



Regional Transportation Planning Agency - Local Transportation Commission
 Monterey County Service Authority for Freeways & Expressways - Email: info@tamcmotnerey.org

**TRANSPORTATION AGENCY FOR MONTEREY COUNTY
 SERVICE AUTHORITY FOR FREEWAYS EMERGENCIES
 AND
 MONTEREY COUNTY REGIONAL DEVELOPMENT IMPACT FEE
 JOINT POWERS AGENCY**

EXECUTIVE COMMITTEE

*Members are: Alejandro Chavez (Chair),
 John Phillips (1st Vice Chair), Robert Huitt (2nd Vice Chair),
 Kimbley Craig (Past Chair),
 Luis Alejo (County Representative), Ed Smith (City Representative)*

**Wednesday, October 4, 2017
 TAMC Conference Room
 55-B Plaza Circle, Salinas
 9:00 AM**

1. ROLL CALL

Call to order and self-introductions. If you are unable to attend, please contact Elouise Rodriguez, Senior Administrative Assistant. Your courtesy to the other members to assure a quorum is appreciated.

2. PUBLIC COMMENTS

Any member of the public may address the Committee on any item not on the agenda but within the jurisdiction of Transportation Agency and Executive Committee. Comments on items on today's agenda may be given when that agenda item is discussed.

3. BEGINNING OF CONSENT AGENDA

Approve the staff recommendations for items listed 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.

3.1 APPROVE Executive Committee draft minutes of September 5, 2017.

-Montiel

END OF CONSENT AGENDA

4. **RECEIVE** update on state legislative activities and **DISCUSS** items for 2018 Legislative Program.

- **Watson/Khour**

Staff and legislative analyst Gus Khouri will present a state legislative update.

5. **RECEIVE** and **PROVIDE COMMENTS** on the preliminary draft integrated five-year funding plan for priority regional transportation projects.

- **Zeller**

Agency staff has conducted an initial review of available fund sources over the next five years and developed a strategy proposal for funding and delivering the priority projects. Funding sources include: Measure X sales tax revenues, regional and Fort Ord Reuse Authority development fees, State Transportation Improvement Program funds, SB 1 competitive funds, and Local Partnership Program formula funds.

6. **CONSIDER** adding a representative from California State University at Monterey Bay as a non-voting, ex officio member of the Transportation Agency for Monterey County's Board of Directors.

- **Hale**

The Agency has received the attached request from President Eduardo Ochoa of California State University at Monterey Bay to serve as an ex officio member of the Transportation Agency Board of Directors. Currently, the Transportation Agency has six ex officio members: Association of Monterey Bay Area Governments, Caltrans District 5, Monterey Bay Air Resources District, Monterey Regional Airport, Monterey-Salinas Transit, and the City of Watsonville. To make this change would require amendment of the Agency's bylaws, which requires one meeting for notice and a second meeting for adoption.

7. **RECEIVE** report on draft agenda for October 25, 2017, TAMC Board meeting.

- **Hale**

8. **ANNOUNCEMENTS**

9. **ADJOURN**

NEXT MEETING November 1, 2017

Documents relating to an item on the open session that are distributed to the Committee 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 Committee at the meeting by

staff will be available at the meeting; documents distributed to the Committee 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

CORRESPONDENCE, MEDIA CLIPPINGS, AND REPORTS - No items this month.



Memorandum

To: Executive Committee
From: Maria Montiel, Administrative Assistant
Meeting Date: October 4, 2017
Subject: **Executive Committee Draft Minutes**

RECOMMENDED ACTION:

APPROVE Executive Committee draft minutes of September 5, 2017.

ATTACHMENTS:

- ▣ Executive Committee Draft Minutes

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: Alejandro Chavez (Chair),
John Phillips (1st Vice Chair), Robert Huitt (2nd Vice Chair),
Kimbley Craig (Past Chair),
Luis Alejo (County representative), Ed Smith (City representative)*

Wednesday, September 6, 2017

*** 9:00 a.m. ***

Transportation Agency Conference Room
55-B Plaza Circle, Salinas

1. **CALL TO ORDER:** Chair Chavez called the meeting to order at 9:03 a.m. Committee members present: Alejo, Chavez, Huitt, Phillips and Smith. Staff present: Hale, Goel, Montiel, Muck. Others present: Agency Counsel Reimann; Linda Gonzalez, Supervisor Alejo's office; and, Susan Blich from Monterey County Counsel office. Committee member Alejo arrived after the consent agenda.
2. **PUBLIC COMMENTS:** None.

3. **CONSENT AGENDA:**

On a motion by Committee member Phillips and seconded by Craig, the committee voted 6-0 to approve the consent agenda as follows:

- 3.1 Approved minutes from the Executive Committee meeting of August 2, 2017. Committee member Smith abstained, due to his absence.

END OF CONSENT

4. **CLOSED SESSION:**

The Committee held a closed session regarding the Public Employee Appointment pursuant to Government Code Section §54957 Title: Principal Engineer.

