



Regional Transportation Planning Agency - Local Transportation Commission
Monterey County Service Authority for Freeways and Expressways
Monterey County Regional Development Impact Fee Joint Powers Agency
Email: info@tamcmonterey.org

Executive Committee

Members are: Michael LeBarre, Chair; Chris Lopez, 1st Vice Chair; Dave Potter, 2nd Vice Chair; Mary Adams, Past Chair; Wendy Askew, County Representative; Chaps Poduri, City Representative

Wednesday, October 4, 2023

****8:30 AM****

MEETING LOCATION

Voting members must attend a physical meeting location to count towards quorum

*55B Plaza Circle, Salinas, California 93901
Transportation Agency Conference Room*

Alternate Locations with Zoom Connection Open to the Public

*2616 1st Avenue, Marina, California 93933
Supervisor Askew's Office*

*599 El Camino Real, Greenfield, California 93927
Supervisor Lopez's Office*

Members of the public & non-voting members may join meeting online at:

<https://us02web.zoom.us/j/775161178?pwd=STY4UzZZblpOK0VLdEs3RGZUS3kyUT09>

OR

Via teleconference at +1 669 900 6833

Meeting ID: 775 161 178

Password: 536047

Please note: If all committee members are present in person, public participation by Zoom is for convenience only and is not required by law. If the Zoom feed is lost for any reason, the meeting may be paused while a fix is attempted, but the meeting may continue at the discretion of the Chairperson.

Please see all the special meeting instructions at the end of this agenda

Complete agenda packets are on display at the Transportation Agency for Monterey County office and at these public libraries: Carmel, Monterey, Salinas Steinbeck Branch, Seaside, Prunedale, and King City. Any person who has a question concerning an item on this agenda may call the Agency Secretary to make an inquiry concerning the nature of the item described on the agenda. Please recycle this agenda.

1. QUORUM CHECK - CALL TO ORDER

Call to order and self-introductions. If you are unable to attend, please contact Elouise Rodriguez, Senior Administrative Assistant. Your courtesy to the other members to assure a quorum is appreciated.

2. PUBLIC COMMENTS

Any member of the public may address the Committee on any item not on the agenda but within the jurisdiction of the Board. Under this item, each member of the public is allowed three minutes to address concerns. Comments in items on this agenda may be given when that agenda item is discussed. Persons who wish to address the Board for public comment or on an item on the agenda are encouraged to submit comments in writing to Maria at maria@tamcmonterey.org by 5:00 pm the Monday before the meeting, and such comments will be distributed to the Board before the meeting.

Alternative Agenda Format and Auxiliary Aids: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals requesting a disability-related modification or accommodation, including auxiliary aids or services, may contact Transportation Agency staff at 831-775-0903. Auxiliary aids or services include wheelchair accessible facilities, sign language interpreters, Spanish language interpreters, and printed materials in large print, Braille or on disk. These requests may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting and should be made at least 72 hours before the meeting. All reasonable efforts will be made to accommodate the request.

3. CONSENT AGENDA

Approve the staff recommendations for items listed below by majority vote with one motion. Any member may pull an item off the Consent Agenda to be moved to the end of the **CONSENT AGENDA** for discussion and action.

3.1. APPROVE Executive Committee draft minutes of September 6, 2023.

- Elouise Rodriguez

4. Legislative Update & Draft 2024 Program

1. **RECEIVE** update on state and federal legislative issues;
2. **DISCUSS** items for the draft 2024 legislative program and candidate projects for federal earmarks; and
3. **RECOMMEND** the Board of Directors approve the draft 2024 legislative program for distribution to committees.

- Christina Watson

State and federal legislative analysts Gus Khouri and Paul Schlesinger/Jim Davenport will present updates on State and federal legislative activities. Staff will request input

on the 2024 legislative program and the candidate projects for future federal earmark requests.

5. **DISCUSS** project candidates for state transit and zero emission funding and **RECOMMEND** projects to the Board of Directors.

- Christina Watson, Alissa Guther

On July 10, 2023, the Governor signed Senate Bill (SB) 125 into law, which included new formula funding through the Transit and Intercity Rail Capital Program (TIRCP) and created a new Zero-Emission Transit Capital Program (ZETCP). TAMC is slated to receive \$44.5 million over two years in TIRCP formula funds and \$8 million over four years for the ZETCP. All funds need to be programmed and received by TAMC by June 30, 2028.

6. **RECEIVE** update and **PROVIDE INPUT** on the funding proposal for the 2024 Regional Transportation Improvement Program.

- Janneke Strause

To ensure efficient coordination among various fund sources, the 2023 Integrated Funding Strategy identifies projects that are strong candidates for specific Senate Bill 1 grants, State Transportation Improvement Program funds, Measure X, and other matching funds, and can be brought to construction within the next five years. As a subset of that plan, the Regional Transportation Improvement Program specifies the region's proposed use of certain State funds to the California Transportation Commission.

7. **RECOMMEND** the Board of Directors:

1. **APPROVE** and **AUTHORIZE** the Executive Director to extend the contract with Khouri Consulting for State legislative analyst/ advocate services, subject to approval by a) Agency Counsel, by two years, until October 31, 2025, adding One Hundred and Forty-Four Dollars (\$144,000) to the current contract for a total amended contract budget of Two Hundred and Eight-Eight Dollars (\$288,000);
2. **AUTHORIZE** the use of reserve funds budgeted to this project; and
3. **AUTHORIZE** the Executive Director to take such other further actions as may be necessary to fulfill the intent of the contract, including approvals of future modifications or amendments that do not significantly alter the scope of work, or change the approved contract term or amount.

- Christina Watson

The Agency has a contract for State legislative assistance with Khouri Consulting that expires October 31, 2023. Staff recommends a two-year extension to October 31, 2025 and an additional \$144,000, for a total not-to-exceed contract amount of \$288,000.

8. **RECEIVE** report on draft agenda for October, 25, 2023 TAMC Board meeting.

- Todd Muck

9. ANNOUNCEMENTS and/or COMMENTS

10. ADJOURN

ANNOUNCEMENTS

Next Executive Committee meeting:

Wednesday, November 1, 2023, at 8:30 a.m.

Transportation Agency for Monterey County

Conference Room

55-B Plaza Circle, Salinas CA 93901

A quorum of voting members is required to be present to hold this meeting.

There will be a zoom link for hybrid participation by members of the public.

