AGENDA
REGULAR MEETING
COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

DATE: Thursday, October 15, 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 Meeting Minutes Dated September 17, 2015 – Gomez
2. RECEIVE Construction Projects Report – Caltrans District 5
3. **APPOINT** Social Services Transportation Advisory Council Members - Lezama

4. **ADOPT** COG Resolution 15-09 Dissolving the Regional Transportation Plan Advisory Committee - Lezama

5. **APPROVE** Memorandum of Understanding Between the Council of San Benito County Governments and the Association of Monterey Bay Area Governments for the 2015 Regional Ortho-Imagery Project - Gilbert

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**REGULAR AGENDA:**

6. **RECEIVE** Update on Highway 25 Widening Project Development - Gilbert

7. **San Benito/ Santa Clara Mobility Partnership** - Gilbert
   a. **APPROVE** Memorandum of Understanding Between the Council of San Benito County Governments and the Santa Clara Valley Transportation Authority to create the Mobility Partnership and complete Preliminary Engineering and Environmental Documentation for Highway Improvements between US 101 and I-5
   b. **APPOINT** Members to the Partnership pursuant to the MOU

8. **RECEIVE** Update on Work Plan for Transportation Sales Tax Measure in the 2016 Election Cycle and **DIRECT STAFF** as Needed - Gilbert

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*Adjourn to COG Meeting on November 19, 2015. Agenda Deadline is Tuesday, November 10, 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.
District Director’s Report
A quarterly publication for our transportation partners

Highway 46 Project Awarded Excellence

The second five-mile segment of the Highway 46 widening in San Luis Obispo County, also known as Whitley 1, was recently recognized with a Caltrans Excellence in Transportation Award in the rural category.

Over the years, several high-profile injury and fatal collisions occurred along Highway 46. To address safety, the route is being converted from a two-lane conventional highway to a four-lane divided expressway. In all, nearly 63 miles will be widened from US 101 near Paso Robles to Interstate 5 in Kern County with two lanes in each direction, separated by a wide, unpaved median.

A unique and innovative feature of Whitley 1 is the use of landform grading allowing the roadway to blend with the natural rolling topography and rural setting. A network of frontage and connector roads in the Whitley Gardens community was also constructed, eliminating conflicts with traffic crossing the highway. Caltrans’ partners on the project include San Luis Obispo Council of Governments, Fix 46 Committee and Papich Construction Inc.

New Maintenance & Operations Leader

Sara von Schwind is now the Deputy District 5 Director of Maintenance and Traffic Operations. She has acted in this position since January 2015. Before that, she served as Deputy District Director of Program Project Management since 2012.

Von Schwind is a licensed civil engineer and has served 23 years in various Caltrans positions, including Project Management. She holds a Bachelor’s degree in civil engineering and a Master’s in the same field with coastal and geotechnical emphases. She previously worked in the Geotechnical Division and is experienced in bridge foundations, retaining walls, slope stabilization, rock scaling and storm damage repairs.

$25K for Innovative Ideas

Caltrans is one of three state agencies offering $25,000 each for the most innovative ideas addressing the following:

- Improving the state’s transportation system (Caltrans).
- Improving sustainable government practices to address climate change (Department of General Services).
- Helping to prevent underage drinking (Department of Alcoholic Beverage Control).

All California residents are encouraged to apply. State employees and their immediate families are ineligible to compete. Applications are available online until 5 p.m. Tuesday, Oct. 13, 2015. http://www.dot.ca.gov/hq/paffairs/news/pressrel/srpm80.htm.
**Connected Vehicles Pilot Program**

Caltrans and its partners are working to improve transportation safety and mobility, and reduce environmental impacts using connected vehicle technology. This state-of-the-art system has the potential to transform the way Americans travel through a safe, interoperable wireless communication network connecting cars, buses, trucks, trains, traffic signals, smart phones and other devices. These vehicles would feature safety warnings alerting motorists of upcoming road hazards such as collisions, icy conditions and sharp curves. This technology has the potential to address crashes caused by non-impaired drivers, but more research is needed to determine effectiveness, according to the National Highway Traffic Safety Administration.

Caltrans, the Metropolitan Transportation Commission (MTC) of the San Francisco Bay Area, the Los Angeles County Metropolitan Transportation Authority (METRO), and the San Diego Association of Governments (SANDAG) together are proposing a robust connected vehicle pilot program in San Francisco, Los Angeles and San Diego. The program, titled, *One California*, focuses on safety, mobility, the environment, and agency efficiency. It also furthers the California Transportation Plan 2040 goals by creating a sustainable, interconnected transportation system encouraging economic vitality, protecting natural resources, and promoting the health and well-being of all Californians. More information is available at: [http://www.dot.ca.gov/research/operations/one_california/](http://www.dot.ca.gov/research/operations/one_california/).

**Mile Marker Fall Edition Released**

*The Mile Marker: A Caltrans Performance Report* edition is now available online. The plain language report addresses how well Caltrans is protecting and improving California’s transportation system.

The latest issue discusses Caltrans’ project delivery at 98 percent, greenhouse gas reductions, using greener pavements, daily hours of vehicle delay and incident clearance. It also features corporate efficiency efforts, high-technology pavement monitoring, and travel behavior and options. More information is available at: [http://www.dot.ca.gov/MileMarker/2015-3/files/1.html](http://www.dot.ca.gov/MileMarker/2015-3/files/1.html)

**Proposition 1B – Good Investment Return**

Since voters passed Proposition 1B in 2006, more than 2,000 projects statewide have improved California’s transportation infrastructure, including roads, bridges, and rail and transit systems.

