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

Meeting of Wednesday, October 22, 2014

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

WIFI INFO:
Network: ABBOTT CONF-GUEST
Password (all caps): 1428AGGUEST

(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 **ADDITIONS** or **CORRECTIONS** to the agenda.

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. If you have handouts, please provide **30 copies** for the entire Board before the meeting starts or email to Agency Administrative Assistant 24 hours in advance of the meeting.*

3. **CONSENT AGENDA**  
**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.

4. **REVIEW** and **APPROVE** guiding principles to evaluate State Route 156 public-private partnership documents. – Muck  
*Guiding principles will provide a basis to evaluate SR 156 West Corridor public-private partnership documents and proposed terms, assumptions, and off-ramp decision points being developed for public-private partnership agreements.*

5. **REVIEW** and **DISCUSS** draft 2015 Legislative Program and **APPROVE** releasing the program to Committees for comment.  
– Watson  
*The purpose of the legislative program is to set general principles to guide staff and Board responses to proposed legislative or budgetary issues. The program also notifies state representatives of the Transportation Agency’s position on issues of key importance to the agency.*
6. **State Legislative Analyst/ Advocate Services** – Watson

1. **AUTHORIZE** the Executive Director to execute a contract with JEA & Associates, in an amount not to exceed $30,000, to provide state legislative analyst/advocate services, for one year;

2. **APPROVE** the use of local funds budgeted to this purpose;

3. **AUTHORIZE** the Executive Director to make administrative changes to the contract if such changes do not increase the Agency’s net cost, subject to approval by Agency counsel; and

4. **DIRECT** staff to develop a performance evaluation protocol for this contract and provide feedback to the Board in six months and one year, prior to expiration of the contract.

**TAMC approved a Request for Qualifications for state legislative analyst/advocate services in March 2014, which staff published in July 2014. Four statements of qualifications were submitted. Interviews were held with three firms on August 25, 2014. The Executive Committee discussed the contract on October 1, 2014 and recommended selection of JEA & Associates, for a one year period, due to their longevity with the Agency and local government expertise.**

7. **RECEIVE** verbal update on the Caltrans audit. – Hale

8. Reports on meetings attended by Board Members at Transportation Agency expense, as required by state law.

9. Reports from transportation providers:

   - Caltrans Director’s Report – Project Update – Gubbins
   - Monterey Peninsula Airport District – Sabo
   - Monterey-Salinas Transit – Sedoryk

10. Executive Director’s Report

11. Announcements and/or comments from Transportation Agency members on matters that they wish to put on future Transportation Agency agendas.

12. **ADJOURN**
Please send any items for the December 3, 2014 Transportation Agency agenda to Senior Administrative Assistant Elouise Rodriguez by 12 noon, Thursday, November 20, 2014.

The Transportation Agency Agenda will be prepared by Transportation Agency staff and will close at noon Thursday, November 20, 2014 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, December 3, 2014

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

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**

<table>
<thead>
<tr>
<th>Item</th>
<th>Action</th>
<th>Description</th>
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<tbody>
<tr>
<td>3.1.1</td>
<td>APPROVE</td>
<td>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 September 24, 2014. – Rodriguez  Pages 11 - 16</td>
</tr>
<tr>
<td>3.1.2</td>
<td>ACCEPT</td>
<td>the list of checks written for September 2014 and credit card statements for the month of August 2014. – Delfino  Pages 17 - 23</td>
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<td></td>
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<td>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.</td>
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<td>3.1.3</td>
<td>RECEIVE</td>
<td>report on conferences or trainings attended by agency staff. – Muck  None this month</td>
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<td>Agency staff occasionally attends 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.</td>
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<tr>
<td>3.1.4</td>
<td>APPROVE</td>
<td>Resolution 2014-16 providing authority for the Executive Director to execute amendment no. 1 to the fiscal year 2014/15 Work Program and Budget.– Muck  Pages 24 - 27</td>
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<td>The Transportation Agency’s Work Program describes the activities that the Agency will undertake during the fiscal year. Changes to the amount of planning funds received by the Agency need to be amended in the Work Program and Budget before associated tasks can be initiated.</td>
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</table>
3.1.5 **RECEIVE** the call for nominations for the thirteenth annual Transportation Agency Excellence awards to honor individuals, businesses, groups or projects for their efforts to improve the transportation system in Monterey County. – Wright

*Transportation Agency would like to encourage and appreciate efforts made by Monterey County residents, businesses and employees to improve transportation in Monterey County by awarding Transportation Excellence Awards. Staff encourages Board members to submit nominations, which are due by December 5, 2014. The awards ceremony will take place during the regular January 2015 Transportation Agency Board meeting.*

**BICYCLE, PEDESTRIAN, TRANSIT, and SOCIAL SERVICES**

3.2.1 **ADOPT** Resolution 2014-14 allocating State Transit Assistance funds to Monterey-Salinas Transit for Fiscal Year 2014-15. –Delfino

*The Transportation Agency is responsible for allocating State Transit Assistance funding, generated through the state sales tax on diesel fuel, to transit operators pursuant to the Transportation Development Act.*

**PLANNING**

3.3.1 **RECEIVE** information on cap and trade funding program guideline comments. – Watson

*In June, the state approved a cap and trade funding plan and state budget. State agencies are now developing guidelines to implement the new funding programs. This report summarizes the actions taken to date and comments submitted on the various programs.*
PROJECT DELIVERY and PROGRAMMING

3.4.1 Approach Resolution 2014-15 providing authority for the Executive Director to execute a Program Supplement with the Department of Transportation. – Zeller  

The Transportation Agency was awarded a $25,000 grant from the Federal Highways Administration to conduct a sustainability analysis of the US-101 corridor using the Infrastructure Voluntary Evaluation Sustainability Tool. To receive an allocation for the funding, the Agency must enter into a Program Supplement agreement with the Department of Transportation.

3.4.2 Emergency Ride Home Program Guidelines – Wright  

1. ADOPT the Emergency Ride Home program guidelines; and
2. AUTHORIZE staff to implement the Emergency Ride Home program as part of Monterey County Rideshare.

The Emergency Ride Home program offers “peace of mind” to commuters who want to travel by alternative modes of transportation to school or work. If an emergency occurs due to an illness, crisis, or unexpected overtime required by their employer on the day they use the alternative mode of transportation, commuters can arrange for a cab or rental car to get home and be reimbursed up to $60.
3.4.3 Freeway Service Patrol Memorandum of Understanding. – Leonard

1. AUTHORIZE the Executive Director to enter into a Memorandum of Understanding with the California Department of Transportation and the California Highway Patrol for the Freeway Service Patrol; and

2. AUTHORIZE Executive Director to make administrative changes to Memorandum of Understanding, subject to approval by Agency counsel.

The purpose of the Freeway Service Patrol is to provide for the rapid removal of disabled vehicles and those involved in minor accidents from the freeway. The Freeway Service Patrol program is managed by a partnership of Transportation Agency for Monterey County, the California Department of Transportation, and the California Highway Patrol. The Memorandum of Understanding details the roles and expectations of each partnering agency.

3.5.1 RAIL PROGRAM

No items this month.

3.6.1 REGIONAL DEVELOPMENT IMPACT FEE

No items this month.

3.7.1 ACCEPT minutes from Transportation Agency committees:

- Executive Committee – Draft October 1, 2014
- Bicycle & Pedestrian Facilities Advisory Committee – Draft October 1, 2014 (online at www.tamcmonterey.org)
- Rail Policy Committee – Draft October 6, 2014
- Technical Advisory Committee – No meeting this month

END OF CONSENT AGENDA
<table>
<thead>
<tr>
<th>Page</th>
<th>Description</th>
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<tbody>
<tr>
<td>C1</td>
<td>September 15, 2014 letter from Debra L. Hale, Executive Director, to California Air Resources Board Climate Investments Branch Chief Shelby Livingston and California Environmental Protection Agency Office of Environmental Health Hazard Assessment Chief Dr. John Faust, re: Comments on SB 535 Draft Guidance: Disadvantaged Communities</td>
</tr>
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<td>C2</td>
<td>September 15, 2014 letter from Monterey-Salinas Transit to California Air Resources Board Climate Investments Branch Chief Shelby Livingston and California Environmental Protection Agency Assistant Secretary Arsenio Mataka, re: Defining Disadvantaged Communities under Cap and Trade Program</td>
</tr>
<tr>
<td>C3</td>
<td>September 15, 2014 letter from Santa Cruz County Regional Transportation Commission to California Environmental Protection Agency Secretary Matt Rodriguez and California Air Resources Board Chair Mary Nichols, re: “Disadvantaged Communities” and Cap &amp; Trade Programs</td>
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<td>C4</td>
<td>September 22, 2014 letter from the Central Coast Coalition to California State Transportation Agency Secretary Brian Kelly, re: Input on Draft Guidelines for Cycle 1 of the Cap-and-Trade Low Carbon Transit Operations Program and Transit and Intercity Rail Program</td>
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<td>C5</td>
<td>October 9, 2014 letter from the California Intercity Passenger Rail Leadership Coalition to the House Transportation and Infrastructure Committee, re: Passenger Rail Reform and Investment Act of 2014 H.R. 5449</td>
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<td>C6</td>
<td>October 1, 2014 letter from State Representatives to California Environmental Protection Agency Secretary Matt Rodriguez and California Air Resources Board Chair Mary Nichols, re: “Disadvantaged Communities” and Cap &amp; Trade Programs</td>
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**Agenda item: 3.1.1**

TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC)

SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS

MONTEREY COUNTY REGIONAL DEVELOPMENT IMPACT FEE

JOINT POWERS AGENCY

**Draft Minutes of September 24, 2014 TAMC Board Meeting**

Held at the Agricultural Center Conference Room 1428 Abbott Street, Salinas

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**TAMC BOARD MEMBERS**

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<th>Name</th>
<th>SEP 13</th>
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<td>F. Armenta, Supr. Dist. 1-2nd Vice Chair (J. Martinez)</td>
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<td>S. Salinas, Supr. Dist. 3- (C. Lopez)</td>
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<td>J. Parker, Supr. Dist. 4-Chair (K. Markey)</td>
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<td>J. Burnett, Carmel-by-the-Sea (V. Beach)</td>
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<td>R. Hurley, Greenfield (A. Moreno)</td>
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1. CALL TO ORDER

Staff confirmed that a quorum was present; Chair Parker called the meeting to order and Lisa Rheinheimer led the pledge of allegiance.

M/S/C Salinas/Sollecito/unanimous

The Board approved that item 5, the guiding principles to evaluate State Route 156 is brought back to the Board at a future date, per the request of Todd Muck, Deputy Executive Director.

2. PUBLIC COMMENTS

None this month.

3. CONSENT AGENDA

M/S/C Sollecito/Craig/unanimous

The Board approved the Consent Agenda.

Alternate Gowin pulled item 3.1.1 for a correction.

Staff pulled item 3.4.4, to note a revision to the report.
ADMINISTRATION and BUDGET

3.1.1 Approved minutes of the Transportation Agency for Monterey County and the Joint Powers Agency for Monterey County meetings of August 27, 2014, with correction noted: Alternate Gowin pulled this item for correction of the spelling of Jeff Vezzolo.
3.1.2 Accepted the list of checks written for August 2014 and credit card statements for the month of July 2014.
3.1.3 Received report on conferences attended by agency staff.
3.1.4 Adopted attached Resolution 2014-13, approving the Master Fund Transfer Agreement for the period of time of January 1, 2015 through December 31, 2024; and authorized the Executive Director to sign the attached Master Fund Transfer Agreement.

BICYCLE, PEDESTRIAN, TRANSIT and SOCIAL SERVICES

3.2.1 Received update on the Marina-Salinas Multimodal Corridor Plan.

PLANNING

3.3.1 No items this month.

PROJECT DELIVERY and PROGRAMMING

3.4.1 Received updated Highway 156 West Corridor Project Question and Answer handout, with responses to questions raised at the August 2014 TAMC Board meeting.
3.4.2 Authorized staff to issue a Request for Qualifications for financial services related to the evaluation of tolling and a public-private partnership for delivery of the SR 156 West Corridor Project.
3.4.3 Authorized staff to hire a professional to facilitate the SR 156 Community Advisory Group meetings, at a cost of less than $10,000, utilizing the small purchases procurement process.
3.4.4 Regarding applications for Caltrans Sustainable Transportation Planning Grants:
   1. Authorized staff to submit applications for Caltrans Sustainable Transportation Planning Grants; and
   2. Authorized the Executive Director to accept grant funds if offered.

Staff pulled item 3.4.4, to note the addition of the Salinas Valley Active Transportation Plan to the list of possible grant applications.
3.4.5 Approved the Local Agency Funding Allocation Agreement.

RAIL PROGRAM

3.5.1 No items this month.

REGIONAL DEVELOPMENT IMPACT FEE

3.6.1 No items this month.
COMMITTEE MINUTES

3.7.1 Accepted minutes from Transportation Agency committees:
- Executive Committee – Draft September 3, 2014
- Bicycle & Pedestrian Facilities Advisory Committee – Draft September 3, 2014
- Rail Policy Committee – No Meeting
- Technical Advisory Committee – No Meeting

END OF CONSENT

4. CLOSED SESSION
The Board held a closed session regarding the Public Employee Performance Evaluation pursuant to Government Code Section §54957 – Positions: Executive Director & Legal Counsel.

RECONVENED IN OPEN SESSION: Chair Parker reported that there was nothing to report.

5. SR 156 PUBLIC-PRIVATE PARTNERSHIP GUIDING PRINCIPLES
M/S/C Salinas/Sollecito/unanimous
The Board moved to continue this item to a future date, per the request of Todd Muck, Deputy Executive Director.

6. HOLMAN HIGHWAY 68 ROUNDBOUBT
The Board received an update on the Holman Highway 68 Roundabout project and viewed the project video.

Ariana Green, Transportation Planner, reported that the Holman Highway 68 Roundabout will relieve congestion at the busy intersection of Holman Highway 68 and 17 Mile Drive near the entrance to Pebble Beach and the Community Hospital. This project is the result of a collaborative effort and a public-private partnership between the City of Monterey, Pebble Beach Company, Monterey Bay Unified Air Pollution Control District, County of Monterey and the Transportation Agency. The Transportation Agency is contributing $3.35 million of the $8 million construction cost to the project from Regional Surface Transportation Program and Regional Development Impact Fee revenues.

Board representative Craig asked if the intersection will still experience congestion during special events. Rich Deal, City of Monterey, the engineering project manager, replied that this is a challenging intersection, and there will still be some congestion during special Pebble Beach events, though it will be much less than what is experienced now.

Board alternate Gowin asked at what point the roundabout design will fail. Mr. Deal noted that the roundabout is designed to meet traffic demand for the next 20 years. Board member Rubio expressed concerns with out of town traffic knowing how to use the roundabout on event weekends into Pebble Beach. Mr. Deal replied that the current signal has already failed and that the queue will be much smaller than currently exists. He added that event traffic will continue to be an issue and that there needs to be good traffic control during events, noting that the roundabout design will make it easier to control traffic. Board member Hurley asked about how the project accommodates bicycle and pedestrian traffic; Mr. Deal noted that the ultimate project concept will include a new path for bicyclists and pedestrians, but that phase of the project will not take place until the bridge over Highway 1 is widened.
7. **UPDATE ON US 101 CORRIDOR CONSTRUCTION PROJECTS**

The Board received an update on the status of the US 101 Corridor Construction Projects: the Prunedale Improvement Project and the San Juan Road Project.

Grant Leonard, Assistant Transportation Planner, reported that construction of the US 101 Prunedale Improvement Project began in the spring of 2011, and is expected to be completed by October 2014. In December 2012, Caltrans began construction on the San Juan Road Interchange Project. A partial opening of the new San Juan Road Interchange is scheduled for October 2014, with project completion by spring of 2015. He noted that these projects will provide safer access, eliminating dangerous turns. Mr. Leonard announced the PIP Ribbon Cutting Ceremony will be on October 27, 2014, at 11:30 a.m. Director Hale noted the key goal of the projects is and always was safety.

Public comment:
Vee Thomas, 101 Bypass Committee, expressed her thanks to everyone, noting she cannot believe how beautiful the road is.

Dell Matt, 101 Bypass Committee, commented this is a bitter sweet moment, that there are no words to express her thanks.

Chris Orman, North County Fire Department, expressed his thanks on behalf of public safety, noting this is a better place to live because of these safety projects.

8. **REPORTS ON MEETINGS ATTENDED BY BOARD MEMBERS AT TRANSPORTATION AGENCY EXPENSE, AS REQUIRED BY STATE LAW**

None this month.

9. **REPORTS FROM TRANSPORTATION PROVIDERS**

**Caltrans** – Aileen Loe reported that she looks forward to the PIP Ribbon Cutting Ceremony on October 27, 2014, at 11:30 a.m. She noted that Caltrans’ new mission is “to provide a safe, sustainable, integrated and efficient transportation system to enhance California’s economy and livability”. Ms. Loe noted that Caltrans recently announced five new goals, noting one of them is to provide a safe transportation system for workers and users, and promote health through active transportation and reduced pollution in communities. She also noted that Caltrans has released a new issue of its “The Mile Marker” publication, which is available in print and online.

**Monterey Regional Airport District** – No report this month.

**Monterey-Salinas Transit District** – Lisa Rheinheimer, Director of Planning and Development, reported that MST will be providing free bus service to the California International Airshow on October 1st and 2nd, from 9:00 a.m. to 4:30 p.m., from Northridge Mall and Cesar Chavez Library.
10. EXECUTIVE DIRECTOR’S REPORT
Executive Director Debbie Hale announced the TAMC office will be closed on October 2, 2014, due to a power outage caused by the replacement of a PG & E power pole and that TAMC staff is taking the opportunity to take a field trip to view the new Bay Bridge span and trail, as well as the Capitol Corridor train. She also announced that the Multi Modal workshops would be held on October 15, 2014 at Hartnell College, Salinas; and October 16, 2014, Shoreline Center, Marina, both from 6 – 8 p.m. In conclusion, Director Hale highlighted the letters on the dais “Letter to Timothy Gubbins, Caltrans District 5, regarding SR 156 Near Term Safety Improvements” and “Letter to Todd Muck, Deputy Executive Director, from Senator Barbara Boxer” thanking him for making her visit to the Highway 101/San Juan Road interchange project such a success.

11. ANNOUNCEMENTS AND/OR COMMENTS FROM TRANSPORTATION AGENCY MEMBERS
None this month.

12. ADJOURNMENT
Chair Parker adjourned the meeting at 10:33 a.m.
Memorandum

To: Board of Directors

From: David Delfino, Finance Officer / Analyst

Meeting Date: October 22, 2014

Subject: TAMC payments for the month of September 2014

RECOMMENDED ACTION

ACCEPT the list of checks written for September 2014 and credit card statements for the month of August 2014.

SUMMARY

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.

FINANCIAL IMPACT

The checks processed this period total $239,390.23, which included checks written for September 2014 and payments of the August 2014 Platinum Plus Credit Card statements.

DISCUSSION

During the month of September 2014 normal operating checks were written, as well as two checks totaling $16,170.00 to Kimley-Horn & Associates, Inc. for services for a Multi-Modal Corridor Study, and a check for $1,170.00 to Meyers, Nave, Riback, Silver & Wilson, a check for $22,250.00 to Brigantino & Company and a check for $10,400.00 to Hodges Lacey & Associates for Right of Way work for commuter rail service to Monterey County and a check for $3,300.00 to PMC – Pacific Municipal Consultants for work on the TDA Triennial Audit.
TAMC payments for the month of September 2014

Board of Directors
October 22, 2014

Approved by: [Signature]
Debra L. Hale, Executive Director

Date signed: 10/8/14

Consent Agenda

Counsel Review: N/A

Attachments: 1. List of checks written during the month of September 2014
2. Platinum Plus credit card statements for August 2014.
<table>
<thead>
<tr>
<th>DATE</th>
<th>ITEM NAME</th>
<th>CHECK</th>
<th>DEPOSIT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>09/02/14</td>
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<td>09/26/2014</td>
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<td>DEP Portola Leasing and Haedrich</td>
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<td>1,050.00</td>
<td>Railroad Right Way Rent</td>
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**TOTAL** 239,390.23  366,606.24
**FIA CARD SERVICES**

Platinum Plus® for Business

**Account Information:**
www.fiabusinesscard.com

**Mail Billing Inquiries to:**
FIA CARD SERVICES
PO BOX 982238
EL PASO, TX 79998-2238

**Mail Payments to:**
BUSINESS CARD
PO BOX 15796
WILMINGTON, DE 19886-5796

**Customer Service:**
1.800.892.3219, 24 Hours

**TTY Hearing Impaired:**
1.888.500.6267, 24 Hours

**Outside the U.S.:**
1.509.353.6656, 24 Hours

**For Lost or Stolen Card:**
1.800.892.3219, 24 Hours

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**DFBRA L HALE**

**Payment Information**

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<tr>
<th>Description</th>
<th>Amount</th>
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<td>New Balance Total</td>
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<tr>
<td>Minimum Payment Due</td>
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<tr>
<td>Payment Due Date</td>
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**Late Payment Warning:** If we do not receive your minimum payment by the date listed above, you may have to pay a fee based on the outstanding balance:
- $19.00 for balance less than $100.01
- $29.00 for balance less than $1,000.01
- $39.00 for balance less than $5,000.01
- $49.00 for balance greater than $5,000.01

**Minimum Payment Warning:** If you make only the minimum payment each period, you will pay more in interest and it will take you longer to pay off your balance.

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**Account Summary**

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<th>Description</th>
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<td>Cash Advance Activity</td>
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<td>Purchases and Other Charges</td>
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**Transactions**

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**Account Number**
August 05, 2014 - September 04, 2014

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<td>$10.00</td>
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Enter payment amount

$ [ ] Check here for a change of mailing address or phone numbers.
Please provide all corrections on the reverse side.

Mail this coupon along with your check payable to:
BUSINESS CARD,
or make your payment online at
www.fiabusinesscard.com
FIA CARD SERVICES®

Platinum Plus® for Business

Account Information:
www.fiabusinesscard.com

Mail Billing Inquiries to:
FIA CARD SERVICES
PO BOX 982238
EL PASO, TX 79998-2238

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Transactions

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<td>THE BAGEL CORNER</td>
<td></td>
<td>17.25</td>
</tr>
<tr>
<td>08/27</td>
<td>03/26</td>
<td>STARBUCKS #98529</td>
<td></td>
<td>44.85</td>
</tr>
<tr>
<td>08/27</td>
<td>03/26</td>
<td>WM SUPERCENTER #8751</td>
<td></td>
<td>10.51</td>
</tr>
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</table>

Account Information:
August 05, 2014 - September 04, 2014

Account Number:
August 05, 2014 - September 04, 2014

New Balance Total ................................................. $489.12
Minimum Payment Due ............................................. $10.00
Payment Due Date .................................................. 10/01/14

Enter payment amount

Check here for a change of mailing address or phone numbers.
Please provide all corrections on the reverse side.

Mail this coupon along with your check payable to:
BUSINESS CARD,
or make your payment online at
www.fiabusinesscard.com

22
## Transactions

<table>
<thead>
<tr>
<th>Posting Date</th>
<th>Transaction Date</th>
<th>Description</th>
<th>Reference Number</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>09/03</td>
<td>09/02</td>
<td>MSFT *ONLINE 900-642-7676 WA</td>
<td></td>
<td>204.00</td>
</tr>
<tr>
<td>09/04</td>
<td>09/03</td>
<td>NOB HILL #607 SALINAS CA</td>
<td></td>
<td>85.02</td>
</tr>
<tr>
<td></td>
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<td>TOTAL PURCHASES AND OTHER CHARGES FOR THIS PERIOD</td>
<td></td>
<td>$489.12</td>
</tr>
</tbody>
</table>

### Finance Charge Calculation

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

<table>
<thead>
<tr>
<th>Annual Percentage Rate</th>
<th>Balance Subject to Interest Rate</th>
<th>Finance Charges by Transaction Type</th>
</tr>
</thead>
<tbody>
<tr>
<td>PURCHASES 17.99%</td>
<td>$0.00</td>
<td>$0.00</td>
</tr>
<tr>
<td>CASH 24.24% V</td>
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<td>$0.00</td>
</tr>
</tbody>
</table>

V = Variable Rate (rate may vary). Promotional Balance = APR for limited time on specified transactions.
Memorandum

To: Board of Directors

From: Todd Muck, AICP, Deputy Executive Director

Meeting Date: October 22, 2014

Subject: FY 2014/15 Work Program and Budget Amendment No. 1

RECOMMENDED ACTION:

APPROVE Resolution 2014-16 providing authority for the Executive Director to execute amendment no. 1 to the fiscal year 2014/15 Work Program and Budget.

SUMMARY:

The Transportation Agency’s Work Program describes the activities that the Agency will undertake during the fiscal year. Changes to the amount of planning funds received by the Agency need to be amended in the Work Program and Budget before associated tasks can be initiated.

