AGENDA
REGULAR MEETING
COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

DATE: Thursday, July 16, 2015
3:00 p.m.

LOCATION: Board of Supervisors Chambers
481 Fourth St., Hollister, CA 95023

DIRECTORS: Chair Jerry Muenzer, Vice Chair Tony Boch
Directors Anthony Botelho, Victor Gomez, and Ignacio Velazquez
Alternates: San Benito County: Jaime De La Cruz;
City of Hollister: Mickie Luna; City of San Juan Bautista: Jim West
Ex Officio: Caltrans District 5

Persons who wish to address the Board of Directors must complete a Speaker Card and give it to the Clerk prior to addressing
the Board. Those who wish to address the Board on an agenda item will be heard when the Chairperson calls for comments from
the audience. Following recognition, persons desiring to speak are requested to advance to the podium and state their name and
address. After hearing audience comments, the Public Comment portion of the agenda item will be closed. The Opportunity
to address the Board of Directors on items of interest not appearing on the agenda will be provided
during Section C. Public Comment.

3:00 P.M. CALL TO ORDER

A. Pledge of Allegiance
B. Verification of Certificate of Posting
C. Public Comment (Opportunity to address the Board on items of interest on a subject matter within
the jurisdiction of the Council of Governments and not appearing on the agendas. No action may be
taken unless provided by Govt. Code Sec. 54954.2 Speakers are limited to 3 minutes.)
D. Executive Director's Report
E. Caltrans Report – Gubbins/Loe
F. Board of Directors’ Reports

CONSENT AGENDA:

(These matters shall be considered as a whole and without discussion unless a particular item is removed from the Consent
Agenda. Members of the public who wish to speak on a Consent Agenda item must submit a Speaker Card to the Clerk and
wait for recognition from the Chairperson. Approval of a consent item means approval as recommended on the Staff Report.)

1. APPROVE Council of Governments Draft Special Meeting Minutes Dated June 18, 2015 – Gomez
2. APPROVE Council of Governments Draft Meeting Minutes Dated June 18, 2015 – Gomez
3. RECEIVE Construction Projects Report – Caltrans District 5

4. APPROVE Contract with JJACPA, Inc. for Financial Audit for Year Ending June 30, 2015 for an Amount not to Exceed $15,045 – Postigo

5. APPROVE Cost Sharing Agreement with the Association of Monterey Bay Area Governments for Preparation of the Environmental Impact Report for the 2040 Regional Transportation Plan and 2040 Metropolitan Transportation Plan and Sustainable Communities Strategy for an Amount not to Exceed $35,000 – Gilbert

6. EXTEND Appointment of Mary Gilbert as COG Interim Executive Director to September 30, 2015 Contingent on Final Action by San Benito County Board of Supervisors – Gilbert

7. Surplus Property Transfer – Gilbert
   a. ADOPT Resolution 15-06 Declaring COG-Owned Property as Surplus and Authorizing the Grant of Such Surplus Property to the City of Hollister (4/5 Vote), and
   b. MAKE DETERMINATION that the Conveyance is Exempt from the California Environmental Quality Act (CEQA) Pursuant to Section 15312 of the CEQA Guidelines (Title 14 of the California Code of Regulations).

REGULAR AGENDA: TRANSPORTATION ITEMS

8. 2015 Unmet Transit Needs Report – Lezama
   b. ADOPT Resolution 2015-07 Making Findings and Recommendations Regarding Unmet Transit Needs that are Reasonable to Meet as required by the Transportation Development Act (TDA) for Fiscal Year 2015/2016.

9. RECEIVE Update on Highway 25 Widening Project Development – Gilbert

10. RECEIVE Update on Work Plan for Potential Transportation Sales Tax Measure in the 2016 Election Cycle and DIRECT STAFF as needed – Gilbert

11. RECEIVE Information from Caltrans on the State Route 129 Realignment Project – Gilbert

CLOSED SESSION:

12. Public Employee Appointment
    Title: Executive Director
    Authority: California Government Code section 54957

Adjourn to COG Meeting on August 20, 2015. Agenda Deadline is Tuesday, August 11, 2015 at 12:00 p.m.

In compliance with the Americans with Disabilities Act (ADA), if requested, the Agenda can be made available in appropriate alternative formats to persons with a disability. If an individual wishes to request an alternative agenda format, please contact the Clerk of the Council four (4) days prior to the meeting at (831) 637-7665. The Council of Governments Board of Directors meeting facility is accessible to persons with disabilities. If you need special assistance to participate in this meeting, please contact the Clerk of the Council’s office at (831) 637-7665 at least 48 hours before the meeting to enable the Council of Governments to make reasonable arrangements to ensure accessibility.
CERTIFICATE OF POSTING

Pursuant to Government Code Section #54954.2(a) the Meeting Agenda for the Council of San Benito County Governments on July 16, 2015 at 3:00 P.M. was posted at the following locations freely accessible to the public:

The front entrance of the San Benito County Courthouse, Monterey Street, Hollister, CA 95023, and the Council of Governments Office, 330 Tres Pinos Rd., Ste. C7, Hollister, CA 95023 at the following date and time:

On the 10th day of July 2015, on or before 5:00 P.M.

I, Monica Gomez, swear under penalty of perjury that the foregoing is true and correct.

BY: __________________________________________
    Monica Gomez
    Secretary I
    Council of San Benito County Governments
District Director’s Report
A quarterly publication for our transportation partners

**US 101/San Juan Road Interchange Completed**

Caltrans and its local transportation partners will celebrate the recent completion of the US 101/San Juan Road interchange on July 17 near the project site. The Transportation Agency for Monterey County (TAMC) and the California Transportation Commission will participate in the event featuring several state, county and local representatives.

The $49 million project removed three major at-grade intersections and constructed a single interchange, converting this segment of US 101 from expressway to freeway. The new facility improves safety and operations by reducing conflicts that cause collisions and delays during peak travel times.

**New Grant Cycle Coming**

**Strategic Partnerships**

**Sustainable Communities**


**D5 Engineer Honored**

Senior Transportation Engineer Debra Larson recently received the 2015 Karl Moskowitz Transportation Award for outstanding management and engineering. Larson has served in many positions, including investigations, non-standard special provisions approvals and project review. As the District Traffic Safety Engineer, she has implemented many safety improvements, including curve realignments, wet weather and sight distance projects, crash cushion and end treatment upgrades, and installations. She also defends Caltrans in legal cases.

**Recycled Water for Landscaping**

Construction is nearing completion on the US 101 recycled water project in San Luis Obispo. The $1.8 million project will use recycled water to irrigate about 43 acres of planting along the highway in the city and remove five potable water meters in the landscape area. Other major features include using recycled water for the District Office and Shop 5 landscaping, and carrying the flow to the shop’s wash rack and water truck hydrant. Two other projects are installing smart irrigation controllers in four of the District’s five counties. These reduce water usage, shut off automatically and notify workers of system malfunctions.

Please Submit Maintenance Service Requests at the Following Link: [http://www.dot.ca.gov/hq/maint/msrsuabm](http://www.dot.ca.gov/hq/maint/msrsuabm)
Class IV Bikeway Guidance Forthcoming

Caltrans is developing design criteria for Class IV bikeways. A recent summit was held in Sacramento with stakeholders to share ideas and concerns. Class IV bikeways are also referred to as cycle tracks, or separated bikeways, and feature exclusive use for bicycling adjacent to a roadway. Protection from vehicle traffic is provided using various elements such as grade separation, flexible posts, inflexible physical barriers or on-street parking. Assembly Bill 1193 requires Caltrans to establish minimum safety design criteria for these facilities by Jan. 1, 2016. The design criteria:

- Is established cooperatively with local agencies.
- Includes facility design speed, minimum widths and clearances, grade and curvature radius, pavement surface, traffic control devices actuation and more.

Mile Marker Summer Edition Released

The Mile Marker: A Caltrans Performance Report summer edition is now available online. The plain language report addresses how well Caltrans is protecting and improving California's transportation system. The latest issue features a revamped report card of new performance measures reflecting a dramatic change in Caltrans' priorities and increased focus on sustainability. Overall, it shows what's working well, what isn't, and what needs improving.

More information is available at: http://www.dot.ca.gov/dtcjrnal/MileMarker/index.html

DSMP Complements Caltrans' Strategic Plan

The 2015 District 5 System Management Plan (DSMP) is the District's 20-year vision for managing the state's transportation system. It features the District Profile, Management Plan and Project List. The first section describes the District's setting and context, environmental resources and multimodal systems. The second category details goals, objectives and strategies for achieving the department's new mission, vision and goals. The third section provides the District's 20 to 25-year list of multimodal improvements identified in state and local planning documents.

The DSMP identifies objectives for meeting Caltrans' 2015-2020 Strategic Management Plan's five major goals:

- Safety and health
- Stewardship and efficiency
- Sustainability, livability and economy
- System performance
- Organizational excellence
SAN BENITO COUNTY
COUNCIL OF GOVERNMENTS

SPECIAL MEETING

June 18, 2015  12:10 P.M.

DRAFT MINUTES

MEMBERS PRESENT:
Chair Muenzer, Vice-Chair Boch, Director Gomez, Director Velazquez, and Alternate Director De La Cruz

STAFF PRESENT:
Deputy County Counsel, Shirley Murphy; Interim Executive Director, Mary Gilbert; Secretary, Monica Gomez

CALL TO ORDER:
Chair Muenzer called the meeting to order at 12:10 P.M.

A.  PLEDGE OF ALLEGIANCE

B.  CERTIFICATE OF POSTING

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

CLOSED SESSION:

The COG Board convened into Closed session at 12:11 p.m.

1.  Public Employee Appointment
Title: Executive Director
Authority: California Government Code Section 54957

The COG Board reconvened from Closed session at 3:00 p.m.

Chair Muenzer moved to the Regular COG, LTA, MEA, SAFE, and ALUC meetings at 3:06 p.m.

The COG Board reconvened from the Regular COG meeting and back into the Special COG meeting Closed Session at 4:17 p.m.

The COG Board reconvened from Closed session at 4:45 p.m.

Deputy County Counsel Shirley Murphy stated that there was no reportable action taken under Closed Session Item 1.

Upon a motion duly made by Director Boch, and seconded by Director Gomez, the Directors unanimously adjourned the Special COG meeting at 4:46 p.m. Vote:5/0 motion passes.
SAN BENITO COUNTY
COUNCIL OF GOVERNMENTS
REGULAR MEETING

June 18, 2015, 3:00 P.M.

DRAFT MINUTES

MEMBERS PRESENT:
Chair Muenzer, Vice-Chair Boch, Director Gomez, Director Velazquez, Alternate Director De La Cruz
Ex Officio: Brandy Rider, Caltrans District 5

STAFF PRESENT:
Deputy County Counsel, Shirley Murphy; Interim Executive Director, Mary Gilbert; Administrative
Services Specialist Kathy Postigo; Transportation Planner, Veronica Lezama; Transportation Planner,
Sean Vienna; Secretary, Monica Gomez

OTHERS PRESENT:
Mark McCumsey, Caltrans District 5; Heather Adamson, Association of Monterey Bay Area
Governments; John Ristow, Valley Transportation Authority; Herb Kellogg, California Highway Patrol;
Eileen Goodwin, Apex Strategies

CALL TO ORDER:
Chair Muenzer called the meeting to order at 3:06 P.M.

A. PLEDGE OF ALLEGIANCE

B. CERTIFICATE OF POSTING

Upon a motion duly made by Director Gomez, and seconded by Director Boch, the Directors
acknowledged the Certificate of Posting. Vote: 5/0 motion passes.

C. PUBLIC COMMENT:

Chair Muenzer stated for the record that the COG Board received Joe Thompson’s public comment
 correspondence dated June 2, 2015 through June 16, 2015. The correspondence was entered into the
public record.

D. EXECUTIVE DIRECTOR’S REPORT: Gilbert

Ms. Gilbert reported that she attended the San Luis Obispo Central Coast Coalition meeting.

In addition, she announced that the Transportation Agency for Monterey County will be holding a ribbon
cutting ceremony for the San Juan Road Interchange July 17, 2015 at 11:30 a.m. The location has not yet
been determined.

Finally, Ms. Gilbert introduced Sean Vienna, COG’s new Transportation Planner, who began working for
the San Benito COG as of June 1, 2015.
E. **CALTRANS DISTRICT 5 REPORT**: Gubbins

Brandy Rider announced that the Highway 25 Curve Realignment project construction is anticipated to go through to winter.

Also, the third edition of Caltrans Mile Marker is available on their website. The report provides a transparent, plain-language accounting of Caltrans’ performance.

F. **BOARD OF DIRECTORS REPORTS**: None

**CONSENT AGENDA:**

1. **APPROVE** Council of Governments Draft Special Joint Meeting Minutes Dated May 21, 2015 – Gomez
2. **APPROVE** Council of Governments Draft Meeting Minutes Dated May 21, 2015 – Gomez
3. **RECEIVE** Construction Projects Report – Caltrans District 5
4. **APPROVE** Fiscal Year 2015/2016 Council of Governments Final Budget – Postigo
5. **APPROVE** Amendment No. 1 to Contract with Apex Strategies, Extending the Contract through December 2015 – Gilbert
6. **APPROVE** the Fiscal Year 2015/2016 Final Overall Work Program and AUTHORIZE Executive Director to Sign Overall Work Program Agreement – Lezama

Ms. Gilbert noted a correction to Item 4. She stated that the correct action was to **ADOPT** Fiscal Year 2015/2016 Council of Governments Final Budget.

*Upon a motion duly made by Director Gomez and seconded by Director Velazquez, the Directors unanimously approved Items 1-6 from the Consent Agenda, as amended by staff. Vote: 5/0 motion passes.*

**REGULAR AGENDA**

**TRANSPORTATION ITEMS:**

7. **APPROVE** Work Plan for Potential Transportation Sales Tax Measure in the 2016 Election Cycle – Gilbert

Ms. Gilbert introduced Eileen Goodwin with Apex Strategies who is jointly working on a work plan timeline for a sales tax measure in San Benito County

Ms. Goodwin provided a review of the Expenditure Plan for the Council of San Benito County Governments Draft 2015-2016 Timeline

There was discussion and clarification from the COG Board regarding messaging related to Highway 25 and any sales tax effort.

There was no public comment on this item.

*Upon a motion duly made by Director Gomez and seconded by Director De La Cruz, the Directors unanimously approved Item 7. Vote: 5/0 motion passes.*

8. **RECEIVE** Presentation on Santa Clara Valley Transportation Authority Projects in Southern Santa Clara County – Gilbert

Ms. Gilbert introduced John Ristow of the Valley Transportation Authority (VTA). Mr. Ristow provided a Power-Point presentation on the Santa Clara Valley Transportation Authority Projects in Southern Santa Clara County.
There was some discussion amongst the COG Board and Mr. Ristow regarding the SR 152 Trade Corridor and the US 101/SR 25 Interchange.

There was no public comment on this item.

9. **RECEIVE** Report on Assembly Bill 227 (Alejo) and **APPROVE** Letter of support by the Council of Governments Board of Directors – Gilbert

Ms. Gilbert reported that unfortunately Assembly Bill 227 was currently in the suspense file. However, Assemblymember Alejo reported that his team would continue to fight for transportation funding and would continue to accept letters of support.

There was no public comment on this item.

Director De La Cruz stepped out of the meeting momentarily.

_Upon a motion duly made by Director Gomez and seconded by Director Boch, the Directors unanimously approved Item 9. Vote: 4/0 motion passes._

10. **APPROVE** Staff Work Plan for Regional Transportation Plan Amendment for the Highway 25 Widening Project – Gilbert

Ms. Gilbert provided background information regarding the Regional Transportation Plan amendment for Highway 25.

**PUBLIC COMMENT:**

_Hamdy Abbass_
“Stay Alive On 25”

Mr. Abbass stated that he was one of the co-founders of the “Stay Alive on 25” campaign from back in 2000. He stated that something had to be done once again to educate the public about safety on the roadway. Mr. Abbass stated that there used to be at least four signs back then, but now there is only one sign on the route. Mr. Abbass asked the Board to provide direction so that they could rally the public to do something all over again.

Chair Muenzer closed public comment.

California Highway Patrol Officer Herb Kellogg provided fatality and accident data on the route and answered questions from the Board. Officer Kellogg also agreed that drivers need to be educated because they are putting lives at risk when they drive recklessly.

There was discussion amongst the Board members regarding potential interim solutions and public outreach concepts. Ms. Gilbert stated she would include follow up on the safety corridor issues at the next meeting.

