

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

June 20, 2013, 3:00 P.M.

FINAL MINUTES

MEMBERS PRESENT:

Chair Botelho, Director Boch, Director De La Cruz, Director Scattini, and Director Gomez

STAFF PRESENT:

Deputy County Counsel, Shirley Murphy; Transportation Planning Manager, Mary Gilbert; Secretary, Monica Gomez

OTHERS PRESENT:

John Olejnik, Caltrans District 5; Heather Adamson, AMBAG; Sara LaBatt, EMC Research

CALL TO ORDER:

Chair Botelho called the meeting to order at 3:01 P.M.

A. PLEDGE OF ALLEGIANCE

B. CERTIFICATE OF POSTING

Upon a motion duly made by Director Boch, and seconded by Director De La Cruz, the Directors unanimously acknowledged the Certificate of Posting.

C. PUBLIC COMMENT: None

D. EXECUTIVE DIRECTOR'S REPORT – Gilbert

Ms. Gilbert reported that the tax sale for the property that COG is purchasing for a new bus stop shelter located on Central Avenue has been approved by the State Controller's office. Staff is moving forward with the next steps to complete the sale.

Ms. Gilbert mentioned that the Association of Monterey Bay Area Governments (AMBAG) Sustainable Communities Strategy survey is still on-line at www.movingforwardmb.org. She encouraged the Board and their constituents to take the survey to help with planning efforts.

E. CALTRANS DISTRICT 5 REPORT: Olejnik

John Olejnik stated that there may be a slight reduction in Caltrans staffing which they hope should be absorbed through attrition. Mr. Olejnik also mentioned that the state is restructuring. Typically, Caltrans has been under the Business Transportation Housing Agency and there is going to be a new transportation agency on its own. One of the things they intend to do is set up a Freight Advisory Committee to be in line with MAP 21 Federal Authorization, which will have a high emphasis on freight. They are getting themselves in line to be poised to be able to provide priority lists for freight projects to promote the economy in the state of California.

Lastly, Caltrans put out new guidelines for the Transportation Development Act (TDA). Caltrans provided a copy of the new TDA guidelines to COG staff.

Chair Botelho inquired about the speed limit when driving through the construction zone at the San Juan Road Interchange project. He stated that he received a call from a constituent regarding this issue. The constituent called Caltrans and was given the run around. He then called the California Highway Patrol who agreed that speed is a concern in the area.

Mr. Olejnik stated that the speed limit is 55 mph in a construction zone area. He noted that he would let the project's Resident Engineer know about the concern regarding the speed limit signage in this construction zone area.

Mr. Olejnik also mentioned that in general, questions may be referred to the Caltrans website. The website has a great public inquiry section which is answered directly by a Public Affairs office. He noted that this is one the best ways to reach Caltrans because the emails received become action items that are not deleted until they have been addressed.

Director Gomez inquired if there was also a link on the Caltrans website for graffiti abatement on Caltrans owned property.

Mr. Olejnik stated that the public may submit graffiti concerns through the Caltrans website. In addition, the COG Board may bring the issue to his attention during the COG meetings or relay the message to COG staff. Mr. Olejnik will then forward the message to the maintenance crew to address the issue.

F. BOARD OF DIRECTORS REPORTS:

Director De La Cruz asked staff to look into an issue beginning at 4th Street to Meridian Street across to McCray Street going east towards Save Mart. He stated that drivers on the left lane seem to think that the right lane is theirs.

Ms. Gilbert stated that she was following up with the City engineer and would report back.

Director Scattini inquired about an issue at Hilltop Road with a fence that he did not believe should be there. He mentioned that the police had an emergency call to go out to the location; however they had to turn around and go back around because they were on the other side of the fence.

Ms. Gilbert stated that she would follow up with City staff and report back.

Director De La Cruz inquired about the standard requirements for City/County sidewalk and driveway widths. He stated that there is a resident who lives at the corner of San Juan Drive and Maple Street who has contacted both the City and County regarding an issue with the sidewalk width at his location. The citizen has not been able to get a response from either department.

Director Gomez asked Director De La Cruz to provide the resident with his contact information so that the City can follow up with him.

Director De La Cruz recommended looking into the possibility of creating a user friendly website for constituents to submit their comments or concerns regarding City or County issues.