FINANCIAL IMPACT:

The Agency has received confirmation from Caltrans that $52,552 of Rural Planning Assistance funds not used by the Transportation Agency in fiscal year 2013/14 is available to be programmed into the current fiscal year (2014/15). The Agency also received a $120,000 federal transportation planning grant to conduct the Pacific Grove State Route 68 Corridor Study. The Agency is contributing $20,600 of the $35,600 in matching funds required for the study.

DISCUSSION:

The annual Transportation Agency Work Program describes the activities to be accomplished during the fiscal year beginning July 1, and ending June 30. Adopting an annual work program is mandatory to utilize federal metropolitan planning funds provided through the Association of Monterey Bay Area Governments and for Rural Planning Assistance funds and discretionary planning grants from Caltrans.
The Agency received a $120,000 federal transportation planning grant to conduct the Pacific Grove State Route 68 Corridor Study. The Pacific Grove State Route 68 Corridor Study will identify projects to improve pedestrian and bicycle safety along the corridor, from the Pacific Grove city limit to Asilomar Avenue. Projects identified by the study will be developed to a level of detail sufficient for the City to pursue funding opportunities to further develop and construct improvements. The Agency is contributing $20,600 to match the federal grant. The City of Pacific Grove is contributing $15,000 in matching funds. The study is scheduled to start in February 2015 and conclude in June 2016. The initial five months of work ($50,000) is reflected in Work Program Amendment No. 1. Funding for the balance of the work ($105,600) will be included in the Agency’s FY 2015/16 work program and budget.

The Transportation Agency receives an annual allocation of Rural Planning Assistance funds and has the flexibility to program these funds to eligible activities as it deems appropriate. Carry-over funds from the prior fiscal year can likewise be allocated as needed. Rural Planning Assistance carry-over funds totaling $52,551 is available to be programmed into fiscal year 2014/15.

Staff recommends the carry-over Rural Planning Assistance funds be used as follows:
- $44,552 zero-sum exchange for local funds currently in WE 6140 (bike/ped planning), and
- $8,000 as FY 2014/15 matching funds for the Pacific Grove Corridor Study (WE 6724).

Revised Work Program pages reflecting the above recommendations are included as web attachments.

Approved by: Debra L. Hale, Executive Director
Date signed 10/13/14

Consent Agenda
Counsel Review: N/A
Admin/Finance Review: Yes

Attachment: Resolution 2014-16
Web Attachment: Revised pages for the Agency’s FY 2014/15 Work Program
RESOLUTION NO. 2014-16 OF THE TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC) TO APPROVE AMENDMENT NUMBER 1 TO THE 2014-2015 FISCAL YEAR WORK PROGRAM AND BUDGET.

WHEREAS, Chapter 3, Title 21, Section 6646 of the California Code of Regulations permits the Regional Transportation Planning Agency to allocate funds for implementation of the annual work program of the transportation planning process; and

WHEREAS, the Agency adopted its FY 2014-2015 work program and budget on May 28, 2014;

WHEREAS, the Agency’s 2014-2015 fiscal year work program and budget describes the work tasks to be completed; and

WHEREAS, the California Department of Transportation notified the Agency $52,551.99 of Rural Planning Assistance funds have been carried over from FY 2013-2014 and are available to be amended into the Agency’s FY 2014-2015 work program and budget;

WHEREAS, the California Department of Transportation awarded the Agency $150,000 of Federal transportation planning funds from the Partnership Planning for Sustainable Transportation grant program to implement the Pacific Grove State Route 68 Corridor Study and are available to be amended into the Agency’s FY 2014-2015 work program and budget;

WHEREAS, the $150,000 of Federal transportation planning funds to implement the Pacific Grove State Route 68 Corridor Study require a local match. The Agency is committing $20,600 and the City of Pacific Grove has committed $15,000 for the local match and are available to be amended into the Agency’s FY 2014-2015 work program and budget;

WHEREAS, work program elements 1101, 6140, and 7124 have been revised or created to reflect the above listed funding and are attached to this resolution by reference;

NOW, THEREFORE, BE IT RESOLVED THAT: the Board of Directors of the Transportation Agency for Monterey County hereby authorizes the executive director to execute work program and budget amendment no. 1 in accordance with this resolution.

PASSED AND ADOPTED by the Transportation Agency for Monterey County, State of California this 22nd day of October 2014, by the following vote:
AYES:

NOES:

ABSENT:

____________________________________________________
JANE PARKER, CHAIR
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

ATTEST:

__________________________________________________
DEBRA L. HALE, EXECUTIVE DIRECTOR
TRANSPORTATION AGENCY FOR MONTEREY COUNTY
Memorandum

To: Board of Directors
From: Theresa Wright, Community Outreach Coordinator
Meeting Date: October 22, 2014
Subject: Transportation Excellence Awards Call for Nominations

RECOMMENDED ACTION:

RECEIVE the call for nominations for the thirteenth annual Transportation Agency Excellence awards to honor individuals, businesses, groups or projects for their efforts to improve the transportation system in Monterey County.

SUMMARY:

Transportation Agency would like to encourage and appreciate efforts made by Monterey County residents, businesses and employees to improve transportation in Monterey County by awarding Transportation Excellence Awards. Staff encourages Board members to submit nominations, which are due by December 5, 2014. The awards ceremony will take place during the regular January 2015 Transportation Agency Board meeting.

DISCUSSION:

Transportation Agency for Monterey County would like to show its appreciation to the local community for its outstanding efforts to improve transportation in Monterey County. The program has award categories for individuals, businesses/groups, programs or projects. Examples of potential awards include but are not limited to:

- Transportation employees who excel at their jobs and go the extra mile to promote the most efficient use of the transportation system.
- Innovative activities that promote more efficient use of the local transportation network.
- Citizens or organizations that have made significant efforts to inform and educate the public about transportation issues.
Transportation Excellence Awards Call for Nominations

Board of Directors
October 22, 2014

- Successful efforts to improve transit services and encourage the use of alternatives to driving alone.

Board members are encouraged to distribute nomination forms and nominate projects, groups or individuals to be recognized for their contributions to transportation in Monterey County. Staff will be vigorously promoting this appreciation program by a mass mailing, ads in the Herald and Californian and follow-up Board reports.

The nomination form is **attachment 1** and is also available on the Transportation Agency website. The form can be mailed to Transportation Agency offices or faxed to the attention of Grant Leonard. The deadline for nominations is December 5, 2014.

The Transportation Agency Executive Committee will select the awards recipients at its January meeting.

Approved by: [Signature]
Debra L. Hale, Executive Director

Date signed 10/13/14

Consent Agenda

Attachment: Nomination form

Counsel Approval: N/A
Admin/Finance Approval: N/A
1. Name of Nominee
Give name and address of individual (provide title), firm, group, or organization.
Nominee:

Category: (circle one) Individual Business/Group Program Project
Address: Email:
City: Zip Phone:
If Nominee is a firm, group or organization, provide contact name:
Title: Phone:
Email:

2. Description:
Describe the individual, business, group, program or project that is being nominated. Include any specific
information that may apply, such as the number of people who worked on the project, number of hours spent
on the project, number of people served or affected, cost to those served, and annual cost of operation.
Indicate whether the nominee is a volunteer or paid. Enclose any photographs or other materials that will
contribute additional information to the nomination. Use extra pages as needed.

3. Date or duration of program:
When did this program take place? When was it completed? If ongoing, when did it start?

4. Significance/Result:
State how this person, group or project has contributed to improving transportation in Monterey County in
current calendar year. Describe the impact on those served and value created by this activity, as well as any
savings provided to users, taxpayers or providers by the nominee. Use extra pages as needed.

5. Person Submitting Nomination:
Name: Phone:
Title: Email:
Organization:
Address:
City: Zip:

Please return by noon, December 5, 2014 via fax: 831-775-0897; email: Theresa@tamcmonterey.org;
or mail to: Transportation Agency for Monterey County, Attn: Theresa Wright
55-B Plaza Circle, Salinas CA, 93901
For additional information, please call 831-775-4411. This form is also available on TAMC’s website
at: http://tamcmonterey.org/programs/excelaward/index.html
Memorandum

To: Board of Directors
From: David Delfino, Finance Officer / Analyst
Meeting Date: October 22, 2014
Subject: Fiscal Year 2014-15 State Transit Assistance Allocations

RECOMMENDED ACTION:

SUMMARY:
The Transportation Agency is responsible for allocating State Transit Assistance funding, generated through the state sales tax on diesel fuel, to transit operators pursuant to the Transportation Development Act.

FINANCIAL IMPACT:
The Transportation Agency is required to pass through State Transit Assistance funds to eligible transit operators. The requested action will allocate up to $2,432,997 in State Transit Assistance to Monterey-Salinas Transit (MST) for RIDES paratransit operations based on the State Controller’s fund estimate and apportionments for Fiscal Year 2014-15.

DISCUSSION:
The State Transit Assistance program is one of two dedicated fund sources for public transit created by the Transportation Development Act (the Local Transportation Fund being the other), and is currently funded through the state sales tax on diesel fuel. The program is primarily intended to fund capital costs given restrictions in state law on claiming these funds for operating support. State law does allow operators, however, to claim these funds for operating costs related to Americans with Disabilities Act compliant paratransit service, which is an unfunded federal mandate.

Monterey-Salinas Transit has been relying on the State Transit Assistance program to fund its RIDES paratransit operating costs, which preserves available Local Transportation Funds for...
operating countywide fixed route public transit service. The Controller will begin distributing State Transit Assistance to the Transportation Agency in early October.

Approved by: Debra L. Hale, Executive Director

Date signed: 10/9/14

Consent Agenda

Counsel Approval: N/A
Admin/Finance Approval: Yes

Attachment:

RESOLUTION NO. 2014-14 OF THE
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

STATE TRANSIT ASSISTANCE FUND ALLOCATION
FOR FISCAL YEAR 2014-15

WHEREAS, the State of California pursuant to the Public Utilities Code, Chapter 4, Transportation Development Section 99313 and 99314 has made State Transit Assistance Funds available to transportation planning agencies to be allocated for public transportation purposes;

WHEREAS, Fiscal Year 2014-15 State Transit Assistance estimates have been prepared by the California State Controller describing the funding expected to be available for allocation by the Transportation Agency for Monterey County to public transit operators in Monterey County;

WHEREAS, proposed fiscal year 2014-15 expenditures of Monterey-Salinas Transit are in conformity with the Regional Transportation Plan;

WHEREAS, the level of passenger fares and charges is sufficient to enable Monterey-Salinas Transit to meet the fare revenue requirements of Public Utilities Code sections 99268.2, 99268.3, 99268.4, and 99268.9;

WHEREAS, Monterey-Salinas Transit is making full use of federal funds available under the Urban Mass Transportation Act of 1964, as amended;

WHEREAS, the sum of allocations from the State Transit Assistance Fund does not exceed the amount that Monterey-Salinas Transit is eligible to receive during the fiscal year;

WHEREAS, priority consideration has been given to claims to offset reductions in federal and state operating assistance and the unanticipated increase in the cost of fuel, to enhance existing public transportation services, and to meet high priority regional, countywide, or public transportation needs;

WHEREAS, Monterey-Salinas Transit has made a reasonable effort to implement the productivity improvements recommended in the Triennial Performance audit completed for the 3 year period ending June 30, 2010;

WHEREAS, Monterey-Salinas Transit is not precluded by any contract entered into on or after June 28, 1979, from employing part-time drivers or from contracting with common carriers of persons operating under a franchise or license; and
WHEREAS, Monterey-Salinas Transit has submitted certifications, completed within the last 13 months by the Department of the California Highway Patrol, verifying that they are in compliance with section 1808.1 of the Vehicle Code, as required in Public Utilities Code section 99251;

NOW, THEREFORE, BE IT RESOLVED THAT: the Transportation Agency for Monterey County does allocate State Transit Assistance Funds for fiscal year 2014-15, up to the amounts indicated below, not to exceed the funds available in the State Transit Assistance account at the time claims are submitted.


<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Type of Service</th>
<th>Operating</th>
<th>Capital</th>
<th>Total</th>
<th>State Controller’s Report Code</th>
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</thead>
<tbody>
<tr>
<td>Monterey-Salinas Transit</td>
<td>Monterey-Salinas Transit RIDES Program</td>
<td>$2,432,997</td>
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<td>$2,432,997</td>
<td>Art. 6.5 PUC 99314.6 (b)</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>$2,432,997</td>
<td>$0</td>
<td>$2,432,997</td>
<td></td>
</tr>
</tbody>
</table>

PASSED AND ADOPTED by the Regional Transportation Agency for Monterey County, State of California this 22th day of October 2014, by the following vote:

AYES:

NOES:

ABSENT:

JANE PARKER, CHAIR
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

ATTEST:

DEBRA L. HALE, EXECUTIVE DIRECTOR
TRANSPORTATION AGENCY FOR MONTEREY COUNTY
Memorandum

To: Board of Directors
From: Christina Watson, Principal Transportation Planner
Meeting Date: October 22, 2014
Subject: Cap & Trade Program Comments

RECOMMENDED ACTION
RECEIVE information on cap and trade funding program guideline comments.

SUMMARY
In June, the state approved a cap and trade funding plan and state budget. State agencies are now developing guidelines to implement the new funding programs. This report summarizes the actions taken to date and comments submitted on the various programs.

FINANCIAL IMPACT
The recommended action has no direct financial impact.

DISCUSSION
The cap and trade program is the “only game in town” when it comes to new funding for transportation projects. Staff comments on draft guidance have focused on ensuring good projects in Monterey County would be eligible. Such projects could include the Rail Extension to Salinas project, Multimodal Corridor project, bicycle and pedestrian projects, and bus transit projects as well as transit-oriented development projects.

On June 15, 2014, the State Legislature approved the state budget for fiscal year 2014-15 and an ongoing spending plan for cap and trade revenues. The following programs will have funding available for transportation projects:

<table>
<thead>
<tr>
<th>Program</th>
<th>Department/ Agency</th>
<th>Budget Year 2014-15</th>
<th>Long-Term Plan</th>
</tr>
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<tbody>
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<td>Low Carbon Transit Operations Program</td>
<td>State Controller's Office/ Caltrans</td>
<td>$25 million</td>
<td>5%</td>
</tr>
<tr>
<td>Transit and Intercity Rail Capital Program</td>
<td>California State Transportation Agency/ Caltrans</td>
<td>$25 million</td>
<td>10%</td>
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<tr>
<td>Sustainable Communities and Affordable Housing</td>
<td>Strategic Growth Council</td>
<td>$130 million</td>
<td>20%</td>
</tr>
<tr>
<td>High-Speed Rail</td>
<td>High-Speed Rail Authority</td>
<td>$250 million</td>
<td>25%</td>
</tr>
<tr>
<td>Low-Carbon Transportation</td>
<td>Air Resources Board</td>
<td>$200 million</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Transportation Agency for Monterey County
55-B Plaza Circle • Salinas, California 93901-2902
(831) 775-4406 FAX (831) 775-0097 • E-mail: christina@tamcmonterey.org
www.tamcmonterey.org
In addition to the guidance under development for each specific funding program, the Air Resources Board (ARB) and California Environmental Protection Agency (CalEPA) are tasked with developing over-arching guidance on the definition of “disadvantaged communities”.

Agency staff have attended the following workshops on these funding programs:
- Sustainable Communities and Affordable Housing, Strategic Growth Council (SGC), Oakland, August 14, 2014; more information online here: http://sgc.ca.gov/s_affordablehousingandsustainablecommunitiesprogram.php.
- Transit and Intercity Rail Capital Program (TIRCP) and Low Carbon Transit Operations Program (LCTOP), California State Transportation Agency (CalSTA) and Caltrans, San Jose, August 21, 2014; more information online here: http://www.calsta.ca.gov.
- Disadvantaged Communities, ARB and CalEPA, Oakland, September 3, 2014; more information online here: http://www.arb.ca.gov/auctionproceeds.

Staff are also coordinating on joint comment letters with partner agencies, such as the Coast Rail Coordinating Council, the Intercity Rail Chairs group, and the Central Coast Coalition. Such letters are included in correspondence in the appropriate Agency Board packets.

Attached are the comment letters sent by the Agency on these grant programs. Key concerns relate to the weaknesses of the CalEnviroScreen tool proposed for identifying disadvantaged communities, the definition of a “benefit” to disadvantaged communities, the projects eligible for transit and rail funding (e.g., ensuring that extensions of service and equipment purchases are eligible), and programming strategies for a funding source that is hard to predict.

Staff will continue to monitor and comment on guidance as it is developed and will continue to keep the Board apprised.

Approved by: Debra L. Hale, Executive Director
Date signed: 10/7/14

Consent Agenda
Reviewed by Counsel: N/A
Admin/Finance Approval: N/A

Attachments:
1. September 10, 2014 letter to CalSTA Secretary Brian Kelly, re: Input to Guidelines for Cap & Trade Funding Programs: Transit and Intercity Rail Capital Program and Low-Carbon Transit Operations Program
2. September 15, 2014 letter to ARB Climate Investments Branch Chief Shelby Livingston and CalEPA Community Assessment & Research Section Chief John Faust, re: Comments on SB 535 Draft Guidance: Disadvantaged Communities
September 10, 2014

Brian P. Kelly
Secretary
California State Transportation Agency (Cal STA)
915 Capitol Mall, Suite 350B
Sacramento, CA 95814

SUBJECT: Input to Guidelines for Cap & Trade Funding Programs: Transit and Intercity Rail Capital Program and Low-Carbon Transit Operations Program

Dear Secretary Kelly:

I am writing on behalf of the Transportation Agency for Monterey County (TAMC) to comment and provide input on the draft guidelines for the Cap and Trade funding programs for intercity rail and low-carbon transit operations. TAMC is the Regional Transportation Planning Agency and Local Transportation Commission for Monterey County. The mission of TAMC is to develop and maintain a multimodal transportation system that enhances mobility, safety, access, environment quality and economic activities in Monterey County.

Regarding the Transit and Intercity Rail Capital Program (TIRCP), TAMC supports the comments provided by the California Intercity Passenger Rail (CIPR) corridors (August 18, 2014) and the Coast Rail Coordinating Council (CRCC) (August 28, 2014).

- **Intercity rail services** have proven abilities to reduce vehicle miles traveled and the associated greenhouse gas emissions. The state does not currently have a secure or stable funding source for capital improvements for these intercity rail services - which are three of the five busiest intercity rail services in the nation. The TIRCP is vital to the improvement and expansion of the state rail program, since the State Transportation Improvement Program (STIP) only provides very limited funding for intercity rail capital improvements.

- **Rail network integration** will help create a seamless rail system in California and encourage rail use at all levels, making tangible progress towards the state's goal of reducing greenhouse gas emissions.

- **Procuring a fully state-owned fleet of rail cars** will increase ridership and revenue on all three intercity rail services and significantly reduce emissions compared to the current equipment.

- CalSTA should also ensure that emerging corridors and extension projects are eligible for this funding.
Letter to Brian P. Kelly  
September 10, 2014  
Page 2 of 2

- Guidelines that place a high priority on rail network integration and train equipment acquisition will help the state reach its goal of creating sustainable communities.

Regarding the Low-Carbon Transit Operations Program (LCTOP):

- TMC urges CalSTA to strive to keep LCTOP applications and reporting simple, considering the limited amount of funding available, especially for smaller regions.

- There are lessons to be learned from the Proposition 1B transit funding (Public Transportation Modernization, Improvement, and Service Enhancement Account, or PTMSEA), such as the benefits of allowing banking of funds for future years, advances of future year allocations, and loaning or pooling of allocations between or among agencies.

- TMC supports allowing LCTOP funding to be used for transit maintenance, operations, and state of good repair projects.

For both programs:

- TMC feels that it is important to first measure the benefits of a transportation project to a region, before applying the criterion of benefits to “disadvantaged communities” as a program-wide 25% set-aside. Each project need not benefit a disadvantaged community as long as at least 25% of the overall grant-funded projects benefit such communities statewide. TMC is also sending a separate comment letter to the Air Resources Board (ARB) on the question of how to measure “disadvantaged communities” and will copy you on that letter.

- As far as programming is concerned, TMC feels that CalSTA should prepare a one-year funding program for the fiscal year 14/15 budget cycle and learn from that experience to develop a multi-year program for future allocations.

Thank you very much for your time and consideration. We look forward to continuing our collaborative relationship with CalSTA and Caltrans on developing these guidelines and implementing good transportation projects in Monterey County.

Sincerely,

Debra L. Hale  
Executive Director

cc: Bruce Roberts, Acting Chief, Caltrans Division of Rail and Mass Transportation  
Transit and Intercity Rail Capital Program (TIRCP) - tirrcmp&nbsp;@&nbsp;dot.ca.gov  
Low-Carbon Transit Operations Program (LCTOP) - lctopcomm&nbsp;@&nbsp;dot.ca.gov  
Maura Twomey, Association of Monterey Bay Area Governments (AMBAG)  
George Dondero, Santa Cruz County Regional Transportation Commission (SCCRTC)
September 15, 2014

Ms. Shelby Livingston  
Branch Chief  
Climate Investments Branch  
California Air Resources Board (ARB)  
1001 I Street  
Sacramento, California 95814

Dr. John Faust  
Chief, Community Assessment & Research Section  
Office of Environmental Health Hazard Assessment (OEHHA)  
California Environmental Protection Agency (CalEPA)  
1515 Clay Street, Suite 1600  
Oakland, CA 94612

SUBJECT: Comments on SB 535 Draft Guidance: Disadvantaged Communities

Dear Ms. Livingston and Dr. Faust:

I am writing on behalf of the Transportation Agency for Monterey County (TAMC) to comment on the draft guidelines for the investment of Cap-and-Trade auction proceeds in disadvantaged communities, the identification of disadvantaged communities, and the evaluation of benefits to disadvantaged communities in accordance with Senate Bill (SB) 535 (De León, Chapter 830, Statute of 2012).

TAMC is the Regional Transportation Planning Agency and Local Transportation Commission for Monterey County. The mission of TAMC is to develop and maintain a multimodal transportation system that enhances mobility, safety, access, environment quality and economic activities in Monterey County.

Recommended Improvements to CalEnviroScreen

TAMC acknowledges the extensive public process that went into the most recent update to CalEnviroScreen. We understand and appreciate that CalEPA and OEHHA are committed to continuing to revise and improve the tool through an open and public process. However, the current results from CalEnviroScreen in identifying disadvantaged communities leaves out many areas of the State that by all measures should be considered “disadvantaged”, and raises Environmental Justice concerns.
As a means of improving the tool, the Transportation Agency strongly recommends the following enhancements be implemented in advance of this cycle of Cap-and-Trade funding to ensure that disadvantaged communities throughout California are properly identified:

- **Incorporate Cost of Living as a Factor:** The CalEnviroScreen draft methodology for defining "disadvantaged communities" should take into account the cost of living as one of the socioeconomic indicators. California's coastal communities are some of the most expensive places to live, yet rely on relatively cheap labor for the agricultural and tourism industries, making them one of the least affordable places to live for our workforces. The Public Policy Institute of California (PPIC) developed the California Poverty Measure (CPM, see enclosed excerpt and refer to: http://www.ppic.org/main/mapdetail.asp?i=1396), which shows that high-cost coastal communities are more disadvantaged than the areas of the state considered "disadvantaged" by the CalEnviroScreen methodology.

To bring this metric into CalEnviroScreen, the U.S. Department of Housing and Urban Development (HUD) has data on affordable housing by census tract that should be incorporated. Low-income households in high costs communities are statistically more disadvantaged than those with the same incomes in low-cost areas. This important fact needs to be included in the final CalEnviroScreen methodology.

- **Expand the Definition of the Poverty Metric:** CalEnviroScreen currently defines poverty as an area two times below the national poverty level. To be consistent with how other State-level agencies are defining poverty and disadvantaged communities in grant programs, the Department of Transportation's Active Transportation Program should be used as a guide. The Active Transportation Program uses two additional metrics that should be incorporated into CalEnviroScreen:

  - **Adjusted Median Income:** The median household income is less than 80% of the statewide median based on the most current census tract level data from the American Community Survey.

  - **Free or Reduced Price School Lunches:** At least 75% of public school students in the project area are eligible to receive free or reduced price meals under the National School Lunch Program.

**Methods for Identifying Benefits to Disadvantaged Communities**

In the SB 535 presentation, ARB asked: "Are there other criteria ARB should consider for projects that are located outside disadvantaged community census tracts, but provide benefits that are direct, meaningful, and assured to residents of those tracts?"

- **Use Corridor Improvements to Define Benefits:** TMC believes that the method of defining a "benefit" to disadvantaged communities is important. The Transportation Agency supports identifying benefits to disadvantaged communities through a corridor systems approach. Particularly in areas that suffer a jobs-housing imbalance, improvements to transportation corridors can provide critical benefits to affected communities without the project being located within the census tract boundaries. Transportation improvement
projects that decrease travel times, reduce vehicle miles traveled, and lessen congestion along corridors that serve disadvantaged communities will improve the air quality while ensuring fair treatment without disproportionate impact to minority populations.

