

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, September 23, 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 12 - 85**

4. **APPROVE** Resolution 2009-13, adopting the Locally Preferred Alternative for the Monterey Branch Line transit corridor. – Hoschouer **Pages 86 - 92**

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. **APPROVE** Draft project list for environmental review of the 2010 Regional Transportation Plan update. – Cook **Pages 93 - 95**

The Transportation Agency must adopt an update to Monterey County's Regional Transportation Plan by May of 2010 pursuant to state and federal regulations. Staff is coordinating with the Association of Monterey Bay Area Governments (AMBAG) to prepare a minor update that brings the plan in line with the latest project development and funding assumptions, and has coordinated with the Technical Advisory Committee and member agencies to prepare the draft project list for environmental review.

6. **RECEIVE** an overview of 511 Traveler Information System.
– Chen **Pages 96 - 97**

In March, the Board of Directors authorized staff to pursue a California Department of Transportation Planning Grant to plan for a Monterey Bay Area 511 Traveler Information System, in coordination with the Santa Cruz Regional Transportation Commission. Staff will make a presentation on 511 systems around the country and showcase the benefits of such system if successfully deployed in the Monterey Bay Area.

7. **APPROVE** reprogramming federal stimulus funds to the following projects:
1. Marina Pedestrian Sidewalk Project
2. King City Pedestrian Sidewalk Project
–Muck **Pages 98 – 100**

The County of Monterey notified Transportation Agency staff they would not be able to meet the March 2, 2010 deadline to obligate Recovery Act funds for the Carmel Valley Greens Bicycle Path. Transportation Agency staff recommends reprogramming the funds based on the review of eight TE eligible replacement projects submitted by seven cities.

8. Reports on meetings attended by Board Members at Transportation Agency expense, as required by state law. **No Enclosure**
9. Reports from transportation providers: **(Handout)**
- 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 October 28, 2009 Transportation Agency agenda to Senior Administrative Assistant Elouise Rodriguez by 12 noon, Thursday, October 15, 2009.

The Transportation Agency Agenda will be prepared by Transportation Agency staff and will close at noon Thursday, October 15, 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, October 28, 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 August 26, 2009. – Rodriguez **Pages 12 - 21**

3.1.2 **ACCEPT** the list of checks written for August 2009 and the credit card statement for the month of July 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 - 25**

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. Recently, one employee participated in Leadership Monterey Peninsula

3.1.4 **APPROVE** minor revisions to Agency Bylaws as announced at the August Board meeting. All changes to Bylaws are the same as announced last month. – Goel **Pages 26 - 35**

The Transportation Agency reviews its Bylaws periodically to keep them current. Some minor technical revisions are proposed.

- 3.1.5 **ADOPT** revisions to attached Agency Conflict of Interest Code. – Goel
Pages 36 - 40

Conflict of Interest Code refers to the filing of statements of economic interests by Transportation Agency of Monterey County Board members, alternates, Agency management staff and Counsel. This action is necessary to update the Agency's Conflict of Interest Code in accord with state law.

- 3.1.6 **APPROVE** revisions to the Administrative Policies. – Goel
Pages 41 - 42

The Agency Board first approved these policies in 2000, though periodic changes and additions have been made since then. The first comprehensive update was done in December 2005. A second comprehensive update was done in February 2008. Minor revisions are being proposed at this time to bring the policies up to date.

BICYCLE, PEDESTRIAN, TRANSIT, and SOCIAL SERVICES

- 3.2.1 **APPROVE** the draft Expenditure Plan for Transportation Development Act 2% account. – Chen
Pages 43 - 45

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.

PLANNING

- 3.3.1 **RECEIVE** the fiscal year 2008-2009 Freeway Service Patrol Annual Report. – Chen **Pages 46 - 47**

The fiscal year 2008-2009 Freeway Service Patrol Annual Report summarizes the program's performance in the last fiscal year and illustrates results from changes made to the program within the last year. The report also presents a future outlook for the program by setting new goals.

PROJECT DELIVERY and PROGRAMMING

- 3.4.1 **Call Box Installation on Rural County Areas** – Chen **Pages 48 - 53**

1. **APPROVE** contract with Case Systems Incorporated to procure, assemble and install 20 call boxes in the rural Monterey County areas in the amount of \$112,833.99; and
2. **AUTHORIZE** the Executive Director to execute the contract 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 \$112,833.99 from the Service Authority for Freeways and Expressways funding for the contract.

Twenty new call boxes are planned for the rural Monterey County areas, including Jolon Road, Carmel Valley Road and Arroyo Seco Road. Monterey County Public Works and the South Monterey County Fire Protection District requested that these call boxes to be installed to enhance safety and provide emergency roadside assistance to motorists traveling in rural County areas.

- 3.4.2 It is recommended that the Agency Board **AUTHORIZE** final payment to Sohagi Law Group for work performed in excess of the contract amount for the Carmel Hill to River Trail project's Environmental Impact Report. – Muck **Pages 54 - 55**

The final billing from Sohagi Law Group exceeded the amount specified in the contract by \$32,649. Transportation Agency staff has reviewed the invoice with Sohagi Law Group and secured a 10% discount (\$4,150) of the amount originally billed. Payment of this invoice will close out the contract with Sohagi Law Group.

- 3.5.1 **RAIL PROGRAM**
No items this month

REGIONAL DEVELOPMENT IMPACT FEE

- 3.6.1 **Regional Impact Fee Legal Opinion – Zeller** **Pages 56 - 75**

1. **APPROVE** agreement with Nossaman LLP to provide legal services in an amount not-to-exceed \$15,000;
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 \$15,000 from Regional Surface Transportation Program interest account funds for the agreement.

LandWatch and the Coastal Commission commented on the proposed Monterey Bay Shores Ecoresort, in which both questioned whether the fee program serves as adequate mitigation for cumulative transportation impacts absent additional funding sources. Staff disagrees and is seeking a legal opinion from Nossaman LLP (drafters of the Joint Powers Agreement) to the validity of mitigating cumulative impacts via the fee program in the current fiscal environment.

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

Pages 76 - 85

- Executive Committee – Draft September 2, 2009
- Bicycle & Pedestrian Facilities Advisory Committee
– Draft September 2, 2009 (online at www.tamcmonterey.org)
- Rail Policy Committee – Draft August 17, 2009 minutes and
September 21, 2009 agenda
- Social Services Transportation Advisory Council – Draft
September 3, 2009 (online at www.tamcmonterey.org)
- Technical Advisory Committee – Draft September 3, 2009
(online at www.tamcmonterey.org)

END OF CONSENT AGENDA

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

- C1 September 9, 2009 letter from Rich Krumholz, Caltrans District Director, to Debra L. Hale, Executive Director, re: US Highway 101- San Juan Road Interchange Project, Monterey County.
- C2 September 11, 2009 letter from Debra L. Hale, Executive Director, to Ms. Jane Hershberger, Department of Corrections and Rehabilitation Facilities Planning, re: Comments on the Draft Initial Study and Mitigated Negative Declaration for Mental Health Services Improvements at the Salinas Valley State Prison.