



**COUNCIL OF SAN BENITO COUNTY GOVERNMENTS  
TECHNICAL ADVISORY COMMITTEE**

**REGULAR  
MEETING AGENDA**

**DATE:** Thursday, June 4, 2020  
2:00 p.m.

Please register for Council of San Benito County Governments Technical Advisory Committee at  
<https://global.gotomeeting.com/join/219543733>

**Attendance at the TAC meeting is closed to the public per Executive Order N-29-30. The public may join meeting by clicking on the link above.**

**LOCATION:** Council of San Benito County Governments  
Conference Room  
330 Tres Pinos Road, Suite C7  
Hollister, CA 95023

**MEMBERS:** Mary Gilbert, Council of Governments  
Heather Adamson, Association of Monterey Bay Area Governments  
Chris Armstrong, California Highway Patrol  
Jill Leal, Caltrans District 5  
Danny Hillstock, City of Hollister Engineering Department  
Don Reynolds, City of San Juan Bautista  
Bryan Swanson, Development Services, City of Hollister  
Harry Mavrogenes, San Benito County Resource Management Agency

*Persons who wish to address the Technical Advisory Committee must address the Chairperson when public comment is called. Following recognition, persons desiring to speak are requested to state their name for the record. After hearing audience comments, the Public Comment portion of the agenda item will be closed. The opportunity to address the Technical Advisory Committee on items of interest not appearing on the agenda will be provided during Section C. Public Comment.*

**2:00 P.M. CALL TO ORDER:**

**A. ACKNOWLEDGE Certificate of Posting**

- B. Introductions
- C. Public Comment. (*Opportunity to address the committee on items of interest not appearing on the agenda. No action may be taken unless provided by Govt. Code Sec. 56954.2. Speakers are limited to 3 minutes.*)
- D. Member Announcements

**CONSENT AGENDA:**

- 1. **APPROVE** TAC Meeting Minutes dated May 7, 2019 – Gomez

**REGULAR AGENDA:**

- 2. **REVIEW and COMMENT** on Proposed Northern San Benito/Southern Santa Clara County Trade Corridor Project Scope and Evaluation Criteria Under Consideration by the Mobility Partnership – Gilbert
- 3. **RECEIVE** Presentation of Draft Findings from the Analysis of Public Transit Network Expansion Projects for Congestion Relief of the Highway 25 Corridor Study – Valentine
- 4. **Update on State Route 25 Corridor Projects** – Gilbert
  - a. **RECEIVE Update** on the State Route 25/101 Interchange Project
  - b. **RECEIVE** Report on the Highway 25 Widening Project Value Analysis Efforts and Project Timeline
- 5. **San Benito County Measure G Update** – Gilbert
  - a. **RECEIVE** Update on Measure G Activities
  - b. **RECOMMEND** Approach to Funding Tier II Projects for Local Jurisdictions
  - c. **RECOMMEND** COG Approval of the Local Agency Funding Agreement

**ADJOURN TO REGULAR MEETING OF **AUGUST 6, 2020** AT 2:00 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 Technical Advisory Committee 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.

**COUNCIL OF SAN BENITO COUNTY GOVERNMENTS  
TECHNICAL ADVISORY COMMITTEE  
REGULAR MEETING  
(Gotowebinar platform)**

**May 7, 2020 2:00 PM**

**DRAFT MINUTES**

**CALL TO ORDER:**

Executive Director, Mary Gilbert called the meeting to order at 2:04 p.m.

**ROLL CALL MEMBERS PRESENT:**

Mary Gilbert, Council of Governments; Heather Adamson, Association of Monterey Bay Area Governments; Jill Leal, Caltrans District 5; Chris Armstrong, California Highway Patrol; Harry Mavrogenes, San Benito County Resource Management Agency; Julie Behzad, City of San Juan Bautista; Bryan Swanson, City of Hollister Development Services; Danny Hillstock, City of Hollister Engineering Department

**OTHERS PRESENT:**

Kelly McClendon, Caltrans District 5; Vanessa Faul, Caltrans District 5

**STAFF PRESENT:**

Regina Valentine, COG Transportation Planner; Veronica Lezama, COG Transportation Planner; Monica Gomez, COG Secretary

**CERTIFICATE OF POSTING**

A motion was made by Harry Mavrogenes, and seconded by Bryan Swanson, the Committee acknowledged the Certificate of Posting. Vote: 8/0 motion passes

**PUBLIC COMMENT:** None

**MEMBER ANNOUNCEMENTS:**

Jill Leal reported that Caltrans will be announcing Fiscal Year 20/21 Sustainable Planning Grant recipients for San Benito County at the end of the month.

Mary Gilbert announced that there was a call for projects for the Highway Safety Improvement Program Funding, she noted that the information flyer was posted in the meeting downloads for members to view.

Mary Gilbert announced that the COG Board meetings will move to 6:00 p.m. starting June 2020.

Veronica Lezama reported that the California Transportation Commission announced that due to the COVID-19 interruptions, they were extending the grant submission application deadline for several of their programs. COG staff will be forwarding the information to TAC members.

