

**SAN BENITO COUNTY
COUNCIL OF GOVERNMENTS
REGULAR MEETING**

May 17, 2012, 2:00 P.M.

FINAL MINUTES

MEMBERS PRESENT:

Chair Emerson, Vice-Chair Botelho, Director De La Cruz, and Director Gomez, Alternate Director Moore

STAFF PRESENT:

Deputy County Counsel, Shirley Murphy; Executive Director, Lisa Rheinheimer; Transportation Planning Manager, Mary Gilbert; Administrative Services Specialist, Kathy Postigo; Transportation Planner, Veronica Lezama; Secretary, Monica Gomez

OTHERS PRESENT:

Aileen Loe, Caltrans District 5; Clint Quilter, City of Hollister; Steve Wittry, County Public Works

CALL TO ORDER:

Chair Emerson called the meeting to order at 2:20 P.M.

A. PLEDGE OF ALLEGIANCE

B. CERTIFICATE OF POSTING

Upon a motion duly made by Director Gomez, and seconded by Director Botelho, the Directors unanimously approved the Certificate of Posting.

C. PUBLIC COMMENT:

**Jeanine Riddle
Hollister, CA**

Mrs. Riddle read a letter that she drafted to the attention of the COG. Mrs. Riddle stated that the goal of the letter was to draw the attention towards the lack of hazard signs and guard rails provided by San Benito County to help promote the safety of her family as well as motorists traveling in the area. Their property is located between Cienega and Summerset Roads at 242 Union Road. There is a dangerous curb in this area that has caused several car accidents at her property. The accidents have been documented by Gilroy CHP and have occurred during rush hour or early morning. Mrs. Riddle stated that it is only a matter of time before a family member or motorist is seriously injured or killed. Mrs. Riddle stated that these accidents may be avoided with the proper warning signs and guard rails in the area. She thanked the Board for their time and requested that they provide a plan of action within 30 days.

Director Botelho asked Director of Public Works, Steve Wittry, to provide an update to the matter as it had been discussed in the past.

Mr. Wittry stated that the County applied for, and was awarded the Highway Safety Improvement Program Grant (HSIP) for Union Road. The next step is to get the RFP to a design engineer and hire the

firm to design and make the improvements at the location.

Director Botelho asked Mr. Wittry to provide the property owner with copies of the plan so that they are aware that the County is working on the issue. In addition, he asked that warning signs be installed around the area.

Mr. Wittry stated that warning signs can be installed by County Public Works with the existing budget; however, the actual plans and specifications for the safety project have to go through the RFP process. Mr. Wittry stated that it is a fairly lengthy process; however, he mentioned that he could forward a copy of the award to the property owner.

The Board asked that Mr. Wittry keep the property owner updated on the process and thanked Mrs. Riddle for bringing the matter to their attention.

Chair Emerson stated for the record that the COG Board received Joe Thompson's public comment correspondence dated April 26, 2012 through May 16, 2012. The correspondence was entered into the public record.

D. EXECUTIVE DIRECTOR'S REPORT – Rheinheimer

Ms. Rheinheimer reported that Betty LiOwen will be out on maternity leave from early June to early August.

The Route 152 Mobility Partnership is doing a presentation to the Merced Area Council of Governments. Ms. Rheinheimer stated that VTA should have a feasibility study scheduled in June and she will provide more information in June.

Ms. Rheinheimer has been working with the City of Hollister's staff regarding Director De La Cruz's request for some improvements to Westside Blvd. and Buena Vista Area. She's requested that City staff present feedback on their upcoming Capital Improvements Program in June.

Assembly Bill 2382 by Assembly Member Gordon passed the Transportation Committee in the Assembly, as well as the Appropriations Committee. Next, it will go to the full Assembly floor. Ms. Rheinheimer will keep the Board informed on this item.

Regarding ALUC, there were last minute changes requested by Property Reserve Inc. (PRI Inc.) and at the Board's direction staff is working with them on requested changes. Staff was not able to get a final Compatibility Plan in time for the May meeting. Staff will continue to work with PRI Inc. and will bring back a final Compatibility Plan in June.

E. CALTRANS DISTRICT 5 REPORT – Falsetti/Loe

Aileen Loe announced that Caltrans statewide Director, Malcolm Dougherty, has been appointed by the Governor. At the local level, the recruitment and selection process for the District 5 Director position is underway.

Ms. Loe announced that the California Transportation Commission allocated \$30.8 million for the San Juan Road Interchange Project at the April 25, 2012 meeting.