Approaches to Identifying Disadvantaged Communities

OEHHA proposed five methods to apply CalEnviroScreen to determine "disadvantaged communities" under the law and requested input on which method to use. As all of these methods rely entirely on CalEnviroScreen, TMC would like to refer to the concerns above for using this tool as currently configured. However, the Transportation Agency offers the following comments and recommendations:

- **Support for Method 4**: The Transportation Agency supports using Method 4 ("Equal Cutpoints") as the means to identify disadvantaged communities. This method focuses CalEnviroScreen more on the highest risk areas and excludes areas below the average for pollution and population characteristic scores. This method is a fair balance between pollution impacts and disadvantaged population characteristics, whereas with Method 1, an area could score high in either pollution impacts or population characteristics and have a low score in the other but still qualify.

- **Support for Top 25% Cut-points**: The Transportation Agency also supports using cutpoints at the top 25% to capture more disadvantaged community locations.

TAMC also supports Monterey-Salinas Transit in urging you to consider ways in which the military and veteran communities could be considered eligible for Cap and Trade funding. TAMC looks forward to continuing to collaborate and coordinate with you in the development of these guidelines. Please feel free to contact me at debbie@tamcmonterey.org or (831) 775-0903 with any questions. Thank you very much for your time and consideration.

Sincerely,

Debra L. Hale
Executive Director

Enclosure

cc: Anna Caballero, Secretary of the Business, Consumer Services and Housing Agency, Strategic Growth Council
Matthew Botill, Manager, Policy Section, California Air Resources Board
Arsenio Mataka, Assistant Secretary, California Environmental Protection Agency (CalEPA)
Bruce Roberts, Acting Chief, Caltrans Division of Rail and Mass Transportation
Jila Priebe, Office Chief, State Transit Programs, Caltrans Division of Rail and Mass Transportation
Maura Twomey, Association of Monterey Bay Area Governments (AMBAG)
George Dondero, Santa Cruz County Regional Transportation Commission (SCCRTC)
Carl Sedoryk, Monterey-Salinas Transit (MST)
This interactive map shows poverty rates according to both the California Poverty Measure (CPM) and the official poverty measure. It also shows poverty thresholds—the dollar amount that signals poverty for a family of four. In contrast to the official poverty measure, the CPM incorporates the state’s high—and variable—cost of living and the effect of social safety net programs.

SOURCE: Data Set - California Poverty by County.
NOTES: Poverty thresholds are for a family of four that rents its place of residence. Data for some counties is not shown because of wide margins of error (calculated for a 99% confidence interval). Poverty rates for certain counties are calculated at the multi-county level because of sample size constraints. Official poverty rate calculated with CPM universe of households.
Memorandum

To: Board of Directors
From: Michael Zeller, Senior Transportation Planner
Meeting Date: October 22, 2014
Subject: INVEST Grant Program Supplement

RECOMMENDED ACTION:

APPROVE Resolution 2014-15 providing authority for the Executive Director to execute a Program Supplement agreement with the Department of Transportation.

SUMMARY:

The Transportation Agency was awarded a $25,000 grant from the Federal Highways Administration to conduct a sustainability analysis of the US-101 corridor using the Infrastructure Voluntary Evaluation Sustainability Tool. To receive an allocation for the funding, the Agency must enter into a Program Supplement agreement with the Department of Transportation.

FINANCIAL IMPACT:

The Transportation Agency received a $25,000 grant from the Federal Highways Administration and has budgeted an additional $25,000 in staff time to the project as part of the grant’s matching funds requirement.

DISCUSSION:

The Federal Highway Administration developed the Infrastructure Voluntary Evaluation Sustainability Tool (INVEST) to help make the nation’s transportation systems more sustainable – economically, socially and environmentally. INVEST was created specifically for transportation agencies to evaluate the sustainability of the full lifecycle of their highway and transportation projects and plans.

INVEST helps State Departments of Transportation, Metropolitan Planning Organizations, local transportation agencies and others to identify, prioritize and communicate balanced choices between the different and sometimes competing goals of highway infrastructure programs. INVEST provides a collection of criteria and practices that allow transportation agencies to gauge their level of sustainability and systematically integrate sustainable practices into their actions. Using the tool is completely voluntary and free.
In 2012, the Transportation Agency was selected by the Federal Highways Administration to participate in a pilot program designed to evaluate the first version of the INVEST tool. The Highway 156 widening project was selected for evaluation and received a Gold rating from the scorecard (six points away from Platinum, the highest rating). The most valuable part of this exercise was seeing how well Caltrans' standard specifications and practices relate to sustainability already – there were a number of areas where Caltrans standard procedures were in line or exceeded what the Federal Highways Administration was defining as sustainable.

The proposed work effort for this grant is to analyze the sustainability outcomes of the US-101 Corridor through Monterey County, and will build on the successful work already completed during the pilot project phase of the INVEST tool. During the initial pilot project, our agency worked closely with environmental, design, and construction staff from Caltrans to perform the scoring workshop. For this project, our agency would expand on that effort to include key stakeholders from the proposed Central Coast State Route 101 Study Working Group to analyze planned transportation improvements along the corridor in a Systems Planning approach.

From using the INVEST tool's System Planning Module, there are two areas where the results of the analysis will tie into the work conducted by the Central Coast Working Group:

- Provide an assessment of environmental and cultural resources which may be impacted by improvements to the 101 corridor. Sensitive environmental impacts will focus on the habitats within and adjacent to the study area. Results will be reviewed by the Central Coast Working Group. The INVEST scoring analysis will provide best practices and ideas to minimize identified impacts from the environmental and cultural resources assessment.

- Produce a comprehensive transportation alternatives evaluation matrix. This will include quantitative and qualitative criteria. INVEST criteria can be incorporated into this effort to ensure sustainability goals are measured when considering transportation alternatives.

The result of this effort will be the development of a final report on the areas of opportunity and best practices related to sustainability initiatives for the US-101 Corridor. This information will be used in the overall effort to develop a prioritized list of short-term and long-term cost effective strategies to improve general traffic flow and goods movement.

In order to receive an allocation for the awarded grant, the Transportation Agency must enter into a Program Supplement agreement with the Department of Transportation.

Approved by: Debra L. Hale, Executive Director Date signed: 10/9/14

Consent Agenda

Counsel Approval: Yes
Admin/Finance Approval: N/A

Web Attachment: Resolution 2014-15
Memorandum

To: Board of Directors

From: Theresa Wright, Community Outreach Coordinator

Meeting Date: October 22, 2014

Subject: Emergency Ride Home Program Guidelines

RECOMMENDED ACTION:

1. ADOPT the Emergency Ride Home program guidelines; and
2. AUTHORIZE staff to implement the Emergency Ride Home program as part of Monterey County Rideshare.

SUMMARY:

The Emergency Ride Home program offers “peace of mind” to commuters who want to travel by alternative modes of transportation to school or work. If an emergency occurs due to an illness, crisis, or unexpected overtime required by their employer on the day they use the alternative mode of transportation, commuters can arrange for a cab or rental car to get home and be reimbursed up to $60.

FINANCIAL IMPACT:

The Emergency Ride Home program will be fully funded by the Service Authority for Freeways and Expressways money. The program is projected to cost $1,200 annually.

DISCUSSION:

A lot of people like the idea of leaving their car at home and traveling to work another way, through a ride-sharing program. But they also worry about being stranded without a car. How will they get home if there’s a family emergency? What will they do if they have to unexpectedly work late? The “peace of mind” answer to both of these questions is the Emergency Ride Home program.

According to the Emergency Ride Home program guidelines (attached), commuters who live, work or go to school in Monterey County and use an alternative mode of transportation at least once a
week are eligible to participate in the program. They are also eligible to participate if they are signed up in the 511 Ridematch system.

Participants register for the program by filling out the Emergency Ride Home Program application (see attachment). The application will be available online, at the Transportation Agency office and distributed to employers and transportation coordinators. Should an emergency occur due to an illness, crisis, or unexpected overtime required by their employer on a day they use an alternative mode of transportation, participants can call a cab or rent a vehicle to get home.

On their next working day, the participants must submit an Emergency Ride Home reimbursement (see attachment) request to their employer or transportation coordinator. Once signed, that form along with a copy of a receipt must be submitted to the Transportation Agency for authorization. Within two weeks, the commuter will be reimbursed up to $60 for the authorized expense. Commuters are allowed one reimbursement per month while enrolled in the program.

Previous experience from the Emergency Ride Home program administered by the Association of Monterey Bay Area Governments shows that while the program provides “peace of mind” to participants, actual usage of the Emergency Ride Home program is typically low.

Participants may not use the Emergency Ride Home program for personal errands, medical or dental appointments, business travel, job related injuries, a natural disaster, missed ride home or other reasons that may be deemed an invalid use of the program, as determined by the program administrator.

The Emergency Ride Home program will be immediately available to the public upon Board approval and authorization.

Approved by: Debra L. Hale, Executive Director

Date Signed: 10/7/14

Consent Agenda

Counsel Approval: YES
Admin/Finance Approval: YES

Attachment(s): 1. Emergency Ride Home Program Guidelines
2. Emergency Ride Home Program Application
3. Emergency Ride Home Program Reimbursement Request Form
Monterey County Rideshare

Emergency Ride Home Program

The Emergency Ride Home Program is for commuters, who would like to leave their car at home, but worry about being stranded if there is a family emergency or if they are asked to work late. The program offers “peace of mind” to commuters by providing reimbursement for a taxi cab or rental car in an emergency situation.

Program Eligibility
Commuters who live, work or go to school in Monterey County and use an alternative mode of transportation at least once a week are eligible to participate in the Emergency Ride Home program. They are also eligible to participate if they are signed up in the 511 Ridematch system.

Emergency Ride Home Program Registration
Participants can register for the Emergency Ride Home program by filling out the application:
- on-line (www.tamcmonterey.org)
- at the Transportation Agency for Monterey County office, located at 55-B Plaza Circle, Salinas
- or by picking up an application from their employer or transportation coordinator.

Emergency Ride Home Program Reimbursement
Should an emergency occur due to an illness, crisis or unexpected overtime required by their employer on a day they use an alternative mode of transportation, participants can call a cab or rent a vehicle to get home.

On their next working day, the participants must submit an Emergency Ride Home reimbursement request to their employer or transportation coordinator. Once signed, that form along with a copy of a receipt must be submitted to the Transportation Agency for authorization. Within two weeks, the commuter will be reimbursed up to $60 for the authorized expense. Commuters are allowed one reimbursement per month while enrolled in the program.

Emergency Ride Home Program Limitations
Participants may not use the Emergency Ride Home program for any of the following reasons:
- personal errands
- medical or dental appointments
- business travel
- job related injuries
- a natural disaster
- missed ride home
- or other reasons that may be deemed an invalid use of the program, as determined by the program administrator.

Emergency Ride Home Program Contact Information
For more information about the Emergency Ride Home program, call 831.422.POOL or email Theresa@tamcmonterey.org.
EMERGENCY RIDE HOME APPLICATION

Commuter Complete This Side

Name: ____________________________________________

Employer: ________________________________________

Home Address: _____________________________________

Department: ________________________________________

City: ___________________ Zip: __________

Phone: Work: __________ Home: __________

1. How many days per week do you work? ______

2. How many days per week do you currently use the following means of travel to and from work?

   Drive alone _____ days per week
   
   Bus/Transit _____ days per week
   
   Bike _____ days per week
   
   Other _____ days per week (describe_________)

3. What is your estimated commute time and mileage?

   ______ minutes _______ miles

4. How did you learn about the Emergency Ride Home Program? (Check all that apply)
   
   • Brochure/Flyer
   • Friend or Co-Worker
   • Employer
   • Rideshare Month
   • Transportation Coordinator
   • Other__________

I, the participant, understand the guidelines of the Emergency Ride Home program and qualify by traveling to and from work at least one day a week by any means other than driving alone, or are signed up for the online ridematching program. Furthermore, I understand that incorrect use of this service may result in my denial of reimbursement and restriction from using this service again.

Participant Signature_________________________________ Date__________

RELEASE AND WAIVER OF LIABILITY

I, the undersigned, recognize that participation in the Emergency Ride Home Program is strictly voluntary and that such participation does not in any manner imply that I am acting in the course and scope of official company or school business, nor does it in any manner establish an employer-employee, school student, or an agency relationship with the provider.

I, the undersigned, request to register my participation in the Emergency Ride Home Program. I hereby assume full responsibility for liability and all risk of injury or loss, including death, which may result from my participation in this program. I agree to hold harmless, release, waive, forever discharge, and covenant not to sue or bring claims against the Transportation Agency for Monterey County, its officers, agents, and/or employees, including any and all claims and demands whatsoever which the undersigned or any third person, and the representatives thereof have or may have against the said Transportation Agency for Monterey County, its officers, agents, or employees, by reason of any accident, illness, injury, or death, or damage to or loss of destruction of any property arising or resulting directly or indirectly from my participation in the Emergency Ride Home Program and occurring during said participation, or any time subsequent thereto, whether or not such loss, injury or death is caused or alleged to be caused in whole or in part by the negligent acts or omission of the Transportation Agency for Monterey County, their officers, agents, or employees. The terms of this release shall serve as a release and assumption of risks for my heirs, executors, administrators, and for all of my family members.

I, the undersigned, acknowledge that I have read the foregoing two paragraphs and agree to the conditions outlined above.

Participant Signature_________________________________ Date__________
EMERGENCY RIDE HOME APPLICATION

Employer Complete This Side

Human Resources Manager or Employer Transportation Coordinator: If your worksite has not previously registered with Monterey County Rideshare, please read and complete this entire side of the application. If your worksite is already registered, you need only sign your name and date to acknowledge that the employee named on the other side is eligible to use this program.

EMPLOYER REGISTRATION/VERIFICATION

Employer: ______________________ Phone: ______________________
Address: ______________________ City: ______________________ Zip: ______________________
How many employees work at this worksite? ___________

We request registration in order for our employees to participate in the Emergency Ride Home Program offered by Monterey County Rideshare, a program of the Transportation Agency for Monterey County. We have read and understand the program guidelines (see Program Description flyer).

Emergency rides will be authorized by us only to registered employees under the following conditions:
1. The ride is a result of illness, crisis, or unexpected overtime required by their employer on the day of the trip.
2. The employee did not drive alone to work on the day of the emergency ride.

We agree to inform Monterey County Rideshare of any changes in eligible participants on request.

Authorized Employer Representatives

Primary Rep. Name: ______________________ Phone: ______________________
Title: ______________________ Fax: ______________________
Signature: ______________________ Date: ______________________

Additional Rep. Name: ______________________ Phone: ______________________
Title: ______________________ Fax: ______________________
Signature: ______________________ Date: ______________________

Please return the complete form to:
TAMC
55B Plaza Circle, Salinas, CA 93901

Questions?
Call 831.422.POOL
Fax 831.775.0897
Email: theresa@tamcmonterey.org
# EMERGENCY RIDE HOME REIMBURSEMENT REQUEST

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1. How did you get to work on the day of the emergency? __________________________________________________________________________

2. Briefly explain the need for the emergency ride home __________________________________________________________________________

3. Did you need to go to any location other than home?  
   - Yes  
   - No  

4. If yes, please list the place and reason: __________________________________________________________________________

5. Total cost of cab ride or rental car: ____________________________ ($60 maximum reimbursement)

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Return the completed form and a copy of taxi or car rental receipt to:

**Email to:**  
theresa@tamcmonterey.org

**Questions?**  
Call: 831.422.POOL  
Fax: 831.775.0897  
Email: theresa@tamcmonterey.org

**OR**

**Mail to:**  
TAMC  
55B Plaza Circle, Salinas, CA 93901
Memorandum

To: Board of Directors
From: Grant Leonard, Assistant Transportation Planner
Meeting Date: October 22, 2014
Subject: Freeway Service Patrol Memorandum of Understanding

RECOMMENDED ACTIONS

1. AUTHORIZE the Executive Director to enter into a Memorandum of Understanding with the California Department of Transportation and the California Highway Patrol for the Freeway Service Patrol, and

2. AUTHORIZE Executive Director to make administrative changes to Memorandum of Understanding, subject to approval by Agency counsel.

SUMMARY

The purpose of the Freeway Service Patrol is to provide for the rapid removal of disabled vehicles and those involved in minor accidents from the freeway. The Freeway Service Patrol program is managed by a partnership of Transportation Agency for Monterey County, the California Department of Transportation, and the California Highway Patrol. The Memorandum of Understanding details the roles and expectations of each partnering agency.

FINANCIAL IMPACT

There is no financial impact associated with this action. The Memorandum of Understanding details the roles and expectations of each partnering agency, as well as the joint responsibilities for operating the Freeway Service Patrol, but does not authorize funding. Funding commitments are covered by fund transfer agreements by and between the Transportation Agency for Monterey County, the California Department of Transportation, and the California Highway Patrol.

DISCUSSION

The Freeway Service Patrol is responsible for clearing the freeway of automobiles, motorcycles, small trucks (vehicles with a gross weight of only 6,000 pounds or less) and small debris. The Freeway Service Patrol vehicle operators contracting with the Transportation Agency provide "quick fix" items to motorists, e.g., furnishing one gallon of gasoline, changing flat tires,
providing a "jump" start, taping or repairing cooling system hoses, refilling radiators or similar minor repairs. They also provide towing needs for minor collisions. The Freeway Service Patrol program is managed by a partnership of Transportation Agency for Monterey County, the California Department of Transportation, and the California Highway Patrol.

The Freeway Service Patrol Memorandum of Understanding details the roles and expectations of each partnering agency, as well as the joint responsibilities for operating the Freeway Service Patrol. As such, the Memorandum of Understanding constitutes an operational guide to the obligations, responsibilities, and goals of the parties involved. The Memorandum of Understanding is not intended to authorize funding, nor is it a legally binding contract. Funding commitments are covered by fund transfer agreements by and between the Transportation Agency for Monterey County, the California Department of Transportation, and the California Highway Patrol.

Approved by:  
Debra L. Hale, Executive Director  
Date signed: 10/7/14

Consent Agenda  
Counsel Review: Yes  
Admin/Finance Approval: N/A

Web Attachment: Memorandum of Understanding between the Transportation Agency for Monterey County, the California Department of Transportation, and the California Highway Patrol
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: Jane Parker (Chair), Kimbley Craig (1st Vice Chair), Fernando Armenta (2nd Vice Chair), Jerry Edelen (Past Chair), Dave Potter (County representative), Alejandro Chavez (City representative)

Wednesday, October 1, 2014
*** 9:00 a.m. ***
Transportation Agency Conference Room
55-B Plaza Circle, Salinas

1. CALL TO ORDER: Chair Parker called the meeting to order at 9:00 a.m. Board members present: Chavez, Craig, Edelen, and Potter. Staff present: Goel, Hale, Leonard, Muck, Rodriguez, and Watson. Others present: Agency Counsel Reimann and Sam Teel, MCHA. Committee member Armenta arrived after approval of the consent agenda.

2. PUBLIC COMMENTS: None.

3. CONSENT AGENDA:
On a motion by Board member Potter and seconded by Board member Craig, the committee voted 5 – 0, to approve the consent agenda.

3.1 APPROVED minutes from the Executive Committee meeting of September 3, 2014.

3.2 RECEIVED information on cap and trade funding program guideline comments.

3.3 RECEIVED the call for nominations for the thirteenth annual Transportation Agency Excellence awards to honor individuals, businesses, groups or projects for their efforts to improve the transportation system in Monterey County.

END OF CONSENT
4. **2015 Legislative Program**

The Committee reviewed and discussed the draft 2015 Legislative Program. On a motion by Committee Member Potter, seconded by Committee Member Chavez, the Committee voted 6 – 0 to approve the draft 2015 TAMC Legislative Program with modifications.

Christina Watson, Principal Transportation Planner, presented the draft 2015 Legislative Program, noting that the purpose of the legislative program is to set general principles to guide staff and Board responses to proposed legislative or budgetary issues. The program also notifies state representatives of the Transportation Agency’s position on issues of key importance to the agency.

Committee Member Potter requested that an item be added to the draft program seeking funding for transit-oriented development projects. Chair Parker asked that it also include active transportation projects. Executive Director Hale noted that staff would also add an item seeking a waiver to the 2% state cap on local transportation sales taxes.

5. **State Legislative Analyst/Advocate Contract**

On a motion by Committee Member Armenta, seconded by Committee Member Potter, the Committee voted 4 – 2 to recommend that the Board:

1. Authorize the Executive Director to execute a contract with JEA & Associates, in an amount not to exceed $30,000, to provide state legislative analyst/advocate services, for one year;
2. Approve the use of local funds budgeted to this purpose;
3. Authorize the Executive Director to make administrative changes to the contract if such changes do not increase the Agency’s net cost, subject to approval by Agency counsel; and
4. Direct staff to develop a performance evaluation protocol for this contract and provide feedback to the Board in six months and one year.

Christina Watson, Principal Transportation Planner, reported that TAMC released a Request for Qualifications for state legislative analyst/advocate services in July 2014. Four statements of qualifications were submitted. Interviews were held with three firms on August 25, 2014. Staff recommended selection of Nossaman due to their impressive legislative expertise in transportation issues and their ability to do grant-writing for the Agency and provide limited federal support as well. The Agency budget set aside local funds in fiscal year 2014/15 totaling $30,000 for state legislative assistance services and $5,000 for federal legislative assistance services. Staff proposed setting up a contract with Nossaman for state and federal legislative assistance, for one year and the option for two one-year renewals, for a total cost of $35,000 per year.

Committee Member Potter noted that the current state legislative consultant, JEA & Associates, has served the Agency well, and that the Agency should assess their work
prior to terminating their contract. He also noted that the County legislative platform includes TAMC priorities in order to assist the Agency with federal legislative efforts.

Mr. Armenta expressed his disagreement with the staff recommendation and the RFQ process. He requested that Board Members be involved in the process of reviewing submittals and interviews. He also requested a performance review of the contract and a full Board discussion on the evaluation process. He expressed his belief that an extension of the contract with JEA & Associates would be best for the Agency.

Counsel Reimann clarified that the current contract with JEA & Associates has expired and that it is a new contract that is under consideration, rather than a termination or an extension of an existing contract. Mr. Edelen said that an evaluation process assumes that the consultant is expected to retain the job, similar to an employee, rather than giving all consultants the chance to compete for the work. He noted that the staff recommendation of a one-year contract would allow the Agency to go back to JEA & Associates if Nossaman is not performing well.

Chair Parker stated her concerns related to not selecting the top-ranked firm. She also noted that the state is implementing new and complex funding programs for transportation and that Nossaman has more expertise in these programs and could help the Agency to understand these new programs and secure funding for Agency projects.

Mr. Armenta made a motion for a one-year contract with JEA & Associates with performance measures. Mr. Potter seconded the motion.

Ms. Craig requested that the motion be clarified. Mr. Potter modified the motion to include a six-month and one-year review of the contract, and an option to extend the contract with the approval of the Executive Committee. Chair Parker summarized the motion on the table:

1) New one-year contract with JEA & Associates;
2) New process of evaluation;
3) Six-month review; and
4) One-year review.

The vote was called, and Members Potter, Armenta, Craig and Chavez voted in favor. Chair Parker and Member Edelen dissented.
6. **RECEIVED** verbal update on the Caltrans audit. Executive Director Hale reported that the Caltrans Audit focused the need to update or develop policies for request for qualifications, administering contracts, contract management, construction management, change order and financial and accounting policies. She noted that a key issue is how much money could be requested for repayment, noting the amount has not been finalized. Staff has disputed the rationale Caltrans used to determine the proposed payback amount, and is working with Caltrans to reduce the amount required to be paid back.

7. **RECEIVED** a report on the draft agenda for TAMC Board meeting of October 22, 2014. Executive Director Hale highlighted the draft TAMC Board agenda for October 22, 2014. She reported that staff added to the TAMC agenda item 1.1, “Additions or Corrections to the agenda” per Board member request. She noted that at the request of the Executive Committee the State Legislative Analyst/Advocate Services would be moved to the regular agenda with the recommendation as modified.

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

Elouise Rodriguez, Senior Administrative Assistant
TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC)

RAIL POLICY COMMITTEE MEETING

DRAFT Minutes of October 6, 2014

Transportation Agency for Monterey County
55-B Plaza Circle, Salinas

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<th>F. Sollecito, Monterey (C. Della Sala, R. Deal)</th>
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<th>C. Sedoryk, MST (H. Harvath)</th>
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<td>H. Myers, Sr. Transp. Engineer</td>
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<td>Theresa Wright, Outreach Coordinator</td>
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<td>Virginia Murillo, Asst. Transp. Planner</td>
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1. **QUORUM CHECK AND CALL TO ORDER**
Committee Member Rubio, Acting Chair, called the meeting to order at 3:00 p.m. A quorum was established.