**CONSENT AGENDA:**

1. APPROVE TAC Meeting Minutes dated December 5, 2019 – Gomez
2. APPROVE TAC Special Meeting Minutes dated January 9, 2020 – Gomez

A motion was made by Bryan Swanson, and seconded by Harry Mavrogenes, the Committee approved Items 1, 2 from Consent. Vote: 7/0 motion passes

### **REGULAR AGENDA:**

3. DISCUSS Near -Term Transportation Project Priorities and Project Readiness for Construction for the City of San Juan Bautista, City of Hollister, and County of San Benito for Presentation to the Council of Governments (COG) Board of Directors at the May 21, 2020 Meeting – Lezama

Veronica Lezama, reported that at the April Council of Governments (COG) meeting, the Board directed staff to compile a list of near-term transportation project priorities for each of the local jurisdictions. The list must identify planned projects, both fully funded and partially funded. Priority may be given to projects that can be delivered over the next five years. COG staff requested that each of the local jurisdictions, through the Technical Advisory Committee, submit a list of near-term projects. The projects will be listed in three tiers: Tier I: Fully Funded Projects; Tier II: Projects Ready for Construction, Construction is Not Funded; Tier III: Partially Funded Projects.

Harry Mavrogenes reported that San Benito County would be submitting their list to staff by Monday. He said that they have approximately \$8 million in Measure G projects, with a majority of those being resurfacing projects on major roads. They also have another list of projects that will be funded using SB 1 funds. They will be using State Bridge funds to fund a couple local bridge projects. They will be using Enterprise funds to do some repair work on Fairview Road and Shore Road, and looking at the possibility of a round-about at the Shore Road/Frazier Lake area to help with traffic.

Bryan Swanson reported that the City of Hollister would also be submitting their list to staff by Monday. They have a number of local roads located in the downtown area that are in need of rehabilitation.

Danny Hillstock stated that the City of Hollister will be identifying the type of road treatment that is needed for their projects. Whether it's going to be total reconstruction or overlay, along with whatever type of infrastructure upgrade will be needed for each project. He stated that it will be nice to use other fund sources that are provided otherwise, they will be using their Enterprise or Expansion funding for these projects.

Julie Behzad stated that the City of San Juan Bautista has three projects listed under Tier 1: Third Street project; Right turn lane at the Alameda and Highway 156 project; Roundabout at First Street project. Under Tier II, they listed several projects which include paving Monterey Street and Polk Street. Under Tier III they have listed numerous projects which are mostly roundabouts and bike lane projects.

Veronica Lezama stated that COG staff will be presenting this item to the COG Board of Directors at the May 21<sup>st</sup> meeting. She requested that a representative from each jurisdiction be available to participate at the May meeting to answer any project specific questions the COG Board may have. Staff will be following up with each jurisdiction once staff receives their list of projects.

Mary Gilbert thanked local jurisdictions for working on putting their list of projects together. She stated that the goal of the transportation infrastructure project list is to identify fully funded projects and those that could be funded in the near-term, five-year timeframe. She noted that staff is sending monthly correspondence to our legislators in Sacramento to let them know what our local needs are.

There was no public comment.

#### 4. RECEIVE Update on Measure G Activities and Funding – Gilbert

Mary Gilbert provided a Power-point presentation update on Measure G. She reported that there is approximately \$5.2 Million in the Measure G account and we are currently on track with estimates through fiscal year 2021/2022. She said that staff is evaluating impacts of the COVID-19 Pandemic in relation to the revenue forecasts that COG prepared in 2019. In order to keep the program schedule moving aggressively and to begin distribution of funds, the COG Chairperson Ignacio Velazquez appointed himself and COG Director Peter Hernandez to an Ad-hoc committee to meet with the COG Executive Director, Caltrans, the Santa Clara County Valley Transportation Authority, City Staff and County Staff to finalize the strategic plan for delivery of Measure G projects.

Harry Mavrogenes asked if the finance plan had been finalized and if they know what is available for Highway 25.

Mary Gilbert stated that we are waiting for the Value Analysis process to be completed to be able to make a better determination for Highway 25.

Harry Mavrogenes asked if staff had looked at making any changes to the formulas between the City's and County.

Mary Gilbert stated that we are on track for what was anticipated for this fiscal year and that they would be sticking with the formulas. However, maybe for future years they would be looking at moving things around so that they can frontload to certain projects. She said that this is why they put the Ad-hoc committee together to help with moving forward in making these type of decisions.

There was no public comment.

#### 5. Update on State Route 25 Corridor Projects – Gilbert

- a. RECEIVE Update on the State Route 25/101 Interchange Project
- b. RECEIVE Verbal Report on Phase 1 of the Highway 25 Widening Project Value Analysis Efforts and Next Steps for the Project

Mary Gilbert reported that the Santa Clara Valley Transportation Authority is the lead agency for the Highway 25/101 Interchange Project. VTA is seeking \$74 million in competitive funding through Cycle II of the Senate Bill 1 Trade Corridor Enhancement Program for project construction.

Ms. Gilbert stated that COG is pursuing alternatives for project phasing to build Highway 25 improvements in the near-term. As part of this effort, COG is partnering with Caltrans on a Value Analysis effort targeted at the Highway 25 widening. The Value Analysis team had its first workshop March 10-12, 2020. There will be another team meeting in May and recommendations should be coming out in June 2020.

Ms. Gilbert mentioned that Veronica Lezama and Harry Mavrogenes took part in the Value Analysis team meeting and asked them to report out to the TAC members.

Veronica Lezama reported that the group is looking at the following alternatives: Widening on the existing roadway; project phasing; separate expressway to the west; another item that was discussed is having the existing road be southbound or northbound and build two additional lanes to the west (those two lanes would serve as either north or south); they're also looking at meshing the roundabout with the Interchange. The team was looking at favoring the Interchange going over Highway 25 so that they may qualify for Trade Corridor funding. Each alternative will be evaluated based on cost, safety, and performance.

Harry Mavrogenes stated that Veronica Lezama provided a good summary of the Value Analysis meeting. He added that he was pleased to see that they were able to get Caltrans to think outside of the box. He said that Caltrans is still considering the roundabout at Highway 25 and 156, some of the options they're looking at are how to merge that into a potential overcrossing interchange that they want to build so you don't throw

away \$10 million dollars. Another option that he wants to make sure they keep on is using the existing roadway and just adding lanes, and if necessary taking the right of way ourselves because it may be the only financially viable option we have. He stated that they will meet again at the end of May to finish reviewing alternatives.

