

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

**February 19, 2015, 3:00 P.M.**

**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 – 10<sup>th</sup> 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. Mr. Olejnik mentioned that the District Director's Report has a new format, which is meant to be more informative and user friendly.

Mr. Olejnik noted that the project report did not include a new project. The project is a curb correction on Highway 25, approximately 30 miles south of town. He stated that some landscaping work has been done however; actual construction will begin in April. This project will start appearing in the project report beginning next month and they will continue to provide monthly updates.

Chair Muenzer inquired if residents in the area have been notified about the construction timeline and upcoming work.

Mr. Olejnik stated that he believed notification was provided to residents early on however, he stated that he would follow up to ensure that residents are notified if there are any changes with the project timeline.

Also, Mr. Olejnik reported that the 2040 California Transportation Plan (2040 CTP) is a statewide level plan on how to address the multi model needs of all users and reduce greenhouse gas emissions. He stated that in the near future they will be contacting local technical groups to have discussion on how it will apply locally and to allow the opportunity for comment so that it can be incorporated into the planning process.

Lastly, he reported on the Complete Streets Guide, which helps address some of the specific needs of main street going through towns that are state highways. Caltrans is working on publishing some new materials for the benefit of cities and counties to help see how they can incorporate some of these design features into state highways for the benefit of the public. For more information on Complete Streets Guidelines you may visit the Caltrans website.

Director De La Cruz talked about a safety concern that was brought to his attention by constituents. He stated that it is becoming more dangerous for drivers who are driving on Highway 25 towards Gilroy and making a left on Wright Road. He stated that the issue needs to be addressed since there have been several accidents, including one fatality at this location.

Chair Muenzer mentioned that the Board of Supervisors was made aware of safety concerns at Highway 25 and Flynn Road. He stated that it may be a good idea to have Caltrans look into both intersections.

Director Gomez concurred with the comments. He stated that the concern at Highway 25 and Flynn Road is more of a congestion issue that has to do with accel and decel lanes. He stated that the concern at Highway 25 and Wright Road is a safety issue and he would support looking into the matter further.

Director Gomez inquired about Caltrans District Director Reports. He asked if the COG Board could obtain the reports in pdf. document format so that they could distribute to their email lists and post on their websites for constituents to view.

Ms. Gilbert stated that she would look into the Directors safety concerns along Highway 25 and report back.

With regards to Director Gomez request about receiving the Caltrans reports, Ms. Gilbert stated that she would forward the reports to the COG Board as requested.

Director Boch inquired about the meeting date for discussion between San Juan Bautista and Caltrans regarding Highway 156 and the Alameda project area.

Ms. Gilbert stated that she did not have a date set yet for discussion on Highway 156 and the Alameda area project, but would be working on setting it up.

**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 17<sup>th</sup> at 1:00 p.m. The second hearing took place during the regularly scheduled COG meeting February 19<sup>th</sup> 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.

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 4<sup>th</sup> 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 fare 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.

**5. PROVIDE Comments on the Draft 2015 Public Participation Plan Prepared by the Association of Monterey Bay Area Governments – Lezama**

Veronica Lezama reported that the Association of Monterey Bay Area Governments has released the Draft 2015 Public Participation Plan (PPP), which is updated every four years. The PPP was prepared by AMBAG in coordination with the Council of San Benito County Governments, Santa Cruz County Regional Transportation Commission, Transportation Agency for Monterey County, and the regional transit districts. It contains the procedures and strategies used by the AMBAG region for public involvement in all programs and projects that use federal funds.

Ms. Lezama noted that AMBAG is receiving comments on the Draft PPP until March 27, 2015. The AMBAG Board is scheduled to adopt the Final PPP at their April 8<sup>th</sup> meeting.

There was no public comment or discussion on this item.

**6. Highway 25 Planning – Gilbert**

- a. **RECEIVE** Update on COG Staff Work Plan for Highway 25 Development
- b. **APPROVE** Contract with EMC Research for Public Opinion Polling in an Amount not to Exceed \$13,200

Ms. Gilbert reported that the COG Board received a presentation last month from Caltrans on the status of the environmental document for the currently proposed route adoption alternatives. She stated that this is one step in the process of ensuring that the environmental document is completed so that we meet our federal funding requirements and have a completed environmental document. Concurrently, staff is moving forward with the identified COG work plan for the project.

COG staff and the consultant team are currently in the process of doing the modeling for the Traffic Impact Mitigation Fee update. Staff will provide a more detailed Traffic Impact Fee update at the next COG meeting as the modeling results are received.

Ms. Gilbert reported that 12 individuals attended the second Stakeholder meeting hosted by COG staff on January 29<sup>th</sup>. They covered another presentation on the environmental document and had some discussion about the Highway 25 project. The group discussed goals for the effort. Overall, the group's focus and goals were aligned with a unified review of transportation needs in San Benito County, more than only the Highway 25 Corridor. The group expressed an interest in meeting monthly, with the next meeting scheduled for February 25<sup>th</sup> from 4-6 p.m. at the San Benito County Public Works conference room. Ms. Gilbert mentioned that invitations went out to individuals who were previously invited and to those that have been referred to her. Anyone interested in receiving more information about the meetings or who would like to be included on the list of those invited are asked to contact Ms. Gilbert at the COG office.