If you have any items for the next agenda, please submit them to:
Elouise Rodriguez, Clerk of the Board & Senior Administrative Assistant

Elouise@tamcmonterey.org

Important Meeting Information

Agenda Packet and Documents: Any person who has a question concerning an item on this agenda may call or email the Agency office to make inquiry concerning the nature of the item described on the agenda. Complete agenda packets are on display online at the Transportation Agency for Monterey County website. Documents relating to an item on the open session that are distributed to the Committee less than 72 hours prior to the meeting shall be available for public review at the Agency website. Agency contact information is as follows:

Transportation Agency for Monterey County

www.tamcmonterey.org

55B Plaza Circle, Salinas, CA 93901

TEL: 831-775-0903

EMAIL: info@tamcmonterey.org

Agenda Items: The agenda will be prepared by Agency staff and will close at noon nine (9) working days before the regular meeting. Any member of the Board may request in writing an item to appear on the agenda. The request shall be made by the agenda deadline and any support papers must be furnished by that time or be readily available.

Memorandum

To: Executive Committee
From: Elouise Rodriguez
Meeting Date: October 4, 2023
Subject: Executive Committee draft minutes of September 6, 2023.

RECOMMENDED ACTION:

APPROVE Executive Committee draft minutes of September 6, 2023.

SUMMARY:

FINANCIAL IMPACT:

DISCUSSION:

ATTACHMENTS:

1. Exec draft minutes Sept_6_2023

WEB ATTACHMENTS:

DRAFT MINUTES

TRANSPORTATION AGENCY FOR MONTEREY COUNTY
 SERVICE AUTHORITY FOR FREEWAYS EMERGENCIES AND MONTEREY COUNTY
 REGIONAL DEVELOPMENT IMPACT FEE JOINT POWERS AGENCY

EXECUTIVE COMMITTEE MEETING

*Members: Michael LeBarre (Chair), Chris Lopez (1st Vice Chair),
 Dave Potter (2nd Vice Chair), Mary Adams (Past Chair),
 Wendy Root Askew (County representative), Chaps Poduri (City representative)*

Wednesday, September 6, 2023

*** 8:30 a.m. ***

Transportation Agency Conference Room, 55-B Plaza Circle, Salinas California

Alternate locations:

2616 1st Avenue, Marina, California 93933, Supervisor Askew's Office

599 El Camino Real, Greenfield, California 93927, Supervisor Lopez's Office

EXECUTIVE COMMITTEE	OCT 22	NOV 22	JAN 23	FEB 23	MAR 23	APR 23	MAY 23	JUN 23	AUG 23	SEP 23
Michael LeBarre, Chair King City (C. DeLeon)	P (VC)	P (VC)	P (VC)	P (VC)	P	P	P	P (VC)	P (VC)	P (VC)
Mary Adams, Past Chair Supr. Dist. 5 (C. Courtney)	P (VC)	P (VC)	P (TC)	P (VC)	P	P	P(A) (VC)	P	P(A) (VC)	P (VC)
Chris Lopez, 1st Vice Chair Supr. Dist. 3 (P. Barba)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P(A) (VC)	P (VC)
Dave Potter, 2nd Vice Chair Carmel-By-The-Sea (J. Baron)	P (VC)	P (VC)	P (VC)	A	P*	P	P	P	P	P
Wendy Root Askew, County Representative Supr. Dist. 4 (Y. Anderson)	P (VC)	P(A) (VC)	P(A) (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P(A) (VC)	P (VC)
Chaps Poduri, City Representative (Joe Amelio)	P (VC)	P (VC)	E	P* (VC)	P	P	P	P (VC)	P	P

TC: via teleconference; VC: via video conference

P = Present

A = Absent

P(A) = alternate present

E = Excused

P(VC) Video Conference

P*= New Representative

1. CALL TO ORDER

Chair LeBarre called the meeting to order at 8:33 a.m. Roll call was taken, and a quorum was confirmed.

Staff present: Kise, Muck, Rodriguez.

Others present: Robert Brayer, County Counsel; Paul Schlesinger and Jim Davenport, Thorn Run Partners; and Gus Khouri, Khouri Consulting.

2. PUBLIC COMMENTS

No public comment

3. CONSENT AGENDA

On a motion by Committee Member Potter seconded by Committee Member Poduri, the Committee voted 6-0 to approve the minutes from the Executive Committee meeting of August 2, 2023.

4. LEGISLATIVE UPDATE

The Committee received an update on state and federal legislative issues.

Gus Khouri, Agency state legislative analyst, presented the draft state bill list and an update on state legislative activities. He highlighted the following bills of interest: AB 557 Brown Act exemptions; SB 537 Open meetings; AB 7 Transportation project selection processes; AB 825 Bicycles on sidewalks.

Jim Davenport, Agency federal legislative analyst, presented an update on federal legislative activities. Mr. Davenport reported that the Senate transportation bill includes \$1.8 million for the Pajaro to Prunedale corridor project, which however is still subject to conference negotiations with the House and approval by the President. He noted that there is a strong possibility Congress will shut down at the end of September without funding bills.

Paul Schlesinger noted that the Senate transportation bill only included two California projects, he expressed that getting the Pajaro project listed was good work from TAMC staff and Board Member Potter.

5. TAMC BOARD DRAFT AGENDA

Executive Director Todd Muck reviewed the draft regular and consent agenda for the TAMC Board meeting of September 27, 2023. After Executive Committee discussion, directions were provided to staff to place the following items for consideration on the regular agenda:

- Receive information on Measure X revenues and the annual inflation adjustment to the Regional Projects & Programs.

6. ANNOUNCEMENTS

Committee member Poduri reported that he was disappointed to hear Joby Aviation is no longer considering Marina for its new manufacturing facility. Director Muck noted that he had written a memo on upcoming transportation improvements for the Economic Development team that was working to get the Joby Aviation Manufacturing Facility built here.

7. ADJOURNMENT

Chair LeBarre adjourned the meeting at 9:09 a.m.

Memorandum

To: Executive Committee
From: Christina Watson, Director of Planning
Meeting Date: October 4, 2023
Subject: **Legislative Update & Draft 2024 Program**

RECOMMENDED ACTION:**Legislative Update & Draft 2024 Program**

1. **RECEIVE** update on state and federal legislative issues;
2. **DISCUSS** items for the draft 2024 legislative program and candidate projects for federal earmarks; and
3. **RECOMMEND** the Board of Directors approve the draft 2024 legislative program for distribution to committees.

