

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

Meeting of Wednesday, August 26, 2009

**Salinas Community Center, Santa Lucia Conference Room
940 N. Main Street
Salinas, California
9:00 A.M.**

(Agendas are on display and are posted 72 hours prior to the scheduled meeting at the Transportation Agency office and at these public libraries: Carmel, Monterey, Salinas Steinbeck Branch, Seaside, Prunedale, King City, Hartnell College, Monterey Peninsula College, and Cal State University Monterey Bay. Any person who has a question concerning an item on this agenda may call the Transportation Agency office at 831-775-0903 to make inquiry concerning the nature of the item described on the agenda.) The agenda and all enclosures are available on the Transportation Agency website: www.tamcmonterey.org, by clicking on Transportation Agency Board, meetings & agendas, click on agenda item and open it, click on report attachments listed at end of report.

1. **QUORUM CHECK – CALL TO ORDER.** Transportation Agency by-laws require a quorum of a minimum of 9 voting members, including a minimum of 7 city representatives and 1 county representative.
If you are unable to attend, please contact your alternate. Your courtesy to the other Transportation Agency Board members to assure a quorum is appreciated.

PLEDGE OF ALLEGIANCE

2. **PUBLIC COMMENTS.** Any person may address the Transportation Agency Board at this time. Presentations should not exceed three minutes, should be directed to an item **NOT** on today's agenda, and should be within the jurisdiction of the Transportation Agency Board. *Though it is not required, the Transportation Agency Board appreciates your cooperation in completing a speaker request form available on the table at the entrance to the meeting room. Please give the completed form to the Transportation Agency Administrative Assistant.*

3. **CONSENT AGENDA** (Yellow Paper)
APPROVE the staff recommendations for items 3.1.1 - 3.7.1 by majority vote with one motion. Any member may pull an item off the Consent Agenda to be considered for discussion and action after the Consent Agenda. **Pages 16 - 112**

4. **PRESENT** Transportation Agency Employee of the Quarter Award to Todd Muck. – Hale **Pages 113 - 114**

Todd Muck, Principal Transportation Planner, has been selected by the employees of the Transportation Agency for Monterey County as the Honorary Employee of the Quarter for April through June 2009.

5. **APPROVE** staff recommendation to the Board of Directors to allow the Transportation for Livable Communities Transit-Oriented Development incentive grant for the City of Marina to lapse.
– Watson **Pages 115 - 117**

As requested at the June Transportation Agency Board meeting, staff will present additional details on the alternative use of \$300,000 in Transportation for Livable Communities Grant, should the City of Marina's grant lapse. On August 5, 2009, the Executive Committee approved the staff recommendation to the Board of Directors to allow the Transportation for Livable Communities Transit-Oriented Development incentive grant for the City of Marina to lapse.

6. **RECEIVE** Highway 156 project status. – Silberberger **Pages 118 - 119**

The project will widen Highway 156 from 2 lanes to 4 lanes between Castroville Boulevard and US 101 and reconstruct the 101/156 interchange and will improve access to the Oak Hills community. The project has progressed to the point that preliminary engineering is complete and that the draft environmental impact report/environmental assessment was released for public review and comment on June 30, 2009. A public hearing for the project and the environmental document was held at North Monterey High School on July 20, 2009.

7. **APPROVE** the Strategic Expenditure Plan for the Regional Development Impact Fee; and **APPROVE** update to the regional fee schedule from the related project cost reductions. – Zeller **Pages 120 - 123**

The Joint Powers Agency contracted with the Agency to perform all fee-related services, including the Strategic Expenditure Plan. The draft plan uses three tiers to schedule project delivery (2009-2015, 2016-2024, and 2025-2030). The plan has been updated to address issues related to the amount of the fees, State Route 1 widening, and Highway 68 intersections.