The Committee reconvened in open session: Chair Chavez reported that the committee approved giving the Executive Director the authority to negotiate with the principal engineer candidate a vacation accrual rate based on prior experience and 2 weeks of professional leave, to be ratified by the Board of Directors at its meeting of September 27, 2017.

5. CLOSED SESSION:

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

The Committee reconvened in open session: Chair Chavez reported that the committee reviewed the performance goals for the Executive Director and Legal Counsel. He noted that the item will be taken to the Transportation Agency Board for consideration in October, due to the Strategic Goals and Objectives workshop taking place in September.

6. TAMC DRAFT AGENDA FOR SEPTEMBER 27, 2017

Executive Director Hale reviewed the highlights of the draft regular and consent agenda for the TAMC Board meeting of September 27, 2017. She reported that the Board will have a three-hour facilitated workshop conducted by Terry Feinberg to update the Agency's strategic goals and objectives. She added that the full process includes interviews of Board members, a facilitated Board workshop and then update of the Agency's goals and objections.

7. ANNOUNCEMENTS

None this month.

8. ADJOURNMENT

Chair Chavez adjourned the meeting at 10:18 a.m.

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Memorandum

To: Executive Committee
From: Christina Watson, Principal Transportation Planner
Meeting Date: October 4, 2017
Subject: State Legislative Update and 2018 Program

RECOMMENDED ACTION:

RECEIVE update on state legislative activities and **DISCUSS** items for 2018 Legislative Program.

SUMMARY:

Staff and legislative analyst Gus Khouri will present a state legislative update.

FINANCIAL IMPACT:

Bills enacted in 2017 bring in new funding for transportation - chiefly Senate Bill 1 (Beall) and the Cap and Trade bills. Staff is actively monitoring the guideline development for the new and renewed funding programs to identify sources of funding for Agency priorities.

DISCUSSION:

Agency legislative analyst Gus Khouri will attend the meeting to present an update on state legislative activities and receive input on priorities for the Agency for 2018.

Of particular interest, the two bills TAMC is sponsoring this year are:

- AB 696 (Caballero): Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties: passed through both houses and currently pending Governor review. Many support letters have been sent to the Governor and are attached under correspondence of the appropriate Board packet.
- SB 477 (Cannella): Intercity rail corridors: extensions: Currently still on the suspense file for the Assembly Appropriations committee, nominally "dead" pending discussions among the bill's supporters.

Attachment 1 is a report on the cap and trade program; **Attachment 2** is the updated bill list as of September 14, 2017. Online as a **web attachment** is the 2017 legislative program. Some of the

priorities from 2017 will carry over to 2018.

Staff will present an update and a draft program to the October 25, 2017 Board meeting, then will solicit input from the Rail Policy Committee, Bicycle and Pedestrian Facilities Advisory Committee, and Technical Advisory Committee in November. Staff will also meet with partner agencies locally and statewide to discuss items for the program. This Committee will then receive an update and discuss the final draft program in January 2018, followed by adoption by the Board in January.

ATTACHMENTS:

- ▣ Khouri September Report
- ▣ Bill list as of September 25

WEB ATTACHMENTS:

- [TAMC adopted 2017 Legislative Program](#)



September 25, 2017

TO: Board Members, Transportation Agency for Monterey County

FROM: Gus Khouri, Principal
Khouri Consulting

RE: STATE LEGISLATIVE UPDATE – SEPTEMBER

On September 15, the legislature adjourned after concluding its business for the first year of the 2017-18 Session. The following is a report on the status of priority items of interest for TAMC.

Priority Legislation

AB 696 (Caballero) would allow proceeds from a prospective sale of excess parcels from the Prunedale Bypass to be retained by TAMC and used for safety enhancements, among other things, on US 101 within Monterey County. The bill is currently pending action on the Governor's desk.

Under existing law, proceeds from the sale of property are used to pay down bond debt service. Current Monterey County Supervisor and former Assembly Member Luis Alejo authored AB 2730 in 2016, but it was vetoed by the Governor because the Department of Finance (DOF) insisted on the continued use of these funds for bond debt service.

This year, we suggested the following arguments in order to compel a signature:

- Nothing outside of the bill compels the sale of the parcels, which were purchased over four decades ago and have not been put to use.
- The valuation of the property, which may yield up to \$12 million, is speculative since it is subject to market conditions. As a result, how can DOF calculate these one-time, speculative funds into their bond debt service repayment schedule?
- Highway 101 and 156 experience severe traffic given that both serve as major routes for goods movement and tourism. In fact, the Governor stated in a letter to the National Conference of Governors that both are vital infrastructure projects.
- There has been an increase in accidents resulting in injury and death, which is mainly attributable to the presence of several left-hand turn lanes that could be removed with adequate resources. Safety should take precedence over the theoretical interest that would be saved from paying down bond debt service with the sale proceeds.

