

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

Meeting of Wednesday, December 1, 2010

Agricultural Center Conference Room
1428 Abbott Street
Salinas, California
9:00 A.M.

Meeting starts with closed session
Public portion of meeting to begin at 9:30 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

- 1.1 **9:00 a.m.**

CLOSED SESSION:

- A. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION** pursuant to Government Code Section §54957 – Positions: Executive Director and Legal Counsel. *Enclosure sent separately*

- B. **REAL ESTATE NEGOTIATIONS.** Pursuant to Government Code section §54956.8, confer with real property negotiators concerning the acquisition of one property for the Salinas train station.

No Enclosure

Property: 20 New Street, Salinas

Agency negotiators: Don Bachman, Christina Watson

Negotiating parties: Paul Powers, III

Under negotiation: Price and terms of payment

RECONVENE in open session at 9:30 a.m. and report any actions taken.

1.2 **Commuter Rail Extension –Acquisition Agreement – Watson**

Pages 93 - 94

1. **APPROVE** the real estate acquisition agreement with Powers RV for one parcel for the Commuter Rail Extension to Monterey County project for the amount of \$1,938,000;
2. **APPROVE** payment of closing costs and other related expenses not to exceed the amount of \$25,000;
3. **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
4. **AUTHORIZE** the use of no more than \$1,963,000 from Regional Surface Transportation Program funds for the purchase and escrow, to be reimbursed by Caltrans from state funding budgeted for this project.

The Agency has been planning the Commuter Rail Extension to Monterey County project for some time, including state and federal planning documents and state and federal environmental documents. The project is now finalizing work on the federal environmental document, is in the preliminary design phase, and is preparing to begin the right-of-way phase. In the meantime, the Agency was contacted by a property owner affected by the Salinas layover facility plans to acquire his land in advance of the completion of the federal environmental document.

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 - 92**

4. **PRESENT** certificates of appreciation to outgoing Transportation Agency Board members for their dedicated service on the TAMC Board.
– Calcagno **Pages 95 - 99**

5. **PRESENT** certificate of appreciation to Dave Murray for his dedicated service on the TAMC Board. – Hale **Page 100**

6. **PRESENT** Transportation Agency Employee of the Quarter Award to Don Bachman. – Hale **Pages 101 - 102**

Don Bachman, Deputy Executive Director, has been selected by the employees of the Transportation Agency for Monterey County as the Employee of the Quarter for July through September 2010.

7. **Unmet Transit Needs Public Hearing** – Cook **Pages 103 - 107**
1. **RECEIVE** staff presentation on the unmet transit needs process;
 2. **OPEN** public hearing;
 3. **RECEIVE** public comments;
 4. **CLOSE** public hearing; and
 5. **DIRECT** staff to consult with local transit operators, affected jurisdictions, community agencies and return to the Board with a recommended finding on Unmet Transit Needs for FY 2011-12.

State law requires the Transportation Agency annually seek public input and adopt a finding on unmet transit needs in Monterey County.

8. **RECEIVE** report on November 2010 election results. – Hale
Pages 108 - 112

The transportation-related repercussions of the passage of Propositions 22 and 26 on the November 2, 2010 ballot are yet to be fully understood. One possible impact is the potential invalidation of the gas tax swap agreement in last year's state budget, causing problems for transportation funding.

9. **Election of 2010 Officers** – Armenta/Sollecito **Pages 113 - 114**

1. **RECEIVE** report from Nominating Committee and **ELECT** Chair, 1st Vice Chair, 2nd Vice Chair of the Board, for the term beginning upon their election through the next election of officers at the close of the December 7, 2011 Board meeting; and,
2. **RECEIVE** report from Nominating Committee and **ELECT** members of the Executive Committee, for the term beginning upon their election through the next election of officers at the close of the December 7, 2011 Board meeting.

Agency bylaws require the election of officers at the close of Agency's December meeting. The Board officers consist of 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.

10. Reports on meetings attended by Board Members at Transportation Agency expense, as required by state law. **No Enclosure**
11. Reports from transportation providers: **Pages 115 - 122**
- Caltrans – Krumholz/Loe
 - Monterey Peninsula Airport District– Sabo
 - Monterey-Salinas Transit– Sedoryk
12. Executive Director's Report **No Enclosure**
13. Announcements and/or comments from Transportation Agency members on matters that they wish to put on future Transportation Agency agendas.

14. Adjournment

Please send any items for the January 26, 2011 Transportation Agency agenda to Senior Administrative Assistant Elouise Rodriguez by 12 noon, Thursday, January 13, 2010.