There was no public comment.

#### 6. RECEIVE Presentation from Caltrans on the U.S. 101 Business Plan – Leal

Caltrans staff Kelly McClendon and Vanessa Faul, provided a Power- Point presentation on Caltrans District 5 U.S. 101 Business Plan. The US 101 Business Plan is being developed as a partnership between Caltrans District 5 and the Metropolitan Planning Organizations and Regional Transportation Planning Agencies within the Central Coast. The Plan will provide the data, strategy, and community support needed to match corridor priorities with potential funding mechanisms for implementing improvements in the US 101 Corridor.

Vanessa Faul stated that Caltrans would like TAC members to join focus groups to help with the plan development and asked if they know anyone else that could be interested in a focus group.

TAC members mentioned that there is known opposition to development on the 101 Corridor, from a local group called “Preserve our Rural Communities”.

There was discussion regarding bike lanes in San Juan Bautista near Highway 129. Kelly McClendon will follow up with Veronica Lezama regarding bike lanes in that area.

Kelly McClendon stated that they will be sending out an email to TAC members asking if they have any additional feedback and to see if they are interested in participating in focus groups or if they know of anyone that may be interested in participating in focus groups.

There was no further discussion or public comment.

Executive Director Mary Gilbert adjourned the TAC meeting at 3:22 p.m.

**ADJOURN TO REGULAR MEETING OF JUNE 4, 2020 AT 2:00 P.M.**



## Staff Report

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To: Technical Advisory Committee  
 From: Mary Gilbert, Executive Director Phone Number: (831) 637-7665 x.207  
 Date: June 4, 2020  
 Subject: **Southern Santa Clara/Northern San Benito County Trade Corridor Project**

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### Recommendation:

**REVIEW** and **COMMENT** on Proposed Northern San Benito/Southern Santa Clara County Trade Corridor Project Scope and Evaluation Criteria Under Consideration by the Mobility Partnership – Gilbert

### Background:

COG is coordinating with the Santa Clara Valley Transportation Authority to develop alternatives for a new highway trade corridor in the two counties.

### Financial Analysis:

The new trade corridor project cost is estimated near \$1 Billion at full build-out. The project is not funded beyond initial planning at this time.

### Staff Analysis

COG and VTA are seeking input on the project purpose and need and evaluation criteria under consideration by the San Benito/Santa Clara Mobility Partnership. The committee will receive a presentation (attached) and have an opportunity to comment at the meeting.

The next Mobility Partnership meeting is scheduled for June 10, 2020.

Executive Director Review:           MG           Counsel Review:           N/A          

Supporting Attachment: Trade Corridor Alternatives Slides



# New Highway Trade Corridor

Santa Clara/San Benito Counties

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Current

# Purpose and Need

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Meet existing and projected vehicular transportation needs in California's vital east-west SR 152 corridor,

## Critical Transportation Needs

- ...movement of goods between the Central Valley and North Central Coast regions of California.
- ...commuter route between residential areas of the Central Valley and employments centers of the San Francisco and Monterey Bay Areas.
- ...general and recreational travel between the North Central Coast area and other regions of California, including the Central Valley, Sierra Nevada, and Southern California.

## Improvements Must:

- reduce travel time
- reduce congestion
- reduce the potential for collisions (i.e., enhance safety)

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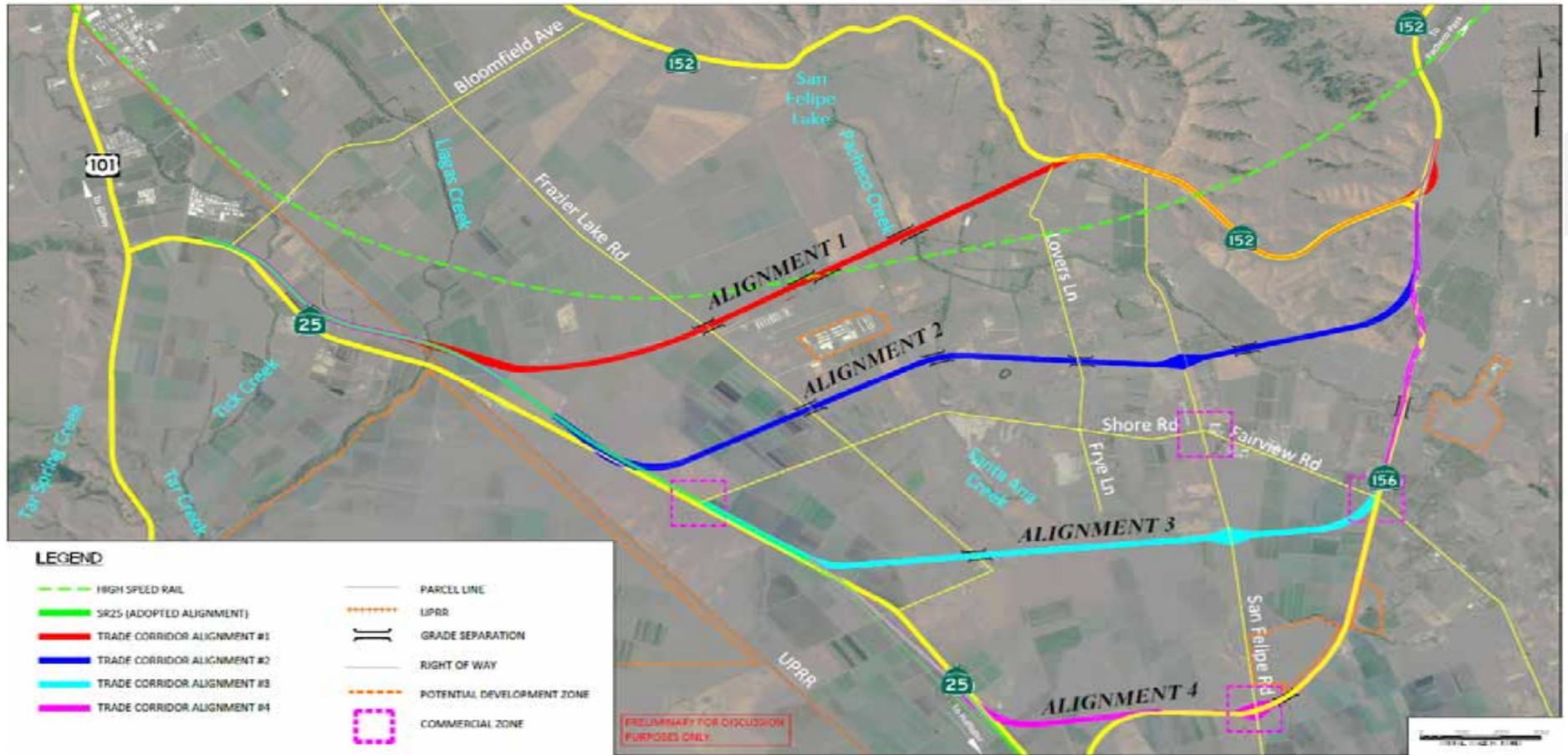
Proposed