_Upon a motion duly made by Director Gomez, and seconded by Director De La Cruz, the Directors unanimously approved Item 10. Vote: 5/0 motion passes._

_Upon a motion duly made by Director De La Cruz, and seconded by Director Velazquez, the Directors unanimously adjourned the COG meeting at 4:13 p.m. Vote: 5/0 motion passes._

**ADJOURN TO COG MEETING JULY 16, 2015.**
## CONSTRUCTION PROJECTS

<table>
<thead>
<tr>
<th>Project</th>
<th>Location</th>
<th>Description</th>
<th>Construction Timeline</th>
<th>Construction Cost</th>
<th>Funding Source</th>
<th>Implementing Agency</th>
<th>Project Manager</th>
<th>Contractor</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Hwy. 101/San Juan Road Interchange (315804)</td>
<td>On Route 101 near Prunedale 4 mile south of Dunbarton Road in Mon. Co. (PM 100.0-101.3)</td>
<td>Construct new interchange at San Juan Road and US 101</td>
<td>Dec. 3, 2012-Winter 2016 (Timeframe includes Plant Establishment Work)</td>
<td>$46.2 Million</td>
<td>STIP/CMIA/ARRA</td>
<td>Caltrans</td>
<td>David Silberberger (JW)</td>
<td>Granite Construction/ MCM</td>
<td>All the ramps are now open. The remaining work is the final touches to the median of Highway 101 and the completion of Dunbarton Road. Roadway construction items should be completed in July of 2015. Plant Establishment is targeted to be completed by Summer 2016. Ribbon Cutting Ceremony scheduled for July 17, 2015.</td>
</tr>
<tr>
<td>2. Hwy. 25 Curve Realignment (0T6404)</td>
<td>On Route 25 Near Hollister, from 0.8 mile north of San Benito Lateral to 2 miles south of Rte 146 (PM 18.8/19.5)</td>
<td>Realign roadway and widen lanes and shoulders</td>
<td>June 8, 2015-December 2015</td>
<td>$1.99 Million</td>
<td>SHOPP</td>
<td>Caltrans</td>
<td>Richard Rosales (KB)</td>
<td>John Madonna Construction Co.</td>
<td>Construction started June 8, 2015.</td>
</tr>
</tbody>
</table>

## PROJECTS IN DEVELOPMENT

<table>
<thead>
<tr>
<th>Project</th>
<th>Location</th>
<th>Description</th>
<th>Construction Timeline</th>
<th>Construction Cost</th>
<th>Funding Source</th>
<th>Implementing Agency</th>
<th>Project Manager</th>
<th>Phase</th>
<th>Comments</th>
</tr>
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<tbody>
<tr>
<td>3. Hwy. 156 Improvement Project (34490_)</td>
<td>On SR 156 in and near San Juan Bautista from The Alameda to 0.2 mi east of 4th St. near Hollister (PM 3.0/R8.2)</td>
<td>Widen 2 to 4 Lanes</td>
<td>Summer 2017 to Summer 2019</td>
<td>$47.3 Million</td>
<td>STIP, IIP, RIP, Local</td>
<td>Caltrans</td>
<td>Richard Rosales</td>
<td>PS&amp;E</td>
<td>Project design on-going. Right of Way appraisals in progress. Request for Controlled Access Highway Agreement submitted to Co. PW. Utility relocation design coordination ongoing. 60% design complete target 7/31/15.</td>
</tr>
<tr>
<td>Project</td>
<td>Location</td>
<td>Description</td>
<td>Construction Timeline</td>
<td>Construction Cost</td>
<td>Funding Source</td>
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<tr>
<td>Hwy. 25 Route Adoption Hollister to Gilroy (48540_)</td>
<td>Near Hollister and Gilroy on SR 25 in SBT &amp; SCL Counties (SBT-25-51.5/60.1) (SBT-156-R10.5/12.2) (SCL-25-0.0/2.6)</td>
<td>Route Adoption (SBT-25-51.5 to SCL-25-2.6)</td>
<td>N/A</td>
<td>N/A</td>
<td>Local</td>
<td>Caltrans</td>
<td>Richard Rosales</td>
<td>PA&amp;ED</td>
<td>Funding Cooperative Agreement approved July 28, 2014 to complete Tier I final Environmental Document and Route Adoption</td>
</tr>
</tbody>
</table>
Staff Report

To: Council of Governments
From: Kathy Postigo, Administrative Services Specialist  
Date: July 16, 2015
Subject: Contract for Financial Audit for Fiscal Year Ending June 2015

Recommendation:

APPROVE Contract with JJACPA, Inc. for Financial Audit for Fiscal Year Ending June 30, 2015 for an amount not to exceed $15,045.

Summary:

Under the Transportation Development Act regulations, the Council of Governments is required to perform an outside financial audit each fiscal year. The audit examines the financial statements made by the Council of Governments and performs a Single Audit if required under federal regulation.

Fiscal Impact:

The Contract is for a total amount not to exceed $15,045. This item is included in the 2015/2016 Fiscal Year Council of Governments budget.

Background:

In May, the Council of Governments Board authorized staff to issue a Request for Proposals for the financial audit. Staff posted a Request for Proposal on the Council of Governments website. Only one firm submitted a proposal for the financial audit. After evaluating the proposal received, the review panel recommends JJACPA, Inc. as the preferred auditor. The contract is for one year and unless terminated, automatically renews for three successive one-year periods.

Staff Analysis:

JJACPA has performed the previous four fiscal audits for the Council of Governments. Mr. Arch is familiar with New World, the county’s new computer system, which will be an asset to staff in preparing the audit. Staff recommends that the Board approve the contract with JJACPA, Inc. for the financial audit for fiscal year ending June 30, 2015 for an amount not to exceed $15,045.

Executive Director Review:  
Counsel Review: Yes

Attachment: Contract with JJACPA
CONTRACT

The COUNCIL OF SAN BENITO COUNTY GOVERNMENTS ("COG") and JJACPA, Inc. ("CONTRACTOR") enter into this contract which shall be effective on the date stated in Paragraph 1.

1. **Duration of Contract.**

   This contract shall commence on July 16, 2015, and end on June 30, 2018, unless sooner terminated as specified herein.

2. **Scope of Services.**

   CONTRACTOR, for COG’s benefit shall perform the services specified on Attachment A to this contract. Attachment A is made a part of this contract.

3. **Compensation for Services.**

   In consideration for CONTRACTOR’s performance, COG shall pay compensation to CONTRACTOR according to the terms specified in Attachment B. Attachment B is made a part of this contract.

4. **General Terms and Conditions.**

   The rights and duties of the parties to this contract are governed by the general terms and conditions mutually agreed to and listed in Attachment C. Attachment C is made a part of this contract.

5. **Insurance Limits.**

   CONTRACTOR shall maintain the following insurance policy limits of coverage consistent with the further insurance requirements specified in Attachment C.

   (a) Comprehensive general liability insurance: $1,000,000

   (b) Professional liability insurance: 

   (c) Comprehensive motor vehicle liability insurance: 

6. **Termination.**

   The number of days of advance written notice required for termination of this contract is thirty (30) days.

7. **Specific Terms and Conditions (check one)**

   [ ] There are no additional provisions to this contract.

   [X] The rights and duties of the parties to this contract are additionally governed by the specific, additional terms mutually agreed to and listed in Attachment D. Attachment D is made a part of this contract.

   [ ] The rights and duties of the parties to this contract are additionally governed by the specific, additional terms mutually agreed to and listed in Attachment E. Attachment E is made a part of this contract.

The following names, titles, addresses, and telephone numbers are the pertinent information for the respective contract administrators for the parties.

Contract Administrator for COG:
Name: Mary Gilbert
Title: Interim Executive Director
Address: 330 Tres Pinos Rd., Suite C7
Hollister, California 95023
Telephone No.: (831) 637-7665
Fax No.: (831) 636-4160

Contract Administrator for CONTRACTOR:
Name: Joseph J. Arch, CPA
Title: President/CEO
Address: 7080 Donlon Way, Suite 204
Dublin, CA 94568
Telephone No.: (925) 556-6200
Fax No.: (925) 556-6201

SIGNATURES

APPROVED BY COG:

__________________________
Name: Jerry Muenzer
Chair, Council of Governments
Date: ______________________

APPROVED AS TO LEGAL FORM:
San Benito County Counsel's Office

__________________________
By: Shirley L. Murphy, Deputy County Counsel
Date: July 8, 2015

APPROVED BY CONTRACTOR:

__________________________
Name: Joseph J. Arch, CPA
Title: President/CEO
Date: ______________________
ATTACHMENT A
Scope of Work

On behalf of COG, CONTRACTOR shall perform the following services:

CONTRACTOR will audit the general-purpose financial statements of the Council of San Benito County Governments (COG) as of June 30, 2015, for the fiscal year ended. Also CONTRACTOR engagement will include the following services:


b. Perform annual fiscal audit of Transportation Development Act (TDA) funds of claimants: COG, Local Transportation Authority (LTA), Airport Land Use Commission (ALUC), Service Authority for Freeways and Expressways (SAFE), City of Hollister, San Benito County and City of San Juan Bautista.

c. The COG will be implementing GASB 68 for fiscal year ended June 30, 2015. Assistance in implementing changes resulting from pronouncements and/or changes made by the Governmental Accounting Standards Board such as GASB 68 for pension accounting will be required.

The Audits must meet all requirements of California state law relating to fiscal audits of Regional Transportation Planning Agency (RTPA) and Transportation Development Act (TDA) claimants. Specifically, contractor shall perform fiscal audits, which comply with all provisions of Title 21, California Code of Regulations, sections 6662, 6664, 6666, and 6667, and other related sections of the California Code of Regulations and adopted by the State of California Business, Transportation and Housing Agency, Department of Transportation and Housing Agency, Department of Transportation, and certain other related provisions of laws, regulations, contracts and grants.

CONTRACTOR will retain all work papers, reports, and related information for a minimum of three years from the date the audit report is finalized. Any representative of the COG, the state, and the federal government, with prior notice and written approval of the COG, may have access to the above-mentioned records.

CONTRACTOR will complete the audits on or before December 31, 2015.

END OF ATTACHMENT A.
ATTACHMENT B
Payment Schedule

B-1. BILLING

Charges for services rendered pursuant to the terms and conditions of this contract shall be invoiced on the following basis: (check one)

[X] One month in arrears.
[ ] Upon the complete performance of the services specified in Attachment A.
[ ] The basis specified in paragraph B-4.

B-2. PAYMENT

Payment shall be made by COUNCIL OF GOVERNMENTS to CONTRACTOR at the address specified in paragraph 8 of this contract, net thirty (30) days from the invoice date.

B-3. COMPENSATION

COUNCIL OF GOVERNMENTS shall pay to CONTRACTOR: (check one)

[ ] a total lump sum payment of $______________________________ or

[X] a total sum not to exceed $15,045 ____________________________

for services rendered pursuant to the terms and conditions of this contract and pursuant to any special compensation terms specified in this attachment, Attachment B.

B-4. SPECIAL COMPENSATION TERMS: (check one)

[X] There are no additional terms of compensation.
[ ] The following specific terms of compensation shall apply:

END OF ATTACHMENT B.
ATTACHMENT C
General Terms and Conditions

C-1. INDEMNIFICATION.

CONTRACTOR and COG each agree to indemnify, defend and save harmless the other party and the other party's officers and employees, from and against any and all claims and losses whatsoever arising out of, or in any way related to, the indemnifying party's performance under this contract, including, but not limited to, claims for property damage, personal injury, death, and any legal expenses (such as attorneys' fees, court costs, investigation costs, and experts' fees) incurred by the indemnitee in connection with such claims or losses. A party's "performance" includes the party's action or inaction and the action or inaction of that party's officers and employees.

C-2. GENERAL INSURANCE REQUIREMENTS.

Without limiting CONTRACTOR's duty to indemnify COG, CONTRACTOR shall comply with the insurance coverage requirements set forth in the contract and in this attachment. Those insurance policies mandated by Paragraph C-3 shall satisfy the following requirements:

(a) Each policy shall be issued by a company authorized by law to transact business in the State of California.

(b) Each policy shall provide that COG shall be given notice in writing at least thirty (30) days in advance of any change, cancellation, or nonrenewal thereof.

(c) The comprehensive motor vehicle and comprehensive general liability policies shall each provide an endorsement naming COG and its officers, agents and employees as additional insureds.

(d) The required coverage shall be maintained in effect throughout the term of this contract.

CONTRACTOR shall require all subcontractors performing work under this contract to obtain substantially the identical insurance coverage required of CONTRACTOR pursuant to this agreement.

C-3. INSURANCE COVERAGE REQUIREMENTS.

If required by paragraph 5 of the contract, CONTRACTOR shall maintain the following insurance policies in full force and effect during the term of this contract:

(a) Comprehensive general liability insurance. CONTRACTOR shall maintain comprehensive general liability insurance, covering all of
CONTRACTOR's operations with a combined single limit of not less than the amount set out in paragraph 5 of this contract.

(b) Professional liability insurance. CONTRACTOR shall maintain professional liability insurance with liability limits of not less than the amount set out in paragraph 5 of this contract.

(c) Comprehensive motor vehicle liability insurance. CONTRACTOR shall maintain comprehensive motor vehicle insurance covering all motor vehicles (including owned, non-owned and hired) used in providing services under this contract, with a combined single limit of not less than the amount set out in Paragraph 5 of this contract.

(d) Workers' compensation insurance. CONTRACTOR shall maintain a workers' compensation plan covering all of its employees as required by California Labor Code Section 3700, either through workers' compensation insurance issued by an insurance company or through a plan of self-insurance certified by the State Director of Industrial Relations. If CONTRACTOR elects to be self-insured, the certificate of insurance otherwise required by this contract shall be replaced with a consent to self-insure issued by the State Director of Industrial Relations.

C-4. CERTIFICATE OF INSURANCE.
Prior to the commencement of performance of services by CONTRACTOR and prior to any obligations of COG, CONTRACTOR shall file certificates of insurance with COG, showing that CONTRACTOR has in effect the insurance required by this contract. CONTRACTOR shall file a new or amended certificate promptly after any change is made in any insurance policy which would alter the information on the certificate then on file. In lieu of providing proof of insurance, CONTRACTOR may provide proof of self-insurance meeting requirements equivalent to those imposed herein. CONTRACTOR warrants that CONTRACTOR's self-insurance provides substantially the same protection to COG as the insurance required herein. CONTRACTOR further agrees to notify COG in the event any change in self-insurance occurs that would alter the obligations undertaken in this contract within thirty (30) days of such change.

C-5. RECORDS TO BE MAINTAINED.
CONTRACTOR shall keep and maintain accurate records of all costs incurred and all time expended for work under this contract. CONTRACTOR shall contractually require that all of CONTRACTOR's Subcontractors performing work called for under this contract also keep and maintain such records. All such records, whether kept by CONTRACTOR or any SUBCONTRACTOR, shall be made available to COG or its authorized representative, Federal Highway Administration (FHWA), or any duly authorized representative of the Federal Government or officials of the State of California for review or audit during normal
business hours, upon reasonable advance notice given by COG, its authorized representative, or official of the State of the State of California.

C-6 RECORDS TO BE MAINTAINED

CONTRACTOR shall maintain and preserve all records related to this contract for a period of three years from the close of the fiscal year in which final payment under this contract is made. CONTRACTOR shall also contractually require the maintenance of such records in the possession of any third party performing work related to this contract for the same period of time. Such records shall be retained beyond the three-year period, if any audit involving such records is then pending, until the audit findings are resolved. The obligation to insure the maintenance of the records beyond the initial three year period shall arise only if the COG notifies CONTRACTOR of an audit prior to the expiration of the three year period.

C-7 TITLE TO DOCUMENTS; COPYRIGHT.

All reports and other materials collected or produced by the CONTRACTOR or any Subcontractor of CONTRACTOR shall, after completion and acceptance of the contract, become the property of COG, and shall not be subject to any copyright claimed by the CONTRACTOR, SUBCONTRACTOR, or their agents or employees. CONTRACTOR may retain copies of all such materials exclusively for administrative purposes. Any use of completed or uncompleted documents for other projects by CONTRACTOR, any subcontractor, or any of their agents or employees, without the prior written consent of COG is prohibited.

C-8. INDEPENDENT CONTRACTOR.

CONTRACTOR and its officers and employees, in the performance of this contract, are independent CONTRACTORs in relation to COG and not officers or employees of COG. Nothing in this contract shall create any of the rights, powers, privileges or immunities of any officer or employee of COG. CONTRACTOR shall be solely liable for all applicable taxes or benefits, including, but not limited to, federal and state income taxes, Social Security taxes, or ERISA retirement benefits, which taxes or benefits arise out of the performance of this contract. CONTRACTOR further represents to COG that CONTRACTOR has no expectation of receiving any benefits incidental to employment.

