

**TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC)**  
**eXcellent Transportation Oversight Committee (X-TOC)**  
**July 16, 2019 Meeting**

Held at the Agricultural Center Conference Room  
1426 Abbott Street, Salinas, Marina CA

<b>Voting Members</b>	<b>JANUARY 15 2019</b>	<b>APR 16 2019</b>	<b>JULY 16 2019</b>	<b>OCTOBER 15 2019</b>	<b>JANUARY 21 2020</b>	<b>APRIL 21 2020</b>	<b>JULY 21 2020</b>	<b>OCTOBER 20 2020</b>
Kevin Dayton, Chair Salinas Valley Taxpayers Association <i>(Rick Giffin)</i>	P	P	P					
Cesar Lara Transit Users <i>(Monica Gurmilan)</i>		A A	A A					
Janet Brennan League of Women Voters <i>(Howard Fosler)</i>	P P	P P	A P					
Tom Rowley Monterey Peninsula Taxpayers Association Rick Heuer		P E	P P					
Kalah Bumba Senior or disabled services agency <i>(Teresa Sullivan)</i>	P	P P	P P					
Victoria Beach Bicycling Advocate <i>(Claire Rygg)</i>	P A	E A	E A					
Rod Smalley Labor Organization <i>(Glen Schaller)</i>	P P	P A	P A					
Cliff Fasnacht Central Coast Builders Association <i>(Kristine O'Dell)</i>		A A	A A					
John Haupt Salinas Valley Chamber of Commerce <i>(John Bailey)</i>	P A	P A	E A					
Dan Limesand Monterey Peninsula Chamber of Commerce <i>(vacant)---</i>	P A	P -	E -					
Scott Waltz Habitat Preservation <i>(Rachel Saunders)</i> Big Sur Land Trust	E E	P P	A E					

Barbara Meister Hospitality ( <i>Gary Cursio</i> )	P A	P A	P A					
Norm Groot Agriculture ( <i>Bill Lipe</i> )	P A	E E	P A					
Joshua Jorn Education ( <i>Jarrett Garife, Patrick Deberdt</i> )	P -	A P	A A P					
Paula Getzelman South County ( <i>Carol Kenyon</i> )	P P	P P	P A					
Chris Barrera Latino Organization ( <i>Manuel Valencia</i> )	P -	E E	E P					
Ron Rader North County ( <i>Scott Freeman</i> )	P	E A	P A					
Daniel Hernandez <i>Pedestrian</i> (vacant)		P -	A -					
Alexis Garcia- Arrazaola Youth/College ( <i>Vacant</i> )	A -	P -	P -					
Sean Hebard Construction ( <i>Keith Severson</i> )	P P	P P	A P					
<b>TRANSPORTATION AGENCY STAFF</b>								
Debbie Hale, Executive Director			P					
Todd Muck, Deputy Executive Director	P		P					
Theresa Wright, Community Outreach Coordinator	P	P	P					
Mike Zeller, Principal Transportation Planner	P	P						
Kay Reimann, Transportation Agency Council		P	P					
Rich Deal, Transportation Engineer								
Stefania Castillo, Transportation Planner			P					

Rita Goel, Deputy for Administration & Finance		P						
Madilyn Jacobson, Transportation Planner		P	P					
Laurie Williams, Transportation Engineer	P		P					
<b>OTHERS PRESENT:</b>								
Brian McMinn, Public Works Director, City of Marina			P					
Art Frost, Interim Finance Director, City of Marina			P					
Randy Ishii, Chief of Public Works, County of Monterey			P					

**P-PRESENT**

**E-EXCUSED**

**A-ABSENT**

**- VACANT POSITION**

1. **WELCOME**

Paula Getzelman, Committee Chair, called the meeting to order at 2:00 p.m. Chair Getzelman asked each member to introduce themselves and for Theresa Wright, TAMC's Community Outreach Coordinator, to use their introductions as a roll call, by noting who was present. Chair Getzelman also asked TAMC staff to introduce themselves.

2. **PUBLIC COMMENT**

Chair Getzelman called for public comment. Receiving none, she proceeded to items on the consent agenda.

