

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, October 28, 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 15 - 93**

4. **APPROVE** Resolution 2009-13, adopting Light Rail Transit as the Locally Preferred Alternative for the Monterey Branch Line transit corridor. – Hoschouer **Pages 94 - 113**

Adopting a locally preferred alternative among the two viable build alternatives, light rail or bus rapid transit, will allow the Agency to proceed with the federally required Environmental Assessment.

5. **Local Transportation Fund Legal Review and Fiscal Year 2009-10 Allocations – Cook**

Pages 114 - 130

1. **RECEIVE** opinion from outside counsel on the Agency's apportionment of Local Transportation Funds to the County of Monterey;
2. **APPROVE** amended Resolutions 2009-10 and 2009-11 to allocate Fiscal Year 2009-10 Local Transportation Funds (LTF) to South Monterey County jurisdictions for public transit services, streets and roads projects, and other eligible purposes under Article 8 of the Transportation Development Act.

At the Board's request, the Agency secured the legal services of Berliner-Cohen to prepare an outside legal opinion on the Agency's apportionment of the Local Transportation Funds to the County of Monterey, including the Salinas Valley State Prison and Gabilan Camp in the City of Soledad. The requested action will allocate Local Transportation Funds consistent with this legal opinion.

6. **APPOINT** a Nominating Committee to meet and return to Board of Directors on December 2, 2009 with recommendations for Board Chair, 1st Vice Chair, 2nd Vice Chair, and Executive Committee to serve one-year terms beginning upon their election through the next election of officers at the close of the December 1, 2010 Board meeting. – Goel

Pages 131 - 132

Agency Bylaws require the election of officers at the close of December meeting. The Board officers are the Chair, 1st Vice Chair and 2nd Vice Chair. The Executive Committee includes the Chair, 1st Vice Chair, 2nd Vice Chair, the immediate past Chair, and a City and a County voting Board member.

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

8. Reports from transportation providers:

Pages 133 - 138

- Caltrans – Krumholz/Loe
- Monterey Peninsula Airport District– Sabo
- Monterey-Salinas Transit– Sedoryk

9. Executive Director's Report *No Enclosure*
10. Announcements and/or comments from Transportation Agency members on matters that they wish to put on future Transportation Agency agendas.
11. **Adjournment**

Please send any items for the December 2, 2009 Transportation Agency agenda to Senior Administrative Assistant Elouise Rodriguez by 12 noon, Thursday, November 19, 2009.

The Transportation Agency Agenda will be prepared by Transportation Agency staff and will close at noon Thursday, November 19, 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, December 2, 2009 at 9:00 a.m.

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

*****Please note there will be no meeting in November*****

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 September 23, 2009. – Rodriguez **Pages 15 - 21**

3.1.2 **ACCEPT** the list of checks written for September 2009 and credit card statements for the month of August 2009. – Delfino **Pages 22 - 23**

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 Board informed about the Transportation Agency's financial transactions.

3.1.3 **RECEIVE** report on conferences or trainings attended by Agency staff. – Bachman **Pages 24 - 30**

Agency staff occasionally attend conferences or trainings at Agency expense that are pertinent to 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. Recently employees attended the Annual American Public Works Association Congress, Focus on the Future, Workshops on Transit Oriented Development, Workshop on Modern Roundabouts, and Leadership Salinas Valley.

3.1.4 **Agreement for Accounting Services – Goel**

Pages 31 - 35

1. **APPROVE** scope of work for accounting services with Oppidea;
2. **AUTHORIZE** the Executive Director to enter into an agreement with Oppidea based on the attached scope of work and cost estimate through December 31, 2012; and
3. **AUTHORIZE** the Executive Director to make administrative changes that do not affect the monthly rate.

The Agency's current agreement for accounting services expires December 31, 2009, and an agreement needs to be in place before the agreement expires. In order to best provide the Agency with accounting services, staff is proposing to continue using the services of Oppidea based on price and experience.

- 3.1.5 **RECEIVE** the call for nominations for the eighth annual Transportation Agency Excellence awards to honor individuals, businesses, groups or projects for their efforts to improve the transportation system in Monterey County. – Hoschouer

Pages 36 - 40

Transportation Agency would like to encourage and appreciate efforts made by Monterey County residents, businesses and employees to improve transportation in Monterey County by awarding Transportation Excellence Awards. Staff encourages committee members to submit nominations, which are due by December 7, 2009. The awards ceremony will take place during the regular January 2010 Transportation Agency board meeting.

3.1.6 **Agreement for Computer Maintenance Services – Zeller**

Pages 41 - 43

1. **APPROVE** agreement with Alvarez Technology Group to provide legal services in an amount not-to-exceed \$9,270;
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 \$9,270 from general operating budget for the agreement.

The Agency's current agreement for computer maintenance services expires December 31, 2009. Staff is proposing to change service providers to Alvarez Technology Group based on their experience, services offered, and past performance of on-call projects for the Agency.

BICYCLE, PEDESTRIAN, TRANSIT, and SOCIAL SERVICES

- 3.2.1 **APPROVE** the draft Expenditure Plan for Transportation Development Act 2% account. – Chen **Pages 44 - 49**

The Transportation Development Act 2% grant program provides funding for bicycle and pedestrian projects of regional significance. The last three-year grant cycle was adopted in August 2006, and ten projects were awarded a total of \$1.0 million. A new draft expenditure plan has been prepared to fill project funding shortfalls using future expected revenue for fiscal years 2009/10-2011/12 and expired grant money from previous cycles.

