



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

EXECUTIVE COMMITTEE

Members are: John Phillips(Chair), Robert Huitt(1st Vice Chair), Luis Alejo (2nd Vice Chair), Alejandro Chavez (Past Chair), Simon Salinas (County Representative), Ed Smith (City Representative)

**Wednesday, October 3, 2018
Transportation Agency Conference Room
55-B Plaza Circle, Salinas**

****9:00 AM****

1. ROLL CALL

Call to order and self-introductions. If you are unable to attend, please contact Elouise Rodriguez, Senior Administrative Assistant. Your courtesy to the other members to assure a quorum is appreciated.

2. PUBLIC COMMENTS

Any member of the public may address the Committee on any item not on the agenda but within the jurisdiction of Transportation Agency and Executive Committee. Comments on items on today's agenda may be given when that agenda item is discussed.

3. BEGINNING OF CONSENT AGENDA

Approve the staff recommendations for items listed 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.

3.1 APPROVE the Executive Committee draft minutes of September 5, 2018.

-Rodriguez

END OF CONSENT AGENDA

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4. **RECIEVE** update on state legislative issues and **DISCUSS** topics for the 2019 draft legislative program.

- Watson/Khoury

Staff and legislative analyst Gus Khoury will present a state legislative update and request input for the 2019 legislative program.

5. **RECEIVE** report on draft TAMC Board meeting agenda of October 24, 2018.

- Hale

6. **ANNOUNCEMENTS**

7. **ADJOURN**

**Next Executive Committee meeting is:
Wednesday, November 7, 2018
Please mark your calendars.**

Documents relating to an item on the open session that are distributed to the Committee 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 Committee at the meeting by staff will be available at the meeting; documents distributed to the Committee 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**

CORRESPONDENCE, MEDIA CLIPPINGS, AND REPORTS - No items this month.



Memorandum

To: Executive Committee
From: Elouise Rodriguez, Senior Administrative Assistant
Meeting Date: October 3, 2018
Subject: **Executive Draft Minutes of September 2018**

RECOMMENDED ACTION:

APPROVE the Executive Committee draft minutes of September 5, 2018.

ATTACHMENTS:

- ▢ Executive Committee Draft Minutes of September 5, 2018

DRAFT 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: John Phillips (Chair),
Robert Huitt (1st Vice Chair), Luis Alejo (2nd Vice Chair),
Alejandro Chavez (Past Chair),
Simon Salinas (County representative), Ed Smith (City representative)*

Wednesday, August September 5, 2018

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

Transportation Agency Conference Room
55-B Plaza Circle, Salinas

EXECUTIVE COMMITTEE	JUN 18	AUG 18	SEPT 18	OCT 18	NOV 18	JAN 19	FEB 19	MAR 19	APR 19	MAY 19	JUN 19
Luis Alejo, Supr. Dist. 1 (L. Gonzales)	P(A)	P	P								
Alejandro Chavez, Soledad (F. Ledesma)	P	P	P								
Robert Huitt, Pacific Grove (D. Gho)	P(A)	P	P								
John Phillips, Supr. Dist. 2 (J. Stratton)	P	P(A)	P								
Simon Salinas. Supr. Dist. 3 (C. Lopez)	P	P(A)	P								
Ed Smith, Monterey (A. Renny)	E	P	P								

1. **CALL TO ORDER:** Chair Phillips called the meeting to order at 9:00 a.m. Staff present: Hale, Muck and Rodriguez. Others present: Agency Counsel Kay Reimann.
2. **PUBLIC COMMENTS:** None.

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3. **CONSENT AGENDA:**
On a motion by Committee member Salinas and seconded by Alejo, the committee voted 5-0 to approve the consent agenda.
Committee member Chavez arrived after the consent agenda.

- 3.1 Approved minutes from the Executive Committee meeting of August 1, 2018

END OF CONSENT

4. REGIONAL DEVELOPMENT IMPACT FEE NEXUS STUDY UPDATE:

The Committee received a Regional Development Impact Fee Nexus Study update.

