

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

Draft Minutes

Thursday,
February 7, 2008
9:00 a.m.

Watsonville City Council Chambers
250 Main St
Watsonville CA 95066

The meeting convened at 9:10 am.

1. Roll Call

Members Present: Jan Beautz Ellen Pirie
Dene Bustichi Emily Reilly
Tony Campos Antonio Rivas
Neal Coonerty Pat Spence
Randy Johnson Mark Stone
Kirby Nicol Donald Hagen (Alt.)
Rich Krumholz (ex-officio)

Staff Present: George Dondero Yesenia Parra
Luis Mendez Kim Shultz
Gini Pineda Cory Caletti
Rachel Moriconi Karena Pushnik
Grace Blakeslee Tegan Speiser

2. Oral Communications

Jack Nelson proposed expanding regional considerations to the entire planet and to consider them on a global scale.

Rick Longinati said that fuel will get more expensive and that it was time for safe affordable convenient alternative modes of transportation.

Paul Elerick said that Honolulu widened its freeway in 1988 and continued to widen it until it reached five lanes in each direction. He said that commuters still experience gridlock during rush hour.

3. Additions or Deletions to Consent and Regular Agendas

Executive Director George Dondero said that there were replacement pages for Items 9 and 21 and that there were add-on pages for Item 24. He asked that Item 24 be moved up before Item 23 because of the number of people waiting to speak on the item.

CONSENT AGENDA (Hagen/Rivas)

4. Approved Minutes of the January 10, 2008 Regular SCCRTC Meeting
5. Approved Minutes of the January 24, 2008 Transportation Policy Workshop Meeting

POLICY

No Consent Items

PROJECTS and PLANNING

6. Accepted FY 07-08 Second Quarter SCCRTC Work Program Report

COMMISSION BUDGET AND EXPENDITURES

7. Accepted Status Report on Transportation Development Act (TDA) Revenues
8. Accepted SCCRTC Fiscal Audit for Fiscal Year 2006-07 (Enclosed Separately for Commissioners Only)

ADMINISTRATION

9. Approved RTC Association of Middle Managers ("RAMM") Representative Unit Memorandum of Understanding (MOU) for September 15, 2007 to November 20, 2010 (Enclosed Separately for Commissioners Only)
10. Approved Election on Social Security Process (Resolution 13-08)

COMMITTEE MINUTES

11. Accepted Final Minutes of the December 10, 2007 and Draft Minutes of the January 7, 2008 Bicycle Committee Meetings

12. Accepted Draft Minutes of the January 17, 2008 Interagency Technical Advisory Committee Meeting

INFORMATION/OTHER

13. Accepted Monthly Meeting Schedule

14. Accepted Correspondence Log

15. Accepted Letters from SCCRTC Committees and Staff to Other Agencies

- a. Letter from Bicycle Committee Regarding Providing Secure Bicycle Parking at UCSC.

16. Accepted Miscellaneous Written Comments from the Public on SCCRTC Projects and Transportation Issues

17. Accepted Information Items

SERVING AS THE SERVICE AUTHORITY FOR FREEWAY
EMERGENCIES (SAFE)

REGULAR AGENDA

18. Commissioner Reports - None

19. Director's Report

Executive Director George Dondero said that there were no new items to report.

20. Caltrans Report

Rich Krumholz, Caltrans District 5, said that there will be complete closures in 15 minute intervals on the area under construction for the Highway 1/17 Merge Lanes Project on February 13th and 14th between 1:00 a.m. and 4:00 a.m. and that there will be a closure on Highway 9, three miles north of Boulder Creek, on February 11th from 6:00 p.m. until 8:00 a.m. He also said that periodic water quality checks produced a storm water report score of "1", the best possible score, regarding construction impacts to streams.

21.Highway 1 HOV Lanes Project - Supplemental Funding Request

Executive Director George Dondero said that in response to the Commission's request at the January RTC meeting, staff prepared an analysis of cost increases and possible cuts in expenses for the Highway 1 HOV Lanes Project. He said that there were two types of cost increases: those due to unexpected delays and those due to extra work items requested of Nolte Associates that were outside the original scope of work. He noted that the accepted rule of thumb for similar projects is that 6% of the total project cost is expended on the Project Approval/Environmental Document (PA/ED) phase, which would amount to an \$18 million cost for the PA/ED for this project. He said that Nolte's request for supplemental funding to increase the PA/ED budget to \$11 million is reasonable.