**OTHERS PRESENT**
- Eliza Yu AMBAG
- Michael Powers City of King
- Tim O’Halloran City of Seaside
- MacGregor Eddy The Californian columnist, “We Could Car Less”
- Chris Flescher RailPAC

2. **PUBLIC COMMENTS**
Staff introduced Virginia Murillo, TAMC’s new Assistant Transportation Planner, who will be working on the rail projects.

3. **CONSENT AGENDA**

<table>
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<th>M/S/C</th>
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<td>Markey/Armenta/unanimous</td>
<td>Approved minutes of the August 4, 2014 Rail Policy Committee meeting.</td>
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<td>Approved 2015 schedule of Rail Policy Committee meetings.</td>
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<td>Received information on cap and trade funding program guideline comments.</td>
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Committee Member Armenta requested that TAMC take a more aggressive approach to securing cap and trade funding, including legislative efforts, and suggested that this be discussed at a future meeting. Chair Rubio suggested the Executive Committee was the best forum for that discussion.

**END OF CONSENT AGENDA**

4. **MONTEREY BRANCH LINE PROJECT UPDATE**
The Committee received an update regarding a proposed express busway on the Monterey Branch Line.

Hunter Harvath, MST’s Assistant General Manager, Finance & Administration, presented an update on MST’s proposal to build an express busway along the Monterey Branch Line. He noted that, according to current Federal Transit Administration (FTA) regulations for Very Small Starts projects, MST had to remove toll credits from the project funding. He also noted that the proposed 10-mile busway on the Monterey Branch Line has a cost estimate of approximately $30 million. MST is pursuing other monies (cap and trade funds, for example) as a replacement for toll credits. Until MST can secure the local match, the FTA will not allow the project to go into the Project Development phase. Mr. Harvath thanked the Committee for its support.

Committee Member Markey asked what the funding shortfall was without toll credits. Mr. Harvath said MST needs $5 million to match the federal grant, assuming a $1 million in-kind match for the value of the right-of-way.

Committee Member Morgan asked how many buses would be running the service. Mr. Harvath said the grant program requires 10-minute headways during peak travel hours, which meant a minimum of six buses per hour from about 6:30am to 9 am and 3:30 pm to 6 pm. Mr. Morgan asked about the route and termini; Mr. Harvath said the proposed route was from Marina to Monterey, with specifics to be determined during the project development phase.
Acting Chair Rubio asked whether MST had discussed the project with the Naval Postgraduate School and/or the Defense Language Institute as potential funding partners. Mr. Harvath noted MST has a great relationship with both schools, but that as they are federally funded, any contribution would not be considered a local match.

5. **COAST DAYLIGHT PROJECT UPDATE**
The Committee received an update on the status of the planned Coast Daylight train service between San Francisco and Los Angeles.

Christina Watson, Principal Transportation Planner, reported that the Coast Daylight project is a joint Caltrans/Amtrak effort headed up by the Coast Rail Coordinating Council that would extend the existing Pacific Surfliner train from Los Angeles and Paso Robles to San Francisco. Progress on this project includes meetings with Amtrak regarding their operational feasibility study for the service; a draft report is expected to be available for review in November. Staff has also been working with San Luis Obispo Council of Governments (SLOCOG) and consultants on the administrative draft federal and state environmental documents; the draft documents will be on the TAMC agenda for the December 3, 2014 Board meeting for a hearing.

6. **SALINAS RAIL EXTENSION PROJECT UPDATE**
The Committee received an update on the Salinas Rail Extension project.

Christina Watson, Principal Transportation Planner, reported that progress since the last update to the Committee about the project on August 4, 2014 includes work on the contract for the design phase, a meeting with Watsonville Mayor Karina Cervantez and Santa Cruz County Regional Transportation Commission staff, and meetings with the right-of-way consultants. She noted that on June 25, 2014, the Board of Directors approved entering into a contract with HDR Engineering, Inc. to perform final design for the Kick-Start project. The contract has now been executed, and staff will hold a kick-off meeting with the consultants and introduce the consultants to the relevant stakeholders, including this Committee, as soon as possible. Ms. Watson also presented the draft train schedule developed by the Capital Corridor and Amtrak.

Committee Member Markey noted her support for the 7:30 am departure out of Salinas.

Committee Member Gowin asked for more detail on what is funded by the $70 million secured for the project. Ms. Watson described the fully-funded Kick-Start project and the next steps to be funded by future funding. Executive Director Debbie Hale noted that the next priority phases are vehicle acquisition and the Pajaro/Watsonville station. Potential funding sources for future phases includes the cap and trade programs.

MacGregor Eddy asked whether the ridership estimates would take into account current passengers on the Amtrak thruway bus service, including the MST Line 55 San Jose Express bus. Ms. Watson said she would inquire with the Capital Corridor.

7. **ANNOUNCEMENTS AND/OR COMMENTS FROM COMMITTEE MEMBERS**
Committee Member Morgan mentioned his drive to the meeting on Highway 68 was smooth sailing. Others on the Committee recommended against taking that drive during rush hour.

8. **ADJOURN**
Acting Chair Rubio adjourned the meeting at 3:43 p.m.
Memorandum

To: Board of Directors
From: Todd Muck, AICP, Deputy Executive Director
Meeting Date: October 22, 2014
Subject: SR 156 Public-Private Partnership Guiding Principles

RECOMMENDED ACTION:

REVIEW and APPROVE guiding principles to evaluate State Route 156 public-private partnership documents.

SUMMARY:

Guiding principles will provide a basis to evaluate SR 156 West Corridor public-private partnership documents and proposed terms, assumptions, and off-ramp decision points being developed for public-private partnership agreements.

FINANCIAL IMPACT:

The total capital cost for the construction of the SR 156 improvements is estimated to be $268 million. Currently, TAMC has nearly $44 million in funds allocated to the project, which leaves an unfunded gap of $224 million. Waiting for traditional funding sources from State and federal sources would delay the project construction 20 or more years.

DISCUSSION:

At the conclusion of the August 27, 2014 Transportation Agency workshop on the SR 156 West Project public-private partnership, the Board directed the SR 156 Ad Hoc Committee to draft guiding principles to assist the Board when evaluating proposed terms, assumptions, and off-ramp decision points being developed for public-private partnership agreements. The SR 156 Ad Hoc Committee met on September 18, 2014 and October 9, 2014 to draft the guiding principles. Draft guiding principles developed by the SR 156 Ad Hoc Committee are attached.

As part of the process to consider tolling as a mechanism to expedite constructing the SR 156 West Corridor Project, Caltrans is recommending the Transportation Agency enter into an agreement with Caltrans and the private sector to further develop the project and ultimately design, build, finance, operate and maintain the facilities for an agreed time frame. This
agreement is also commonly known as “Public Private Partnership” agreement, and in the proposed model it is composed of two parts. The first part is known as “Pre-Development Agreement” and the second part will be the final agreement. The Pre-Development Agreement will set forth the terms and the tasks that private team is required to produce; such as but not limited to, detailed traffic and revenue study that would analysis toll related traffic, estimate diversion to and from alternative routes, evaluate toll pricing options and provide the socio-economic analysis needed for Caltrans to complete a Supplemental Environmental Impact Report for the project. This agreement will also identify milestones, also commonly known as off ramps, which will be defined in detail in the agreement. Off ramps are utilized to allow the public (TAMC and/or Caltrans) or the private team the option to not proceed with the project. The second part of the public-private partnership agreement is the final agreement that will address the terms for designing, constructing, financing, operating and maintain the project for the remainder of the project’s agreed to time frame if an off ramp to end the agreement isn’t taken.

During the decision-making process, the Board will use these guiding principles as a measurement tool to evaluate each step in the decision making process when evaluating and approving documents and agreements.

Approved by:  
Debra L. Hale, Executive Director  
Date signed:  
10/8/14

Regular Agenda  
Counsel Approval: N/A  
Admin/Finance Approval: N/A

Attachment:  
SR 156 Public-Private Partnership Guiding Principles
Guiding Principles

Safety
The project shall improve safety for both local traffic and inter-regional traffic on both the weekends and weekdays.

Benefits
The project shall reduce overall congestion in the region and improve conditions for local residents with as few impacts as possible.

Financial
TAMC makes a commitment to actively pursue all viable funding options for the project throughout the life of the project.

Impact from Tolling
The location and level of tolling shall minimize diversionary traffic, and tolling rates shall generate enough revenue to make the project successful.

Tolling Structure
The TAMC Board shall evaluate the project based on the tolling costs and impacts to the following groups:

   a) locals in the corridor,
   b) tri-county commuters/commercial businesses,
   c) Monterey County residents, and
   d) Out-of-county drivers.

Impact from the Construction Project
The project shall be designed so as to minimize the impact to businesses and residences due to construction.

Access
The project shall maintain access to existing commercial businesses, fields and homes along the corridor.

Plan
The project shall include robust public outreach and obtain substantial public and political support.
## SR 156 West Corridor
### Guiding Principles

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<tr>
<th>Public Comments</th>
<th>Guiding Principles</th>
<th>Evaluation Tool</th>
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<tr>
<td><strong>Safety</strong></td>
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<td>Project must improve public safety for both local traffic &amp; inter-regional traffic on both the weekend and weekdays.</td>
<td>The project shall improve safety for both local traffic and inter-regional traffic on both the weekends and weekdays.</td>
<td>Project Environmental Impact Report/Supplemental EIR</td>
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<td>We must communicate (SELL) the safety benefits of the project.</td>
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<td>Status quo has negative impacts that need to be addressed.</td>
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<td>Make deliberate but responsible haste in making improvements.</td>
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<td>Secondary roads are not so safe. People drive too fast on Castroville Boulevard at speeds higher than on 156.</td>
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<td><strong>Benefits</strong></td>
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<td>Any project must improve conditions for local residents, including access at all hours, while limiting impacts on residents.</td>
<td>The project shall reduce overall congestion in the region and improve conditions for local residents with as few impacts as possible.</td>
<td>Traffic and Revenue Study/Supplemental EIR</td>
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<tr>
<td><strong>Financial</strong></td>
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<td>The financial study must look at a variety of tolling options, such as weekend-only tolling.</td>
<td>TAMC makes a commitment to actively pursue all viable funding options for the project throughout the life of the project.</td>
<td>Public-Private Partnership Agreement</td>
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<td>Ensure we are pursuing all other sources of funding, including Sacramento &amp; Washington and local tax measures.</td>
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<td>Evaluate how timing of construction would be affected by funding sources.</td>
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<td>Clarity about inter-relationship of different funding sources.</td>
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<td>Ensure positive economic benefits for North County, Salinas and the Monterey Peninsula.</td>
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<td><strong>Impact from Tolling</strong></td>
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<tr>
<td>Impact on alternate routes to avoid the toll</td>
<td>The location and level of tolling shall minimize diversionary traffic, and tolling rates shall generate enough revenue to make the project successful.</td>
<td>Traffic and Revenue Study Financial Analysis</td>
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<td>How will businesses, employees along the corridor be impacted?</td>
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<td>How will near-by rural roads be impacted?</td>
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<td>Public Comments</td>
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<td>Evaluation Tool</td>
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<tr>
<td><strong>Tolling Structure</strong></td>
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<td>Will there be/should there be a price reduction for businesses and locals?</td>
<td>Will locals pay a toll?</td>
<td>The TAMC Board shall evaluate the project based on the tolling costs and impacts to the following groups:</td>
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<tr>
<td>Should we minimize or eliminate tolls for locals?</td>
<td>How will &quot;locals&quot; be defined?</td>
<td>a) locals in the corridor,</td>
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<td>b) tri-county commuters/commercial businesses,</td>
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<td>c) Monterey County residents, and</td>
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<td>d) Out-of-county drivers.</td>
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<td>Traffic and Revenue Study Financial Analysis</td>
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<td>A financial study must look at a variety of tolling options, such as weekend only tolling.</td>
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<td>There must always be a free alternative route.</td>
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<td>The location of tolling sensors needs to be carefully studied.</td>
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<td>Is it legal to have varied tolling structures?</td>
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<td>The amount of the toll must be acceptable to visitors.</td>
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## Impact from Construction

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<th>Question</th>
<th>Guiding Principles</th>
<th>Evaluation Tool</th>
</tr>
</thead>
<tbody>
<tr>
<td>Which businesses and homes will be impacted by the construction? This must include businesses along Highway 101.</td>
<td>The project shall be designed so as to minimize the impact to businesses and residences due to construction.</td>
<td>Project Environmental Impact Report State property acquisition law</td>
</tr>
<tr>
<td>Can the impacted businesses be successfully relocated?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Impact from the Construction Project should be minimized</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

## Access

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Guiding Principles</th>
<th>Evaluation Tool</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ensure access to existing farm fields and homes.</td>
<td>The project shall maintain access to existing commercial businesses, fields and homes along the corridor.</td>
<td>Supplemental EIR and Project Design</td>
</tr>
<tr>
<td>Any project must improve conditions for local residents, including access at all hours, while limiting impacts to residents.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Simply the design based on cost.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The intent is to have everyone use the toll road.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Comments</td>
<td>Guiding Principles</td>
<td>Evaluation Tool</td>
</tr>
<tr>
<td>--------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>The plan must obtain substantial public and political support.</td>
<td>The project shall include robust public outreach and obtain substantial public and political support.</td>
<td>Public Outreach Plan</td>
</tr>
<tr>
<td>Public support should include all potential users, not just those in the corridor.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>There should be citizen oversight after the project is built.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Concerned about public transparency in the P3 agreement.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>There is no confidence that public comments will be reflected in the EIR.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Memorandum

To: Board of Directors
From: Christina Watson, Principal Transportation Planner
Meeting Date: October 22, 2014
Subject: Legislative Program

RECOMMENDED ACTION

REVIEW and DISCUSS draft 2015 Legislative Program and APPROVE releasing the program to Committees for comment.

SUMMARY

The purpose of the legislative program is to set general principles to guide staff and Board responses to proposed legislative or budgetary issues. The program also notifies state representatives of the Transportation Agency’s position on issues of key importance to the agency.

FINANCIAL IMPACT

The recommended action has no direct financial impact.

DISCUSSION

The 2014 TAMC Legislative Program focused on maintaining and augmenting transportation funding. The federal program included requests for federal funding for high priority projects. The draft 2015 legislative program continues this focus on transportation funding. The Executive Committee discussed the draft program on October 1, 2014 and the draft program has been modified accordingly.

Attached are the draft 2015 legislative program with changes accepted (attachment 1) and showing changes as compared to the adopted 2014 program (attachment 2).

Changes include:

- Added support for bus rapid transit on the Monterey Peninsula (items 2S(5) and 1F(5)), as Monterey-Salinas Transit is pursuing funding for a busway on the Peninsula.
- Deleted references to MAP-21, the authorization bill that has now been implemented (previously items 5S and 4F).
- Added item supporting extension of public private partnership authority (new 5S).
- Added language supporting cap and trade for intercity rail and transit projects (6S).
• Added language supporting the constitutional protection of transportation funding (7S).
• Deleted Highway 101 Corridor awareness efforts, as these efforts have been accomplished and are no longer a legislative issue (previously items 8S and 3F). Planning and fundraising efforts continue.
• Added new item opposing state efforts to shift transportation funding away from regions (new item 8S).
• Modified item to support incentive-based compliance with state environmental rules (9S).
• Modified transit-oriented development and “complete streets” items to reflect a transition from legislation (which has been enacted) to fundraising efforts (formerly items 12S and 13S, now combined into item 12S; new item 3F).
• Added new item supporting transparency on rail transport of hazardous materials (new 13S).
• Deleted the phrase “streamline project delivery” (previously item 2F(2)), as it seemed redundant with item 2F(1)(c).
• Modified language regarding new federal funding for transportation to include a transition to a vehicle-miles traveled fee (2F(1)(b)).

Staff recommends the Board review and discuss draft 2015 Legislative Program and approve releasing the program to Committees for comment. Following the Committees’ review of the draft program in November, the final program will go to the Board in December or January for adoption.

Approved by: [Signature]
Debra L. Hale, Executive Director

Date signed: 10/7/14

Regular Agenda

Attachments:
1. Draft 2015 Legislative Program
2. Draft 2015 Legislative Program, showing changes
DRAFT 2015 Legislative Program: State Issues

1S. Preserve funding and delivery schedule of priority transportation projects.

2S. Seek state funding for the Agency’s high priority projects, in priority order:
   1. State Route 156 improvements
   2. Rail Extension to Salinas
   3. MST Bus Replacements
   4. US 101 South County Frontage Roads
   5. Monterey Peninsula light rail transit and bus rapid transit
   6. Local streets and roads projects

3S. Support proposals to lower the voter threshold for local transportation sales tax ballot measures, without state spending restrictions, and seek a waiver to allow the County to exceed the 2% limit on local sales taxes.

4S. Support the California Passenger Rail Program Guiding Principles and the formation of California State Legislative Passenger Rail Select Committees.

5S. Support efforts to extend and expand Public Private Partnership and design-build authority, expand mode eligibility, and allow for regional control of such projects.

6S. Monitor climate change legislation implementing state law (AB 32, the California Global Warming Solutions Act, and SB 375, the Sustainable Communities and Climate Protection Act) as relates to transportation, support efforts to provide secure funding for transit and intercity rail capital and operations projects, and seek funding through the cap and trade programs.

7S. Encourage the state to stabilize and increase transportation funding and support the constitutional protection of all transportation funding resources.

8S. Oppose efforts to shift transportation funding away from regions and oppose unfunded mandates for transportation agencies and local governments in providing transportation improvements and services.

9S. Work with partner agencies to reach agreement on proposals for California Environmental Quality Act (CEQA) reform and support incentive-based compliance measures, rather than corrective policies.

10S. Support efforts to improve the ability of agencies to plan and deliver transportation projects in a timely and cost effective manner, including updates to storm water runoff requirements.

11S. Monitor California High-Speed Rail project and seek funding as possible for Monterey County rail projects.
12S. Seek funding for transit-oriented development, complete streets, and active transportation projects.

13S. Support transparency and access to information on rail transport of hazardous materials.

14S. Support member agencies’ requests for state funding of regionally significant transportation projects and support partner agency legislative efforts as they interface with regional transportation priorities, when they are consistent with Transportation Agency for Monterey County priorities.
1F. Seek federal authorization, appropriations, stimulus or other funding for the Agency’s high priority projects, in priority order:
   1. State Route 156 improvements
   2. Rail Extension to Salinas
   3. MST Bus Replacements
   4. US 101 South County Frontage Roads
   5. Monterey Peninsula light rail transit and bus rapid transit
   6. Monterey Bay Sanctuary Scenic Trail
   7. Local streets and roads projects

2F. Support the following priorities for federal transportation legislation:
   1. Stabilize and increase transportation funding sources in order to avoid the bankruptcy of the federal highway and transit trust funds:
      a. Index the gas tax to inflation or increase the gas tax to meet the nation’s transportation needs.
      b. Identify additional funding sources for maintenance and operations on the existing network, such as a transition to a vehicle-miles traveled fee.
      c. Support removal of procedural obstacles that impede expenditure of authorized federal funding.
      d. Focus funding on projects that support safety, economic development and job creation.
   2. Support funding for “complete streets” programs.

3F. Seek funding for transit-oriented development, complete streets, and active transportation projects.

4F. Ensure that climate change legislation proposals are coordinated with California’s state requirements and do not adversely affect transportation projects.

5F. Support streamlining of federal rail funding and removal of funding barriers between commuter and intercity rail programs, with the goal of increasing rail service for the traveling public.

6F. Support an adequate level of funding for Amtrak in the annual appropriations bill and authorization legislation and support a fair share allocation to California for capital improvements and vehicle acquisition.

7F. Support member agencies’ requests for federal funding of regionally significant transportation projects and support partner agency legislative efforts as they interface with regional transportation priorities, when they are consistent with Transportation Agency for Monterey County priorities.
1S. Preserve funding and delivery schedule of priority transportation projects.

2S. Seek state funding for the Agency’s high priority projects, in priority order:
   1. State Route 156 improvements
   2. Rail Extension to Salinas
   3. MST Bus Replacements
   4. US 101 South County Frontage Roads
   5. Monterey Peninsula light rail transit and bus rapid transit
   6. Local streets and roads projects

3S. Support proposals to lower the voter threshold for local transportation sales tax ballot measures, without state spending restrictions, and seek a waiver to allow the County to exceed the 2% limit on local sales taxes.

4S. Support the California Passenger Rail Program Guiding Principles and the formation of California State Legislative Passenger Rail Select Committees.

5S. Support state legislation to ensure federal transportation authorization bill (MAP-21) is implemented fairly for all regions, including maintaining bicycle and pedestrian project funds.

5S. Support efforts to extend and expand Public Private Partnership and design-build authority, expand mode eligibility, and allow for regional control of such projects.

6S. Monitor climate change legislation implementing state law (AB 32, the California Global Warming Solutions Act, and SB 375, the Sustainable Communities and Climate Protection Act) as it relates to transportation, support efforts to provide secure funding for transit and intercity rail capital and operations projects, and seek funding through the cap and trade programs.

7S. Encourage the state to stabilize and increase transportation funding and support the constitutional protection of all transportation funding resources.

8S. Raise awareness of the Highway 101 Corridor and its importance as a transportation facility of state and national significance.

8S. Oppose efforts to shift transportation funding away from regions and oppose unfunded mandates for transportation agencies and local governments in providing transportation improvements and services.

9S. Work with partner agencies to reach agreement on proposals for California Environmental Quality Act (CEQA) reform and support incentive-based compliance measures, rather than corrective policies.
10S. **Support efforts to improve the ability of agencies to plan and deliver transportation projects in a timely and cost effective manner**, including updates to storm water runoff requirements.

11S. **Monitor California High-Speed Rail project and seek funding as possible for Monterey County rail projects.**

12S. **Support legislation that promotes** seek funding for **transit-oriented development, complete streets**, transit villages and smart growth, and support eligibility for housing bond funds for active transportation projects.

13S. **Support “complete streets” and development guidelines that integrate alternative forms of transportation**, such as transit, bicycle and pedestrian commuting, into all road and highway projects, in particular, when the highway runs through populated areas; and funding set-asides for such projects.

13S. **Support transparency and access to information on rail transport of hazardous materials.**

14S. **Support member agencies’ requests** for state funding of regionally significant transportation projects and **support partner agency legislative efforts** as they interface with regional transportation priorities, when they are consistent with Transportation Agency for Monterey County priorities.
1F. Seek federal authorization, appropriations, stimulus or other funding for the Agency’s high priority projects, in priority order:
1. State Route 156 improvements
2. Rail Extension to Salinas
3. MST Bus Replacements
4. US 101 South County Frontage Roads
5. Monterey Peninsula light rail transit and bus rapid transit
6. Monterey Bay Sanctuary Scenic Trail
7. Local streets and roads projects

2F. Support the following priorities for federal transportation legislation:
1. Stabilize and increase transportation funding sources in order to avoid the bankruptcy of the federal highway and transit trust funds:
   a. Index the gas tax to inflation or increase the gas tax to meet the nation’s transportation needs.
   b. Identify additional funding sources for maintenance and operations on the existing network, such as a transition to a vehicle-miles traveled fee.
   c. Support removal of procedural obstacles that impede expenditure of authorized federal funding.
   d. Focus funding on projects that support safety, economic development and job creation.
2. Streamline project delivery.
3. Support funding for “complete streets” programs.
4. Support infrastructure bank programs.

3F. Raise awareness of the Highway 101 Corridor and its importance as a transportation facility of state and national significance.

4F. Ensure that MAP-21 implementation supports our transportation priorities.

5F. Seek funding for transit-oriented development, complete streets, and active transportation projects.

6F. Ensure that climate change legislation proposals are coordinated with California’s state requirements and do not adversely affect transportation projects.

5F. Support streamlining of federal rail funding and removal of funding barriers between commuter and intercity rail programs, with the goal of increasing rail service for the traveling public.

7F. Support an adequate level of funding for Amtrak in the annual appropriations bill and authorization legislation and support a fair share allocation to California for capital improvements and vehicle acquisition.
8E.7F: Support member agencies’ requests for federal funding of regionally significant transportation projects and support partner agency legislative efforts as they interface with regional transportation priorities, when they are consistent with Transportation Agency for Monterey County priorities.
Memorandum

To: Board of Directors
From: Christina Watson, Principal Transportation Planner
Meeting Date: October 22, 2014
Subject: State Legislative Analyst/Advocate Services

RECOMMENDED ACTION

1. AUTHORIZE the Executive Director to execute a contract with JEA & Associates, in an amount not to exceed $30,000, to provide state legislative analyst/advocate services, for one year;
2. APPROVE the use of local funds budgeted to this purpose;
3. AUTHORIZE the Executive Director to make administrative changes to the contract if such changes do not increase the Agency’s net cost, subject to approval by Agency counsel; and
4. DIRECT staff to develop a performance evaluation protocol for this contract and provide feedback to the Board in six months and one year, prior to expiration of the contract.

SUMMARY

TAMC approved a Request for Qualifications for state legislative analyst/advocate services in March 2014, which staff published in July 2014. Four statements of qualifications were submitted. Interviews were held with three firms on August 25, 2014. The Executive Committee discussed the contract on October 1, 2014 and recommended selection of JEA & Associates, for a one year period, due to their longevity with the Agency and local government expertise.

