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Regional Transportation Planning Agency - Local Transportation Commission  
Monterey County Service Authority for Freeways & Expressways  
Monterey County Regional Development Impact Fee Joint Powers Agency  
Email: [info@tamcmonterey.org](mailto:info@tamcmonterey.org)

## **EXECUTIVE COMMITTEE**

*Members are: Ed Smith, Chair; Mary Adams, 1st Vice Chair; , 2nd Vice Cha, Luis Alejo, Past Chair;  
Chris Lopez, County Representative; Michael LeBarre, City Representative*

**Wednesday, January 6, 2021**

**\*\*9:00 AM\*\***

### **REMOTE CONFERENCE ONLY**

*There will be NO physical location of the meeting.*

*Please see all the special meeting instructions at the end of the agenda.*

**Join meeting online at**

<https://us02web.zoom.us/j/775161178?pwd=STY4UzZZblpOK0VLdEs3RGZUS3kyUT09>

**OR**

**Via teleconference at +1 669 900 6833**

**Meeting ID: 775 161 178**

**Password: 536047**

### **1. ROLL CALL**

Call to order and self-introductions. If you are unable to attend, please contact Elouise Rodriguez, Senior Administrative Assistant. Your courtesy to the other members to assure a quorum is appreciated.

### **2. PUBLIC COMMENTS**

Any member of the public may address the Committee on any item not on the agenda but within the jurisdiction of the Committee. Under this item, each member of the public is allowed three minutes to address concerns. Comments in items on this agenda may be given when that agenda item is discussed. Persons who wish to address the Committee for public comment or on an item on the agenda are encouraged to submit comments in writing to Maria at [maria@tamcmonterey.org](mailto:maria@tamcmonterey.org) by

5:00 pm the Monday before the meeting, and such comments will be distributed to the Committee before the meeting.

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### **3. BEGINNING OF CONSENT AGENDA**

Approve the staff recommendations for items listed below by majority vote with one motion. Any member may pull an item off the Consent Agenda to be moved to the end of the **CONSENT AGENDA** for discussion and action.

- 3.1 APPROVE** the draft minutes of the Executive Committee meeting on November 4, 2020.

- Rodriguez

- 3.2 APPROVE** a cash incentive award of \$150 to Mike Zeller for excellent performance above and beyond his regular duties.

- Muck

*The Transportation Agency for Monterey County's adopted employee incentive program makes available a single-event cash award for an outstanding performance on a particular project. The award requires approval by the Executive Committee.*

### **END OF CONSENT AGENDA**

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- 4. RECEIVE** update on state and federal legislative issues and **RECOMMEND** the Board of Directors adopt the 2021 legislative program.

- Watson/Khoury

*Staff and legislative analyst Gus Khoury will present updates on state and federal legislative activities and present the 2021 legislative program.*

### **5. Cost of Living Allowance Survey & Impact on FY 21/22 Budget**

- 1. RECEIVE** Cost of Living Allowance survey results and its fiscal impact on FY 21/22 budget; and
- 2. PROVIDE** direction to staff on how to proceed on the FY 21/22 budget.

- Goel

*The draft budget & Overall Work Program for fiscal year 21/22 will be presented to the Executive Committee in February. At its November 2020 meeting, the Executive Committee requested staff to conduct a cost of living allowance (COLA) survey of other jurisdictions and provide information on the impact of a 2% & 3% COLA on the*

***proposed budget for FY 21/22.***

6. **RECEIVE** the revised detailed proposal from the Museum of Handcar Technology for an interim use of the Monterey Branch Line right-of-way for a recreational enterprise in 2021; and **PROVIDE DIRECTION** to staff on whether or not to begin activities required to negotiate a lease agreement.

- Watson

***On February 26, 2020, the Board of Directors approved a lease agreement with the Museum of Handcar Technology for a trial use of the Monterey Branch Line for a recreational use. The agreement was executed but never implemented due to the COVID-19 pandemic. The lease agreement expired on August 31, 2020. The Museum of Handcar Technology has submitted a new proposal (attached) to try again, in a slightly different location, in 2021. Staff seeks Committee input and direction.***

7. **RECEIVE** report on draft TAMC Board meeting agenda of January 27, 2021.