- Assembly Member Caballero has cited lawsuits where Caltrans has been found liable in not addressing the condition of the roads within the County. This bill would help to protect Caltrans' exposure since they are ultimately responsible for addressing the state highway system.

Governor Brown has until October 15 to sign or veto the bill. We have been working with Caballero's office and TAMC staff to coordinate letters in support.

SB 477 (Cannella), which would have allowed a Joint Powers Authority (JPA) to expand its service area for intercity rail beyond its existing statutory-defined corridor, was held under submission in the Assembly Appropriations Committee. Unknown costs, potentially in the tens of millions, for operations and capital investments were cited by the committee and Department of Finance as reasons for not allowing the bill to progress. This appears to be subjective, however, since the bill only authorizes the expansion of a service area and expansion could not be realized unless revenue was obtained. Competitive grants programs such as the Transit Capital and Intercity Rail Program provide an opportunity. It is also inconsistent with the Governor's call for an integrated State Rail Plan. Our sense is that other political factors were at play.

We will work with the Coast Rail Coordinating Council and other regional partners in crafting a game plan for reintroduction in 2018.

Cap and Trade

On July 17, the legislature approved AB 398 (Eduardo Garcia), extending the Cap and Trade program from 2020 to 2030, and AB 617 (Cristina Garcia), which adds reporting requirements and penalties for non-compliance with Cap and Trade. The key to passage of AB 398 was making concessions to industry by ensuring price certainty for carbon credit purchases, sales tax exemptions to manufacturers for purchase of equipment, and the repeal of a fire prevention fee imposed on residents in rural areas.

On September 11, two bills, AB 134 (Assembly Committee on Budget) and SB 119 (Senate Committee on Budget and Fiscal Review), were amended for purposes of dividing up \$1.5 billion in Cap and Trade proceeds. Currently, 60% of the proceeds are continuously appropriated. The remaining 40% is subject to annual appropriation by the legislature. The following are highlights of the proposed spending bills:

- The biggest ticket item is \$900 million for new vehicles (trucks, buses, and zero emission vehicles):
 - \$250 million for Carl Moyer funding to specific regions, not including the Monterey Bay;
 - \$180 million for clean trucks and buses, of which \$35 million for zero-emission buses;
 - \$140 million to ports;
 - \$140 million for electric car rebates;
 - \$100 million for fleet modernization, replacement of school buses, and agricultural vanpools;
 - \$85 million for farm vehicles; and
 - \$5 million for environmental justice technical assistance.
- Governor Brown originally wanted \$300 million to help local regulators improve air quality in polluted neighborhoods, which was packaged with the

cap-and-trade extension passed by the Legislature in July. That part of the plan was reworked so the money flows through a clean vehicle program, an investment that supporters hope will yield quicker dividends for the same communities.

- Sustainable Agriculture would get \$300 million for investments in agriculture, including \$99 million for methane reduction and \$60 million for energy efficiency improvements at food processing facilities.
- Forest management, fire prevention and emergency response would receive \$305 million. This was one of the issues pushed by the Assembly Republicans who voted to help Democrats extend the Cap and Trade program.
- A variety of other programs would see more money under the deal, including \$18 million for weatherizing low-income homes, \$46 million for urban forestry and greening and \$15 million for restoring wetlands.

There was also an effort by both houses in soliciting members' requests for spending up to \$500 million in one-time revenues from the existing balance of Cap and Trade funds, as well as an effort to double the allocations to rail and transit. As a result, we worked with Assembly Member Anna Caballero to submit a \$10 million request to fund the Salinas Rail Extension. It is unclear at this point as to whether the members' requests will be adopted at a future date given that the legislature has completed its business for the year.

Governor Brown signed AB 134 into law on September 16.

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TAMC Bill Matrix – September

Measure	Status	Bill Summary	Position
AB 696 Caballero (D) Prunedale Bypass: Sale proceeds	9/20/17 Governor's Desk	This bill would reserve proceeds from the sale of any excess properties originally acquired by the Department of Transportation (Caltrans) for the Prunedale Bypass in Monterey County and require that the funds be used for other US 101 projects in the County. Last amended on 9/6/17	Sponsor Priority: 3S Letters sent 3/13/17, 9/11/17
AB 1113 Bloom (D) State Transit Assistance Program Disbursements	7/21/17 Signed by the Governor Chapter 86, Statutes of 2017	This bill would revise and recast the provisions governing the State Transit Assistance (STA) program by providing that only STA-eligible operators are eligible to receive an allocation from the portion of program funds based on transit operator revenues. The bill would also provide for each STA-eligible operator within the jurisdiction of the allocating local transportation agency to receive a proportional share of the revenue-based program funds based on the qualifying revenues of that operator. An urgency clause is included meaning that it would require a two-thirds vote of each house and would become effective immediately upon the Governor's signature. Last amended on 6/20/17	Support Priority: 2S Letter sent 5/31/17
AB 1218 Obernolte (R) CEQA: exemption: bicycle transportation plans	7/31/17 Signed by the Governor Chapter 149, Statutes of 2017	The California Environmental Quality Act (CEQA), until January 1, 2018, exempts from its requirements bicycle transportation plans. Until January 1, 2018, CEQA also exempts from its requirements projects consisting of restriping of streets and highways for bicycle lanes in an urbanized area that are consistent with a bicycle transportation plan under certain conditions. This bill would extend those two exemptions until January 1, 2021. Amended on 4/18/17	Support Priority: 6S Letter sent 3/27/17