Ms. Loe announced that Caltrans has announced a Call for Projects for another cycle for the Highway Safety Improvement Program (HSIP) and High Risk Rural Roads Program (HRRR) Federal Funds. The applications are expected to be due in July 2012.

Chair Emerson inquired about the San Juan Road Interchange Project and whether it is now fully funded.

Ms. Loe stated that the Interchange Project is now fully funded. She stated that the California Transportation Commission allocated the funding out of the Corridor Mobility Improvement Account.

F. BOARD OF DIRECTORS REPORTS:

Director Botelho announced that SB1155 passed at the Senate. It passed with enough votes to remain as an urgency Bill, placing it on the fast track going through the Assembly. Director Botelho congratulated Senator Cannella's office and Executive Director, Lisa Rheinheimer for putting forth so much effort in getting the Bill through Sacramento.

CONSENT AGENDA:

1. **APPROVE** Council of Governments Draft Special Meeting Minutes Dated February 15, 2012 – Gomez
2. **APPROVE** Council of Governments Draft Regular Meeting Minutes Dated April 19, 2012 – Gomez
3. **APPROVE** Council of Governments Transaction Report (Financial Claims) Dated April 2012 – Postigo
4. **RECEIVE** Council of Governments FY 2011/12 Third Quarter Budget Report – Postigo
5. **RECEIVE** Construction Projects Report – Caltrans District 5
6. **ADOPT** Resolution 12-07 Amending Section 4(C) Appendix A Regarding Advisory Bodies Which Must File Statements of Economic Interests and Adding Subsection D: Code of Conduct to Council of Governments Rules and Regulations Section 4:Conflict of Interest Code – Rheinheimer
7. **AUTHORIZE** the Submittal of an Assembly Bill 2766 Vehicle Emissions Reduction Program Grant Application to Fund a Transit Marketing Program – Lezama
8. **Sale of Surplus Vehicle to San Benito County Department of Public Works** – Lezama
 - a. **DECLARE** Vanpool Vehicle Surplus, Last Five Digits of VIN 40393; and
 - b. **AUTHORIZE** Sale of Surplus Vanpool Vehicle, Last Five Digits of VIN 40393, for \$19,226 to the San Benito County Public Works Department, a Local Public Agency Department.
9. **APPROVE** Request to California Transportation Commission for Allocation of Public Transportation Account Funds – Gilbert
10. **APPROVE** an Allocation of Regional Surface Transportation Program Funds to the City of San Juan Bautista in the Amount of \$295,072 for the Asphalt Street Improvements and Cape Seal Projects – Rheinheimer
11. **APPROVE** Administrative Modification #2 to the 2010 Regional Transportation Plan – Rheinheimer

Upon a motion duly made by Director Gomez, and seconded by Director De La Cruz, the Directors unanimously approved Items 1-11.

REGULAR AGENDA

TRANSPORTATION ITEMS:

12. **RECEIVE** Report of Walk N' Roll and Bike Week Events – Lezama

Ms. Lezama provided a Power-Point presentation on the Walk N' Roll and Bike Week events. The Walk N' Roll event was a great success. It focused on bicycle and pedestrian safety education for school age children. Over 150 people attended the event and over 90 bicycles were repaired by Turning Wheels for Kids. Turning Wheels for Kids also donated helmets and donated several refurbished bicycles to the event. Ms. Lezama thanked the following agencies who also participated in the event: Public Health, CHP, LULAC Youth, Off the Chain Bikes, San Benito County Parks and Recreation Commission, and the Hollister Fire Department.

Ms. Lezama stated that Bike Week was also a success. Bike Week (May 7-13, 2012) included Bike to School Day and Bike to Work Day. Students that participated received a free breakfast and were entered

to win a new bicycle. Bike to Work day participants received a free breakfast at any local Subway Sandwiches. Other events included a Mother's Day Bicycle Ride and bicycle ride sponsored by Off the Chain Bikes.

There was no discussion or public comment on this item.

13. Approve Proclamation No. 12-03 Declaring May 20-26, 2012 as National Public Works Week in San Benito County – Rheinheimer

Ms. Rheinheimer stated that every year, public works departments, agencies involved with public infrastructure, contractors, planners, and engineers celebrate National Public Works Week in May. This year's theme is "Public Works: Creating a Lasting Impression." To honor public works professionals, communities across the nation celebrate National Public Works Week. Ms. Rheinheimer thanked Steve Wittry and his staff from County Public Works and Clint Quilter and his staff from the City of Hollister for all of their hard work

Staff recommended that the Board proclaim May 20-26, 2012 as National Public Works Week in San Benito County.

