

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

**July 19, 2012, 2:00 P.M.**

**FINAL MINUTES**

**MEMBERS PRESENT:**

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

**STAFF PRESENT:**

Deputy County Counsel, Shirley Murphy; Executive Director, Lisa Rheinheimer; Transportation Planning Manager, Mary Gilbert; Secretary, Monica Gomez

**OTHERS PRESENT:**

Brandy Rider and Mark McCumsey, Caltrans District 5

**CALL TO ORDER:**

Chair Emerson called the meeting to order at 2:00P.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:**

Chair Emerson stated for the record that the COG Board received Joe Thompson's public comment correspondence dated June 29, 2012 through July 17, 2012. The correspondence was entered into the public record.

**D. EXECUTIVE DIRECTOR'S REPORT – Rheinheimer**

Ms. Rheinheimer reported that the Valley Transportation Authority (VTA) has terminated the Mobility Partnership. The partnership has been dissolved between Santa Clara, Madera, and Merced Counties. They will be looking at reformulating the Mobility Partnership regarding Highway 152 with San Benito and VTA because there were some issues that came up in the Central Valley, along the corridor that could not be addressed at this time.

Ms. Rheinheimer reported that the COG Joint Powers Agreement with the addition of Caltrans as an ex-officio member of the Council of Governments is being forwarded to the respective Board of Supervisors and City Council's and should be coming up on their future agendas.

Regarding Director De La Cruz's concern about speeding along Central Avenue, Ms. Rheinheimer contacted the City's Engineering staff and the Hollister Police Department to see if there is an enforcement issue in the area. She will provide an update to the Board after she speaks with both

departments.

**E. CALTRANS DISTRICT 5 REPORT – Gubbins/Loe**

Brandy Rider reported that Tim Gubbins is the new Caltrans District 5 Director. He was formerly the Deputy District Director of Project Management for District 5 and has provided more than 20 years of dedicated service to Caltrans. Also, the Governor has selected Rick Land as the Chief Deputy Director to Caltrans. Ms. Rider stated that there were a few staff changes within the department. Aileen Loe will be the Deputy Director of Project Management and Programming. Scott Eades will be the Deputy Director for Planning.

Ms. Rider reported that Caltrans furlough program is in effect as of July 1<sup>st</sup>. Employees are required to take off eight hours per month, however, the hours are flexible and they do not anticipate there being any impacts to their Maintenance, Safety, and Construction Programs.

**F. BOARD OF DIRECTORS REPORTS:**

Director Gomez requested that staff provide an update or analysis of using local taxi companies to supplement or replace the Dial-A-Ride service.

Director Boch mentioned that the Association of Monterey Bay Area Governments (AMBAG) hired Maura F. Twomey to serve as AMBAG's Executive Director.

Director Botelho reported that SB1155 did not pass at the Assembly level. Senator Cannella convened a meeting with representatives from CHP, trucking, and farming operations within the County. After meeting, they concluded that there is not much that can be done at the state level. They will continue to educate growers and processors and make improvements to local roadways and T-routes.

Ms. Rheinheimer stated that CHP has made some adjustments towards the trucking industry. CHP conveyed that if there isn't any gross abuse of safety laws, they usually warn the truckers and don't issue a citation the first time around. There has been some progress as CHP reported that they issued 8 citations in the last year, versus 131 citations that were issued in the previous 3 years.

Director Botelho thanked Caltrans for the written response to his concern regarding an issue voiced by constituents related to the speed of traffic entering and exiting the SR 156/Highway 101 southbound ramp junction near the Merrill Road intersection.

**CONSENT AGENDA:**

1. **APPROVE** Council of Governments Draft Regular Meeting Minutes Dated June 21, 2012 – Gomez
2. **APPROVE** Council of Governments Draft Special Meeting Minutes Dated June 21, 2012 – Gomez
3. **APPROVE** Council of Governments Transaction Report (Financial Claims) Dated June 2012 – Postigo
4. **RECEIVE** Construction Projects Report – Caltrans District 5
5. **ADOPT** Proclamation 12-08 Approving Projects for Funding Through the Public Transportation, Modernization, Improvements and Service Enhancement Account Funds – Gilbert
6. **ADOPT** Proclamation No. 12-04 Congratulating the American Public Works Association – Monterey Bay Chapter on the Occasion of their 50<sup>th</sup> Anniversary – Rheinheimer

There was no public comment on the Consent Agenda.