TAMC Bill Matrix – September

Measure	Status	Bill Summary	Position
AB 1223 Caballero (D) Construction contract payments: Internet Web site posting	9/21/17 Enrolled to the Governor	This bill would require, within 10 days of making a construction contract payment, a state agency that maintains an Internet Web site to post on its Internet Web site the project for which the payment was made or the date the state agency notified the State Controller or other payer to make the payment, the name of the construction contractor or company paid, the date the payment was made, the payment application number or other identifying information, and the amount paid. Last amended on 9/5/17	Concerns Priority: N/A Met with author to discuss concerns
AB 1250 Jones-Sawyer (D) Counties and cities: contracts for personal services	9/11/17 Senate Floor	This bill would allow a county or city agency to contract for personal services currently or customarily performed by county employees, would require the county or city to demonstrate that the proposed contract will result in overall costs savings and show that the contract does not cause the displacement of county or city workers. Would require that the county or city conduct a cost-benefit analysis prior to entering into the contract and would require the prospective contractors to reimburse the cost of the analysis. Last amended on 9/5/17	Oppose Priority: N/A Letter sent 5/31/17
SB 5 De León California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018	9/21/17 Enrolled to the Governor	This bill proposes the Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018, subject to voter approval in the November 2018 election. The bill proposes the issuance of \$4 billion in general obligation bonds to implement its provisions. TAMC could be eligible for trails and wildlife crossing funds. Senator Monning and Assembly Members Caballero & Mark Stone are all co-authors. Last amended on 9/10/17	Support Priority: 5S Letter sent 6/28/17

TAMC Bill Matrix – September

Measure	Status	Bill Summary	Position
<p>SB 150 Allen (D)</p> <p>Regional transportation plans</p>	<p>9/15/17</p> <p>Governor's Desk</p>	<p>Existing law requires Metropolitan Planning Organizations (MPOs) to adopt a Sustainable Communities Strategy (SCS) or Alternative Planning Strategy (APS) as part of a Regional Transportation Plan (RTP), which is to be designed to achieve certain targets for 2020 and 2035 established by the ARB for the reduction of greenhouse gas (GHG) emissions.</p> <p>This bill would require the ARB by September 1, 2018, and every four years thereafter, to prepare a report assessing the progress made by each MPO in meeting regional GHG reduction targets. In addition to the data, the report would include a discussion on best practices to reduce GHGs.</p> <p>Last amended on 9/1/17 to revise co-author list.</p>	<p>Neutral: TAMC opposed the previous version, requiring a change in GHG targets</p> <p>Priority: N/A</p> <p>Joint opposition letter with Central Coast Coalition sent 6/8/17, revised letter withdrawing opposition 7/17/17</p>
<p>SB 158 Monning (D)</p> <p>Commercial driver's license: education</p>	<p>9/1/17</p> <p>Assembly Appropriations Committee</p> <p>Held in Committee</p>	<p>This bill would require the DMV, no later than February 7, 2020, to adopt regulations related to entry-level driver training requirements for drivers of commercial motor vehicles including minimum hours of behind-the-wheel training and in compliance with federal regulations. Last amended on 7/12/17</p>	<p>Support</p> <p>Priority: N/A</p> <p>Letter sent 3/27/17</p>

TAMC Bill Matrix – September

Measure	Status	Bill Summary	Position
<p>SB 477 Cannella</p> <p>Intercity rail corridors: extensions</p>	<p>9/1/17</p> <p>Assembly Appropriations Committee</p> <p>Held in Committee</p>	<p>This bill would authorize an extension of a rail corridor to provide intercity rail service beyond the defined boundaries of the corridor. It would require that the proposed extension, and intercity rail service expansion to be consistent with the State Rail Plan, and to be approved through the business plan adopted by the joint powers board and would require the joint powers board to make a determination that the extension will not jeopardize or come at the expense of existing services. Last amended 7/12/17 to add co-authors: Senator Galgiani, Assembly Members Caballero, Mark Stone and Cunningham.</p>	<p>Sponsor</p> <p>Priority: 2S</p> <p>Letters sent 4/6/17 and 8/31/17</p>
<p>SCA 6 Wiener (D)</p> <p>Local transportation measures: special taxes: voter approval</p>	<p>5/22/17</p> <p>Senate Appropriations Committee</p> <p>Held in Committee</p>	<p>The California Constitution conditions the imposition of a special tax by a city, county, or special district upon the approval of 2/3 of the voters of the city, county, or special district voting on that tax, except that certain school entities may levy an ad valorem property tax for specified purposes with the approval of 55% of the voters within the jurisdiction of these entities. This measure would require that the imposition, extension, or increase of a special tax by a local government to provide funding for transportation purposes, as specified, be submitted to the electorate and approved by 55% of the voters voting on the proposition. The measure would also make conforming and technical, non-substantive changes. The California Constitution provides that a proposed amendment of the constitution, upon submission to, and approval by, the voters takes effect the day after the election unless the measure provides otherwise. This measure would provide that the amendments of the constitution in this measure shall take effect on the date of the election. Last amended on 5/1/17</p>	<p>Support</p> <p>Priority: N/A</p> <p>Letter sent 3/27/17</p>