Proposition 1B, totaling nearly $20 billion, represents the state’s largest expenditures on transportation since the 1950s. These include:

- $4.5 billion – 90 corridor projects to reduce congestion.
- $2.5 billion – 87 projects improving freight movement on state highways, rail systems and ports.
- $3.6 billion – Nearly 1,200 transit and rail system improvements, including upgraded transit services, modernized transit stations and cleaner-running buses.
- $1 billion – 23 projects to improve SR 99 in the state’s Central Valley.

In District 5, Proposition 1B provided $96 million for widening 13 miles of Highway 46 East in San Luis Obispo County, and $28 million for constructing the US 101/San Juan Road interchange in Monterey County. To date, this funding has provided more than $18 billion to improve transportation statewide. More information is available at: [http://www.dot.ca.gov/hq/paffairs/news/pressrel/acpro88.htm](http://www.dot.ca.gov/hq/paffairs/news/pressrel/acpro88.htm)
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; Executive Director, Mary Gilbert; Administrative Services Specialist, Kathy Postigo; Transportation Planner, Veronica Lezama; Secretary, Monica Gomez;

OTHERS PRESENT:
Mark McCumsey, Caltrans District 5; 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:
Gordon Machado stated that if you take San Felipe Road to Highway 25 there is a sign that says “Pinnacles National Monument Highway”. He requested that the same type of sign should be placed at further out down Highway 25 at Highway 156. He requested that the Board place this item on a future agenda to address the issue.

Chair Muenzer recalled that the section of the road that was changed was done when it was still under the City and County’s jurisdiction, and it did not affect any addresses. Chair Muenzer directed staff to look into how many addresses would be affected and to place the item on a future agenda to allow for discussion.

Reed Sanders, state representative for Senator Cannella’s office wanted to remind the COG Board that he was available for letters of recommendation or any state needs that they may have especially as it pertains to transportation.

Chair Muenzer stated for the record that the COG Board received Joe Thompson’s public comment correspondence dated August 21, 2015. The correspondence was entered into the public record.
D. **EXECUTIVE DIRECTOR’S REPORT:** Gilbert

Ms. Gilbert provided follow-up from the last meeting regarding public comment on a County Planning Commission item where they were going to be looking at roadway width standards in the County. COG staff did follow up and will be working with the Resource Management Agency director and the City of Hollister’s engineering staff to coordinate on Complete Streets standards throughout the County.

Ms. Gilbert announced that the Local Transportation Authority will be providing its 3rd annual free shuttle service to the San Benito County Fair from Thursday, October 1, 2015 through Sunday, October 4, 2015.

Lastly, Ms. Gilbert wanted to acknowledge Mark McCumsey on his departure from Caltrans District 5. Mr. McCumsey has accepted a position with Caltrans District 11 in San Diego. Ms. Gilbert expressed appreciation on behalf of COG staff for all his work and support over the last 15 years and wished him the best.

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

Brandy Rider reported that Caltrans Regional Planner, Jennifer Calate, will be temporarily stepping in for Mark McCumsey’s vacancy until Caltrans can find someone to permanently fill the position.

Ms. Rider reported on the Proposition 1B bond investments that were made by the California Transportation Commission. She provided a report for the Board to review at their leisure. She mentioned that if the Board would like additional information specific to the investment that was made in San Benito County, Caltrans would be able to provide that information if they are interested.

Ms. Rider announced that Caltrans along with Southern California Association of Governments and UCLA will be hosting the Partnership for Sustainable Transportation, a three day conference from December 2, 2015 through December 4th 2015. Caltrans is encouraging partner agencies and local politicians to attend. You may visit the transportation planning website for more information.

Lastly, it is Coastal Cleanup week at Caltrans. They will be working throughout the district in particular in San Benito County the Hollister maintenance crew and the Salinas tree crew will be working along the shoulder of Highway 101 and San Benito River removing large amounts of debris below the bridges.

Director Botelho asked if San Juan Creek on Highway 156 was identified as one of the cleanup locations because it is very overgrown.

Ms. Rider stated that the cleanup is more focused on removing trash and not vegetation because that would require environmental clearances.

Director Velazquez asked if there was follow up from last month’s question regarding available budget for beautification at the sound wall area along Santa Ana up to Enterprise Road.

Ms. Rider stated that she is still coordinating with Caltrans staff and would have to follow up at a later date.

Director Botelho asked if there was a Caltrans program available to pay for signage that would discourage drivers from using back roads.

Ms. Rider stated that they have identified an issue with capacity on Highway 101 between the Monterey County line and Santa Clara County line and it will continue to be an issue moving into future years as the volumes continue to grow. She stated that as far as addressing this traffic issue, it is something that from a local roads circulation component in partnership with Caltrans, they would be interested in having discussion about how best to allow access points along Highway 101.
Director Botelho stated that this is a serious safety issue that needs to be addressed. He stated that he was going to have to set up a meeting with COG, County staff, and Caltrans to try to come up with a solution to divert traffic away from these back roads.

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

G. **PROCLAIM** October 7, 2015 as Walk to School/Work Day in San Benito County – Lezama

Ms. Lezama reported that COG is encouraging students, parents and community members to participate in Walk to School/Work Day as an alternative form of transportation that has many health, economic, social, and environmental benefits.

_Upon a motion duly made by Director Velazquez and seconded by Director Botelho, the Directors unanimously approved Item G. Vote: 5/0 motion passes._

**CONSENT AGENDA:**

1. **APPROVE** Council of Governments Draft Special Joint Meeting Minutes Dated August 20, 2015 – Gomez
2. **RECEIVE** Construction Projects Report – Caltrans District 5
3. **AUTHORIZE** COG Staff to Apply for Department of Transportation Fiscal Year 2016/2017 Sustainable Transportation Planning Grant Under the Category of Strategic Partnerships to Prepare a State Route 156 Multimodal Enhancement Study – Lezama
4. **Fiscal Year 2015/2016 Overall Work Program Amendment** – Lezama
   a. **APPROVE** Amendment No. 1 to the Fiscal Year 2015-16 Overall Work Program to Reconcile Rural Planning Assistance (RPA) Funding for Work Elements 103, 104, 105, 106, 109, 201, 301, 302, 306, 401, 402, 403.
   b. **AUTHORIZE** COG Executive Director to Sign Overall Work Program Agreement.