SUMMARY:

State and federal legislative analysts Gus Khouri and Paul Schlesinger/Jim Davenport will present updates on State and federal legislative activities. Staff will request input on the 2024 legislative program and the candidate projects for future federal earmark requests.

FINANCIAL IMPACT:

The legislative program continues a focus on preserving and seeking transportation funding.

DISCUSSION:

Agency State legislative analyst Gus Khouri will present an update on State legislative activities, Agency federal analysts Paul Schlesinger and Jim Davenport will present an update on federal legislative activities and discuss projects for future earmark requests, and staff will request input for the Agency legislative program for 2024.

Attachment 1 is a state legislative update and **Attachment 2** is the state bill list showing the current status of State legislation and whether the bills are signed, dead, or awaiting the Governor's signature (he has until October 14 to veto or sign legislation, past the deadline for this report). Key bills signed into law include:

- Senate Bill (SB) 304 (Laird): Monterey-Salinas Transit District: public contracting, which increases from \$100,000 to \$150,000 the monetary threshold for MST to award contracts for the purchase of supplies, materials, and equipment, to the lowest responsible bidder, or to the responsible bidder that provides the best value.
- SB 825 (Limon): Local Government: public broadband services, which adds metropolitan planning organizations and regional transportation planning authorities to the list of local government agencies included in the definition of "local agency" eligible to directly apply for

local technical assistance grants administered by the California Public Utilities Commission for implementation of broadband.

Attachment 3 is an end-of-year report and **Attachment 4** is a memo from Thorn Run Partners, "Planning for FY 2025 Community Funded Projects (aka Earmarks)" for discussion at the meeting.

The 2023 adopted TAMC legislative program is online as a **web attachment**. Staff and consultants will present proposed changes to the program for 2024 at the meeting.

ATTACHMENTS:

1. State legislative update
2. State bill list - Oct
3. Federal Legislative update
4. Federal Community Funded Projects Guidance - FY 2025

WEB ATTACHMENTS:

- [2023 TAMC Legislative Program](#)



September 22, 2023

TO: Board Members, Transportation Agency for Monterey County
FROM: Gus Khouri, President, Khouri Consulting LLC
RE: **STATE LEGISLATIVE UPDATE – SEPTEMBER**

General Update

The first year of the 2023-24 concluded on September 14. Governor Newsom will have until October 14 to sign or veto legislation pending on his desk. Legislators will return on January 3 to commence the second year of session.

New Senate President pro Tempore

On August 28, it was announced that Senator Mike McGuire (North Coast) will become the 52nd California State Senate President pro Tempore. He will succeed Toni Atkins (San Diego), who is termed out in 2024 and will be running for Governor in 2026 when Governor Newsom is also termed out. Senator Atkins will join a field expected to include Lieutenant Governor Eleni Kounalakis and Attorney General Rob Bonta. McGuire, who will term out in 2026, has been a strong advocate on transportation issues, including his work on SB 1, the \$5 billion annual transportation package that provides a broad array of investments into passenger rail, highways, and local streets and roads.

California Transportation Commission Needs Assessment

SB 1121, Chapter 508, Statutes of 2022, requires the California Transportation Commission (CTC), in consultation with the California State Transportation Agency (CalSTA) and Caltrans, to prepare a needs assessment of the cost to operate, maintain, and provide for the necessary future growth of the state and local transportation system for the next ten years. This represents an opportunity for TAMC to identify priority projects for future funding consideration. The Interim Transportation Needs Assessment is due to the Legislature on or before January 1, 2024. The Completed Transportation Needs Assessment is due on or before January 1, 2025, and every five years thereafter.

Bills of Interest

Assembly Constitutional Amendment (ACA) 1 (Aguiar-Curry) would authorize a local government, including a special district, to impose, extend, or increase a sales and use tax or transactions and use tax, or a parcel tax, imposed to fund the construction, rehabilitation, or replacement of public infrastructure, defined to include improvements to transit and streets and highways and projects for the protection of property from the impacts of sea level rise, as well as for affordable housing, if the proposition proposing that tax is approved by 55% of its voters. **Status:** Governor's Desk

ACA 13 (Ward) requires an initiative constitutional amendment to comply with any increased voter approval threshold that it seeks to impose on future ballot measures. Guarantees in the state constitution the ability of local governments to submit advisory questions to voters. This measure is a response to the California Business Roundtable's initiative to make all tax thresholds to be set at a 2/3 vote margin. **Status:** Governor's Desk.

Caltrans System Investment Strategy (CSIS)

Per executive orders N-19-19 and N-76-20 issued by Governor Newsom in 2019 and 2020, CalSTA has been attempting to implement the Climate Action Plan for Transportation Infrastructure (CAPTI, 2021). CAPTI supports the "California Transportation Plan 2050" (2021) goals that work to meet the State's ambitious climate change mandates, targets, and policies. The CTP 2050 is the state's broad vision for the future of California's transportation system, focusing on advancing equity and climate priorities by expanding travel options for all Californians.

Additionally, CAPTI aligns with Caltrans 2020-24 Strategic Plan (2021), which signals a fundamental shift for Caltrans to lead climate action as a strategic priority for the first time. Caltrans is in a significant leadership role to carry out meaningful measures that advance the state's goals and priorities by developing and implementing the Caltrans System Investment Strategy (CSIS).

The CSIS implementation is envisioned as an investment framework through a data- and performance-driven approach that guides transportation investments and decisions. This framework includes methodologies and processes for how Caltrans should invest billions of dollars in highly competitive fund programs to address transportation deficiencies while achieving the CAPTI goals of reducing single-occupant vehicles and vehicle miles traveled and encouraging mode shift to transit and active transportation. Caltrans seeks to leverage state and federal funds to accelerate investments into mass transit, bicycle and pedestrian programs, and zero-emission infrastructure. This effort may impact the delivery of transportation projects on the statewide system. Further clarification is needed on project eligibility and implications of delivering on TAMC's priorities through the Measure X expenditure plans.