C-9. CONFLICT OF INTEREST.

CONTRACTOR covenants that it presently has no interest and shall not acquire any interest, direct or indirect, financial or otherwise, which would conflict in any manner or degree with the performance of the services hereunder. CONTRACTOR further covenants that, in the performance of this contract, no Subcontractor or person having such an interest shall be used or employed.
C-10. COMPLIANCE WITH APPLICABLE LAWS.

CONTRACTOR shall comply with all applicable federal, state and local laws now, or hereafter, in force, and with any applicable regulations, in performing the work and providing the services specified in this contract. This obligation includes, without limitation, the acquisition, and maintenance of any permits, licenses, or other entitlements necessary to perform the duties imposed expressly or impliedly under this contract.

C-11. NONDISCRIMINATION.

CONTRACTOR shall not discriminate in the employment of persons necessary to perform this contract on any legally impermissible basis, including on the basis of the race, color, national origin, ancestry, religion, age, sex, or disability of such person.

C-12. BANKRUPTCY.

CONTRACTOR shall immediately notify COG in the event that CONTRACTOR ceases conducting business in the normal manner, becomes insolvent, makes a general assignment for the benefit of creditors, suffers or permits the appointment of a receiver for its business or assets, or avails itself of, or becomes subject to, any proceeding under the Federal Bankruptcy Act or any other statute of any state relating to insolvency or protection of the rights of creditors.

C-13. PROHIBITION AGAINST ASSIGNMENT AND DELEGATION OF DUTIES.

Except as specifically authorized herein, no rights under this contract may be assigned and no duties under this contract may be delegated by CONTRACTOR without the prior written consent of COG, and any attempted assignment or delegation without such consent shall be void.

C-14. NEGOTIATED CONTRACT.

This contract has been arrived at through negotiation between the parties. Neither party is to be deemed the party which prepared this contract within the meaning of California Civil Code Section 1654.

C-15. SEVERABILITY.

Should any provision herein be found or deemed to be invalid, this contract shall be construed as not containing such provision, and all other provisions which are otherwise lawful shall remain in full force and effect. To this end, the provisions of this contract are declared to be severable.
C-16. ENTIRE CONTRACT.
This contract is the entire agreement of the parties. There are no understandings
or agreements pertaining to this contract except as are expressly stated in writing
in this contract or in any document attached hereto or incorporated herein by
reference.

C-17. TIME IS OF THE ESSENCE.
Time is of the essence in the performance of this contract.

C-18. TERMINATION.
Either party may terminate this contract, with or without cause, at any time. In
order to terminate this contract, the terminating party shall give advance written
notice to the other party. The termination shall be effective no earlier than the
expiration of the number of days specified in paragraph 6 of this contract. The
termination notice shall be made as specified in paragraph C-19, below. In the
event of termination, COG shall pay CONTRACTOR for all work satisfactorily
performed prior to the effective date of the termination.

C-19. NOTICES.
Notices to the parties in connection with the administration of this contract shall
be given to the parties' contract administrator personally, by regular mail, or by
facsimile transmission as more particularly specified in this paragraph. Notices
will be deemed given on:

(a) The day the notice is personally delivered to the contract
administrator or the office of the party's contract administrator; or

(b) Five days after the date the notice is deposited in the United States
mail, addressed to a party's contract administrator as indicated in
this contract, with first-class postage fully prepaid; or

(c) On the day that the notice is transmitted by facsimile to a party's
facsimile number specified in paragraph 8 of this contract, provided
that an original of such notice is deposited in the United States
mail, addressed to a party's contract administrator as indicated in
this contract, on the same day as the facsimile transmission is
made.

C-20. RESPONSIBILITY OF CONTRACT ADMINISTRATORS.
All matters concerning this contract which are within the responsibility of the
parties shall be under the direction of, or shall be submitted to, the respective
contract administrators or to the party's employee specified, in writing, by the
contract administrator. A party may, in its sole discretion, change its designation of its contract administrator and shall promptly give written notice to the other party of any such change.

C-21. MATERIALITY.
The parties consider each and every term, covenant, and provision of this contract to be material and reasonable.

C-22. WAIVER.
Waiver by either party of a breach of any covenant of this contract will not be construed to be a continuing waiver of any subsequent breach. COG's receipt of consideration with knowledge of CONTRACTOR's violation of a covenant does not waive its right to enforce any covenant of this contract. The parties shall not waive any provisions of this contract unless the waiver is in writing and signed by all parties.

C-23. AUTHORITY AND CAPACITY.
CONTRACTOR and CONTRACTOR's signatory each warrant and represent that each has full authority and capacity to enter into this contract.

C-24. BINDING ON SUCCESSORS.
All of the conditions, covenants and terms herein contained shall apply to, and bind, the heirs, successors, executors, administrators and assigns of CONTRACTOR. CONTRACTOR and all of CONTRACTOR's heirs, successors, executors, administrators, and assigns shall be jointly and severally liable under this contract.

C-25. CUMULATION OF REMEDIES.
All of the various rights, options, elections, powers and remedies of the parties shall be construed as cumulative, and no one of them exclusive of any other or of any other legal or equitable remedy which a party might otherwise have in the event of a breach or default of any condition, covenant or term by the other party. The exercise of any single right, option, election, power or remedy shall not, in any way, impair any other right, option, election, power or remedy until all duties and obligations imposed shall have been fully performed.

C-26. INDEPENDENT ADVICE.
Each party hereby represents and warrants that in executing this contract it does so with full knowledge of the rights and duties it may have with respect to the other. Each party also represents and warrants that it has received independent
legal advice from its attorney with respect to the matters set forth in this contract and the rights and duties arising out of this contract, or that such party willingly foregoes any such consultation.

C-27. NO RELIANCE ON REPRESENTATIONS.
Each party hereby represents and warrants that it is not relying, and has not relied, upon any representation or statement made by the other party with respect to the facts involved or its rights or duties. Each party understands and agrees that the facts relevant, or believed to be relevant to this contract may hereunder turn out to be other than, or different from the facts now known to such party as true, or believed by such party to be true. The parties expressly assume the risk of the facts turning out to be different and agree that this contract shall be effective in all respects and shall not be subject to rescission by reason of any such difference in facts.

C-28. REDUCTION OF CONSIDERATION.
CONTRACTOR agrees that COG shall have the right to deduct from any payments specified in Attachment B any amount owed to COG by CONTRACTOR as a result of any obligation arising prior to, or after, the execution of this contract. For purposes of this paragraph, obligations arising prior to, or after, the execution of this contract may include, without limitation, any property tax, secured or unsecured, which tax is in arrears. If COG exercises the right to reduce the consideration specified in Attachment B, COG, at the time of making a reduced payment, shall give CONTRACTOR notice of the amount of any off-set and the reason for the reduction.

C-29. COUNTERPARTS.
This contract may be executed in any number of counterparts, each of which so executed shall be deemed to be an original. The counterparts shall together constitute one contract.

END OF ATTACHMENT C.
ATTACHMENT D
Specific Terms and Conditions

1. AUTOMATIC RENEWAL. Unless terminated, this contract shall automatically renew for three (3) successive one-year periods (July 31 – June 30) under the same terms and conditions unless either party, not less than sixty (60) days before the expiration of the contract, provides written notice of intent that the agreement not be renewed. However, this provision will not in any way prevent either party from exercising the right to terminate this contract with 30 days’ written notice as specified in paragraph 6 of this contract, and the termination provisions as provided in paragraph 6 of this contract shall apply to all contract renewals.

2. TITLE TO DOCUMENTS; COPYRIGHT. Paragraph C-7 of Attachment C to this contract is hereby modified to read as follows:

   All reports and other materials, exclusive of CONTRACTOR’S work papers, collected or produced by the CONTRACTOR or any Subcontractor of CONTRACTOR shall, after completion and acceptance of the contract, become the property of COG, and shall not be subject to any copyright claimed by the CONTRACTOR, SUBCONTRACTOR, or their agents or employees. CONTRACTOR may retain copies of all such materials exclusively for administrative purposes. Any use of completed or uncompleted documents for other projects by CONTRACTOR, any subcontractor, or any of their agents or employees, without the prior written consent of COG is prohibited.

3. ADDITIONAL SPECIFIC TERMS AND CONDITIONS: (check one)

   [x] There are no additional specific terms and conditions.
   [ ] The following additional specific terms and conditions shall apply:
   (Specify)

4. HARMONIZATION OF CONTRACT TERMS. Where the specific terms and conditions set forth in this Attachment D specifically conflict with the general terms and conditions set forth in Attachment C to this contract, the more specific terms and conditions shall be deemed to control. However, the general terms and conditions in Attachment C shall remain in full force and effect, to the extent they do not specifically conflict with the specific terms and conditions set forth in this Attachment D.

END OF ATTACHMENT D.
Staff Report

To: Council of San Benito County Governments  
From: Mary Gilbert, Transportation Planning Manager  
Date: July 16, 2015  
Subject: Cost Sharing Agreement for Environmental Impact Report Preparation

Recommendation:

APPROVE Cost Sharing Agreement with the Association of Monterey Bay Area Governments for Preparation of the Environmental Impact Report for the 2040 Regional Transportation Plan and 2040 Metropolitan Transportation Plan and Sustainable Communities Strategy for an Amount not to Exceed $35,000.

Summary:

As a part of preparing and developing the 2040 San Benito Regional Transportation Plan, the Council of Governments is required to prepare a program-level Environmental Impact Report. COG is coordinating preparation of this Environmental Impact Report with the Association of Monterey Bay Area Governments (AMBAG), the Santa Cruz County Regional Transportation Commission, and the Transportation Agency for Monterey County, who are also completing EIRs for their respective long-range transportation plans.

Financial Considerations:

COG’s financial contribution to the preparation of the Environmental Impact Report is $35,000. Costs for preparation of the Environmental Impact Report will be paid for with Transportation Development Act funds.

The cost of an independent Environmental Impact Report would be significantly higher if COG were to opt out of the coordinated report.

Background:

The Council of Governments updates its Regional Transportation Plan every 4 years as required by the State and federal governments. The plan sets forth transportation policies, projects, funding estimates, and performance measures. The 2040 Regional Transportation Plan is scheduled for adoption in 2018.
Staff Analysis:

The Regional Transportation Plan is required to undergo California Environmental Quality Act review and disclosure. Sharing in the cost of the Environmental Impact Report is a cost savings to COG, as an independent report would cost substantially more.

COG staff and staff from the other agencies work together to form a database of projects, complete financial projections, and complete a coordinated Environmental Impact Report.

Under the Memorandum of Understanding, AMBAG will be the lead agency on the project and will contract with a consulting firm to complete the environmental document. COG staff will assist with consultant selection and will contribute to the development of the document.

Executive Director Review:__________ Counsel Review: Yes

Supporting Attachment(s): AMBAG-SBtCOG Cost Sharing Agreement for the Preparation of the 2040 MTP/SCS/RTP Environmental Impact Report
AMBAG-SBtCOG
Cost Sharing Agreement for the Preparation of the
2040 MTP/SCS/RTP Environmental Impact Report

THIS AGREEMENT is both a project cost reimbursement and collaborative project agreement between the Association of Monterey Bay Area Governments hereinafter referred to as "AMBAG," and the Council of San Benito County Governments, hereinafter referred to as "SBtCOG."

WHEREAS, AMBAG and SBtCOG have a long-standing relationship and mutual responsibility for transportation planning in San Benito County; and

WHEREAS, AMBAG and SBtCOG are each responsible for the development of, at a minimum, a 20-year long-range transportation plan outlining anticipated projects and policy direction for their respective areas of responsibility; and

WHEREAS, the Metropolitan Transportation Plan (MTP), including the Sustainable Communities Strategy (SCS), and SBtCOG's Regional Transportation Plan (RTP) are each considered a project under the California Environmental Quality Act (CEQA); and

WHEREAS, it has been determined that an environmental review of the 2040 MTP/SCS and RTP will need to be prepared; and

WHEREAS, SBtCOG agrees to designate AMBAG as the Lead Agency pursuant to CEQA for the preparation of the collective environmental review; and

WHEREAS, AMBAG and SBtCOG agree that joint development of the environmental review is desirable and each agrees to participate in the selection of a consultant to conduct environmental review on their 20 plus-year long-range transportation plans and enlist CEQA services from that consultant; and

WHEREAS, the parties hereto desire to enter into an Agreement calling for the mutual development of one environmental review covering SBtCOG's 2018 Regional Transportation Plan in addition to AMBAG's Metropolitan Transportation Plan/Sustainable Communities Strategy (such collective environmental review referred to hereinafter as "Project"); and

WHEREAS, AMBAG shall also enter into separate cost sharing agreements with the Regional Transportation Planning Agencies for Santa Cruz and Monterey Counties allowing for their 2018 Regional Transportation Plans to also be covered by the same environmental review as SBtCOG's RTP and AMBAG's 2040 MTP/SCS.

NOW, THEREFORE, in consideration of the promises and mutual covenants herein contained, the parties hereto agree to the following:
1. Scope of Work

AMBAG shall secure separate cost sharing agreements with the Regional Transportation Planning Agencies for Santa Cruz and Monterey Counties that stipulates the same scope, term, payment procedures, and EIR revision clauses as this agreement to cover those agencies' proportionate share of the Project to be completed under this agreement. AMBAG shall submit executed copies of those agreements to SBrCOG prior to the issuance of a Notice to Proceed on environmental analysis for the Project and prior to the issuance of any invoice by AMBAG to SBrCOG under this agreement.

SBrCOG shall furnish its proportionate share of personnel, materials, services and facilities necessary for collaboration on the Project and will work collectively with AMBAG and the Regional Transportation Planning Agencies for Santa Cruz and Monterey Counties on developing a Request for Proposals for an environmental review consultant, including the Project's Scope of Work.

AMBAG shall produce a scope of work collectively with all of the participating agencies for the combined MTP/SCS/RTP EIR that meets all of the appropriate state requirements and needs of all of the participating agencies and shall conduct a procurement process collectively with all of the participating agencies meeting state and federal procurement requirements to secure an environmental consultant for the combined MTP/SCS/RTP EIR.

AMBAG shall enter into an agreement with an EIR consultant selected mutually by all the participating agencies and require the consultant to produce the combined MTP/SCS/RTP EIR that meets State requirements for such a document and the SBrCOG's and other RTPA's needs and requirements.

2. Term

This Agreement is effective June 30, 2015 and shall end on August 31, 2018, or 30 days after the Lead Agency files the Project's Notice of Determination, whichever occurs last. The period of performance may be extended by six months upon written agreement of all the parties.

3. Project Cost and Payments

The Project costs for consultant services shall not exceed the amount of $250,000 except as provided below. AMBAG and SBrCOG agree to pay the Project costs shown below, as follows:

<table>
<thead>
<tr>
<th>Agency</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMBAG</td>
<td>$ 85,000</td>
</tr>
<tr>
<td>SBrCOG</td>
<td>$ 35,000</td>
</tr>
<tr>
<td>Other RTPAs</td>
<td>$130,000</td>
</tr>
<tr>
<td>Total Project Cost</td>
<td>$250,000</td>
</tr>
</tbody>
</table>

AMBAG will provide overall Project management and will receive Project consultant invoices
and pay the invoices upon satisfactory completion of consultant work. Upon submission to SBtCOG by AMBAG of executed cost sharing agreements between AMBAG and the Regional Transportation Planning Agencies for Santa Cruz and Monterey Counties and execution and forwarding of a Notice to Proceed to the Project consultant by AMBAG, SBtCOG will forward to AMBAG, Five Thousand Dollars ($5,000) to be held and paid out by AMBAG for consultant invoices. SBtCOG agrees to the following payment schedule:

<table>
<thead>
<tr>
<th>Date</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Issuance of Notice</td>
<td>$5,000</td>
</tr>
<tr>
<td>Proceed to Project</td>
<td></td>
</tr>
<tr>
<td>June 30, 2017</td>
<td>$15,000</td>
</tr>
<tr>
<td>April 30, 2018</td>
<td></td>
</tr>
</tbody>
</table>

The intent of this payment schedule is to provide for the timely payment of consultant invoices by AMBAG through partial prepayment, without imposing significant burden on SBtCOG through total prepayment. At the end of the Project, if the Project consultant invoices less than the aforementioned Project cost, AMBAG shall return to TAMC its share of the remaining non-invoiced amount.

All costs incurred under this Agreement shall be based on actual costs and are subject to audit. Substantiating documents (e.g., travel receipts, invoices, etc.) shall be retained by AMBAG and AMBAG shall keep an accurate accounting of all costs incurred in the performance of the Project for this Agreement, including providing summary reporting information to SBtCOG. No additional amounts shall be required of SBtCOG unless proposed increased costs are first approved by SBtCOG in writing.

