

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

**August 20, 2015, 3:00 P.M.**

**MINUTES**

**MEMBERS PRESENT:**

Chair Muenzer, Vice-Chair Boch, Director Gomez, Director Botelho, and Director Velazquez  
Ex Officio: Brandy Rider, Caltrans District 5

**STAFF PRESENT:**

Deputy County Counsel, Shirley Murphy; Interim Executive Director, Mary Gilbert; Transportation Planner, Veronica Lezama; Secretary, Monica Gomez;

**OTHERS PRESENT:**

Heather Adamson, Association of Monterey Bay Area Governments;

**CALL TO ORDER:**

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 Gomez, and seconded by Director Botelho, the Directors acknowledged the Certificate of Posting. Vote: 5/0 motion passes.*

**C. PUBLIC COMMENT:**

Valerie Eglund stated that there was supposed to be a resolution item on the Planning Council agenda on August 18<sup>th</sup> to create 54ft wide road standard applicable to all new high density development projects in the unincorporated areas of San Benito County. However, it was taken off of the agenda at the last minute because the new planning director believed that it would not be beneficial to the County and he wanted to further review it.

Ms. Eglund commented that it would be beneficial to have COG look into this because this would help with promoting bicycle & pedestrian safety issues. They would be able to incorporate space for bicycle lanes on new road development instead of including the bike lane space after the road has been built.

Chair Muenzer directed staff to look into the matter.

Chair Muenzer stated for the record that the COG Board received Joe Thompson's public comment correspondence dated July 16, 2015 through August 17, 2015. The correspondence was entered into the public record.

**D. EXECUTIVE DIRECTOR'S REPORT:** Gilbert

Ms. Gilbert reported that Caltrans released their guidance for transportation planning grants. She mentioned that there had been a request from the City of San Juan Bautista to look at connectivity at the Alameda and State Route 156 and Monterey Road. COG staff will be putting together an application for a project in that area through the planning grant process and will be bringing something formal to the COG Board for review and approval in September.

COG has received draft documents for the Short Range and Long Range Transportation Plan and will be bringing them to the Board in the next couple of months. Part of it is response to the Unmet Needs that were received last month. Also included in the review is that COG is working closely with Valley Transportation Authority staff and Monterey Salinas Transit staff to look at better regional connections for San Benito County.

**E. CALTRANS DISTRICT 5 REPORT:** Gubbins

Brandy Rider reported that Caltrans had released its call for Transportation Planning Grant applications. She provided a handout to the Board. Caltrans District 5 will be holding a Grant Workshop Tuesday, September 1, 2015 from 10 – 11:30 a.m. in San Luis Obispo. Applications are due to Caltrans by 5:00 p.m. on Friday, October 30, 2015.

Ms. Rider also reported that the pedestrian countdown at the Alameda and State Route 156 is up and running.

Director Velazquez inquired about available budget for beautification at the sound wall area along Santa Ana up to Enterprise Road.

Ms. Rider stated that Caltrans provides general mowing in the area. However, due to the drought they are under strict restrictions for additional landscaping beautification. Caltrans is open to partnering up with local entities who are interested in this type of project.

Director Velazquez asked Caltrans to research if there was ever a plan for beautification along the sound wall area.

Ms. Rider stated that she would look into it.

Director Boch thanked Caltrans for their quick response to his request of moving the signs on Washington Street, installing the pedestrian counter at the crosswalk, and cutting down the weeds behind Franklin Circle.

**F. BOARD OF DIRECTORS REPORTS:**

Chair Muenzer reported that Monterey Bay Unified Air Pollution Control District Board met this week. They received a presentation on the AB2766 grant process. MBUACPD Staff recommended a vehicle replacement for San Benito High School for a little over \$56K. The City of Hollister received a voucher for \$26k for an electric vehicle.

Ms. Gilbert stated that COG staff did not have any eligible projects this time around.

**CONSENT AGENDA:**

1. **APPROVE** Council of Governments Draft Special Joint Meeting Minutes Dated July 16, 2015 – Postigo
2. **RECEIVE** Construction Projects Report – Caltrans District 5

3. **APPROVE** Amendment No. 3 to Central Coast Coalition Memorandum of Understanding – Gilbert
4. **APPROVE** Employment Agreement Between the County of San Benito and the Council of San Benito County Governments and Mary Gilbert for Employment as COG Executive Director – Postigo

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

Director Gomez commented on Item 4. He thanked Mary Gilbert for her work as Interim Executive Director over the past year. He stated that he looked forward to her leadership as the Executive Director of COG. Fellow COG Board members concurred with Director Gomez' comments and congratulated Ms. Gilbert.

Ms. Gilbert thanked the COG Board for their comments and the opportunity.

### **REGULAR AGENDA**

#### **TRANSPORTATION ITEMS:**

5. **RECEIVE** Transportation Funding and Legislation Update – Gilbert

Ms. Gilbert provided a Power-Point presentation which included an overview on legislation and an update on State Transportation funding and transportation sales tax.

Director Botelho inquired about Senate Bill x 1 1 (formerly Senate Bill 16) Self-Help Counties receiving 5% off the top. He wanted to know what that would mean for a small county such as San Benito County in terms of the amount of monies a smaller County would receive over a larger County.

Ms. Gilbert stated that she has yet to see a formal proposal of how those funds would be divvied up. She mentioned that the counties that are aspiring to be self-help counties are all the smaller size counties. The larger counties such as Los Angeles and the Bay area all have their taxes in place and wouldn't be eligible to receive any of the new funding of the top.

Director Boch inquired about the \$35 vehicle registration fee.

Ms. Gilbert stated that she would have to research and get back to him.