FINANCIAL IMPACT

The Agency budget set aside local funds in fiscal year 2014/15 totaling $30,000 for state legislative assistance services. Funding for these services will come from local revenue sources and not any state or federal funds. Utilizing legislative assistance may result in the protection or allocation of transportation funds for transportation projects in the region.

DISCUSSION

On March 26, 2014, the Board authorized staff to issue a Request for Qualifications (RFQ) for state legislative assistance. The RFQ was published on July 11, 2014. Four statements of qualifications were submitted by the deadline of August 4 from the following firms:

- Khouri Consulting
- JEA & Associates
State Legislative Analyst/Advocate Services

- Nossaman
- Townsend Public Affairs

The review committee was comprised of Annette D’Adamo, County of Monterey Intergovernmental Affairs; Hunter Harvath, MST Assistant General Manager, Finance & Administration; Executive Director Debbie Hale; and Principal Planner Christina Watson. The committee reviewed the qualifications and selected three firms to interview:
  - Khouri Consulting
  - JEA & Associates
  - Nossaman

Interviews were held on Monday, August 25, 2014. The interview committee was the same as the proposal review committee, with the substitution of Lisa Rheinheimer, MST Director of Planning and Development, for Mr. Harvath.

At the Executive Committee meeting of October 1, 2014, Staff recommended selection of Nossaman due to their impressive legislative expertise in transportation issues and their ability to do grant-writing and provide limited federal support. The Agency budget set aside local funds in fiscal year 2014/15 totaling $30,000 for state legislative assistance services and $5,000 for federal legislative assistance services. Staff proposed setting up a contract with Nossaman for state and federal legislative assistance, for one year and the option for two one-year renewals, for a total cost of $35,000 per year.

The Executive Committee discussed the contract options and selection process and voted to recommend that the Board approve a one-year contract with JEA & Associates, and direct staff to develop a performance evaluation protocol for this contract and provide feedback to the Board in six months and one year.

Reasons provided by Executive Committee members for selecting JEA & Associates for this work included the importance of continuity for this type of work, the boutique nature of the firm that allows for a close relationship with the proprietor, and their ability to provide access and form relationships in Sacramento. The evaluation protocol was included to provide an objective basis and establish performance measures for consultant evaluation prior to contract completion.

Attached is the draft scope of work for the contract and online as a web attachment is the draft contract.

Based on a desire for continuity of effort and demonstrated local government expertise, the Executive Committee recommended JEA & Associates for this work.

Approved by:  
Debra L. Hale, Executive Director

Date signed: 10/8/14

Regular Agenda

Attachment: Draft Scope of Work
Web Attachment: Draft Contract

Reviewed by Counsel: YES
Admin/Finance Approval: YES
DRAFT SCOPE OF WORK

1. Consultant's services under this Agreement shall include but are not limited to the following:

   a) Assist TAMC in determining positions on proposed legislation and recommend appropriate actions;

   b) Advocate TAMC legislative positions based on strategy jointly developed and agreed upon by TAMC;

   c) Advocate TAMC interests relating to legislative, regulatory or executive actions of the Legislature, the California Public Utilities Commission, the California Transportation Commission, the Office of the Governor, and the Department of Transportation (Caltrans);

   d) As appropriate, work with other agencies, interest groups and associations to develop a coalition of interests in support of TAMC positions;

   e) Provide all technical, political and logistic support necessary for TAMC to appear or testify in legislative, regulatory or executive settings when desired by TAMC;

   f) Assist with TAMC funding requests before the California Transportation Commission and Caltrans;

   g) Assist TAMC in gathering information and analyzing political situations in connection with developing and implementing TAMC legislative goals; and

   h) Provide periodic oral and written status reports on legislative, regulatory, executive and other political issues of interest to TAMC.
District Director’s Report
A quarterly publication for our transportation partners

Sustainable Transportation Planning Grants Offered
Caltrans is accepting applications online for the 2015-2016 Sustainable Transportation Planning grants until 5 p.m. Friday, Oct. 31. The newly consolidated grant program supports a balanced, comprehensive multimodal transportation system. It features just two funding categories, Strategic Partnerships ($1.5 million) and Sustainable Communities ($8.3 million). More information is available at:
http://www.dot.ca.gov/hq/tpp/grants.html

Conserving Water
Caltrans is installing smart irrigation controllers to reduce water usage up to 60 percent at various locations along US 101 and Highway 1 from Santa Barbara County to Santa Cruz County.

The smart devices apply water only when necessary for plant health. They turn off automatically during rain and when it is forecast. They also notify workers if the system malfunctions.

Caltrans is also providing recycled water for highway landscape irrigation. Restroom facilities at a dozen maintenance facilities are also getting upgraded with low-flow fixtures.

More information is available at:
http://www.dot.ca.gov/hq/paffairs/news/pressrel/14pro75.htm

CTC Adopts Active Transportation Program
The California Transportation Commission recently adopted 148 bicycle and pedestrian projects statewide, valued at more than $430 million, in the state’s 2014 Active Transportation Program.

Local agencies in D5 received a value of $22 million for projects located in Santa Barbara, Monterey and Santa Cruz counties. About 770 applications were submitted statewide. The next cycle is expected in 2015.

More information is available at:
http://www.ctc.ca.gov
Caltrans Releases Second Mile Marker Report
Caltrans recently released the second issue of *The Mile Marker: A Caltrans Performance Report*. The document details the department’s performance and progress as it strives to improve and modernize California’s transportation system.

It also features Caltrans’ new mission, vision and goals focusing on the safety and health of Californians, sustainability, stewardship, system performance and organizational excellence. More information is available at:


Three Feet for Safety Law Takes Effect
The new California law requires drivers to keep a distance of 3 feet when passing bicyclists on the road. The law states that if road conditions or traffic prohibit a driver from complying with the 3 feet law, then the driver must slow down and wait until safe to pass. The base fine is $35, unless a collision injures a bicyclist, then the base fine is $220. Additional court fees and administrative costs may apply. More information is available at:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB1371

Celebrating Diversity and Disability Awareness
Caltrans supports activities improving awareness and appreciation of its diverse and vibrant work force. Caltrans Headquarters and District Offices throughout the state will host their own cultural events in either September or October. District 5 will hold its special lunchtime celebration honoring diversity and disability awareness on Wednesday, October 15.

County Spotlight
The San Luis Obispo Council of Governments (SLOCOG) is nearing completion of the draft 2014 US 101 Corridor Mobility Master Plan. This major planning effort is evaluating the entire 70-mile highway corridor countywide and prioritizing top regional packages of transportation improvements addressing safety, mobility and sustainability.

This plan involved extensive public outreach at local jurisdictional meetings, public workshops and online. Individual projects were evaluated using specific performance measurement metrics selected in collaboration with the study’s multi-agency task force.

US 101 Corridor Study
The plan will provide information for SLOCOG’s 2014 Regional Transportation Plan update. The corridor plan is scheduled for SLOCOG Board adoption in December 2014. More information is available at:

http://www.slocogconnectingcommunities.com/library.html
## Construction Projects

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Location</th>
<th>Description</th>
<th>Construction Timeline</th>
<th>Construction Cost</th>
<th>Funding Source</th>
<th>Implementing Agency</th>
<th>Project Manager (Resident Engineer)</th>
<th>Contractor</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>US 101 Airport Blvd. IC East Landscaping Project (349514)</td>
<td>Near Salinas just south to just north of Airport Boulevard Overcrossing (PM 85.0-85.8)</td>
<td>Highway Planting and Irrigation</td>
<td>June 11, 2012-Oct. 4, 2012 (In Plant Establishment until December 2015)</td>
<td>$687,000</td>
<td>STIP</td>
<td>Caltrans</td>
<td>David Silberberger (AN)</td>
<td>Bortolussi &amp; Watkin, Inc., San Rafael</td>
<td>The project is in the plant establishment phase where plants are monitored for successful growth.</td>
</tr>
<tr>
<td>US 101 Prunedale Improvement Project (0161E4)</td>
<td>In and near Prunedale at various locations from just north of Little Bear Creek U.C. to just north of Echo Valley Rd. (PM 91.2-100.4)</td>
<td>Construct interchanges and operational improvements</td>
<td>Spring 2011-Summer 2015</td>
<td>$81 million</td>
<td>STIP</td>
<td>Caltrans</td>
<td>David Silberberger (PM)</td>
<td>GCC/MCM, A JV, Watsonville</td>
<td>At this time, the entire project is now open to the public for use. There are numerous punchlist items that Granite will be working on over the next several months. A Ribbon Cutting Ceremony has been scheduled for October 27, 2014.</td>
</tr>
<tr>
<td>Hwy. 101/San Juan Road Interchange (31580_)</td>
<td>On Route 101 near Prunedale, 4 mile south of Dumbarton Road in Mon. Co. (PM 100.0-101.3)</td>
<td>Construct new interchange at San Juan Road and US 101</td>
<td>Dec. 3, 2012-Winter 2016 (Timeframe includes Plant Establishment Work)</td>
<td>$46.2 Million</td>
<td>STIP/CMI A/ARRA</td>
<td>Caltrans</td>
<td>David Silberberger (JW)</td>
<td>GCC/MCM A JV, Watsonville</td>
<td>Paving operations are underway in many locations near the interchange. This includes paving of ramps and frontage roads. Work continues in the median of US 101 on concrete median barrier. Work on the intersection of San Juan Road and US 101 will require the closure of San Juan Road Oct. 6 thru Oct. 10.</td>
</tr>
</tbody>
</table>
## PROJECTS IN DEVELOPMENT

<table>
<thead>
<tr>
<th>Project Description</th>
<th>Location</th>
<th>Construction Timeline</th>
<th>Construction Cost</th>
<th>Funding Source</th>
<th>Implementing Agency</th>
<th>Project Manager</th>
<th>Contractor</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>4. Route 156 West Corridor (316000)</strong></td>
<td>On SR 156 between Castroville and Prunedale (PM R1.6-T5.2)</td>
<td>Construct new 4-lane divided freeway and new interchanges</td>
<td>Fall 2019-Fall 2023</td>
<td>$264 Million</td>
<td>STIP / Federal Demo / Tolling</td>
<td>Caltrans</td>
<td>David Silberberger</td>
<td>N/A</td>
</tr>
<tr>
<td><strong>5. Route 68 West Hitchcock Road Signal (0T270_)</strong></td>
<td>Along SR 68 near Salinas at Hitchcock Road (PM 19.2)</td>
<td>Install traffic signal</td>
<td>Summer 2015-Winter 2016</td>
<td>$904,000</td>
<td>SHOPP</td>
<td>Caltrans</td>
<td>John Luchetta</td>
<td>N/A</td>
</tr>
</tbody>
</table>
Project Description

This work element promotes coordination among agencies in the county regarding state and local plans for bicycle and pedestrian travel, and integrates plans for bicycle and pedestrian improvements with roadway and transit studies consistent with the adopted Regional Transportation Plan and Bicycle and Pedestrian Facilities Master Plan for Monterey County. Complete Streets policies developed for the Monterey Bay Region are coordinated with other efforts undertaken in work element 6140 and will be used to assist cities and the County to incorporate Complete Streets policies into their general plan circulation element updates as required by AB 1358. Public outreach is conducted to identify system deficiencies and potential projects for inclusion in future plans. Project implementation tasks ineligible for RPA funding are not included in this work element. Work Elements 6500 and 6550 focus on project implementation utilizing non-planning funds.

Previous and Ongoing Work

The Transportation Agency administers several programs to promote bicycle and pedestrian travel. The Agency’s Bicycle and Pedestrian Facilities Advisory Committee provides input on capital projects and funding programs in the county. The Agency also coordinates with member jurisdictions to fund and develop projects included in the Bicycle and Pedestrian Facilities Master Plan, which was most recently adopted in 2011. The Agency also reviews and comments on local land use and transportation projects to ensure that needs for safe bicycle and pedestrian travel are considered, and help ensure that local projects reflect and support implementation of the Bicycle and Pedestrian Facilities Master Plan.

In 2008, TMC finalized the Monterey Bay Sanctuary Scenic Trail Master Plan and continues to assist the County of Monterey and other local jurisdictions to plan and fund individual trail segments.
<table>
<thead>
<tr>
<th>Task</th>
<th>Description</th>
<th>Deliverable</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Provide input and assistance to local, regional and state agencies on how to integrate bicycle and pedestrian features into roadway and land development projects promoting efficient regional system management.</td>
<td>Integration of Bicycle and Pedestrian elements into corridor studies and project planning</td>
<td>6/30/2015</td>
</tr>
<tr>
<td>2</td>
<td>Develop a regional wayfinding plan to identify and coordinate signage to improve access to regional destinations such as the Fort Ord National Monument and to improve regional connections between communities.</td>
<td>Regional wayfinding plan</td>
<td>6/30/2015</td>
</tr>
<tr>
<td>3</td>
<td>Assist local jurisdictions in the development or update of Bicycle Transportation Plans, and certify conformance with Street and Highways Code and consistent with TAMC's Master plan and the Regional Transportation Plan.</td>
<td>Certification of local agency Bike and Pedestrian plans</td>
<td>6/30/2015</td>
</tr>
<tr>
<td>4</td>
<td>Participate with Caltrans in the development of a Bicycle Master Plan for District 5</td>
<td>Coordination with Caltrans on the District 5 Bicycle Master Plan</td>
<td>6/30/2015</td>
</tr>
</tbody>
</table>
**Project Manager:** Ariana Green

### ESTIMATED EXPENDITURE AND ANTICIPATED REVENUE: FY 2014-2015

<table>
<thead>
<tr>
<th>Agency</th>
<th>Amount ($)</th>
<th>Change</th>
<th>Source</th>
<th>Amount ($)</th>
<th>Change</th>
</tr>
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<tbody>
<tr>
<td>TAMC</td>
<td>13,405</td>
<td>13,405</td>
<td>Partnership Planning for Sustainable Trans</td>
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<td></td>
<td>38,462</td>
<td>38,462</td>
<td>State RPA</td>
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<td>8,000</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Local (Pacific Grove match)</td>
<td>3,867</td>
<td>3,867</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>51,867</strong></td>
<td><strong>51,867</strong></td>
<td></td>
<td><strong>51,867</strong></td>
<td><strong>51,867</strong></td>
</tr>
</tbody>
</table>

**% Federal** 77%

### ESTIMATED EXPENDITURE AND ANTICIPATED REVENUE: FY 2015-2016

<table>
<thead>
<tr>
<th>Agency</th>
<th>Amount ($)</th>
<th>Change</th>
<th>Source</th>
<th>Amount ($)</th>
<th>Change</th>
</tr>
</thead>
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<tr>
<td>TAMC</td>
<td>26,810</td>
<td>26,810</td>
<td>Partnership Planning for Sustainable Trans</td>
<td>80,000</td>
<td>80,000</td>
</tr>
<tr>
<td></td>
<td>76,923</td>
<td>76,923</td>
<td>State RPA</td>
<td>12,600</td>
<td>12,600</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Local (Pacific Grove match)</td>
<td>11,133</td>
<td>11,133</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>103,733</strong></td>
<td><strong>103,733</strong></td>
<td></td>
<td><strong>103,733</strong></td>
<td><strong>103,733</strong></td>
</tr>
</tbody>
</table>

**% Federal** 77%

### Project Description

The “Pacific Grove State Route 68 Corridor Study” will identify projects to improve pedestrian and bicycle safety along the corridor, developed to a level of detail sufficient for the City to pursue funding opportunities to further develop and construct improvements. As a link in the State Highway system, this study also presents opportunity to partner with the state to implement "complete streets" projects and advance regional sustainable transportation initiatives.

TAMC will hire a consultant to study existing conditions and plans governing development of the corridor, identify pedestrian safety needs and infrastructure gaps, and identify a list of improvements needed to address the gaps identified. The study will be used to update the City of Pacific Grove General Plan, an update for which is planned by the City.

### RPA Eligible Tasks

Coordination, development and monitoring of corridor studies and planning for state highways in Monterey County consistent with regional transportation plans. All tasks and products promote the Federal Planning Factors.
<table>
<thead>
<tr>
<th>Task</th>
<th>Description</th>
<th>Deliverable</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1</strong></td>
<td>Project Initiation and Contracting</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.1</td>
<td>Project Initiation/Kick-off Meeting</td>
<td>Meeting Summary Notes</td>
<td>2/27/2015</td>
</tr>
<tr>
<td>1.2</td>
<td>Staff Coordination</td>
<td>Monthly Meeting Notes</td>
<td>6/30/2016</td>
</tr>
<tr>
<td>1.3</td>
<td>Prepare RFP, select Consultant Services</td>
<td>Procurement procedures and executed consultant contract</td>
<td>4/22/2015</td>
</tr>
<tr>
<td><strong>2</strong></td>
<td>Corridor Study</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1</td>
<td>Consultant Kick-off Meeting*</td>
<td>Meeting Notes</td>
<td>5/1/2015</td>
</tr>
<tr>
<td>2.2</td>
<td>Identify Existing Conditions*</td>
<td>Existing Conditions Report</td>
<td>6/26/2015</td>
</tr>
<tr>
<td>2.3</td>
<td>Develop Conceptual Design Alternatives*</td>
<td>Conceptual Design Alternatives Report</td>
<td>12/1/2015</td>
</tr>
<tr>
<td>2.4</td>
<td>Draft Corridor Study*</td>
<td>Draft Corridor Study</td>
<td>2/29/2016</td>
</tr>
<tr>
<td>2.5</td>
<td>Prepare Final Corridor Study*</td>
<td>Final Corridor Study</td>
<td>5/31/2016</td>
</tr>
<tr>
<td><strong>3</strong></td>
<td>Public Outreach</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.1</td>
<td>Stakeholder List and Ongoing Outreach</td>
<td>Preliminary Stakeholder List; Project Webpage</td>
<td>5/31/2016</td>
</tr>
<tr>
<td>3.2</td>
<td>Pacific Grove City Council Meeting #1*</td>
<td>Meeting Announcement; PowerPoint Presentation/Visual Aids; Meeting Summary</td>
<td>5/20/2015</td>
</tr>
<tr>
<td>3.3</td>
<td>Board and Committee Meetings #1*</td>
<td>Meeting Announcement; PowerPoint Presentation/Visual Aids; Meeting Summary</td>
<td>6/30/2015</td>
</tr>
<tr>
<td>3.4</td>
<td>Community Workshop #1*</td>
<td>Meeting Announcement; PowerPoint Presentation/Visual Aids; Meeting Summary</td>
<td>6/30/2015</td>
</tr>
<tr>
<td>3.5</td>
<td>Community Workshop #2*</td>
<td>Meeting Announcement; PowerPoint Presentation/Visual Aids; Meeting Summary</td>
<td>6/30/2015</td>
</tr>
<tr>
<td>3.6</td>
<td>Pacific Grove City Council Meeting #2*</td>
<td>Meeting Announcement; PowerPoint Presentation/Visual Aids; Meeting Summary</td>
<td>10/31/2015</td>
</tr>
<tr>
<td>3.7</td>
<td>Board and Committee Meetings #2*</td>
<td>Meeting Announcement; PowerPoint Presentation/Visual Aids; Meeting Summary</td>
<td>2/17/2016</td>
</tr>
<tr>
<td>3.8</td>
<td>Pacific Grove City Council Approval and TAMC Acceptance*</td>
<td>Meeting Announcement; Meeting Minutes (PowerPoint Presentation; Meeting Summary)</td>
<td>3/31/2016</td>
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<tr>
<td><strong>4</strong></td>
<td>Fiscal Management</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.1</td>
<td>Invoicing</td>
<td>Invoice packages</td>
<td>Quarterly</td>
</tr>
<tr>
<td>4.2</td>
<td>Quarterly Reports</td>
<td>Quarterly Reports</td>
<td>Quarterly</td>
</tr>
</tbody>
</table>

* Consultant responsible or partially responsible for completion of task
<table>
<thead>
<tr>
<th>CODE</th>
<th>Work Element</th>
<th>Operating Expenditures</th>
<th>Direct Expenditures</th>
<th>Total Expenditures</th>
<th>Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>1010</td>
<td>Budget, Work Program</td>
<td>$122,141</td>
<td>$ -</td>
<td>$122,141</td>
<td>Prepare billing and quarterly reports, develop and monitor Work Program and budget, oversee agency funding and activities</td>
</tr>
<tr>
<td>1020</td>
<td>Local Transportation Fund (LTF) Administration</td>
<td>$63,940</td>
<td>$ -</td>
<td>$63,940</td>
<td>Conduct unmet needs process, allocate and manage Local Transportation Fund</td>
</tr>
<tr>
<td>1120</td>
<td>Plans Coordination &amp; Interagency Liaison</td>
<td>$157,025</td>
<td>$ -</td>
<td>$157,025</td>
<td>Coordinate with partner and member agencies on short- and long-range transportation plans; conduct legislative monitoring</td>
</tr>
<tr>
<td>1122</td>
<td>Legislative Advocacy</td>
<td>$5,000</td>
<td>$35,000</td>
<td>$40,000</td>
<td>Support or oppose legislation or policies</td>
</tr>
<tr>
<td>1130</td>
<td>Public Involvement/ Education</td>
<td>$63,451</td>
<td>$150,000</td>
<td>$213,451</td>
<td>Issue news releases, conduct public meetings, update website, annual report and awards program (when not specifically-related to a plan, program or project)</td>
</tr>
<tr>
<td>1750</td>
<td>511 Traveler Info System Implementation Plan</td>
<td>$113,096</td>
<td>$60,000</td>
<td>$173,096</td>
<td>Develop and deploy 511 traveler information program</td>
</tr>
<tr>
<td>1770</td>
<td>Freeway Service Patrol (FSP)</td>
<td>$51,708</td>
<td>$192,000</td>
<td>$243,708</td>
<td>Implement emergency tow truck services</td>
</tr>
<tr>
<td>1780</td>
<td>Service Authority for Freeway Emergencies (SAFE) Monterey County</td>
<td>$49,513</td>
<td>$260,000</td>
<td>$309,513</td>
<td>Implement call-box and motorist aid program</td>
</tr>
<tr>
<td>1790</td>
<td>Rideshare</td>
<td>$107,803</td>
<td>$ -</td>
<td>$107,803</td>
<td>Transition Monterey County ridesharing services to TAMC</td>
</tr>
<tr>
<td>2310</td>
<td>Data Collect, Uniformity</td>
<td>$12,308</td>
<td>$65,000</td>
<td>$77,308</td>
<td>Collect traffic data for regional model and planning uses</td>
</tr>
<tr>
<td>2510</td>
<td>Regional Transportation Model</td>
<td>$6,857</td>
<td>$ -</td>
<td>$6,857</td>
<td>Participate in regional model task force, coordinate information retrieval with member agencies, review and provide input on model usage and updates</td>
</tr>
<tr>
<td>4110</td>
<td>Document Review</td>
<td>$60,076</td>
<td>$ -</td>
<td>$60,076</td>
<td>Review development proposals for transportation impacts and proposed mitigations, including bike committee review</td>
</tr>
<tr>
<td>4150</td>
<td>Electric Vehicle Chargers</td>
<td>$3,553</td>
<td>$ -</td>
<td>$3,553</td>
<td>Finalize installation of grant funded electric vehicle chargers</td>
</tr>
<tr>
<td>6140</td>
<td>Bicycle/Pedestrian Planning</td>
<td>$104,355</td>
<td>$ -</td>
<td>$104,355</td>
<td>Update regional and local bike plans, hold bike committee meetings</td>
</tr>
<tr>
<td>6148</td>
<td>Bike Week Campaign</td>
<td>$6,155</td>
<td>$27,500</td>
<td>$33,655</td>
<td>Conduct public outreach and education for Bike Week</td>
</tr>
<tr>
<td>CODE</td>
<td>Work Element</td>
<td>Operating Expenditures</td>
<td>Direct Expenditures</td>
<td>Total Expenditures</td>
<td>Activities</td>
</tr>
<tr>
<td>-------</td>
<td>--------------------------------------------------</td>
<td>------------------------</td>
<td>---------------------</td>
<td>--------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>6220</td>
<td>Regional Transportation Plan</td>
<td>$ 56,418</td>
<td>$</td>
<td>$ 56,418</td>
<td>Engage in strategic planning and prioritization of projects, set policies, financial strategies, and conduct other tasks related to preparing the long-range transportation plan.</td>
</tr>
<tr>
<td>6262</td>
<td>Regional Impact Fee - project programming, admin</td>
<td>$ 20,759</td>
<td>$ 10,000</td>
<td>$ 30,759</td>
<td>Collect fees and allocate funds to fee program projects</td>
</tr>
<tr>
<td>6410</td>
<td>Regional Transportation Improvement Program</td>
<td>$ 45,301</td>
<td>$</td>
<td>$ 45,301</td>
<td>Conduct strategic planning, set project priorities, plan funding, develop draft and adopt final Regional Transportation Improvement Program (short-range transportation program)</td>
</tr>
<tr>
<td>6500</td>
<td>Project Development and Grant Implementation</td>
<td>$ 129,800</td>
<td>$ 80,000</td>
<td>$ 209,800</td>
<td>Participate in environmental review, right-of-way acquisition, engineering; apply for fund allocations, amendments or extensions, apply for grant funds, monitor fund sources and assist implementing agencies in utilizing funds</td>
</tr>
<tr>
<td>6501</td>
<td>Roundabout Outreach</td>
<td>$ 37,976</td>
<td>$</td>
<td>$ 37,976</td>
<td>Provide public information and outreach for the SR 68/SR 1 Roundabout project</td>
</tr>
<tr>
<td>6502</td>
<td>SR 156 Corridor Project Development</td>
<td>$ 150,000</td>
<td>$ 75,000</td>
<td>$ 225,000</td>
<td>Work with state and local agencies to continue project development and secure full funding for the SR 156 Corridor</td>
</tr>
<tr>
<td>6550</td>
<td>Complete Streets Implementation</td>
<td>$ 72,200</td>
<td>$ 588,800</td>
<td>$ 661,000</td>
<td>The Complete Street Project Implementation work element is a compilation of projects and activities related to implementing Complete Street type projects. Example of activities include purchasing bicycle racks and other security devices as part of a Bicycle Protection Program; design, manufacture and installation of bicycling wayfinding signs; and Intersection Control Evaluations to consider the appropriateness of roundabouts at modified or new intersections.</td>
</tr>
<tr>
<td>6710</td>
<td>Corridor Studies &amp; Regional Roadway planning</td>
<td>$ 99,957</td>
<td>$</td>
<td>$ 99,957</td>
<td>Participate in pre-environmental planning work: i.e. Caltrans Route Concept Reports, MST transit studies, So. County Frontage Roads, environmental habitat bank development</td>
</tr>
<tr>
<td>6715</td>
<td>Prunedale Improvement Project - outreach</td>
<td>$ 85,116</td>
<td>$</td>
<td>$ 85,116</td>
<td>Provide public information and outreach for the US 101 Prunedale project</td>
</tr>
<tr>
<td>6719</td>
<td>Prunedale Improvement Project - FSP</td>
<td>$ 9,618</td>
<td>$ 37,500</td>
<td>$ 47,118</td>
<td>Provide low trucks on US 101 Prunedale during construction</td>
</tr>
<tr>
<td>6720</td>
<td>Hwy 101/San Juan Rd. public outreach</td>
<td>$ 79,334</td>
<td>$</td>
<td>$ 79,334</td>
<td>Provide public information and outreach for the US 101/San Juan Rd Interchange project</td>
</tr>
</tbody>
</table>
## Transportation Agency for Monterey County
### FY 2014-2015 Work Program Amendment No. 1 Summary - Funding & Activities