TAMC Bill Matrix – September 2023

Measure	Status	Bill Summary	Recommended Position
AB 7 (Friedman) Transportation: project selection processes	9/11/23 Senate Inactive File Two-year bill	As amended on September 1, this bill would require the California State Transportation Agency (CalSTA), the Department of Transportation (Caltrans), and the California Transportation Commission (CTC) to incorporate principles <u>goals</u> outlined in the Climate Action Plan for Transportation Infrastructure (CAPTI), the federal Infrastructure Investment and Jobs Act of 2021 (IIJA), and the federal Justice40 initiative into their existing program funding guidelines and processes, <u>where applicable and feasible</u> . TAMC staff had concerns with a provision of the prior version of the bill; this version softens the impacts on transportation planning but has been placed on the inactive file. Staff anticipates this bill, or something like it, coming back next year.	OPPOSE UNLESS AMENDED Priority 1S
AB 251 (Ward) California Transportation Commission: vehicle weight safety study	9/15/23 Governor's desk	This bill would require the CTC to convene a task force to study the relationship between vehicle weight and injuries to vulnerable road users, such as pedestrians and cyclists, and degradation to roads, and to study the costs and benefits of imposing a passenger vehicle weight fee, fee, or restructuring an existing fee to include consideration of vehicle weight.	Watch Priority 9S
AB 557 (Hart) Open Meetings: local agencies: teleconferences	9/15/23 Governor's desk	This bill would remove the January 1, 2024, sunset on the Brown Act exemptions for boards to meet virtually during a declared state of emergency declaration provided under AB 361 (Rivas), Chapter 165, Statutes of 2021.	SUPPORT Priority 15S Letter sent 6/28

TAMC Bill Matrix – September 2023

Measure	Status	Bill Summary	Recommended Position
AB 610 (Holden) Youth Transit Pass Pilot Program: free youth transit passes	9/11/23 Senate inactive file Two-year bill	Upon the appropriation of moneys by the Legislature, this bill would create the Youth Transit Pass Pilot Program, administered by Caltrans for purposes of awarding grants to transit agencies for the costs of creating, designing, developing, advertising, distributing, and implementing free youth transit passes to persons attending certain educational institutions, providing free transit service to holders of those passes, and administering and participating in the program. Riders under the age of 18 would be authorized to use a system for free. This bill is like AB 1919 (Holden) from 2022, which TAMC supported.	Watch Priority 2S
AB 645 (Friedman) Vehicles: speed safety system pilot program	9/20/23 Governor's desk	This bill would authorize the Cities of Los Angeles, San Jose, Oakland, Glendale, and Long Beach, and the City and County of San Francisco, to establish a Speed Safety System Pilot Program. The bill would require a participating jurisdiction to adopt a Speed Safety System Use Policy and a Speed Safety System Impact Report before implementing the program, and would require the participating city or city and county to engage in a public information campaign at least 30 days before implementation of the program, including information relating to when the systems would begin detecting violations and where the systems would be utilized.	Watch Priority 9S
AB 744 (Carillo) California Transportation Commission: data, modeling, and analytic software tools procurement	9/21/23 Governor's desk	Upon the appropriation of funds by the Legislature, this bill would require the CTC to acquire public domain or procure commercially available or open-source licensed solutions for data, modeling, and analytic software tools to support the state's sustainable transportation, congestion management, affordable housing, efficient land use, air quality, and climate change strategies and goals. This bill would authorize the CTC to establish best practices for use of data in transportation planning and to identify data elements that should be made available to state and local agencies for transportation planning.	Watch Priority 2S

TAMC Bill Matrix – September 2023

Measure	Status	Bill Summary	Recommended Position
AB 825 (Bryan) Vehicles: bicycles on sidewalks	9/20/23 Governor's desk	This bill would prohibit a local authority from prohibiting the operation of a bicycle on a sidewalk adjacent to a highway or corridor that does not include a Class I, Class II, or Class IV bikeway until January 1, 2031.	OPPOSE Priority 9S Letter sent 9/19
AB 1335 (Zbur) Local government: transportation planning and land use: sustainable communities strategy	7/12/23 Senate Appropriations Failed passage	This bill would require each transportation planning agency to follow certain population projection procedures when updating the regional transportation plan. The bill would require the sustainable communities strategy to be based on population projections produced by the Department of Finance and regional population forecasts used in determining applicable city and county regional housing needs. The bill would impose similar reconciliation procedures when there are differences in the population forecast provided by the council of governments and the Department of Finance.	OPPOSE Priority 1S Letters sent 6/7
SB 304 (Laird) Monterey-Salinas Transit District: public contracting	7/21/23 Chaptered	This bill would increase, from \$100,000 to \$150,000, the monetary threshold for the Monterey-Salinas Transit District (MST) to award contracts for the purchase of supplies, materials, and equipment, to the lowest responsible bidder, or to the responsible bidder that provides the best value. The bill would require MST to obtain a minimum of 3 quotes that permit prices and terms to be compared whenever the expected expenditure required for the purchase exceeds \$10,000 but does not exceed \$150,000. The bill would apply those rules concerning monetary thresholds for contracts to contracts for the purchase of services, excluding services related to certain public construction projects and architectural, landscape architectural, engineering, environmental, land surveying, or construction project management services.	SUPPORT Priority 16S Letters sent 3/24 & 7/6

TAMC Bill Matrix – September 2023

Measure	Status	Bill Summary	Recommended Position
<p>SB 537 (Becker) Open meetings: multijurisdictional, cross-county agencies: teleconferences</p>	<p>9/14/23 Assembly inactive file Two-year bill</p>	<p>As amended on August 14, this bill authorizes multi-jurisdictional, cross-county legislative bodies to use alternate teleconferencing provisions if the authorizing agency has adopted a resolution. The bill would require a legislative body to provide a record of attendance on its internet website within 7 days after a teleconference meeting. The bill requires a quorum of members of the legislative body to participate from one or more physical locations that are open to the public and within the boundaries of the agency jurisdiction. The bill would require a member who receives compensation for their service, as specified, on the legislative body to participate from a physical location that is open to the public. The bill requires the legislative body to identify in the agenda each member who plans to participate remotely and to include the address of the publicly accessible building from each member will participate via teleconference. The bill would prohibit a member from participating remotely pursuant to these provisions unless the remote location is the member’s office or another location in a publicly accessible building and is more than 40 miles from the in-person location of the meeting.</p>	<p>SUPPORT Priority 15S Letter sent 6/27</p>
<p>SB 617 (Newman) Public contracts: progressive design-build: local and regional agencies: transit</p>	<p>9/7/23 Governor’s desk</p>	<p>As amended on June 28, this bill authorizes a transit district, municipal operator, consolidated agency, joint powers authority, regional transportation agency, or local or regional agency, to use the progressive design-build process for up to 10 public works projects in excess of \$5,000,000 for each project. The bill would specify that this authority to use the progressive design-build process does not include inspection services for projects on, or interfacing with, the state highway system. Progressive design-build procurement is defined as a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the project.</p>	<p>SUPPORT Priority 8S Letter sent 3/24</p>