8. Reports on meetings attended by Board Members at Transportation Agency expense, as required by state law. **No Enclosure**

9. Reports from transportation providers: **Pages 124 - 131**
- Caltrans – Krumholz/Loe
 - Monterey Peninsula Airport District– Sabo
 - Monterey-Salinas Transit – Sedoryk

10. Executive Director’s Report. **No Enclosure**

11. Announcements and/or comments from Transportation Agency members on matters that they wish to put on future Transportation Agency agendas.

12. **Adjournment**

Please send any items for the September 23, 2009 Transportation Agency agenda to Senior Administrative Assistant Elouise Rodriguez by 12 noon, Thursday, September 10, 2009.

The Transportation Agency Agenda will be prepared by Transportation Agency staff and will close at noon Thursday, September 10, 2009 nine (9) working days before the regular meeting. Any member may request in writing an item to appear on the agenda. The request shall be made by the agenda deadline and any supporting papers must be furnished by that time or be readily available.

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 at 831-775-0903. Auxiliary aids or services include wheelchair accessible facilities, sign language interpreters, Spanish Language interpreters and printed materials, 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.

ANNOUNCEMENTS

Next Transportation Agency for Monterey County meeting will be on
Wednesday, September 23, 2009 at 9:00 a.m.

**Salinas Community Center, Santa Lucia Conference Room
940 N. Main Street
Salinas, California**

Transportation Agency Board members will receive automatic mileage reimbursement payments not to exceed current IRS rates, (or reimbursed for the cost of transit). Payments will be made quarterly based on attendance records. Board members must submit a mileage declaration form with their declared mileage to and from the transportation agency meetings. Please call Transportation Agency office at 831-775-0903 if you need a mileage declaration form.

For Transportation Agency related travel reimbursement other than the monthly Transportation Agency meetings, please call Transportation Agency office at 831-775-0903 to request a travel reimbursement form.

The Transportation Agency web site contains information from the Transportation Agency Resource Guide, including Transportation Agency Board members, Transportation Agency committee members, grant programs, etc.

Visit us at:

<http://www.tamcmonterey.org>

Documents relating to an item on the open session that are distributed to the Board less than 72 hours prior to the meeting shall be available for public inspection at the Office of the Transportation Agency for Monterey County, 55-B Plaza Circle, Salinas, CA. Documents distributed to the Agency Board at the meeting by staff will be available at the meeting; documents distributed to the Board by members of the public shall be made available after the meeting.

**Transportation Agency for Monterey County
55-B PLAZA CIRCLE, SALINAS, CA 93901-2902**

**Monday thru Friday
8:00 a.m. – 5:00 p.m.
TEL: 831-775-0903
FAX: 831-775-0897**

BEGINNING OF CONSENT AGENDA: Approve the staff recommendations for items 3.1.1 - 3.7.1 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.

ADMINISTRATION and BUDGET

3.1.1 **APPROVE** minutes of the Transportation Agency For Monterey County (TAMC) Service Authority for Freeways and Expressways and Monterey County Regional Development Impact Fee Joint Powers Agency of June 24, 2009. – Rodriguez

Pages 16 - 25

3.1.2 **ACCEPT** the list of checks written for June and July 2009 and credit card statements for the months of May and June 2009.
– Delfino

Pages 26 - 27

The list of checks and copies of credit card statements are submitted to the Transportation Agency Board each month in accordance with the recommendation from the Transportation Agency's independent Certified Public Accountant to keep the Transportation Agency Board informed about Transportation Agency's financial transactions.

3.1.3 **RECEIVE** report on conferences or trainings attended by Agency staff. – Bachman

Pages 28 - 31

Agency staff occasionally attend conferences or trainings at Agency expense that are pertinent to the their roles in pursuing the Agency's mission. These events allow the staff to stay current and participate in the development of transportation practices and policies related to their roles. Recent events attended are the Norman Mineta Transportation Summit, Alameda County Transportation Authority Bicycle/Pedestrian Conference, and International City/County Management Association Budget Workshop.