<table>
<thead>
<tr>
<th>CODE</th>
<th>Work Element</th>
<th>Operating Expenditures</th>
<th>Direct Expenditures</th>
<th>Total Expenditures</th>
<th>Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>6721</td>
<td>Hwy 101/San Juan Rd. FSP</td>
<td>$2,760</td>
<td>$23,000</td>
<td>$25,760</td>
<td>Provide tow trucks on US 101 near San Juan Rd. during construction</td>
</tr>
<tr>
<td>6722</td>
<td>Marina - Salinas Multimodal Corridor</td>
<td>$92,813</td>
<td>$53,500</td>
<td>$146,313</td>
<td>Year two for the conceptual planning study to develop a multimodal corridor between Marina and Salinas</td>
</tr>
<tr>
<td>6723</td>
<td>INVEST Study - US 101 Corridor</td>
<td>$13,598</td>
<td></td>
<td>$13,598</td>
<td>Study potential sustainability outcomes of improvements on the US-101 corridor through Monterey County</td>
</tr>
<tr>
<td>6724</td>
<td>Pacific Grove SR 68 Corridor Study</td>
<td>$13,405</td>
<td>$38,462</td>
<td>$51,867</td>
<td>Study potential projects to improve pedestrian and bicycle safety along the SR 68 corridor between Pacific Grove city limits and Asilomar Avenue</td>
</tr>
<tr>
<td>6800</td>
<td>Rail Program Studies - Coast Rail, Freight</td>
<td>$27,139</td>
<td></td>
<td>$27,139</td>
<td>Participate in Coast Rail Coordinating Council meetings, Coast Daylight planning, freight facility planning</td>
</tr>
<tr>
<td>6803</td>
<td>Passenger Rail Extension to Monterey County</td>
<td>$430,282</td>
<td>$6,200,000</td>
<td>$6,630,282</td>
<td>Prepare federal and state environmental review documents; engineering for stations, layover facility, track improve.; acquire rights-of-way for stations, platforms and layover facility</td>
</tr>
<tr>
<td>6804</td>
<td>Monterey Branch Line Railroad Leases</td>
<td>$126,605</td>
<td>$94,842</td>
<td>$221,447</td>
<td>Conduct activities related to real property owned by TAMC</td>
</tr>
<tr>
<td>6805</td>
<td>Railroad Fort Ord property planning</td>
<td>$45,577</td>
<td>$45,158</td>
<td>$90,735</td>
<td>Plan for mixed use facility on TAMC land on former Fort Ord base</td>
</tr>
<tr>
<td>6806</td>
<td>Monterey Branch Line</td>
<td>$2,714</td>
<td></td>
<td>$2,714</td>
<td>Evaluate options and next steps to utilize the Monterey Branch Line corridor</td>
</tr>
<tr>
<td>6807</td>
<td>Salinas Rail Leases</td>
<td>$8,335</td>
<td></td>
<td>$8,335</td>
<td>Conduct activities related to real property owned by TAMC</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Operating Expenditures</th>
<th>Direct Expenditures</th>
<th>Total Expenditures</th>
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<tbody>
<tr>
<td>$2,476,689</td>
<td>$8,035,762</td>
<td>$10,512,451</td>
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</tbody>
</table>
RESOLUTION NO. 2014-15 OF THE
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE
PROGRAM SUPPLEMENT AGREEMENT NO. 004-N WITH
THE DEPARTMENT OF TRANSPORTATION

WHEREAS, the Transportation Agency for Monterey County is the state-designated Regional
Transportation Planning Agency for Monterey County; and

WHEREAS, the Federal Highways Administration has awarded the Transportation Agency with
a $25,000 grant to conduct a sustainability analysis on the US-101 corridor using the
Infrastructure Voluntary Evaluation Sustainability Tool; and

WHEREAS, the Transportation Agency must enter into a Program Supplement agreement with
the Department of Transportation to receive an allocation for this grant funding.

NOW, THEREFORE, BE IT RESOLVED THAT: the Board of Directors of the
Transportation Agency for Monterey County hereby authorizes the executive director to execute
Program Supplement Agreement No. 004-N, included as Attachment 1, with the Department of
Transportation in accordance with this resolution.

PASSED AND ADOPTED by the Transportation Agency for Monterey County, State of
California this 22nd day of October, 2014 by the following vote:

AYES:

NOES:

ABSENT:

____________________________________________________
JANE PARKER, CHAIR
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

ATTEST:

____________________________________________________
DEBRA L. HALE, EXECUTIVE DIRECTOR
TRANSPORTATION AGENCY FOR MONTEREY COUNTY
DEPARTMENT OF TRANSPORTATION,
CALIFORNIA HIGHWAY PATROL
And
TRANSPORTATION AGENCY FOR MONTEREY COUNTY

MEMORANDUM OF UNDERSTANDING
REGARDING OPERATION OF A FREEWAY SERVICE PATROL PROGRAM

The Memorandum of Understanding is entered into this ___ day of ______ 2014, by and between the State of California, as represented by and through the Department of Transportation (hereinafter CALTRANS), and the California Highway Patrol (hereinafter CHP), and the Transportation Agency for Monterey County (hereinafter TAMC).

General

This Memorandum of Understanding (MOU) pertains to the development and operation of a Freeway Service Patrol (FSP) program in the Monterey County area as related to the State of California congestion management strategies. FSP will assist in transportation system management efforts, provide traffic congestion relief, reduce traffic accidents, and expedite the removal of freeway impediments, all of which will have the added benefit of improving air quality.

The FSP activities shall be integrated with the existing incident and traffic management operations to maximize public benefit. Tow service programs called for in traffic management plans (TMP) for major construction projects will be coordinated with the statewide FSP program under separate MOUs, assuming appropriate FHWA approvals are secured.

Section 2401 of the California Vehicle Code (CVC) states that the Commissioner of the California Highway Patrol shall make adequate provisions for patrol of the highway at all times of the day and night. This section is interpreted to mean that the Commissioner is given broad discretion in determining the means of providing adequate patrol, including the use of FSP vehicles.

Section 21718(a)(7) of the CVC is a provision which specifically allows the CHP to be responsible for FSP stopping on freeways for the purpose of rapid removal of impediments to traffic.

Article 3, Section 90, of the Streets and Highways Code, states that CALTRANS shall have possession and control of all state highways.

Article 3, Section 91, of the Streets and Highways Code, states that CALTRANS has the responsibility to improve and maintain the state highways. CALTRANS also has the responsibility for traffic system management and removing impediments from the highways.

Article 3, Section 92, of the Streets and Highways Code, states that CALTRANS may do any act necessary, convenient or proper for the construction, improvement,
maintenance, or use of all highways which are under its jurisdiction, possession, or control.

Together, the CHP and CALTRANS have agreed to operate jointly Transportation Management Centers (TMC) and FSP programs to improve the efficiency of the transportation system and to expedite the removal of vehicles that are stranded or disabled on urban freeways.

TAMC and CALTRANS are responsible for entering into a fund transfer agreement which includes provision for the transfer of funds to TAMC to help fund the FSP contracts.

This MOU constitutes an operational guide to the obligations, responsibilities, and goals of the parties involved. It is not intended to authorize funding, nor is it a legally binding contract. Funding commitments are covered by the above referenced fund transfer agreement by and between CALTRANS and TAMC.

I. CALTRANS RESPONSIBILITIES:

   A. CALTRANS shall provide a portion of funding for the Monterey County FSP program, as provided in the CALTRANS/TAMC fund transfer agreement, and the resources needed by the CHP to carry out CHP responsibilities.

   B. CALTRANS shall supply all reasonable information required for evaluation of the FSP effectiveness in reducing congestion, accidents, and improving air quality.

II. CHP RESPONSIBILITIES:

   A. CHP shall be responsible for all necessary daily field supervision and oversight of the tow contractors' services and the quality of those services.

   B. CHP shall dispatch FSP vehicles based on information regarding the need for services received at the CHP Communications Dispatch Center or TOC and within the FSP contractors' scope of services and shall record the information on the CHP Computer Aided Dispatch (CAD) system.

   C. CHP shall provide training to all FSP contractors and operators. This shall include training materials. The FSP contractors and operators shall be trained prior to providing FSP service, with training updates occurring on an as needed basis.

   D. The CHP shall investigate complaints from the public regarding FSP contractor/operator conduct and operation and will further report to TAMC and CALTRANS via the Technical Advisory Committee (See Article IV.C.1) its findings and appropriate action taken.

   E. CHP shall perform all necessary driver's license and background checks on all FSP owners, operators and drivers.
F. CHP shall inspect all tow trucks prior to the start of a new contract and will perform inspections on an as needed basis.

III. TAMC RESPONSIBILITIES:

A. TAMC shall provide a portion of the funding for the FSP program as provided in the CALTRANS/TAMC fund transfer agreement, including any later amendments.

B. TAMC shall develop, advertise, award and administer the FSP contracts for the Monterey County FSP Program.

C. TAMC, using data supplied by CALTRANS and the CHP, shall periodically provide FSP statistics for use by all three agencies.

D. Within 15 calendar days of receipt, TAMC shall review contractor’s monthly invoices for accuracy and transmit all uncontested invoices to payment.

IV. JOINT RESPONSIBILITIES:

A. CALTRANS, TAMC, and CHP shall jointly and cooperatively define the FSP program, as well as the appropriate FSP level of service and the equipment requirements necessary to operate and manage the program.

B. CHP and CALTRANS may only use the FSP program system within the limits of the FSP operators' contracts and resources available for traffic system management purposes, as described in this agreement. The prime purpose will be for incident removal and service.

C. CALTRANS, TAMC, and CHP shall provide representation for the FSP Technical Advisory Committee which will guide program development, implementation, operation, evaluation and public relations.

1. The FSP Technical Advisory Committee shall consist of representatives from TAMC, CHP, CALTRANS and when appropriate, nonvoting representatives from the FSP contractors. The FSP Technical Advisory Committee shall meet every three months or on an as needed basis.

V. CROSS INDEMNIFICATION

A. Neither CHP or CALTRANS (STATE) nor any officer or employee thereof is responsible for any damage or any liability occurring by reason of anything done or omitted to be done by TAMC under or in connection with any work, authority, or jurisdiction delegated to TAMC under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, TAMC shall fully defend, indemnify and save harmless the STATE, and all its officers and employees, from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by TAMC
under or in connection with any work, authority, or jurisdiction delegated to TAMC under this Agreement.

B. Neither TAMC nor any officer or employee thereof is responsible for any damage or any liability occurring by reason of anything done or omitted to be done by Caltrans under or in connection with any work, authority, or jurisdiction delegated to Caltrans under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, Caltrans shall fully defend, indemnify and save harmless TAMC, and all its officers and employees, from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by Caltrans under or in connection with any work, authority, or jurisdiction delegated to Caltrans under this Agreement.

C. Neither the CHP nor any officer, agent or employee shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by TAMC under or in connection with any work, authority, or jurisdiction delegated to TAMC under this AGREEMENT. Pursuant to Government Code Section 895.4, TAMC shall fully indemnify and hold CHP harmless from any liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by TAMC under or in connection with any work, authority, or jurisdiction delegated to TAMC under this AGREEMENT and for which TAMC would otherwise be liable.

Neither TAMC nor any board member, officer, employee, agent, or representative shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by CHP under or in connection with any work, authority, or jurisdiction delegated to CHP under this AGREEMENT. Pursuant to Government Code Section 895.4, the CHP shall fully indemnify and hold TAMC harmless from any liability imposed for injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by the CHP under or in connection with any work, authority, or jurisdiction delegated to the CHP under this AGREEMENT and for which the CHP would otherwise be liable.

Notwithstanding any other provision of this AGREEMENT, CHP, including any officer, agent or employee is not liable to TAMC for any claim based on negligence of an FSP operator/FSP contractor or for any other claim not based on a negligent act or omission of CHP. The general principals of equitable indemnity have been considered and are expressly excluded. TAMC agrees notwithstanding any other provision of this AGREEMENT, that no claim for indemnity or contribution will be made unless the accident was caused by affirmative negligence of CHP. TAMC will include, in its agreements with its FSP operators/FSP contractors, that such operators/contractors agree to indemnify CHP for any claim made against CHP based on Gov. Code section 815.2 or 815.4 and arising out of the negligence or alleged negligence of the FSP operator/contractor.

Notwithstanding any other provision of this AGREEMENT, TAMC, including any officer, agent or employee is not liable to CHP for any claim based on negligence of an FSP operator/FSP contractor or for any other claim not based on a negligent act or omission
of TAMC. The general principals of equitable indemnity have been considered and are expressly excluded. CHP agrees, notwithstanding any other provision of this AGREEMENT, that no claim for indemnity or contribution will be made unless the accident was caused by affirmative negligence of TAMC.

VI. EXECUTION IN COUNTERPARTS.

This MOU may be executed in one or more counterparts, and when all the parties have signed such counterparts, it shall constitute a duplicate original.

______________________________
Caltrans Director        Date
District 5

______________________________
Commander        Date
CHP, Coastal Division

______________________________
Executive Director        Date
Transportation Agency for Monterey County
This is an agreement between the Transportation Agency for Monterey County, hereinafter called “TAMC,” and JEA & Associates, a California Corporation with offices at 770 L Street, Suite 1030 in Sacramento, California 95814, hereinafter called “Consultant.”

The parties agree as follows:

1. **Employment of Consultant.** TAMC hereby engages Consultant, and Consultant hereby agrees to perform the services set forth in Exhibit A, in conformity with the terms of this Agreement. Consultant will complete all work in accordance with the work schedule set forth in Exhibit A.
   (a) The work is generally described as follows:
       Professional services in the areas of legislative and regulatory advocacy and governmental affairs.
   (b) Consultant represents that Consultant and its agents, subcontractors and employees performing work hereunder are specially trained, experienced, competent, and appropriately licensed to perform the work and deliver the services required by this Agreement.
   (c) Consultant, its agents, subcontractors, and employees, shall perform all work in a safe, skillful, and professional manner and in compliance with all applicable laws and regulations. All work performed under this Agreement that is required by law to be performed or supervised by licensed personnel shall be performed in accordance with such licensing requirements.
   (d) Consultant shall furnish, at its own expense, all materials and equipment necessary to carry out the terms of this Agreement, except as otherwise provided herein.
   (e) Consultant’s project manager shall be the person specified in Exhibit A. If Consultant desires to change the project manager, Consultant shall get written approval from TAMC of the new project manager.

2. **Term of Agreement.** The term of this Agreement shall begin on October 22, 2014, contingent upon approval by the TAMC Board, and Consultant shall commence work after Notice to Proceed by TAMC’s Contract Administrator, identified in Section 31. Unless earlier terminated as provided herein, this Agreement shall remain in force until October 22, 2015. Consultant acknowledges that this Agreement is not binding until it is fully executed by TAMC.

3. **Payments to Consultant; maximum liability.** Subject to the limitations set forth herein, TAMC shall pay to Consultant the amounts provided in Exhibit B: Budget, upon receipt of
deliverables listed therein. Each payment by TAMC shall be for a specific deliverable outlined in Exhibit A: Scope of Work and Schedule. The maximum amount payable to the Consultant is set forth in Exhibit B: Budget and shall not exceed the amount of Thirty Thousand Dollars ($30,000). If there is any conflict between the terms of this Agreement and the terms of either Exhibit A (Scope of Work) or Exhibit B (Budget), the terms of this Agreement shall prevail. No additional compensation will be paid to Consultant unless there is a change in the Scope of Work, as negotiated and finally approved by TAMC and Consultant through a written amendment.

   (a) Consultant agrees that, as applicable, the Contract Cost Principles and Procedures, 48 Code of Federal Regulations (CFR), Chapter 1, Part 31.000 et seq., Federal Acquisition Regulations System, shall be used to determine the cost allowability of individual items.
   (b) Consultant also agrees to comply with federal procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments to the extent applicable to this Agreement.
   (c) Any costs for which payment has been made to Consultant under this Agreement that are determined by subsequent audit to be unallowable under 49 CFR Part 18 and 48 CFR Part 31, are subject to repayment by Consultant to TAMC.

5. Method of Payment; Monthly Invoices by Consultant.
   (a) The method of payment for this Agreement will be based on a lump sum. The total lump sum price paid to Consultant will include compensation for all work and deliverables, including travel and equipment and any costs described in Exhibit B: Budget, for this Agreement. No additional compensation will be paid to Consultant unless there is a change in the Scope of Work, as negotiated and finally approved by TAMC and Consultant through a written amendment.
   (b) Consultant may submit to TAMC an invoice for progress payments, in arrears for work performed, based upon services provided and allowable incurred costs. Such invoices shall be in a format approved by TAMC, setting forth the amounts claimed by Consultant, the deliverables for which payment is requested, together with an itemized basis for such amounts, and setting forth such other pertinent information TAMC may require. Consultant shall submit such invoice monthly or as agreed by TAMC, but in no event shall such invoice be submitted later than thirty (30) days after completion of the Consultant’s work hereunder. It is understood and agreed that Consultant shall complete all work described in Exhibit A notwithstanding Consultant’s submission of periodic invoices.
   (c) If, as of the date of execution of this Agreement, Consultant has already received payment from TAMC for work which is the subject of this Agreement, such amounts shall be deemed to have been paid under this Agreement and shall be credited toward TAMC’s maximum liability set forth above.
   (d) Consultant shall be reimbursed for travel expenses not to exceed the State of California approved travel reimbursement rates, which are to be included as part of the maximum contract amount listed in Section 3 of this Agreement.
6. **Indemnification.** To the fullest extent permitted by law, including California Civil Code sections 2782 and 2782.6, Consultant shall defend (with legal counsel reasonably acceptable to TAMC), indemnify and hold harmless TAMC, its officers, agents, and employees, from and against any and all claims, losses, costs, damages, injuries (including injury to or death of an employee of Consultant or its subcontractors), expenses and liabilities of every kind, nature and description (including incidental and consequential damages, court costs, attorneys’ fees, litigation expenses and fees of expert consultants or expert witnesses incurred in connection therewith and costs of investigation) that arise out of, pertain to, or relate to, directly or indirectly, in whole or in part, the negligence, recklessness, or willful misconduct of Consultant, any subcontractor, anyone directly or indirectly employed by them, or anyone that they control (collectively “Liabilities”). Such obligations to defend, hold harmless and indemnify TAMC, its officers, agents, and employees, shall not apply to the extent that such Liabilities are caused in part by the sole negligence, active negligence, or willful misconduct of TAMC, its officers, agents, and employees. To the extent there is an obligation to indemnify under this Paragraph, Consultant shall be responsible for incidental and consequential damages resulting directly or indirectly, in whole or in part, from Consultant’s negligence, recklessness, or willful misconduct. Notwithstanding any other provision of this Agreement, Consultant’s obligation to defend, indemnify and hold harmless TAMC shall survive the termination or expiration of the Agreement for a term to include the applicable statute of limitations related to the Consultant’s performance pursuant to the Agreement.

7. **Insurance.**
   (a) Without limiting Consultant’s duty to indemnify as set forth in this Agreement, Consultant shall maintain, at no additional cost to TAMC, throughout the term of this Agreement a policy or policies of insurance with the following coverage and minimum limits of liability (check if applicable):
      - Commercial general liability insurance, including but not limited to premises, personal injury, products, and completed operations, with a combined single limit of One Million Dollars ($1,000,000) per occurrence.
      - Professional liability insurance in the amount of not less than One Million Dollars ($1,000,000) per claim and Three Million Dollars ($3,000,000) in the aggregate, to cover liability for malpractice or errors or omissions made in the course of rendering professional services. If professional liability insurance is written on a “claims made” basis rather than an “occurrence” basis, Consultant shall, upon the expiration or termination of this Agreement, obtain extended reporting coverage (“tail coverage”) with the same liability limits. Any such tail coverage shall continue for at least three years following the surviving term of Consultant’s obligation to defend, indemnify and hold harmless TAMC as set for in Section 6.
      - Comprehensive automobile insurance covering all motor vehicles, including owned, leased, hired and non-owned vehicles used in providing services under this Agreement, with a combined single limit of not less than One Million Dollars ($1,000,000) per occurrence.
   (b) All insurance required under this Agreement shall be with a company acceptable to TAMC and authorized by law to transact insurance business in the State of California. Unless otherwise provided in this Agreement, all such insurance shall be written on
an occurrence basis; or, if any policy cannot be written on an occurrence basis, such policy shall continue in effect for a period of two years following the date of Consultant’s completion of performance hereunder.

(c) Each policy of insurance required under this Agreement shall provide that TAMC shall be given written notice at least thirty days in advance of any change, cancellation or non-renewal thereof. Each policy shall provide identical coverage for each subcontractor performing work under this Agreement, or be accompanied by a certificate of insurance for each subcontractor showing identical insurance coverage.

(d) Commercial general liability and automobile liability policies shall provide an endorsement naming TAMC, its officers, agents, and employees, as additional insureds and shall further provide that such insurance is primary to any insurance or self-insurance maintained by TAMC, and that no insurance of any additional insured shall be called upon to contribute to a loss covered by Consultant’s insurance.

8. **Workers’ Compensation Insurance.** If during the performance of this contract, Consultant employs one or more employees, then Consultant shall maintain a workers’ compensation plan covering all of its employees as required by Labor Code Sec. 3700, either (a) through workers’ compensation insurance issued by an insurance company, with coverage meeting the statutory limits and with a minimum of One Million Dollars ($1,000,000) per occurrence for employer’s liability, or (b) through a plan of self-insurance certified by the State Director of Industrial Relations, with equivalent coverage. If Consultant elects to be self-insured, the certificate of insurance otherwise required by this Agreement shall be replaced with consent to self-insure issued by the State Director of Industrial Relations. The provisions of this paragraph apply to any subcontractor employing one or more employees, and Consultant shall be responsible for all subcontractors’ compliance herewith.

9. **Safety Provisions.**
   (a) Consultant shall comply with OSHA regulations applicable to Consultant regarding necessary safety equipment or procedures. Consultant shall comply with safety instructions issued by TAMC Safety Officer and other TAMC representatives. Consultant personnel shall wear hard hats and safety vests at all times while working on a construction project site.