Memorandum

To: Executive Committee
From: Michael Zeller, Principal Transportation Planner
Meeting Date: October 4, 2017
Subject: **Integrated Funding Plan for Priority Projects**

RECOMMENDED ACTION:

RECEIVE and **PROVIDE COMMENTS** on the preliminary draft integrated five-year funding plan for priority regional transportation projects.

SUMMARY:

Agency staff has conducted an initial review of available fund sources over the next five years and developed a strategy proposal for funding and delivering the priority projects. Funding sources include: Measure X sales tax revenues, regional and Fort Ord Reuse Authority development fees, State Transportation Improvement Program funds, SB 1 competitive funds, and Local Partnership Program formula funds.

FINANCIAL IMPACT:

The two primary sources for the funding plan come from Measure X and the State Transportation Improvement Program. Measure X is estimated to generate \$600 million over the 30-year life of the program, with an estimated \$8 million dedicated to regional projects annually. The Agency's 2018 State Transportation Improvement Program fund estimate is \$30.9 million for the five-year fund period. To expedite project delivery, the preliminary draft funding plan assumes debt financing against the regional portion of Measure X.

DISCUSSION:

With the passage of Measure X and Senate Bill 1 (which provides additional funding to the State Transportation Improvement Program), Transportation Agency for Monterey County staff have prepared a five-year integrated funding plan to identify available sources of funding and delivery schedules for priority projects. The purpose of the plan is to ensure that the Agency is coordinating the programming of various funding sources in the most efficient manner as well as identifying and pursuing available sources of matching funds for Measure X and State Transportation Improvement

Program funds.

The projects selected for the funding plan are primarily comprised of those from the regional portion of Measure X, with the addition of the Salinas Rail Extension project. The goals in programming funding to each of these projects was three-fold:

- First, to fund projects that are ready or near-ready for construction, such as the Imjin Road Widening project;
- Second, to advance projects as expeditiously as possible through the pre-construction process to make them eligible candidates for matching funds, such as the Scenic Highway 68 Corridor; and
- Third, to maximize the use of matching funds to deliver projects as early in the Measure X program as possible.

The following funding sources were considered as part of the draft five-year integrated funding plan:

Measure X: The regional portion of Measure X is estimated to delivery \$8 million annually in new funding to Monterey County. To advance projects as early in the program as possible and reduce the risk of rising construction costs from delaying projects to later years, staff is proposing to bond against this portion of Measure X. Staff is coordinating with KNN Public Finance on the bonding analysis, with an initial draft proposal of two tranches of bonds.

State Transportation Improvement Program: The passage of Senate Bill 1 provided a new infusion of funding for the State Transportation Improvement Program and a payback of funds that were removed from the County in the 2016 program due to declining gas tax revenues. The fund estimate for Monterey County for the 2018 program is \$30.9 million. This also includes funding from a new program called Advance Project Development Element (APDE), which provides funding for the environmental and design phases of projects. Agency's are allowed to program APDE to eligible projects, which comes as an advance in funding from the 2020 State Transportation Improvement Program. Any unused APDE funds in the 2018 program are credited back to the 2020 program.

Inter-Regional Transportation Improvement Program: The Inter-Regional portion of the State Transportation Improvement Program is managed by Caltrans. The Transportation Agency has been coordinating with Caltrans to program this fund source to the US 101 South County Improvements project. While there is currently no capacity for new projects in the 2018 Inter-Regional program, Caltrans has advised the Agency to submit a \$5 million request for funding coordinated with Caltrans District 5 in the 2020 program.

State Highway Operation and Protection Program (SHOPP): The State Highway Operation and Protection Program is the State's "fix-it-first" program that funds the repair and preservation of the State Highway System, safety improvements, and some highway operational improvements. Caltrans manages the programming of SHOPP funds, and Senate Bill 1 adds about \$1.9 billion per year to the SHOPP program. The Transportation Agency is coordinating with Caltrans to provide funding for the Highway 156 project through this program.