# Guiding Principles

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- **Improve circulation** of existing transportation network in San Benito County and Southern Santa Clara County (Study Area)
  - **Reduce travel time** (from US 101 to SR 152/SR156)
- **Enhance regional connectivity** between Central Valley and Silicon Valley
- **Enhance safety** of transportation network in Project Area
  - Reduce conflicts for regional travel (e.g., 114 driveways on SR 152)
- **Enhance goods movement** between the Central Valley and North Central Coast regions of California.
- **Support economic development** in Study Area
  - **Improve access to local businesses** by redirecting regional traffic

# Alignment Alternatives



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# Evaluation Criteria

- **Operations / Circulation / Safety**
  - Travel Time 101/152 - 152/156 (east-west movement)[Gilroy to Casa de Fruta]
  - Travel Time 101/152 - 25/156 (Hollister traffic)
  - Diversion of Exist 152 traffic to NTC
  - Goods movement between Bay Area/Central Valley
- **Impacts**
  - Construction Impacts
  - Right of Way (non agriculture)
  - Agriculture
  - Flood Plain
  - Wildlife Corridor
- **Distance/Access to Economic Centers / Local Businesses**
- **Access to HSR from Central Valley**
- **Potential for tolling to fund P3 approach**
- **Community Acceptance**
- **Cost**



# THANK YOU

✉ MARY@SANBENITOCOG.ORG

✳ [HTTP://WWW.SANBENITOCOG.ORG/](http://www.sanbenitocog.org/)

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## Staff Report

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To: Technical Advisory Committee  
From: Regina Valentine, Transportation Planner Telephone: (831) 637-7665 x 205  
Date: June 4, 2020  
Subject: Public Transit for Congestion Relief of Hwy 25 Corridor Study Draft Findings

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### Recommendation:

**RECEIVE** presentation of draft findings from the Analysis of Public Transit Network Expansion Projects for Congestion Relief of the Highway 25 Corridor Study.

### Summary:

The Council of San Benito County Governments (COG), on behalf of the Local Transportation Authority (LTA), was awarded a Caltrans Sustainable Transportation Planning Grant Program Competitive Grant for the completion of a study of public transit projects to reduce congestion on Highway 25, called the Analysis of Public Transit Network Expansion Projects for Congestion Relief of the Highway 25 Corridor Study.

In March 2019, LTA contracted with Kimley-Horn and Associates, Inc. to prepare the study. The project team completed background research in the Summer and community engagement in the Fall 2019. Three alternative public transit projects were evaluated: Bus-on-Shoulder, Bus-Beside-Rail, and Passenger Rail.

### Financial Considerations:

The grant award is \$150,000 with an 11.47% local in-kind or cash match. Time spent on the project by staff is considered by Caltrans as a cash match.

### Background:

Census information indicates that 48.9% of employed San Benito County residents commute outside of the county for employment. As the population of the county continues to increase at a rate higher than the employment opportunities, current congestion issues for personal automobiles will continue to increase, including along Highway 25.

During the August 2016 meeting, the LTA Board requested that staff conduct preliminary research on the possibility of creating a County Express commuter rail service to Gilroy to relieve congestion. Staff provided a related report to the Board in October 2016 regarding possible County Express commuter services to the Silicon Valley, and further reported the information to the Technical Advisory Committee (TAC).

Upon further direction by the Board, staff incorporated comments received by the TAC on a draft Scope of Work for a Caltrans Sustainable Transportation Planning Grant. After, staff requested authorization from the Board at the September 2017 meeting to submit for the application for an Analysis of Public Transit Network Expansion Projects for Congestion Relief of the Highway 25 Corridor Study. In January 2018, Caltrans awarded COG, on behalf of LTA, \$150,000, with an 11.47% local in-kind or cash match, for the completion of the project. In March 2019, at the Board's direction LTA contracted Kimley-Horn and Associates, Inc. to prepare the Analysis of Public Transit Network Expansion Projects for Congestion Relief of the Highway 25 Corridor Study.