Ms. Gilbert stated that as an extension of public outreach efforts, staff was proposing a contract with EMC Research for an amount not to exceed \$13,200, to complete public opinion polling of registered voters in San Benito County. The purpose of the polling is to begin to determine a baseline for voters' opinions regarding the need for certain transportation improvements in San Benito County, including Highway 25, other corridors, local street and road maintenance needs, transit, and bicycle and pedestrian facilities. The poll will also measure the public's opinion on funding needs for these projects.

If the contract is approved, work can begin in late February and COG will receive results of the polling at its March meeting.

Ms. Gilbert mentioned that Jenny Regas with EMC Research was present to answer any questions from the Board.

Director Luna inquired about the number of voters that were contacted during the previous polling.

Ms. Gilbert stated that they were able to contact 301 registered voters in San Benito County during the last survey effort for the Regional Transportation Plan and Sustainable Communities Strategy.

Director Gomez inquired about the list of questions that are going to be on the survey.

Ms. Gilbert stated that EMC Research was putting together a draft questionnaire.

Director Gomez requested that staff provide the COG Board with the final draft of the survey once it has been finalized.

Director De La Cruz inquired about the Scope of Services Task 4: Provide professional translation of the interview script into Spanish. He wanted to know how many times EMC Research has translated surveys into Spanish. He stated that he was concerned that the questions would not be portrayed correctly in Spanish.

Jenny Regas with EMC Research stated that she did not have the exact number of translation services in Spanish, but that they had provided translation services for clients on many occasions. She stated that they had not had any issues with their translation services.

There was discussion from the Board about the potential for a countywide tax measure that would address multiple transportation needs for the entire community. They stated that it was important to proceed cautiously with the survey questions because they want to make sure it captures multiple transportation needs in the community.

Chair Muenzer asked if the survey questions could be provided to the COG Board at their Board retreat. This would allow them the opportunity to provide input on the survey. He stated that every area of this community has its concerns and they need to make sure that the survey addresses these concerns so that they are able to have a countywide tax measure that is successful.

Ms. Regas mentioned that the consultants could push back the schedule to make sure they develop a survey that pleases the Board.

Ms. Gilbert stated that staff would work on having the survey available to the Board at their March retreat.

Director Luna commented on the translation aspect of the survey. She stated that communication is key and she hopes that the survey does reach out to the entire community including Spanish speakers of every generation. She mentioned that COG already has staff that is very capable of communicating well with the Spanish community and who also conveys professionalism, and that is Veronica Lezama.

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 6. Vote: 5/0 motion passes.*

Chair Muenzer stated for the record that last month the Board committed to spending funds to complete the EIR, and this month the Board committed to spending funds to reach out to the public to hear what the concerns for roads and transportation needs are in the community.

**7. RECEIVE** Report on Local Streets and Roads Funding and **DISCUSS** California Statewide Local Streets and Roads Needs Assessment – Gilbert

Ms. Gilbert reported that COG allocates approximately \$551,000 of annual Regional Surface Transportation Program funding to the County, the City of Hollister and the City of San Juan Bautista. In addition, COG has a one-time reserve of approximately \$700,000 in Transportation Development Act funding set aside for Local Street and Road maintenance.

Ms. Gilbert stated that the 2014 update to California Statewide Local Streets and Roads Needs Assessment was released in October 2014. The report provides a systematic approach to quantify local street and road needs. The weighted average Pavement Management Index for San Benito County index score reduced from 66 in the 2012 report to 48 in the 2014 report.

Ms. Gilbert mentioned that the report identifies that there is a significant need for increased funding for local street and road maintenance. Statewide, there is a funding shortfall of \$77 billion over the next ten years. Currently, only \$1.65 billion a year is available statewide for local street and road maintenance.

Director Boch inquired about the percentage of RSTP funds apportioned to the Cities of Hollister and San Juan Bautista and the County.

Ms. Gilbert stated that COG has apportioned the RSTP funds to the City of Hollister 60% apportionment, the County 30% apportionment, and the City of San Juan Bautista 10% apportionment by formula using road miles and population.

There was no public comment on this item.

#### **8. SET DATE for Council of Governments Board Retreat in March 2015 – Gilbert**

Ms. Gilbert stated that the COG Board approved a contract with Apex Strategies in August 2014. The scope of work includes a task for facilitation of a Board retreat. The retreat will give the Board the opportunity to discuss all items of work for the agency and discuss funding and other issues.

Staff proposed three possible dates in March 2015 to the retreat: Monday, March 9<sup>th</sup>; Tuesday, March 10<sup>th</sup>; or Thursday, March 19<sup>th</sup> for an approximate three hour meeting.

Ms. Gilbert mentioned that Eileen Goodwin of Apex Strategies will be contacting each Board member individually regarding any agenda items that they would like to discuss.

There was consensus from the Board members for a retreat date of March 19; however, since two of the appointed COG Board members were not in attendance staff will have to contact Director Botelho and Director Velazquez to see if March 19th works for them.

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 continued Item 9 to the end of the LTA, MEA, SAFE, and ALUC meetings. Vote: 5/0 motion passes.*

Chair Muenzer moved to the LTA, MEA, SAFE, and ALUC meetings at 4:00 p.m.

The COG Board convened to Closed session at 4:06 p.m.

#### **9. Public Employee Appointment**

Title: Executive Director

Authority: California Government Code Section 54957

The COG Board reconvened from Closed session at 4:33 p.m.

Deputy County Counsel, Shirley Murphy stated that there was no reportable action taken under Item 9.

*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.**