

# County Connection

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Agenda Item No. 5.a.

## CCCTA BOARD OF DIRECTORS

### MINUTES OF THE REGULAR MEETING

May 19, 2016

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

Chair Storer called the regular meeting of the Board of Directors to order at 9 a.m. Board Members present were Directors Andersen, Dessayer, Hudson, Manning, Noack, Simmons and Worth. Directors Schroder and Tatzin arrived after the meeting convened. Director Hoffmeister was absent.

Staff: Ramacier, Chun, Glenn, Barnes, Cheung, Churchill, Dean, Hill, Horta, Martinez, McCarthy, Mitchell, Muzzini and Rettig

#### Public Comment: None

Directors Schroder and Tatzin arrived.

#### CONSENT CALENDAR

**MOTION:** Director Noack moved approval of the Consent Calendar, consisting of the following items: (a) Approval of Minutes of Regular Meeting of April 21, 2016; and (b) Resolution No. 2016-021, Authorize FY 2017 Annual Adjustment to Non-Represented Administrative Employees Salaries and Establish a Management Merit Pool. Director Manning seconded the motion and it received the following vote of approval:

**Aye:** Directors Andersen, Dessayer, Hudson, Manning, Noack, Schroder, Simmons, Storer, Tatzin and Worth

**No:** None

**Abstain:** None

**Absent:** Director Hoffmeister

**REPORT OF CHAIR:** None

#### REPORT OF GENERAL MANAGER:

##### Recognition of Employees with 30 Years of Service

Manny Andrada-Transportation

Scott Douglas-Transportation

##### Update and Report on the Draft Contra Costa Transportation Authority (CCTA) Transportation Expenditure Plan (TEP)

General Manager Rick Ramacier reported that CCTA has approved a draft Transportation Expenditure Plan (TEP). He is pleased that a reasonable compromise was reached, and acknowledged the hard work that went into it. Several Directors praised Director Tatzin for his leadership, as well as all the work contributed by Directors, Worth, Anderson, Hudson, Simmons, Rick Ramacier, and County Connection staff. Director Tatzin expressed appreciation for the commitment that the members all put forth to meet week after week to finally get a finished project. He looks forward to the future benefits of the plan for County Connection as well as transit in general. ,

#### Status of State Transit Assistance (STA) Allocation from the State Controller's Office

General Manager Rick Ramacier reported that the STA allocations will not be resolved anytime soon. Trailer legislation will be attached to the budget. Transit agencies are still receiving funds as of now but the end result of the allocation amounts and for how long will not be settled until later. As updates arise he will keep the Board informed on the latest information.

#### Update of Senate Bill 824

General Manager Rick Ramacier explained that Senate Bill 824 is a clean up of the Cap and Trade legislation and includes all of the amendments CTA and CCCTA had proposed.

### **REPORT OF STANDING COMMITTEES**

#### **Administrative & Finance Committee**

##### 5 Year IT Replacement Plan

Director Simmons explained that the IT Plan that staff has prepared is a sound approach to maintain and plan instead of waiting until we have no choice but to replace items that are not in the budget. Director of Maintenance, Scott Mitchell explained that the IT department has been stretched to its limits. We need to do major software upgrades for transportation and the finance department.

**MOTION:** Director Dessayer moved that the Board adopt the 5 Year IT Replacement Plan, as described in the staff report. Director Worth seconded the motion and it received the following vote of approval:

**Aye:** Directors Andersen, Dessayer, Hudson, Manning, Noack, Schroder, Simmons, Storer, Tatzin and Worth  
**No:** None  
**Abstain:** None  
**Absent:** Director Hoffmeister

#### Revised Fiscal Year 2017 Draft Budget and Financial Forecast

Director of Finance Erick Cheung reported that the Board has now seen the budget twice. Since the last time that the Board saw the budget, the budget has been revised to include an increase in health insurance premiums, an increase in overtime to include the BART Bus Bridge costs (to be reimbursed by BART), and downward adjustments in STA, TDA, and paratransit fare revenue.. CCCTA's STA funds has been pretty fluid. The A & F Committee will bring the final budget to the Board in June.

#### **Marketing, Planning & Legislative Committee**

## Background on State Legislative Activity at County Connection

Kristina Martinez stated that County Connection is involved with state legislative matters on an as-needed basis, which often times is frequent. Since the beginning of 2016, staff has visited with the staff of our state legislators seven times. Staff believes the attention to state legislation remains a priority. Staff continues to stay up to date on public transit issues at the state level and makes every effort to keep both the MP&L Committee as well as the Board of Directors well-informed on how these issues may affect County Connection. The interactions with legislators have proven to be successful, and staff looks forward to continuing to build working relationships that will help assist addressing legislative issues in the future.

## State Legislative Update: Support AB2292, Oppose AB 2094

Kristina Martinez explained that the current law requires money which is collected by the State Air Resources Board to be available for use as part of the Greenhouse Gas Reduction Fund (collection excludes fines and penalties) through development of a three year investment plan. Alternatively, disadvantaged communities are to be identified within the plan by the California Environmental Protection Agency.