**Staff Analysis:**

The project kick-off meeting with LTA and Kimley-Horn and Associates, Inc. staff was held April 22, 2019 with overall project objectives of:

- Encouraging stakeholder participation
- Determining the feasibility of proposed projects
- Preparing high-level implementation strategies for each of the feasible projects
- Calculating project costs estimates, and
- Identifying funding strategies and sources for project implementation

During Summer 2019, the firm conducted background research and developed the list of feasible alternative public transit projects to be evaluated: Bus-on-Shoulder, Bus-Beside-Rail, and Passenger Rail. To incorporate community input, the project team hosted targeted stakeholder meetings with local business interests and agencies. The team prepared and conducted on-board passenger surveys on San Benito County Express buses. In addition, pop-up events were held at Target and the Hollister Super grocery store, where team members held one-on-one conversations with shoppers to get their feedback. The LTA also hosted a public workshop in December 2019.

Below is a summary of the benefits and costs calculations of the project alternatives completed for the study:

**Transit Alternatives Benefits and Costs**

Alternative:		Bus-on-Shoulder	Bus-Beside-Rail	Passenger Rail
Description:		Hollister and SR 25 Corridor BOS Improvements	Hollister and BBR Corridor Improvements	Track Improvement and Station Development
Benefits	2040 Annual Ridership	87,362	107,619	142,980
	Travel Time Savings	\$1.9 M	\$4.0 M	\$8.7 M
	Crash Cost Savings	\$0.4 M	\$0.8 M	\$2.4 M
	CO2 Emissions Saved	4,247 T	8,651 T	20,652 T
Costs	Construction Cost	\$32,270,000	\$29,810,000	\$74,120,000
	Soft Cost	\$8,370,000	\$10,440,000	\$25,950,000
	<b>Total Capital Costs</b>	<b>\$40,640,000</b>	<b>\$40,250,000</b>	<b>\$100,070,000</b>
	<i>Annual Operations &amp; Maintenance Cost</i>	<i>\$1,219,000</i>	<i>\$1,126,000</i>	<i>\$3,206,000</i>

*\*All values in 2019 dollars*

**Next Steps:**

Staff presented the draft findings to the LTA Board at the May 2020 meeting with plans to also present to the Social Services Transportation Advisory Council and Technical Advisory Committee. Staff will incorporate feedback received today to finalize the project report.

The final study will be presented to the Board at the June meeting to then be submitted to Caltrans as required by the grant award.

Executive Director Review: MG

Counsel Review: N/A



## Staff Report

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To: Technical Advisory Committee  
 From: Mary Gilbert, Executive Director      Phone Number: (831) 637-7665 x.207  
 Date: June 4, 2020  
 Subject: **Highway 25 Projects**

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### Recommendation:

- a. **RECEIVE** Update on the State Route 25/101 Interchange Project
- b. **RECEIVE** Report on the Highway 25 Widening Project Value Analysis Efforts and Project Timeline

### Background:

COG is coordinating several projects on the Highway 25 Corridor in San Benito and Santa Clara Counties.

### Financial Analysis:

COG is financing the Highway 25 Widening with a combination of local Measure G funds and State Matching funds. There is approximately \$5 million available for the project environmental and design phase in 2020.

The Santa Clara Valley Transportation Authority is the lead agency for the Highway 25/101 Interchange Project. VTA is seeking \$74 million in competitive funding through Cycle II of the Senate Bill 1 Trade Corridor Enhancement Program for project construction.

### Summary

COG is pursuing alternatives for project phasing to build Highway 25 improvements in the near-term. As part of this effort, COG is partnering with Caltrans on a Value Analysis effort targeted at the Highway 25 widening. In Santa Clara County, the Valley Transportation Authority is finalizing design of the U.S. 101/Highway 25 Interchange. This summer, VTA will apply for state construction funds for the project.

### Staff Analysis

A fact sheet for the Highway 25/101 Interchange project is attached (Attachment 1). The project design is fully funded and nearing completion. The Valley Transportation Authority is the lead for the project, while COG and San Benito County participate on the Project Development Team. If the VTA receives construction funding, the project may start construction in Fall of 2021.

The Value Analysis team for the Highway 25 widening had its first workshop March 10-12, 2020. The team of engineers and planners working on the Value Analysis includes representatives from COG, Caltrans, the City of Hollister, and San Benito County.

The team met again in May to finish reviewing alternatives based on performance metrics. The final report is anticipated later in June. Staff and the committee will discuss the alternatives under review (Attachment 1) at the TAC meeting.

Executive Director Review:     MG    

Counsel Review:     N/A    

Supporting Attachment: List of Value Analysis Alternatives and Technical Recommendations

Alt. No.	Title	Potential Savings from Baseline
1.0	Construct Route Adoption but use split alignment for the north segment (PP-1)	\$100,000,000
2.0	Construct Route Adoption but maintain SR-25 as two-lane conventional highway south of SR-25/SR-156 interchange (IM-5)	\$66,000,000
3.0	Construct South Segment only but widen the existing SR-25 facility to accommodate expressway standards (IM-2)	\$225,000,000
4.0	Construct South Segment only on new alignment per route adoption (CT-5)	\$235,000,000
5.0	Construct grade separated interchange at SR-156/SR-25 interchange only (CT-4)	\$301,000,000
6.0	Relinquish existing SR-25 facility to County and widen facility to 4 lanes (IM-3)	\$190,000,000