- 3.1.4 **ACCEPT** State of California Transportation Development Act Compliance and Audit Report for City of King City for fiscal year ending June 30, 2008. – Goel **Pages 32 - 34**

Except for the City of King City, all required audits for the year ending June 30, 2008 were submitted to the Board in June 2009. The required audit for the City of King was not completed earlier due to the slow response of the City to the auditor's requests. The audit is now complete. The auditors found no instances of noncompliance that are required to be reported under Government Auditing Standards.

- 3.1.5 **APPROVE** evaluation form, procedure, and timeline for completing annual evaluation for Executive Director and Counsel as recommended by the Executive Committee. – Goel **Pages 35 - 40**

The Agency Bylaws require an annual evaluation of the Executive Director and Counsel.

- 3.1.6 **RECEIVE** report on the status of Agency funds in the County of Monterey's Investment Pool. – Goel **Pages 41 - 42**

The Transportation Agency for Monterey County along with many other public entities had funds deposited in the County of Monterey's investment pool as of September 30, 2008. The County's portfolio included Lehman Brothers and Washington Mutual bonds, which defaulted in September 2008. As of June 30, 2009, these bonds were devalued down and losses were shared among the investment pool participants according to their assets in the pool.

- 3.1.7 **ANNOUNCE** minor revisions to Agency Bylaws as recommended by the Executive Committee. – Goel **Pages 43 - 52**

The Transportation Agency Bylaws has updated its Bylaws.

3.1.8 **Agreement for Website Services – Zeller**

Pages 53 - 63

1. **APPROVE** agreement with Alfredo Martinez to provide website maintenance services in the amount of \$14,400;
2. **AUTHORIZE** the Executive Director to execute the agreement and changes to the agreement if such changes do not increase the Agency's net cost, subject to approval by Agency Counsel; and
3. **AUTHORIZE** the use of an amount not-to-exceed \$14,400 from the Agency's operating budget for Fiscal Years 09-10 and 10-11 funding for the agreement.

The Agency is seeking to renew its contract with Alfredo Martinez through June 30, 2011 to allow for the continued maintenance of the Agency's website; this includes posting agendas, updating project pages, and developing the annual stand-alone website for Bike Week activities.

3.1.9 **RECEIVE** update on the effects of Carmel Valley incorporation on the Transportation Agency – Zeller

Pages 64 - 65

The Local Agency Formation Commission approved the incorporation of the Town of Carmel Valley and requested that the Board of Supervisors set an election to ratify the incorporation, which will occur on November 3, 2009 (effective July 1, 2010). If approved, the town will alter the weighted voting of the Agency Board as well the apportionment of some fund sources.

BICYCLE, PEDESTRIAN, TRANSIT, and SOCIAL SERVICES

- 3.2.1 **RECEIVE** report on repayment of Regional Service Transportation Program (RSTP) loan to Monterey-Salinas Transit (MST) in the amount of \$957,274 for bus purchase debt reduction.
– Cook **Pages 66 - 67**

The Agency approved a short term, zero-interest loan to Monterey-Salinas Transit from the Regional Surface Transportation Program fund in January for MST to accelerate repayment of its bus purchase debt, reduce long term debt payment costs and preserve funding for transit operations given significant state cuts to transit revenues budgeted for this purpose. MST has eliminated its bus purchase debt using available federal stimulus funding, including repayment of the Regional Surface Transportation Program loan.

PLANNING

- 3.3.1 **Alcalde & Fay Contract Amendment #8 - Federal Lobbyist Services** – Watson **Pages 68 - 70**

1. **APPROVE** the contract amendment #8 with Alcalde & Fay to continue to provide federal lobbyist services not to exceed the amount of \$66,000;
2. **AUTHORIZE** the Executive Director to execute the contract amendment and changes to the contract if such changes do not increase the Agency's net cost, subject to approval by Agency Counsel;
3. **AUTHORIZE** the Executive Director to sign extensions to the agreement for two (2) one-year terms beyond June 30, 2010, on the same terms and conditions as in the original agreement; and
4. **AUTHORIZE** the use of no more than \$76,000 per year from planning funding for the future annual extensions.