_Upon a motion duly made by Director Botelho and seconded by Director Velazquez, the Directors approved Items 1-4 from the Consent Agenda. Vote: 5/0 motion passes._

There was no public comment on the Consent Agenda.

**REGULAR AGENDA**

**TRANSPORTATION ITEMS:**

5. **REQUEST** Full-Time Permanent Office Assistant I to Replace the Vacant Part-Time Temporary Planning Technician – Postigo

Ms. Postigo reported that staff is proposing to revise the COG staffing plan to include a new Office Assistant position. She stated that current staffing is not sufficient to cover all work required for office administration and customer service.

There was no public comment on this item.

_Upon a motion duly made by Director Velazquez and seconded by Director Botelho, the Directors approved Item 5. Vote: 5/0 motion passes._

6. **RECEIVE** Update on Highway 25 Widening Project Development – Gilbert

Ms. Gilbert provided an update on this item. She stated that as follow up from the last meeting, the 2011 approved Traffic Impact Mitigation Fee Nexus Study, a passing lanes project for Highway 25 was
included as part of the fee program. The project cost was estimated at $4.2 million, with 47.4% of that amount, or $1.99 million, in Impact Fees is to be directed to this project. As part of the nexus study currently underway, the consultant is reviewing this project and future development impacts to the Highway 25 corridor. The additional 52.6% of the project cost would come from other local sources. No local funding is programmed for the project at this time.

Ms. Gilbert noted that one of the major tasks that Caltrans is completing on behalf of COG is finalizing the Environmental document associated with the Highway 25 4-lane route adoption. Ms. Gilbert noted that while working through the process of finalizing the Environmental document it was determined that that at this time it would be most appropriate to be finalizing an Environmental Impact Report and not the full Federal Environmental Impact Statement that they had previously said they would be doing. This will be saving both time and money with regards to the review.

Director Gomez asked how they came up with project cost estimate of $4.2 million if they have not yet identified a location for the passing lanes project.

Ms. Gilbert stated that it was identified by using the length of the passing lanes and a cost per lane mile.

Director Gomez directed staff to look into how many residential units it took to collect the $1.99 million in Impact Fees and how long did it take to collect that amount.

Ms. Gilbert stated that she would work with City and County staff to acquire that information and report back.

There followed discussion about the proposed engineering analysis and proposed sales tax measure.

There was no public comment on the item.

7. APPROVE Memorandum of Understanding Between the Council of San Benito County Governments and the Santa Clara Valley Transportation Authority to Create the Mobility Partnership and Complete Preliminary Engineering and Environmental Documentation for Highway Improvements between US 101 and I-5 – Gilbert

Ms. Gilbert reported that COG is seeking to enter into a Memorandum of Understanding with the Santa Clara Valley Transportation Authority to form a Mobility Partnership. The partners will be working together to complete studies to identify transportation projects along the State Route 152 Corridor from US 101 to Interstate 5, and along 101 at State Route 25.

There was no public comment on this item.

_Upon a motion duly made by Director Velazquez and seconded by Director Botelho, the Directors unanimously approved Item 7. Vote: 5/0 motion passes._

Chair Muenzer appointed himself as the COG representative to the Mobility Partnership Committee.

_Upon a motion duly made by Director Botelho, and seconded by Director Boch, the Directors approved the appointment of Chair Muenzer, with Directors Gomez and Velazquez voting No. Vote: 3/2 motion passes._

Director Gomez departed the meeting prior to Closed Session.

Deputy County Counsel, Shirley Murphy reported the COG Board going into closed session at 4:22 p.m. to discuss Item 8. Public Employee Performance Evaluation. The Board will then convene to the LTA closed session to discuss Item 3. Conference with Legal Counsel-Anticipated Litigation.
8. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
   Title: COG Executive Director 54957

The COG Board reconvened from Closed session at 4:38 p.m.

Deputy County Counsel, Shirley Murphy stated that there was no reportable action taken under Item 8.

Upon a motion duly made by Director Boch, and seconded by Director Muenzer, the Directors Unanimously adjourned the COG meeting at 4:39 p.m. Vote: 4/0 motion passes.

ADJOURN TO COG MEETING OCTOBER 15, 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 Dumbarton 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-Summer 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>The new interchange and related improvements were fully open to traffic on July 17, 2015. However, the project remains active due to a 1-year plant establishment process which is targeted to be completed by the summer of 2016.</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>Earthwork has largely been completed. Work in the upcoming months will be drainage and roadway construction on the new alignment. Work is scheduled to be completed in Winter 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>
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<th>Implementing Agency</th>
<th>Project Manager</th>
<th>Phase</th>
<th>Comments</th>
</tr>
</thead>
<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.</td>
</tr>
</tbody>
</table>
## PROJECTS IN DEVELOPMENT (Cont’d.)

<table>
<thead>
<tr>
<th>No.</th>
<th>Project</th>
<th>Location 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>
</thead>
<tbody>
<tr>
<td>4.</td>
<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>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 1 final Environmental Document and Route Adoption</td>
</tr>
</tbody>
</table>
Staff Report
To: Council of Governments
From: Veronica Lezama, Transportation Planner Telephone: (831) 637-7665 Ext. 204
Date: October 15, 2015
Subject: Social Services Transportation Advisory Council Membership

Recommendation:

APPOINT Social Services Transportation Advisory Council Members.

Summary:

The candidates for membership will be serving on the Social Services Transportation Advisory Council as a “potential transit users, sixty years of age or older” and a “concerned citizens with interest in transportation,” per the Public Utilities Code.