## DESIGN SUGGESTIONS

Idea No.	Title
CT-2	Consolidate the Wright Rd & Briggs Rd intersections into a single access point
AT-1	Construct Park and Ride lot in multiple locations (Wright Rd/SR-25 and SR-156/SR-25)
IM-4	Construct interchange and/or grade separation at SR-25/Bolsa Rd (reduce congestion)
IP-1	Use extensive public outreach campaign to enhance local support
IP-2	Use enhanced enforcement effort to help educate public and reduce learning curve of new facilities
RM-1	Use reusable concrete panels to limit throwaway work elements (roundabout)
IM-3	Relinquish existing SR-25 facility to County and County to widen facility to 4 lanes

## Staff Report

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To: Technical Advisory Committee  
 From: Mary Gilbert, Executive Director Phone Number: (831) 637-7665 x.207  
 Date: June 4, 2020  
 Subject: **San Benito County Measure G**

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### Recommendation:

- a. **RECEIVE** Update on Measure G Activities
- b. **Recommend** Approach to Funding Tier II Projects for Local Jurisdictions
- c. **Recommend** COG Approval of the Local Agency Funding Agreement

### Background:

Measure G is a 1% sales tax approved by voters in the November 2018 election. COG oversees implementation of the measure and ensuring delivery of the projects in the approved expenditure plan.

### Financial Analysis:

The Council of San Benito County Governments' Measure G fund balance as of April 30, 2020 is \$8,104,942.56.

The balance reflects taxes collected from April 2019 through February 2020 and includes interest earned in the account.

### Summary

Staff is coordinating with local jurisdictions to distribute local roads funding and is continuing development of the Tier I Highway 25 Widening project. Staff is seeking input from the Committee on the distribution of funds to each project Tier. The summary of funds for projects as designated in the Investment Plan is included below.

Tier	Amount	Percent of Measure G
Tier I - Hwy 25	\$242,000,000	50%
Tier II	\$216,000,000	45%
Tier III	\$22,150,000	5%
Total	\$480,150,000	

### Staff Analysis

Staff is preparing a Measure G Strategic Plan. The Measure G Strategic Plan will identify priorities for distribution of funds from the Measure. COG is considering a distribution methodology that may include providing additional funds for local projects in early years to expedite local projects. In future years, funds would be diverted from local projects to Tier I, Highway 25.

Funds could be advanced from both Tier I and Tier III to the local projects in the first three years of the measure.

At its April meeting, the COG Board took action to confirm that the State Route 25/156 interchange is the Priority for Tier I Highway 25 Project Measure G funding. Staff estimates a need for \$ 10 million in funding for the project through 2022/2023. Funds would include Measure G and State Local Partnership Program funding. COG received a \$5 million award of incentive funding through Senate Bill 1 in 2019.

Tier II funds will be distributed to local agencies in summer 2020. Staff prepared a draft funding agreement that outlines the roles of the local jurisdictions and COG and the requirements to receive funding for Tier II projects (Attachment 1).

Staff will provide the potential funding scenarios and seek a recommendation from the Committee at the June 4 meeting.

Executive Director Review: \_\_\_\_\_ MG \_\_\_\_\_

Counsel Review: \_\_\_\_\_ N/A \_\_\_\_\_

Supporting Attachments: 1. DRAFT Local Agency Funding Agreement for Local Street and Road Rehabilitation Projects

**MASTER PROGRAMS FUNDING AGREEMENT**  
**between the**  
**COUNCIL OF SAN BENITO COUNTY GOVERNMENTS**  
**and the**  
**[INSERT RECIPIENT]**

This Master Programs Funding Agreement (“AGREEMENT”, effective the 1<sup>st</sup> of July 1, 2016, is entered into by and between the Council of San Benito County Governments (“COG”) and the [Insert Recipient] (“RECIPIENT”).

**I. RECITALS**

A. On November 7, 2018 the voters of San Benito County, pursuant to the provisions of the Local Transportation Authority and Improvement Act, California Public Utilities Code Section 180000 et seq. (the “Act”), approved the authorization of Measure G, thereby authorizing COG to administer the proceeds from a one cent transaction and use tax (“Measure G”).

B. The duration of the Measure G sales tax will be 30 years from the initial year of collection, which began April 1, 2019, with said tax to terminate/expire on March 31, 2022. The tax proceeds will be used to pay for the programs and projects outlined in San Benito County’s 30-Year Transportation Expenditure Plan (the “Measure G Expenditure Plan”), as it may be amended.

C. The Measure G Expenditure Plan authorizes the issuance of bonds to expedite delivery of transportation projects and programs. Costs associated with bonding will be borne only by the capital projects included in the Measure G Expenditure Plan and by any programs included in the Measure G Expenditure Plan that utilize the bond proceeds.

D. The duration of the Measure G sales tax will be 30 years from the initial year of collection, which begins April 1, 2015, with said tax to terminate/expire on March 31, 2045. The tax proceeds will be used to pay for the investments outlined in the Measure G 30-Year Transportation Safety and Investment Plan (“Expenditure Plan”), as it may be amended.

E. This AGREEMENT delineates the requirements of the Measure G funds that are directly allocated to local jurisdictions, as authorized by the Measure G Transportation Safety and Investment Plan. Discretionary funds identified in these expenditure plans are not the subject of this AGREEMENT, and RECIPIENT will be required to enter into a separate agreement for those funds.

F. This AGREEMENT was originally approved by the governing body of the SAN BENITO COG on June 18,2020.

**NOW, THEREFORE, it is mutually agreed by and between the parties as follows:**

1. This AGREEMENT authorizes the SAN BENITO COG to allocate the Tier II local street and road rehabilitation funds derived from Measure G, as described in the voter-approved expenditure plan and summarized in Table A, Below:

<b>Table A</b>	
San Benito County	47.5%
City of Hollister	47.5%
City of San Juan Bautista	5%

2. All distributions pursuant to this AGREEMENT shall be effective as of July 1, 2020.

**II. SAN BENITO COG’S DUTIES AND OBLIGATIONS**

1. Within 21 working days of actual receipt of the monthly Measure G sales tax revenues from the California Department of Tax and Fee Administration (“DTFA”), COG shall remit to the RECIPIENT its designated amount of available funds by the formulas described in Table B.

