

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: Michael LeBarre (Chair), Chris Lopez (1st Vice Chair),
Dave Potter (2nd Vice Chair), Mary Adams (Past Chair),
Wendy Root Askew (County representative), Chaps Poduri (City representative)*

Wednesday, August 2, 2023

*** 8:30 a.m. ***

Transportation Agency Conference Room, 55-B Plaza Circle, Salinas California

Alternate locations:

2616 1st Avenue, Marina, California 93933, Supervisor Askew's Office

599 El Camino Real, Greenfield, California 93927, Supervisor Lopez's Office

EXECUTIVE COMMITTEE	SEP 22	OCT 22	NOV 22	JAN 23	FEB 23	MAR 23	APR 23	MAY 23	JUN 23	AUG 23
Michael LeBarre, Chair King City (C. DeLeon)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P	P	P	P (VC)	P (VC)
Mary Adams, Past Chair Supr. Dist. 5 (C. Courtney)	P (VC)	P (VC)	P (VC)	P (TC)	P (VC)	P	P	P(A) (VC)	P	P(A) (VC)
Chris Lopez, 1st Vice Chair Supr. Dist. 3 (P. Barba)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P(A) (VC)
Dave Potter, 2nd Vice Chair Carmel-By-The-Sea (J. Baron)	P (VC)	P (VC)	P (VC)	P (VC)	A	P*	P	P	P	P
Wendy Root Askew, County Representative Supr. Dist. 4 (Y. Anderson)	P (VC)	P (VC)	P(A) (VC)	P(A) (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P(A) (VC)
Chaps Poduri, City Representative (Joe Amelio)	P (VC)	P (VC)	P (VC)	E	P* (VC)	P	P	P	P (VC)	P

TC: via teleconference; VC: via video conference

P = Present

A = Absent

P(A) = alternate present

E = Excused

P(VC) Video Conference

P*= New Representative

1. **CALL TO ORDER**

Chair LeBarre called the meeting to order at 8:30 a.m. Roll call was taken, and a quorum was confirmed.

Staff present: Guther, Kise, Muck, Rodriguez, Strause, Watson, Wright, and Zeller.

Others present (PV): Robert Brayer, County Counsel; Paul Schlesinger and Jim Davenport, Thorn Run Partners; and Gus Khouri, Khouri Consulting.

2. **PUBLIC COMMENTS**

No public comment

3. **CONSENT AGENDA**

On a motion by Committee Member Potter seconded by Committee Alternate Anderson, the Committee voted 5-0 to approve the minutes from the Executive Committee meeting of June 7, 2023.

Abstained: Committee Alternate Courtney

4. **LEGISLATIVE UPDATE**

The Committee received an update on state and federal legislative issues.

Jim Davenport, Agency federal legislative analyst, presented an update on federal legislative activities. Mr. Davenport reported that TAMC is one of only three California projects nominated in the Senate Transportation Appropriations bill, slated to receive \$1.8 million to construct the G12 Pajaro to Prunedale corridor project, thanks to Senator Alex Padilla.

Gus Khouri, Agency state legislative analyst, presented the draft state bill list and an update on state legislative activities. He reported the adopted state budget included \$4 billion in new Transit and Intercity Rail Capital Program (TIRCP) formula funds and \$1.1 billion for a new Zero Emission Transit Capital Program (ZETCP). Of those funds, TAMC is estimated to get approximately \$44 million over two fiscal years in TIRCP and \$8 million over four fiscal years in ZETCP funds. The California State Transportation Agency (CalSTA) is developing guidance for this funding, which is meant to be flexible for use for planning, constructing, or operating rail or bus transit. Mr. Khouri also announced that Assembly Member Dawn Addis secured \$1 million for the Highway 1 Elkhorn Slough project preconstruction activities.

Christina Watson, Director of Planning, announced staff is planning a Highway 1 Elkhorn Slough news event on October 3, 2023, 12:30 p.m., more info to come in a save-the-date.

5. MEASURE X REVENUES

The Committee received an update on Measure X revenues.

Mike Zeller, Director of Programming & Project Delivery, reported that prior to Monterey County voters adopting Measure X in November 2016, revenues were conservatively estimated to be \$20 million per year. Actual revenues have been significantly higher, with the fiscal year 2021/22 revenues totaling \$38.13 million. At the Measure X Citizens Oversight Committee, Agency staff presented the FY21/22 annual audits and the revenue projections showing continued strong Measure X returns for the upcoming two fiscal years. The Committee requested information on how excess revenues could be used and Agency staff wanted to provide this discussion to the Executive Committee in advance of the Oversight Committee.