Financial Impact:

There is no financial impact.

Background:

Social Services Transportation Advisory Council members are appointed by the Council of Governments Board of Directors. They are recruited from social service agencies and transit providers representing the elderly, persons with disabilities and persons of limited means, in accordance with the Public Utilities Code (Article 3, Section 99238).

The Council of Governments strives to achieve a balanced geographic and minority representation when appointing committee members. This committee consists of 10 members, including:

- One representative of potential transit users, sixty years of age or older,
- One representative of disabled transit users,
- One representative of concerned citizens with interest in transportation,
- One representative of a local social service provider for persons of limited means,
- Two representatives of the local social service providers for seniors,
- Two representatives of a local social service for persons with disabilities,
- Two representatives for the local consolidated transportation service agency.

Staff Analysis:

Two members of the public are interested in serving on the Social Services Transportation Advisory Council, which include:
1. Ms. Ann C. Ross would serve on SSTAC as a “representative of concerned citizens with interest in transportation.” Ms. Ross currently serves as a representative on the Community Action Board and San Benito County Civil Grand Jury. She is interested in transportation as it was part of her area of responsibility while serving in the U.S. Navy.

2. Mr. Jim Parker would serve on SSTAC as a “representative of potential transit users, sixty years of age or older.” Mr. Parker is a part-time employee of the Community Foundation for San Benito County. He has expressed interest in an express bus service from San Benito County to Silicon Valley.

With the inclusion of Ms. Ross and Mr. Parker, the Advisory Council’s membership will be full and there will be no vacancies. Each member has a term of three years and is eligible for reappointment at the end of their term.

Staff recommends that the Council of Governments APPOINT Ms. Ann C. Ross and Mr. Jim Parker to the Social Services Transportation Advisory Council (SSTAC).

Executive Director Review: ________
Counsel Review: N/A
Staff Report

To: Council of San Benito County Governments
From: Veronica Lezama, Transportation Planner  Telephone: (831) 637-7665 Ext. 204
Date: October 15, 2015
Subject: Regional Transportation Plan Advisory Committee

Recommendation:

ADOPT COG Resolution 15-09 Dissolving the Regional Transportation Plan Advisory Committee in San Benito County.

Summary:

The Regional Transportation Plan Advisory Committee no longer meets and dissolution of the Committee is being recommended.

Financial Impact:

The costs associated with the Regional Transportation Plan Advisory Committee meetings included staff time, agenda packet printing, and postage.

Background:

The Regional Transportation Plan Advisory Committee (RTPAC) was established in 2010. The purpose of the committee was to assemble a group of community members to provide recommendations to the COG Board on the update of the San Benito County Regional Transportation Plan. The Committee last met in 2012.

Staff Analysis:

Staff recommends that the Council of Governments Board of Directors adopt Resolution No. 15-09 dissolving the Regional Transportation Plan Advisory Committee since the Committee no longer meets.

The Council of Governments will provide ample opportunity for members of the public, stakeholders, and partner agencies to provide comments during the development of the 2018 San Benito County Regional Transportation Plan.

Executive Director Review: __________  Counsel Review: Yes

Attachment: Resolution 15-09
BEFORE THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

A RESOLUTION OF THE COUNCIL OF SAN BENITO COUNTY GOVERNMENTS RESOLVING THE REGIONAL TRANSPORTATION PLAN ADVISORY COMMITTEE IN SAN BENITO COUNTY

WHEREAS, the Council of San Benito County Governments ("COG"), is the designated Regional Transportation Planning Agency (RTPA) for San Benito County; and

WHEREAS, in 2010 the COG Board of Directors established a Regional Transportation Plan Advisory Committee (RTPAC) to advise the Board on development of its Regional Transportation Plan; and

WHEREAS, the RTPAC no longer meets and is inactive, and therefore, COG desires to officially dissolve the RTPAC.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Council of San Benito County Governments, that it hereby dissolves the San Benito County Regional Transportation Plan Advisory Committee.

PASSED AND ADOPTED BY THE SAN BENITO COUNCIL OF GOVERNMENTS THIS 15th DAY OF OCTOBER, 2015 BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

__________________________
Jerry Muenzer, Chair

ATTEST:
Mary Gilbert, Executive Director

Approved as to legal form:
San Benito County Counsel's Office

By: ________________________
Shirley L. Murphy, Deputy County Counsel

Dated: Oct. 9, 2015
Staff Report

To: Council of San Benito County Governments
From: Mary Gilbert, Executive Director   Telephone: (831) 637-7665 x. 207
Date: October 15, 2015
Subject: Association of Monterey Bay Area Governments Ortho-Imagery

Recommendation:

APPROVE Memorandum of Understanding Between the Council of San Benito County Governments and the Association of Monterey Bay Area Governments for the 2015 Regional Ortho-Imagery Project.

Summary:

COG will enter into an MOU with AMBAG to identify its participation in the 2015 regional ortho-imagery project. The project will consist of obtaining new aerial imagery of the AMBAG region to assist participating agencies with project planning.

Financial Impact:

COG’s contribution to the project is an amount not to exceed $12,100. This amount is expected to decrease once all agreements with participating agencies are final. This will be paid for with COG planning funds as the ortho-imagery will help support COG’s regional planning activities.

Discussion:

The AMBAG regional ortho-imagery project was completed in 2003 and 2007 where AMBAG was project manager for both rounds of this large collaborative project. As the 2007 imagery data has passed its shelf life, AMBAG is proposing a 2015 ortho-imagery project. The 2015 proposed ortho-imagery project is currently in the contracting stage with both the vendor and the participating agencies.

AMBAG led the outreach and coordination efforts to recruit participants from December 2014 to April 2015. The participants list was completed in May 2015. All 18 AMBAG city jurisdictions and 2 of the counties are participating as well as special districts, TMC, SBCOG, SCCRTC, Caltrans, FORA, Army Corps of Engineers, the California State University Monterey Bay, and the University of California Santa Cruz.