4. MTP/SCS/RTP EIR Manager

AMBAG designates Ms. Heather Adamson as the 2040 MTP/SCS/RTP EIR Manager who shall be responsible for the professional conduct of the Project covered by this Agreement and liaison between the Project consultant and SBtCOG. AMBAG shall promptly notify SBtCOG of any change in 2040 MTP/SCS/RTP EIR Manager.

5. SBtCOG Representative

SBtCOG designates Ms. Veronica Lezama as the SBtCOG Representative responsible for the participation in, response to, review and oversight of the products of the Project, and for amendments to this Agreement. SBtCOG shall promptly inform AMBAG of any change to its Representative.

6. Scope of Work Revisions

Any significant changes in the performance of this Agreement as outlined in the Project Scope of Work incorporated herein shall be in writing and require mutual authorization by the 2040 MTP/SCS/RTP EIR Manager and the SBtCOG Representative.

7. Administrative Representative
AMBAG designates Ms. Maura Twomey as the Administrative Representative who shall be responsible for the contractual and administrative aspects of the Agreement. Questions and correspondence of an administrative nature shall be directed to the Administrative Representative at AMBAG, 445 Reservation Road, Suite G, Marina, CA 93933-0809.

8. Allowability of Costs

There shall not be any deviation from the project budget without prior written approval by AMBAG and SBtCOG. The allowability of costs shall be determined in accordance with the OMB Circular 2 CFR Chapter I and II, Part 200 et al. as of December 2013. All requests for budget amendments approval shall be in writing and mutually agreed to by AMBAG and SBtCOG boards. AMBAG shall carefully monitor costs and performance of the consultant, takes such steps as necessary to ensure that the Project be completed on time and on budget, and shall alert SBtCOG on an expedited basis of any questions or concerns in the costs or timely completion of the Project.

9. Termination

Either of the parties may terminate this Agreement at any time with or without cause, through a written Notice of Termination. Such Notice by one party will result in the termination of this Agreement among both parties. Such Notice will provide not less than forty-five (45) calendar days for AMBAG to refund to SBtCOG any remaining funds held for completion of this Agreement which are no longer required to pay consultant work for work performed prior to the date of receipt of the Notice of Termination.

10. Indemnification

Each party shall defend, indemnify, and hold harmless the other party and their respective officers, employees, and agents from and against any and all liability, loss, costs, expense, including reasonable attorney’s fees, or claims, demands or, suits for injury or damages, in law or in equity, of every kind and nature whatsoever, arising out of or resulting from the performance of this Agreement, but only in proportion to and to the extent caused by or resulting from the negligent acts or omissions or willful misconduct of the indemnifying party or its officers, employees, agents, or volunteers.

11. Disputes

In the event of a dispute arising out of the performance of this Agreement, the party alleging a dispute shall send a written Notice of Dispute to the other party. Within five working days of receipt of such notice, the notified party shall respond and agree to a meeting for the purpose of discussing the dispute, the facts giving rise to the dispute, and a resolution of the dispute, if possible. If resolution of the dispute cannot be reached, the affected party may file appropriate litigation within six months thereafter.

12. Project Records
Financial records, supporting documents and other records pertinent to this Agreement shall be retained by AMBAG for a period of three (3) years from the date of submission of the final expenditure report, except that records pertaining to audit, appeals, litigation or settlement of claims arising out of performance of this Agreement shall be retained until such audits, appeals, litigation or claims have been disposed of.

All Project records, including but not limited to original data and primary data-yielding materials, secondarily derived tables and figures, and statistical tabulations and other summaries, pertinent to this Agreement, shall be made available by Project consultant to AMBAG and SBtCOG for a period of four (4) years from the termination date of this Agreement.

13. Nondiscrimination

To the extent provided by law and any applicable agency regulations, this Agreement and any program assisted thereby are subject to the policies against discrimination:

- Title VI of the Civil Rights Act of 1964 and the Title VI Assurance executed by California under 23 U.S.C. 324 and 29 U.S.C. 794; and
- The provisions of the Americans with Disabilities Act of 1990 (Pub. L. 101-336, 104 Stat 327, as amended) and the U.S. DOT implementing regulations (49 CFR 27, 37, and 38); and
- The implementing regulations issued pursuant thereto by the California Department of Transportation, the Federal Highway Administration and the Federal Transit Administration; and
- Any assurance of compliance which AMBAG and SBtCOG have filed in accordance with any applicable agency regulations.

14. Severability

If any provision of this Agreement, or the application thereof to any person, place, or circumstance, shall be held by a court of competent jurisdiction to be invalid, unenforceable, or void, the remainder of this Agreement and such provisions as applied to other persons, places, and circumstances shall remain in full force and effect.

15. General Provisions and Certifications

AMBAG and SBtCOG certify that it is in compliance with all applicable federal and state laws and regulations.

16. Entire Agreement

This Agreement constitutes the entire agreement and understanding between AMBAG and SBtCOG and supersedes any prior or contemporaneous agreement or understandings if any.
Any changes or modifications shall be accomplished by a written amendment to this Agreement executed by the duly authorized representative of each party.

17. Choice of Laws

This Agreement shall be interpreted and applied according to the laws of California and shall be deemed to have been entered into in California as of the effective date set forth in Paragraph 2 above.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the month, day and year specified below.

_________________________________________   Date: ____________________
Maura Twomey
Executive Director
Association of Monterey Bay Area Governments

APPROVED AS TO FORM

_________________________________________
Don Freeman, AMBAG Legal Counsel

_________________________________________
Mary Gilbert
Interim Executive Director
San Benito County Council of Governments

APPROVED AS TO FORM
SAN BENITO COUNTY COUNSEL’S OFFICE

_________________________________________
Shirley L. Murphy, Deputy County Counsel

Date: ______________

Date: ________

Date: July 7, 2015
Staff Report

To: Council of Governments
From: Mary Gilbert, Interim Executive Director  Telephone: (831) 637-7665
Date: July 16, 2015
Subject: COG Interim Executive Director

Recommendation:

EXTEND Appointment of Mary Gilbert as COG Interim Executive Director to September 30, 2015 Contingent on Final Action by San Benito County Board of Supervisors.

Summary:

Staff is recommending an extension of the Interim Executive Director appointment to September 30, 2015, to allow time for appointment of a permanent Executive Director. San Benito County is currently conducting a recruitment for the permanent position on behalf of COG, pursuant to its contract for personnel services.

Recommendation:

Extend Appointment of Mary Gilbert as COG Interim Executive Director
Salary: San Benito County Range 34.9, Step B ($8,474/month)

Other Terms:
The appointment is for an extension period of approximately two months, effective July 16, 2015 and ending September 30, 2015. This period may be extended or reduced upon mutual agreement.

This appointment is made with the provision that the COG Transportation Planning Manager Position will remain vacant and Ms. Gilbert may return to the position at the end of the interim position. All other terms & benefits of County employment shall remain in full effect.

This extension and its terms are contingent on final appointment action by the San Benito County Board of Supervisors.

Executive Director Review: ___________        Counsel Review: __Yes__
Staff Report

To:        Council of Governments
From: Mary Gilbert, Interim Executive Director  Telephone: (831) 637-7665
Date  July 16, 2015
Subject: Surplus Property Transfer

Recommendation:

a. **ADOPT** Resolution 15-06 Declaring COG-Owned Property as Surplus and Authorizing the
   Grant of Such Surplus Property to the City of Hollister (4/5 Vote), and

b. **MAKE DETERMINATION** that the Conveyance is Exempt from the California
   Environmental Quality Act (CEQA) Pursuant to Section 15312 of the CEQA Guidelines
   (Title 14 of the California Code of Regulations).

Summary:

COG still holds fee ownership of some small parcels acquired as part of the Highway 25 Bypass
project development process. These parcels are not necessary for public use as roadway rights of
way and COG staff recommends that the Board of Directors declare the property surplus so it may
be transferred in accordance with California Government Code Section 25365(a).

Background

The Council of Governments purchased several properties for construction of the Highway 25
Bypass. Due to requirements of the right of way acquisition process, some parcels were acquired
that were not used in their entirety for construction of the roadway.

Financial Considerations:

Staff recommends that the property be transferred to the City of Hollister at no cost. The City
contributed approximately $21 million to help fund property acquisitions and construction of the
project.

Staff Analysis:

Government Code Section 25365 allows the Board to “…grant, convey, quitclaim, assign, or
otherwise transfer to the state or … any other public agency within the county or exchange with
those public agencies, any real or personal property … if the property or interest therein to be
granted and conveyed or quitclaimed is not required for [COG] use.” As required by the
Government Code, COG published notice of its intent to declare the property surplus one week
prior to the July 16th meeting.
The property proposed for transfer is located within the jurisdiction of the City of Hollister. The City of Hollister has expressed interest in acquiring the following property:

- Parcel 25-03 (B), on the eastern side of State Route 25 just West of San Felipe Road

There are additional properties that COG acquired which are not required for existing or future use, which will be brought to the Board for consideration of declaring surplus at a future meeting. The property will be conveyed to the City of Hollister through a Grant Deed signed by the Chair. Resolution 15-06 authorizes the transfer of property and authorizes the Chair to sign the Grant Deed.

The conveyance of these properties is exempt from the California Environmental Quality Act pursuant to section 15312 of the CEQA Guidelines because the properties are not located in an area of statewide, regional, or area-wide concern.

Executive Director Review: ____________ Counsel Review: Yes

Supporting Attachment: Resolution 15-06
BEFORE THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

A RESOLUTION OF THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS ) Resolution No. 15-06
DECLARING COG-OWNED PROPERTY )
ALONG THE HIGHWAY 25 BYPASS AS )
SURPLUS, AND AUTHORIZING THE GRANT )
OF SUCH SURPLUS PROPERTY TO THE CITY )
OF HOLLISTER )

WHEREAS, the Council of San Benito County Governments ("COG") is a joint powers agency formed under the joint exercise of powers provisions of California Government Code section 6500 through 6522, by the Joint Powers Agreement entered among the member entities on December 31, 1973, which was most recently amended on September 8, 2014 ("Amended JPA"); and

WHEREAS, the COG, owns portions of real property ("Property") that were acquired in connection with the Highway 25 Bypass project, that are located within the City of Hollister; and

WHEREAS, pursuant to California Government Code Sections 6509 and 25365, and pursuant to Article IV of the Amended JPA, the Board of Directors is authorized to convey surplus Property to the City of Hollister in the manner proposed; and

WHEREAS, the City of Hollister has requested that COG declare the Property surplus and transfer title in the Property to the City of Hollister at no cost; and

WHEREAS, COG no longer requires the Property for COG use and desires to convey the Property to the City of Hollister; and

WHEREAS, COG has prepared a grant deed, attached hereto and incorporated herein by reference as Exhibit 1; and

WHEREAS, the property is described in Exhibit A to Exhibit 1 and is depicted in Exhibit B to Exhibit 1, both of which are attached hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Council of San Benito County Governments, that it does hereby declare the Property described in Exhibit A to Exhibit 1 and depicted in Exhibit B to Exhibit 1 to be surplus property, which is no longer required for COG use.

BE IT FURTHER RESOLVED by the Board of Directors of the Council of San Benito County Governments, that it does hereby authorize the grant of the Council of San Benito County Governments' undivided interest in such surplus Property to the City of Hollister, at no cost.
BE IT FURTHER RESOLVED by the Board of Directors of the Council of San Benito County Governments, that it does hereby authorize the chairperson to execute the grant deed (Exhibit 1) for and on behalf of the Council of San Benito County Governments, in order to convey the Council of San Benito County Governments’ undivided interest in the surplus Property to the City of Hollister, and does hereby authorize the Executive Director or designee to deliver the executed grant deed to the City of Hollister.

PASSED AND ADOPTED BY THE COUNCIL OF SAN BENITO GOVERNMENTS THIS 16th DAY OF JULY, 2015 BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAINING:
ABSENT:

__________________________________________

Jerry Muenzer, Chair

APPROVED AS TO LEGAL FORM:
SAN BENITO COUNTY COUNSEL’S OFFICE

By: Shirley L. Murphy
Shirley L. Murphy, Deputy County Counsel

ATTEST:
Mary Gilbert, Interim Executive Director

Dated: ____________________

Dated: ____________________

By: ________________________
RECORDING REQUESTED BY:
City of Hollister

WHEN RECORDED MAIL TO:
City of Hollister
375 5th Street
Hollister, CA 95023

WITH COPY TO:
Council of San Benito County Governments
330 Tres Pinos Road, Suite C7
Hollister, CA. 95023

THIS SPACE FOR RECORDER’S USE ONLY

GRANT DEED

THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS ("Grantor"), a joint powers agency formed under the joint exercise of powers provisions of California Government Code section 6500 through 6522 and Code of Civil Procedure section 1240.140, hereby grants and conveys to the City of Hollister, a municipal corporation, (hereinafter referred to as “Grantee"), for a valuable consideration, receipt and sufficiency of which is hereby acknowledged, certain real property located in the County of San Benito, State of California, described in Exhibit A, attached hereto, and depicted in Exhibit B, both of which exhibits are incorporated herein by this reference.

Signed this _____ day of ______________, 2015.

GRANTOR:

COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

__________________________
Jerry Muenzer
Highway 25, Hollister Bypass

Legal Description
Parcel 25-03B - Roberts
Assessor’s Parcel #53-38-02
San Benito County, California

Parcel 25-03B

All that real property situated in the State of California, County of San Benito, being a portion of Homestead Lot 15 of the Rancho San Justo as shown on that map thereof filed in Book 1 of Maps, at Page 64 San Benito County Records, also being a portion of Parcel 1 as described in that Individual Quitclaim deed to Janet P. Roberts recorded June 17, 1982 in Volume 481 at Page 392 (Rec# 169117) San Benito County Records being more particularly described as follows:

Beginning at the northeast corner of said Parcel 1, said corner being in the west line of San Felipe Road; Thence from said point of beginning along said west line of San Felipe Road South 3° 49' 03" West, 15.52 ft; Thence leaving said west line South 9° 04' 44" West, 127.61 feet; Thence South 55° 39' 50" West, 13.28 ft; Thence North 71° 52' 51" West, 241.93 ft; Thence along a curve to the right from a radial bearing of South 31° 33' 26" West, having a radius of 1033.46 ft, through a central angle of 9° 43' 49", for an arc length of 175.51 ft to a point in the north line of said Parcel 1; Thence along said north line South 85° 41' 47" East, 404.26 ft to the point of beginning.

Containing 0.88 acres more or less.
Staff Report

To: Council of Governments
From: Veronica Lezama, Transportation Planner
Date: July 16, 2015
Subject: 2015 Unmet Transit Needs Report

Telephone: (831) 637-7665 Ext. 204

Recommendation:


2. ADOPT Resolution 2015-07 Making Findings and Recommendations Regarding Unmet Transit Needs that are Reasonable to Meet as Required by the Transportation Development Act (TDA) for Fiscal Year 2015/2016.

Summary:

Each year, pursuant to the Transportation Development Act, the Council of Governments (COG) seeks public input to identify Unmet Transit Needs within the San Benito County before allocating Local Transportation Funds for public transit or other eligible purposes. This year, COG conducted three public hearings to obtain input on the transit service needs provided by the Local Transportation Authority.

Financial Impact:

The primary funding source for transit services operated by County Express and Specialized Transportation Services is provided by Transportation Development Act (TDA) funds. Unmet Transit Needs that can be met are paid for with Transportation Development Act funds. The annual average Transportation Development Act funds total $1,632,439, which funds transit operations and administration ($1,046,673), COG administration ($288,341) and 2% ($32,649) is reserved for City and County bicycle and pedestrian project needs.

Background:

Each year, the Council of Governments (COG) holds annual Unmet Transit Needs hearings to provide a forum for residents, transit users, and community members to express service needs provided by the Local Transportation Authority, which include County Express and Specialized Transportation Services. Unmet Transit Needs are “expressed or identified needs of a significant segment of the community for public transportation services to meet basic mobility needs which are not currently being met through existing transit services or other means of transportation.” If an
unmet transit need is identified, a further determination is needed to establish whether or not that need is "Reasonable to Meet" in accordance with COG adopted criteria (Exhibit A, Page 6).

If an Unmet Transit Need is found “reasonable to meet,” COG is responsible for ensuring that funds are expended to meet those needs. However, if those needs are determined as “Not Reasonable to Meet” then that determination is submitted to the State and the funds are allowed to maintain in the COG budget for existing transit operations.

The Council of Governments held three annual hearings to receive public testimony on the bus services provided by County Express and Specialized Transportation Services. The first hearing was held on February 17, 2015 at the Hollister Community Center, the second hearing was held on February 18, 2015 in San Juan Bautista, and the last hearing was held at the regularly scheduled COG board meeting on February 19, 2015.