Todd Muck, Deputy Executive Director, reviewed the revised nexus study and proposed fee levels with the Committee.

In response to the Board of Directors' comments at the August TAMC meeting, the staff-consultant team reviewed the fees and is proposing to remove phase 3 of the 156 improvements project, the interchange at US 101 and State Route 156, from the program. The result is slightly higher fees for some zones as compared to the 2013 program, but not as high as the August draft fees. Mr. Muck noted that staff feels that the revision is reasonable due to the uncertainty of funding for the SR 156 interchange, and the ability to update the fees again in 5 years if circumstances change. He added that after Board approval, each jurisdiction is required to adopt the updated nexus study and revised fee schedule.

5. TAMC DRAFT AGENDA FOR SEPTEMBER 26, 2018

Executive Director Hale reviewed the highlights of the draft regular and consent agenda for the TAMC Board meeting of September 26, 2018. She noted that:

- The Board will be asked to approve a resolution supporting rescission of surplus Prunedale Bypass property, likely in October.
- In September, the Board will receive an update on:
 - Regional Development Impact Fee Nexus Study and be asked to approve the revised nexus study and fees as well as the strategic expenditure plan;
 - State Route 156 interchange at Castroville Boulevard revised design; and,
 - Measure X Safe Routes to School Program.

6. ANNOUNCEMENTS

Ed Smith commented that at the City of Monterey's council meeting, a consultant economic study showed that 24,000 jobs are projected to be coming in to Monterey, but not the housing, due to water restrictions. He also thanked Deputy Director Todd Muck for presenting to the City Council on the Measure X and SB 1 funded projects, noting what projects are at risk of Proposition 6 is approved and the new gas taxes are repealed.

7. ADJOURNMENT

Chair Phillips adjourned the meeting at 9:45 a.m.



Memorandum

To: Executive Committee
From: Christina Watson, Principal Transportation Planner
Meeting Date: October 3, 2018
Subject: State Legislative Update & Draft 2019 Program

RECOMMENDED ACTION:

RECIEVE update on state legislative issues and **DISCUSS** topics for the 2019 draft legislative program.

SUMMARY:

Staff and legislative analyst Gus Khouri will present a state legislative update and request input for the 2019 legislative program.

FINANCIAL IMPACT:

The qualification of Proposition 6 on the November ballot is the most important issue facing transportation users in California. 2017's Senate Bill (SB) 1 created a valuable opportunity to deliver Measure X and other priority projects in Monterey County by providing matching funds for local safety, road repair and congestion relief projects over the next 30 years. Proposition 6 would delay or delete these projects by repealing SB 1, and it would require majority voter approval (via ballot propositions) for the California State Legislature to impose, increase, or extend fuel taxes or vehicle fees in the future.

DISCUSSION:

Agency legislative analyst Gus Khouri will attend the meeting to present an update on state legislative activities and receive input on priorities for the Agency for 2019.

Attachment 1 is the update from Mr. Khouri, and **Attachment 2** is the updated bill list as of September 18, 2018. Bills that died prior to the previous report in August have been deleted from the list. Assembly Bill (AB) 1395 (Chu), which TAMC opposed, because it would have resulted in less funding for litter cleanup in Monterey County, has died. Several bills that TAMC supported have made it through to the Governor's desk, including AB 2249 (Cooley), which increases the threshold for

informal bidding procedures to \$200,000.

Online as a **web attachment** is the 2018 legislative program. Some of the priorities from 2018 may carry over to 2019. Of particular interest, TAMC may want to revive two bills that were sponsored in prior years:

- AB 696 (Caballero): Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties - vetoed by Governor Brown.
- SB 477 (Cannella): Intercity rail corridors: extensions - allowed to die due to opposition from the Department of Finance.

Staff will present a legislative update and a draft program at the October 24, 2018 Board meeting, then will solicit input from the Rail Policy Committee, Bicycle and Pedestrian Facilities Advisory Committee, and Technical Advisory Committee in November. Staff will also meet with partner agencies locally and statewide to discuss items for the program. This Committee will then receive an update and discuss the final draft program in January 2018, followed by adoption by the Board in January.