The 2015 regional ortho-imagery project will meet the imagery data needs of the region’s cities, counties, special districts, partner agencies, and universities. Ortho-imagery is a snapshot in time to
provide baseline data for our region for 2015. This data is used for a variety of purposes including planning and community development, public works, emergency management, natural resources identification and grant applications.

The project is a cost effective solution to gathering ortho-imagery data for the region. AMBAG and CCJDC manage the project for all partnering agencies and oversee the data quality and technical aspects of the project. Having AMBAG manage the project minimizes the administrative costs. The key to keeping data costs low is the cost share approach of overlap areas with multiple partnering agencies. Having multiple agencies with overlapping boundaries shares the burden of the full cost, which reduces cost significantly to each partnering agency. The more participants for each area, the lower the cost to each agency.

Executive Director Review: ____________ Counsel Review: __Yes__

Supporting Attachment: Memorandum of Understanding
MEMORANDUM OF UNDERSTANDING BETWEEN THE
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS
AND THE SAN BENITO COUNCIL OF GOVERNMENTS

2015 REGIONAL ORTOPHOTOGRAPHY PROJECT

THIS AGREEMENT is entered into this 30th day of September, 2015, by and between the
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS (hereinafter referred to as
"AMBAG") and the SAN BENITO COUNCIL OF GOVERNMENTS (hereinafter referred to as
"SBtCOG").

WITNESSETH

WHEREAS, AMBAG will enter into a technical services contract as of October 1st 2015, with
Pictometry International Corporation (hereinafter referred to as Pictometry), a technical contractor, to
provide technical and professional services related to orthophotography of the Monterey Bay region. A
copy of the exhibits from the AMBAG/Pictometry contract are attached hereto, labeled Attachment
“A”, and incorporated herein by this reference; and

WHEREAS, SBtCOG wishes to obtain orthoimagery (hereinafter referred to as “IMAGERY”) for use by SBtCOG in its operations.

NOW, THEREFORE, THE PARTIES HERETO DO MUTUALLY AGREE AS FOLLOWS:

1. SCOPE OF SERVICES

A. AMBAG shall provide SBtCOG at SBtCOG’S request any and all products developed by PICTOMETRY as defined in Exhibit “I” related to orthophotography of the area of interested as specified in SBtCOG’s SOI.

B. Acceptance standards and product specifications will be adhered to as set forth in Attachment A.

C. AMBAG makes no warranties as to accuracy or fitness for use and takes absolutely no responsibility for the function or defective nature of IMAGERY. SBtCOG’S payments and other obligations under this Agreement shall in no way be diminished on account of or in any way related to the above said IMAGERY.

2. COMPENSATION

A. Upon execution of this Agreement SBtCOG shall pay to AMBAG the not to exceed cost as set forth in Exhibit “II” attached hereto and incorporated herein by this reference.

B. In the event AMBAG receives funding from any other jurisdiction for materials requested by SBtCOG, AMBAG shall, in AMBAG’S sole discretion, reimburse SBtCOG it’s pro-rata share for the use of the IMAGERY, if any there be.
C. 50 percent of the not to exceed amount of $11,196.25 (Exhibit II) will be due upon signing and will be invoiced by AMBAG. Remaining actual amount will be billed upon receipt of delivery of orthoimagery data to SBCOG.

3. TERM OF AGREEMENT

A. The term of this agreement shall be from August 12, 2015 to June 30, 2016, unless otherwise extended by mutual consent.

4. TERMINATION OF AGREEMENT

A. The right is reserved by AMBAG or SBCOG to terminate or suspend this Agreement with or without cause at any time by giving ten (10) days written notice to the other party.

5. NOTICES

A. All notices, bills, and payments shall be made in writing and may be given by personal delivery or by mail. Notices, bills and payments sent by mail should be addressed as follows:

AMBAG: Gina Schmidt
GIS Coordinator
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS
P.O. Box 809
Marina, CA 93933-0809

SBCOG: Mary Gilbert
Executive Director
SAN BENITO COUNCIL OF GOVERNMENTS
330 Tres Pinos Road, Suite C7
Hollister, CA 95023

Any and all notices or other communications required or permitted relative to this Agreement shall be in writing and shall be deemed duly served and given when personally delivered to either of the parties, SBCOG or AMBAG, to whom it is directed; or in lieu of such personal services, when deposited in the United States mail, first class, postage prepaid, addressed to SBCOG or to AMBAG at the addresses set forth above (until notice of a different address is given to the parties pursuant to the next paragraph).

Either party may change their address for the purpose of this paragraph by giving written notice of such change to the other party in the manner provided for in the preceding paragraph.

6. INDEMNIFICATION/DEFEND/HOLD HARMLESS

A. SBCOG agrees to indemnify, protect, defend and name AMBAG, its public officials, officers and employees as additional insured and hold harmless from any loss, damage or liability arising directly from any negligent act or omission by SBCOG. SBCOG shall not be responsible for any loss, damage or liability arising from any act or omission by the AMBAG, its agents, staff, other
consultants, independent contractors, third parties or others working on the project that have not been hired by SBtCOG and over which SBtCOG has no supervision or control.

7. **ATTORNEY’S FEES AND COURT VENUE**

   A. Should either party to this Agreement bring legal action against the other (formal judicial proceeding, mediation or arbitration) the case shall be handled in Monterey County, California, and the party prevailing in such action shall be entitled to a reasonable attorney’s fee which shall be fixed by the judge, mediator or arbitrator hearing the case and such fee shall be included in the judgment, together with all costs.