Chris Metzger, Nolte Associates, gave a PowerPoint presentation to explain in detail the delays and the out of scope work that has been performed. He cited a 13-month delay in receiving the Transportation Demand model produced by AMBAG, the increased level of engineering design work required by Caltrans, the extension of the length of the project to San Andreas Road, updating the Project Study Report to include the Soquel/Morrissey Auxiliary Lanes project, expanded public outreach and technical studies as among the reasons for cost increases. He explained the role of sub-consultants contracted by Nolte that specialize in areas such as technical and environmental analyses, cultural preservation issues and accessing disadvantaged businesses to provide them the opportunity to participate in the project, in accordance with sound public policy. Mr. Metzger added that the number of public comments is much greater than four years ago and the need for additional document reviews has increased.

Commissioners asked for clarification regarding specific budget line items, including the increased engineering design and the 50% increase in public outreach costs.

Commissioner Beautz said it is necessary to recognize that there is a cost for the additional public presentations requested by the Commission and with the work that the Commission added to the original scope of work. She recommended moving forward and not wasting the money already spent.

Commissioners discussed public outreach, the role of the Speakers' Bureau and extending the time for public review and comment on the Environmental Document.

Rich Krumholz said that Caltrans' standard is a review period of 45-60 days.

Responding to Commissioner Rivas, Executive Director Dondero said that tracking of tasks and associated costs would be included in future Nolte quarterly reports.

Commissioner Beautz said that it would be good to know the costs for Nolte to make public presentations. Commissioner Reilly asked for a timeline that showed when the contract started, the changes to the original scope of work along the way, who made the changes and the associated costs, and where the project stands today.

Mr. Dondero said that it would be less expensive for staff to provide a timeline indicating the major decision points than it would be to hire Nolte to provide this information.

Public comment was heard.

Bill Malone called the Nolte report "impressive mumbo jumbo", expressing disbelief that there were circumstances beyond their control, calling the need for cost increases to their contract "a sham" and "part of the game."

Celia Scott recommended a 90 day review period for the environmental document and asked which agency would determine the review time. She also asked when the draft EIR was expected to be released and said that informing the public is essential.

Mr. Dondero said that Caltrans was responsible for determining the document review time. Mr. Metzger said that it is anticipated that the draft document will be released in summer 2008.

Commissioner Nicol moved and Commissioner Pirie seconded to accept the Nolte report. The motion passed unanimously.

Chair Campos announced that the Closed Session would take place after Item 22.

22.9:30 AM PUBLIC HEARING: Adoption of the *2008 Regional Transportation Improvement Program* (RTIP)

Senior Planner Rachel Moriconi gave the staff report including an overview of the purpose of the *2008 Regional Transportation Improvement Program* (RTIP), projected funding from the state for programming transportation projects in Santa Cruz County, and the list of regional projects previously approved by the Commission. She noted scope amendments to existing projects that staff and project sponsors recommend that the RTC approve.

Commissioners discussed aspects of the report.

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

1. Review the proposal for programming \$5.5 million in projected new 2008 State Transportation Improvement Program (STIP) funds and proposed amendments to previously programmed projects;
2. Consider recommendations made by the RTC's advisory committees;
3. Hold a public hearing to receive comments on the proposed amendments and consider any written comments received;
4. Adopt a resolution adopting the *2008 Regional Transportation Improvement Program* (RTIP) to program \$5.5 million in projected STIP funds and amend previously programmed projects;
5. Make new funding for the Commute Solutions Rideshare Program contingent on RTC approval of the work program adopted with the annual RTC budget;
6. Indicate its intent to reprogram some of the Regional Surface Transportation Program (RSTP) funds designated to the Highway 1 HOV Lane Project Approval/Environmental Document (PA/ED) to other projects if not all of those funds are needed for that phase of the project; and
7. Request that the Association of Monterey Bay Area Governments (AMBAG) and California Transportation Commission (CTC) incorporate these amendments into the Metropolitan Transportation Improvement Program (MTIP) and State Transportation Improvement Program (STIP), respectively.

