

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

MINUTES

**Thursday,
September 2, 2004
9:00 a.m.**

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

1. Roll Call

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| Members Present: | Jan Beautz | Dennis Norton |
| | Tony Campos | Ellen Pirie |
| | Scott Kennedy | Emily Reilly |
| | Randy Johnson | Pat Spence |
| | Mike Keogh | Mark Stone |
| | Mardi Wormhoudt | Rich Krumholz (Alt.) |

Members Absent: Richard De La Paz

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|---------------|-----------------|---------------|
| Staff Present | Linda Wilshusen | Pat Dellin |
| | Kim Shultz | Tegan Speiser |
| | Gini Pineda | Luis Mendez |
| | Karena Pushnik | Sean Co |

2. Oral Communications

Dave Eselius said that the Regional Transportation Commission is not doing enough to ensure the success of the sales tax measure. He said that in his opinion building three additional bridges across the freeway was a waste of money, that HOV lanes will probably decrease capacity and that a trolley was not feasible and should be separated from the sales tax measure and put on a referendum along with the purchase of the branch line for the public to vote on.

3. Additions or Deletions to Consent and Regular Agendas

Commissioner Wormhoudt asked to pull Item 8. Chair Beautz designated the item as 26.1 and said if time permitted, it could be heard immediately after Item 25.

Commissioner Beautz said that she had a question about Item 22-b and designated it as Item 30.1.

Executive Director Linda Wilshusen announced there would be no Closed Session.

CONSENT AGENDA (Wormhoudt/Campos)

4. Approved Minutes of July 27, 2004 Special SCCRTC Meeting (Commissioner Reilly abstained)
5. Approved Minutes of August 5, 2004 Regular SCCRTC Meeting (Commissioner Kennedy abstained)
6. Approved Minutes of August 19, 2004 Transportation Policy Workshop Meeting

POLICY

7. Accepted Information Item on California Performance Review

PROJECTS and PLANNING

8. Approve Staff Recommendations Regarding Revisions to Public Information Program for the Measure J Transportation Sales Tax Expenditure Plan (moved to Regular Agenda as Item 26.1)
9. Approved Interagency Technical Advisory Committee and Staff Recommendations Regarding FY03-04 Optional Federal Exchange and State Match Program - Regional Surface Transportation Program(RSTP) Exchange Program (Resolution 09-05)
10. Accepted Information Item on FY04-05 AB2766 Grants Awarded by the Monterey Bay Unified Air Pollution Control District

COMMISSION BUDGET and EXPENDITURES

No Consent Items

ADMINISTRATION

No Consent Items

COMMITTEE MINUTES

11. Accepted Draft Minutes of the Expenditure Plan Subcommittee Meeting of August 2, 2004
12. Accepted Draft Minutes of the Interagency Technical Advisory Committee Meeting of August 19, 2004
13. Accepted Draft Minutes of the Paratransit Coordination Task Force Meeting of August 18, 2004

14. Accepted Draft Minutes of the Bicycle Committee Meeting of August 9, 2004
15. Accepted Draft Minutes of the Elderly and Disabled Transportation Advisory Committee Meeting of August 10, 2004
16. Accepted Draft Minutes of August 4, 2004 Traffic Operation Systems Oversight Committee Meeting

INFORMATION/OTHER

17. Accepted Monthly Meeting Schedule
18. Accepted SCCRTC Staff Comment Letters on Draft Environmental Documents and Plans Prepared by Other Agencies
 - a. Quarterly Report
19. Accepted Letters from SCCRTC Committees and Staff to Other Agencies on Policy Issues
 - a. Letter from County Counsel to Santa Cruz County District Attorney's Office Regarding Response to Question Concerning Compliance with the Brown Act
 - b. Letter from County Counsel to *Santa Cruz Sentinel* Regarding Response to Public Records Act Request
20. Accepted Miscellaneous Written Comments from the Public on SCCRTC Projects and Transportation Issues
21. Accepted Handouts from Previous Regional Transportation Commission Meeting
22. Accepted Information Items
 - a. Ballot Booklet Information on Measure J, Santa Cruz County Local Transportation Improvement Act
 - b. Copy of Letter from the California Public Utilities Regarding Railroad Crossing Improvement Recommendations for Proposed Rail Service (moved to Regular Agenda as Item 30.1)

