

SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION
AND
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

MINUTES

**Thursday,
July 27, 2004
9:00 a.m.**

**Board of Supervisors Chambers
701 Ocean Street
Santa Cruz CA 95060**

1. Roll Call

Members Present:	Jan Beautz	Dennis Norton
	Mike Keogh	Pat Spence
	Scott Kennedy	Ellen Pirie
	Randy Johnson	Mark Stone
	Mardi Wormhoudt	
	Edenilson Quintanilla (Alt)	
Members Absent:	Richard De La Paz	Emily Reilly
Staff Present	Linda Wilshusen	Pat Dellin
	Kim Shultz	Rachel Moriconi
	Gini Pineda	Luis Mendez

2. Oral Communications

Jeff Le Blanc said he was disappointed in the Commission because funding for the Metro had been whittled down and that everything but the MetroBase was included in the STIP.

Dave Eselius said that there has been a great deal of investment in the Metro producing very little benefit to the ridership. He said an HOV lane, as proposed, is of no benefit to those driving on the freeway and that taxpayers will not see a benefit from an HOV lane.

Ed Davidson said HOV lanes are necessary if carpools and busses are going to be able to bypass congested traffic and that the benefits outweigh the concerns.

Commissioner Keogh called for a Closed Session item at the August Regional Transportation Commission meeting regarding the rail right-of-way acquisition. Commissioner Beautz said the item was already on the agenda.

Commissioner Spence said that having the MetroBase funded in the 2004 STIP is critical since contracts can't be signed by SCMTD General Manager Les White if he can't show where funding is coming from.

3. Additions or Deletions to Consent and Regular Agendas

Deputy Director Pat Dellin noted replacement page 4-4 and an email to the Commission from the Grand Jury agreeing to provide members to the independent audit committee.

CONSENT AGENDA (Pirie/Wormhoudt)

4. Approved Minutes of June 3, 2004 Regular SCCRTC Meeting (Stone/Quintanilla abstained)
5. Approved Minutes of June 3, 2004 Evening Public Hearing (Stone/Quintanilla abstained)
6. Approved Minutes of June 17, 2004 Transportation Policy Workshop Meeting
7. Accepted Draft Minutes of June 7, 2004 and June 15, 2004 Expenditure Plan Subcommittee Meetings (Commissioner Kennedy abstained)

REGULAR AGENDA

8. Approve Addendum to the 2001 Regional Transportation Plan's Environmental Impact Report to Address the Local Transportation Sales Tax Measure and Approve Final Expenditure Plan and Ordinance for Local Transportation Sales Tax Measure

Deputy Director Pat Dellin reviewed the staff recommendations. She highlighted the amended language describing the HOV lane as it would appear on the Expenditure Plan and said that, at the suggestion of County Counsel, ballot language had been rephrased as a question rather than a statement. Ms. Dellin said that four of the five entities asked to provide members to the Independent Audit Committee had agreed to do so.

Commissioner Beautz said she thought four members would suffice since the Committee served only as an oversight committee. Ms. Dellin said that the new staff recommendation would be that the committee would consist of four members.

Commissioner Beautz asked for public comment prior to discussing the staff recommendations.

Ed Davidson said he was opposed to spending any money on the rail acquisition because light rail has no future and will not solve traffic congestion. He said the tourist trolley project can't even get a feasibility study done in time for the Environmental Impact Report and that a bike path is a waste of money, contending that the County already has a fine bike network and that the Broadway/Brommer corridor would be a better option than a path along the rail right-of-way. He concluded by saying that the rail line parallels places no one wants to go to.

Bob Yont said that the Expenditure Plan did not provide enough funding for elderly and disabled persons and that a 10% share of the sales tax revenues is more realistic given the demographics of an aging population.

Debbie Bulger asked for clarification if other projects in the Expenditure Plan could be pre-empted by the highway project for bonds and other fundraising measures.

Commissioner Beautz said that her understanding was that local jurisdictions were guaranteed their share every year. She asked Chief Assistant County Counsel Rahn Garcia if that was correct.

