

FINAL 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 are: Kimbley Craig (Chair),
Fernando Armenta (1st Vice Chair), Alejandro Chavez (2nd Vice Chair),
Jane Parker (Past Chair),
Dave Potter (County representative), Robert Huitt (City representative)*

Wednesday, March 4, 2015

*** 9:00 a.m. ***

Transportation Agency Conference Room
55-B Plaza Circle, Salinas

1. **CALL TO ORDER:** 1st Vice Chair Armenta called the meeting to order at 9:05 a.m. Committee members present: Armenta, Chavez, Huitt, and alternate Markey for Parker. Staff present: Hale, Muck, Rodriguez, Watson, Wright and Zeller. Others present: Agency Counsel Reimann; Sam Teel, MCHA and John Arriaga, JEA & Associates.
2. **PUBLIC COMMENTS:** None.

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3. **CONSENT AGENDA:**
On a motion by Committee Member Chavez and seconded by Committee Member Huitt, the committee voted 4– 0 to approve the consent agenda.
 - 3.1 **APPROVED** minutes from the Executive Committee meeting of February 4, 2015.
 - 3.2 **APPROVED** cash incentive award of \$100 to Principal Planner Christina Watson for her leadership in the update of materials and the training of staff on state and federal procurement rules.

Committee Alternate Markey expressed concern with meeting state law regarding bonuses for public employees and asked that staff make sure that the policy is well defined. Executive Director Hale replied that this program was adopted in 2003, and that staff would reevaluate the policy and bring it back to the committee for review.

END OF CONSENT

4. STATE LEGISLATIVE UPDATE

On a motion by Committee Member Markey and seconded by Committee Member Armenta, the committee voted 4– 0, the following:

1. **RECEIVED** the state legislative update; and
2. **RECOMMENDED** that the Board adopt positions on bills of interest to the Agency.

Christina Watson, Principal Transportation Planner, reported that the list of state bills was an early version and would be updated before going to the Board in March, and a more complete list would be brought back to this Committee in April.

Agency State Legislative consultant John Arriaga provided an update on state legislative activities. He reported the Governor is serious about transportation investments, and two hearings have already been held on the topic, focusing on transportation funding options such as the gas tax and truck weight fees.

Mr. Arriaga noted that the draft bill language originally submitted to legislative counsel pertaining to a waiver on the 2% cap on local tax measures was dropped following the discussion at the February Committee meeting, and that the draft bill on the Santa Cruz Long-Toed Salamander has been deferred, pending consultations with State Fish and Wildlife and consideration of possible administration solutions.

Mr. Arriaga also noted that the Senate has reauthorized its Select Committee on Passenger Rail, and the Assembly has formed a similar committee, and that they are planning a joint hearing on April 28.

Executive Director Debbie Hale noted that Monterey County was represented on both Select Committees, via Senator Cannella and Assembly Member Alejo.

Committee Member Chavez asked about the background of the chair of the Assembly Select Committee, Assembly Member Adam Gray. Mr. Arriaga noted he represents the Central Valley.

Mr. Arriaga presented the draft bill list and explained the relevance of bills to the Agency and the recommended positions on each bill.

Assembly Bill 464 (Mullin) is a bill to raise the cap on local sales taxes statewide from 2% to 3%. The Committee voted to defer discussion of a position on that bill to the April Committee meeting.

Senate Bill 192 (Liu) is a bill requiring adults to wear helmets while biking, which staff said might discourage biking and bike-sharing. The Committee noted it might be more effective to require an education campaign on bike safety and offer incentives instead of fines; the Committee recommended the Board oppose the bill as is.

5. **PROVIDED** input on development of the Sales Tax Expenditure Plan and Public Outreach Plan.

Theresa Wright, Community Outreach Coordinator, presented “Investing in our Regional Transportation Network,” the “TAMC stump speech” currently being used by Agency staff for public presentations. The speech provides an overview of TAMC, its mission and its record of success on delivering on projects.

The presentation also focuses on future transportation needs, the transportation funding crisis and the need to explore alternative ways to fund future projects. These alternatives include a new express toll-road on Highway 156 and a “self-help” transportation sales tax. The presentation concludes with asking the audience what they think are important transportation issues that should be addressed.

In conclusion of the speech, she outlined a schedule that included key target dates for a transportation sales tax measure in November 2016, noting that we need to start laying the ground work now. She also pointed out that polling would be conducted by EMC Research in May/June 2015, and again in June 2016.

Committee member Armenta recommended adding more information on the rail to Salinas project, including the purpose and why is it an important project. Committee alternate Markey commented that it is important to show projects that the people want to fund, and be sure to include all modes of transportation.

Sam Teel commented that he was involved in Measure Z, and one of the biggest objections was the lack of funding for Highway 68; he recommended including improvements in that corridor. He recommended leaving Highway 156 out of the sales tax speech since it will receive separate funding. He also noted that confirming the level of matching funds we will receive if we become a self-help county would be helpful.

Director Hale thanked the committee for its feedback and asked for their input on who TAMC should reach out to in their communities for initial input.

6. **RECEIVED** briefing on Brown Act requirements for meeting quorums.

All public agencies must comply with the Ralph M. Brown Act, which has rules related to business that cannot be conducted unless there is a quorum of the body that is meeting. Agency Counsel Reimann reported recently that a TAMC Board meeting lost a quorum and, on advice from counsel, the meeting was adjourned without finishing the agenda. There were some questions asked if informational reports could be heard without a quorum. She reported on what is allowed if there is a lack of a quorum during public meetings, noting that based upon universally accepted protocol, if there is no quorum, the body can legitimately take only four actions:

- It can adjourn and end the meeting
- It can recess the meeting (and try to round up a quorum)
- It can act on a motion to fix the time to adjourn
- It can form a committee to round up a quorum

She added that as part of the normal agenda various other entities (Caltrans, MST, Airport District and Air District) give informational reports and loss of quorum should not prevent them from doing so, but noted that the Executive Director's report was not permissible if a quorum is lost. The Committee recommended that this information be reported to the Board of Directors along with a written memo from Agency Counsel Reimann.

7. **RECEIVED** a report on the draft agenda for TAMC Board meeting of March 25, 2015.

Executive Director Hale highlighted the draft TAMC Board agenda items proposed for March 25, 2015. She reported the Board would be holding a Highway 156 workshop to discuss short-term improvements for the residents of Oak Hills and asked to approve the resolution to use federal earmark funds for staff cost. The Board will also be asked to approve the Request for Proposals for the Transportation Sales Tax Expenditure Plan Environmental Review, also to authorize staff to publish the Request for Proposals, and return to the Board of Directors with recommendations for approval of consultants, including the final scopes of work.

8. **ADJOURNMENT**

Chair Parker adjourned the meeting at 10:40 a.m.


Elouise Rodriguez, Senior Administrative Assistant