Commissioner Coonerty offered a friendly amendment to

extend the review period for the draft Environmental Impact Report for the Highway 1/HOV Lanes PA/ED to 90 days. Commissioner Reilly seconded.

After discussion, Commissioner Pirie noted that it would not be appropriate to include the amendment since it is not specifically related to the agenda item. She said it would be better to discuss this issue as its own item at a future meeting.

Commissioner Coonerty withdrew the amendment with the understanding that the issue would be discussed at a future meeting.

The floor was opened for public comment. There being none, the vote was taken and the motion (Resolution 14-08) passed unanimously.

The Commission adjourned into Closed Session at 11:15 a.m.

23.State Legislative Status Report - Taken Out of Order after Item 24

Commissioners Coonerty, Reilly, Rivas, Stone, Pirie and Beautz departed the meeting.

John Arriaga, JEA & Associates, gave an update on legislative issues at the state level. He said he was following certain bills including SB748 and AB1352 which deal with local partnership programs, AB444 which deals with the vehicle tax and SB375 concerning emissions control. He said that a measure regarding high speed rail will be on the November 2008 ballot. He added that two other measures bear scrutiny: Propositions 98 and 99 which deal with eminent domain issues.

Steve Schnaidt, Schnaidt & Associates, briefly described the financial outlook for transportation in the near term. He said that \$4.7 billion of transportation bonds will be available and that the gas sales tax money is free to go to the STIP, the cities and counties and public transit. Mr. Schnaidt said that the spillover funds will be over \$900 million for transit but that legislation passed last year reduced the amount allocated to transit by 50% with the rest going to the General Fund. He added that the Transit Association filed a lawsuit against the state and that the ruling was partly favorable but had loopholes that could

divert all spillover funds in the future. He said he would like to attend a workshop with the Commission in the spring when the budget is clearer

Commissioner Spence asked for a written report regarding the Public Transportation Account. Mr. Dondero said that staff will provide her with the information.

24. Transportation Sales Tax Measure - Reconsider January 10, 2008 Commission Action and Amend Expenditure Plan, and Consider Taking Other Actions Related to Placing Measure on November 2008 Ballot - Taken Out of Order after Item 29

Executive Director George Dondero gave the staff report. He said that transportation funding was not secure and that a source of local funds would allow for leveraging state and federal dollars and would provide a protected source of transportation funds. He said that extensive community outreach produced the expenditure plan before the Commission today and asked for a unanimous vote of approval from the Commission in order to send a strong message to the community that Santa Cruz County is willing to become a self-help county by proposing a sales tax ballot measure in November. He referred to the add-on letter from the California Coastal Commission supporting the amended language in the staff recommendations regarding greenhouse gas emissions.

Commissioners discussed asking the Board of Supervisors to put the ballot proposal on its August agenda, whether a poll should be conducted prior to the request and proposed changes to the funding targeted for transit and transportation options for the elderly/disabled population.

Bonnie Morr, UTU, agreed that a strong message needs to be sent to the community. She also recommended keeping with the proposals made by the Transportation Funding Task Force.

Joe Moreno, Senior Coalition, said that he agreed with the Business Council that this proposal is too much like Measure J and to put three separate measures in front of the voters instead of one with many projects.

Mr. Dondero responded that the Business Council did not reject the plan but determined that the timing was not right for the November '08 ballot. He added that polling data showed that separate measures would not garner the

necessary 2/3 vote of approval to pass any of the measures.

Bill Malone asked that the public be polled regarding alternatives to highway widening, whether or not the public wants passenger rail, and whether the public is willing to support a tax and what projects they would support. He also took issue with Mr. Dondero's editorial piece in the *Sentinel*.