Deputy Director Pat Dellin responded and said that Assistant CAO Pat Busch had prepared the financial plan for the expenditure plan and had told the Commission that it would be very unlikely that each of the percentages would not be distributed every year. She said that the highway bond debt service would have priority to be paid first, but that the economy would have to be extremely bad before the local jurisdictions could not receive their full share each year.

Dave Eselius said that nothing has justified building an HOV lane and does not think it will work. He said that there was not enough information to purchase the rail right-of-way.

Spike Alper said that since 1991 the number of HOV lanes has increased but that ridership stays the same and that he hopes those who know widening won't work will have the guts to say so.

Paul Elerick said he would prefer if the Expenditure Plan did not specify that debt servicing for any highway bonds would take precedence over other distributions. He also asked for a clearer definition of the boundaries of the project, saying that simply referring to "Aptos" was too vague.

Jeff Le Blanc said that by the time the HOV lane is built, no busses will be around anyway.

Commissioner Keogh asked if the language on pages 8-51 and 8-57 reflected the discussion regarding the use of the money allocated to the Coastal Bicycle/Pedestrian Trail at the June Commission meeting.

Chief Assistant County Counsel Rahn Garcia said as long as the ballot language is not inconsistent with the ordinance there shouldn't be a problem.

Commissioner Wormhoudt said that what had been discussed and voted on at the June meeting was confusing and may not reflect what the majority of the Commissioners wanted to convey. Ms. Wormhoudt said she continues to believe that allowing money to be used for acquisition of the rail right-of-way sends a message to Union Pacific that more money for acquisition is available. Commissioner Wormhoudt moved to change Section 4F of the Expenditure Plan to say that 4% of the sales tax revenues would be used only for the construction of a bicycle/pedestrian path. Commissioner Kennedy seconded.

Commissioner Pirie objected to the motion saying that the motion was being made by Commissioners who had already lost on this issue. She said she thinks what the Commission did was to keep another source available, if needed, to purchase the right-of-way.

Commissioner Beautz agreed that the Commission did discuss the passage and asked if there was a rule regarding voting on the same thing twice.

Chief Assistant County Counsel Rahn Garcia said he would have to consult the Robert's Rules of Order to see if there is a technical impediment to such a procedure.

Commissioner Stone said the ballot measure language refers to "building" a Coastal bike/walking path next to the rail line and it was up to the Commission to make the language clear and consistent with the Ordinance. He said the motion on the floor clears up any misunderstanding.

Commissioner Pirie contended that the motion on floor confused the issue.

Commissioner Wormhoudt asked why raise a technical matter and deny the Commissioners the right to vote on the issue.

Commissioner Spence asked if changing the ballot language to say "implement" rather than "building" would be acceptable.

Commissioner Wormhoudt said the change in language was not relevant to the motion and Commissioner Beautz said it was all right with her to proceed with the vote.

Commissioner Spence asked if the maker of the previous motion had to agree to this new vote.

Chief Assistant County Counsel Rahn Garcia said that after consulting with the Sturgess procedural guide he saw nothing that precludes Commissioner Wormhoudt's motion.

Commissioner Kennedy pointed out that he had seconded Commissioner Keogh's motion at the last meeting with the exact opposite intention as he had apparently misunderstood the language at this time.

Commissioner Pirie said if the motion is to add the words "construction of a bike trail" it takes confusion away.

Commissioner Wormhoudt said that the point of her motion is to limit the use of tax revenue money for construction only and not for acquisition of the rail right-of-way.

Commission Alternate Quintanilla said he had watched the video of the previous meeting and found the discussion to be confusing.

Commissioner Beautz said she did not think it was a good idea to limit the use of the funding to construction of a bike/pedestrian path in case application for Proposition 116 funding does not go through.

Commissioner Stone disagreed, saying that the motion is appropriate because the Commission has already authorized the use of Proposition 116 funds for acquisition.

The vote was taken with Commissioners Kennedy, Norton, Quintanilla, Stone and Wormhoudt voting in favor and Commissioners Beautz, Johnson, Keogh, Pirie and Spence voting against it. The motion failed due to a lack of a majority.

Commissioner Quintanilla moved to accept the staff recommendations.

Commissioner Stone moved to pull the Expenditure Plan out and vote on it separately.

