

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: Robert Huitt (Chair),
Luis Alejo (1st Vice Chair), Ed Smith (2nd Vice Chair),
John Phillips (Past Chair),
Mary Adams (County representative), Michael LeBarre (City representative)*

Wednesday, June 5, 2019

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

Transportation Agency Conference Room
55-B Plaza Circle, Salinas

EXECUTIVE COMMITTEE	JUN 18	AUG 18	SEPT 18	OCT 18	NOV 18	JAN 19	FEB 19	MAR 19	APR 19	MAY 19	JUN 19
Luis Alejo, 1st Vice Chair Supr. Dist. 1 (L. Gonzales; J. Gomez)	P(A)	P	P	P(A)	P(A)	P(A)	P	P(A)	P	P(A)	P
Michael LeBarre, City Representative King City (C. DeLeon)	P	P	P	E	P	P	P	P	P	P	P
Robert Huitt, Chair Pacific Grove (D. Gho)	P(A)	P	P	P	P	P	P	P	P	P	P
John Phillips, Past Chair Supr. Dist. 2 (J. Stratton)	P	P(A)	P	P	P	P	P	P(A)	P	P	P
Mary Adams, County Representative Supr. Dist. 5 (Y. Anderson)	P	P(A)	P	P	P		P	P(A)	P(A)	P	P
Ed Smith, 2nd Vice Chair Monterey (A. Renny)	E	P	P	P	E	P	E	P	P	P	E

- 1. CALL TO ORDER:** Chair Huitt called the meeting to order at 9:00 a.m. Roll call was taken, and a quorum was confirmed.

Staff present: Muck, Goel, Rodriguez and Watson

Others present: Agency Counsel Kay Reimann; Bill Sabo, Monterey Airport District;
Colleen Courtney, Senator Monning's Office, and Gus Khouri, TAMC's Legislative
Consultant (via phone)

- 2. PUBLIC COMMENTS:** None.

3. CONSENT AGENDA:

- 3.1** On a motion by Committee Member Alejo and seconded by Committee Member Phillips, the committee voted 5-0 to approve the minutes from the Executive Committee meeting of May 1, 2019.
- 3.2** Committee Member Adams pulled this item for discussion. She recommended that staff add to the “process of evaluation” that the Chair of the Board of Directors will discuss the results of the final evaluation with the Executive Director and counsel; and add that the goals and accomplishments will be sent to the Board with the evaluation forms.

On a motion by Committee Member Alejo and seconded by Committee Member Adams, the committee voted 5-0 to recommended that the Board of Directors approve the evaluation form, procedure, and timeline for completing the annual evaluation for Executive Director and Counsel with the following additions to the “process of evaluation”: 1) that the Chair of the Board of Directors will discuss the results of the final evaluation with the Executive Director and counsel; and 2) that the goals and accomplishments will be sent to the Board with the evaluation forms.

END OF CONSENT

4. STATE LEGISLATIVE UPDATE

On a motion by Committee Member Alejo and seconded by Committee Member LeBarre, the committee voted 5-0 to recommend that the Board adopt positions on legislation.

Gus Khouri, TAMC’s legislative consultant, gave a report on the Governor’s May Revise budget. The May Revise includes an additional \$3.2 billion in revenue that are constitutionally obligated to reserves, debt payment and schools. The Governor retains his proposal that the state would withhold SB 1 funding from jurisdictions that fail to produce affordable housing. Mr. Khouri highlighted the status of bills that TAMC took positions on, and especially SB 628 (Caballero), which will return funds from the sale of properties acquired for the Prunedale Bypass to Monterey County for priority highway projects.

5. FORA TRANSITION AGREEMENT NEGOTIATING PRINCIPLES

The Committee received a presentation on the status of the FORA transition planning process; and provided feedback on negotiating principles with FORA on a Transition Implementation Agreement.

Todd Muck, Deputy Executive Director, reported that with the Fort Ord Reuse Authority sunseting in June 2020 under current law, or in June 2022 if SB 189 (Monning) passes, FORA staff is preparing agreements to implement a transition plan. Currently, the

Regional Development Impact Fee program is identified as a successor to addressing regional transportation mitigation for new development within the FORA area.