ATTACHMENTS:

- State legislative report - Khouri
- Bill List updated as of September 18, 2018

WEB ATTACHMENTS:

- [TAMC 2018 Legislative Program](#)



September 24, 2018

TO: Board Members, Transportation Agency for Monterey County
FROM: Gus Khouri, Principal
Khoury Consulting

RE: STATE LEGISLATIVE UPDATE – OCTOBER

On August 31, the Legislature concluded its business and adjourned for the 2017-18 Legislative Session. Governor Brown has until September 30 to sign or veto legislation. The following is summary of bills of interest to TAMC:

1. AB 1395 (Chiu) Highway Litter Cleanup

Status: Died in the Senate Appropriations Committee

This bill would have required Caltrans to prioritize litter cleanup funding based on traffic volume, climate, and service scores. The bill threatened to divert funding from scenic highways along the Central Coast in favor of urban areas. We reached a compromise with the author in an amended version of the bill to prioritize funding within Caltrans districts, but he amended the bill again, putting the funds in jeopardy. We successfully advocated for the bill to be held in Senate Appropriations Committee where the bill died.

2. AB 3124 (Bloom) Extended Bike Racks

Status: Signed by the Governor

This bill allows public transportation operators to install up to a 40-inch bike rack on a 60-foot bus. The purpose is to promote more integrated multi-modal transit usage.

3. SB 848 (Committee on Budget) Indirect Cost Rate Proposal

Status: Signed by the Governor

Caltrans was charging 20%-30% to cover “indirect costs”, items that are not directly attributable to work being performed on a project for local jurisdictions. These items are often not specified but can include things such as paying utility bills. We worked with the Self-Help Counties Coalition to insert language into this transportation budget trailer bill to cap the indirect costs at 10% for a period of 3 years.

4. SB 1119 (Beall) Low Carbon Transportation Operations Program

Status: Signed by the Governor

This bill waives the requirement of having to spend 50% of all program funding within a disadvantaged community if the new service connects a disadvantaged community, enacts fare subsidies (including discounted or fee student passes) or technological improvements, or purchases new zero-emission buses.

5. SB 1262 (Beall) Construction Manager/General Contractor Procurement Method

Status: Signed by the Governor

This bill removes the cap on the number of projects for which Caltrans is authorized to use the Construction Manager/ General Contractor (CM/GC) method (previously limited to 24 projects). CM/GC allows the contractor to participate at the inception of project design, allowing for greater potential for expedited project delivery.

SB 1 Repeal Discussion

On June 28, the Secretary of State certified that the proponents of the SB 1 repeal campaign, Reform California, had successfully gathered enough signatures for Proposition 6 to be placed on the November ballot.

Proposition 6 proponents are advocating for the Republican transportation-funding plan, which relies on items such as sales tax from car sales and insurance premiums, in addition to the pre-existing gas tax and vehicle registration fees at levels before the enactment of SB 1. This would make the General Fund responsible for paying for transportation. Under this arrangement, the legislature would have to decide to make cuts to other programs that rely on General Fund resources, such as education and public safety.

The No on Proposition 6 campaign, which is headed by the California Alliance for Jobs, is primarily focusing on the underscoring the bridge and road safety projects at risk. While that is a worthy component to discuss, ultimately, voters will be most sensitive to the cost of the gas tax and vehicle registration fee increases more than the quantity of projects and they will want reassurance that funding is protected. Most voters do not appreciate the true cost of delivering a project. If it's possible to demystify the project costs, voters may appreciate the value proposition of the projects that will be delivered.

Proposition 22 of 2010 constitutionally protects the gas tax from being diverted, ensuring all proceeds are used for local streets and roads and highway maintenance and repair. Proposition 69, which statewide voters approved with over 81% of the vote in June 2018, constitutionally protects the registration fee and sales tax on diesel, guaranteeing funding for transit capital and operations, and statewide competitive programs to reduce congestion, improve goods movements, bicycle and pedestrian programs, and providing local matching dollars for counties with local transportation sales tax measures, like Monterey County's Measure X.