SERVING AS THE SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

No Consent Items

REGULAR AGENDA

23. Commissioner Reports - None

24. Director's Report

Executive Director Linda Wilshusen expressed her appreciation to those who worked on and with the Expenditure Plan Subcommittee, asked that Commissioners select a date for the next Budget and Administration/Personnel Committee meeting and reminded Commissioners that Deputy Director Pat Dellin would be conducting the annual individual meetings with Commissioners.

25. Caltrans Report

Rich Krumholz, Caltrans District 5, said that the work on Highway 9 was still being impacted by the Pavex strike but that work was moving ahead in some areas.

Mr. Krumholz said that the Highway 1/17 Merge Lanes Project was still on track but that there were many variables affecting available funding in the future.

Commissioner Reilly asked for an update on the safety issues at the exit ramp on Morrissey Boulevard. Mr. Krumholz said that traffic safety engineers were working with the City of Santa Cruz to address these issues. Senior Planner Kim Shultz said that Caltrans and the City are planning intermediate and longer term solutions.

26.1 Approve Staff Recommendations Regarding Revisions to Public Information Program for the Measure J Transportation Sales Tax Expenditure Plan (previously Item 8)

Deputy Director Dellin gave the staff report calling attention to the recommendations of Commissioners Beautz, Pirie and Quintanilla to do a second informational mailing instead of inserts to newspapers.

Commissioner Wormhoudt noted changes from what the Commission had agreed to at the August Transportation Policy Workshop meeting. She said she assumed that if there were two mailings instead of one, the second mailing would have different content than the first one. Ms. Wormhoudt said that the Commission should carefully review the piece that only goes to voters because there is a grey area between providing information to the public and campaigning for a position on the issue. She asked if the piece targeted to voters would include pros and cons on the measure.

Commissioner Beautz responded that the second mailer had not been drafted yet, but that the first one had been reviewed by County Counsel. Ms. Beautz said that the second piece would be mailed closer to the election and since it was to be printed in both English and Spanish, would not have room

for much discussion of the measure.

Commissioner Wormhoudt said she wanted to make sure the Commission was insulated from the appearance of campaigning for the sales tax measure.

Commissioner Kennedy asked County Counsel Rahn Garcia whether there was a legal issue with sending an informational mailer only to registered voters and requested that staff return with information on what other jurisdictions did in similar situations.

Mr. Garcia said that an informational piece can be directed to a select audience, in this case the voters making the decision, and that the important thing was that the message does not take a position on the issue.

Bruce van Allen, representing the "No on J Committee", said that California has guidelines regarding the expenditure of public funds by a public agency distributing information relative to a ballot measure and warned that opponents would be watching carefully to see that the Commission adhered to these guidelines. He said that the "No on J Committee" is demanding public review of all material distributed to the public, that material not convey any opinion and that material not be targeted only to registered voters or mailed within 29 days prior to voting.

Dave Eselius said the "No on J Committee" just wants to undermine widening Highway 1 and that all alternative transportation improvements should be pulled from the sales tax measure.

Commissioner Pirie moved to approve the staff recommendations that the Regional Transportation Commission:

1. Approve a revised workplan and budget for the Measure J Public Information Program consistent with the recommendations of Commissioners Beautz and Pirie and Commission Alternate Quintanilla, and,
2. Approve a resolution authorizing the expenditure of an additional \$3,500 for the Public Information Program for the Local Transportation Sales Tax Measure Expenditure Plan bringing the total amount for this effort to \$58,500,

with the addition that the second mailing come back to the Commission for approval at the September Transportation Policy Workshop (TPW).

Commissioner Wormhoudt seconded with the addition that County Counsel submit a written response at the September

TPW to the issues raised by the "No on J Committee".

Mr. Garcia confirmed that this was possible and the motion (Resolution 10-05) passed unanimously.