Jack Nelson said that he did not see how widening the highway could reduce greenhouse gas. He said spending the money on alternative transportation modes will reduce greenhouse gas emissions

Celia Scott said that the California Environmental Quality Act (CEQA) already required that the greenhouse gas issue be addressed and that the proposed ballot language was basically redundant. She said that the language should instead say that the projects would be carbon neutral. She also said that green construction should be required and asked about the scope of the environmental review of the expenditure plan.

Peter Scott said he did not support going forward and that the proposed mobility plan should not be categorized as congestion relief since widened highways tend to become congested quickly, due to induced traffic.

Paul Elerick said that the cost of the highway will be well beyond \$300 million.

Greg Estrada, California Fire Department, said he and his agency are concerned about the Highway 1 congestion and the ability to move resources from one end of the county to the other. He encouraged the Commission to move forward.

Vic Marani, Santa Cruz Republican Party, said the party is opposed to any ballot measure that asks for money for anything other than highway widening and road rehabilitation, that these projects should be put on the ballot as a stand alone measure and that the party will oppose the expenditure plan as written. On a personal note, Mr. Marani exhorted the Commission to not feel a need to be unanimous and to carefully monitor public funds used for public information purposes.

Ned van Valkenburg said that he thinks the proposed measure

would fail because he thinks community vision as a whole has failed.

Lynn Robinson asked for leadership from the Commission saying it is important to become a self-help county. She said that the TFTF was full of advocates who would do the work of campaigning for the ballot measure.

Gustavo Gonzalez distributed a letter from **Chuck Allen** which he read for the record. In the letter, Mr. Allen said that the Pajaro station is very important. He urged the Commission to move forward.

Executive Director Dondero said that **Bill Tysseling** had to leave but that he wanted to express that the Santa Cruz Chamber wants to support a ballot measure but is not taking an official position until the Commission adopts a plan.

Commissioner Spence asked when Caltrain planned to add service beyond Gilroy. Mr. Dondero said he will check with TAMC.

Commissioners discussed the voter pamphlet that would accompany the ballot, the cost of placing a measure on the ballot and the possibility of changing projects listed as eligible for funding.

Commissioner Rivas spoke in favor of moving forward and moved to accept the staff recommendations that the Regional Transportation Commission (RTC):

1. Adopt the following greenhouse gas emissions reduction language for inclusion in a transportation sales tax ballot measure:
 - a. The plan funded by this ballot measure shall be consistent with the California Global Warming Solutions Act of 2006 (AB 32) and projects will comply with state and federal rules and regulations addressing GHG emission reduction as they are enacted or adopted by the responsible regulatory entity.
 - b. Green design and construction practices will be encouraged for all projects funded by the plan;
2. Amend the transportation sales tax ballot measure expenditure plan approved by the RTC at its January 10, 2008 meeting as proposed in Attachment 2;
3. Request that the Board of Supervisors place a 35-year, ½ cent transportation funding sales tax measure on the

- November 2008 ballot to fund the expenditure plan approved by the RTC;
4. Direct staff to proceed with the required environmental review work for a transportation sales tax ballot measure with the expenditure plan approved by the RTC; and
 5. Authorize staff to inform the community about transportation issues and projects, and the need for local funding; and
 6. Direct staff to release a request for proposals (RFP) for consultant services to poll likely voters for support of a sales tax measure with the expenditure plan approved by the RTC and return to a future RTC meeting with a consultant recommendation and plan to fund the poll.

Commissioner Campos seconded.

Commissioner Stone asked to divide the question and look at the third recommendation separately. Mr. Stone said he was worried that asking the board of Supervisors to place the sales tax measure on the ballot in November might be premature and he did not want to do more harm than good by having the measure fail a second time. He said that he did want to make a decision about moving forward today and thought that the decision should be made before making decisions about the other recommendations.

Commissioner Pirie echoed the concerns that there is not enough support for the measure to pass, even though she felt that the plan was a good one.

Commissioner Nicol said that he did not support recommendations two and three saying there were two issues to consider: a timing issue and a ballot formatting issue. He suggested first deciding if the timing is right for a ballot measure and if so, to respect the recommendations as made by the Transportation Funding Task Force. He suggested presenting the recommendations to the voters on a split ticket, with a $\frac{1}{4}$ cent sales tax dedicated to Highway 1 widening and a $\frac{1}{4}$ cent sales tax for everything else.