AB 2292 proposes to amend the process of identifying disadvantaged communities by using specific factors based upon best-available data. Current identification factors of disadvantaged communities may include the following:

- Environmental pollution or other hazards which may lead to negative public health
- Low income, high unemployment, or low levels of educational attainment

This bill would require the California Environmental Protection Agency, by July 1, 2017, to include the following when determining such factors as it relates to disadvantaged communities:

- High poverty rates
- High or severe rent burden
- High cost of living

**MOTION:** Director Schroder moved that the Board support this bill as this legislation should make it easier for County Connection to utilize Low-Carbon Transit Operation Program (LCTOP) funding. Director Tatzin seconded the motion and it received the following vote of approval:

**Aye:** Directors Andersen, Dessayer, Hudson, Manning, Noack, Schroder, Simmons, Storer, Tatzin and Worth

**No:** None

**Abstain:** None

**Absent:** Director Hoffmeister

Kristina Martinez explained that AB 2094 proposes to reallocate TDA funds to backfill the severe losses in the State Transportation Improvement Program (STIP) and Local Streets and Roads Program at the state level. This would turn TDA funds into a highway and local streets and roads funding source and no longer a transit fund source.

Additionally, this legislation proposes to backfill transit losses with cap and trade funds through the LCTOP. The author claims this would keep transit whole and allow the state to address local streets and roads programs without raising taxes.

With this, there are at least two major problems that surface. There is no guarantee that there would be an increase in LCTOP funds. Secondly, LCTOP funds can only be spent in certain service areas which would decrease County Connection's funding in our service areas.

In the past, County Connection has opposed any legislation that has proposed to remove TDA funds. Because of the significance of TDA removal, it is not likely that this bill will get out of committee and staff recommends County Connection send a strong letter of opposition.

**MOTION:** Director Schroder moved that the Board oppose AB2094. Director Worth seconded the motion and it received the following vote of approval:

**Aye:** Directors Andersen, Dessayer, Hudson, Manning, Noack, Schroder, Simmons, Storer, Tatzin and Worth

**No:** None

**Abstain:** None

**Absent:** Director Hoffmeister

## **Operations & Scheduling Committee**

### **Purchase of 31 Heavy Duty Buses**

Scott Mitchell gave credit to his staff and mechanics because by the time we replace our buses with the new ones, the buses will be approximately 16 years old. We have definitely gotten our value and use out of the buses. The funds for this project have also been allocated as the following:

Federal 5307: \$11,091,618

Federal 5339: 863,162

Local Match: 2,990,000

Total funds available for this project: \$14,944,780

**MOTION:** Director Andersen moved to adopt Resolution No. 2016-022, Authorizing the General Manager to Issue a Purchase Order and Notice to Proceed to Gillig Corporation For Purchase of Thirty One Heavy Duty Buses. Total cost of the vehicles, tax, and delivery not to exceed \$14,944,780. Director Manning seconded the motion and it received the following vote of approval:

**Aye:** Directors Andersen, Dessayer, Hudson, Manning, Noack, Schroder, Simmons, Storer, Tatzin and Worth

**No:** None

**Abstain:** None

**Absent:** Director Hoffmeister

### **WAVE Inductive Charging Installation**

Scott Mitchell explained that the single bid received for the charging installations came in at higher rate than he originally thought it would be, mainly because the equipment will be at a BART station, and BART has restrictions on when construction activities are allowed. We have checked the company's references and they are a reputable company.

**MOTION:** Director Simmons moved to approve Resolution No. 2016-023, Authorizing Award of Contract to Reflex Engineering, Inc. for Inductive Charging Installation, Project 16-MA-01 in the amount of \$288,600 and establishing a contract contingency in the amount of \$28,900. Director Hudson seconded the motion and it received the following vote of approval:

**Aye:** Directors Andersen, Dessayer, Hudson, Manning, Noack, Schroder, Simmons, Storer, Tatzin and Worth

**No:** None

**Abstain:** None

**Absent:** Director Hoffmeister

**BOARD COMMUNICATION: None**

At 9:44 a.m., The Board went into closed session to discuss the following:

**Closed Session:**

Conference with Legal Counsel-Anticipated Litigation  
Government Code Section 54956.9(b) (one potential case)

Conference with Labor Negotiator (pursuant to Government Code Section 54957 and 54957.6)  
Unrepresented Employees-Legal Counsel

**Open Session:**

At 9:52 a.m., the Board came back to open session.

Chair Storer reported that in the matter of anticipated litigation, County Connection has settled a claim from Tia Livous for \$200,000.

Chair Storer also reported on negotiations with Legal Counsel regarding an adjustment in rates.

**MOTION:** Director Dessayer moved that the Board adopt Resolution No. 2016-024, Authorizing Rate Adjustment to Agreement for Legal Services, approving the rate adjustment and three-year rate structure to be effective July 1, 2016 and authoring an amendment to the agreement. Director Tatzin seconded the motion and it received the following vote of approval:

**Aye:** Directors Andersen, Dessayer, Hudson, Manning, Noack, Schroder, Simmons, Storer, Tatzin and Worth

**No:** None

**Abstain:** None

**Absent:** Director Hoffmeister

**ADJOURNMENT:** Chair Storer adjourned the regular Board meeting at 9:53 a.m.

Minutes prepared by

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Lathina Hill  
Assistant to the General Manager

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Date