Staff Analysis

During the 2015 Unmet Transit Needs Process, the Council of Governments received 38 public requests at the Unmet Transit Needs Hearings of which 29 were classified as Unmet Transit Needs, “Not Reasonable to Meet.” The remaining nine request were classified as Not an Unmet Transit Need. Staff has prepared responses to all of the requests which are summarized in Exhibit A, page 16 of the Unmet Transit Needs Report.

The enclosed 2015 Unmet Transit Needs Report contains the adopted definitions and procedures for the Unmet Transit Needs Hearings and the criteria for evaluating all the requests that were received. As part of the evaluation process, the Social Services Transportation Advisory Council (SSTAC) is required to review all comments.

The Social Services Transportation Advisory Council is responsible for representing the concerns of all segments of the community, including the elderly, persons with disabilities, and persons of limited means. At their June 17, 2015 meeting, the Advisory Council reviewed all the testimony received and determined that there are no Unmet Transit Needs that are “Reasonable to Meet.” Although, there were no identified Unmet Transit Needs that are “Reasonable to Meet,” the San Benito County Local Transportation makes an effort to accommodate and/or provide response to the public request, as summarized in Exhibit A, page 16 of the Unmet Transit Needs Report.

Upon approval, the 2015 Unmet Transit Needs Report and adopted resolution 15-07 will be submitted to the California Department of Transportation, Division of Mass Transportation.

Executive Director Review: ____________ Counsel Review: Yes

Attachments:

RESOLUTION OF THE COUNCIL OF SAN BENITO
COUNTY GOVERNMENTS CONCERNING UNMET
PUBLIC TRANSPORTATION NEEDS FUNDING
AND IMPLEMENTATION OF THE PROGRAM
WITHIN FISCAL YEAR 2015/2016

WHEREAS, the Council of San Benito County Governments, hereinafter referred to as COG, has
been designated as the Regional Transportation Planning Agency for San Benito County; and

WHEREAS, said Agency has adopted a Regional Transportation Plan directed at the achievement
of a balanced coordinated transportation system; and

WHEREAS, said Agency shall, in implementation of its Plan, allocate monies in the Local
Transportation Fund and State Transit Assistance Fund in accordance with the rules and regulations
which implement the Transportation Development Act of 1972 as amended; and

WHEREAS, COG adopted the definition of "unmet needs" and "reasonable to meet" in Resolution
1992-01: Unmet Needs Findings Required; and

WHEREAS, COG adopted Resolution No. 11-04 Amending its Unmet Transit Needs "Reasonable
to Meet" Criteria; and

WHEREAS, California Public Utilities Code, Section 99401.5 requires COG to hold a public
hearing to determine whether there are any unmet public transportation needs that are
reasonable to meet prior to allocation of Local Transportation Funds for local streets and roads;
and

WHEREAS, COG held duly noticed public hearings on the 17th, 18th, and 19th days of February
2015 to determine whether there are any unmet public transportation needs, and all those who
attended the public hearings were given the opportunity to hear and be heard regarding all
matters properly before the COG and COG considered all public testimony; and

WHEREAS, COG pursuant to Public Utility Code Section 99401.5:

1. Has consulted with the Social Services Transportation Advisory Council established
   pursuant to Public Utilities Code Section 99238; and

2. Has conducted a transit analysis including an assessment of the size and location of
   identifiable groups likely to be transit dependent or transit disadvantaged, including but
   not limited to the elderly, the disabled and persons of limited means, an analysis of the
   adequacy of existing and specialized public and private transportation services in
   meeting the transit demands of those groups, and an analysis of the potential alternative
   public and specialized transportation services and service improvements that would meet
all or part of the demand, in order to identify the transit needs of the County of San Benito;

3. Has not identified any unmet transit needs that are reasonable to meet;

4. Has prepared the 2015 Annual Unmet Transit Needs Report, attached hereto and incorporated herein by reference as Exhibit A, which provides the findings required by Section 99401.5 and the information developed by the COG that provides the basis for the findings.

NOW, THEREFORE, BE IT RESOLVED, that the Council of San Benito County Governments, acting as the Regional Transportation Planning Agency for the County of San Benito, makes the following findings and determinations, based on all information in the record including, but not limited to the findings of the 2015 Annual Unmet Transit Needs Report (Exhibit A):

A. There are 29 "unmet transit needs" that are not "reasonable to meet," as further explained in the 2015 Annual Unmet Transit Needs Report (Exhibit A).

BE IT FURTHER RESOLVED that COG, acting as the Regional Transportation Planning Agency, accepts and adopts the 2015 Unmet Transit Needs Report (Exhibit A) and finds that there are no additional unmet regional and community public transit needs within the incorporated and unincorporated areas of the County that can be reasonably met at this time.

PASSED AND ADOPTED BY THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS on this 16th day of July 2015, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

____________________________
Jerry Muenzer, Chair

ATTEST:
Mary Gilbert, Interim Executive Director

By: __________________________

Dated: ________________________

____________________________
Shirley L. Murphy, Deputy County Counsel

APPROVED AS TO LEGAL FORM:
San Benito County Counsel's Office

By: __________________________

Dated: July 7, 2015
The Council of San Benito County Governments improves the mobility of San Benito County travelers by planning for and investing in a multi-modal transportation system that is safe, economically viable, and environmentally friendly.
Contents

About the Council of San Benito County Governments (COG) ..................................................... 2
Area Profile and Transit System Overview ......................................................................................... 3
Unmet Transit Needs Overview ......................................................................................................... 6
Adopted Definitions And Procedures For Noticing And Conducting The Annual Unmet Transit
Needs Hearing ................................................................................................................................ 7
Council of Governments Resolution ............................................................................................... 10
Unmet Transit Needs Public Hearings ............................................................................................... 13
Unmet Needs Public Notice Process ................................................................................................. 14
Public Hearing Flyers ....................................................................................................................... 15
COG Minutes, Relating to the Unmet Transit Needs Hearings ......................................................... 16
Public Comments Received ............................................................................................................. 19
Social Services Transportation Advisory Council Meeting Minutes June 20, 2014 .................. 32
Council of San Benito County Governments Resolution ............................................................. 34
About the Council of San Benito County Governments (COG)

BOARD OF DIRECTORS

The Council of San Benito County Governments (COG) is the Regional Transportation Planning Agency (RTPA) for San Benito County. COG serves as the forum for regional decision-making. In this capacity, COG builds consensus among local and regional agencies, develops long-term strategic plans, programs Federal and State funding for allocation to transportation projects.

The governing board for COG is made up of five members. Two members are appointed by the San Benito County Board of Supervisors, two from the City of Hollister and one from the City of San Juan Bautista.

COG BOARD OF DIRECTORS

Jerry Muenzer, Chair, San Benito County
Anthony Botelho, San Benito County
Victor Gomez, Hollister City Council
Ignacio Velazquez, Hollister City Council
Tony Boch, City Of San Juan Bautista
Tim Gubbins, Caltrans District 5 (Ex-Officio)

ALTERNATES, COG BOARD OF DIRECTORS:

Mickie Solorio Luna, City Of Hollister
Andy Moore, City Of San Juan Bautista
Robert Rivas, San Benito County
Jaime De La Cruz, San Benito County

COG STAFF:

Mary Gilbert, Interim Executive Director
Kathy Postigo, Administrative Services Specialist
Veronica Lezama, Transportation Planner
Sean Reilly Vienna, Transportation Planner
Monica Gomez, Secretary
Chris Thomson, Mechanic
Gavino Jimenez, Mechanic
Area Profile and Transit System Overview

REGIONAL SETTING
San Benito County is ideally located inland from the Central California Coast. The County borders Monterey, Santa Cruz, Fresno, Merced, and Santa Clara Counties. Combined with more affordable housing and its close proximity to Monterey, Santa Cruz, and Santa Clara Counties, San Benito County is an attractive home to 55,269 people (2010). Although the County consists of 1,390 square miles, the majority of the population lives in Hollister (the County seat) San Juan Bautista, or the unincorporated area of northern San Benito County.

EXISTING TRANSIT SERVICES
The San Benito County Local Transportation Authority (LTA) was formed by a Joint Powers Agreement between the Cities of Hollister and San Juan Bautista and the County of San Benito in 1990. The Authority is responsible for the administration and operation of public transportation services in the County provided by County Express and Specialized Transportation Services.

COUNTY EXPRESS TRANSIT SYSTEM
The County Express system currently provides three fixed routes in the City of Hollister, complementary Americans with Disabilities Act Paratransit service, Intercounty service to Gilroy in Santa Clara County, and a general public Dial-a-Ride. As of December 2013, the County Express fleet included 23 vehicles. All vehicles are ADA compliant and equipped with wheelchair lifts/ramps and bicycle racks. The Local Transportation Authority contracts with a private operator for management, dispatchers, trainers, and drivers of its County Express transit service.

Fixed-Route
Fixed-Route service operates three Fixed Routes within the City of Hollister. These routes operate between 6:20 a.m. and 5:40 p.m. However, there is no Fixed Route service between 11:00 a.m. to 2:00 p.m. Headways for each of the routes range from 40 to 50 minutes.

Dial-A-Ride
County Express transit system provides Dial-a-Ride service to parts of northern San Benito County, including Hollister, San Juan Bautista, and Tres Pinos, Monday through Friday from 6:00 a.m. to 6:00 p.m. where and when Fixed Route is not available and on weekends. Reservations for
the Dial-A-Ride may be made up to 14 days in advance. Same-day service is available but is subject to availability and a convenience fee.

**Paratransit**
Complementary Americans with Disabilities Act Paratransit service is available for residents and visitors who are eligible for the service as determined by the Authority. The service is for individuals who are not able to access Fixed Route due to a physical or cognitive disability and have trips that begin or end in a location less than ¼ mile from a Fixed Route bus stop. Reservations for the Paratransit service may be made up to 14 days in advance. Same-day service is available but is subject to availability and a convenience fee.

**Intercounty**
County Express’ Intercounty routes provide connections from the Cities of Hollister and San Juan Bautista to the City of Gilroy. There is daily weekday service to Gavilan College and the Caltrain station and Saturday service to the Greyhound station in Gilroy. The weekday shuttle service to Gavilan College is from 6:50 a.m. to 6:10 p.m. with a limited schedule when school is not in session. There are three early morning and three evening runs to the Gilroy Caltrain station for connections to Caltrain and Valley Transportation Authority bus services. Service to the Greyhound station operates on Saturday and Sunday from 7:40 a.m. to 6:00 p.m.

**SPECIALIZED TRANSPORTATION SERVICES**
According to the 2010 U.S. Census, 10.4 percent of the total county population is aged 65 or older. Many of these elderly individuals and persons with disabilities require specialized transportation services to travel to medical appointments, shop, and visit recreation centers.

The Authority contracts with Jovenes de Antaño, a local non-profit organization that has been providing specialized transportation services in San Benito County since 1990. Specialized services include Out of County Non-Emergency Medical Transportation, Medical Shopping Assistance Transportation, and Senior Lunch Transportation Program. These services are beyond the requirements of Americans with Disabilities Act. They provide escort services, door-through-door, and minor translation services.

Jovenes de Antaño also has a referral program that provides information about other social services within the community, coordination of home-based services, referral to legal assistance, and other local services to their clients. The coordination effort between Jovenes de Antaño and

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1 U.S. Census, San Benito County
The Authority allows for efficient, affordable and reliable service for this critical need in the community of San Benito County.

The LTA makes great strides to provide a comprehensive and adequate public transit service. This continued effort to meet the needs of the community is accomplished through the annual Unmet Transit Needs Process, which is outlined in this Report.
Unmet Transit Needs Overview

TRANSPORTATION DEVELOPMENT ACT (TDA)

The Transportation Development Act of 1971 (TDA), also known as SB 325, is administered by the California Department of Transportation (Caltrans) through the county's designated regional transportation planning agency (RTPA).

As the administrator of Transportation Development Act (TDA) funds, the Council of San Benito County Governments (COG), as the regional transportation planning agency, is charged with performing the Unmet Transit Needs (UTN) process. The purpose of this process is to ensure that all unmet transit needs that are "reasonable to meet" are met before funds are expended for non-transit uses, such as streets and roads.

"Unmet Transit Needs" are defined as expressed or identified needs of a significant segment of the community for public transportation services to meet basic mobility needs which are not currently being met through existing transit services or other means of transportation.

The “Reasonable To Meet” standard is based on several criteria that analyze how accommodating that transit need will affect the rest of the transit system that it relates to. If it passes the criteria then it is found reasonable to meet and changes will be made to accommodate the need.

The process is done annually and entails a comprehensive outreach program and a series of public hearings throughout the county to obtain comments on unmet transit needs that may be reasonable to meet. Once the comments are received, the Social Services Transportation Advisory Committee (SSTAC) analyzes them to determine if there are any transit needs that meet the adopted definitions of "reasonable to meet" and "unmet transit need" and makes a recommendation of findings to the COG Board. If the Board determines there are unmet transit needs that are reasonable to meet, the affected jurisdiction must satisfy the needs before any TDA funds are expended for non-transit purposes.

This Report documents the Unmet Transit Needs process which is submitted annually to the California Department of Transportation (Caltrans).
Adopted Definitions And Procedures For Noticing And Conducting The Annual Unmet Transit Needs Hearing

As required by PUC section 9940 1.5, the Council of San Benito County Governments must adopt formal definitions of "unmet transit need" and "reasonable to meet." The first definition is the primary tool used to evaluate the public testimony received during the initial hearing.

The second definition is used to evaluate the reasonableness of meeting those requests. State law (PUC Section 994015(c)) has been modified to clarify that..."the fact that an identified transit need cannot fully be met based on available resources shall not be the sole reason for finding that a transit need is not reasonable to meet."

Additionally, the Act specifies that..."An agency's determination of needs that are reasonable to meet shall not be made by comparing unmet transit needs with the need of streets and roads."

I. The "unmet needs" definition adopted by Council of San Benito County Governments:

"Unmet needs are defined as expressed or identified needs of a significant segment of the community for public transportation services to meet basic mobility needs which are not currently being met through existing transit services or other means of transportation."

Included, at a minimum, are those public transportation or specialized services that are identified in the Regional Transportation Plan, Short Range Transit Plan and/or Transit Development Plan, which have not been implemented or funded.

II. The “unmet needs” threshold criteria adopted by the Council of San Benito County Governments:

The following criteria must be true for the COG to consider a request an “unmet need”. If a request fails to satisfy any of the criteria below, the request is not an unmet need.

1. The request fills a gap in transit service, or is identified as a deficiency in the Regional Transportation Plan.
2. Sufficient broad-based community support exists.
3. Request is a current rather than future need.
4. Request is not operational in nature (i.e. minor route change, bus stop change, etc.)

III. Adopted Definition of "Transit Needs That Are Reasonable To Meet Determination."

In making the reasonableness determination, an analysis will be conducted on existing transit services, available options, likely demand and general costs based on similar services in the area and available studies. Once completed, the following criteria shall be considered.
REASONABLE TO MEET CRITERIA
In making a reasonableness determination, an analysis will be conducted on existing transit services, available options, likely demand and general costs based on similar services in the area and available studies. An Unmet Transit Need would be considered reasonable to meet if the proposed service is in general compliance with the following criteria:

A. EQUITY
   The proposed service would:
   1. Benefit the general public.
   2. Not unreasonably discriminate against nor favor any particular area or segment of the community at the exclusion of any other.
   3. Not result in adversely affect existing services in other parts of the transit system that have an equal or higher priority immediately or within the foreseeable future.
   4. Require a subsidy per passenger generally equivalent to other parts of the transit system, unless overriding reasons so justify.

B. TIMING
   The proposed service would:
   1. Be in response to an existing rather than a future need.
   2. Be implemented consistent with federal, state, or regional funding approval schedules, if such funds are the most appropriate primary method of funding.

C. COST EFFECTIVENESS
   The proposed service would:
   1. Not cause the responsible operator or service claimant to incur expenses in excess of the maximum allocated funds.
   2. Not set a precedent for other service expansions without a reasonable expectation of available funding.
   3. Have available funding on a long-term basis to maintain the service.

D. SYSTEM PERFORMANCE
   1. The efficiency of the new, expanded or revised transit service, excluding specialized transportation services, shall be measured on efficiency, such as:
      ▪ Cost per passenger trip,
      ▪ Cost per vehicle service hour,
      ▪ Passenger trips per vehicle service hour,
      ▪ Passenger trips per service mile,
      ▪ On-time performance.
   2. The proposed service would have a reasonable expectation of future increase in ridership.