TAMC Bill Matrix – September 2023

Measure	Status	Bill Summary	Recommended Position
SB 677 (Blakespear) Intercity rail: LOSSAN Rail Corridor	9/15/23 Governor’s desk	This bill would require the Los Angeles – San Diego – San Luis Obispo Rail Corridor (LOSSAN Corridor) Agency, as part of the annual business plan submitted to the secretary, to include a description of the effects of climate change on the LOSSAN corridor, to identify projects planned to increase climate resiliency on the corridor, and to discuss possible funding options for those identified projects.	Watch Priority 7S
SB 695 (Gonzalez) Department of Transportation: state highway system: public data portal	9/21/23 Governor’s desk	This bill would require Caltrans to annually prepare and make available information and data about activities on the state highway system on a public data portal from the prior fiscal year. The bill would require Caltrans to prepare and make available data and information on a public data portal on planned, pending projects on the state highway system.	Watch Priority 3S
SB 825 (Limón) Local government: public broadband services	9/8/23 Chaptered	This bill would add metropolitan planning organizations and regional transportation planning authorities to the list of local government agencies included in the definition of “local agency” eligible to directly apply for local technical assistance grants administered by the California Public Utilities Commission for implementation of broadband.	SUPPORT Priority 6S Letter sent 3/24

TO: Christina Watson

FROM: Paul Schlesinger
Jim Davenport

With Congress still in session and business pertinent to TAMC still unfinished, it is not possible to provide a definitive summation of the year. However, progress has been made on obtaining funding for TAMC's Pajaro to Prunedale Project, which is slated to receive \$1,811,000 in the fiscal year (FY) 2024 Senate Transportation and Housing and Urban Development (THUD) Appropriations bill. Notably, the project is one of just two highway projects included in the bill for the entire State. TAMC staff prepared excellent documentation and application materials in support of the request. Moreover, TAMC did an exemplary job of gaining support for the project from several entities throughout the region.

The Pajaro to Prunedale project failed to advance in the House, given it was not submitted to the House Appropriations Committee by Representatives Jimmy Panetta or Zoe Lofgren. We also submitted the project to Senators Dianne Feinstein and Alex Padilla, and with Senator Padilla's leadership and advocacy, the project was included in the Senate THUD bill. The Senate THUD bill is one of three bills currently pending consideration in the Senate in the form of a minibus – a conglomeration of three separate appropriations bills. While we strongly believe Congress will eventually pass the FY 2024 THUD appropriations bill, the timing is uncertain. House Republicans are mired in a political mess of their own creation over spending levels, with a small group of Freedom Caucus members holding up appropriations bills and a continuing resolution, which must be passed before September 30th so the Federal government can continue operating, while Congress completes its work, and the Administration enacts FY 24 appropriations bills.

Completion of the FY 24 bills will be no easy task given the House and Senate bills are so vastly different, with the Senate sticking to spending levels that were agreed upon by Congress and the Administration, and the House aiming to significantly cut spending for most federal programs. For instance, the House THUD bill includes an 82 percent cut to the Capital Investment Grants (CIG) for transit projects, funding the program at \$392 million, while the Senate funds CIG at \$2.45 billion. The House bill also eliminates the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) program, which has been a popular, oversubscribed grant program that was created under President Obama's leadership. The Senate fully funds RAISE at \$800 million. The House also cuts nearly two thirds of Amtrak's budget.

While much of our focus has been on obtaining funding for TAMC through the appropriations process, the Administration continued to provide several new funding opportunities that were authorized as part of the 2021 Infrastructure Investment and Jobs Act (IIJA). A hallmark of the legislation, also known as the Bipartisan Infrastructure Law (BIL), was the truly dramatic increase in the amount of funds that were authorized to be implemented through discretionary grants, of which there was a similarly dramatic increase in number. Notices of Funding Opportunities for most of the new programs have been issued, including: Safe Streets for All, Bridge Investment Program, Charging and Fueling Infrastructure (i.e., electric vehicle chargers), RAISE, and Reconnecting Communities, to name a few. We have provided briefing papers on most of these new transportation grants, and brought them to the Agency's attention upon release of their Notices of Funding Opportunity (NOFOs).

We were pleased to assist in securing Congressional support for various federal and state grant applications the Agency pursued.

Additionally, we were pleased to assist with the scheduling and staffing of a trip to Washington for a TAMC Board Member that was timely in providing input on the Hill in support of our Pajaro to Prunedale funding request.

We provided staff with information on procedures and timing for securing funding for the US 101 auxiliary lane earmark that TAMC received from Congress in 2022.

In addition, we have apprised TAMC staff of other, more general developments related to transportation policy and legislation, including Justice 40 implementation, pandemic relief spending flexibility, and tolling project impacts, to name a few. Moreover, we have assisted with preparation of, and participated in, Board and Executive Committee meetings as requested, and provided TAMC with the TRP daily Tip Sheet.

PLANNING FOR FY 2025 COMMUNITY FUNDED PROJECTS (AKA EARMARKS)

EXECUTIVE SUMMARY

Anticipating that many members of the House and Senate will once again solicit Community Funded Project requests (also known as earmarks) for the Fiscal Year (FY) 2025 appropriations process beginning early next year, now is a good time to begin planning for what project(s) you may want to request. While we do not know exactly what the process will look like, how many projects Members may be able to request on behalf of constituents, which Members may or may not participate, or when deadlines may occur, it is prudent to begin brainstorming now.

Note that the President's budget is expected to be released in February 2024, which is typically the kick-off to the discussion of funding the government for the coming fiscal year. Also, FY 2024 funding has yet to be resolved by Congress, including any earmarks that may be in those draft House or Senate bills. Even with those caveats, requests to participating members of Congress and Senators may still be due as early as February or as late as April.

Below is information the House Appropriations Committee provided this year to guide requests. Until we have new information, this is the best guidance to help think of ideas for FY 2025. We can also pull projects that were funded in the draft FY 2024 bills if you would like additional examples or ideas.

INFORMATION NEEDED FOR REQUESTS

Like the last few years, all requests will require us to fill out forms with your assistance with information. Beyond that, we will need letters of support at a minimum, but the Committee in the past suggested these other types of community support identifiers may be helpful:

- Press articles highlighting the need for the requested Community Project Funding;
- Support from newspaper editorial boards;
- Letters from regional elected officials;
- Projects listed on State intended use plans, community development plans, or other publicly available planning documents; or
- Resolutions passed by city councils or boards.