The Transportation Agency Agenda will be prepared by Transportation Agency staff and will close at noon Thursday, January 13, 2010 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, January 26, 2011 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 October 27, 2010. – Rodriguez **Pages 16 - 23**

3.1.2 **ACCEPT** the list of checks written for October 2010 and credit card statements for the month of September 2010. – Delfino **Pages 24 - 25**

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 26 - 31**

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 one employee attended a working group on 511 Traveler Information, and one attended the annual California Public Employees Retirement System Educational Forum.

- 3.1.4 **ACCEPT** State of California Transportation Development Act Compliance and Audit Report for City of Soledad for fiscal year ending June 30, 2009. – Goel **Pages 32 - 34**

Except for the City of Soledad, all required audits for the year ending June 30, 2009 were submitted to the Board in June 2010. The required audit for the City of Soledad 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 one instance of noncompliance that is required to be reported under Government Auditing Standards.

- 3.1.5 **APPROVE** calendar year 2011 schedule of meetings for Agency Board of Directors and Executive Committee. – Goel **Pages 35 - 38**

In December of every year, the Agency Board approves a schedule of meetings for the following year. The Executive Committee met on November 3, 2010, and recommends approval.

BICYCLE, PEDESTRIAN, TRANSIT, and SOCIAL SERVICES

- 3.2.1 **AB2766 Motor Vehicle Emission Reduction Grant Agreement**
– Cheung **Pages 39 - 40**

1. **AUTHORIZE** the Executive Director to enter into an agreement with the Monterey Bay Unified Air Pollution Control District effective through March of 2013 for the Agency's Bicycle Sharing Feasibility and Implementation Plan; and
2. **AUTHORIZE** the Executive Director to make administrative changes as necessary that do not affect the funding amount secured.

In September 2009, the Agency was awarded funding to prepare a Plan to investigate the feasibility of developing a bicycle sharing program in Monterey County. If the concept is determined to be feasible, the Plan would outline steps to launch the program and explore the key issues associated with system implementation. The AB2766 Motor Vehicle Emission Reduction grant funding, issued by the Monterey Bay Unified Air Pollution Control District, will enhance the use of bicycles, and reduce air pollution and traffic congestion.

3.2.2 **Triennial Transit Performance Audit Contract – Cook**

Pages 41 - 42

1. **APPROVE** contract with Moore & Associates of Valencia, California subject to approval by Agency Counsel, in an amount not to exceed \$35,000 to complete the triennial performance audit reports for the three year period ending June 30, 2010 pursuant to the Transportation Development Act; and
2. **AUTHORIZE** the TAMC Executive Director to make administrative changes to the contract that do not affect the not-to-exceed amount.

Triennial Transit Performance Audits are a requirement of the Transportation Development Act for transit operators claiming Local Transportation Funds. Every three years, the audits evaluate the efficiency and effectiveness of Transportation Agency and Monterey County's transit operators in administering and operating public transit services. The auditors will provide final audits for approval by the Board of Directors no later than June, 2011.

PLANNING

3.3.1 **Central Coast US 101 Partnership Agreement – Myers**

Pages 43 - 47

1. **APPROVE** agreement with Caltrans and the regional Transportation agencies for Monterey, San Benito, Santa Barbara, and San Luis Obispo counties to advocate the US 101 Corridor improvements throughout the Central Coast.
2. **AUTHORIZE** the Executive Director to make administrative changes to the agreement, subject to approval of Agency Counsel.

The attached agreement establishes a Memorandum of Understanding (MOU) among the regional transportation agencies for Monterey, San Benito, Santa Barbara, and San Luis Obispo counties to work together as a coalition to increase the awareness of the US 101 corridor along the central coast as a major economic asset to the regions, the state and the nation and to secure investments towards its improvement.

3.3.2 Monterey Bay Electric Vehicle Network – Zeller **Pages 48 - 53**

1. **AUTHORIZE** the Executive Director to enter into an agreement with the Monterey Bay Unified Air Pollution Control District effective through January 29, 2012 for the Regional Electric Vehicle Charging Station project;
2. **AUTHORIZE** the Executive Director to enter into an agreement with the International Brotherhood of Electrical Workers Local 234 to identify Local 234 as the Regional Electric Vehicle Charging Station project implementer and the Agency as administrator; and
3. **AUTHORIZE** the Executive Director to make administrative changes to the two agreements as necessary that do not affect the funding amount secured.