   (b) If applicable to work to be performed by Consultant identified in the Scope of Work (Exhibit A), and pursuant to the authority contained in Section 591 of the Vehicle Code, TAMC has determined that such areas are within the limits of the project and are open to public traffic. Consultant shall comply with all of the requirements set forth in Divisions 11, 12, 13, 14, and 15 of the Vehicle Code. Consultant shall take all reasonably necessary precautions for safe operation of its vehicles and the protection of the traveling public from injury and damage from such vehicles.

   (c) Any subcontract entered into as a result of this Agreement, shall contain all of the provisions of this Section.

   (d) Consultant must have a Division of Occupational Safety and Health (CAL-OSHA) permit(s), as outlined in California Labor Code Sections 6500 and 6705, prior to the initiation of any practices, work, method, operation, or process related to the construction or excavation of trenches which are five feet or deeper.
10. **Certificate of Insurance and Taxpayer Identification.** Prior to the execution of this Agreement by TAMC, Consultant shall submit a completed federal W-9 form, Request for Taxpayer Identification Number and Certification, and file certificates of insurance with TAMC’s contract administrator evidencing that Consultant has in effect the insurance required by this Agreement. Consultant shall file a new or amended certificate promptly after any change is made in any insurance policy, which would alter the information on the certificate then on file. Acceptance or approval of insurance shall in no way modify any indemnification provision of this Agreement.

11. **Maintenance of Records.** Consultant shall prepare, maintain and preserve all reports and records that may be required by federal, State, and local rules and regulations relating to services performed under this Agreement. Consultant shall retain all such records for at least five years from the date of final payment, or until any litigation relating to this Agreement is concluded, whichever is later. The State, State Auditor, TAMC, or any duly authorized representative of the Federal Government, as applicable, shall have access to any books, records, and documents of Consultant that are pertinent to the Agreement for audit, examinations, excerpts, and transactions, and copies thereof shall be furnished if requested.

12. **Audits.**
   (a) TAMC officials, as well as Caltrans, and/or State or Federal officials, as applicable, based upon funding sources for this Agreement, shall have the right, at any time during regular working hours and on reasonable advance notice, to examine, monitor and audit all work performed and all records, documents, conditions, activities and procedures of Consultant or its subcontractors relating to this Agreement. This Agreement also incorporates the provisions Government Code Section 8546.7 which provides that an audit by the State Auditor General may be performed up to three years after the final payment under any contract or subcontract involving the expenditure of public funds in excess of Ten Thousand Dollars ($10,000).
   (b) Consultant and subcontractors’ contracts, including cost proposals and indirect cost rates (ICR) are subject to audits or reviews such as, but not limited to, a Contract Audit; an Incurred Cost Audit; an Indirect Cost Rates Audit, or a certified public accountant (CPA) ICR Audit Workpaper Review. If selected for audit or review, the Agreement, cost proposal and ICR and related workpapers, if applicable, will be reviewed to verify compliance with 48 CFR Part 31, and other related laws and regulations. In the instances of a CPA ICR Audit Workpaper Review, it is Consultant’s responsibility to ensure Federal, State, or local government officials are allowed full access to the CPA’s Workpapers. The Agreement, cost proposal, and ICR shall be adjusted by Consultant and approved by the TAMC Contract Administrator to conform to the audit or review recommendations. Consultant agrees that individual terms of costs identified in the audit report shall be incorporated into the Agreement by this reference if directed by TAMC and TAMC’s sole discretion. Refusal by Consultant to incorporate audit or review recommendations, or to ensure that Federal, State, or local governments have access to CPA Workpapers, will be considered a breach of contract and good cause for termination of the Agreement and disallowance of prior reimbursed costs.
13. **Confidentiality; Return of Records.** Consultant and its officers, employees, agents, and subcontractors shall comply with all federal, State and local laws providing for the confidentiality of records and other information. Consultant shall not disclose any confidential information received from TAMC or prepared in connection with the performance of this Agreement without the express permission of TAMC. Consultant shall promptly transmit to TAMC all requests for disclosure of any such confidential information. Consultant shall not use any confidential information gained through the performance of this Agreement except for the purpose of carrying out Consultant’s obligations hereunder. When this Agreement expires or terminates, Consultant shall return to TAMC all records, which Consultant utilized or received from TAMC to perform services under this Agreement.

14. **Termination.**
   (a) TAMC may terminate this Agreement by giving written notice of termination to Consultant at least thirty (30) days prior to the effective date of termination, which date shall be specified in any such notice. In the event of such termination, the amount payable hereunder shall be reduced in proportion of the services provided prior to the effective date of termination.
   (b) TAMC may also terminate this Agreement at any time for good cause effective immediately upon written notice to Consultant. “Good cause” includes, without limitation, the failure of Consultant to perform the required services at the time and in the manner provided herein, as well as failure to comply with the provisions of Section 12 [Audits], subsection (b), above. If TAMC terminates this Agreement for good cause, TAMC may be relieved of the payment of any consideration to Consultant, and TAMC may proceed with the work in any manner, which it deems proper. Costs incurred by TAMC thereby shall be deducted from any sum otherwise due Consultant.
   (c) It is also mutually understood between TAMC and Consultant that this Agreement may have been written before ascertaining the availability of funds, or appropriation of funds, for the mutual benefit of both parties, in order to avoid program and fiscal delays that would occur if the Agreement were executed after that determination was made. This Agreement is valid and enforceable only if sufficient funds are made available to TAMC for the purpose of this Agreement. It is mutually agreed that if sufficient funds are not appropriated, this Agreement may be amended to reflect any reduction in funds. TAMC retains the right to direct Consultant immediately to stop work and to terminate this Agreement for convenience, pursuant to Section 14(a) above, in order to address any reduction of funds.
   (d) Termination of this Agreement shall not terminate Consultant’s duty to defend, indemnify and hold harmless TAMC, as provided in Section 6.

15. **Amendments and Modifications.** No modification or amendment of this Agreement shall be valid unless it is set forth in writing and executed by the parties hereto.

16. **Non-discrimination.** Throughout the performance of this Agreement, Consultant will not unlawfully discriminate, harass or allow harassment, against any person because of sex, race, color, religious creed, sex, national origin, ancestry, physical disability (including HIV and AIDS), mental disability, medical condition, marital status, age (over 40), denial of family
and medical care leave, denial of pregnancy disability leave, or sexual orientation, either in Consultant’s employment practices or in the furnishing of services to recipients. Consultant shall ensure that the evaluation and treatment of its employees and applicants for employment and all persons receiving and requesting services are free of such discrimination. Consultant shall comply fully with all federal, State and local laws and regulations which prohibit discrimination. The provision of services primarily or exclusively to any target population designated herein shall not be deemed prohibited discrimination.

17. Harassment. TAMC maintains a strict policy prohibiting unlawful harassment, including sexual harassment, in any form, including verbal, physical and visual harassment by any employee, supervisor, manager, officer or Board member, or agent of the employer. Vendors, contractors, and consultants shall not engage in conduct that has an effect of unreasonably interfering with a TAMC employee’s work performance or creates an intimidating, hostile or offensive work environment.

18. Disadvantaged Business Enterprises (DBE) Participation. This Paragraph Intentionally Omitted.

19. Independent Contractor. In its performance under this Agreement, Consultant is at all times acting and performing as an independent contractor and not as an employee of TAMC or any of its member jurisdictions. No offer or obligation of employment is intended in any manner, and Consultant shall not become entitled by virtue of this Agreement to receive any form of benefits accorded to employees including without limitation leave time, health insurance, workers’ compensation coverage, disability benefits, and retirement contributions. Consultant shall be solely liable for and obligated to pay directly all applicable taxes, including without limitation federal and State income taxes and social security arising out of Consultant’s performance of this Agreement. In connection therewith, Consultant shall defend, indemnify, and hold harmless TAMC from any and all liability, which TAMC may incur because of Consultant’s failure to make such payments.

20. Delegation of Duties; Subcontracting. Consultant is engaged by TAMC for its unique qualifications and abilities. Consultant may not, therefore, delegate any of its basic duties under this Agreement, except to the extent that delegation to Consultant’s employees is contemplated herein through the Scope of Work and Budget. No work shall be subcontracted without the written consent of TAMC, except as provided in this Agreement or its attachments. Any subcontract in excess of $25,000 shall contain the same provisions as found in Sections 4 and 5(b)–(d), inclusive. Notwithstanding any subcontract, Consultant shall continue to be liable to TAMC for the performance of all work hereunder. Any work performed by a subcontractor shall be done in conformance with this Agreement, and TAMC shall pay Consultant for the work but not any markup, including subcontract management, supervision, administrative and other expenses, or reimbursable costs. Consultant shall not assign, sell, mortgage or otherwise transfer its interest or obligations in this Agreement without TAMC’s prior written consent.

21. Agency’s Rights to Work Product. All original materials prepared by Consultant in connection with its work hereunder – including but not limited to computer codes,
customized computer routines developed using proprietary or commercial software packages, reports, documents, maps, graphs, charts, photographs and photographic negatives shall be the property of TAMC and shall be delivered to TAMC prior to final payment. Consultant may utilize any existing materials developed by Consultant prior to commencement of work under this Agreement, which materials shall remain the property of Consultant.

22. **Compliance with Terms of Federal or State Grant.** If any part of this Agreement has been or will be funded pursuant to a grant from the federal or State government in which TAMC is the grantee, Consultant shall comply with all provisions of such grant applicable to Consultant’s work hereunder, and said provisions shall be deemed a part of this Agreement as though fully set forth herein.

23. **Prevailing Wages.** Consultant shall comply with the all prevailing wage requirements, including California Labor Code section 1770, et seq., and any Federal or local laws or ordinances, that may be applicable to the work to be performed pursuant to this Agreement.

24. **Equipment, Supplies or Consultant Services Purchases.**
   (a) Prior authorization in writing by TAMC’s Contract Administrator shall be required before Consultant enters into any unbudgeted purchase order, or subcontract exceeding Five Thousand Dollars ($5,000) for supplies, equipment, or unbudgeted Consultant services. Consultant shall provide an evaluation of desirability of incurring such costs.
   (b) For purchase of any items, service or consulting work not covered in Consultant’s Cost Proposal and exceeding Five Thousand Dollars ($5,000), prior authorization is required by TAMC’s Contract Administrator; three competitive quotations must be submitted with the request, or the absence of bidding must be adequately justified.
   (c) Any equipment purchased as a result of this Agreement is subject to the following:
      i. Consultant shall maintain an inventory of all nonexpendable property. Nonexpendable property is defined as having a useful life of at least two years and an acquisition cost of Five Thousand Dollars ($5,000) or more. If the purchased equipment needs replacement and is sold or traded in, TAMC shall receive a proper refund or credit for such equipment at the conclusion of the Agreement, or if the Agreement is terminated, Consultant may either keep the equipment and credit TAMC in an amount equal to its fair market value, or sell such equipment at the best price obtainable at a public or private sale, in accordance with established TAMC procedures for such sales and then credit TAMC in an amount equal to that sales price. If Consultant elects to keep the equipment, fair market value shall be determined at Consultant’s expense, on the basis of a competent independent appraisal of such equipment. Appraisals shall be obtained from and appraiser mutually acceptable to TAMC and Consultant; if it is determined to sell the equipment, the terms and conditions of such sale must be approved in advance by TAMC.
      ii. Consultant acknowledges that, if federal funds are used in this Agreement, 49 CFR, Part 18 requires a credit to Federal funds when participating equipment with a fair market value greater than Five Thousand Dollars ($5,000) is credited to the project for which this Agreement was entered into.
25. **Conflict of Interest.** Consultant warrants that it presently has no interest and shall not acquire any interest during the term of this Agreement, which would directly or indirectly conflict in any manner or to any degree with its full and complete performance of all services under this Agreement.

26. **Governing Laws.** This Agreement shall be construed and enforced according to the laws of the State of California, and the parties hereby agree that the County of Monterey shall be the proper venue for any dispute arising hereunder.

27. **Construction of Agreement.** The parties agree that each party has fully participated in the review and revision of this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any exhibit or amendment. To that end, it is understood and agreed that this Agreement has been arrived at through negotiation, and that neither party is to be deemed the party which prepared this Agreement within the meaning of Civil Code Section 1654. Section and paragraph headings appearing herein are for convenience only and shall not be sued to interpret the terms of this Agreement.

28. **Waiver.** Any waiver of any term or condition hereof must be in writing. No such waiver shall be construed as a waiver of any other term or condition herein.

29. **Successors and Assigns.** This Agreement and all rights, privileges, duties and obligations hereunder, to the extent assignable or delegable, shall be binding upon and inure to the benefit of the parties and their respective successors, permitted assigns and heirs.

30. **Time is of the Essence.** The parties mutually acknowledge and agree that time is of the essence with respect to every provision hereof in which time is an element. No extension of time for performance of any obligation or act shall be deemed an extension of time for performance of any other obligation or act, nor shall any such extension create a precedent for any further or future extension.

31. **Contract Administrators.** Consultant’s designated principal responsible for administering Consultant’s work under this Agreement shall be John E. Arriaga, President. TAMC’s designated administrator of this Agreement shall be Debra L. Hale, Executive Director.
32. **Notices.** Notices required under this Agreement shall be delivered personally or by electronic facsimile, or by first class or certified mail with postage prepaid. Notice shall be deemed effective upon personal delivery or facsimile transmission, or on the third day after deposit with the U.S. Postal Service. Consultant shall give TAMC prompt notice of any change of address. Unless otherwise changed according to these notice provisions, notices shall be addressed as follows:

To TAMC:  
Debra L. Hale  
Executive Director  
Transportation Agency for Monterey County  
55B Plaza Circle  
Salinas, CA  93901  
Tel:  831-775-0903  
Fax:  831-775-0897  
E-mail:  debbie@tamcmonterey.org

To Consultant:  
John E. Arriaga  
President  
JEA & Associates  
770 L Street, Suite 1030  
Sacramento, CA 95814  
Tel:  (916) 669-1340  
Fax: (916)669-1338  
E-mail: jeaandassoc@aol.com

33. **Non-exclusive Agreement.** This Agreement is non-exclusive and both parties reserve the right to contract with other entities for the same or similar services.

34. **Execution of Agreement.** Any individual executing this Agreement on behalf of an entity represents and warrants that he or she has the requisite authority to enter into this Agreement on behalf of such entity and to bind the entity to the terms and conditions hereof. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.

35. **Debarment and Suspension Certification.** Consultant’s signature affixed below shall constitute a certification under penalty of perjury under the laws of the State of California that the Consultant has complied with CFR Title 49, Part 29, Debarment and Suspension Certificate which certifies that Consultant or any person associated with Consultant in the capacity of owner, partner, director, officer, or manager is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency; has not been suspended, debarred, voluntarily excluded, or determined ineligible by an federal agency within the past three (3) years; does not have a proposed debarment pending; and has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three (3) years. Any exceptions to this certification must be disclosed to the TAMC.

36. **Rebates, Kickbacks or Other Unlawful Consideration Prohibited.** Consultant warrants that this Agreement was not obtained or secured through rebates, kickbacks or other unlawful consideration, either promised or paid to any TAMC employee. TAMC shall have the right, in its sole and absolute discretion to do any of the following for breach or violation of this warranty: terminate the Agreement without liability; pay for the value of the work actually performed; or to deduct from the compensation to be paid under this Agreement (or otherwise recover) the full amount of any such rebate, kickback or unlawful consideration.
37. Prohibition of Expending Local Agency, State or Federal Funds by Consultant for Lobbying.

(a) Consultant certifies to the best of his, her or its knowledge and belief that:

i. No State or Federal appropriated funds have been paid, or will be paid, by or on behalf of Consultant to any person for influencing or attempting to influence an officer or employee of any state or federal agency; a member of the State Legislature or United States Congress; an officer or employee of the State Legislature or United States Congress; or any employee of a Member of the Legislature or Congress, in connection with the awarding of any State or Federal contract; in connection with the making of any State or Federal grant; in connection with the making of any State or Federal loan; in connection with the entering into of any cooperative agreement, and in connection with the extension, continuation, renewal, amendment, or modification of any State or Federal contract, grant, loan or cooperative agreement.

ii. If any funds other than Federal appropriated funds have been paid, or will be paid, to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress; or an employee of a Member of Congress, in connection with this contract, grant, loan or cooperative agreement, then Consultant shall complete and submit a Standard Form LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.

(b) This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, US Code. Consultant acknowledges that any person who fails to file the required certification shall be subject to a civil penalty of not less than Ten Thousand Dollars ($10,000) and not more than One Hundred Thousand Dollars ($100,000) for such failure.

(c) By signing this Agreement, Consultant also agrees that Consultant will require that the language of this certification will be included in all lower-tier subcontracts which exceed One Hundred Thousand Dollars ($100,000), and that all recipients of such subcontracts shall certify and disclose accordingly.

38. Exhibits. The following Exhibits are attached hereto and incorporated by reference:

   Exhibit A – Scope of Work and Work Schedule
   Exhibit B – Budget

39. Entire Agreement. This document, including all exhibits hereto, constitutes the entire agreement between the parties, and supersedes any and all prior written or oral negotiations and representations between the parties concerning all matters relating to the subject of this Agreement.
IN WITNESS WHEREOF, TAMC and Consultant execute this agreement as follows:

TAMC

By _______________________________  By ____________________________
Debra L. Hale  John E. Arriaga
Executive Director  President

Dated: ____________________________  Dated: ____________________________

INSTRUCTIONS: If Consultant is a corporation (including limited liability and nonprofit corporations), the full legal name of the corporation shall be set forth together with the signatures of two specified officers. If Consultant is a partnership, the name of the partnership shall be set forth together with the signature of a partner with authority to execute this Agreement on behalf of the partnership. If Consultant is contracting in an individual capacity, the individual shall set forth the name of his or her business, if any, and shall personally sign the Agreement.

* * * * * * * * * * * * * * * * * * * * * *

Approved as to form:

TAMC Counsel

Dated: ____________________________

For TAMC internal use:

Work Element number to be used for the contract: ____________________________
1. Consultant's services under this Agreement shall include but are not limited to the following:

   a) Assist TAMC in determining positions on proposed legislation and recommend appropriate actions;

   b) Advocate TAMC legislative positions based on strategy jointly developed and agreed upon by TAMC;

   c) Advocate TAMC interests relating to legislative, regulatory or executive actions of the Legislature, the California Public Utilities Commission, the California Transportation Commission, the Office of the Governor, and the Department of Transportation (Caltrans);

   d) As appropriate, work with other agencies, interest groups and associations to develop a coalition of interests in support of TAMC positions;

   e) Provide all technical, political and logistic support necessary for TAMC to appear or testify in legislative, regulatory or executive settings when desired by TAMC;

   f) Assist with TAMC funding requests before the California Transportation Commission and Caltrans;

   g) Assist TAMC in gathering information and analyzing political situations in connection with developing and implementing TAMC legislative goals; and

   h) Provide periodic oral and written status reports on legislative, regulatory, executive and other political issues of interest to TAMC.

2. The Consultant Project Manager shall be: John E. Arriaga, President.
EXHIBIT B: BUDGET

Payment for monthly services.

TAMC shall pay Consultant Two Thousand Five Hundred Dollars ($2,500) at the end of each month for the performance of all things necessary for, or incidental to, the performance of work as set forth in the Scope of Work, including any expenses or other costs. Consultant's compensation under this paragraph is based on the performance of approximately twenty (20) hours of work each month for TAMC.
September 15, 2014

Ms. Shelby Livingston  
Branch Chief  
Climate Investments Branch  
California Air Resources Board (ARB)  
1001 I Street  
Sacramento, California 95814

Dr. John Faust  
Chief, Community Assessment & Research Section  
Office of Environmental Health Hazard Assessment (OEHHA)  
California Environmental Protection Agency (CalEPA)  
1515 Clay Street, Suite 1600  
Oakland, CA 94612

SUBJECT: Comments on SB 535 Draft Guidance: Disadvantaged Communities

Dear Ms. Livingston and Dr. Faust:

I am writing on behalf of the Transportation Agency for Monterey County (TAMC) to comment on the draft guidelines for the investment of Cap-and-Trade auction proceeds in disadvantaged communities, the identification of disadvantaged communities, and the evaluation of benefits to disadvantaged communities in accordance with Senate Bill (SB) 535 (De León, Chapter 830, Statute of 2012).

TAMC is the Regional Transportation Planning Agency and Local Transportation Commission for Monterey County. The mission of TAMC is to develop and maintain a multimodal transportation system that enhances mobility, safety, access, environment quality and economic activities in Monterey County.

Recommended Improvements to CalEnviroScreen

TAMC acknowledges the extensive public process that went into the most recent update to CalEnviroScreen. We understand and appreciate that CalEPA and OEHHA are committed to continuing to revise and improve the tool through an open and public process. However, the current results from CalEnviroScreen in identifying disadvantaged communities leaves out many areas of the State that by all measures should be considered “disadvantaged”, and raises Environmental Justice concerns.
As a means of improving the tool, the Transportation Agency strongly recommends the following enhancements be implemented in advance of this cycle of Cap-and-Trade funding to ensure that disadvantaged communities throughout California are properly identified:

- **Incorporate Cost of Living as a Factor:** The CalEnviroScreen draft methodology for defining "disadvantaged communities" should take into account the cost of living as one of the socioeconomic indicators. California's coastal communities are some of the most expensive places to live, yet rely on relatively cheap labor for the agricultural and tourism industries, making them one of the least affordable places to live for our workforces. The Public Policy Institute of California (PPIC) developed the California Poverty Measure (CPM, see enclosed excerpt and refer to: http://www.ppic.org/main/mapdetail.asp?i=1396), which shows that high-cost coastal communities are more disadvantaged than the areas of the state considered "disadvantaged" by the CalEnviroScreen methodology.

To bring this metric into CalEnviroScreen, the U.S. Department of Housing and Urban Development (HUD) has data on affordable housing by census tract that should be incorporated. Low-income households in high costs communities are statistically more disadvantaged than those with the same incomes in low-cost areas. This important fact needs to be included in the final CalEnviroScreen methodology.

- **Expand the Definition of the Poverty Metric:** CalEnviroScreen currently defines poverty as an area two times below the national poverty level. To be consistent with how other State-level agencies are defining poverty and disadvantaged communities in grant programs, the Department of Transportation’s Active Transportation Program should be used as a guide. The Active Transportation Program uses two additional metrics that should be incorporated into CalEnviroScreen:
  - **Adjusted Median Income:** The median household income is less than 80% of the statewide median based on the most current census tract level data from the American Community Survey.
  - **Free or Reduced Price School Lunches:** At least 75% of public school students in the project area are eligible to receive free or reduced price meals under the National School Lunch Program.

**Methods for Identifying Benefits to Disadvantaged Communities**

In the SB 535 presentation, ARB asked: “Are there other criteria ARB should consider for projects that are located outside disadvantaged community census tracts, but provide benefits that are direct, meaningful, and assured to residents of those tracts?”

- **Use Corridor Improvements to Define Benefits:** TMC believes that the method of defining a “benefit” to disadvantaged communities is important. The Transportation Agency supports identifying benefits to disadvantaged communities through a corridor systems approach. Particularly in areas that suffer a jobs-housing imbalance, improvements to transportation corridors can provide critical benefits to affected communities without the project being located within the census tract boundaries. Transportation improvement
projects that decrease travel times, reduce vehicle miles traveled, and lessen congestion along corridors that serve disadvantaged communities will improve the air quality while ensuring fair treatment without disproportionate impact to minority populations.

Approaches to Identifying Disadvantaged Communities

OEHHA proposed five methods to apply CalEnviroScreen to determine “disadvantaged communities” under the law and requested input on which method to use. As all of these methods rely entirely on CalEnviroScreen, TAMC would like to refer to the concerns above for using this tool as currently configured. However, the Transportation Agency offers the following comments and recommendations:

- **Support for Method 4:** The Transportation Agency supports using Method 4 (“Equal Cutpoints”) as the means to identify disadvantaged communities. This method focuses CalEnviroScreen more on the highest risk areas and excludes areas below the average for pollution and population characteristic scores. This method is a fair balance between pollution impacts and disadvantaged population characteristics, whereas with Method 1, an area could score high in either pollution impacts or population characteristics and have a low score in the other but still qualify.

- **Support for Top 25% Cut-points:** The Transportation Agency also supports using cutpoints at the top 25% to capture more disadvantaged community locations.

TAMC also supports Monterey-Salinas Transit in urging you to consider ways in which the military and veteran communities could be considered eligible for Cap and Trade funding. TAMC looks forward to continuing to collaborate and coordinate with you in the development of these guidelines. Please feel free to contact me at debbie@tamcmontrey.org or (831) 775-0903 with any questions. Thank you very much for your time and consideration.