TYPES OF PROJECT/PROGRAM REQUESTS THAT CAN BE MADE VIA APPROPRIATIONS SUBCOMMITTEES

Transportation Housing, and Urban Development, and Related Agencies

- DOT - Local Transportation Priorities
 - Highway and transit capital projects eligible under title 23 and title 49 of the United States Code. Eligible projects are described under Section 133(b) of title 23, United States Code.
 - Sample projects:
 - CA State Route Improvement Project – \$3 million
 - FL Highway Corridor Improvements – \$600,000
 - MI Reconstruction Project – \$1.4 million
 - TX Road Expansion – \$3 million
- DOT - Airport Improvement Program (AIP)
 - Projects for enhancing airport safety, capacity, and security, and mitigating environmental concerns.
 - Sample projects:
 - CA Terminal Expansion and Safety Enhancement Project – \$2 million
 - OR Automated Weather Observing System Replacement – \$500,000
 - CO Pavement Upgrades – \$450,000
 - MD Regional Airport Runway Extension – \$500,000
- HUD - Economic Development Initiative (EDI)
 - Site acquisition, demolition or rehabilitation of housing or facilities, construction and capital improvements of public facilities (including water and sewer facilities), and public services are eligible.
 - Sample projects:
 - CA Transitional Housing Project – \$500,000
 - LA Sewerage and Water Board Wastewater and Stormwater Improvement – \$6 million
 - MA Climate Resilient Community Park – \$2 million
 - ME Fish Pier Redevelopment – \$1.5 million

Additional information from 2024 related to requests made under this bill can be found [here](#).

Memorandum

To: Executive Committee

From: Christina Watson, Director of Planning, Alissa Guther, Assistant Transportation Planner

Meeting Date: October 4, 2023

Subject: **State Transit and Zero Emission Funding Project Candidates**

RECOMMENDED ACTION:

DISCUSS project candidates for state transit and zero emission funding and **RECOMMEND** projects to the Board of Directors.

SUMMARY:

On July 10, 2023, the Governor signed Senate Bill (SB) 125 into law, which included new formula funding through the Transit and Intercity Rail Capital Program (TIRCP) and created a new Zero-Emission Transit Capital Program (ZETCP). TAMC is slated to receive \$44.5 million over two years in TIRCP formula funds and \$8 million over four years for the ZETCP. All funds need to be programmed and received by TAMC by June 30, 2028.

FINANCIAL IMPACT:

TAMC will be responsible for programming \$44,492,239 over two years and \$7,983,565 over four years for ZETCP by June 30, 2028. There is no deadline for expenditure of funds once TAMC has received the funds.

DISCUSSION:

The TIRCP formula funds can be used for high-priority transit capital projects consistent with the uses allowed in Cycle 6 of TIRCP, which includes existing capital projects, project development for major projects or new TIRCP projects. TIRCP funding can also be used to fund transit operating expenses that prevent service cuts and increase ridership for operators within the TAMC jurisdiction, subject to compliance.

The ZETCP moneys can be used for zero emission transit equipment, including, but not limited to, zero emission vehicles and refueling infrastructure. These funds can also be used to fund transit operating expenditures that prevent service reduction or elimination in order to maintain or increase ridership.

CalSTA will accept project lists for review with a deadline of December 31, 2023. The first year of funding for TIRCP and the ZETCP is already available for distribution once required materials are submitted and must be fully encumbered or expended and liquidated by CalSTA by June 30, 2028. Fiscal year (FY) 2023-2024 funds for TIRCP and the ZETCP must be disbursed to TAMC by this deadline. Once received, there is no deadline for TAMC to expend the funds.

Before December 31, 2023, TAMC must submit compiled transit operator data, then determine

whether funds will be applied to transit operations either in FY 23-24 or prior to the end of FY 26-27. The submission of transit operator data must be consistent with adopted guidelines, but at minimum must include: operator fleet and asset management plans; revenue collection methods and annual collection costs by operator; the existing service plan and planned changes; expenditures on security and safety measures; opportunities for restructuring, eliminating redundancies, and improving coordination amongst transit operators; and schedule data in General Transit Feed Specification (GTFS) format.

If no funds are to be applied to operations in FY23-24, then no other materials need to be submitted. If funds are to be applied to transit operations in FY23-24, then TAMC must submit a regional short-term financial plan. A short-term financial plan should demonstrate how the region will address any operational deficit using all available funds (besides SB125 funds) through FY 2025–26. It should justify how the region’s funding is proposed to be allocated to capital and operational expenses and show how the funding distributed between transit operators and among projects is consistent with program guidelines. The plan should demonstrate mitigating service cuts, fare increases, or layoffs for short-term financial sustainability and ridership improvement strategies. Agencies that do not submit complete information will have until April 30, 2024 to correct their filings.

A maximum of 5% of total multi-year ZETCP funding, or just shy of \$400,000, may be programmed by TAMC for administration of funding and planning expenses related to developing the long-term financial plan.

Staff will present a list of candidate projects for the Committee to consider and recommend to the Board.

ATTACHMENTS:

None

WEB ATTACHMENTS:

- [Senate Bill 125 transit program website](#)

Memorandum

To: Executive Committee
From: Janneke Strause, Transportation Planner
Meeting Date: October 4, 2023
Subject: **2024 Regional Transportation Improvement Program**

RECOMMENDED ACTION:

RECEIVE update and **PROVIDE INPUT** on the funding proposal for the 2024 Regional Transportation Improvement Program.

SUMMARY:

To ensure efficient coordination among various fund sources, the 2023 Integrated Funding Strategy identifies projects that are strong candidates for specific Senate Bill 1 grants, State Transportation Improvement Program funds, Measure X, and other matching funds, and can be brought to construction within the next five years. As a subset of that plan, the Regional Transportation Improvement Program specifies the region's proposed use of certain State funds to the California Transportation Commission.

FINANCIAL IMPACT:

The Transportation Agency for Monterey County's target share per the 2024 State Transportation Improvement Program Fund Estimate is \$15.515 million.

DISCUSSION:

Several of the strategic goals identified by the Transportation Agency Board of Directors are to deliver the Measure X regional program of projects, while leveraging as many matching funds as possible. With the passage of California Senate Bill 1 (Beall), several new transportation funding programs were created from which the Transportation Agency will be able to leverage Measure X and other existing fund sources. To ensure coordination between the various fund sources, which all have different requirements and eligibility, the Transportation Agency prepared the 2023 Integrated Funding Strategy that coincides with the 2024 State Transportation Improvement Program cycle.