Regional Surface Transportation Program / Transportation Development Act 2%: This source of funding comes to the Agency from the State in annual amounts estimated at \$4.4 million for the Regional Surface Transportation Program (RSTP) and \$250,000 for the Transportation Development Act 2% (TDA 2%). The Agency's adopted guidelines for the RSTP program sets aside 10% of the funding for the Agency's reserve, which can be used on a variety of road, bicycle, and pedestrian transportation projects.

Developer Fees: Both the Transportation Agency and the Fort Ord Reuse Authority have development impact fee programs that contribute fee revenues towards regional priority projects. The fees are collected from new development when building permits are pulled based on the number of new vehicle trips the development will generate, serving as the development's mitigation for transportation impacts.

Federal Matching Funds: The Federal Lands Access Program grant provides funding for projects that increase access to federal lands, including trails. During the last grant cycle, the Transportation Agency was unsuccessful in receiving a \$5.8 million grant request for the Fort Ord Regional Trail and Greenway project. The Transportation Agency could seek to reapply to this program during the next grant cycle in 2019, using Measure X funds as match for the grant funds.

State Matching Funds: Senate Bill 1 creates several new grant programs that priority projects in Monterey County could be eligible candidates:

- State-Local Partnership Program (SLPP): Funding from this program, \$200 million per year, is for counties that have received voter approval of taxes or that have imposed fees, including development impact fees. Funds are appropriated "for allocation to each eligible county and city in the county for road maintenance and rehabilitation purposes." The California Transportation Commission is proposing to adopt a 50/50 split between competitive grants and formula-based shares. Currently, it is uncertain how much revenue the Transportation Agency would receive from its formula share due to Measure X, given that there are now 24 self-help counties and many other counties with developer fees. However, the Agency could potentially seek funding from this program for the State Route 156 and/or the Highway 68 Corridor projects.
- Solutions for Congested Corridors: Senate Bill 1 creates this new \$250 million per year program beginning in fiscal year 2017/18. Funds will be allocated by the California Transportation Commission to projects designed to achieve a balanced set of transportation, environmental, and community access improvements within highly congested travel corridors. Project elements may include improvements to state highways, local streets and roads, transit facilities, bike/ped facilities, and protection of local habitat or open space. Projects may be nominated by the state or regional or county transportation agencies. To qualify for funding a project must be included in a "comprehensive corridor plan designed to reduce congestion in highly traveled corridors by providing more transportation choices for residents, commuters and visitors to the area of the corridor while preserving the character of the local community and creating opportunities for neighborhood enhancement projects." The Transportation Agency could potentially seek funding for the State Route 68, State Route 156, or US 101 corridors from this program.

- Trade Corridor Enhancement Account: Senate Bill 1 creates this new \$300 million per year account to fund corridor-based freight projects nominated by local agencies and the state. The fiscal year 2017/18 budget allocates \$199.8 million to the program. The Transportation Agency could potentially seek funding for the State Route 156 project, and/or projects along the US 101 corridor.
- Transit & Intercity Rail Program: This competitive program (\$1.5 billion to \$2 billion over five years) is to fund a small number of transformative projects that improve the statewide network and reduce greenhouse gas emissions. The primary evaluation criteria are emissions reduction, ridership growth, achievement of integrated service, and safety benefit. Awards will be made in early spring 2018.
- State Transit Assistance: Senate Bill 1 directs approximately \$105 million annually for state-of-good-repair investments. The fiscal year 2017/18 budget allocates \$280 million to the program. Revenue is allocated according to the State Transit Assistance formula based on population and transit agency revenue. Upon certification of project eligibility, funds will be allocated quarterly by the Controller, starting in early 2018.
- Commuter Rail and Intercity Rail funding: Senate Bill 1 directs a 0.5% portion of new diesel sales tax revenue for allocation: half to the five commuter rail providers and half to the three intercity rail corridors. The average annual total statewide annual allocation will be approximately \$4.4 million. Revenue is allocated to intercity rail corridors such that each existing corridor receives at least 25% of the intercity rail share. The Transportation Agency is working with CalSTA regarding the remaining 25% share that is expected to go to emerging corridors, such as the Salinas Rail Extension and Coast Passenger Rail. The fiscal year 2017/18 budget allocates \$25 million to the program.

At the September Board of Directors meeting, Agency staff will receive guidance from the Board on the list of projects and priorities. Agency staff will then review and receive comments on the draft five-year funding plan during the Technical Advisory and Executive Committees before bringing the proposal forward to the Board of Directors for review and comment at the October meeting. At the December Board meeting, Agency staff will bring the finalized proposal forward as the Regional Transportation Improvement Program, which is the document the Agency is required to submit for State Transportation Improvement Program funds, and the Measure X Strategic Expenditure Plan, with is a requirement of the Transportation Safety and Investment Plan Ordinance.