2. SAN BENITO COG shall annually update the Measure G revenue projections and the resulting fund allocation amounts SAN BENITO COG shall use the updated Measure G program allocation formulas in the allocations beginning July 1 of each new fiscal year, which is from July 1 to June 30.

3. SAN BENITO COG shall report monthly to the public the amount of Measure G, revenues distributed to RECIPIENT by each fund type quarterly and for the fiscal year.

4. SAN BENITO COG shall provide for an independent annual audit of its financial statements including revenues and expenditures and also of its calculation of the allocation formula for distributing Measure G, , revenues to various recipients and render an annual report to the SAN BENITO COG Board of Directors within 180 days following the close of the fiscal year.

5. SAN BENITO COG shall provide timely notice to RECIPIENT prior to conducting an audit of expenditures made by RECIPIENT to determine whether such expenditures comply with this AGREEMENT and the Measure G Expenditure Plan.

### III. RECIPIENT'S DUTIES AND OBLIGATIONS

1. RECIPIENT shall expend all Measure G funds received in compliance with the applicable guidelines and Transportation Safety and Investment Plan, including Implementation Guidelines and performance measures, as they may be adopted or amended by SAN BENITO COG from time to time.

2. RECIPIENT shall set up and maintain an appropriate system of accounts to report on Measure G funds received. RECIPIENT must account for Measure G funds, including any interest received or accrued, separately from any other funds received from the SAN BENITO COG. The accounting system shall provide adequate internal controls and audit trails to facilitate an annual compliance audit for each fund type and the respective usage and application of said funds. SAN BENITO COG and its representatives, agents and nominees shall have the absolute right at any reasonable time to inspect and copy any accounting records related to such funds, except to the extent specifically prohibited by applicable law.

3. RECIPIENT shall expend Measure G, funds in compliance with the Timely Use of Funds Policies, as they may be adopted or amended by SAN BENITO COG from time to time.

4. RECIPIENT hereby agrees to and accepts the formulas used in the allocation of Measure G revenues as reflected in the ballot measure, the Measure G Expenditure Plan.

### III. OTHER EXPENDITURE RESTRICTIONS

1. **Transportation Purposes Only:** RECIPIENT shall use all Measure G funds solely for transportation purposes as defined by the authorizing ballot measure. Any jurisdiction that violates this provision must fully reimburse all misspent funds, including all interest which would have been earned thereon.

2. **Non-Substitution of Funds:** RECIPIENT shall use Measure G funds, funds to supplement and not replace existing taxes or fees used for transportation purposes.

3. **Fund Exchange:** Any fund exchanges made using Measure G funds must be made for transportation purposes. SAN BENITO COG will consider exchange proposals on a case-by-case basis.

4. **Staff Cost Limitations:** Direct costs associated with the delivery of programs and projects associated with Measure G programs, including direct staff costs and consultant costs, are eligible uses of Measure G funds. SAN BENITO COG does not allow indirect costs.

#### IV: REPORTING REQUIREMENTS

##### 1. REQUIREMENTS AND WITHHOLDING

RECIPIENT shall comply with each of the reporting requirements set forth below. If RECIPIENT fails to comply with one or more of these requirements, SAN BENITO COG may withhold payment of further Measure G funds to RECIPIENT until full compliance is achieved.

a. RECIPIENT shall, by December 31st of each year, submit to SAN BENITO COG, at the RECIPIENT's expense, its independently audited financial statements for the prior fiscal year ended June 30 of Measure G funds received and used. The financial statements shall include Measure G with Measure G being a separate fund from other local agency funds.

b. RECIPIENT shall, by December 31st of each year, submit to SAN BENITO COG, at the RECIPIENT's expense, annual program compliance reports (covering the prior fiscal year) regarding programs and projects on which RECIPIENT expended Measure G funds.

c. RECIPIENT shall document expenditure activities and report on the performance of Measure G - funded activities through the annual program compliance reporting process, or through other SAN BENITO COG performance and reporting processes as they may be requested, including but not limited to the annual performance report, annual program plan, and monitoring reports.

d. RECIPIENT shall install or mount signage adjacent to Measure G funded construction projects (e.g., RECIPIENT and SAN BENITO COG logos; "Your Transportation Tax

Dollars Help Fund This Project !”) where practical, so San Benito County taxpayers are informed as to how RECIPIENT is using Measure G funds.

e. RECIPIENT shall provide current and accurate information on RECIPIENT’s website, to inform the public about how RECIPIENT is using Measure G funds.

f. RECIPIENT shall, at least annually, provide COG with a written report suitable for release to the media highlighting a project or program funded by Measure G funds.

g. RECIPIENT shall actively participate in public outreach activities, in partnership with SAN BENITO COG and/or its community advisory committees, as a means of ensuring that the public has access to the ability to know which projects and programs are funded through Measure G funds.

h. RECIPIENT shall make its administrative officer or designated staff available upon request to render a report or answer any and all inquiries in regard to RECIPIENT’s receipt, usage, and/or compliance audit findings regarding Measure G funds before the Commission and/or the Citizens Oversight Committee or community advisory committees, as applicable.

i. RECIPIENT agrees that SAN BENITO COG may review and/or evaluate all project(s) or program(s) funded pursuant to this AGREEMENT. This may include visits by representatives, agents or nominees of SAN BENITO COG to observe RECIPIENT's project or program operations, to review project or program data and financial records, and to discuss the project with RECIPIENT's staff or governing board.