8. **INTERPRETATION**

   A. In the event of a conflict between the provisions of this Agreement, the Agreement together with its attachments shall take precedence. Notwithstanding the fact that one or more provisions of this Agreement may have been drafted by one of the parties to this Agreement, such provisions shall be interpreted as though they were a product of a joint drafting effort and no provisions shall be interpreted against a party on the grounds that said party was solely or primarily responsible for drafting the language to be interpreted.

9. **SOLE AND ONLY AGREEMENT; MODIFICATION**

   A. This Agreement constitutes the sole and only agreement between the parties hereto relating to the work described under this Agreement, and correctly sets forth the rights, duties and modification of each to the other as of its date. Any prior agreement, negotiation, or representation not expressly set forth in this Agreement are of no force and effect. Any modification of this Agreement must be in writing and delivered pursuant to the terms of item 5 of this Agreement.

10. **THIRD PARTY BENEFICIARIES**

    A. Nothing contained in this Agreement shall be construed to create, and the parties do not intend to create, any rights in third parties.

11. **SEVERABILITY**

    A. If any term of this Agreement is held invalid by a court of competent jurisdiction or arbitrator the remainder of this Agreement shall remain in effect.

**IN WITNESS WHEREOF** the parties have executed this Agreement on the date first hereinabove written.

**AMBAG**

By:  

Title:  

**SBtCOG**

By:  

Title:  

*APPROVED AS TO LEGAL FORM*  
SAN BENITO COUNTY COUNSEL  
Shirley F. Murphy 10/9/15  
DEPUTY COUNTY COUNSEL DATE
**Exhibit II**
**APPENDIX**

SBtCOG

Total Not to Exceed Cost of Area as Defined in Exhibit I

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost of Tiles:</td>
<td>$8,957.00</td>
</tr>
<tr>
<td>Cost of QA/QC (10%)</td>
<td>895.70</td>
</tr>
<tr>
<td>*Administration AMBAG (10%)</td>
<td>895.70</td>
</tr>
<tr>
<td>Contingency (5%)</td>
<td>447.85</td>
</tr>
<tr>
<td><strong>Total Cost:</strong></td>
<td><strong>$11,196.25</strong></td>
</tr>
</tbody>
</table>

*Includes:
  - Contract Administration
  - Project administration & oversight
  - Vendor liaison & management
  - Reporting to participants
  - Approval of payments to vendor
ATTACHMENT A:

PICTOMETRY CONTRACT PHOTOGRAMMETRIC PRODUCT SPECIFICATIONS
(APPENDIX I)
Exhibit documents
APPENDIX 1 PHOTOGRAHMETRIC PRODUCT SPECIFICATIONS

Color Digital Orthophotography

Product Overview:
Seamless digital ortho-mosaic produced from individual frames and tiled to accord to tiling scheme. Specifications and deliverables as follows:

Acquisition:
Frame Overlap: 60% forward/30% side
Capture Window: solar elevation >30 degrees, acquisition expected to be performed between July and September 2015
Environmental Conditions: ground free of snow cover; imagery free of clouds, fog, haze, smoke, and dust
Camera System: Pictometry PentaView Sensor System, dual-sensor configuration, dynamic range of 12 bits per band, RGB, resampled to 8 bits during processing

Any planned deviation from these conditions imposed by capture window constraints will be discussed with AMBAG prior to commencement of acquisition.

Ground Control:
AMBAG to provide control from 2007 flight.
Pictometry will provide any additional ground control surveyed for the project. All ground survey work will be performed by appropriately licensed personnel.

Image Processing:
Aerial Triangulation: Pictometry will perform aerial triangulation utilizing post-processed exterior orientations, calibrated camera model(s), and specified ground control points as input to the aerial triangulation process. Aerial triangulation process to be performed using Trimble Inpho’s Match-AT software. Pictometry will generate a preliminary AT report for review by AMBAG prior to the final adjustment.

Elevation Surface: Pictometry will use the DEM provided by AMBAG to perform orthorectification. The provided DEM must cover the entire project area.

Orthorectification: Pictometry will use the triangulated exterior orientation values, calibrated camera interior orientation models, and the provided digital terrain model to perform the Orthorectification. To preserve the most nadir perspective, Pictometry will use the ‘best nadir area’ of each photo, rather than every other photo. Bridges and elevated roadways will be manually corrected to ensure proper horizontal positioning. When rectification requires a resampling of the source imagery, cubic convolution will be used.

Total and Color Balance: Global color balancing will be applied to all orthophotos to create homogeneous orthophotos within the project area. Local adjustments of brightness values, color, and contrast will be performed if needed.

Mosaicking: There will be an obvious seam edge between two adjacent orthophotos. Mosaic will be created using automated seamline steering, with manual edits to eliminate feature misalignment caused by seamlines which pass thru features above the elevation surface. Feature alignment across seamlines will be 3 pixels or better. When possible, seamlines will be stored away from elevated features to improve orthophoto quality. Final mosaic will be tiled and named according to the agreed upon scheme for delivery or as specified below.

Tiling Scheme: Imagery will be tiled according to agreed upon schema.

Deliverables:
The following will be delivered in California State Plane NAD83 US Survey Zone 3/4:
3-inch GSD ortho mosaic tile (GeoTIFF format; according to specified tiling scheme)
3-inch GSD area-wide ortho mosaic (BCW format)
9-inch GSD area-wide ortho mosaic (MRE format)
9-inch GSD area-wide ortho mosaic tile (GeoTIFF format; according to specified tiling scheme)

Flight plan map and shapefiles
Photo center shapefiles
Any additional ground control established as part of this project and Survey report
FGDC compliant metadata
Preliminary and Final AT Report

Orthomosaic Accuracy:
3-inch GSD: RMSE(x or y) 0.50 ft; RMSE(θ) 0.50 ft; NSSDA (95%) 0.97 ft;
9-inch GSD: RMSE(x or y) 1.41 ft; RMSE(θ) 2.00 ft; NSSDA (95%) 3.46 ft;
Accuracy guaranteed only in area covered by provided LiDAR based DEM.
Staff Report

To: Council of San Benito County Governments
From: Mary Gilbert, Executive Director Phone Number: (831) 637-7665 x.207
Date: October 15, 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.