Mr. Zeller reported that the Policies and Projects Descriptions for the Transportation Safety and Investment Plan anticipated this issue and provides some guidance for utilizing increased revenues as well as addressing inflation and increased project costs. First, the regional project policies state that: the effects of inflation or rising construction costs may impact the total amount of funding needed to complete the projects. As such, the project funding shares in this plan will be revised annually to account for inflation. Mr. Zeller noted that the Agency inadvertently had not been indexing the regional projects and programs in the past and was seeking Executive Committee concurrence to start the practice going forward on an annual basis. The Committee members concurred with this approach.

After accounting for the inflation adjustment, the Policies and Project Descriptions describes how the Board of Directors can elect to use additional Measure X revenues. If a five-year average of revenues exceeds the estimates in this plan, funding may be allocated in this order of priority by the TAMC Board:

- To cover cost increases or new features of projects on the list;
- To incorporate new technologies into the plan; and
- To add new projects to the list.

Committee Member Poduri asked why the revenues have been higher and if they can be expected to stay above the original estimates. Mr. Zeller responded that due to internet purchases now being taxed properly, the return of tourism and an overall healthy economy have helped to keep Measure X revenues higher. He also noted that the Agency's sales tax forecasting firm has forecasted that Measure X revenues will remain around \$38 million for at least the next two fiscal years.

Director Muck noted that staff does not want to start adding projects to the list, noting that we need to complete projects already on the list. Committee Chair LeBarre and Committee

Member Poduri agreed that creating a list of projects that can be added if funding becomes available, and remove projects if revenues decline, should be brought to the Board for consideration when appropriate to have the discussion.

6. EXECUTIVE DIRECTOR AND COUNTY COUNSEL EVALUATION

On a motion by Committee Member Potter, seconded by Committee Member Poduri, the Committee voted 6-0 to recommend that the Board of Directors approve the evaluation form, procedure, and timeline for completing the annual evaluation for Executive Director and Counsel.

Jeff Kise, Director of Finance & Administration, reported the Executive Director's employment agreement requires the Board to evaluate Todd by the December Board meeting of each year. The attached evaluation forms were revised in 2016 in response to recommendations from Board Members. After the Board approves this procedure and timeline, forms will be sent out to Board Members with the Executive Director's goals and accomplishments via e-mail and regular mail. Upon completion, the Board Members are requested to return the evaluation to the chair either via e-mail or regular mail. The proposed procedure and timeline for completing the annual evaluation is:

- August 23, 2023 – Board approves form, procedure and timeline.
- August 28, 2023 – Staff e-mails to voting members of the Board of Directors the evaluation forms for the Executive Director. The Executive Director's goals and accomplishments will also be included.
- September 30, 2023 – All voting Board Members complete evaluation forms and e-mail or mail to the Chair for her receipt no later than September 30, 2023.
- October 1-21, 2023 – The Chair reviews completed evaluation forms and prepares summary of results to present to Executive Committee on November 1, 2023.
- November 1, 2023 – Executive Committee meets in closed session to review the evaluations, formulate a recommendation to the Board of Directors, and confer with the Executive Director regarding the recommendations.
- December 6, 2023 – Board of Directors meets in closed session to receive presentation from the Executive Committee, to review the evaluations and recommendations of the Executive Committee and take any appropriate actions.
- Date to be determined by the Chair – The Chair will review the evaluations with the Executive Director.

7. TAMC BOARD DRAFT AGENDA

On a motion by Committee Member Potter, seconded by Committee Alternate Anderson, the Committee voted 6-0 as an urgency item to review the draft TAMC Board agenda of August 23, 2023. Agency Counsel Brayer noted that a 2/3 vote is required to add an item to the agenda.

Executive Director Todd Muck reviewed the draft regular and consent agenda for the TAMC Board meeting of August 23, 2023. After Executive Committee discussion, directions were provided to staff to place the following items for consideration on the regular agenda:

- 2023 Competitive Grants Program of Projects
- Fort Ord Regional Trail and Greenway California Avenue Final Design and Right-of-Way Contract
- Draft 2023 Public Participation Plan

8. ANNOUNCEMENTS

None this month.

9. ADJOURNMENT

Chair LeBarre adjourned the meeting at 9:35 a.m.