*Upon a motion duly made by Director Botelho, and seconded by Director De La Cruz, the Directors unanimously approved Items 1-6 from the Consent Agenda.*

## **REGULAR AGENDA**

### **TRANSPORTATION ITEMS:**

**7. RECEIVE** Report on Progress of Highway 25 Bypass Transfer and Route 25 Relinquishment – Rheinheimer/Gilbert

Ms. Rheinheimer reported that she will reconvene a meeting between the Director of Caltrans, Malcolm Dougherty, the California Transportation Commission (CTC) staff, and Stephen Rosati and Gordon Machado. She stated that Mr. Dougherty was looking into the issues discussed at the last meeting.

Chair Emerson inquired if there has been discussion with City staff regarding the \$3.2 million and revisiting those funds more closely.

Ms. Rheinheimer stated that staff spoke with CTC staff, who said that the City should be looking at which items are absolute necessary for state of good repair work and which items are more negotiable. Ms. Rheinheimer stated that she will convey the message to the City manager.

There was no public comment on this item.

**8. RECEIVE** Report on MAP-21 the Federal Transportation Authorization Legislation – Rheinheimer

Ms. Rheinheimer reported that MAP-21 reauthorizes federal transportation spending at current levels plus inflation through September 2014. MAP-21 authorizes \$40.2 billion in Federal Fiscal Year (FFY) 2013 and \$40.8 billion in FFY 2014.

Ms. Rheinheimer noted that the provision allows projects receiving federal funds under \$5 million to proceed with Categorical Exclusion under NEPA, which significantly shortens project review and approval times. Most of the projects undertaken in San Benito County would benefit from the accelerated project delivery provision. Nearly all projects in San Benito County would fall into this category.

In terms of transit programs and projects, Ms. Rheinheimer stated that the legislation authorizes \$10.6 billion in FFY 2013 and \$10.7 billion in FFY 2014.

Staff will follow the progress of this legislation and the impact on Council of Governments funding programs.

Director De La Cruz stated that it was mentioned that the funds can also be used for enhancement of Safe Routes to Schools. He mentioned that Calaveras, R.O. Hardin, Marguerite Maze, and Gabilan Hills Schools can really benefit from enhancement funds and added that it is very important to look into this. He directed staff to keep him updated on this subject by phone or email.

Ms. Rheinheimer stated that more “leg work” needs to be done in terms of figuring out what improvements actually need to be made. She stated that once the planning portion is completed you could then get started with the grant applications on both the state and federal level to show that you have a project that is ready to go.

Director Gomez stated that he supports biking and walking to school, however, he added that there aren't many children doing so. He stated that many parents drive their kids to school because they're concerned for their safety. Director Gomez asked if it's possible to get numbers of how many people actually use the current safe routes to school bike paths.

Director De La Cruz stated that he would work with staff on creating an “unofficial committee” to present numbers to the COG Board and move forward on this item.

Chair Emerson asked if the funds could be used towards the City's Westside Beautification Project since it's a project that is already on the books, ready to go, and looking for funding.

Ms. Rheinheimer stated that staff has been working with the City to try to find various funding sources that are available to them. She stated that part of it is a matter of timing of when the grant cycles come out and when the projects are ready. However, staff will continue to work with City staff to find funding for projects that are ready to go.

There was no public comment on this item.

**9. PROVIDE DIRECTION on Changing the Date and Time of the Regular Council of Governments Meeting – Rheinheimer**

Ms. Rheinheimer discussed the option of possibly changing the date and time of the regular COG meeting to allow the Caltrans Director the opportunity to attend the meetings. The Caltrans Director has a conflict with the current meeting schedule because it happens to be the same date and time that Santa Barbara meets. She asked if the COG Board would be amenable to changing the date and time to the fourth Wednesday in the afternoon, which coincides with another meeting that the District Director is already attending.

After brief discussion, the Board directed staff to continue with the current COG meeting schedule, which is the third Thursday of each month at 2:00 P.M.

**10. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

No. of cases: 1

Authority: California Government Code Section 54956.9(a)

Council of San Benito County Governments v. Hollister Inn

The COG Board reconvened from closed session at 2:34 P.M.

Deputy County Counsel, Shirley Murphy, stated that there was no reportable action taken under Existing Litigation: Council of San Benito County Governments v. Hollister Inn

*Upon a motion duly made by Director Gomez, and seconded by Director Botelho, the Directors unanimously adjourned the COG meeting.*

**ADJOURN TO COG MEETING AUGUST 16, 2012.**