

TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC)

SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS

MONTEREY COUNTY REGIONAL DEVELOPMENT IMPACT FEE

JOINT POWERS AGENCY

DRAFT MINUTES OF APRIL 22, 2020 TAMC BOARD MEETING

Via Zoom Meeting Video/Audio Conference Call

TAMC BOARD MEMBERS	MAY 19	JUN 19	AUG 19	SEP 19	OCT 19	DEC 19	JAN 20	FEB 20	MAR 20	APR 20
L. Alejo, Supr. Dist. 1, Chair (L. Gonzales; J. Gomez)	P(A)	P(A)	P	P	P(A)	P(A)	P(A)	P(A)	P	P
J. Phillips, Supr. Dist. 2, (J. Stratton)	P(A)	P	P	P	P	P	P	P	P(A)	P
C. Lopez, Supr. Dist. 3 County Rep (P. Barba)	P	P	P	P(A)	P	P(A)	P	P	P	P
J. Parker, Supr. Dist. 4 (W. Askew)	P	P	P	P	P	P(A)	P	P(A)	P	P
M. Adams, Supr. Dist 5 2nd Vice Chair (Y. Anderson)	P	P(A)	P	P	P	P(A)	P	P(A)	P	P
D. Potter, Carmel-by-the-Sea (J. Baron)	P	P	P	P	P	P	P	E	P	P
A. Kerr, Del Rey Oaks (P. Lintell)	P	P	P	P	P	P	P(A)	P	P	P
M. Orozco, Gonzales (L. Worthy)	P	P	P	P	P	P(A)	P	P	P	P
A. Untalon, Greenfield (A. Tipton)	P	P	P	P	P	E	P	E	P	P
M. LeBarre, King City, City Representative (C. DeLeon)	E	P	P	P	P	-	P	P	P	P
B. Delgado, Marina (F. O'Connell)	P	P	P	P	P(A)	-	P	P(A)	P	P
E. Smith, Monterey, 1st Vice Chair (A. Renny)	E	P	P	P	P	P	P	P	P	P
R. Huitt, Pacific Grove, Past Chair (N. Smith , D. Gho)	P	P	P	P	P	P	P	P	P	P
S. Davis, Salinas (C. Cromeenes , J. Gunter)	P(A)	P	P(A)	P	P	-	P	-	P	P
Gregory Hawthorne, Sand City (J. Blackwelder)	P	P(A)	P	-	P	P(A)	P	-	-	-
I. Oglesby, Seaside (D. Pacheco)	P	P	P	-	-	-	P	P	P	P
A. Chavez, Soledad (F. Ledesma)	P	P	E	P	P	P	P	E	P	P
M. Twomey, AMBAG (H. Adamson; B. Patel , S. Vienna)	P(A)	P(A)	P(A)	P(A)	P	-	P	P	P(A)	P
T. Gubbins, Caltrans, Dist. 5 (A. Loe, O. Monroy Ochoa , J. Olejnik , K. McClendon)	P(A)	P(A)	P(A)	P(A)	P(A)	P(A)	P(A)	P	P(A)	P(A)

R. Stedman, Monterey Bay Air Resources District (A. Romero, D. Frisbey, A. Clymo)	P(A)	P	P	-	P(A)	-	P	P(A)	P	P
B. Sabo, Monterey Regional Airport District	P	P	P	P	-	P	P	P	P	P
C. Sedoryk, Monterey-Salinas Transit (L. Rheinheimer – Michelle Overmeyer)	-	P	P	P	P	P(A)	P(A)	P	P	P
T. Coffman-Gomez, Watsonville (L. Hurst)	P	-	P	E	P	E	P	-	-	P
E. Ochoa, CSUMB (A. Lewis, L. Samuels)	-	P(A)	P(A)	-	-	-	P	-	-	-