26. 9:30 a.m. Public Hearing on Unmet Transit and Paratransit Needs

Senior Planner Karena Pushnik said that the draft list on pages 26-3 through 26-7 included extensive input from the Transit District and was approved by the Elderly and Disabled Transportation Advisory Committee.

Ms. Pushnik said the list may need to be reorganized or prioritized in the future, but that it illustrated the unmet needs for paratransit service beyond what is required by the Americans with Disabilities Act. She said the demand for service exceeds the supply, that service may need to be developed for people outside the Metro's ADA paratransit service area, that taxi script has a waiting list and that there is a need for same-day medical service and increased service in areas in south county.

The Public Hearing was opened.

Dave Eselius said that there was a problem mixing funding for paratransit and ParaCruz services and a dispatch problem and would like to see an action item to identify a way to better serve customers.

Scott Bugental, representing both the Elderly and Disabled Transportation Advisory Committee and the Seniors Council, noted that some of the suggestions might be operational problems, such as changing the fare structure, rather than an unmet need. He said that at one time there was interest for local hospitals to provide non-ambulance transportation for same-day medical service which could save money. He also said that severe cutbacks for transportation to senior dining centers are a social issue and not just a food issue.

The Public Hearing was closed.

Commissioners commented that the list could be re-organized or re-grouped to indicate short and long term goals, but were glad to see so much input on the issues.

Commissioner Pirie moved and Commissioner Wormhoudt seconded to approve the staff recommendations that the Santa Cruz County Regional Transportation Commission approve a final list of Unmet Paratransit/Transit Needs and direct staff to work with the Elderly & Disabled Transportation Advisory Committee, the Paratransit Coordination Task Force and other

entities to address the identified unmet needs and consider these unmet needs in future planning and funding decisions.

The motion passed unanimously.

27. Proposed Process for Amendment of the 2004 Regional Transportation Improvement Program (RTIP) to Provide Funds for Santa Cruz Metro's MetroBase Project

Deputy Director Pat Dellin described a two-step process to amend the Regional Transportation Improvement Program (RTIP). She said it would be possible to trade STIP funds programmed to some existing projects for future Regional Surface Transportation Program (RSTP) funds, which would then free up the STIP funds to be reprogrammed to the MetroBase project. Ms. Dellin said that the local jurisdictions with STIP projects as well as the SCMTD supported this proposal. She added that Santa Cruz Metro could bond for earlier funds for the MetroBase project as soon as the project was programmed back into the STIP. She said a public hearing would be needed to amend the Regional Transportation Improvement Program (RTIP) to implement this proposal. She added that an RTIP amendment was also needed to align other projects with the approved STIP.

Commissioner Spence noted a duplicate listing of the Front / Laurel Street project. She added that she was glad the cities and the County were willing to trade funds so that the MetroBase project could move forward.

Commissioner Pirie objected to the way the region has to match its adopted RTIP with the state's adopted STIP which in effect overrides the region's authority to prioritize its projects. She asked for a legal analysis to determine if the California Transportation Commission (CTC) had the statutory authority to do this.

Commissioner Beautz asked Executive Director Linda Wilshusen about the Regional Transportation Planning Agency Executive Directors' Meeting with the California Transportation Commission Chairman held in Sacramento on August 18, 2004.

Director Wilshusen said that there is dissatisfaction all over the state concerning the low priority transportation projects are given and the fact that the State has not paid back the billions borrowed from transportation funds to support the state's General Fund. She said the consensus was that there was a need for a transportation ballot initiative to protect the gas tax and Proposition 42 funds.

Commissioner Pirie moved and Commissioner Reilly seconded to approve the staff recommendations that the SCCRTC:

1. Schedule a public hearing for its October meeting to consider the staff and Interagency Technical Advisory Committee (ITAC) recommendations to amend the *Regional Transportation Improvement Program (RTIP)* to:
 - a. Trade up to \$7.5 million in FY06/07-08/09 STIP funds for FY06/07-08/09 Regional Surface Transportation Program (RSTP) funds for the projects listed in Attachment 1;
 - b. Program the freed up STIP funds and/or a portion of the FY06/07-08/09 RSTP funds totaling \$7.5 million to the MetroBase project; and
 - c. Update project listings for remaining projects to be consistent with the adopted STIP.