There was discussion about creating a website that would be a collaborative effort between the City of Hollister, City of San Juan Bautista, and San Benito County. The City and County departments would be able to respond to issues such as graffiti or pot holes that are brought to their attention by members of the community.

Ms. Gilbert stated that she was aware of interactive software that has been used by other communities to address similar issues. She stated that staff could look into the costs associated with this type of software and report back to the Board.

Director Gomez mentioned that the City of San Jose uses a website called Publicstuff.com. He noted that the most used feature is a mobile app. You take a picture of graffiti or pot holes in a neighborhood, GPS tells you what location you are in, and it gets forwarded to the appropriate agency who then addresses the issue.

The COG Board stated that they were interested in researching the website idea in more detail as a collaborative effort between COG, the City of Hollister, City of San Juan Bautista, and San Benito County.

CONSENT AGENDA:

1. **APPROVE** Council of Governments Draft Meeting Minutes Dated May 16, 2013 – Gomez
2. **APPROVE** Council of Governments Draft Special Meeting Minutes Dated May 16, 2013
3. **APPROVE** Council of Governments Transaction Report (Financial Claims) Dated May 13, 2013 – Postigo
4. **RECEIVE** Construction Projects Report – Caltrans District 5
5. **APPROVE** Letter of Support to the San Benito County Department of Public Works for the Submittal of an AB2766 Emission Reduction Grant Application for the Purchase of Ford C-Max Hybrid Wagon Vehicle – Lezama
6. **APPROVE** FY 2013/2014 Council of Governments Budget – Postigo
7. **APPROVE** Contract between the Council of San Benito County Governments and Harris and Associates for Safe Routes to RO Hardin and Calaveras Schools in an Amount Not to Exceed \$30,000 – Rheinheimer
8. **APPROVE** Final Fiscal Year 2013/2014 Overall Work Program and **Authorize** Executive Director to Sing Overall Work Program Agreement – Gilbert
9. **RECEIVE** Council of Governments FY 2012/13 Third Quarter Budget Report – Postigo

Upon a motion duly made by Director De La Cruz, and seconded by Director Scattini, the Directors unanimously approved Items 1-5 from the Consent Agenda.

REGULAR AGENDA

TRANSPORTATION ITEMS:

10. **DISCUSS** and **PROVIDE INPUT** on the Initial Scenarios Developed by the Association of Monterey Bay Area Governments for the Sustainable Communities Strategy – Gilbert

The COG Board received a report from the Association of Monterey Bay Area Governments (AMBAG) on the development of their Metropolitan Transportation Plan and Sustainable Communities Strategy.

Heather Adamson from AMBAG provided a Power-Point presentation on the scenarios that have been developed at this time.

Director Gomez inquired if electric and hybrid vehicles were being taken into account.

Ms. Adamson stated that those vehicles are being taken into account under a separate sector with the Air Resources Board, but not as part of this planning effort.

Chair Botelho inquired if the greenhouse emissions from cars traveling on Highway 25 or Highway 156 commuting to work are taken into account.

Ms. Adamson stated that those emissions are not counted individually because it is for travel within a region. She pointed out that this is passenger vehicles traveled and the targets do not reflect freight or goods movement traveled. That is done under a separate sector.

Chair Botelho and Director De La Cruz expressed concern about there being conflict between the County's General Plan and AMBAG's plan. They stated that the State needs to work more with the Cities and Counties on a local level and not focus so much on a Regional plan.

Ms. Adamson stated that AMBAG's forecast was consistent with the proposed County General Plan. She mentioned that all of the suggestions they have received for the scenarios started with planners from the local jurisdictions.

Ms. Adamson stated that the County and AMBAG are on a similar timeline to adopt their respective Plans. However, she noted that AMBAG's Plan is tied to federal funding and if they do not adopt an update of the Plan by next June the Region loses its federal funding. On a positive note, the Plan is updated every 4 years and it is not a time consuming process. AMBAG staff will continue to work with local jurisdictions to ensure that the Plan is consistent with their General Plan updates.

Chair Botelho cautioned AMBAG about the County's current General Plan since the Board of Supervisors is still reviewing the draft and there may be some changes.

Ms. Adamson stated that AMBAG staff will continue to work with local jurisdiction staff to monitor the progress with the County's General Plan.

Director Boch inquired if the City of San Juan Bautista would have to get approval from AMBAG if it decided to change its sphere of influence or annex a property.