The Regional Transportation Improvement Program (RTIP) is a program of highway, local road, transit and active transportation projects that a region plans to fund with State and Federal revenue programmed by the California Transportation Commission in the State Transportation Improvement Program (STIP). The RTIP is developed biennially by the regions and is due to the Commission by December 15 of every odd numbered year.

The Transportation Agency staff's funding proposal for the 2024 Regional Transportation Improvement Program reflects TAMC's dedication to improving statewide and regional travel by constructing high-priority highway, regional road, rail, and bicycle and pedestrian transportation projects throughout the region. To that end, Transportation Agency staff recommend projects to program in the 2024 Regional Transportation Improvement Program that are moving quickly through

pre-construction phases; are in the adopted or draft Sustainable Communities Strategy; and are excellent candidates for the Senate Bill 1 grant programs.

The 2023 Integrated Funding Strategy project list was approved by the Transportation Agency Board at the May 24, 2023 meeting. The attached project list (Attachment 1) is a modified version showing the new project funding information. A summary of staff's new funding recommendations follows (new programming is underlined):

Scenic State Route 68 Corridor: This project received \$3.4 million of State Transportation Improvement Program funds in fiscal year 2018/19, along with \$2.6 million of federal Highway Infrastructure Program funds, for the environmental phase, and \$640,000 of Measure X. In FY 2022/2023, the project received an additional \$1.949 million of Senate Bill 1 Local Partnership Formula funds, \$799,000 Highway Infrastructure Program funds, and \$2.087 million of 2022 State Transportation Improvement Program funds for the environmental phase. The final design phase is programmed in the State Transportation Improvement Program with \$23.516 million. Initial estimates for the construction of the first set of three intersections is \$63 million and agency staff is proposing to use \$6.3 million of Measure X and \$6.3 million of the 2024 State Transportation Improvement Program as a match for a potential future \$50 million Senate Bill 1 Congested Corridors grant in fiscal year 2025/26.

US 101 South of Salinas Corridor: This project was programmed with \$8.611 million in fiscal year 2021/22 and \$1.378 million in fiscal year 2022/23 of State Transportation Improvement Program funds for the environmental phase. Staff is proposing to program \$8.036 million of Measure X and \$8.964 million of 2024 State Transportation Improvement Program funds in fiscal year 2024/25 to fully-fund the PS&E phase. Caltrans has the option to request these funds in an earlier fiscal year if the project moves ahead of schedule.

Planning, Programming, and Monitoring: In each State Transportation Improvement Program cycle, funds are available to the Transportation Agency for Planning, Programming, and Monitoring activities. Eligible activities include:

- Regional transportation planning, including the development and preparation of the regional transportation plan.
- Project planning, including the development of project study reports or major investment studies, conducted by regional agencies or by local agencies in cooperation with regional agencies.
- Program development, including the preparation of RTIPs and studies supporting them.
- Monitoring the implementation of STIP projects, including project delivery, timely use of funds, and compliance with State law and the Commission's guidelines.

The Transportation Agency has \$512,000 in new funding available for fiscal years 2024/25 through 2027/28 and \$253,000 in fiscal year 2028/29. Staff is proposing to program \$75,000 (with \$202,000 of existing funds) in fiscal year 2024/25, \$80,000 (with \$197,000 of existing funds) in 2025/26, \$81,000 (with \$196,000 of existing funds) in 2026/27, \$276,000 in 2027/28, and \$253,000 in 2028/29.

In addition to the new funding listed above, staff is proposing to carry-over the existing funding that is programmed for Packages 2 and 3 of the Salinas Rail Extension project. Agency staff will revise the plan based on comments received and prepare a revised proposal for the October Board meeting. At the December Board meeting, Agency staff will bring the finalized proposal forward as the Regional Transportation Improvement Program, which is the document the Agency is required to submit in order to receive the County's share of State Transportation Improvement Program funds.

ATTACHMENTS:

1. 2024 RTIP Proposal

WEB ATTACHMENTS:

Transportation Agency for Monterey County
2023 Integrated Funding Strategy (all dollars in \$1,000s)
 Revised for 2024 Regional Transportation Improvement Program



	Prior	2024/25	2025/26	2026/27	2027/28	2028/29	Funding
State Route 68 Safety & Traffic Flow	Env't		Design	Con			
State Transportation Improvement Program - 2022	\$ 5,487		\$ 23,516				\$ 29,003
Highway Infrastructure Program	\$ 2,594						\$ 2,594
Measure X	\$ 640			\$ 6,300			\$ 6,940
SB1 Local Partnership Formula - FY20/21-22/23	\$ 1,949						\$ 1,949
Highway Infrastructure Program - FY19/20-20/21	\$ 799						\$ 799
Congested Corridors Grant Request				\$ 50,400			\$ 50,400
State Transportation Improvement Program - 2024				\$ 6,300			\$ 6,300
	\$ 11,469	\$ -	\$ 23,516	\$ 63,000	\$ -	\$ -	\$ 97,985

			Design				
US 101 Safety Improvements - South County							
Measure X	\$ 440		\$ 8,036				\$ 8,476
State Transportation Improvement Program - 2022	\$ 9,989						\$ 9,989
State Transportation Improvement Program - 2024			\$ 8,964				\$ 8,964
	\$ 10,429	\$ -	\$ 17,000	\$ -	\$ -	\$ -	\$ 27,429

Planning, Programming, and Monitoring							
State Transportation Improvement Program - 2022	\$ 916	\$ 202	\$ 197	\$ 196			\$ 1,511
State Transportation Improvement Program - 2024		\$ 75	\$ 80	\$ 81	\$ 276	\$ 253	\$ 765
Total	\$ 916	\$ 277	\$ 277	\$ 277	\$ 276	\$ 253	\$ 2,276

Memorandum

To: Executive Committee
From: Christina Watson, Director of Planning
Meeting Date: October 4, 2023
Subject: **State Legislative Advocate Services Contract**

RECOMMENDED ACTION:

RECOMMEND the Board of Directors:

1. **APPROVE** and **AUTHORIZE** the Executive Director to extend the contract with Khouri Consulting for State legislative analyst/ advocate services, subject to approval by Agency Counsel, by two years, until October 31, 2025, adding One Hundred and Forty-Four Dollars (\$144,000) to the current contract for a total amended contract budget of Two Hundred and Eight-Eight Dollars (\$288,000);
2. **AUTHORIZE** the use of reserve funds budgeted to this project; and
3. **AUTHORIZE** the Executive Director to take such other further actions as may be necessary to fulfill the intent of the contract, including approvals of future modifications or amendments that do not significantly alter the scope of work, or change the approved contract term or amount.