Committee Member Alejo requested that staff add SB 189 (Monning) to the state bill matrix and ask legislative consultant Khouri to discuss the issue with the Senator's office.

Committee Member Adams requested information on development projects that have already been permitted vs. projects in the pipeline within the FORA area.

6. NAPOLITANO LEGISLATION REGARDING AVIATION FUEL SALES TAX

On a motion by Committee Member Phillips and seconded by Committee Member Alejo, the committee voted 4-1 to recommend to the Board support federal legislation regarding a Federal Aviation Administration rulemaking on aviation fuel sales tax. Committee Member LeBarre commented that he will not support the legislation, noting the King City airport relies on the tax revenue.

Christina Watson, Principal Transportation Planner, reported the Federal Aviation (FAA) adopted a rulemaking in 2014 that reinterpreted federal law on aviation fuel sales taxes, and that Representative Grace Napolitano introduced legislation that would reverse that rulemaking.

Bill Sabo, speaking as a member of the public, encouraged the Executive Committee to oppose this federal legislation or at least take a neutral stance. Mr. Sabo stated that airports and aviation is a transportation mode, the airport depends on the tax revenues generated on site that come back to the airport as grants or loans, and that the impact on Measure X revenues are likely to be minimal as the Monterey Airport does not sell a lot of jet fuel.

Todd Muck, Deputy Executive Director, noted that the reason staff recommends supporting the legislation has to do with the principle of following through on the promise made to voters when they approved the Measure X project list, and if airports or other groups were allowed to divert the sales taxes for other purposes, it would inhibit TAMC's ability to deliver on that promise.

Chair Huitt commented that TAMC needs to stand firmly by the principle of defending Measure X and the project list.

Committee Member Phillips noted that the reason voters passed the Measure was due to the firm commitment behind the project list to deliver the projects.

7. POLICY FOR REVIEWING UNSOLICITED PROPOSALS

The Committee discussed and recommended that the draft Policy for Reviewing Unsolicited Proposals be revised and brought back to the Committee in August.

Christina Watson, Principal Transportation Planner, reported that TAMC follows state and federal procurement rules. An unsolicited proposal is a written proposal that is submitted to TAMC on the initiative of the submitter for the purpose of developing a business partnership that is not in response to a formal or informal request issued by TAMC. Staff developed the draft Policy for Reviewing Unsolicited Proposals to ensure a consistent response to such proposals and to reduce the amount of staff and Agency Counsel time spent reviewing each individual proposal as it is received.

Committee Member Phillips expressed concern about the complexity of the draft policy and asked that staff simplify the policy for further discussion at the Executive Committee meeting in August.

Committee Member LeBarre asked that staff add a step by which Phase I conceptual proposals would come to the Executive Committee for consideration.

8. TAMC DRAFT AGENDA FOR JUNE 26, 2019

Deputy Executive Director Muck reviewed the draft regular and consent agenda for the TAMC Board meeting of June 26, 2019. After Executive Committee discussion, the following items will be considered on the regular agenda:

- Receive presentations and approve the Canyon Del Rey (SR 218) corridor study and Pajaro to Prunedale G12 corridor study;
- Support House Resolution 2939, the State and Local General Sales Tax Protection Act, federal legislation regarding Federal Aviation Administration fuel sales tax.

On the consent agenda, the Board will:

- Approve evaluation form, procedure, and timeline for completing annual evaluation for Executive Director and Counsel;
- Authorize the use of \$28,020 per year for the extended term of the Agreement in funds budgeted for three additional years with Oppidea LLC;
- Accept State of California Transportation Development Act Audit Reports for fiscal year ending June 30, 2018; and
- Receive the draft 2019 Public Participation Plan; and
- Receive update on state legislative activities and adopt positions on legislation.

9. ANNOUNCEMENTS

None this month.

10. ADJOURNMENT

Chair Huitt adjourned the meeting at 10:56 a.m.