Ms. Adamson stated that they would not need approval from AMBAG because they do not have land use authority. If San Juan Bautista decided to change its sphere of influence or annex property it would be reflected in the next Plan update.

The public is encouraged to be involved in this planning effort. More information can be found at www.movingforwardmb.org. In addition, AMBAG will host a workshop in Hollister on July 17, 2013 at 6:00 P.M.

11. RECEIVE Presentation on Results of a Telephone Survey of San Benito Voters on Transportation Topics – Gilbert and Sara LaBatt (EMC Research) (Verbal Report)

Ms. Gilbert stated that AMBAG commissioned a telephone survey of the entire Monterey Bay Region to obtain preferences and opinions on transportation projects and priorities for the region.

Ms. Gilbert introduced Sara LaBatt with EMC Research who provided a Power-Point presentation on the Executive Summary of Findings prepared for the San Benito County Council of Governments.

The telephone survey of registered voters was conducted May 28 to June 6, 2013. The interviews were conducted by trained, professional interviewers in English and Spanish. A total of 301 interviews were conducted in San Benito County. Approximately 5% of the interviews were conducted in Spanish.

Ms. LaBatt reviewed the following key findings and top priorities:

- Jobs and the economy, along with education, are top priorities for San Benito County voters.
- Although two-thirds are concerned about reducing greenhouse emissions, only half of those feel strongly about this issue.
- The community believes transportation planning in the area should continue to accommodate drivers.

- Even though they want to keep their cars, many say they would drive less if stores, services, and jobs were closer to home.

Top priorities include:

- Road safety & maintenance
- Preserving farmland and agriculture
- Preserving open space and wildlife habitat
- Making it easier and safer for people to walk

Director Scattini expressed concern over the number of surveys conducted in San Benito County. He did not believe the results were a fair representation of the County. However, the majority of the COG Board felt it was an accurate and fair representation of the County.

Ms. LaBatt explained that San Benito County had a margin of error of 5.7 points. She explained that even if they were to call every single voter in the County, the results would be within 5.7 points of what was reported 20% of the time.

The COG Board requested that staff provide them with the survey results from Santa Cruz and Monterey Counties. They wanted to be able to compare the results from all three Counties.

Staff stated that once the survey results are presented to the TAMC and AMBAG Boards, all three Boards will receive a full three County technical report at a later date.

There was no public comment on this item.

12. APPROVE Letter to Senator Cannella Requesting Withdrawal of Senate Concurrent Resolution 35 Renaming Highway 25 from Airline Highway and Bolsa Road to Pinnacles National Park Highway and Bolsa Road to Pinnacles National Park Highway – Gilbert

Ms. Gilbert reported that since March, when the Council of Governments supported renaming Highway 25 as Pinnacles National Park Highway, local criticism has surfaced from residents along Airline Highway and Bolsa Road. They have expressed concerns with the name change citing the aggravation of changing their address.

Chair Botelho noted that the Board of Supervisors has asked that COG work with Senator Cannella on withdrawing legislation supporting the name change. COG may send a letter to Senator Cannella requesting withdrawal of Senate Concurrent Resolution 35 which renames Airline Highway and Bolsa Road.

Chair Botelho stated for the record that the COG Board received a petition addressed to the San Benito County Supervisors. The petition had 236 signatures and read: Please stop the process of changing the name of Airline Highway/Highway 25 to Pinnacles National Park Highway. It will cost individuals and businesses to change addresses and the County to change highway signs. It will add to the confusion of finding residences during emergencies. Sincerely, Residents of San Benito County

The COG Board apologized for rushing through this process and not doing a better job of communicating with the public.

PUBLIC COMMENT:

**Kristina Wyatt, Executive Director
San Benito County Business Council**

Ms. Wyatt provided letters of support for Senate Concurrent Resolution 35 from the San Benito County Business Council, San Benito County Chamber of Commerce & Visitors Bureau, and the Gilroy Chamber of Commerce.

She stated that the legislation can and would serve as a catalyst for broader recognition of what we know to be historic, main gateway to our crowning gem, the Pinnacles National Park.

Lastly, Ms. Wyatt stated that the Business Council is offering to lead a group effort to facilitate a community meeting and bring leaders from the state and region, local professionals and businesses together to review the benefits, potential drawbacks and opportunity costs of the renaming.