It was agreed by consensus to vote on each recommendation separately.

Commissioner Pirie moved to approve the first recommendation of the staff report to:

Approve a resolution accepting the Addendum to the Environmental Impact Report (EIR) for the 2001 Regional Transportation Plan and requesting that the County Board of Supervisors approve the final Expenditure Plan and Ordinance and place the Local Transportation Sales Tax Measure on the November 2004 ballot at the special July 27, 2004 Board meeting to be held following this meeting.

Commissioner Johnson seconded.

Commissioner Stone expressed concern that the Commission was asking voters to approve something that they were not truly educated about and said if the if voters don't approve the ballot measure there would be an opportunity to revisit transportation options for the Expenditure Plan.

Commissioner Kennedy said he will vote against the recommendation saying the he wanted the City of Santa Cruz to be part of a plan that addressed a broad range of transportation options and that part of that commitment was a commitment to acquire the rail right-of-way. He said it was a waste of time, money and good faith to put the measure on the November ballot.

Commissioner Norton said he will vote in the City of Capitola's best interest and let the public make the decision. He reiterated the City's concern that it is not receiving its fair share of the revenues.

Commissioner Wormhoudt said she has supported putting the measure on the ballot longer than anyone and although she is concerned about approving the addendum to the 2001 Regional Transportation Plan Environmental Impact Report, she thinks it's time to move the debate into the public arena.

Commissioner Pirie said that there is a tremendous need for a variety of improvements and that the sales tax revenues offer local control to implement these improvements. She highlighted the importance of building the Pajaro train station.

The motion passed with Commissioner Kennedy voting "no".

Commissioner Stone objected to the Expenditure Plan saying it is a compromise but falls short because there is not enough money for everything on the plan. He asked if the Commission will be willing to sacrifice Phase II of the Hwy 1 Widening/HOV project if it turns out that Phase I costs more than anticipated.

Commissioner Wormhoudt said she would not support the Expenditure Plan because the plan is insufficient to meet the needs for a variety of services and that only 8% of the funding is designed for non-road related projects. She said the 30 year tax measure exhausts capacity for bonding for any other transportation projects and added if the second phase of the highway widening had not been added there would have been a good deal more money for other projects.

Commissioner Pirie moved to approve the Final Local Transportation Sales Tax Measure Expenditure Plan and Ordinance, as revised. Commission Alternate Quintanilla seconded and the motion passed with Commissioners Beautz, Johnson, Keogh, Pirie, Quintanilla and Spence in favor of the motion and Commissioners Kennedy, Norton, Stone and Wormhoudt voting against it.

Commissioner Wormhoudt moved to approve the third staff recommendation to accept responses from potential appointers of members to the Independent Audit Committee. Commissioner Pirie seconded and made it clear that the Commission had agreed that the Committee would consist of four members. The motion passed unanimously.

Commissioner Pirie moved to accept the fourth staff recommendation to approve minor revisions to the ballot language, suggested by County Counsel. Commission Alternate Quintanilla seconded and the motion passed unanimously.

9. Next Meetings/Adjournment

The meeting adjourned at 10:20 a.m.

The next regular SCCRTC meeting is scheduled for Thursday, August 5, 2004 at 9:00 a.m. at Board of Supervisors Chambers, 701 Ocean Street, Santa Cruz CA 95060.

The next Transportation Policy Workshop is scheduled for Thursday, August 19, 2004 at 9:00 a.m. at the SCCRTC offices, 1523 Pacific Avenue, Santa Cruz, CA 95060.

Respectfully submitted,

Gini Pineda, Staff

ATTENDEES

Name

Representing

Debbie Bulger	Mission Pedestrians
Paul Elerick	CFST
Peter Scott	CFST
David Wright	Friends of the Rail Trail
Piet Canin	Bike to Work
David Eselius	
Jim Conklin	Business Council
Sandra Coley	PVTMA
Jeff Le Blanc	
Don Hoernschemeyer	CFST
Ed Davidson	
Les White	SCMTD
Mark Dettle	City of Santa Cruz
Bonnie Morr	UTU Local 23
Brian Petersen	
Jan Kampa	
Robert Yont	
Spike Alper	