E. OPERATIONAL FEASIBILITY
1. The new, expanded or revised transit service must be safe to operate and there must be adequate roadways and turnouts for transit vehicles.
2. The new service would be provided with the existing vehicle fleet or with vehicles that can be acquired with available funds.
3. The new service would have the available maintenance staff to cover the additional vehicle maintenance hours incurred as a result of the proposed service.

F. COMMUNITY ACCEPTANCE
A significant level of community support exists for the public subsidy of transit services designed to address the unmet transit need. Including but not limited to, community groups, community leaders, and community meetings reflecting support for the unmet transit need.

G. ADA CONFORMITY
The new, expanded or modified service, excluding specialized transportation services, would conform to the requirements of the Americans with Disabilities Act. The COG shall consider the financial impact on the TDA claimant if complementary paratransit services are required as a result of the new, expanded, or modified service.

H. OTHER FACTORS
Other specific, formulated components that COG determines to affect the reasonableness of meeting an unmet transit need.
COUNCIL OF GOVERNMENTS RESOLUTION

Council of Governments Resolution

BEFORE THE BOARD OF DIRECTORS OF THE
COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

RESOLUTION OF THE BOARD OF
DIRECTORS OF THE COUNCIL OF SAN
BENITO COUNTY GOVERNMENTS
AMENDING RESOLUTION NO. 90-12 TO
REVISE THE CRITERIA FOR
DETERMINING UNMET TRANSIT NEEDS
THAT ARE "REASONABLE TO MEET"

WHEREAS, the Council of San Benito County Governments, herein referred to as ("COG") is the Regional Transportation Planning Agency (RTPA) for San Benito County, and

WHEREAS, the COG is responsible for the allocation to claimants of funds received from the Transportation Development Act (P.U.C. 99200, et seq.) and

WHEREAS, Transportation Development Act funds can be allocated to eligible claimants for support of public transportation systems, bicycle and pedestrian facilities, and for streets and roads; and

WHEREAS, COG identifies unmet transit needs within the San Benito County region and those needs that are reasonable to meet in accordance with Public utilities Code, Section 99401.5; and

WHEREAS, COG, on July 12, 1990, adopted Resolution No. 90-12, adopting the definition of "unmet needs" and the criteria for determining unmet transit needs that are "reasonable to meet" in San Benito County.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Council of San Benito County Governments, that it does hereby amend COG's Resolution 90-12 to amend the criteria for determining what unmet transit needs are "reasonable to meet", as set forth in Exhibit A, attached hereto and incorporated herein by reference.

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS THIS 21ST DAY OF APRIL, 2011 BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAINING:
ABSENT:

ATTEST:
Lisa Rheinhauser, Executive Director
San Benito County Counsel Office

APPROVED AS TO LEGAL FORM:

Shirley L. Murphy, Deputy County Counsel

DATED: 4/12/11
DATED: April 13, 2011
Exhibit A

Reasonable to Meet Criteria

In making a reasonableness determination, an analysis will be conducted on existing transit services, available options, likely demand and general costs based on similar services in the area and available studies. An Unmet Transit Need would be considered reasonable to meet if the proposed service is in general compliance with the following criteria:

A. Equity

The proposed service would:
1. Benefit the general public.
2. Not unreasonably discriminate against nor favor any particular area or segment of the community at the exclusion of any other.
3. Not adversely affect existing services in other parts of the transit system that have an equal or higher priority immediately or within the foreseeable future.
4. Require a subsidy per passenger generally equivalent to other parts of the transit system, unless overriding reasons so justify.

B. Timing

The proposed service would:
1. Be in response to an existing rather than a future need.
2. Be implemented consistent with federal, state, or regional funding approval schedules, if such funds are the most appropriate primary method of funding.

C. Cost Effectiveness

The proposed service would:
1. Not cause the responsible operator or service claimant to incur expenses in excess of the maximum allocated funds.
2. Not set a precedent for other service expansions without a reasonable expectation of available funding.
3. Have available funding on a long-term basis to maintain the service.
D. SYSTEM PERFORMANCE

1. The efficiency of the new, expanded or revised transit service, excluding specialized transportation services, shall be measured on efficiency, such as:
   - Cost per passenger trip,
   - Cost per vehicle service hour,
   - Passenger trips per vehicle service hour,
   - Passenger trips per service mile,
   - On-time performance.

2. The proposed service would have a reasonable expectation of future increase in ridership.

E. OPERATIONAL FEASIBILITY

1. The new, expanded or revised transit service must be safe to operate and there must be adequate roadways and turnouts for transit vehicles.
2. The new service would be provided with the existing vehicle fleet or with vehicles that can be acquired with available funds.
3. The new service would have the available maintenance staff to cover the additional vehicle maintenance hours incurred as a result of the proposed service.

F. COMMUNITY ACCEPTANCE

A significant level of community support exists for the public subsidy of transit services designed to address the unmet transit need, including but not limited to, community groups, community leaders, and community meetings reflecting support for the unmet transit need.

G. ADA CONFORMITY

The new, expanded or modified service, excluding specialized transportation services, would conform to the requirements of the Americans with Disabilities Act. The COG shall consider the financial impact on the TDA claimant if complementary paratransit services are required as a result of the new, expanded, or modified service.

H. OTHER FACTORS

Other specific, formulated components that COG determines to affect the reasonableness of meeting an unmet transit need.
Unmet Transit Needs Public Hearings

HEARING PROCESS

The Council of Governments held two public hearings to receive Unmet Transit Needs testimony. Translation services were available at both hearings, and transportation was available to those persons in need by San Benito County Transit.

The first hearing was held February 17, 2015 at 1:00 p.m. at the Hollister Community Center located at 300 West Street in Hollister. The second hearing was held during the Council of Governments regular Board meeting on February 19, 2015 at 3:00 p.m. in the County Board of Supervisors Chambers in Hollister. A public meeting was also conducted on February 18, 2015 at the San Juan Bautista library.

During the public comment period, the Council of Governments received a total of 38 comments. A summary of comments received, Unmet Transit Needs determination (i.e. Unmet Need or Not an Unmet Need), COG response to comments, and relevant Unmet Transit Needs Policy.
Unmet Needs Public Notice Process

NOTICE OF PUBLIC HEARING
Unmet Transit Needs

Notice is hereby given that two public hearings and one public meeting will be held by the Council of San Benito County Governments to consider the Unmet Transit Needs within San Benito County. The hearings/meetings are open to the public and the public is encouraged to attend. The purpose of the hearings/meetings are to provide the public the opportunity to identify any transit needs that are not currently being met in the San Benito County region.

Said public hearings will be held on: February 17, 2015 at 1:00 p.m. at the Hollister Community Center, 300 West Street, Hollister, CA and February 19, 2015 at 3:00 p.m. at the San Benito County Administration Building, 481 Fourth Street, Hollister, CA. A public meeting is also scheduled in San Juan Bautista on February 18, 2015 between 2:00 p.m. and 3:30 p.m. at the Public Library, which is located at 801 Second Street, San Juan Bautista, CA 95045. If you are unable to attend the hearings you may express your concerns in writing to: Council of San Benito County Governments, Attn: Unmet Transit Needs, 330 Tres Pinos Road, Suite C7, Hollister, CA. 95023. For more information, please contact (831) 637-7765 Ext. 204.

AVISO-AUDIENCIAS PÚBLICAS
Necesidades Satisfechas de Tránsito

Se avisa que dos audiencias públicas y una junta pública se llevarán a cabo por el Concejo de los Gobiernos del Condado de San Benito para considerar Necesidades de Tránsito aún no Satisfechas dentro del Condado de San Benito. El propósito de las audiencias/juntas es de ofrecer al público la oportunidad de identificar las necesidades de tránsito que en la actualidad no se están cumpliendo en la región del Condado de San Benito. Dichas Audiencias Públicas se llevaron a cabo el 17 de febrero del 2015 a la 1:00 de la tarde en el Centro de la Comunidad en Hollister, 300 West Street, Hollister, CA y el 19 de febrero a las 3:00 de la tarde en el Edificio de Administración del Condado de San Benito localizado en el 481 Fourth Street, Hollister, CA. Una junta pública también está programada en San Juan Bautista para el 18 de febrero de 2015 de 2:00 p.m. a 3:30 p.m. en la Biblioteca Pública, que se encuentra en el 801 Second Street, San Juan Bautista, CA 95045.

Si usted no puede asistir a las audiencias/juntas públicas o la junta pública, usted puede escribir para expresar sus opiniones a el Concejo de Gobiernos del Condado de San Benito, Attn: Necesidades de Tránsito, 330 Tres Pinos Road, Suite C7, Hollister, CA. 95023. Para obtener más información, llame al (831) 637-7765 Ext. 204.

Publish: January 9, 2015
Public Hearing Flyers

Pursuant to PUC Section 99238.5, the transportation planning agency shall hold at least one public hearing for the purpose of soliciting comments on the unmet transit needs that may exist within its jurisdiction.

In fulfillment of the above requirement, the Council of San Benito County Governments, designated the San Benito County Regional Transportation Planning Agency, held public hearings on February 17th through the 19th, 2015. Notice of the hearings was given 30 days in advance and included the date, place and specific purpose of the meeting. Notice was provided in English and Spanish.

The COG posted English and Spanish flyers in its social media Facebook page, on-board transit vehicles, and flyers were distributed to several agencies in San Benito County.
COG Minutes, Relating to the Unmet Transit Needs Hearings

REGULAR MEETING
February 19, 2015, 3:00 P.M.
DRAFT MINUTES

MEMBERS PRESENT:
Chair Gomez, Vice-Chair Muenzer, Director Boch, Alternate Director Luna, Alternate Director De La Cruz
Ex Officio: John Olejnik, Caltrans District 5

STAFF PRESENT:
Deputy County Counsel, Shirley Murphy; Interim Executive Director, Mary Gilbert; Transportation Planner, Veronica Lezama; Secretary, Monica Gomez; Transportation Planning Technician, Todd Kubiak

OTHERS PRESENT:
Jenny Regas, EMC Research; Heather Adamson, Association of Monterey Bay Area Governments

CALL TO ORDER:
Vice-Chair Muenzer called the meeting to order at 3:00 P.M.

A. PLEDGE OF ALLEGIANCE
B. CERTIFICATE OF POSTING

Upon a motion duly made by Director De La Cruz, and seconded by Director Boch, the Directors acknowledged the Certificate of Posting. Vote: 5/0 motion passes.

C. ELECT COG Chairperson for 2015
Upon a motion duly made by Director De La Cruz, and seconded by Director Gomez, the Directors elected Jerry Muenzer as COG’s Chairperson for 2015. Vote 5/0 motion passes

D. ELECT COG Vice Chairperson for 2015
Upon a motion duly made by Chair Muenzer, and seconded by Director Luna, the Directors elected Tony Boch as COG’s Vice Chairperson for 2015. Vote: 5/0 motion passes

E. PUBLIC COMMENT:

Chair Muenzer stated for the record that the COG Board received Joe Thompson’s public comment correspondence dated January 22, 2015 through February 9, 2015. The correspondence was entered into the public record.

F. EXECUTIVE DIRECTOR’S REPORT: Gilbert

Ms. Gilbert expressed appreciation to San Benito County and its CAO for organizing a High Performance Organization Leadership Training for department heads. She attended the training along with Kathy Postigo and found the information very useful and appreciated the opportunity.

Ms. Gilbert reported that she would be forwarding some information to the COG Board regarding an upcoming Regional Leadership Forum hosted by the California Association of Councils of Governments. The forum will be held in Monterey April 8th – 10th and COG Board delegates are invited to attend.
Ms. Gilbert announced that the agency hired a new Transportation Planning Technician, Todd Kubiak, who began work at the beginning of February.

H. CALTRANS DISTRICT 5 REPORT: Gubbins

John Olejnik reported on behalf of Caltrans District 5 Director.

I. BOARD OF DIRECTORS REPORTS: None

CONSENT AGENDA:

1. RECEIVE Council of Governments Correspondence - Gilbert
2. APPROVE Council of Governments Draft Meeting Minutes Dated January 15, 2015 – Gomez
3. RECEIVE Construction Projects Report – Caltrans District 5

There was no public comment.

Upon a motion duly made by Director Gomez and seconded by Director Boch, the Directors approved Items 1-3 from the Consent Agenda, with an abstention on Item 2 by Director De La Cruz. Vote: 4/0/1 motion passes.

REGULAR AGENDA

TRANSPORTATION ITEMS:

4. Unmet Transit Needs Hearing – Lezama
   a. RECEIVE Presentation on Unmet Transit Needs Hearing
   b. OPEN Public Hearing
   c. CLOSE Public Hearing
   d. DIRECT Staff to Return to Council of Governments with Recommendation.

Ms. Lezama provided a Power Point presentation on the Unmet Transit Needs. Ms. Lezama noted that this year, COG held two hearings and one public meeting to receive public testimony on the bus services provided by County Express and Jovenes de Antaño. The first hearing was held at the Hollister Community Center on February 17th at 1:00 p.m. The second hearing took place during the regularly scheduled COG meeting February 19th at 3:00 p.m. The general public meeting took place at the San Juan Bautista Library on February 18, 2015 at 2:30 p.m.

Ms. Lezama mentioned that after the hearings process, the Social Services Transportation Advisory Council and staff review all the testimony received and provide a recommended determination of Unmet Transit Needs to the COG Board.

Chair Muenzer opened the Public Hearing at 3:18 p.m.

PUBLIC COMMENT:

Dean Hanson
Hollister, CA

Mr. Hanson stated that he had problems with one County Express driver. He stated that the driver has commented on his clothing attire and slippers, which are worn per doctor’s orders. The driver has also accused him of smoking. He stated that he has used public transportation throughout California and this is the only place where he has been asked not to smoke. He stated that he did not think it was appropriate because he does not smoke on the buses or at the bus stops.
COG MINUTES, RELATING TO THE UNMET TRANSIT NEEDS HEARINGS

Additionally, Mr. Hanson complained about the driver not being on time for a previously scheduled pick up. He stated that he scheduled a pick up for 11:30 a.m. on Sunday to catch a bus from the VA at 4th Street. The bus did not arrive until 11:55 a.m. causing him to miss the VA bus.

Victoria Montoya
Hollister, CA

Ms. Montoya stated that she had used public transportation five times and was very impressed with the service. The driver was very informative and kind. However, she stated that there is need for improvement with identifying bus stops and updating schedules. She stated that she had to ask the driver where to stand and wait for the bus because there are no bus stop signs. She stated that the fixed route bus fair is very reasonable however, fixed route service does not operate from 11:00 a.m. to 2:30 p.m. Having to wait so late in the afternoon makes it difficult for people to schedule doctor appointments. She stated that perhaps raising the fare 25¢ would help.

Ms. Montoya stated that she would be willing to conduct a survey in her neighborhood free of charge. She would go door to door to inform residents about the service and ask questions about the need for public transportation.

Ms. Montoya closed by saying that she would leave her name and phone number with staff so that they may contact her.

Chair Muenzer closed the Public Hearing at 3:24 p.m.

Ms. Lezama asked the speakers to provide their contact information so that staff may contact them and address their specific comments.

Director De La Cruz stated that staff should definitely contact Ms. Montoya and take her offer of conducting a door to door survey. He stated that staff should also look into the complaints that were mentioned and try to resolve them.

Ms. Lezama noted that staff is working on updating COG’s Short Range and Long Range Transit Plan, with a draft to come out in the upcoming months. Ms. Lezama stated that she will definitely work with members of the public to provide comments on the plan. Staff hopes to address the comments that have been received over the past few years on the Unmet Needs hearings in this plan.

Chair Muenzer clarified that he did not mean to make light of the public comment received. He stated that the comments that are received will be addressed in the final document that comes out.

Upon a motion duly made by Director De La Cruz, and seconded by Director Boch, the Directors unanimously adjourned the COG meeting at 4:33 p.m. Vote:5/0 motion passes.