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

Memorandum

To: Executive Committee
From: Debra L. Hale, Executive Director
Meeting Date: October 4, 2017
Subject: **Addition of California State University, Monterey Bay Ex Officio Board Member**

RECOMMENDED ACTION:

CONSIDER adding a representative from California State University at Monterey Bay as a non-voting, ex officio member of the Transportation Agency for Monterey County's Board of Directors.

SUMMARY:

The Agency has received the attached request from President Eduardo Ochoa of California State University at Monterey Bay to serve as an ex officio member of the Transportation Agency Board of Directors. Currently, the Transportation Agency has six ex officio members: Association of Monterey Bay Area Governments, Caltrans District 5, Monterey Bay Air Resources District, Monterey Regional Airport, Monterey-Salinas Transit, and the City of Watsonville. To make this change would require amendment of the Agency's bylaws, which requires one meeting for notice and a second meeting for adoption.

FINANCIAL IMPACT:

Adding a seventh ex officio board member would have a minor cost impact in terms of additional materials and documentation. Changing the voting status of an ex officio member or members would be a costly and time-consuming process.

DISCUSSION:

In the attached email, CSUMB President Eduardo Ochoa requests an appointment to the Transportation Agency Board of Directors as a voting ex officio member. Staff has informed President Ochoa that adding an ex officio member would require amendment of the Transportation Agency bylaws (attached) and has been done before in the past, when the Agency added the City of Watsonville.

However, changing the voting status of one or more ex officio members would require state legislation to amend the Agency's authorizing statute (attached) and is likely to be controversial. Such a change could raise a question regarding the potential for adding other new voting ex officio members, as well voting status of the existing six ex officio members.

Staff recommends that the Executive Committee consider adding Cal State University, Monterey Bay as a traditional (i.e. non-voting) ex officio member of the TAMC Board of Directors. The recent interviews of Transportation Agency Board Members indicate their perception that their Board has operated effectively within its current structure.

ATTACHMENTS:

- Email from Eduardo Ochoa re: Ex Officio Membership
- TAMC Authorizing Statute
- TAMC Bylaws Excerpt re: Ex Officio Membership

From: Eduardo Ochoa [<mailto:emochoa@csumb.edu>]
Sent: Wednesday, September 20, 2017 9:16 AM
To: Debbie Hale <debbie@tamcmonterey.org>
Cc: Ralph Rubio <rrubio@ci.seaside.ca.us>; Andre Lewis <alewis@csumb.edu>
Subject: Re: CSUMB Ex Officio Membership on TAMC

Ms. Hale,

Thank you for your message. As a state university with a mission that includes service to our region, we would indeed be interested in an *ex officio* seat on the board of TAMC. I also want to point out that, unlike a common misconception, an *ex officio* membership in any governance body does not necessarily imply that the position is a non-voting position; it only means that the position is associated with the office, not the individual. Accordingly, and given the important regional role played by our university, I respectfully request that the board consider making CSUMB's *ex officio* membership a voting position.

Best regards,

Eduardo M. Ochoa
President



California State University
MONTEREY BAY
Extraordinary Opportunity

Seaside, CA 93955
<https://csumb.edu>

On Mon, Sep 11, 2017 at 9:15 AM, Debbie Hale <debbie@tamcmonterey.org> wrote:

President Ochoa,
Ralph Rubio mentioned after the FORA Board meeting the notion of having CSUMB serve as an *ex officio* member of the TAMC Board of Directors. We currently have 6 *ex officio* members (Caltrans, Air District, Airport, MST, AMBAG and City of Watsonville). To add a new *ex officio* Board Member would require an amendment to our bylaws, which is a two-month process. If you are interested, I would suggest we take the proposal to our Executive Committee and see what their response is.

If you would like to make this request, could you send me a letter to that effect? We would need it by the end of next week in order to be considered for the October 4 Exec Committee meeting - that will give you a little time to consider whether or not this is something you'd like to devote the University's time to. If you need more time, it could also be considered at the November Executive Committee meeting.

All the best,

Debbie Hale
Executive Director
Transportation Agency for Monterey County
55B Plaza Circle, Salinas, CA. 93901
Office: [\(831\) 775-4410](tel:(831)775-4410)
Cell: [\(831\) 596-4542](tel:(831)596-4542)

California Statutes, Government Code:

TITLE 7.89. TRANSPORTATION AGENCY OF MONTEREY COUNTY [67930 - 67931]

(Heading of Title 7.89 renumbered from Title 7.93 by Stats. 1996, Ch. 124, Sec. 47.)

67930.

(a) The Transportation Agency of Monterey County is hereby created, as a local area agency and not as a part of the executive branch of the state government, to provide regional transportation planning and development for the area of Monterey County. The agency may be known by any other name it chooses.

(b) The governing body shall be composed of the members of the county board of supervisors and one member appointed by the city council of each incorporated city in the county. A member of the board of supervisors and a city council appointing a member may each designate up to two alternate members to act in the place of the regular member.

(Added by Stats. 1994, Ch. 1103, Sec. 7. Effective January 1, 1995.)

67931.