Ms. Wyatt requested that the COG Board remain steadfast in their request to carry Senate Concurrent Resolution 35.

**Joe Spencer
San Benito County Resident**

Mr. Spencer stated that 90% of the people who signed the petition have either a business or direct use of the Highway. Mr. Spencer stated that he was not against having more tourism in the area. The problem lies with businesses having to change all labeling and having to notify a lot of people that come out to their business location. This would become a huge expense to these businesses.

Mr. Spencer recommended and encouraged the Board to seek other ways to bring tourism to the area. He suggested putting in signs along the local Highways. He suggested putting in a sign with a surname like they do to memorialize an individual. He stated that this would allow residents to keep their addresses as is and it would also draw attention to tourists.

Chair Botelho closed public comment.

Ms. Gilbert stated that Ms. Rheinheimer has been in contact with Senator Cannella's office and they are aware that it is a local issue and concern.

The COG Board discussed the need for more opportunity to consult with the public and examine opportunities to capitalize upon the asset that Pinnacles National Park is to the County as both a recreation center and an opportunity to invite more tourism to the area.

Upon a motion duly made by Director Boch, and seconded by Director Scattini, the Directors approved Item 12, with Director De La Cruz voting No. Motion carries 4/1.

Chair Botelho excused himself from the COG meeting at 5:05 P.M. Vice-Chair Gomez chaired the remainder of the COG meeting.

13. RECEIVE Update on the Highway 25 Bypass Route Transfer and **APPROVE** Contract with MNS Engineers, Inc. for Completion of Right of Way Mapping Services for the Highway 25 Bypass for an Amount Not to Exceed \$48,600 – Gilbert

Ms. Gilbert reported that for the Highway 25 Existing Route on San Felipe, San Benito, Nash, and Tres Pinos, the City of Hollister and Caltrans will enter into a Transfer Agreement that outlines the details associated with the transfer of the existing route into local control. Early action on this task can occur after Senate Bill 788, Section 3 (formerly SB 314) is passed and becomes law on January 1, 2014.

Additionally, the City of Hollister will need to adopt a resolution requesting the relinquishment of the existing route through the City jurisdiction. COG will work with the City to have the resolution approved in August.

Ms. Gilbert reported that staff secured a licensed engineer to complete a structural report on a portion of a sound wall joint that separated post-construction. The report was completed and submitted to Caltrans in early June and there was no structural deficiency noted.

Staff has negotiated a contract with MNS Engineers to complete revisions to right of way record maps and other right of way services for an amount not to exceed \$48,600. The work is anticipated to be complete by October of this year.

Ms. Gilbert requested that the Board include the following statement in their motion to approve the contract: *Authorize* the Executive Director to sign the contract.

There was no public comment on this item.

Upon a motion duly made by Director De La Cruz, and seconded by Director Scattini, the Directors unanimously approved Item 13 as noted above, Authorizing the Executive Director to sign the contract.

14. DISCUSS and PROVIDE DIRECTION on Possible Relocation of the COG Office (Verbal Report)
– Gilbert

Ms. Gilbert provided an update on this item. Staff continues to search for office space, however staff has not found anything suitable as of yet. Staff has contacted the Hollister Downtown Association so that they can inform staff of any space that is available. Unfortunately, the existing COG lease is up in August however, staff has negotiated a 1-year extension on the lease with the rent amount to remain the same.

Director De La Cruz stated that it would be great to move the COG office to the 1st floor of the Courthouse building, which is located downtown.

Ms. Gilbert stated that Ms. Rheinheimer has put the COG office on the list of potential tenants for the Courthouse building, once it becomes available.

Ms. Gilbert stated that staff has not been able to find a suitable location due to space limitations, and/or the need for extensive renovations.

Director De La Cruz stated that the cost for renovations was a fixed cost and it should not be included into the equation because COG would have to cover renovation costs regardless of where they go.

Director Boch stated that extending the lease for 1 year would be reasonable, since it would allow time for the new Courthouse to be completed. It would also allow time for any needed renovations to be made to the old Courthouse.

The COG Board directed staff to provide an update at the July meeting.

There was no public comment on this item.

Upon a motion duly made by Director De La Cruz, and seconded by Director Boch, the Directors unanimously adjourned the COG meeting.

ADJOURN TO COG MEETING JULY 18, 2013.