3. **APPROVE CONSENT AGENDA**

Chair Getzelman asked if any members wanted any item pulled from the consent agenda. Member Groot asked for Consent Item 3.2 to be pulled for discussion. After the item was pulled, Mr. Groot asked for clarification on federal legislation regarding Federal Aviation Administration fuel sales tax and the preservation of local sales tax for projects listed in the expenditure plan. After discussion, Chair Getzelman she asked if there were any public comments on the consent agenda. Receiving none, she asked for a motion to approve the consent agenda. The motion was made by member Groot, seconded by member Rowley and passed unanimously.

The Chair proceeded to items on the regular agenda.

4. **RECEIVE PRESENTATION ON MEASURE X LOCAL PROJECTS FROM THE CITY OF GONZALES**

Patrick Dobbins, Public Works Director/City Engineer, City of Gonzales, provided a presentation on the city's local Measure X funded, "Alta Street Rehabilitation Project. Mr. Dobbins explained that the city had requested a \$2.5 million loan against their future Measure X funds for the Alta Street project. The \$5.2 million rehabilitation project consisted of grinding the existing pavement of Alta Street down to the base layer and reusing the ground pavement to reestablish the base and repave the roadway.

The project which was the largest capital improvement project in the City in the past 25 years, began in November 2017 and completed in March 2018. Mr. Dobbins stated that without the advancement of Measure X funds from the Transportation Agency, the project would have been delayed for several years. He also stated that the City is repaying the loan with interest from the City's share of Measure X revenues.

Chair Getzelman asked if there were any questions at the end of the presentation. A question and answers period followed with members asking about the projected life of the road, bike lanes, repayment of the loan and whether or not the city had any plans in place if the road was cut. Member Severson said that the FDR process that the city used for the project was a good example of the leveraging by the city and it provided a great green build aspect to the project.

Chair Getzelman asked if there were any questions from the public. Receiving none, she thanked Mr. Dobbins for his presentation. Chair Getzelman, then noted that a couple of members needed

to leave early and asked if item 6, the Measure X Annual Audit Streamlining Report could be move up. Hearing no disagreement, she proceeded to ask for a presentation on Item 6.

5. **RECEIVE UPDATE ON THE MEASURE X ANNUAL AUDIT STREAMLINING**

Todd Muck, Deputy Director, Transportation Agency provided an update on the results of the Measure X annual audit and compliance reporting for 2017/18; and the proposed recommendation to the Transportation Agency Board of Directors to modify the Maintenance of Effort calculation to be consistent with the Senate Bill 1 Local Streets & Roads Program.

Mr. Muck explained that the purpose of the Measure X annual audit is to confirm the funding recipient –TAMC, the County of Monterey and the twelve incorporated cities- have complied with the voter-approved requirements specified in the ordinance for the Transportation Safety & Investment Plan. He then provided an update on the receipt and review of the annual audit compliance data, noting that there has been a learning curve for all entities involved. His report included a chart detailing the reporting status of each jurisdictions; and added that TAMC was also audited for compliance with the Measure X requirements and financial audit found no instances of noncompliance that are required to be reported under Government Auditing Standards, nor did they note any matters involving the internal control over financial reporting and its operation that they considered to be material weaknesses.

Mr. Muck said that staff worked with the non-complaint jurisdictions to ensure all reporting materials were eventually submitted; and will evaluate this year's process and develop a set of recommended changes to help clarify the requirements and avoid reporting delinquencies in the future.

The rest of Mr. Muck presentation focused on the maintenance of effort requirement. Its purpose is to ensure that no funds previously used for transportation are shifted to other uses and then backfilled with Measure X monies. He explained that Measure X currently has a rolling three-year average calculation on Maintenance of Effort, where by contrast the state's Senate Bill 1 program has a fixed three year of past expenditures (Fiscal years 2009/2010, 2010/2011 and 2011/2012). Based on written comments provided by County of Monterey staff, TAMC staff recommended changing the basis for the Maintenance of Effort calculation from "preceding three fiscal years" to "2009-10, 2010-11, and 2011-12 fiscal years, but not less than what was expended in 2016-17 when Measure X passed". Mr. Muck reviewed a table that compared two options to the current Measure X Maintenance of Effort formula and highlighted how the different formulas impacted each city and the County.