The Agency's existing contract with Alcalde & Fay to provide federal lobbyist services to assist the Agency in securing funding for transportation projects and federal legislative reforms expires on August 31, 2009. This contract amendment would extend that contract to June 30, 2010, with the option for the Executive Director to make two further one-year extensions to the contract.

3.3.2 **JEA & Associates Contract Amendment #4 - State Lobbyist Services – Watson** **Pages 71 - 73**

1. **APPROVE** the contract amendment #4 with JEA & Associates to continue to provide professional advice and services relating to the Agency's interests in federal, state and local government, for a monthly retainer amount of \$3,000;
2. **AUTHORIZE** the Executive Director to execute the contract amendment and changes to the contract if such changes do not increase the Agency's net cost, subject to approval by Agency Counsel;
3. **AUTHORIZE** the Executive Director to sign extensions to the agreement for two (2) one-year terms beyond June 30, 2010, on the same terms and conditions as in the original agreement; and
4. **AUTHORIZE** the use of \$3,000 plus expenses per month from planning funding for the contract.

The Agency's existing contract with JEA & Associates to provide professional advice and services relating to the Agency's interests in federal, state and local government expire on August 31, 2009. This contract amendment would extend that contract for another year, with the option for the Executive Director to make two further one-year extensions to the contract.

3.3.3 **RECEIVE** federal legislative update. – Watson **Pages 74 - 78**

The six-year transportation authorization bill appears stalled due to difficulty in raising revenues. Although the Senate is moving toward an 18-month extension of the current authorization, requests for the six-year federal transportation authorization bill were submitted to Congressman Farr in April and to Senators Feinstein and Boxer in July. Requests for the fiscal year 2010 federal appropriations bill were submitted in February and March. In July, Congress passed a short-term fix to the Highway Trust Fund in the amount of \$7 billion.

PROJECT DELIVERY and PROGRAMMING

- 3.4.1 **APPROVE** the request by Del Rey Oaks to allocate \$13,905 in Regional Surface Transportation Program fair share funds from the Fiscal Years 04/05/06 cycle to a project to restore and resurface a portion of Rosita Road that has buckled due to root growth. – Delfino
Pages 79 - 80

The Agency distributes \$1.2 million per year in Regional Surface Transportation Program fair share funding by population to the local jurisdictions for a wide range of eligible transportation projects and is available at the discretion of the local jurisdiction for their chosen projects upon approval by the Board.

- 3.4.2 **Connections Communications Services Contract Amendment**
– Chen **Pages 81 - 85**

1. **APPROVE** the use of \$7,368 in Service Authority for Freeways and Expressways funds for call answering service; and
2. **AUTHORIZE** the Executive Director to execute a contract amendment not to exceed \$7,368 with Connections Communications Services for call answering service between August 26, 2009 and December 31, 2010; and
3. **AUTHORIZE** Executive Director to make administrative changes to the standard contract if such changes do not increase the Agency's net cost, subject to approval by Agency counsel.

This contract amendment will authorize Connections Communications Services, our call box answering service contractor, to continue answering calls from the existing 182 call boxes in Monterey County, between August 26, 2009 and December 31, 2010.

- 3.4.3 **RECEIVE** report on status of American Recovery and Reinvestment Act roadway funds. – Muck **Pages 86 - 87**

Seven of the ten original “Tier 1” projects allocated by the Transportation Agency Board in February 2009 have awarded contracts for construction. Expeditious effort by local agencies to bring American Recovery and Reinvestment Act funded projects to construction has resulted in bids for projects in Monterey County averaging 30% to 40% below the engineer’s estimate.