Agency staff has been participating in the Monterey Bay Electric Vehicle Alliance, a partnership of public and private entities working to establish the infrastructure for an electric vehicle charging station corridor through the tri-county region. As part of this, the agency recently received an Air District grant to begin installation of the stations.

PROJECT DELIVERY and PROGRAMMING

- 3.4.1 **AUTHORIZE** the Executive Director to sign a cooperative agreement for the Transportation Agency to perform Public Outreach Program services on behalf of Caltrans, subject to approval as to form by the Transportation Agency's counsel. – Myers **Pages 54 - 59**

The attached cooperative agreement provides the basis for a contract between the Transportation Agency and Caltrans to shift responsibility to the Transportation Agency to conduct a Public Outreach Program services for the construction phase of the Prunedale Improvement Project (PIP) in Monterey County.

- 3.4.2 **APPROVE** reprogramming State Transportation Improvement Program Transportation Enhancement funds to the Mark Thomas Dr. Sidewalk and Bike Lanes project in the City of Monterey.

– Muck

Pages 60 - 61

The County of Monterey was not able to use \$334,000 of Transportation Enhancement funds currently programmed to the Carmel Valley Greens Bike Path project. Four agencies submitted projects to use the funds. The Mark Thomas Drive project is recommended for funding.

- 3.4.3 **RECEIVE** Draft State Route 1 Corridor System Management Plan.

– Myers

Pages 62 - 65

In cooperation with the Regional Transportation Planning Agencies Caltrans District 5 staff prepared the Draft State Route 1 Corridor System Management Plan. Corridor System Management Plans are being prepared for corridors associated with projects funded by the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, Proposition 1B. These plans are a condition of allocation of the bond funds by the California Transportation Commission.

RAIL PROGRAM

3.5.1 **Commuter Rail Extension Project Management Services Contract– Watson** **Pages 66 - 72**

1. **APPROVE** the scope of work for the contract with Harris & Associates to perform project management assistance services on the Commuter Rail Extension to Monterey County project not to exceed the amount of \$415,000.
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; and
3. **AUTHORIZE** the use of no more than \$415,000 from funding budgeted for this project for the contract amendment.

The Commuter Rail Extension to Monterey County project is a major capital project requiring substantial project management support as project activities are becoming more complex. This contract with Harris & Associates would be to perform project management assistance services, including setting up and maintaining controls, budget and schedule for the project.

3.5.2 **Commuter Rail Contract for Right-Of-Way Engineering– Myers/Zeller** **Pages 73 - 77**

1. **APPROVE** the scope of work for the contract with RBF Consulting to perform right-of-way engineering services on the Commuter Rail Extension to Monterey County project not to exceed the amount of \$116,816;
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 no more than \$116,816 from funding already programmed to the project for the contract.

The Commuter Rail Extension to Monterey County project is in the design phase and preparing for the right-of-way acquisition phase. This contract with RBF Consulting would be to perform right-of-way engineering services.

3.5.3 Monterey Branch Line Contract for Independent Ridership Review and Economic Analysis – Hoschouer **Pages 78 - 85**

1. **APPROVE** the scope of work for the contract with Warner Transportation Consulting and Economic Development Research Group to perform an Independent Ridership Review and Economic Analysis for the Monterey Branch Line project not to exceed the amount of \$50,000;
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 no more than \$50,000 from funding already programmed to the project for the contract.

After a competitive procurement process with significant outreach and apparent interest, the Transportation Agency staff and Rail Policy Committee recommend Warner Transportation Consulting and Economic Development Research Group to conduct the Independent Ridership Review and Economic Analysis of the Monterey Branch Line corridor.

3.6.1 REGIONAL DEVELOPMENT IMPACT FEE
No items this month

3.7.1 ACCEPT minutes from Transportation Agency committees:

Pages 86 - 92

- Executive Committee – Draft November 3, 2010
- Bicycle & Pedestrian Facilities Advisory Committee
– Draft November 3, 2010 (online at www.tamcmonterey.org)
- Rail Policy Committee – Draft November 1, 2010
- Social Services Transportation Advisory Council
– Draft November 10, 2010 (online at www.tamcmonterey.org)
- Technical Advisory Committee
– Draft November 4, 2010 (online at www.tamcmonterey.org)

END OF CONSENT AGENDA

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

- C1 November 10, 2010 letter from Debra L. Hale to Timothy Trainor, U.S. Census Bureau re: Proposed Urban Area Criteria for the 2010 Census.