Mr. Muck noted that representatives from the County of Monterey and the City of Marina were present and that they had asked to speak on this matter. Brian McMinn, Public Works Director, City of Marina, along with Art Frost, Interim Finance Director, City of Marina spoke about their need to make large one-time upfront investments in their road maintenance programs to avoid further costly deterioration. Each of them pointed out that the current three-year rolling average had unintended consequences and would jeopardize their future Measure X revenues. Randy Isshi, Chief of Public Works, County of Monterey, thanked TAMC staff for incorporating his comments. After their comments, Mr. Muck said that Senate Bill 1 calculations with the 2016-17 condition would meet the Measure X Maintenance of Effort intent without penalizing agencies that make large one-time investments in transportation.

With the conclusion of the presentation, committee members asked several questions and

expressed concerns about the SB 1 maintenance of effort compliance being based on a static three-year average lower than what was spent in fiscal year 2016/2017 when Measure X was passed. They also expressed their concerns about leaving the formula at a fixed rate. Options for indexing the Maintenance of Effort were discussed. The Engineering News Record construction index was recommended. The consensus was that this proposal would allow jurisdictions to make large upfront investments while maintaining the Maintenance of Effort requirement in Measure X.

Member Heuer motioned that the maintenance of effort provision be changed from “preceding three fiscal years” to “2009-10, 2010-11, and 2011-12 fiscal years, but not less than what was expended in 2016-17 when Measure X passed”; and that the chosen formula be indexed annually with the Engineering News Record construction index. The motion was seconded by member Groot and passed unanimously.

6. **RECEIVE UPDATE ON THE MEASURE X SENIOR AND DISABLED PROGRAM**

Stefania Castillo, Transportation Planner, Transportation Agency provided an update on the Measure X Senior and Disabled Program and asked for the committee’s input on the program guidelines and draft needs assessment. A lengthy conversation followed her presentation with members asking several questions about some of the funded agencies expenditures such as administrative costs and MST bus passes. The committee said they needed more information before they would be able to adequately provide input. They suggested that they form an ad hoc subcommittee to review the program guidelines and draft needs assessment. Member Rowley motioned that the Chair Getzelman appoint an ad hoc committee of 2-4 members to review the guidelines, draft needs assessments and that the ad hoc committee make suggestions on the guidelines for the next cycle of funding. The motioned was seconded by member Meister. The motioned carried with a vote of 11 ayes and 1 nay.

Chair Getzelman then asked for volunteers to serve on the ad hoc committee. Members Bumba, Rowley and Dayton agreed to serve. Member Bumba then asked that a poll be sent out to the ad hoc subcommittee members to determine the best date and time for the meeting.

7. **REVIEW PROPOSED CHANGES TO THE MEASURE X CITIZENS OVERSIGHT COMMITTEE BYLAWS**

Theresa Wright, Community Outreach Coordinator, Transportation Agency for Monterey County, presented the proposed revisions to the Measure X Committee Bylaws. She explained that changes included expanding the Chair and Vice Chair term to two-years instead of one, the nomination of an Audit Chair and to clarify the language in other sections of the Measure X Citizens Oversight Committee Bylaws. After reviewing the proposed changes, member Groot moved to accept the proposed changes. The motion was seconded by member Smalley and passed unanimously.

8. **RECEIVE TRAINING ON THE BROWN ACT**

In the interest of time, Chair Getzelman suggested that the Brown Act training be postponed and placed on the October agenda. With agreement from members, she moved on to announcements and/or comments.

**9. ANNOUNCEMENTS AND/OR COMMENTS**

Member Groot mentioned that it was nice to hear unsolicited comments from his neighbors about the new pavement improvements on Congress Avenue in Pacific Grove and that showed Measure X dollars were at work making a difference.

Theresa Wright reminded members that committee elections are normally held in October. With the recommended changes to the bylaws, she noted that Chair Getzelman and Vice Chair Meister would continue to serve for a second year, but that the committee would be electing an Audit Sub-Committee Chair at the next meeting. Chair Getzelman then proceeded to adjourn the meeting.

**10. ADJOURNMENT**

Chair Getzelman adjourned the meeting at 3:45 p.m.