TAMC STAFF	MAY 19	JUN 19	AUG 19	SEP 19	OCT 19	DEC 19	JAN 20	FEB 20	MAR 20	APR 20
S. Castillo, Transportation Planner	P	P	P	P	P	P	P	P	P	P
D. Delfino, Finance Officer/Analyst	P	P	P	P	P	P	P	P	P	P
R. Deal, Principal Engineer	P	P	P	P	P	P	P	P	P	P
R. Goel, Dir. Finance & Administration	P	P	P	E	P	P	P	P	P	P
A. Green, Sr. Transportation Planner	E	P	P	P	P	P	P	P	P	P
D. Hale, Executive Director	P	P	P	P	P	P	P	P	P	P
M. Jacobsen, Transportation Planner			P	P	P	P	P	P	P	P
M. Montiel, Administrative Assistant	P	P	P	P	P	P	P	P	P	P
T. Muck, Deputy Executive Director	P	P	P	P	P	P	P	P	P	P
K. Reimann, Legal Counsel	P	P	P	P	P	P	P	P	P	P
E. Rodriguez, Clerk of the Board/ Senior Administrative Assistant	P	P	E	P	P	P	E	P	P	P
L. Terry, Accountant Assistant	E	E	E	E	E	P	E	E	P	P
C. Watson, Principal Trans. Planner	P	E	P	P	P	P	P	P	P	P
L. Williamson, Senior Trans. Engineer	P	P	P	P	P	P	P	P	P	P
T. Wright, Community Outreach	P	P	P	P	P	P	P	P	P	P
M. Zeller, Principal Trans. Planner	P	E	P	P	P	P	P	P	P	P

OTHERS PRESENT

Kevin Dayton Measure X Oversight Comm.
Yuri Anderson District 5 alternate

1. CALL TO ORDER

Chair Alejo called the meeting to order at 9:00 a.m. Maria Montiel, Administrative Assistant confirmed a quorum was established. Board Chair Alejo led the pledge of allegiance.

2. PUBLIC COMMENTS

None this month.

3. CONSENT AGENDA**M/S/C**

Huitt/Parker/unanimous

Delgado and Kerr arrived after the Consent agenda was approved.

Director Hale noted that the agreement in item 3.3.2 was updated online on Friday due to late-breaking information from the Fort Ord Reuse Authority, including correcting TAMC's share of the building removal bond to 7% and making minor wording changes.

The Board approved the consent agenda as follows:

ADMINISTRATION and BUDGET

- 3.1.1** Approved minutes of the Transportation Agency for Monterey County, the Service Authority for Freeways and Expressways, and the Monterey County Regional Development Impact Fee Joint Powers Agency for Monterey County meeting of March 25, 2020.
- 3.1.2** Accepted the list of checks written for March 2020 and credit card statement for the month of February 2020.
- 3.1.3** Received list of contracts awarded under \$50,000.
- 3.1.4** Regarding Monterey Branch Line Lease Agreement:
 - 1. Approved Settlement Agreement with 5GO LLC and Peter E. Blackstock for back due rent;
 - 2. Approved Lease with SFT Real Estate LLC; and
 - 3. Authorized the Executive Director to sign the settlement agreement and new lease.

BICYCLE, PEDESTRIAN, TRANSIT and SOCIAL SERVICES

No items this month.

PLANNING

- 3.3.1** Received update on state legislative activities and adopted positions on legislation.
- 3.3.2** Approved Resolution 2020-05 authorizing the Executive Director to execute an agreement with the Fort Ord Reuse Authority and the City of Marina for the Transportation Agency to receive bond proceeds for the removal of Agency-owned buildings on the former Fort Ord.

PROJECT DELIVERY and PROGRAMMING

- 3.4.1** Approved the 2020 Transportation Agency Master State and Federal Funding Agreement for release to local agencies, pending Counsel approval.

3.4.2 Regarding Call Box Maintenance and Improvements Request for Proposals:

1. Approved the scope of work for the request for proposals for call box maintenance and improvements, subject to counsel approval;
2. Authorized staff to publish the request for proposals and return to the Board of Directors with a recommendation for approval of a consultant, including the final scope of work;
3. Approved the use of Service Authority for Freeways and Expressways funds for call box maintenance and improvements; and
4. Authorized the Executive Director to take such further actions as may be necessary to fulfill the intent of the program, including modifications that do not significantly alter the scope of work.