TAMC Bill Matrix – September 2018

Measure	Status	Bill Summary	Position
<p>AB 1395 Chu</p> <p>State Highways: Litter cleanup</p>	<p>8/16/18</p> <p>Senate Appropriations</p> <p><u>Dead</u></p>	<p>This bill would require each district within Caltrans for its highway within its maintenance programs relating to litter cleanup and abatement programs, to assign the highest priority to state highway segments based on traffic volume, climate, and service scores. Last Amended on 8/6/18.</p> <p>TAMC previously had an “oppose unless amended” position and asked the author to consider amending the bill to add priority for state-designated “scenic” highways. The author responded with amendments to the bill on 6/18/18, which retains funding within each Caltrans District for purposes of addressing litter control, leading to a letter removing TAMC opposition. The 8/6/18 amendments remove the discretionary use of funds within each Caltrans district, allowing the bill to have statewide impact based on factors that disadvantage the Central Coast.</p>	<p>Neutral Oppose</p> <p>Priority NA</p> <p>Letters sent 4/3 and 6/26/18</p>
<p>AB 2249 Cooley</p> <p>Contract thresholds for public projects: local agencies</p>	<p>8/20/18</p> <p>Signed by the Governor</p> <p>Chaptered</p>	<p>This bill would authorize public projects of \$60,000 or less to be performed by the employees of a public agency, authorize public projects of \$200,000 or less to be let to contract by informal procedures, and require public projects of more than \$200,000 to be let to contract by formal bidding procedures. Last amended on 6/4/18 to create the California Uniform Construction Cost Accounting Commission to consider whether there have been material changes in public construction costs and to make recommendations to the Controller regarding adjustments in the monetary limits that determine which bidding procedures shall apply to public projects.</p>	<p>Support</p> <p>Priority NA</p> <p>Letter sent 5/29/18</p>
<p>AB 2363 Friedman</p> <p><u>Vision Zero Traffic Fatalities</u> Task Force</p>	<p>8/24/18</p> <p>Governor’s Desk</p>	<p>This bill would require the Secretary of Transportation to establish a Vision Zero <u>Traffic Fatalities</u> Task Force to develop policies to reduce traffic fatalities to zero and submit a report to the Legislature on or before January 1, 2020. Last Amended on 8/8/18.</p>	<p>Watch</p> <p>Priority NA</p>

TAMC Bill Matrix – September 2018

Measure	Status	Bill Summary	Position
AB 2615 Carillo State highway system: accessibility for bicycles and pedestrians	8/29/18 Governor's Desk	This bill would require Caltrans to partner with the California Department of Parks and Recreation and other appropriate public agencies to develop strategies and plans to maximize safe and convenient access for bicycles and pedestrians to parks adjacent or connected to the state highway system. Amended on 8/17/18.	Support Priority 5S Letter sent 5/29/18
AB 2864 Limon Oil Spills	9/8/18 Signed by the Governor Chaptered	The Lempert-Keene-Seastrand Oil Spill Prevention and Response Act requires the administrator for oil spill response to implement activities relating to oil spill response. This bill, for spills affecting coastal resources, would require the administrator to request <u>invite</u> the California Coastal Commission to participate in the natural resource damage assessment process regarding injuries to coastal resources and potential restoration and mitigation measures for inclusion in the damage assessment and restoration plan. Amended on 5/25/18.	Watch Priority 10S
AB 3124 Bloom Bus Length: bike racks	6/1/18 Signed by the Governor Chaptered	This bill authorizes an articulated bus or trolley coach that does not exceed a length of 60 feet to be equipped with a folding device attached to the front of the bus or trolley if the device is designed and used exclusively for transporting bicycles if the device does not extend more than 40 inches from the front body of the bus when fully deployed. The bill requires a public agency operating transit services to establish a route review committee, to operate that articulated bus or trolley coach, and would require the committee to decide which routes are suitable.	Support Priority 5S Letter sent 4/3/18
SB 848 Committee on Budget Indirect Rate Cost Proposal	6/27/18 Signed by the Governor Chaptered	Caltrans does work on behalf of Self-Help Counties who develop projects on the state highway system. Caltrans recovers the cost of these services and charges these entities a rate that covers the cost of both administrative and program functional rates. A portion of this rate however is not applicable to the direct costs affiliated with the project in question. These "indirect costs" add as much as 20%-30% to the cost of a project and erode the value of local sales tax revenue that self-help counties bring to the table, while making Caltrans less competitive in securing work. The purpose of this item, sponsored by the Self-Help Counties Coalition, is to eliminate or cap the amount of indirect costs assessed on a project. A compromise was reached to cap the indirect costs at 10% for a period of 3 years.	Support Priority: 1S Letter sent 6/27/18