(a) The agency is the legal successor to the Monterey County Transportation Commission for all purposes, including those set forth in Part 11.5 (commencing with Section 99600) of Division 10 of the Public Utilities Code, and particularly Section 99638.

(b) The agency has all of the powers expressed or implied, necessary to carry out the intent of that Part 1.5, including the power of eminent domain and the power to preserve, acquire, construct, or improve any of the following:

- (1) Rights-of-way for rail purposes.
- (2) Rail terminals and stations.
- (3) Rolling stock, including locomotives, passenger cars, and related rail equipment and facilities.
- (4) Grade separation and other improvements along rail rights-of-way for rail purposes.
- (5) Rail maintenance facilities.
- (6) Other capital facilities deemed necessary for a rail service, including soundwalls.

(c) The agency may contract for the operation of rail service in Monterey County and for connections with rail service in adjacent and neighboring counties and cities.

(Amended by Stats. 1995, Ch. 91, Sec. 58. Effective January 1, 1996.)

**TRANSPORTATION AGENCY FOR MONTEREY COUNTY
BYLAWS**

01. These Bylaws are intended to supplement California Government Code Title 3, Division 3, Chapter 2, and the Public Utilities Code Division 10, Part 11, referencing the Transportation Development Act passed in 1972, and as amended.
02. These Bylaws outline the basic organization and the administration procedures used by the Transportation Agency for Monterey County, successor agency to the Monterey County Transportation Commission, when serving as the Local Transportation Commission, the Regional Transportation Planning Agency, and the Service Authority for Freeways and Expressways. When serving as the Local Transportation Commission, the Regional Transportation Planning Agency, and the Service Authority for Freeways and Expressways, the Transportation Agency for Monterey County is referred to as the "AGENCY."
03. **FUNCTIONS OF THE AGENCY WHEN SERVING AS THE LOCAL TRANSPORTATION COMMISSION AND AS THE REGIONAL TRANSPORTATION PLANNING AGENCY**
 - 3.1. As the Local Transportation Commission, administer the provisions of the Transportation Development Act in allocating Local Transportation Funds and State Transit Assistance Funds to the cities, County, and transit operators.
 - 3.2 As the state designated Regional Transportation Planning Agency, perform transportation planning activities for the County and Cities of Monterey County.
04. **FUNCTIONS OF THE AGENCY WHEN SERVING AS THE MONTEREY COUNTY SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS**
 - 4.1 The AGENCY shall enact a motorist aid program having the primary function of installing and monitoring roadside call boxes.
 - 4.2 This program shall be performed in accordance with Sections 2550 et seq. of the California Streets and Highways Code.
 - 4.3 The AGENCY has been designated as the Monterey County Service Authority for Freeways and Expressways by resolutions of the Monterey County Board of Supervisors and a majority of the Cities containing a majority of the incorporated population as required under Streets and Highways Code Section 2551. The program shall be developed in consultation with and with the cooperation of Caltrans and the California Highway Patrol.

05. ORGANIZATION

- 5.1 **MEMBERSHIP:** The AGENCY shall be composed of each of the five members of the Monterey County Board of Supervisors, or his or her individually designated alternate, and one member appointed from each incorporated city within Monterey County or his or her designated alternate.

- 5.2 **EX-OFFICIO MEMBERSHIP:** The purpose of ex-officio membership is to permit the ex-officio member(s) to participate in AGENCY discussion before and after a matter is allowed for discussion by the public. Ex-officio members shall have no vote on matters brought before the AGENCY. Ex-officio membership is not intended to evolve into full voting membership.
 - 5.2.1 The Association of Monterey Bay Area Governments, Caltrans, the Monterey Bay Unified Air Pollution Control District, Monterey Peninsula Airport District, Monterey-Salinas Transit and City of Watsonville may appoint one member each to the AGENCY to serve as ex-officio members. Ex-officio members may be added or deleted by amending the Bylaws. Additional ex-officio members shall be limited to public agencies only. This restriction to public agencies does not affect the permanent ex-officio members described in this paragraph. As used here, “public agency” means the State of California or any department or agency thereof, a county, city, public corporation, municipal corporation or public district.

- 5.3 **ALTERNATE MEMBERS:** Each appointing authority, for the regular member it appoints, may appoint up to two alternate members to serve in place of the regular member when the regular member is absent or disqualified from participating in the meeting of the AGENCY. Alternate members will have the same rights, responsibilities and privileges as regular members, except that they may not serve as officers of the AGENCY.

- 5.4 **APPOINTMENT:** City members, city alternate members, and ex-officio members, must all be appointed by the appropriate appointing authority from the affected jurisdiction. A letter signed by the City Manager or Mayor, minute action and/or a resolution making that appointment must be presented to the Executive Director before that member may participate in the AGENCY meetings. The Chair of the Board of Supervisors shall notify the AGENCY by letter to the Executive Director of the Board’s alternates.

.....end of excerpt.....