RAIL PROGRAM**3.5.1** Regarding Salinas Rail Project - HDR Engineering Contract Amendment #7:

1. Approved and Authorized the Executive Director to execute contract amendment #7 with HDR Engineering Inc., subject to approval by Agency Counsel, to reallocate the existing budget without exceeding the previously approved budget for design of Package 1 at the Salinas train station;
2. Authorized the use of state funds budgeted to this project; and
3. Authorized the Executive Director to take such other further actions as may be necessary to fulfill the intent of the contract, including approvals of future modifications or amendments that do not significantly alter the scope of work, or change the approved contract term or amount.

REGIONAL DEVELOPMENT IMPACT FEE

No items this month.

COMMITTEE MINUTES**3.7.1** Accept draft minutes from Transportation Agency committees:

- Executive Committee –draft minutes of April 1, 2020
- Rail Policy Committee – No meeting
- Bicycle and Pedestrian Committee – No meeting
- Technical Advisory Committee – No meeting
- Excellent Transportation Oversight Committee (xTOC) – draft minutes of February 18, 2020

3.7.2 Received Transportation Agency for Monterey County correspondence for April 2020.

4. **MEASURE X SECOND YEAR AUDIT RESULTS**

The Board received presentation on the Measure X Second Year Audit results and Annual Report.
M/S/C Scott/Adams/unanimous

Theresa Wright, Community Outreach Coordinator, reported that one of the responsibilities of the Measure X Citizen Oversight Committee is to conduct independent audits of the revenues and expenditure of Measure X funds and to prepare & present annual reports regarding the administration of the program. The audit subcommittee of the Measure X Citizens Oversight Committee conducted the second-year audit, prepared the annual report and will present their findings to the Board of Directors.

Kevin Dayton, immediate past Chair of the Measure X Citizens Oversight Committee noted that the Audit Subcommittee conducted audits of the revenues and expenditure of Measure X funds earlier this year and prepared an annual report regarding the administration of the program.

The audit results revealed that most jurisdictions were in compliance. The three exceptions were the Cities of Greenfield, Pacific Grove and Salinas. The City of Greenfield missed the December 31, 2019 deadline for submitting all the required documents by two months. The City of Pacific Grove had unanticipated project delays, which resulted in the city not making enough project expenditures to count towards their Maintenance of Effort requirement. The City of Salinas spent Measure X funds on a project that was determined to be ineligible. The Cities of Pacific Grove and Salinas have repaid the funds to their Measure X accounts from non-Measure X sources as remediation and are currently in compliance.

Mr. Dayton stressed that the Oversight Committee's goal is to have full compliance from the jurisdictions. He reminded the Board that it took five attempts to pass the sales tax measure. He also stated that the Oversight Committee was committed to making sure that residents would never have cause to say Measure X funds were used inappropriately.

The results of the Measure X Second Year Audit and the Measure X Annual Report are included in the Transportation Agency's 2019 Annual Report. The TAMC Annual Report will be mailed to Monterey County residents and posted on the TAMC website.

Board member and Greenfield City Councilmember Angela Untalon apologized that the City of Greenfield was late in submitting its Measure X documentation but noted that they have been short-staffed. Board member Davis asked what the rules say will happen to non-compliant member jurisdictions. Agency Counsel Reimann replied that the ordinance specifies that non-compliant jurisdictions can have their funds withheld until they meet the requirements, but there is essentially a grace period between the December 31 due date and the February quarterly distribution of funds. She also noted that at the request of the Citizens Oversight Committee TAMC staff to looking at alternatives to encourage full, timely compliance.

5. **THE IMPACT OF COVID-19 ON AGENCY ACTIVITIES AND FINANCES**

The Board received presentation on Agency activities related to shelter-in-place orders to contain COVID-19 transmission and estimated impacts to Measure X revenue.

Todd Muck, Deputy Executive Director, reported that Agency staff has been largely working remotely on Agency projects and programs since March 16, 2020, with a focus on coordinating with local and state partners to limit delays to regional infrastructure projects.