Commissioners continued to express their views about whether the timing was right to place a sales tax measure on the November '08 ballot, the consequences of a second failed measure and if it would be better to poll the plan before asking that it be put on the ballot.

Commissioner Reilly called the question to either vote on the motion or vote on dividing the recommendations. She added that if the Commission voted on the third recommendation separately, there may not be a need to continue discussion of the other recommendations.

Commissioner Campos recommended allowing staff to bring information back to the Commission regarding whether the ballot measure would pass and then move forward. Commissioner Stone moved to amend the motion to vote only on the third recommendation. Commissioner Reilly seconded.

Discussion ensued regarding rewording the third recommendation so that something could move forward.

Commissioners suggested voting on the original motion made by Commissioner Rivas.

Commissioner Stone said that if that were to be the case, then he wanted to amend the language of the first recommendation to include that any new capital projects be carbon neutral or demonstrate how the project would reduce greenhouse gas.

It was pointed out that there was already an amendment to the original motion.

Commissioner Reilly called the question both on the amendment and the original motion.

Commissioner Beautz suggested voting on recommendations two through six instead. Commissioner Stone agreed to the change. The makers of the original motion, Commissioners Rivas and Campos, also agreed.

The motion failed with Commissioners Beautz, Campos, Rivas and Hagen voting "aye" and Commissioners Bustichi, Coonerty, Johnson, Nicol, Pirie, Reilly, Spence and Stone voting "no".

Commissioner Nicol moved to put some type of measure on the November ballot. Commissioner Pirie seconded if the intent is to keep the dialogue open a little longer and see if the Commission can come up with something in next few weeks.

The motion failed with a tie vote. Commissioners Beautz,

Campos, Nicol, Pirie, Rivas and Hagen voted "aye" and Commissioners Bustichi, Coonerty, Johnson, Reilly, Spence and Stone voted "no".

25. Review of Items to be Discussed in Closed Session (Taken Out of Order after Item 22) - None

26. Oral and Written Communications Regarding Closed Session - None

CLOSED SESSION

The Commissioner adjourned into Closed Session at 11:15 a.m. Closed Session was taken out of order after Item 22.

27. Conference with Labor Negotiators Pursuant to Government Code 54957.6

Commission Negotiators: Ellen Aldridge and George Dondero

Bargaining Units: Mid-Management Unit and General Representation Unit

28. Conference with Real Property Negotiator for Acquisition of the Santa Cruz Branch Rail Line Property: Santa Cruz Branch Rail Line from Watsonville Junction to Davenport

Agency Negotiator: Kirk Trost, Miller, Owen & Trost

Negotiation Parties: SCCRTC, Union Pacific

Under Negotiation: Price and Terms

OPEN SESSION

The Commission reconvened into Open Session at 11:35 a.m.

29. Report on Closed Session - None

The Commission proceeded with Item 24.

30. Next Meetings/Adjournment

The meeting adjourned at 1:53 p.m.

The next Transportation Policy Workshop is scheduled for Thursday, February 21, 2008 at 9:00 a.m. at the SCCRTC

Offices, 1523 Pacific Avenue, Santa Cruz, CA.

The next SCCRTC meeting is scheduled for Thursday, March 6, 2008 at 9:00 a.m. at the Board of Supervisors Chambers, 701 Ocean Street, Santa Cruz, CA

Respectfully submitted,



Gini Pineda, Staff

ATTENDEES

John Presleigh	County DPW
Paul Elerick	CFDT
Glen Schaller	
Reed Searle	SCRIP
Greg Estrada	Cal Fire
Joe Moreno	Senior Coalition
Leo Moll	
Cliff Walters	Sierra Railroad
Guadalupe Mendoza	Salvation Army
Kathleen King	
Ann Sansavero	URS
Ned Van Valkenburgh	Carpenter's Union
Robert Vallerga	Senior Coalition
Dobie Jenkins	
Spike Alper	CFST
Jack Nelson	
Mark Dettle	SC City Public Works
Bill Comfort	
Peter Scott	