Sincerely,

[Signature]

Debra L. Hale
Executive Director

Enclosure

cc: Anna Caballero, Secretary of the Business, Consumer Services and Housing Agency, Strategic Growth Council
Matthew Botill, Manager, Policy Section, California Air Resources Board
Arsenio Mataala, Assistant Secretary, California Environmental Protection Agency (CalEPA)
Bruce Roberts, Acting Chief, Caltrans Division of Rail and Mass Transportation
Jila Priebe, Office Chief, State Transit Programs, Caltrans Division of Rail and Mass Transportation
Maura Twomey, Association of Monterey Bay Area Governments (AMBAG)
George Dondero, Santa Cruz County Regional Transportation Commission (SCCRTC)
Carl Sedoryk, Monterey-Salinas Transit (MST)
Public Policy Institute of California (PPIC)
California Poverty Measure (CPM)
http://www.ppic.org/main/mapdetail.asp?i=1396
Monterey/ San Benito Counties: CPM rate 24.6%, official rate 15.8%, threshold $29,518

This interactive map shows poverty rates according to both the California Poverty Measure (CPM) and the official poverty measure. It also shows poverty thresholds—the dollar amount that signals poverty for a family of four. In contrast to the official poverty measure, the CPM incorporates the state’s high—and variable—cost of living and the effect of social safety net programs.

SOURCE: Data Set - California Poverty by County.
NOTES: Poverty thresholds are for a family of four that rents its place of residence. Data for some counties is not shown because of wide margins of error (calculated for a 99% confidence interval). Poverty rates for certain counties are calculated at the multi-county level because of sample size constraints. Official poverty rate calculated with CPM universe of households.
September 15, 2014

Ms. Shelby Livingston, Chief
Climate Investments Branch
California Air Resources Board
1001 I Street, P.O. Box 2815
Sacramento, CA 95812

Mr. Arsenio Mataka, Assistant Secretary
Environmental Justice and Tribal Affairs
California Environmental Protection Agency
1001 I Street, P.O. Box 2815
Sacramento, CA 95812

Subject: Defining Disadvantaged Communities under Cap and Trade Program

Dear Ms. Livingston and Mr. Mataka:

Thank you for the opportunity to comment on the definition of a disadvantaged community as it relates to the Cap and Trade Program. Monterey-Salinas Transit serves nearly 4 million passengers every year on public transportation throughout Monterey County and beyond, MST has been very successful in establishing and maintaining partnerships with the military in Monterey County in providing transit service which benefit the military and veterans.

MST urges CARB and ARB to recognize the military and veterans as disadvantaged communities for the reasons outlined below and in consideration of the opportunity to reduce greenhouse gas emissions from this sector of the population:

- There are nearly 250,000 military personnel stationed in California and 2 million veterans living in California.
- Transit service directly benefits the military and veterans, providing transit to jobs, shopping, and medical appointments.
- There should be a synergy between the Cap and Trade program and the Governors Military Council, showing a California commitment in supporting the long-term home of the military in California.
- The Governor’s Military Council was convened to protect California’s military installations and operations amid ongoing Department of Defense budget cuts, and to
leverage changes in federal military strategy to position the state to continue innovation and leadership in its military mission.

- Transit to and from California’s military installations demonstrates a strong commitment to protecting a continued military presence.
- Annually at Monterey-Salinas Transit, 900,000 military passengers are served by transit.
- Twenty MST lines serve three military installations including the Defense Language Institute at the Presidio of Monterey, the Naval Postgraduate School in Monterey, and Fort Hunter Liggett in the remote area of southern Monterey County.
- MST is currently assessing the feasibility of expanding service to a fourth military installation in Monterey County – Camp Roberts.
- Other California transit agencies serving the military include:
  1. North County Transit District in San Diego serving Camp Pendleton,
  2. Fairfield and Suisun Transit serving Travis AFB,
  3. Morongo Basin Transit Authority serving 29 Palms Marine Corps Base,
  4. Victor Valley Transit Authority serving Fort Irwin, and
  5. Kings Area Rural Transit serving Lemoore Naval Air Station

Expanding the definition of a disadvantaged community where there are military installations will have direct air pollution reduction benefit to the State of California. Many military installations have been shown to be inherently generators of a variety of pollution types, many of which are not detected until after the military decommissions a base. It is possible that these pollution factors are insufficiently accounted for in the Cal EnviroScreen 2.0 methodology used to define a disadvantaged community for the Cap and Trade programs currently under development.

Many of the military personnel stationed at the 40 California military bases are here on a temporary basis to train or learn and, hence may not be counted in census data used to define low income, disadvantaged communities. In addition, a significant number of these individuals and their families do not have access to a vehicle and rely on public transportation for their activities outside of training and learning. And, given the remote location of several of these facilities, including both Fort Hunter Liggett and Camp Roberts in rural southern Monterey County, staff and personnel often have to drive long distances from home to reach their assigned work location.

Furthermore, there are increasing numbers of veterans returning from the conflicts in Iraq and Afghanistan who need public transportation equipped with a wheelchair lift to get to veterans services, grocery shopping, jobs, and other activities. Veterans are in need of special attention for the sacrifices they have made for our country. Given their deployment overseas, veterans is another military-related population that may have not been adequately counted in the most recent decennial census.
MST urges the CARB and ARB to recognize the military and veterans as a disadvantaged community which will allow Cap and Trade monies to be eligible to benefit transit projects focused on these groups.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Carl G. Sedoryk
General Manager/CEO
September 15, 2014

Matt Rodriquez  
Secretary  
California Environmental Protection Agency  
1515 Clay Street, Suite 1600  
Oakland, CA 94612

Mary D. Nichols  
Chairman  
California Air Resources Board  
1001 I Street  
Sacramento, CA 95814

Re: “Disadvantaged Communities” and Cap & Trade Programs

Dear Mr. Rodriquez and Ms. Nichols:

Thank you for the opportunity to review and provide input on California Environmental Protection Agency and California Air Resources Board proposals for investing Cap-and-Trade auction proceeds in disadvantaged communities. As the Regional Transportation Planning Agency (RTPA) and Local Transportation Commission for Santa Cruz County, the Santa Cruz County Regional Transportation Commission (RTC) is working to reduce greenhouse gas emissions (GHG) and expand travel options, access, and mobility, especially for transportation disadvantaged communities. While many residents of Santa Cruz County are considered disadvantaged under a wide range of definitions, it appears that most (if not all) of Santa Cruz County’s disadvantaged communities would not meet the definitions initially proposed by CalEPA for Cap-and-Trade programs, and would be excluded from competing for a significant portion of the funds if current proposals are implemented. This could mean millions in lost funds for transportation, housing, agriculture, health, social services and other important programs in Santa Cruz County.

RTC staff appreciates the opportunity to work with CalEPA, ARB, and other state agencies to ensure that the definition of disadvantaged communities (DAC) established for Cap-and-Trade programs are effective in achieving the goals of the Cap and Trade programs and SB535 and do not result in the exclusion of communities that are truly disadvantaged. As guidelines for the Cap-and-Trade programs are refined, RTC staff respectfully request your consideration of the following comments, concerns and suggestions in order to ensure that Santa Cruz County’s disadvantaged populations can benefit from cap-and-trade programs.
CalEnviroScreen 2.0 (CESv2) is helpful at evaluating how some areas of the state are impacted by a wide range of geographic, socioeconomic, public health and environmental hazard criteria. However, the proposed methods for weighting a broad range of CalEnviroScreen criteria and averaging of conditions in relatively large areas (census tract) will entirely omit many, disadvantaged populations around the state. Many excluded areas in Santa Cruz County actually do have populations that should be recognized as “disadvantaged”, and are recognized as such under most understandings of the term. This includes definitions of disadvantaged set by U.S. HUD for CFBG, UC Davis Center for Regional Change metrics (ratio of low-wage jobs to affordable housing units), the California Department of Water Resources, California Transportation Commission (CTC), and U.S. DOT.

SB535 notes that criteria for identifying disadvantaged communities could include: areas with concentrations of people that are of low income, have high unemployment, have low levels of home ownership, have a high rent burden, are in sensitive populations, have low levels of educational attainment, or are in areas disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure or environmental degradation. Therefore, groups experiencing any one or more of these challenges should be defined as disadvantaged for the purpose of the cap and trade program. However, while Santa Cruz County residents face many of the disadvantages identified in SB535, the averaging of a wide range of criteria to determine an overall CalEnviroScreen score omits nearly all health-impacted and transportation disadvantaged communities in Santa Cruz County that are in need of the benefits that SB 535 envisioned.

We further recommend that factors such as cost-of-living, housing affordability, eligibility of students for free and reduced priced lunches, and adjusted median income be added as measures for identifying disadvantaged communities and individuals.

Averaging conditions on a census tract level also does not recognize the fact that in Santa Cruz County disadvantaged populations are not necessarily as segregated, especially at the census tract level, as in perhaps some other communities or counties, but rather living and working throughout our county or sometimes concentrated in areas which are significantly smaller than the census tract level. While the use of census tracts as the geographic scale provides a more precise screening of pollution burdens and vulnerabilities in communities than ZIP code, in Santa Cruz County even census tracts are too high of a scale to identify seriously disadvantaged communities.

Regarding the “Recommendations for Administering Agencies to Maximize Funding to Benefit Disadvantaged Communities” identified in the CARB Draft SB535 Guidance, the strategies identified could result in not just 25% of funds going to disadvantaged communities, but rather only projects that are also in state defined disadvantaged communities from receiving funding. We also recommend that agencies first rank applications based on their greenhouse gas and transportation merits, and then if the 25% goal is not reached, considers projects that fall “below the line” if they will help ensure the 25% goal is met.
Regarding “Draft Criteria to Evaluate Projects” for transit and sustainable communities programs: In assessing which projects benefit disadvantaged communities, **requiring projects to be within ½ mile of a DAC too narrowly defines what “benefits” disadvantaged communities.** One key to helping communities economically and to reducing GHG emissions simultaneously is to reduce vehicle miles traveled by expanding transportation options, often times along corridors, and promoting affordable housing closer to where members of disadvantaged communities work, not necessarily where they reside now. Consideration should also be given to some projects which serve transportation disadvantaged individuals regardless of the census tract where those lives. These disadvantages may relate to income, age, disabilities, language ability, and automobile ownership among other factors.

As noted in the CalEnviroScreen 2.0 Guidance and Screening Tool Final Report document, “it is important to remember that CalEnviroScreen provides a broad environmental snapshot of a given region. While the data gathered in developing the tool could be useful for decision makers when assessing existing pollution sources in an area, more precise data are often available to local governments and would be more relevant in conducting such an examination…it is important to note some of its limitations. The tool’s output provides a relative ranking of communities based on a selected group of available datasets, through the use of a summary score…Further, as a comparative screening tool, the results do not provide a basis for determining when differences between scores are significant in relation to public health or the environment.”

Therefore, we urge that common sense definitions of “disadvantaged communities”, consistent with SB 535, which rely on basic population characteristics, and that avoid bias and geographic inequity be used. **CESv2 should not be used exclusively to define disadvantaged communities, but rather we urge the adoption of guidelines that include a broader, socioeconomic understanding of “disadvantaged communities”, and allow project applicants to submit for consideration an assessment of why the community should be considered disadvantaged, even if the community does not meet the CalEPA definition.** We similarly encourage ARB to make certain that incentives for projects to “benefit” disadvantaged communities are in alignment with the larger goals of AB 32 to reduce GHG emissions.

Thank you again for the opportunity to comment and please do not hesitate to contact me with any questions.

Sincerely,

George Dondero
Executive Director
cc: Bill Monning, 17th Senate District
Mark Stone, 29th Assembly District
Luis A. Alejo, 30th Assembly District
Bill Higgins, CALCOG Executive Director

s:\legislat\capntrade\capntradedisadvcomdefinitionsccrtc.docx
September 22, 2014

Honorable Brian Kelly  
Secretary  
California State Transportation Agency  
915 Capitol Mall Suite 350 B  
Sacramento, CA 95814

RE: Input on Draft Guidelines for Cycle 1 of the Cap-and-Trade Low Carbon Transit Operations Program and Transit and Intercity Rail Program

Dear Secretary Kelly,

The Central Coast Coalition would like to thank the California State Transportation Agency for the opportunity to provide input prior to the development of draft program guidelines for the Cap-and-Trade Low Carbon Transit Operations Program and Transit and Intercity Rail Capital Program. The Coalition consists of the regional transportation planning agencies in San Benito, Santa Cruz, Monterey, San Luis Obispo, and Santa Barbara counties and the Association of Monterey Bay Area Governments. We also appreciate the opportunity to participate at the various program guideline workgroups that the Agency held in August.

The Coalition has developed the following suggestions on the draft guidelines that will be developed by the Agency.

**Low Carbon Transit Operations Program**

Per the presentation at the workshop held in Los Angeles, the State is considering modeling the Low Carbon Transit Operations Program after the Proposition 1B Public Transportation Modernization, Improvement, and Service Enhancement Account (PTMSEA). The Coalition supports this approach with some suggestions related to the application process and reporting requirements.

- **Develop Simple Application**

  The Coalition suggests that a simple application be provided to applicants like the one available for the PTMSEA program.

- **New Approach to Reporting Requirements**
  - Develop a Web-Based Statewide Reporting System

    The Coalition recommends that the State develop a web-based statewide reporting system to allow sponsors to provide required information to the state in a simplified manner and electronically rather than through the submittal of signed paper reports as is the case with the PTMSEA program. This system could be in place for all Cap and Trade programs. Another benefit of the reporting system is that it will allow the state to
aggregate data electronically in an efficient manner instead of gathering information from submitted paper reports. Information can then be made available electronically to members of the public.

- Tailor Reporting Requirements to Project Size and Project Type
  The Coalition recommends that the state consider different levels of reporting based on project size or project type. One size does not fit all when it comes to reporting since project size may differ immensely depending on the region and amount of funds are that are made available to a project sponsor. It would be appreciated if the state set thresholds for the level of reporting that is required for projects. More detailed reporting could be established for projects greater than $500,000. This will have less of an impact on smaller agencies who are project sponsors.

- Develop a list of examples of eligible expenditures/projects that meet requirements under (d)(1)of section 75230

Metropolitan Planning Organizations and Regional Transportation Planning Agencies often have funding, planning, and operating responsibilities for long distance commuter bus services that frequently cross regional planning jurisdiction boundaries. These long distance transit services are significantly effective in reducing vehicle miles travelled (VMTs) and through easily collected ridership data, the benefits of these services towards reaching the state’s greenhouse gas reduction goals is readily quantifiable.

**Transit and Intercity Rail Program**

- Fund both Small and Large Projects

The state also requested input on the focus and the scale of the program. The Coalition requests that the state fund both large and small projects. Transformational projects can be funded and delivered in large and small regions that will positively impact their regions and will help the state achieve many goals associated with reducing greenhouse gas emissions and benefitting disadvantaged communities. On the Central Coast, there are many intercity rail projects that will reduce VMTs, improve quality of life, and reduce congestion that would greatly benefit from Transit and Intercity Rail Program funding. Reintroduction of the Coast Daylight, extension of Capital Corridor rail service to Monterey County, and development of peak hour intercity rail service between Ventura and Santa Barbara counties are high priority projects for the Coalition.

- Include Regional Agencies in the Evaluation of Applications

The Coalition requests that the Agency include Regional Transportation Planning Agencies and Metropolitan Planning Organizations in the evaluation and selection of projects. Regional Agencies are familiar with the transit needs and can provide insight to the state on which projects will help meet regional and statewide goals of reducing greenhouse gas emissions and benefitting disadvantaged communities. Regional agencies are familiar with state and federal requirements when it comes to preparing and adopting Regional Transportation Plan Sustainable Communities Strategies. With Regional Agency evaluation, projects can be evaluated based on regional priorities while meeting state and federal requirements.
• Use of a Simple Application and Flexible Reporting

Similar to our previous comments on the Low Carbon Transit Operations Program, the Coalition requests that the Agency consider a simple application and development of a statewide reporting system for the Transit and Intercity Rail Program.

• Procure State-Owned Fleet of Rail Cars for Intercity Rail Services

The Central Coast Coalition recommends the state procure a fully state-owned fleet of rail cars. This will increase ridership and revenue on all three of California’s intercity rail services and significantly reduce emissions compared to the current equipment.

Thank you for your consideration of these comments and suggestions. The Coalition is excited about the implementation of these critical programs that will help Central Coast Coalition partners fund and deliver projects of statewide and regional significance. We look forward to providing additional input after the draft guidelines are released. If you have any further questions, please contact Sarkes Khachek at the Santa Barbara County Association of Governments at 805-961-8913.

Sincerely,

Jim Kemp, Executive Director
Santa Barbara Association of Governments

Ron DeCarli, Executive Director
San Luis Obispo Council of Governments

Debra L. Hale, Executive Director
Transportation Agency for Monterey County

George Dondero, Executive Director
Santa Cruz Co. Regional Transportation Commission

Mary Gilbert, Interim Executive Director
San Benito Council of Governments

Maura Twomey, Executive Director
Association of Monterey Bay Area Governments

cc: Mr. Brian Annis, California State Transportation Agency
Mr. Chad Edison, California State Transportation Agency
Mr. Mike McCoy, Strategic Growth Council
Mr. Bruce Roberts, California Department of Transportation
Hon. Fred Strong, Chair, LOSSAN Rail Agency
October 9, 2014

The Honorable Bill Shuster
2165 Rayburn HOB
Washington, DC 20515

The Honorable Nick J. Rahall, II
2307 Rayburn HOB
Washington, DC 20515

The Honorable Jeff Denham
1730 Longworth HOB
Washington, DC 20515

The Honorable Corrine Brown
2111 Rayburn HOB
Washington, DC 20515

SUBJECT: Passenger Rail Reform and Investment Act of 2014 H.R. 5449

Dear House T&I Members:

The California Intercity Passenger Rail (CIPR) Leadership Coalition is comprised of agencies representing California’s three existing intercity passenger rail services and two emerging intercity passenger rail services:

- Pacific Surfliner – Southern California
- San Joaquin – San Joaquin Valley/ San Francisco Bay Area/ Sacramento
- Capitol Corridor – Sacramento-Oakland/San Francisco-San Jose
- Coachella Valley-San Gorgonio (Los Angeles/ Palm Springs) - emerging
- Coast Corridor – Los Angeles/ Central Coast/ San Francisco Bay Area - emerging

The CIPR Leadership Coalition appreciates the House Transportation and Infrastructure Committee’s introduction of H.R. 5449, the Passenger Rail Reform and Investment Act (PRRIA) of 2014. We would like to take this opportunity to comment on H.R. 5449.

- One in five passengers on the Amtrak network rides the popular CIPR services, and California generates $250 million in annual passenger and operating contract revenues.

- Considering that state IPR services represent 50% of all Amtrak ridership and over 30% of Amtrak’s revenues nationwide, we believe the benefits of the state IPR services to Amtrak should be acknowledged through representation of these state intercity passenger rail (IPR) services on the Amtrak Board of Directors.

- We strongly support H.R. 5449’s intent to increase transparency in bookkeeping and accounting.

- An annual authorization of $150 million for capital projects over four years as part of the National Network would enable CIPR agencies to leverage available state funds to complete capital projects that will result in increased frequencies, reduced travel times, improved reliability and enhanced the safety of the existing and emerging CIPR services. We recommend a priority be given to projects that include matching funds.
• We commend the bill’s proposal to create the State-Supported Route Advisory Committee to help oversee implementation of the pricing policy and methodology for state IPR services, pursuant to Section 209 of the Passenger Rail Investment and Improvement Act (PRIIA) of 2008. We also support that funding for the Committee would be authorized within the USDOT budget to support the work of the Committee. Since the States completely fund the State-supported routes, the CIPR agencies look forward to being part of the dialog as these discussions move forward.

• We support the inclusion of a station development goal. California has been at the forefront in Transit-Orientated Development (TOD) at multi-modal stations that are served by CIPR trains, such as the Emerybay developments at the Emeryville Station, the joint development adjacent to the Richmond BART/Amtrak station, the Mill Creek Linear Park and surrounding development at the Bakersfield Amtrak station, and Los Angeles Union Station Master Plan, which guides transportation and development in and around Los Angeles Union Station.

• The Next Generation Corridor Equipment Pool Committee (NGEC), authorized in Section 305 of PRIIA 2008, has produced important work in developing and promulgating standard specifications for passenger rail equipment (passenger cars and locomotives). The work of the NGEC continues throughout the procurement and maintenance life-cycle and Congress should provide ongoing financial support. The NGEC has been helpful in the recent procurement of new bi-level passenger rail cars and cleaner-burning locomotives that will be deployed on the CIPR services. The NGEC has responsibility for important oversight and management functions, as well as ongoing document control and additional specification development, and this work should be funded at $1 million per year.

• We support the Railroad Rehabilitation and Improvement Financing (RRIF) initiatives, as they will encourage greater use of the program; we very much appreciate the provision making Positive Train Control (PTC) eligible for RRIF financing.

• Improving project delivery through the streamlining of environmental reviews will be very helpful, while ensuring that project sponsors maintain compliance with environmental rules.

The CIPR agencies greatly appreciate your leadership in introducing this bipartisan legislation, which can improve the performance of the CIPR services. We look forward to working with you and your staff on the legislation as it moves through the legislative process.

Sincerely,

James P. Spering   John Pedrozo   Fred Strong   Dave Potter
Chair, CCJPA    Chair, SJJPA    Chair, LOSSAN    Chair, CRCC

cc:  The Honorable Brain Kelly, Secretary – California State Transportation Agency
Capitol Corridor Joint Powers Authority (CCJPA) Board of Directors
LOSSSAN Joint Powers Authority Board of Directors
San Joaquin Joint Powers Authority (SJJPA) Board of Directors
Coast Rail Coordinating Council (CRCC) Board of Directors
October 1, 2014

Matt Rodriguez, Secretary
California Environmental Protection Agency
1515 Clay Street, Suite 1600
Oakland, CA 94612

Mary D. Nichols, Chair
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Dear Secretary Rodriguez and Chair Nichols:

On behalf of our constituents, we are writing to express concern about the approaches recently proposed by the California Environmental Protection Agency (CalEPA) and Air Resources Board (ARB) to identify “disadvantaged communities” and the benefits allocated to these communities from Cap and Trade program revenues.

The proposed approaches leave out deserving disadvantaged populations around the state and result in geographic inequity for distribution of Cap and Trade revenues by excluding disadvantages populations that do not reside in narrowly limited areas identified by CalEPA’s EnviroScreen 2.0 tool and limit new investment to a narrow, ¼-mile band around these areas. If a broader application is not adopted, the proposed approaches could have the exact opposite of the intended effect by incentivizing construction of new affordable housing far away from jobs centers and increasing both the economic burden on these communities and greenhouse gas (GHG) emissions.

We appreciate your commitment to continue to revise and improve the CalEPA EnviroScreen 2.0 tool through an open and public process, and suggest that CalEPA and ARB adopt a more flexible approach to identifying “disadvantaged communities,” such as the approach taken by the recent Active Transportation Program Guidelines.

Although it is hard to tell from the scale of the maps included in CalEPA’s draft “Approaches to Identifying Disadvantaged Communities,” none of CalEPA’s five proposed approaches appear to recognize virtually any “disadvantaged communities” in some 33 of California’s 58 counties, including those in the Central Coast of California, such as Santa Barbara and San Luis Obispo Counties. Only small pockets are shown in Monterey, San Benito, and Santa Cruz Counties.
Furthermore, for the proposed Affordable Housing and Sustainable Communities (AHSC) program, which dedicates a minimum of 50% of funding to “disadvantaged communities,” the net effect is that jurisdictions in excluded counties would be ineligible for 50% or more of available grant funds.

Residents of disadvantaged communities often do not have access to well-paying jobs nearby and cannot afford to live close to job opportunities. As a result, they are forced to commute longer distances, from low rent areas, to find work. Long commutes impose additional costs in time and money on these communities and generally result in higher GHG emissions.

Ignoring job-housing relationships and long commute patterns, the agencies’ draft guidance encourages investment of funds from the AHSC program in affordable housing where members of disadvantaged communities reside now, instead of where such housing is really needed, which is close to where they work. The CalEPA guidance document identifies “disadvantaged communities” only based on current residence and the draft ARB guidance places a narrow, ½-mile geographic limit on projects that count as “benefitting” disadvantaged communities.

Rather than a narrow geographic approach based on place of residence that ignores jobs-housing relationships and the fact that in many cities and unincorporated areas disadvantaged populations are spread throughout a community, the agencies should develop a broader, socioeconomic understanding of “disadvantaged communities” as mobile populations, with long, daily commutes from home to work and back. The key to helping these communities and reducing GHG emissions is to enhance transit, bicycle, and pedestrian options, and to promote affordable housing closer to work.

We encourage CalEPA and ARB to instead adopt a more flexible approach to identifying “disadvantaged communities” to ensure that geographic areas, like the Central Coast, are not unnecessarily excluded from receiving Cap and Trade revenues. Given the diversity of our state, it is important to provide flexibility to help disadvantaged communities statewide.

We applaud your commitment to work with stakeholders in an open and public process about how to revise and improve the process of identifying and providing financial assistance to disadvantaged communities.

Thank you for your time and consideration.
Sincerely,

WILLIAM W. MONNING
Senator, 17th District

MARK STONE
Assemblymember, 29th District

KATCHO ACHADJIAN
Assemblymember, 35th District

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