TAMC Bill Matrix – September 2018

Measure	Status	Bill Summary	Position
SB 1119 Beall Low Carbon Transit Operations Program	8/28/18 Governor's Desk	The Cap and Trade Program dedicates 5% of auction proceeds to the Low Carbon Transit Operations Program (LCTOP), which provides operating and capital assistance for transit agencies to reduce greenhouse gas emissions. Program recipients with service areas including disadvantaged communities must expend at least 50% of LCTOP funds on projects or services that benefit those disadvantaged communities. This bill would waive the above requirement if the recipient transit agencies expend the funding provided on certain <u>transit</u> activities. Amended on 8/6/18.	Support Priority 8S Letter sent 4/3/18
SB 1236 Monning Commercial Driver's License: education	8/30/18 Governor's Desk	This bill would require DMV, by no later than June 5, 2020, to adopt regulations related to entry-level driver training requirements for drivers of commercial motor vehicles including specified minimum hours of behind-the-wheel training and in compliance with the requirements of specified federal regulations. Amended on 6/19/18.	Support: Priority NA Letter sent on 4/3/18
SB 1262 Beall Construction Manager/ General Contractor Procurement Method	9/17/18 Signed by the Governor Chaptered	This bill would remove the cap on the number of projects for which the department is authorized to use the Construction Manager/ General Contractor (CM/GC) method (currently limited to 24 projects) and eliminate the minimum construction costs limitation (currently \$10 million). The bill would require Caltrans to submit a report to the Legislature by July 1, 2022 <u>2021</u> , that includes, among other requirements, a comprehensive assessment on the effectiveness of the CM/GC project delivery method relative to project cost and time savings for all projects approved under these provisions as of January 1, 2022 <u>2021</u> , and a final report by <u>no later than July 1, 2025, that provides the same relevant data for projects approved under these provisions as of January 1, 2025.</u> Amended on 8/6/18 If the current restrictions on this procurement method were lessened, TAMC and Caltrans may consider using this method for the State Route 156 project.	Support Priority 3S Letter sent on 4/3/18

TAMC Bill Matrix – September 2018

Measure	Status	Bill Summary	Position
<p>SB 1328 Beall</p> <p>Mileage-based user fee</p>	<p>9/4/18</p> <p>Governor's Desk</p>	<p>Existing law requires the Chair of the California Transportation Commission to create a Road Usage Charge (RUC) Technical Advisory Committee (TAC) in consultation with the Secretary of the Transportation Agency. Under existing law, the purpose of the technical advisory committee is to guide the development and evaluation of a pilot program to assess the potential for mileage-based revenue collection as an alternative to the gas tax system. Existing law requires the technical advisory committee to study RUC alternatives to the gas tax and to make recommendations to the Secretary of the Transportation Agency on the design of a pilot program, as specified. Existing law repeals these provisions on January 1, 2019.</p> <p>This bill would extend the operation of these provisions until January 1, 2023. The bill would, also require the TAC to continue assessing the potential for mechanisms, including a mileage-based revenue collection system to use as alternative methods to the existing gas tax system for generating the revenue necessary to maintain and operate the state's transportation system. The bill would require the TAC to gather public comment related to the assessment of those mechanisms. Amended on 6/4/18</p>	<p>Watch</p> <p>Priority: 7S</p>