The floor was opened to public comment.

Dave Eselius said that rather than focusing on the needs of the MetroBase, the Commission should reestablish its priorities.

The motion passed unanimously.

28. Status Report on Highway 1 Projects

Oral presentations were made by Chris Metzger, Nolte Associates, and Ben Strumwasser, Public Affairs Management.

Mr. Strumwasser gave the Commissioners a summary report describing the public outreach meetings regarding the Highway 1 HOV Widening Project and showed how the public comments were organized. He said there was input both in support of and in opposition to the project and that topics included toll issues, the safety impact of short HOV lanes, interchange improvements, impacts during construction, and environmental issues such as noise and visual impacts.

He said that there was a lot of concern as to whether the soundwalls would create more noise in areas not immediately adjacent to the highway.

Mr. Metzger gave an overview of other aspects of the Highway 1 HOV Widening Project Project Approval Environmental Document (PA/ED). He said that the Project Development Team had begun discussing the highway widening alternatives, including a no-build alternative and building HOV lanes either using Caltrans standards or looking at places where Caltrans standards could be reduced. He said that additional alternatives are being considered including diamond interchanges, more direct access to HOV lanes especially for

busses and an eight lane option.

Mr. Metzger said that the AMBAG traffic model is still not finished. He indicated that the schedule to complete the environmental document has been pushed back to the end of 2007 due to the delay in the traffic model. He added that the Commission will begin a specific proposal regarding PA/ED alternatives in the next few months.

Commissioner Beautz asked that staff ask for a written report from AMBAG regarding the model and a written report on whether the Commission should produce its own model in the future.

Commissioner Campos volunteered to set up a meeting with Nick Papadakis of AMBAG on this issue.

Commissioner Pirie asked for copies of documents showing the potential locations of bike/pedestrian over-crossings and also the draft supplemental Project Study Report and Environmental Impact Report.

In response to a question from Commissioner Reilly, Chris Metzger said that alternatives to concrete were being studied for the soundwalls. Ms. Reilly asked where Nolte Associates is getting information for alternative materials.

Rich Krumholz, Caltrans District 5, said that there was a research and innovation link on the Caltrans website that could provide some information on the subject.

The floor was opened to public comment.

Dave Eselius said the Commission needs to define objectives and design early on and define a standard, which is currently three lanes straight through, and from that standard develop increased benefits and costs, for example moving the HOV lane to the outside lane and then compare to the standard.

Commissioner Reilly moved to approve the staff recommendations that the Regional Transportation Commission accept the Fourth Quarterly Progress Report from the consultant on the Highway 1 HOV Lane Widening Project, and receive a Status Report on other activities related to the Highway 1 Projects.

Commissioner Pirie seconded and the motion passed unanimously.

29. Santa Cruz Branch Line Acquisition - Release of Draft Business Plan

Senior Planner Luis Mendez said that the Commission decided on August 19th that it would best serve the public to release the Business Plan and give the public time to review it prior to a presentation by Systra Consulting which will be held on September 16, 2004. He said that a Request for Proposals (RFP) for short line operators does not exist and that when it is time, the RFP process will be conducted in public.

Commissioner Wormhoudt moved to approve the staff recommendations to present and discuss the draft *Santa Cruz Branch Line Business Plan* at the September 16th Regional Transportation Commission Policy Workshop. Commissioner Campos seconded.

The floor was opened to public comment.

Dave Eselius said he did not understand the relevance of the plan and that it has clouded the issue of widening the highway which is the only way to improve transportation.

Commissioner Reilly noted that both the County and City of Santa Cruz Master Transportation Study say that no transportation improvements will work unless there is a strong viable transit system.

Commissioner Pirie said she objected to the staff summary of the business plan, saying that the conclusions were based on assumptions without complete information.

A vote was taken and the motion passed unanimously.

30. Amendment to Contract with Miller, Owen & Trost for Rail Line Acquisition Negotiation Services

Senior Planner Luis Mendez gave the staff report, saying that the rates charged by Miller, Owen & Trost (MOT) had not changed since the initial contract in March 2001 and that the term of the contract needed to be extended one more year for their work to be completed.