Financial Impact:

COG has committed $250,000 to an engineering alternatives analysis for the Highway 25 Widening 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.

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 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 continues to coordinate with the transportation stakeholder group established in 2014. The group will meet again in November. Staff provided a presentation to the San Benito County Board of Supervisors on October 6, detailing the approved steps for pursuing the RTP amendment as directed by the Board.

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.

Staff is currently soliciting consultant proposals to provide engineering analysis of the entire Highway 25 corridor. Consultant work is now scheduled to begin in November, pending a consultant contract award.

Executive Director Review: ________________  Counsel Review: _____ N/A _____
**Staff Report**

To: Council of San Benito County Governments  
From: Mary Gilbert, Executive Director  
Telephone: (831) 637-7665 x. 207  
Date: October 15, 2015  
Subject: Santa Clara/San Benito Mobility Partnership

**Recommendation:**

a. **APPROVE** Memorandum of Understanding Between the Council of San Benito County Governments and the Santa Clara Valley Transportation Authority to create the Mobility Partnership and complete Preliminary Engineering and Environmental Documentation for Highway Improvements between US 101 and I-5

b. **APPOINT** Members to the Partnership pursuant to the MOU

**Summary:**

The Council of Governments is seeking to enter into a Memorandum of Understanding with the Santa Clara Valley Transportation Authority to form a Mobility Partnership. The partners will be working together to complete studies to identify transportation projects along the State Route 152 Corridor from US 101 to Interstate 5, and along 101 at State Route 25.

**Background**

COG and VTA previously worked in partnership on the same corridor. The previous MOU was dissolved in 2013.

**Financial Impact:**

There is no financial impact to COG at this time. The Memorandum of Understanding between the agencies outlines the funding obligation of the partners. San Benito County is under no obligation to provide funding for the corridor.

The Valley Transportation Authority previously committed $5 million in local funds and the State committed $5 million in Interregional Improvement Program funds for the project studies. Additional funding is needed to complete the environmental documentation for the entire corridor.

The cost for building all of the anticipated improvements needed to accommodate growth in traffic is over $1 billion. One option being explored for funding these improvements is to collect a
toll on State Route 152. The toll collected from each vehicle has not been identified. Several factors could affect the amount of the toll including the size of the vehicle, the rate structure chosen, and the projects included in the financing plan. The toll could be collected as a flat toll or a per mile charge, depending on the projects included and tolling location(s).

Discussion:

The Memorandum of Understanding was previously approved in September 2015. The MOU has been revised to further define membership. This MOU identifies membership for the partnership as three representatives from the Santa Clara Valley Transportation Authority, two representatives from COG, and one representative from San Benito County. Caltrans may appoint one non-voting (ex-officio) member to the Mobility Partnership and provide appropriate staff representatives from Districts 4, 5 and/or 10 to assist with the studies.

Under the MOU, VTA will provide the appropriate professional staff and consultant services to conduct and manage the studies in consultation with SBCOG staff.

Efforts to complete the studies will include meetings of Mobility Partnership members at a frequency to be determined by the group. Other efforts may include but are not limited to meetings with state and federal representatives to gain support for the projects and to advocate for project funding when appropriate.

Potential projects along the corridor to be studied include:

1. Western Alignment of State Route 152 from US 101 to State Route 152/156 Flyover
2. Eastbound Pacheco Pass Climbing Lane
3. State Route 25/101 Interchange and Improvements to State Route 25 in Santa Clara County

The Valley Transportation Authority is expected to approve the MOU in early October. The first meeting of the group is anticipated later that month.

Executive Director Review: ____________  Counsel Review: Yes
Supporting Attachment: Memorandum of Understanding
Memorandum of Understanding
between the
Council of San Benito County Governments
and the
Santa Clara Valley Transportation Authority
to create the
Mobility Partnership
and complete
Preliminary Engineering and Environmental Documentation
for Improvements between US 101 and I-5

The Council of San Benito County Governments (SBCOG) and the Santa Clara Valley Transportation Authority (VTA) jointly propose to conduct preliminary engineering studies and complete state and federal environmental reviews on improvements between State Route 101 (US 101) and Interstate 5, including the establishment of a new alignment for the portion of SR 152 between US 101 and the interchange of SR 152 and State Route 156 (SR 156). The SBCOG, the San Benito County Board of Supervisors, the City Councils of Hollister and San Juan Bautista, through adopted resolutions, all support the realignment of SR 152.

The SBCOG and VTA understand that technical work for improvements will comply with state and federal guidelines and focus on accommodating traffic demands forecasted for a 20-year period into the future and evaluate options including one lane in each direction designated as the preferred regional truck route.

The SBCOG and VTA understand and acknowledge that the California Transportation Commission (CTC) previously programmed $5 million in Interregional Transportation Improvement Program (ITIP) funds to match a $5 million contribution made available by the VTA. The agencies further understand and acknowledge that this initial funding was used to perform initial engineering and environmental review of the corridor; to evaluate alternatives relative to realignment of the corridor between SR 156 and US 101; to identify and evaluate options for financing completion of the overall project, including consideration of a public private partnership and to initiate state and federal environmental studies for improvements in accordance with California Department of Transportation (Caltrans) and Federal Highway Administration (FHWA) standards. The parties understand that there are funds remaining from the above amounts that may or may not be used for development efforts depending on the results of any future discussions between VTA and Caltrans.

It is mutually understood that neither party is obligated to provide any funding for the studies or improvements. The parties agree to jointly and collectively seek additional funding to complete the required state and federal environmental documents on the project and to cooperate in evaluating options to fund completion of the project.