RAIL PROGRAM

- 3.5.1 **Parsons Contract Amendment - Watson** **Pages 88 - 92**

1. **APPROVE** the scope of work for the contract with Parsons Transportation Group to continue work on the Commuter Rail Extension to Monterey County project not to exceed the amount of \$32,350;
2. **AUTHORIZE** the Executive Director to execute the contract amendment and changes to the contract if such changes do not increase the Agency’s net cost, subject to approval by Agency Counsel; and
3. **AUTHORIZE** the use of no more than \$32,350 from federal earmark funding for the contract.

Staff has been in discussions with the Capitol Corridor Joint Powers Agency to run the proposed commuter rail service between Salinas and San Jose. Capitol Corridor Joint Powers Agency has requested that we evaluate what design changes would be required to accommodate the longer Capitol trains at the Salinas layover facility and other station platforms, as well as other considerations. Staff requests a contract amendment for Parsons Transportation Group to continue project management, revise conceptual designs and estimate the probable cost of these design changes.

3.5.2 **Wood Rodgers Contract – Watson**

Pages 93 - 98

1. **APPROVE** the scope of work for the contract with Wood Rodgers, Inc. to perform a Phase II site investigation and property acquisition of one parcel at the proposed Commuter Rail Layover Facility in Salinas, not to exceed the amount of \$56,950;
2. **AUTHORIZE** the Executive Director to execute the contract amendment and changes to the contract if such changes do not increase the Agency's net cost, subject to approval by Agency Counsel; and
3. **AUTHORIZE** the use of no more than \$56,950 from Traffic Congestion Relief Program funding for the contract.

On May 28, 2009, the Federal Transit Administration (FTA) approved the Agency's request for a hardship finding for the advance acquisition of one property for the Salinas layover facility. The Agency is working with Caltrans and FTA to follow the rules regarding the advance acquisition of this property, including a Phase II hazardous materials site assessment. Staff requests a contract amendment for Wood Rodgers, Inc. to perform a Phase II hazardous materials site investigation and property acquisition of one parcel at the proposed Commuter Rail Layover Facility in Salinas.

REGIONAL DEVELOPMENT IMPACT FEE

- 3.6.1 **APPROVE** allocation of Regional Development Impact fee funds from the Transportation Agency to Monterey County. – Myers

Pages 99 - 101

The County of Monterey collected approximately \$553,000 in "ad hoc" regional fees prior to adoption of the Regional Development Impact Fee program. The County has requested to use these funds on the Highway 68 intersection improvement projects at Corral De Tierra and at San Benancio. The Transportation Agency would provide funding for these projects, with reimbursement coming from the County's portion of Fort Ord Reuse Authority (FORA) development fees.

3.7.1 **ACCEPT** minutes from Transportation Agency committees:

Pages 102 - 112

- Executive Committee – Draft August 5, 2009
- Bicycle & Pedestrian Facilities Advisory Committee
– Draft August 5, 2009 (online at www.tamcmonterey.org)
- Rail Policy Committee – Agenda for August 17, 2009 meeting
- Social Services Transportation Advisory Council – No Meeting
(online at www.tamcmonterey.org)
- Technical Advisory Committee – Draft August 6, 2009
(online at www.tamcmonterey.org)

END OF CONSENT AGENDA

CORRESPONDENCE, REPORTS, MEDIA CLIPPINGS
Online at www.tamcmonterey.org

- C1 June 24, 2009 letter from Frank Sollecito, TAMC Chair, to Congressman Sam Farr, re: SUPPORT: H. R. 467 re: Local Government Impacts of Lehman Brothers and Washington Mutual Collapses.
- C2 June 27, 2009 letter from Frank Sollecito, TAMC Chair, to Sarah Cruse, Monterey County Hospitality Association, re: comments regarding the Monterey Branch Line project.
- C3 July 24, 2009 letter from Debra L. Hale, Executive Director, to Mr. Charles Lester, California Coastal Commission, re: Monterey Bay Shores Ecoresort Appeal Staff Report.
- C4 August 3, 2009 letter from Debra L. Hale, Executive Director, to Mr. Mike Novo, County of Monterey, re: Stagecoach Territory (Red Barn).