ADJOURN TO COG MEETING MARCH 19, 2015.
### Public Comments Received

<table>
<thead>
<tr>
<th>NO.</th>
<th>COMMENT</th>
<th>DETERMINATION</th>
<th>COG RESPONSE</th>
<th>POLICY</th>
<th>Financial Considerations</th>
<th>Recommendation</th>
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<tbody>
<tr>
<td>1.</td>
<td>RE: County Express</td>
<td>Not an Unmet Transit Need.</td>
<td>Discounted bus tokens are available for purchase at: 1. LTA office, 330 Tres Pinos Road, C7. The LTA office is accessible via all Fixed Route bus lines. 2. MV office, 340 Southside Road - The MV office is only accessible via Dial-a-Ride. The Dial-a-Ride passenger fare is higher than the Fixed Route passenger fare (varies between Cash is accepted onboard all buses at the full price. The LTA currently does not have the available staff to manage the sales of bus tokens at additional locations. The administration of bus token sales consists of providing ongoing monetary change, depositing of funds, and balancing all sales to ensure appropriate management of funds. The LTA is in the process of updating its Short/Long Range Transit Plan which will include recommended for token sale locations. The Transit Plan is scheduled for release this summer.</td>
<td>The request fails to meet the “unmet needs” threshold criteria:  - The request does not fill a gap in transit service.</td>
<td>The request would require funding of a part time /temporary position, which is estimated at a salary of $13,500 annually.*</td>
<td>The request is not recommended for implementation at this time.</td>
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<td>2.</td>
<td>RE: County Express</td>
<td>Unmet Transit Need, Not Reasonable to Meet.</td>
<td>The weekend Dial-a-Ride consists of one vehicle that provides transit services between 9:00 a.m. and 3:00 p.m. Transit riders may schedule their trip as late as Friday by 1:00 p.m. The weekend service is normally booked as early as Thursday. About 10 riders are accommodated on Saturday and about 15 on Sunday. Riders have been turned down when a specific time slot has been booked.</td>
<td>The request does NOT meet the “Reasonable to Meet” Criteria:</td>
<td>The LTA pays MV Transportation an hourly rate of $40/hour* for transit services. Providing an additional driver on the weekend would cost $480/weekend**. Annually, the cost of providing this service would total $24,480*** annually. *Does not include fuel or maintenance costs. **$40 (hourly rate) x (six hours/day) x (two days).</td>
<td>The request is not recommended for implementation at this time.</td>
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</table>
| 3. | RE: County Express | Unmet Transit Need, Not Reasonable to Meet. | The Short/Long Range Transit Plan will include discussion on improving the Fixed Route service, which will be presented to the SSTAC and the LTA at a future meeting. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet. The Transit Plan is scheduled for release this summer. | The request does NOT meet the “Reasonable to Meet” Criteria: 

**H. OTHER FACTORS**

Other specific, formulated components that COG determines to affect the reasonableness of meeting an unmet transit need. | Financial considerations will be further discussed in the Short/Long Range Transit Plan. | This request will be addressed in the Short/Long Range Transit Plan. |
|---|---|---|---|---|---|---|
| 4. | RE: County Express | Unmet Transit Need, Not Reasonable to Meet. | Currently the Fixed Route service does not operate between 10 a.m. - 2 p.m. Riders may use the Dial-A-Ride service from 11 a.m. - 2 p.m. for a higher fare. The cost of a one-way trip on the Fixed Route is $1.00, while a trip on Dial-a-Ride is $2.00. The Short/Long Range Transit Plan will include discussion on restoring the mid-day Fixed Route service, which will be presented to the SSTAC and the LTA at a future meeting. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet. The Transit Plan is scheduled for release later this summer. | Request does NOT meet the “Reasonable to Meet” Criteria: 

**H. OTHER FACTORS**

Other specific, formulated components that COG determines to affect the reasonableness of meeting an unmet transit need. | Financial considerations will be further discussed in the Short/Long Range Transit Plan. | This request will be addressed in the Short/Long Range Transit Plan. |
| 5. | RE: County Express | Not an Unmet Transit Need. | The request does not meet the unmet transit needs criteria. However, the request can be accommodated. The Intercounty bus (28-passenger vehicle) currently travels from Hollister (departure: 7:00 a.m.) to San Juan Bautista (departure: 7:15 a.m.) before reaching its final destination at Gavilan College. There are approximately 30 Geika students that board the bus in Hollister and one student that boards from San Juan Bautista 7:15 a.m. bus to Gavilan College is standing room only, concerns with people standing while traveling on the freeway. | The request fails to meet the “unmet needs” threshold criteria: 

- The request does not fill a gap in transit service. | The cost for providing an additional bus from Hollister directly to Gavilan College would cost approximately $17,000 annually. * | Modify the bus schedule to allow a 15-passenger bus to travel from Hollister to Gavilan College upon reaching its final destination at the Caltrain Station. |
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<td>6.</td>
<td>RE: County Express</td>
<td>Unmet Transit Need, Not Reasonable to Meet.</td>
<td>The Short/Long Range Transit Plan will include discussion on improving the Intercounty service, which will be presented to SSTAC and the LTA at a future meeting. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet. The Transit Plan is scheduled for release later this summer.</td>
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<td>7.</td>
<td>RE: County Express</td>
<td>Unmet Transit Need, Not Reasonable to Meet.</td>
<td>The Short/Long Range Transit Plan will include discussion on improving the Intercounty service, which will be presented to SSTAC and the LTA at a future meeting. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet.</td>
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Juan Batista. There are other passengers that board the bus in San Juan Bautista.

It is proposed that a 15 passenger bus be used, instead of the 28-passenger bus, for the existing route (Hollister/SJB/Gavilan College). This bus would also travel to the Gilroy Caltrain Station after departing from Gavilan College in order to provide an additional morning connection from San Juan Bautista to the Caltrain Station.

It is also proposed that the existing 28-passenger bus be used to travel directly from Hollister to Gavilan College since the majority of students board in Hollister. This bus rerouting will provide Hollister passengers with a more direct route to Gavilan College.

Bus schedules will be revised according to the changes. This process will be coordinate with the implementation of the Short/Long Range Transit Plan to maximize resources.

Request is operational in nature (i.e. minor route change, bus stop change, etc.).

*Estimate does not include fuel or vehicle maintenance.

Starting July 1, 2015 COG will receive $18,741 from the Cap-and-Trade Program which may be used to cover this expense. The Cap-and-Trade Program established in 2014 that provides funds to public transportation agencies throughout California for operations that reduce greenhouse gas emissions.

Provide three additional service hours which will allow the 28-passenger bus to travel directly to/from Hollister and Gavilan College.

Allocate cap-and-trade funds to fund the above-mentioned service recommendations.
### PUBLIC COMMENTS RECEIVED

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<thead>
<tr>
<th>Comment Number</th>
<th>Commentor</th>
<th>Unmet Transit Need</th>
<th>Reason for Unmet Need</th>
<th>Reason for Unmet Need</th>
<th>Financial Considerations</th>
<th>Other Specific, Formulated Components</th>
<th>Request Does NOT Meet Reasonable to Meet Criteria:</th>
<th>Financial Considerations Will Be Further Discussed in the Short/Long Range Transit Plan</th>
<th>This Request Will Be Addressed in the Short/Long Range Transit Plan</th>
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<td>8. RE: County Express</td>
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<td></td>
<td>Allowed the 8:15 a.m. bus at Fourth and San Benito St. to travel to San Juan Bautista before heading to Gavilan College. The commenter noted that the outlets do not open until 10 AM so they have to take the 7:40 a.m. bus.</td>
<td>Unmet Transit Need, Not Reasonable to Meet.</td>
<td>Further evaluation is needed to determine if this request has the potential to capture additional passengers. All morning buses travel from Hollister, San Juan Batista, to except for the 8:15 AM bus. The Short/Long Range Transit Plan will include discussion on improving the Intercounty service, which will be presented to SSTAC and the LTA at a future meeting. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet. The Transit Plan is scheduled for release later this summer.</td>
<td>Request does NOT meet the &quot;Reasonable to Meet&quot; Criteria: H. OTHER FACTORS Other specific, formulated components that COG determines to affect the reasonableness of meeting an unmet transit need.</td>
<td>Financial considerations will be further discussed in the Short/Long Range Transit Plan.</td>
<td>This request will be addressed in the Short/Long Range Transit Plan.</td>
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<td>9. RE: County Express</td>
<td>Improve connection from San Juan Bautista to Hollister.</td>
<td>Unmet Transit Need, Not Reasonable to Meet.</td>
<td>The Short/Long Range Transit Plan will include discussion on improving services between San Juan Bautista and Hollister, which will be presented to SSTAC and the LTA at a future meeting. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet. The Transit Plan is scheduled for release later this summer.</td>
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<td>10. RE: County Express</td>
<td>Improve bus service to and from San Juan Bautista, since there are only three buses traveling between Gavilan College and San Juan Bautista.</td>
<td>Unmet Transit Need, Not Reasonable to Meet.</td>
<td>The Short/Long Range Transit Plan will include discussion on improving services between San Juan Bautista and Gilroy, which will be presented to SSTAC and the LTA at a future meeting. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet. The Transit Plan is scheduled for release later this summer.</td>
<td>Request does NOT meet the &quot;Reasonable to Meet&quot; Criteria: H. OTHER FACTORS Other specific, formulated components that COG determines to affect the</td>
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<td>Page</td>
<td>RE: County Express</td>
<td>Provide service from the Monterey RV Park to San Juan Bautista. The commenter noted she currently walks along the highway from the RV park to San Juan Bautista bus stop to catch the bus.</td>
<td>Unmet Transit Need, Not Reasonable to Meet.</td>
<td>The Monterey RV Park is located in area where the bus would not be safe to operate.</td>
<td>Request does NOT meet the &quot;Reasonable to Meet&quot; Criteria: E. OPERATIONAL FEASIBILITY 4. The new, expanded or revised transit service must be safe to operate and there must be adequate roadways and turnouts for transit vehicles.</td>
<td>No financial considerations.</td>
<td>The request is not recommended for implementation.</td>
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<td>12</td>
<td>RE: County Express</td>
<td>Improve weekday and weekend service from San Juan Bautista to the Caltrain station in the early mornings.</td>
<td>Unmet Transit Need, Not Reasonable to Meet.</td>
<td>All weekend service routes travel from Hollister to thru San Juan Bautista. The Short/Long Range Transit Plan will include discussion on improving weekend service between San Juan Bautista and the Caltrain Station, which will be presented to SSTAC and the LTA at a future meeting. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet. The Transit Plan is scheduled for release later this summer.</td>
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<td>13</td>
<td>RE: County Express</td>
<td>Allow the bus coming from San Juan Bautista into Hollister to stop near Graf Road before stopping at Mission Oaks Park.</td>
<td>Unmet Transit Need, Not Reasonable to Meet.</td>
<td>There are no sidewalks along San Juan Road near Graf Road and traffic travels at 45 miles an hour. As such, this location does not provide a safe area for passengers to disembark. The closest bus stop to Graf Road The Mission Oaks bus stop is approximately ¼ of a mile to the east of Graf Road. The City of Hollister is currently planning the West Gateway Project which will provide sidewalks and traffic calming measures at some point in the future. This request may be considered for future recommendation upon construction of the West Gateway Project.</td>
<td>Request does NOT meet the &quot;Reasonable to Meet&quot; Criteria: E. OPERATIONAL FEASIBILITY The new, expanded or revised transit service must be safe to operate and there must be adequate roadways and turnouts for transit vehicles.</td>
<td>No financial considerations.</td>
<td>The request is not recommended for implementation.</td>
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### PUBLIC COMMENTS RECEIVED

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<th>RE: County Express</th>
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<tbody>
<tr>
<td>14</td>
<td><strong>Unmet Transit Need, Not Reasonable to Meet.</strong></td>
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<td></td>
<td>The Short/Long Range Transit Plan will include discussion on improving Fixed Route services, which will be presented to SSTAC and the LTA at a future meeting. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet. The Transit Plan is scheduled for release this summer.</td>
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<td><strong>Request does NOT meet the &quot;Reasonable to Meet&quot; Criteria:</strong></td>
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<td><strong>H. OTHER FACTORS</strong> Other specific, formulated components that COG determines to affect the reasonableness of meeting an unmet transit need.</td>
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| 15 | RE: County Express |
|    | Allow the buses to run during the holidays (e.g. Presidents Day) in order to allow residents to leisure time. |
|    | **Unmet Transit Need, Not Reasonable to Meet.** |
|    | The Short/Long Range Transit Plan will include discussion on improving Fixed route services, which will be presented to SSTAC and the LTA at a future meeting. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet. The Transit Plan is scheduled for release this summer. |
|    | **Request does NOT meet the "Reasonable to Meet" Criteria:** |
|    | **H. OTHER FACTORS** Other specific, formulated components that COG determines to affect the reasonableness of meeting an unmet transit need. |
|    | Financial considerations will be further discussed in the Short/Long Range Transit Plan. |
|    | This request will be addressed in the Short/Long Range Transit Plan. |

| 16 | RE: County Express |
|    | The bus stop at Fourth Street and Line Street (north side near El Grullense Restaurant) is not marked. |
|    | **Not an Unmet Transit Need.** |
|    | The bus stop poll is missing from this location, the LTA will work on addressing this issue. |
|    | **The request fails to meet the "unmet needs" threshold criteria:** |
|    | • The request does not fill a gap in transit service |
|    | • Request is operational in nature (i.e. minor route change, bus stop change, etc.) |
|    | The cost of providing a bus stop pole is estimated between $200 and $300, which includes labor and materials. |
|    | Install bus stop signage pole and schedule. |

| 17 | RE: County Express |
|    | Riders cannot schedule same day Dial-a-Ride bus services on the line. |
|    | **Unmet Transit Need, Not Reasonable to Meet** |
|    | Dial-A-Ride weekend reservations are required to be scheduled before 1:00 p.m. on Friday. Subscription or same-day services are not available for weekend service. |
|    | **The request does NOT meet the "Reasonable to Meet" Criteria:** |
|    | **C. COST EFFECTIVENESS:** The proposed service would: |
|    | The cost for providing one Dispatcher on the weekend would cost $13,757.76 annually.* |
|    | The request is not recommended at this time. |
weekend. Riders must call by 1:00 p.m. on Friday to be on the bus schedule. If ill on the weekends, the commenter noted that they are unable to make medical appointments.  
The reservation policy was developed to reduce operational cost and to increase its efficiency in response to the funding shortage in 2009. This policy allowed the LTA to eliminate the need for a weekend dispatcher. 
The Short/Long Range Transit Plan will include discussion on improving Dial-a-Ride services, which will be presented to SSTAC and the LTA at a future meeting. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet. The Transit Plan is scheduled for release later this summer.

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<tr>
<th>Request</th>
<th>Class, Reasonable to Meet</th>
<th>Financial Considerations</th>
<th>Recommendation</th>
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| RE: County Express Provide Dial-a-Ride services after 5 p.m.             | Unmet Transit Need, Not Reasonable to Meet. | Request does NOT meet the "Reasonable to Meet" Criteria:  
H. OTHER FACTORS  
Other specific, formulated components that COG determines to affect the reasonableness of meeting an unmet transit need.  
Financial considerations will be further discussed in the Short/Long Range Transit Plan. | This request will be addressed in the Short/Long Range Transit Plan. |
| RE: County Express Provide bus schedules onboard busses                  | Not an Unmet Transit Need. | The request fails to meet the "unmet needs" threshold criteria:  
• The request does not fill a gap in transit service  
Request is operational in nature (i.e. minor route change, bus stop change, etc.) | No financial considerations at this time. |

*$22.48 (hourly rate) x six hours/day x (two days) x 51 weekends in a year x $480 (per weekend cost).
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<th>Type of Need</th>
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| 20  | RE: County Express | Improve bus seating at stop stops | Not an Unmet Transit Need | The LTA was awarded a grant to prepare a Bus Stop Implementation Plan that would evaluate each County Express bus stops for its accessibility and amenities and make recommendations for improvements. The LTA will provide the public with the opportunity to have input on the development of the Plan and proposed bus stop locations. The request fails to meet the “unmet needs” threshold criteria:  
- The request does not fill a gap in transit service  
- Request is operational in nature (i.e. minor route change, bus stop change, etc.) | Financial considerations will be further discussed in the Bus Stop Implementation Plan. | No recommendation at this time. |
| 21  | RE: Specialized Transportation Services | Unmet Transit Need, Not Reasonable to Meet | The Short/Long Range Transit Plan will include recommendations to the transit service provided by Specialized Transportation Services, which will be presented to SSTAC and the LTA at a future meeting. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet. The Transit Plan is scheduled for release later this summer. Request does NOT meet the “Reasonable to Meet” Criteria:  
H. OTHER FACTORS  
Other specific, formulated components that COG determines to affect the reasonableness of meeting an unmet transit need. | The cost for providing the additional dialysis services to Salinas is estimated at $51,000 annually.*  
*The service is proposed to be offered three times/week. The estimate does not include maintenance of vehicles or the cost of an additional vehicle to provide the service. | This request will be addressed in the Short/Long Range Transit Plan. |
| 22  | RE: County Express | Geika High School Program at Gavilan College ends at 3:30 p.m. However the bus leaves the Gavilan College Station at 3:20 p.m. The next bus arrives at the college at 4:30 p.m. | Not an Unmet Transit Need | In order to accommodate this request, the 3:20 p.m. bus was delayed by 15 minutes (3:35 p.m.). This modification will not affect the bus schedule since there is a 15 minute layover at the Veterans Memorial Park before the bus heads back to Gilroy at 4:35 p.m. | No financial impact. | This request has already been met. In April, the Local Transportation Authority modified the Intercounty schedule. Specifically, change the 3:20 p.m. departure time from Gavilan College to 3:35 p.m. |
| 23  | RE: County Express | The commenter noted that they have to take the earliest 7:15 a.m. bus | Unmet Transit Need, Not Reasonable to Meet | The Short/Long Range Transit Plan will include discussion on improving Intercounty services, which will be presented to SSTAC and the LTA at a future meeting. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet. Request does NOT meet the “Reasonable to Meet” Criteria:  
H. OTHER FACTORS  
Other specific, formulated components that COG determines to affect the reasonableness of meeting an unmet transit need. | Financial considerations will be further discussed in the Short/Long Range Transit Plan. | This request will be addressed in the Short/Long Range Transit Plan. |
### PUBLIC COMMENTS RECEIVED