## **V: OTHER PROVISIONS**

### **1. INDEMNITY BY RECIPIENT**

Neither SAN BENITO COG, nor its governing body, elected officials, any officer, consultant, agent, or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by RECIPIENT in connection with the Measure G, , or VRF funds distributed to RECIPIENT pursuant to this AGREEMENT. It is also understood and agreed, pursuant to Government Code Section 895.4, RECIPIENT shall fully defend, indemnify and hold harmless SAN BENITO COG, its governing body, and all its officers, agents, and employees, from any liability imposed on SAN BENITO COG for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by RECIPIENT in connection with the Measure G, , or VRF funds distributed to RECIPIENT pursuant to this AGREEMENT.

### **2. INDEMNITY BY SAN BENITO COG**

Neither RECIPIENT, nor its governing body, elected officials, any officer, consultant, agent, or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by SAN BENITO COG under or in connection with any work, authority or jurisdiction delegated to SAN BENITO COG under this AGREEMENT. It is also understood and agreed, pursuant to Government Code Section 895.4, San Benito COG shall fully defend, indemnify, and hold harmless RECIPIENT, and its governing body, elected officials, all its officers, agents, and employees from any liability imposed on RECIPIENT for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted

to be done by SAN BENITO COG under or in connection with any work, authority or jurisdiction delegated to SAN BENITO COG under this AGREEMENT.

### **3. JURISDICTION AND VENUE**

The laws of the State of California will govern the validity of this AGREEMENT, its interpretation and performance, and any other claims to which it relates. All legal actions arising out of this AGREEMENT shall be brought in a court of competent jurisdiction in San Benito County, California and the parties hereto hereby waive inconvenience of forum as an objection or defense to such venue.

### **4. ATTORNEYS' FEES**

Should it become necessary to enforce the terms of this AGREEMENT, the prevailing party shall be entitled to recover reasonable expenses and attorneys' fees from the other party.

### **5. TERM**

The term of this AGREEMENT shall be from July 1, 2020 to June 30, 2030, unless amended in writing or a new Master Programs Funding Agreement is executed between SAN BENITO COG and RECIPIENT.

### **6. SEVERABILITY**

If any provision of this AGREEMENT is found by a court of competent jurisdiction or, if applicable, an arbitrator, to be unenforceable, such provision shall not affect the other provisions of the AGREEMENT, but such unenforceable provisions shall be deemed modified to the extent necessary to render it enforceable, preserving to the fullest extent permissible the intent of the parties set forth in this AGREEMENT.

### **7. MODIFICATION**

This AGREEMENT, and its Exhibits, as well as the referenced Implementation Guidelines, constitutes the entire AGREEMENT, supersedes all prior written or oral understandings regarding Measure G, , program funds (but not project funding agreements), including but not limited to SAN BENITO COG Measure G/BB/VRF Master

Programs Funding Agreements, which former agreements are terminated as of the effective date hereof. This AGREEMENT may only be changed by a written amendment executed by both parties. Notwithstanding the foregoing, the Implementation Guidelines, Performance Measures, and Timely Use of Funds Policies related to Measure G, , funds may be changed from time to time by the SAN BENITO COG.

*[Signatures on next page]*

DRAFT

**IN WITNESS WHEREOF**, the parties have executed this AGREEMENT by their duly authorized officers as of the date first written below.

<b>ENTER NAME (RECIPIENT)</b>		<b>COUNCIL OF SAN BENITO COUNTY GOVERNMENTS</b>	
By:		By:	
	<b>Name</b> _____ <b>Date</b> _____ <b>Title</b> _____		Mary Gilbert _____ Date _____ Executive Director
Approved as to Form and Legality:		Approved as to Legal Form:	
By:		By:	San Benito County Counsel's Office
	<b>Name</b> _____ <b>Date</b> _____ <b>Title</b> _____		Shirley L. Murphy _____ Date _____ Deputy County Counsel

**EXHIBIT A**

**PERFORMANCE MEASURE SUMMARY**

Direct Local Distribution recipients are to document the performance and benefits of the projects and programs funded with Measure G funds. The following performance measures are a selection of performance standards that must be documented at minimum by the recipients, as applicable. Additional performance measures may be requested by COG.

Performance reporting will be done through San Benito COG's reporting processes including the annual program compliance reports, annual performance report, and various planning activities, as they are requested and applicable. Performance will be evaluated periodically through the evaluation reports to determine the effectiveness of investments and to inform future investment decisions.

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**EXHIBIT C**

**LOCAL TRANSPORTATION PROGRAM (Local Streets and Roads)  
PERFORMANCE MEASURES**

<b>Performance Measure</b>	<b>Performance Metric and Standard</b>	<b>Evaluation Horizon &amp; Method</b>	<b>Corrective Action</b>	<b>Potential Improvements to Correct Deficiency</b>
<b>Pavement State of Repair</b>	Implement projects that have an average Pavement Condition Index of 60 (Fair Condition) or above  Track PCI of jurisdiction roadways using a locally-approved Pavement Management program.	Annually via Performance Report	Any agency falling under 60 PCI must provide an explanation and/or identify corrective action will need to increase PCI to target levels	Develop corrective actions
<b>Regional Traffic Impact Mitigation Fee Program</b>	Assess fees as established in the adopted Traffic Impact Mitigation Fee Program.	Annually via Performance Report.	Any agency that fails to collect fees consistent with the adopted Regional Traffic Impact Mitigation Fee Program must provide an explanation and/or identify corrective action to provide its fair share of funding for the projects identified in the TIMF.	Develop corrective actions.