SUMMARY:

The Agency has a contract for State legislative assistance with Khouri Consulting that expires October 31, 2023. Staff recommends a two-year extension to October 31, 2025 and an additional \$144,000, for a total not-to-exceed contract amount of \$288,000.

FINANCIAL IMPACT:

The adopted Agency budget sets aside local funds for State and federal legislative assistance. Staff proposes to extend the State legislative assistance contract for two years, for a total not-to-exceed cost of \$288,000. Funding for this type of assistance will come from local revenue sources and not any State or federal funds. Utilizing State legislative assistance may result in the protection or allocation of several millions of dollars in additional transportation funds being devoted to transportation projects in the region.

DISCUSSION:

The Transportation Agency has employed the services of a State legislative analyst/advocate since 1999 to assist with requesting State funds for transportation projects in Monterey County and seeking other State actions. The current contract with Khouri Consulting LLC, procured via a competitive request for qualification process in 2020, expires on October 31, 2023.

Staff recommends extending the current contract for another two years, expiring October 31, 2025. Staff recommends increasing the payment from \$4,000 per month, which was the rate for the three-year contract, to \$6,000 per month for the next two years. This new rate reflects the lack of a cost of

living increase over that contract's duration and the increase in costs over the period of the contract, including increased office space and insurance costs. It is also an acknowledgement that TAMC has been paying Khouri Consulting less than the market rate for similar customers doing the same kind of work.

Gus Khouri has done an excellent job representing TAMC for the past three years, including proactive and timely efforts on behalf of the Agency on multiple bills, grant applications and other funding issues. Mr. Khouri exhibits a depth of understanding of transportation issues and of Agency priorities. Mr. Khouri recently brought on Mitch Weiss to help him with his workload. Mitch was recently the Executive Director of the California Transportation Commission (CTC) and has an exceptional knowledge of transportation funding and finance.

The draft contract amendment is attached.

ATTACHMENTS:

1. Khouri - State Leg Amend 1 2023-10-25

WEB ATTACHMENTS:

AMENDMENT #1 TO THE AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN
THE TRANSPORTATION AGENCY FOR MONTEREY COUNTY
AND
KHOURI CONSULTING LLC

THIS AMENDMENT NO. 1 to the agreement dated October 28, 2020, between the Transportation Agency for Monterey County, hereinafter referred to as “TAMC,” and Khouri Consulting, LLC, hereinafter referred to as “Consultant,” is hereby entered into between TAMC and Consultant.

RECITALS:

- A. **WHEREAS**, TAMC and Consultant entered into an agreement for professional services on October 28, 2020, hereinafter referred to as “Agreement;” and
- B. **WHEREAS**, TAMC and Consultant desire to amend the Agreement to extend it by two years to October 31, 2025 and add funds to the contract budget to allow for an increase in payment from the existing contract’s Four Thousand (\$4,000) per month (Forty-Eight Thousand, \$48,000 per year) to Six Thousand (\$6,000) per month (Seventy-Two Thousand, \$72,000 per year), starting November 1, 2023;

NOW, THEREFORE, the parties agree to amend the Agreement as follows:

1. TERM OF AGREEMENT

Paragraph 2 of the Agreement is amended as follows (changes in strikeout and underline): “The term of this Agreement shall begin upon October 28, 2020, contingent upon approval by the TAMC Board of Directors, and Consultant shall commence work only after a Notice to Proceed has been issued by TAMC’s Project Manager specified in Paragraph 28. Unless earlier terminated as provided herein, this Agreement shall remain in force until October 31, ~~2023~~ 2025. Consultant acknowledges that this Agreement is not binding until it is fully executed and approved by TAMC.”

2. PAYMENTS TO CONSULTANT; MAXIMUM LIABILITY

Paragraph 3 of the Agreement is amended as follows (changes in strikeout and underline): “Subject to the limitations set forth herein, TAMC shall pay to Consultant the amounts provided in Exhibit B: Budget, upon receipt and acceptance of deliverables listed therein. Each payment by TAMC shall be for a specific deliverable outlined in Exhibit A: Scope of Work and Schedule. The maximum amount payable to the

Consultant under this Agreement is set forth in Exhibit B: Budget and shall not exceed the amount of ~~One Hundred Forty Four Thousand Dollars (\$144,000)~~ Two Hundred Eighty-Eight Thousand Dollars (\$288,000). If there is any conflict between the terms of this Agreement and the terms of either Exhibit A (Scope of Work) or Exhibit B (Budget), the terms of this Agreement shall prevail. TAMC does not guarantee any minimum amount of dollars to be spent under this Agreement.”

The Budget attached to the Agreement as Exhibit B is hereby replaced with the Budget attached hereto as Exhibit B-1 and shall be effective upon execution.

The Scope of Services is unchanged.

3. REMAINDER OF TERMS UNCHANGED

All other terms of the Agreement, as amended, remain in full effect.

An executed copy of this Amendment No. 1 shall be attached to the Agreement and shall be incorporated as if fully set forth therein.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 1 to the Agreement with Khouri Consulting LLC.

Khouri Consulting LLC

TAMC

By: _____
Gus F. Khouri
President and Sole Proprietor

By: _____
Todd A. Muck
Executive Director

Dated: _____

Dated: _____

INSTRUCTIONS: If Consultant is a corporation (including limited liability and nonprofit corporations), the full legal name of the corporation shall be set forth together with the signatures of two specified officers. If Consultant is a partnership, the name of the partnership shall be set forth together with the signature of a partner with authority to execute this Agreement on behalf of the partnership. If Consultant is contracting in an individual capacity, the individual shall set forth the name of his or her business, if any, and shall personally sign the Agreement.

Approved as to form:

TAMC Counsel

Dated: _____

EXHIBIT B-1: Budget

Payment for monthly services.

Starting with the execution of Amendment 1 (effective November 1, 2023), TAMC shall pay Consultant Six Thousand Dollars (\$6,000) at the end of each month for the performance of all things necessary for, or incidental to, the performance of work as set forth in the Scope of Work, including any expenses or other costs, subject to receipt of a monthly invoice and progress report. Consultant's compensation under this paragraph is based on the performance of approximately ten (10) hours of work each month for TAMC.