Chair Emerson and Vice-Chair Botelho expressed appreciation to the City and County departments for the hard work that they do. Chair Emerson noted that often times their work goes unnoticed because it goes on during odd hours of the morning or night. Director Botelho commented that Public Works is very important and in his opinion, is next in line from the Public Safety departments.

There was no public comment on this item.

Upon a motion duly made by Director De La Cruz, and seconded by Director Gomez, the Directors approved Item 13.

14. Receive Highway 25 Bypass Route Transfer Report Prepared by Caltrans District 5 and **Approve** Response Letter – Rheinheimer/Gilbert

Ms. Rheinheimer introduced this item and mentioned that Ms. Gilbert would provide a Power-Point presentation. The presentation outlined the project background, route transfer process and report, and the response to the report.

Ms. Gilbert introduced Caltrans Deputy District Director, Aileen Loe, who reviewed the deficiencies of the roadway and the corrective actions that could be taken to bring the route into compliance with state standards.

Chair Emerson inquired about the deficiency in "curve geometrics". He asked if the deficiency was due to the change in speed on the roadway and if there was data showing accidents that occurred after the change in speed was completed.

Ms. Loe stated that the increased speed limit was related to the curve geometric deficiency. She stated that the report shows one year of data, which is the data that is in the report. However, Caltrans has two years of additional data on the roadway, since it has been open since 2009.

Chair Emerson asked if there was any correlation between the speed change and accidents in the roadway.

Ms. Rheinheimer explained that it would be difficult to compare data because the change in speed occurred shortly after the route opened and drivers were still adjusting to the new roadway.

Ms. Gilbert reviewed the deficiencies and staffs response to the repairs.

There was brief discussion about the amount of funds that were spent building the route to Caltrans standards versus building the road to a local standards.

Director Botelho stated that he was not pleased with Caltrans and hoped that the City would take over both roads. He stated that there would be a lot more potential for businesses and they would not have to deal with Caltrans.

Director Gomez concurred with Director Botelho's comments. He stated that although there will be some disadvantages as far as having to provide maintenance to the roadway, by keeping both roads it would open up the opportunity for economic growth in the community. The main priority would be to get the highway/Caltrans out of downtown Hollister.

PUBLIC COMMENT:

Gordon Machado

Mr. Machado stated that he understood the frustration and completely disagreed with Caltrans however, he did not believe that taking over both roads and the maintenance of both roads should be the City and County's obligation. Mr. Machado stated that he may see it differently because of the 24 years he'd been involved with the project. Mr. Machado stated that he would still like to go to the California Transportation Commission (CTC) and work with staff to move forward with this plan.

Clint Quilter, from the City of Hollister inquired about Caltrans schedule for completing the accessible ramps project. He noted that it was very important to ensure that Caltrans completes this work and that they don't stick the City with another cost.

Ms. Rheinheimer stated that the work is scheduled for completion at the end of this year in December.

Mr. Quilter also commented on the Caltrans Report. He stated that Caltrans put some things in the Report that are completely unfair to COG staff, and to the people that have worked on this project for years with regard to deficiencies. Mr. Quilter stated that he appreciated that the COG Board understood this because it would be easy to see Caltrans' report as a direct indictment on the job that COG staff has done moving the project forward. He stated that COG staff and many other people who were involved with the project in the past did a very good job of getting the assurances to meet Caltrans standards and criteria. Mr. Quilter stated that Caltrans has not been a good partner on this project, unlike the Highway 156 Project where they were a good partner. He believed this was due to there being more money back then and instead of acknowledging that fact and working with COG and the City fairly, Caltrans has made it a mechanism to make it look like it's COG and the City's fault that this is not working out.

There was discussion amongst Board members and staff regarding the response letter to Caltrans. Ms. Rheinheimer stated that staff wanted to ensure that the Route Transfer Report better reflects the partnership between staff and everyone involved with construction, and construction oversight.

The Board directed staff to move forward with sending the letter to Caltrans as a means of setting the record straight and report back in June with a thorough analysis of both options.

Ms. Rheinheimer stated that staff would also like to provide the Board with a thorough analysis of both options and report back next month with a recommendation.

Upon a motion made by Director Gomez, and seconded by Director Botelho, the Directors unanimously approved Item 14.

Upon a motion made by Director De La Cruz, and seconded by Director Gomez, the Directors unanimously voted to adjourn the COG meeting.

ADJOURN TO COG MEETING JUNE 21, 2012.

