



Contra
Costa
County

To: Board of Supervisors
From: Catherine Kutsuris, Conservation & Development Director
Date: January 24, 2012

Subject: Actions Supporting Transfer of State Route 239 Project Responsibility to the Contra Costa Transportation Authority

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Director of the Department of Conservation and Development, or designee, to execute the following agreements for the purpose of transferring responsibility for State Route 239 project development and federal funding to the Contra Costa Transportation Authority:

☒ APPROVE
 ☐ OTHER
☒ RECOMMENDATION OF CNTY ADMINISTRATOR
 ☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/24/2012** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
 Gayle B. Uilkema, District II Supervisor
 Mary N. Piepho, District III Supervisor
 Karen Mitchoff, District IV Supervisor
 Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 24, 2012

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: John Cunningham,
335-1243

RECOMMENDATION(S): (CONT'D)

1. *Assignment and Assumption of Consulting Services Agreement and Consent* (Original Contract: *Project No.: HPLUL-5928[099]*) (Exhibit A)
2. *Cooperative Funding Agreement: State Route 239 Project - Phase 1 - Planning* (Exhibit B)
3. *Memorandum of Understanding for the State Route 239 Project - Phase 1 - Planning* (Exhibit C)

FISCAL IMPACT:

\$1.45 million, 100% Local Road Fund. The Local Road Fund will be used to satisfy the match requirement for a \$14 million Federal grant to fund this project. The County will avoid expenditure of Measure J funds associated with filling a vacant Senior Transportation Planner position by transferring this project to the CCTA, partially mitigating the overall cost impact to the County.

BACKGROUND:

In 2005 Contra Costa County received two federal appropriations totaling \$14 million for the planning and construction of State Route 239 (Project), a future highway that will connect eastern Contra Costa County with the Central Valley. State Route 239 will extend from State Route 4 in the Brentwood area to Interstate 205 in the Tracy area. The appropriations were received through the efforts of former U.S. Representative Richard Pombo. The Project will require collaboration among a broad number of interested parties, Contra Costa County (County), the Contra Costa Transportation Authority (CCTA), San Joaquin and Alameda Counties, two Caltrans Districts, and numerous other entities.

In 2010, with the assistance of an inter-agency selection panel that included CCTA, the County selected Parsons Transportation Group as the consultant to lead the planning phase of State Route 239 development. The Contra Costa County Board of Supervisors authorized a consulting services agreement in May 2011.

Project Update

Work has been proceeding, three briefing meetings were held for three different stakeholder groups in September, 1) key elected officials, 2) Non-Governmental Organizations, and 3) TRANSPLAN (eastern Contra Costa County's Regional Transportation Planning Committee). The consultant is currently proceeding on the following Project tasks:

- Project Management Plan
- Project Website (internal and public/external)
- Financial Screening Study
- Vision Statement
- Travel Demand Model Development

Basis for Recommendation of Transfer

Discussions with responsible staff from the County and CCTA have resulted in the determination that the CCTA is willing to administer the subject Project. CCTA's broader geographic area of responsibility and direct, active, and continuing relationships with involved state and regional agencies position CCTA to administer this regional Project. The County also has a opportunity to achieve a savings by not filling a transportation planner position at this time by making this transfer.

Additional Background

The three agreements addressed in the *Recommendations Section* result in the following actions which, in total, transfer all current and future project development responsibilities to CCTA:

1. ***Assignment and Assumption of Consulting Services Agreement and Consent:*** This agreement transfers all rights and responsibilities currently held by the County to CCTA relative to the existing contract (HPLUL-5928[099]) with Parsons for the Phase 1 Planning of the Project. The contract was approved by the Board of Supervisors on May 10, 2011. (Exhibit A)
2. ***Cooperative Funding Agreement: State Route 239 Project - Phase 1 - Planning:*** This agreement facilitates reimbursement of the Partner Agencies from the federal appropriations through the project lead. These agencies include San Joaquin County, Alameda County, the Cities of Tracy & Brentwood and the Mountain House Community Services District. After the transfer of the Project to CCTA, this agreement will have the County involved in the project as a "Partner Agency". (Exhibit B)
3. ***Memorandum of Understanding (MOU) between the CCTA and the County for the State Route 239 Project - Phase 1 - Planning:*** This MOU addresses matters not covered in agreements #1 and #2 above. These include the County's continued commitment to: fulfill local match funding obligations; provide CCTA access to the federal appropriations which the County must retain control of; continued staff support for current and future project development activities; work cooperatively with CCTA, Caltrans and the Metropolitan Transportation Commission to transfer responsibility; and generally affirming the cooperative spirit the transfer is taking place under. (Exhibit C)

The CCTA is taking similar actions on this matter at their January 18, 2012 Board Meeting. As indicated in Item #2 above, the County will continue to be actively involved as a partner agency.

CONSEQUENCE OF NEGATIVE ACTION:

If the recommended actions are not taken the Project will not be transferred to the Contra Costa Transportation Authority and the County will retain responsibility for project development activities for the foreseeable future.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Ex. A: Assignment/Assumption Agreement/Consent

Ex. B: Co-op Funding Agreement

EX. C: MOU CCTA/CCC