The primary impacts of the shelter-in-place order on the Agency and its projects/programs are:

- While Measure X monies are forecast to be significantly less than fiscal year 2018/19 revenues over the next three years, the program's existing fund balance along with new revenues will allow the Measure X program of projects to stay on track to meet programmed local match requirements for the next four years. That said, the anticipated loss of gas tax revenues will have a definite impact on the ability to deliver Measure X projects, unless the State Transportation Improvement Program (STIP) and the various SB 1 programs are back-filled with a state or federal stimulus package.
- The Salinas Rail Station project will pause after Stage 1, when the work on public streets will be completed. The remaining work within the rail station project area (Stage 2) will be delayed if the County Health Officer does not lift the construction restrictions.
- The Salinas Safe Routes to School project and Every Child safety education projects are impacted by County of Monterey Health Department staff being transferred to address the County's COVID-19 response. Staff is working out which components of these programs can proceed within the shelter-in-place guidelines.
- External risks to project schedules, such as the possibility that the shortened state legislative session could delay consideration of SB 1231 (Monning). This TAMC-sponsored legislation will allow the mitigation of potential impacts to the Santa Cruz Long-Toed Salamander habitat resulting from the State Route 156-Castroville Boulevard Interchange project. However, TAMC is fortunate that Senator Monning has chosen SB 1231 as one of his two bills that he will carry forward in the shortened legislative session.
- The US 101 - South of Salinas project study was in the middle of a broad public outreach effort, which is now being reframed. Traffic counts for the study's technical analysis are postponed until traffic returns to normal conditions, hopefully in the fall.
- The California Transportation Commission has relaxed some of its timely use of funds requirements to take into account any project delays caused by the shelter-in-place order. They are also considering delaying the due dates for applications to SB1 competitive grant programs and the Active Transportation Program grant program.

Board members asked if the funding issues would delay the Imjin Parkway project or the Fort Ord Regional Trail and Greenway (FORTAG). Mr. Muck noted that the Imjin project was running about a month late due to right-of-way issues, but there were no COVID-19 delays with the FORTAG. Board member Smith asked what the impact of the delayed sales tax payments would be. Mr. Muck noted that the delay results in a shift in revenues of about \$1.4 million from FY2019/20 to FY2020/21.

Public comment:

Kevin Dayton encouraged staff to look into authorizing Stage 2 construction of the Rail project. Mr. Muck replied that work will proceed as authorized by the County Health Department.

6. SALINAS RAIL EXTENSION KICK START PROJECT FINAL DESIGN**M/S/C**

LeBarre/Potter/unanimous

1. Received presentation;
2. Approved and Authorized the Executive Director to execute a contract with HDR Engineering, subject to approval by Agency Counsel and the Independent Office of Audit and Investigations, in an amount not to exceed \$3,189,130, to provide final design services for the Salinas Rail Extension Kick Start Project, through June 30, 2023;
3. Approved the use of state funds budgeted to this project; and
4. Authorized the Executive Director to take such other further actions as may be necessary to fulfill the intent of the contract, including approvals of future modifications or amendments that do not significantly alter the scope of work, or change the approved contract term or amount.

Christina Watson, Principal Transportation Planner, reported that TAMC released a Request for Proposals for the Salinas Rail Extension Kick-Start Project Final Design for Packages 2 and 3 in December 2019. Two proposals were submitted by the January 16, 2020 deadline. Based on the the review team recommended selecting HDR Engineering for this work. This contract is for the preparation of final design Plans, Specifications & Estimates of a new layover facility in Salinas (Package 2) and track access improvements at the Gilroy station in Santa Clara County (Package 3). This contract includes design support during construction as an optional task to be activated upon allocation of funding for construction.

Package 1, access and circulation improvements at the Salinas train station, is anticipated to finish construction in 2020. Package 2, a train layover facility in Salinas, and Package 3, track improvements at the Gilroy station, are at the 75% design stage. Final design and design support during construction are anticipated to take approximately three years to complete, starting in Spring 2020 and being completed by June 30, 2023.

Board member Kerr asked how TAMC could increase the number of trips to and from Salinas. Staff noted that the number of trips are addressed in the operator agreements and the Union Pacific track access agreements, but the options for new trips are under consideration in the current Rail Network Integration Study. Board members Huitt and LeBarre thanked staff for the report and for moving forward with the project.

Public comment:

Kevin Dayton reported that the Salinas Valley Chamber adopted construction protocol guidelines responding to the shelter-in-place order that encourages the County Health Officer to adopt a new order to promote construction as economic activity.