- 3.2.2 **RECEIVE** information on the Bicycle Transportation Account program. – Chen **Pages 50 - 52**

The Bicycle Transportation Account Program funds city and county projects that improve safety and convenience for bicycle commuters. The California Department of Transportation is currently accepting applications. Applications are due to District Local assistance offices Monday, December 1, 2009.

- 3.2.3 **RECEIVE** report on the grant awards of AB2766 Motor Vehicle Emission Reduction Program for the Bicycle Protection Program and the Transportation Agency's Bicycle and Pedestrian Master Plan.
– Chen **Pages 53 - 54**

The AB2766 Motor Vehicle Emission Reduction Grant program, administered by the Monterey Bay Unified Air Pollution Control District, provides funding for projects that can ultimately result in the reduction of motor vehicle emissions. The Agency was awarded with funding to purchase bicycle racks and lockers to be distributed for employers and businesses in Monterey County; and to update the Transportation Agency's 2005 General Bikeways Plan.

PLANNING

- 3.3.1 **State and federal legislative update; 2010 legislative program**
– Watson **Pages 55 - 61**

1. **RECEIVE** report on 2009 state legislative activities;
2. **RECEIVE** report on 2009 federal legislative activities; and
3. **APPROVE** draft 2010 Legislative Program for circulation to committees.

The purpose of the legislative program is to set general principles to guide staff and Board responses to proposed legislative or budgetary issues. The program also notifies state representatives of the Transportation Agency's position on issues of key importance to the agency.

PROJECT DELIVERY and PROGRAMMING

- 3.4.1 **APPROVE** a list of back-up projects for any American Recovery and Reinvestment Act funds that may be made available to the region.

– Muck

Pages 62 - 64

Regional Transportation Planning Agencies can submit a list of back-up projects that could be obligated if any redistributed Recovery Act funds became available. Staff recommends the US 101-San Juan Road Interchange Project and the Transportation Enhancement eligible projects not selected for funding at the October TAMC Board meeting as the Agency's Recovery Act back-up list.

- 3.4.2 It is **RECOMMENDED** that the Agency Board **APPROVE** a correction to the final payment to Sohagi Law Group. – Muck **Page 65**

The dollar amount identified in the September TAMC Board of Directors report for the final billing from Sohagi Law Group was \$5,022 less than the correct amount. Approval of the action requested in this staff report will authorize payment of the correct invoice amount.

- 3.4.3 **APPROVE** Cooperative Agreement with Caltrans to use Recovery Act funds for the US 101-San Juan Road Interchange Project, **AUTHORIZE** the Executive Director to sign on behalf of the Transportation Agency; and **AUTHORIZE** the Executive Director to amend the cooperative agreement to add additional Recovery Act funds if such funds become available to the Transportation Agency. – Muck

Pages 66 - 70

A Cooperative Agreement is required between the Transportation Agency and Caltrans to authorize Caltrans use of American Recovery and Reinvestment Act funds programmed to the US 101-San Juan Road Interchange project.

- 3.4.4 **AUTHORIZE** the Executive Director to sign the attached Memorandum of Understanding with the Council of San Benito County Governments to use Recovery Act Transportation Enhancement funds available now in exchange for State Transportation Improvement Program Transportation Enhancement funds available in 2010/11, and **PROGRAM** the additional funds to King City and Marina's pedestrian sidewalk projects. – Muck **Pages 71 - 73**

Council of San Benito County Governments requested that the Transportation Agency exchange current Recovery Act Transportation Enhancement funds allocated to San Benito County for future state funds programmed to Monterey County. Exchanging the Transportation Enhancement funds would assist the Council of San Benito County Governments and make more funds available to our local projects at a time when bid prices has been favorable to project sponsors.

RAIL PROGRAM

3.5.1 **Commuter Rail Extension to Monterey County project Contract Amendment #8 – Watson** **Pages 74 - 76**

1. **APPROVE** the scope of work for the contract amendment with Parsons Transportation Group to continue work on the Commuter Rail Extension to Monterey County project not to exceed the amount of \$1,432,380 for the additional scope of work;
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 use of no more than \$1,432,380 from Public Transportation Account funding for the contract amendment; and
4. **APPROVE** the sole source declaration to hire Parsons due to their "unique qualifications or experience" as this new work builds on the work they have already performed.

Parsons has been working with Transportation Agency staff on the Commuter Rail Extension to Monterey County project for over seven years and has successfully brought the project to the current stage. The Rail Policy Committee recommended that the Board approve this contract amendment with Parsons Transportation Group to perform preliminary engineering work for the project.

REGIONAL DEVELOPMENT IMPACT FEE

3.6.1 **APPROVE** amendment to the Strategic Expenditure Plan. – Zeller **Pages 77 - 82**

Staff received information from the City of Greenfield regarding the US-101/Walnut Avenue interchange project costs and construction scheduling. These revisions will lower the amount of the fees paid by new development and requires an amendment to the Expenditure Plan.

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

Pages 83 - 93

- Executive Committee – Draft October 7, 2009
- Bicycle & Pedestrian Facilities Advisory Committee
– No Meeting (online at www.tamcmonterey.org)
- Rail Policy Committee – Final September 21, 2009 and draft
October 5, 2009
- Social Services Transportation Advisory Council – Draft
October 8, 2009 (online at www.tamcmonterey.org)
- Technical Advisory Committee – Draft October 8, 2009
(online at www.tamcmonterey.org)

END OF CONSENT AGENDA

CORRESPONDENCE, REPORTS, MEDIA CLIPPINGS

Online at www.tamcmonterey.org

- C1 June 2004 article in *Institute For Local Government*, Everyday Ethics for Local Officials: “Balancing Local and Regional Interests When You’re Asked to Serve Both”.