Commissioner Keogh said that to date the Commission has already authorized \$400,000 to MOT and received one report that he said is the worst document he has ever read. He gave examples of inconsistencies and assumptions and stated that he concluded from them that either Systra Consulting is incompetent or was influenced to make findings that were not rational. He moved to extend consideration of the amendment to November and to have copies of all reports, including marked up documents, between the Regional Transportation Commission, Miller, Owen & Trost and Systra to be brought to the Commission before action on the amendment is taken.

Commissioner Spence seconded saying that the Phase I Environmental Assessment should be added to the list of capital projects with available funding on page 30-10 of the staff report.

Commissioner Spence asked who the Project Manager was and what was considered a reimbursable cost. Ms. Spence also asked if environmental assessment was included in the costs listed on page 30-10.

Executive Director Linda Wilshusen identified herself as the Project Manager. Senior Planner Luis Mendez said that reimbursable costs included postage, copying and travel costs.

Ms. Wilshusen said that the Phase I assessment was already completed and in response to a further question from Commissioner Spence, said she would check where the funding for it came from and add it to the list.

Commissioner Beautz said she wanted the sub-consultant chart to list what reports were made and how the funding was spent before authorizing more money to the contract.

Director Wilshusen said that the Commission had seen all of the reports at different times and that staff will modify the chart and confirm whether the report was submitted in open or closed session.

Commissioner Beautz said she wanted to continue the item until reviewing the reports.

Commissioner Reilly called the question.

The motion failed with Commissioners Keogh, Spence and Beautz voting in favor of it.

Commissioner Wormhoudt moved to continue the Item to the Transportation Policy Workshop meeting on September 16th along with the information on the sub-consultants' reports including if and when the Commission saw them. Commissioner Pirie seconded.

Director Wilshusen clarified this is referred only to the MOT contract and their subcontractors and noted that the appraisers are contracted directly with the Commission.

Commissioners discussed what additional reports would be necessary and suggested adding the estimated future costs to the chart.

The motion passed unanimously.

30.1 Copy of Letter from the California Public Utilities
Regarding Railroad Crossing Improvement Recommendations
for Proposed Rail Service (formerly Item 22b)

Commissioners discussed a letter from the Public Utilities Commission dated January 23, 2004 and whether the letter should be included in the Environmental Impact Report (EIR) and the draft Business Plan.

Luis Mendez, SCCRTC staff, confirmed that the consultants for the recreational rail EIR have a copy of the letter and that the crossings discussed were inspected by the consultants.

Commissioner Beautz asked that the letter be added to the draft Business Plan.

Commissioner Spence said that the letter is referenced in the draft Business Plan but that there is another letter that is not included. Commissioner Pirie asked that this letter be given to the Commission.

Senior Planner Karena Pushnik said the second letter was included in the comments to the EIR and had been distributed to the Commission.

Commissioner Wormhoudt moved to accept the information item and Commissioner Reilly seconded. The motion passed unanimously.

31. Next Meetings/Adjournment

The meeting adjourned at 11:45 a.m.

The next Transportation Policy Workshop is scheduled for Thursday, September 16, 2004 at 9:00 a.m. at the Board of Supervisors Chambers, 701 Ocean Street, Santa Cruz CA 95060.

The next regular SCCRTC meeting is scheduled for Thursday, October 7, 2004 at 9:00 a.m. at Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA 95060.

Respectfully submitted,

Gini Pineda, Secretary

ATTENDEES

Name

Representing

| | |
|-------------------|---------------------------|
| David Eselius | |
| Jim Conklin | Business Council |
| Bonnie Morr | UTU Local 23 |
| Robert Yount | |
| Bill Comfort | |
| Les White | SCMTD |
| Peter Scott | CFST - No on J |
| Scott Bugental | E/D TAC - Seniors Council |
| Amanda Schoenberg | Register Pajaronian |
| Ben Strumwasser | Public Affairs Management |
| Chris Metzger | Nolte Associates |
| Rahn Garcia | County Counsel |