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<th>Commenter</th>
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<th>The Transit Plan is scheduled for release later this summer.</th>
<th>In addition, the LTA will address this comment on the hiring a full time Transit Planner.</th>
<th>H. OTHER FACTORS</th>
<th>Financial considerations will be further discussed in the Short/Long Range Transit Plan.</th>
<th>This request will be addressed in the Short/Long Range Transit Plan.</th>
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<td>26</td>
<td>Add additional Intercounty bus service during commute hours on Saturday and Sunday.</td>
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<tr>
<td>27</td>
<td>Provide additional bus stops by Earthbound Farms, one by Grillin' in Chillin' or San Juan Hollister Rd or San Juan Oaks Golf course for those that live in that area or work in that area on weekends and weekdays.</td>
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<td>28</td>
<td>It would be nice if there was a bus line that would go to businesses located at Casa De Fruta/Leal Vineyards Restaurant (The Grove). Commenter would like to be able to do more things in Hollister or San Benito County.</td>
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<td>Unmet Transit Need, Not Reasonable to Meet</td>
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<td>Dial-a-Ride services are available to Leal Vineyards Restaurant and not to casa de Fruta. The Short/Long Range Transit Plan will include discussion on improving Dial-a-Ride services, which will be presented to SSTAC and the LTA at a future meeting. The plan will include a discussion on trip generating locations. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet. The Transit Plan is scheduled for release later this summer.</td>
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<td>RE: County Express and Specialized Transportation Services</td>
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<td>RE: County Express</td>
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<td>RE: County Express</td>
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<td>RE: County Express</td>
<td>Please have least have all the three commuter late buses that travel between 5:30 pm. and 7:50 p.m. from Gilroy to Hollister go through San Juan in the evenings.</td>
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<td>RE: County Express</td>
<td>Please provide additional morning and late bus on weekends.</td>
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<td>RE: County Express</td>
<td>The commenter noted that since school at Gavilan College is out for months- consider transitioning the “Winter/Summer” break schedules into “Greyhound schedules.” Benefit the people that out to go to Caltrain for work or business.</td>
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<td>Public Comments Received</td>
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<td><strong>36. RE: County Express</strong></td>
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<td>The commenter would like to request one or two earlier commuter buses from San Juan Bautista to the Caltrain Station.</td>
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| **37. RE: County Express** |
| The commenter requested the busses run all day from Tres Pinos, Ridgemark, Hollister-SJ- Carpool stop by the High School for (Aromas residents) to Gilroy Caltrain. |
| Unmet Transit Need, Not Reasonable to Meet |
| The Short/Long Range Transit Plan will include discussion on improving intercounty services, which will be presented to SSTAC and the LTA at a future meeting. As such, at this time, the request is classified as an Unmet Transit Need, Not Reasonable to Meet. The Transit Plan is scheduled for release later this summer. |
| Request does **NOT** meet the “Reasonable to Meet” Criteria: |
| **H. Other Factors** |
| Other specific, formulated components that COG determines to affect the reasonableness of meeting an unmet transit need. |
| Financial considerations will be further discussed in the Short/Long Range Transit Plan. |
| This request will be addressed in the Short/Long Range Transit Plan. |

| **38. RE: County Express** |
| Commenter would like to acknowledge the following bus drivers because they really care about the passengers: Rosie, Jose Justo, Jose Luis, Santiago, and Mr. Bob. |
| Not an Unmet Transit Need |
| Thank you. |
| N/A |
| N/A |
| N/A |
Social Services Transportation Advisory Council Meeting Minutes June 20, 2014

COUNCIL OF SAN BENITO COUNTY GOVERNMENTS
SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL
SPECIAL MEETING DRAFT MINUTES
DATE: Thursday, June 17, 2015
10:00 AM
LOCATION: Council of San Benito County Governments
Conference Room
330 Tres Pinos Road, Suite C-7
Hollister, CA 95023

CALL TO ORDER

Chair, Tony Mercado called the meeting to order at 10:01 A.M.

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* Meeting Cancelled

P= Present  A=Absent  E= Excused  (a) = alternate

STAFF PRESENT:

Mary Gilbert, Interim Executive Director; Veronica Lezama, Transportation Planner; Sean Vienna, Transportation Planner

A. CERTIFICATE OF POSTING

Upon a motion duly made by Pauline Valdivia, and seconded by Maggie Bilich, the Committee unanimously acknowledged the Certificate of Posting.
MEMBER ANNOUNCEMENTS:
Veronica Lezama announced that the 22nd Annual Kids at the Park organized by the Safe Kids California San Benito Partners will be held Wednesday, June 24, 2015 from 10am – 2pm at Dunne Park in Hollister. COG staff will have a helmet fitting station at the event.

EXECUTIVE DIRECTOR’S REPORT: None

CONSENT AGENDA
APPROVE SSTAC Meeting Minutes dated June 20, 2014 – Gomez

Upon a motion duly made by Pauline Valdivia, and seconded by Maggie Bilich, the Committee unanimously approved Item 1 from the Consent Agenda. Vote: 4/0 motion passes.

REGULAR AGENDA:
RECEIVE and COMMENT on the 2015 Unmet Transit Needs Hearings: Draft Requests and Responses – Lezama

Ms. Lezama provided an overview of the 2015 Unmet Transit Needs Hearings Draft requests and responses. The Council of Governments received 38 public comments at the Unmet Transit Needs Hearings.

Ms. Lezama stated for the record that COG staff received Joe Thompson’s public comment correspondence.

Maggie Bilich provided an additional comment regarding the Gavilan College bus schedule. She stated that most of the core classes start around 9:45 a.m. She stated that the 10:30 a.m. bus is a problem because it arrives too late for the core classes. She mentioned that there is also a long wait for the return bus.

Ms. Lezama noted that the Short Range Transit Plan /Long Range Transit Plan will be released this summer.

Staff will present the Draft Unmet Transit Needs Report to the Council of Governments Board at their July 16, 2015 meeting.

There was no further discussion or public comment.

Adjourn to Meeting of July 24, 2015.

Upon a motion duly made by Pauline Valdivia, and seconded by Maggie Bilich, the Committee unanimously adjourned the meeting at 10:45 a.m. Vote: 4/0 motion passes.
Council of San Benito County Governments Resolution

To be inserted upon Board approval at the July 16, 2015 meeting.
Staff Report

To: Council of San Benito County Governments
From: Mary Gilbert, Interim Executive Director Phone Number: (831) 637-7665 x.207
Date: July 16, 2015
Subject: Highway 25 Planning

Recommendation:

RECEIVE Update on Highway 25 Widening Project Development

Summary:

The San Benito County Board of Supervisors and City of Hollister City Council both adopted resolutions in 2014 requesting that COG amend its Regional Transportation Plan to include the Highway 25 4-Lane Widening Project on the constrained—funded—project list. Staff is coordinating an amendment to the Regional Transportation Plan for this task. As directed at the June COG Board meeting, staff is pursuing interim safety measures for the roadway as well.

Financial Impact:

COG has committed $150,000 and $250,000 to an engineering alternatives analysis for the project. There is currently a balance of approximately $433,000 in funding in the Highway 25 Safety Project account budget. Funding from this account balance will be used for the Highway 25 alternatives analysis.

Staff is considering the allocation of funding from the Service Authority for Freeways and Expressways to fund additional California Highway Patrol enforcement on the roadway as well.

Background:

The Council of Governments has reaffirmed its commitment to Highway 25 on several occasions by way of resolutions. The Highway 25 Widening project has been on the list of projects in the Regional Transportation Plan for many years and is included in the most recently adopted 2014 Regional Transportation Plan. At its August meeting, the COG Board of Directors discussed the project extensively and directed staff to return with options for moving forward with long term planning for improvements to the corridor.

Staff Analysis:

COG’s work plan for the project includes tasks that are being approached concurrently. The tasks cover four major areas:
- Finalizing the Tier 1 Environmental Impact Statement
- Updating Financial Assumptions, including the Traffic Impact Mitigation Fee contributions to the project
- Public Involvement
- Regional & Local Coordination

Staff is currently working on the following tasks to prepare the Regional Transportation Plan Amendment as directed in June.

1. Staff prepares a new financial plan, defined in Title 23 Code of Federal Regulations as “documentation required to be included with a metropolitan transportation plan…that demonstrates the consistency between reasonably available and projected sources of Federal, State, local, and private revenues and the costs of implementing proposed transportation system improvements.”

2. The financial plan must demonstrate financial constraint. Title 23 Code of Federal Regulations states that fiscal constraint means that the …Plan includes sufficient financial information for demonstrating that projects in the Plan…can be implemented using committed, available, or reasonably available revenue sources, with reasonable assurance that the federally supported transportation system is being adequately operated and maintained.

3. Staff coordinates with Caltrans and other local and regional partners to review the scope of the Highway 25 Widening project and identify any potential changes to the project scope, construction phasing, and associated cost estimates.

4. Provided that reasonable funding had been identified, staff prepares a revised Regional Transportation Plan project list, moving funded phases of the Highway 25 Widening to the constrained project list. Other changes to the project list may be required and would be included as necessary.

5. Staff forwards the revised financial plan and project lists to the Association of Monterey Bay Area Governments (AMBAG) for consideration in their Metropolitan Transportation Plan, which includes elements of the COG Regional Transportation Plan.

6. As soon as possible after the financial plan and project list are revised, staff initiates environmental review as required by the California Environmental Quality Act (CEQA). This review would be coordinated with AMBAG.

7. COG holds appropriate public hearings for both the environmental document and the Regional Transportation Plan amendment.

8. Staff prepares response to public comments.

9. Staff finalizes the Regional Transportation Plan and Environmental Impact Report amendments and bring them to the COG Board for required approvals.
10. Approved documents are sent to the State Department of Caltrans and California Transportation Commission.

Safety on Highway 25

As directed at the June meeting, staff is also developing a plan for enhanced safety and driver awareness on Highway 25. The Santa Cruz Regional Transportation Commission (SCCRTC) has a very successful Safe on 17 program for the Highway 17 corridor. The program includes a citizen’s advisory committee and a great deal of coordination with Caltrans District 5 and the Metropolitan Transportation Commission in the Bay Area. A fact sheet describing SCCRTC’s efforts is attached (Attachment 1).

SCCRTC has successfully partnered with the California Highway Patrol to fund additional enforcement on the highway. The enforcement is funded with Service Authority for Freeway and Expressway (SAFE) funds. SAFE funds are collected through vehicle registration and designated for call boxes and other freeway emergency uses. San Benito SAFE currently has a balance in its budget that carries forward annually. Staff is seeking to pursue a budget amendment in the SAFE program and negotiating a contract with CHP to provide additional enforcement on Highway 25.

Staff continues to coordinate with the transportation stakeholder group established in 2014. The group will meet July 15 and staff will report out to the Board at the July 16 meeting. The stakeholder agenda includes a discussion of Highway 25 Safety and opportunities to re-vamp some of the work that was done with the Stay Alive on Highway 25 committee in the early 2000s.

Staff is also exploring options for transportation demand management, Intelligent Transportation Systems, and ridesharing/public transit options that may help to lessen roadway congestion and provide alternatives for travel along the corridor.

Coordination with the Valley Transportation Authority

Staff continues to coordinate with the Valley Transportation Authority with regard to the State Route 152 Improvement Project and the U.S. 101/Highway 25 Interchange project as reported on at the June COG meeting. Staff will update the Board on these projects when more information is available to ensure coordination with COG efforts.

Executive Director Review: _____________  Counsel Review: _____ N/A

Supporting Attachment: SCCRTC “Safe on 17”/Highway 17 Corridor Project Fact Sheet
Staff Report
To: Council of San Benito County Governments
From: Mary Gilbert, Interim Executive Director  Phone Number: (831) 637-7665 x.207
Date: July 16, 2015
Subject: Transportation Sales Tax Measure

Recommendation:

RECEIVE UPDATE on Work Plan for Potential Transportation Sales Tax Measure in the 2016 Election Cycle and DIRECT STAFF as needed.

Summary:

COG Staff has been researching the potential for a transportation sales tax in San Benito County for the 2016 election cycle. This effort has been coordinated with the City of Hollister, City of San Juan Bautista, and the San Benito County Board of Supervisors regarding the potential for a special tax. The local jurisdictions may still be considering their own general sales tax initiative. The proposed election for the initiative would be November 2016.

Financial Impact:

COG does not currently have a budget for administration of a sales tax initiative effort. Local, private funding would be needed for a campaign. A ½ cent sales tax could raise as much as $120 million over twenty years, based on projections of taxable sales in the County. In addition, sales tax revenues may be used for leverage to obtain additional state funding for projects.

Background:

The Council of Governments previously administered the Measure A Sales Tax, which was passed with an 82% majority in 1988. Measure A funds were used for several projects, including the San Benito Street Extension, Westside Boulevard Extension, Highway 156 Bypass, and Highway 25 Bypass.

Staff Analysis:

This is a continuing item on the COG agenda. Staff will update the Board monthly on this effort.

COG’s work plan for a sales tax measure began as a part of the Highway 25 work plan and concern for placing the Highway 25 4-Lane Widening project on the constrained list of project in COG’s 2014 Regional Transportation Plan. It was determined that a new revenue source in addition to traditional state and local funding would be needed to finance a project the size of Highway 25. In addition, sales tax funding could fund local street and road repair needs and other projects across the County.
Currently, the City of Hollister and San Benito County have also been jointly discussing the potential for a countywide general sales tax of up to 1%.

COG, the City of Hollister City Council, San Benito County Board of Supervisors and City of San Juan Bautista City Council held a joint meeting on June 3 to discuss the potential for different sales tax scenarios, including a special tax for transportation as well as general taxes for the City of Hollister and San Benito County. After lengthy discussion, the San Benito County Board of Supervisors voted unanimously to authorize their COG Board representatives to move forward with planning for a special tax for transportation. The City of San Juan Bautista City Council made the same motion, also with unanimous support. The matter will be discussed by the City of Hollister City Council at a future meeting.

A work plan for a sales tax effort was approved by the Board in June. Staff is implementing the work plan as directed and is currently concentrating efforts on stakeholder involvement, community outreach, and planning for the expenditure plan projects.
Staff Report

To: Council of San Benito County Governments
From: Mary Gilbert, Interim Executive Director  Phone Number: (831) 637-7665 x.207
Date: July 16, 2015
Subject: State Route 129 Realignment

Recommendation:

RECEIVE Information from Caltrans on the State Route 129 Realignment Project

Summary:

A project information sheet provided by Caltrans District 5 is attached. This project is in Santa Cruz County but will impact travelers from San Benito County.

Financial Impact:

The project cost is estimated at $4.8 Million. No San Benito County funds are being used for the project.

Staff Analysis:

Caltrans will provide an update on the project as described in the Attachment at the meeting.

Executive Director Review: ____________  Counsel Review: N/A

Supporting Attachment: State Route 129 Realignment Information Sheet
State Route 129 Realignment (05-0T540; SCR-129-PM 9.5/9.998) Information Sheet

Project Location: In Santa Cruz County from 0.4-mile west of Old Chittendon Road to 0.1-mile east of Chittendon Underpass.
**Project Description and Scope:** The project proposes to realign the highway to the north approximately 60 feet to increase the curve radius and sight distance at this location.

**Purpose and Need:** Run-off-the-road and cross-centerline collisions are occurring at the project location. The objective of this project is to reduce the frequency and severity of collisions occurring within the project limits.

**Schedule:** The project is being advertised now and bids are scheduled to open July 1. Construction is scheduled for fall, 2015 with a scheduled completion of spring, 2016. The project will include a traffic signal and one-lane traffic control. We are anticipating a five-day full closure toward the end of the project.

**Funding Information:** The current construction capital estimate is $4,834,000.