7. REPORTS FROM TRANSPORTATION PROVIDERS

Caltrans – Aileen Loe, District 5 Chief of Planning and Programming, reported that Caltrans is working very hard to keep essential services open, noting that keeping goods moving is a priority. She added that the Caltrans maintenance crew continues to work at keeping roads open and 90% of their staff is telecommuting. She mentioned that there are upcoming SB 743 workshops and guidance available for local jurisdictions who are working on the shift from “levels of service” to “vehicle miles traveled” as the threshold for measuring significant transportation impacts under CEQA for development and transportation projects.

Monterey Regional Airport District – Bill Sabo, District Board Member, reported that the airport remains open and committed to service and is only cancelling flights if necessary. Passenger counts are down 90%, but the airport is flying a full schedule with American, United and Alaska operators. Mr. Sabo announced that the Airport District received a \$12.6 million allocation from the Federal Administration Association under the CARES Act that will be used to replace lost revenue. He noted that nonetheless the shelter in place and COVID-19 restrictions will have a major financial impact on the airport. He urged Board members to please make Monterey Airport their first choice and whenever possible to Fly Monterey. Board member Parker expressed concern regarding the recirculation of the air within airplane cabins would expose passengers to the corona virus to passengers. Mr. Sabo replied that the air is not recirculated in an airplane.

Monterey Salinas Transit District – Carl Sedoryk, CEO and General Manager, reported that MST transportation is considered an essential service, but given the shelter in place, ridership is down 2/3rds since the COVID-19 shelter-in-place. MST is using all their resources to enforce social distancing, allowing no more than ten passengers on a bus at a time and four passengers all small busses. In addition, to protect drivers and passengers, MST has taped off the front of the bus, made its rides free and required all passengers to enter through the back door. MST has not furloughed their coach operators but instead is reassigning them to deliver over 1,500 Meals on Wheels per day, to assist the Salvation Army with food delivery and to work with the Monterey County Office of Education to deliver Wi-Fi service to areas that do not have it, such as Greenfield. MST is also still providing necessary trips to dialysis and doctor’s appointments. The federal CARES legislation will provide \$25 billion nationwide for transit, which will provide much-needed funding to MST. Meanwhile, MST is working on reduced service plans. The District is expecting a surge in MST Rides service when the shelter-in-place expires.

Monterey Bay Air Resources District – Richard Stedman, Air Pollution Control Officer, announced On March 20, 2019 the District Board issued the call for projects for this year’s AB2766 Motor Vehicle Emission Reduction Grant Program. AB2766 grant applications are due by July 24th. The Electric Vehicle Incentive Program, which provides rebates to the general public for the purchase of fully electric and plug-in hybrid electric vehicles, still has funding available; applications are online. The purchase of 6 new Electric vehicle school busses, noting the Air District is moving

toward zero percent emission vehicles. The District has also funded the purchase of 6 new electric vehicle school busses.

8. REPORTS ON MEETINGS ATTENDED BY BOARD MEMBERS AT TRANSPORTATION AGENCY EXPENSE

No reports this month.

9. EXECUTIVE DIRECTOR'S REPORT

Director Hale made the following report:

- TAMC staff has been working at home since March 16, and all meetings are being conducted via conference call or Zoom; staff appreciates the Board's support.
- TAMC Annual Report will be mailed out next week.
- Caltrans will be submitting a funding request for the federal BUILD program for the SR 156 – Castroville Blvd interchange project.
- Earth day! TAMC Blue Zone project, Safe Routes to School, encourage communities to recognize we are not driving, closed streets, improve our ability to social distance.
- Administration Professional Day, recognizing Elouise, Rodriguez, Maria Montiel and Lynn Terry.
- She encouraged everyone to stay safe by washing their hands frequently, observing the shelter-in-place order and practicing social distancing.

10. ANNOUNCEMENTS AND/OR COMMENTS

None.

11. CLOSED SESSION

PUBLIC COMMENT on the Closed Session: none.

The Board went into closed session pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

1. TAMC v. Rodney Karl Neubert and Susan Greco-Neubert, et al., Court Number 20CV000457
2. TAMC v. The Baillie Family Limited Partnership, et al., Court Number 20CV000455
3. TAMC v. Joyce M. Selby and Cheryl Latimer, et al., Court Number 20CV000456

RECONVENED in open session and report any actions taken:

Agency Counsel Reimann announced that there was no reportable action taken.

12. ADJOURNMENT

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