The studies will receive policy oversight/direction by the six-member Mobility Partnership (PARTNERSHIP). Three members shall be from San Benito County and three members shall be from Santa Clara County. For the San Benito County membership, with approval by the COG
Board, the COG Chair will appoint two members. One member shall be from the COG directors representing the San Benito County Board of Supervisors and one member shall be from the COG directors representing the Cities. The third San Benito County member shall be a San Benito County Supervisor appointed by the San Benito County Board of Supervisors. The Santa Clara County members shall be appointed by VTA.

VTA shall provide the appropriate professional staff and consultant services, as reasonably determined by VTA, to conduct and manage the studies in consultation with SBCOG staff. It is understood that Caltrans may appoint one non-voting (ex-officio) member to the Mobility Partnership and provide appropriate staff representatives from Districts 4, 5 and/or 10 to assist with the studies.

The PARTNERSHIP will continue to explore creating a Joint Powers Authority (JPA) or other appropriate governance/oversight entity to progress into future development phases.

The parties agree that the goal is to complete the studies within the term of this Memorandum of Understanding (MOU).

The parties agree that efforts to complete the studies will include meetings of Mobility Partnership members at a frequency to be determined by the group. Other efforts may include but are not limited to meetings with state and federal representatives. The parties agree that in these meetings the members’ responsibility shall be to carry out the goals set forth in this MOU as they relate to studies and improvements.

Any member party may terminate this MOU, with or without cause, at any time. In order to terminate this MOU, the terminating party shall give advance written notice to the other party. The termination shall be effective no earlier than 30 days from the date of the written termination notice. This MOU shall commence in October 2015, and end on December 31, 2020 unless sooner terminated as specified herein.

NOW, THEREFORE, the parties have executed this MOU as follows:

COUNCIL OF SAN BENITO COUNTY GOVERNMENTS

By: ________________________________
Jerry Muenzer, Chair

SANTA CLARA VALLEY TRANSPORTATION AUTHORITY

By: ________________________________
Nuria I. Fernandez, General Manager/Chief Executive Officer

APPROVED AS TO LEGAL FORM
San Benito County Counsel’s Office

By: ________________________________
Shirley L. Murphy, Deputy County Counsel

APPROVED AS TO LEGAL FORM
VTA General Counsel

By: ________________________________
Robert Fabela, General Counsel
Staff Report

To: Council of San Benito County Governments
From: Mary Gilbert, Executive Director Phone Number: (831) 637-7665 x.207
Date: October 15, 2015
Subject: Transportation Sales Tax Measure

Recommendation:

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

Summary:

COG Staff has been coordinating efforts 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. Staff has prepared a work plan for the effort, which was approved by the Board in June 2015. Staff is updating the Board on coordination and activities to date.

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. Anticipated expenses to COG include the cost of additional voter polling and charges from the elections office for placing an item on the ballot. Those charges may be repaid using sales tax revenues if the measure passes. If the measure does not pass, COG would be fully responsible for the costs.

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. In June 2015 the Board discussed a new transportation sales tax and unanimously approved a work plan for the effort.
Staff Analysis:

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.

Concurrently, the City of Hollister and San Benito County have also been jointly discussing the potential for their respective general sales taxes of up to 1%. San Benito County has approved the concept of a 1% sales tax in the unincorporated County area. The City of Hollister will be pursuing an extension of its existing Measure E, a 1% sales tax in the City of Hollister.

At its June and July 2015 meetings, the COG Board generally supported a concept for a ½ cent, 20 year sales tax to be on the November 2016 ballot. Based on preliminary discussions from the City and the County, staff is seeking input from the COG Board on the potential for accelerating the schedule and placing the question on the June 2016 election.

Polling completed by COG in March of this year indicated that voters generally supported the concept of a tax for a mix of highway and local street and road projects. The polling also showed that voters would be supportive in either the June 2016 or the November 2016 election. While the November 2016 election is anticipated to have a higher voter turnout, increasing the potential for a successful measure, the June election is a highly contested presidential primary and, therefore, would also likely draw a large number of voters to the polls.

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 has updated the work plan (Attachment 1) to identify milestones for a June 2016 election. The deadline for placing an item on the ballot will be March 2016.

The key item of work to be completed between now and March will be expenditure plan development. Staff will convene its stakeholder group in November to discuss priorities and identify potential projects for the plan. Staff recommends that the Board consider holding a retreat in November to identify its priorities and to begin shaping the expenditure plan as well. Considerations for an expenditure plan would include:

- Amount (percentage of tax revenues) of funding for regional roadway and highway projects
- Revenue distribution among local agencies for local street and road maintenance
- Other projects to be funded (e.g. public transit, bikeways, or trails)

Executive Director Review:          Counsel Review:  N/A

Attachment: Revised Work Plan for Sales Tax Measure
Expenditure Plan for the Council of San Benito County Governments
Draft 2015-2016 Timeline

October/November
- Look to broaden stakeholder group
- Discuss Expenditure Plan options and goals with Stakeholders and TAC receive input on projects
- Present and discuss expenditure plan options with potential splits identified with Stakeholders and TAC, receive input
- COG Board Retreat to review expenditure plan options
- Confirm support

December/January 2015
- Finalize Draft Expenditure Plan for Board and public circulation
- Conduct a tracking poll

January/February 2016
- Finalize resolution, ballot question, expenditure plan wording
- Reconfirm support
- Conduct public education meetings
- Board adopts the ordinance to put the measure on the ballot two readings at its January and February meetings (If the decision is made to move forward for June 2016 ballot)

Ballot Deadlines for June 2016:

The deadline for putting a measure on the ballot is 88 days prior to the Election:

June Primary Deadline is March 11, 2016

Arguments and Rebuttal Deadlines will be finalized by December of 2015, the elections office provided tentative dates:

June Primary Deadline Arguments March 14th / Rebuttals March 24th