There was no public comment on this item.

6. **RECEIVE** Update on the Traffic Impact Mitigation Fee Program Nexus Study - Gilbert

Ms. Gilbert reported that COG staff has convened a working group of County and City staff representatives and Caltrans to review the consultant work items prior to inclusion in the fee study. Current work includes traffic modeling and select-link analysis, finalizing the project list, and updating project cost estimates. Following completion of these items work, the consultant will prepare fee calculations for inclusion in an Administrative Draft project report.

Ms. Gilbert reported that staff will convene stakeholders and the public to review the study in September. The final study is scheduled for adoption in October. Following adoption, the Cities and Counties may adopt ordinances to begin assessing the fee. Ms. Gilbert noted that an updated project schedule was attached to the staff report.

There was no public comment on the item.

7. **REVIEW** Financial Assumptions for Transportation Through 2035 and **APPROVE** for Inclusion in an Amendment to the 2014 RTP – Gilbert

Ms. Gilbert provided a Power-Point presentation and reviewed the timeline for the Regional Transportation Plan Amendment. She reported that staff is seeking approval from the COG Board to include increased Traffic Impact Fee and new sales tax revenues in documentation for a revised Regional Transportation Plan Financial Element and to include fundable phases of the State Route 25 widening in a revised project list. Staff will complete the necessary administrative tasks that were outlined in the attachment provided to the Board, as required to have an amendment approved by the State.

Director Velazquez questioned why it was taking so long to put Highway 25 back on the constrained list of projects. He stated that the discussions he continues to have with the public are constantly about fixing pot holes and Highway 25. He asked how much of the Impact Fees would go towards the Highway 25 project.

Ms. Gilbert stated that COG is following procedure to ensure that they are meeting all of the standards so that the financial plan demonstrates financial constraint. There has been discussion about sales tax, Impact Fees, and how much from both can go towards the project. She stated that based on the last Traffic Impact fee program, up to 48% of the cost could be attributed to new development. However, that may change because new development has come in since the 2011 update and that information is currently being analyzed.

Director Velazquez stated that he thought he heard the impact fee number was higher and closer to 70%.

Ms. Gilbert clarified that COG's studies have not shown more than 48%, but COG does not have the information out of the new Impact fee analysis yet.

Director Gomez stated that a higher number was mentioned in the past because there was discussion about using the existing alignment.

Chair Muenzer clarified that because COG is amending the RTP there is a process that needs to be followed. In order to place the Highway 25 project back on the constrained list, they must first amend the RTP. He stated that another step in the process is to review the Financial Assumptions and approve for inclusion in the amendment to the RTP. Once COG approves the amendment it will go to AMBAG as part of their process to amend their MTP.

Director Velazquez stated that he recalled past discussion about a higher number than 48% in Impact fees. He stated that he wanted to make sure that the developers are paying a higher percentage in fees.

Ms. Gilbert noted that they cannot charge new development for existing deficiencies. She stated that when you look at the scope of the project and consider looking at 48% of a smaller type of project on the existing alignment that improves capacity on the roadway, that may get us there sooner.

Director Botelho stated that what remains a variable is the cost of the Highway 25 project. Another challenge will be getting a commitment from Caltrans once we have a phaseable design that you can sell locally. He stated that a portion of the sales tax and the Impact fees will be the financial commitment to get the project on the constrained list and that they seem to be on track with the amendment process.

Director Gomez asked how much in Impact fees has been collected to date for congestion management of Highway 25. He directed staff to provide an item at the next meeting to look at operational improvements and what they are able to do with what is already collected.

Director Botelho stated that realistically a ½ cent sales tax is not going to do much for Highway 25 because the bulk of it would go towards road maintenance and repair. He stated that the Board should

have an item on the agenda to have a focused discussion on how they are going to address Highway 25 and their funding goals.

Director Velazquez stated that he would like a more focused meeting about Highway 25 so that they have facts and a timeline for the public. He stated that he would like a goal of 10 years maximum to get the Highway 25 project done.

Chair Muenzer reminded the Board that they had this discussion before when they reviewed the polling results. He stated that the discussion was that if COG went out to the community for a sales tax they would have to include the needs of the whole community because the whole community does not need Highway 25 widened to four lanes. He stated that the discussion included having to split the sales tax between Highway 25, the Westside of the County, the city of San Juan Bautista, the City of Hollister, and Southside of the County so that everyone is included. The polling results demonstrated that Highway 25 was important, but so was the maintenance of our roads.

Director Gomez asked if the polling was separated by City of Hollister residents and unincorporated residents. If so, he asked that staff provide that information. He stated that if COG decides to not move forward, then perhaps the City of Hollister will have to propose its own transportation sales tax to pave their roads and dedicate money to Highway 25.

Ms. Gilbert stated that she believed the information was broken down by zip code. She stated that she would report back with the information.

**Public Comment:**

Heather Adamson with AMBAG commented that AMBAG staff has been working very closely with COG staff and was in support of staff's recommendation. She stated that the today's action of approval of this new funding by the COG Board is the key step in the RTP amendment. Ms. Adamson stated that AMBAG will work closely with COG staff to refine the finalized project list, the rest is administrative procedures. She stated that AMBAG will work closely with staff on the administrative process to perhaps combine the public and environmental review process, so it shortens the amount of time to complete the paperwork. She reiterated that today's action is key to getting Highway 25 back on the constrained list.

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

*Upon a motion duly made by Director Boch, and seconded by Director Botelho, the Directors Unanimously adjourned the COG meeting at 4:00 p.m. Vote:5/0 motion passes.*

**ADJOURN TO COG MEETING SEPTEMBER 17, 2015.**