittenden stated that CCTA's position is that the City of Martinez would be the better sponsor. CCTA is willing to take it over because it is funded by Measure C and they are committed to the project. He further stated that this is the right time to authorize this amendment so it would be set up for the next construction season.

If the City of Martinez cannot meet the time limit, CCTA would be willing to take over the project to get it done in a timely manner.

Director Worth noted that one priority component is assurance that either CCTA or the City of Martinez will take over the project. The project has been in the county-wide transportation plan for awhile, and it has been approved by all the jurisdictions. The letter from CCTA provides reassurance that there is a commitment from CCTA to manage the project and to make sure design funds will be appropriately realized. She expressed appreciation to CCTA staff for their time working with CCCTA staff in moving this project forward. She feels confident there have been discussions with Caltrans and Nolte Associates, Inc. that this final piece for the design work will get the job done.

MOTION: Director Worth moved approval of Resolution No. 2012-005 that authorizes a fourth amendment to the Agreement with Nolte Associates, Inc. for design of the Pacheco Transit Hub and authorizes the transfer of project management responsibilities for the Pacheco Transit Hub project to the Contra Costa Transportation Authority or the City of Martinez. The motion received a second from Director Uilkema and the following vote of approval.

Aye: Directors Andersen, Dessayer, Horn, Hudson, Manning, Schroder, Simmons, Uilkema, Weir and Worth  
No: None  
Abstain: None  
Absent: Director Hoffmeister

#### ICMA 457 Loans

Director Dessayer stated that CCCTA employees cannot remove funds from their ICMA 457 deferred compensation plan unless they want to use the funds for an emergency situation. In today's economy, some employees need to remove their funds for reasons that are not classified as an emergency. To ease the burden on staff and employees, the A&F Committee recommends allowing loans from the 457 deferred compensation plan. This would allow employees to borrow their own funds with interest but without paying a tax at that time. CCCTA staff would ensure payments are made through payroll deductions. If borrowed funds are not paid back timely, it becomes a taxable event for the employee. ICMA would process requests for loans and administer the loans.

MOTION: Director Dessayer moved approval of Resolution No. 2012-006 which will amend CCCTA's ICMA 457 Plan to permit loans. Director Simmons seconded the motion and it was approved by the following vote.

Aye: Directors Andersen, Dessayer, Horn, Hudson, Manning, Schroder, Simmons, Uilkema, Weir and Worth  
No: None  
Abstain: None  
Absent: Director Hoffmeister

**REPORT FROM THE ADVISORY COMMITTEE:** There was no report.

**BOARD COMMUNICATION**

Director Simmons announced CCCTA and the City of Walnut Creek worked together to adjust the hours of the free shuttle in downtown Walnut Creek. The new hours provide less service in the morning and more service in the evening.

Director Uilkema advised staff at Rossmoor is interested in a community van to augment their service, they are looking at community-based grants that can be used to augment their service, and they have purchased a van that does a loop from Rossmoor to downtown Walnut Creek. They are exploring the possibility of expanding this service by adding additional stops at other locations.

**CLOSED SESSION**

**Conference with Legal Counsel—Existing Litigation, Pursuant to Government Code Section 54956.9(a), Walls v. Central Contra Costa Transit Authority**

**Public Employee Performance Evaluation, Pursuant to Government Code Section 54957 for the General Manager**

At 9:43 a.m., Chair Hudson announced the Board would adjourn to closed session to confer with its Legal Counsel, pursuant to Government Code Section 54956.9(a) regarding Walls v. CCCCTA. The Board will also discuss the performance evaluation of the General Manager pursuant to Government Code Section 54957.

**OPEN SESSION**

**Report on Action(s) Taken During the Closed Session**

The Board reconvened in open session at 10:25 a.m. Chair Hudson stated that the Board met in closed session to confer with Legal Counsel, pursuant to Government Code Section 54956.9(a) related to Walls v. CCCTA and gave direction to Legal Counsel regarding this case. The Board also met in closed session relative to public employee performance evaluation pursuant to Government Code Section 54957, for the position of General Manager. The Board completed its performance evaluation; no action was taken.

**ADJOURNMENT**

Chair Hudson adjourned the regular meeting at 10:28 a.m.

Minutes prepared by

Janet Madrigal  
Janet Madrigal, Clerk to the Board

September 9, 2011  
Date