- Muck

8. **ANNOUNCEMENTS**

9. **ADJOURN**

**Next Executive Committee meeting is:**

**Wednesday, February 3, 2021**

**There will be no Executive Committee meeting in December.**

**Please mark your calendars.**

Important Meeting Information

Remote Meetings: On March 12, 2020, Governor Newsom issued Executive Order N-25-20, which enhances State and Local Governments ability to respond to COVID-19 Pandemic based on Guidance for Gatherings issued by the California Department of Public Health. The Executive Order specifically allows local legislative bodies to hold meetings via teleconference and to make meetings accessible electronically, in order to protect public health. The public is strongly encouraged to use the Zoom app for best reception. Prior to the meeting, participants should download the Zoom app at: <https://zoom.us/download>. A link to simplified instruction for the use of the Zoom app is: <https://blog.zoom.us/wordpress/2018/07/03/video-communications-best-practice-guide/>.

Remote Meeting Public Comment: Due to current circumstances, there may be limited opportunity to provide verbal comments during the meeting. Persons who wish to address the Committee for public comment or on an item on the agenda are encouraged to submit

comments in writing to maria@tamcmonterey.org by 5:00pm the Monday before the meeting. Such comments will be distributed to the Committee before the meeting. Members of the public participating by Zoom are instructed to be on mute during the proceedings and to speak only when public comment is allowed, after requesting and receiving recognition from the Chair.

Agenda Packet and Documents: Any person who has a question concerning an item on this agenda may call or email the Agency office to make inquiry concerning the nature of the item described on the agenda. Complete agenda packets are on display online at the Transportation Agency for Monterey County website. Documents relating to an item on the open session that are distributed to the Committee less than 72 hours prior to the meeting shall be available for public review at the Agency website. Agency contact information is as follows:

Transportation Agency for Monterey County  
www.tamcmonterey.org  
Office is closed an all employees are working remotely until further notice  
TEL: 831-775-0903  
EMAIL: info@tamcmonterey.org

Agenda Items: The agenda will be prepared by Agency staff and will close at noon nine (9) working days before the regular meeting. Any member of the Committee may request in writing an item to appear on the agenda. The request shall be made by the agenda deadline and any supporting papers must be furnished by that time or be readily available.

Alternative Agenda Format and Auxiliary Aids: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals requesting a disability-related modification or accommodation, including auxiliary aids or services, may contact Transportation Agency staff at 831-775-0903. Auxiliary aids or services include wheelchair accessible facilities, sign language interpreters, Spanish language interpreters, and printed materials in large print, Braille or on disk. These requests may be made by a person with a disability who requires a modification or accommodation in order to participate in the public meeting and should be made at least 72 hours before the meeting. All reasonable efforts will be made to accommodate the request.

**CORRESPONDENCE, MEDIA CLIPPINGS, AND REPORTS - No items this month.**



## ***Memorandum***

**To:** Executive Committee  
**From:** Elouise Rodriguez, Senior Administrative Assistant and Clerk of the Board  
**Meeting Date:** January 6, 2021  
**Subject:** **Executive Committee draft minutes of November 4, 2020**

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### **RECOMMENDED ACTION:**

**APPROVE** the draft minutes of the Executive Committee meeting on November 4, 2020.

### **ATTACHMENTS:**

- ▣ Executive draft minutes of November 4, 2020

**DRAFT MINUTES**

**TRANSPORTATION AGENCY FOR MONTEREY COUNTY**  
 SERVICE AUTHORITY FOR FREEWAYS EMERGENCIES AND MONTEREY COUNTY  
 REGIONAL DEVELOPMENT IMPACT FEE JOINT POWERS AGENCY

**EXECUTIVE COMMITTEE MEETING**

*Members: Luis Alejo (Chair),  
 Ed Smith (1<sup>st</sup> Vice Chair), Mary Adams (2<sup>nd</sup> Vice Chair),  
 Robert Huitt (Past Chair),  
 Chris Lopez (County representative), Michael LeBarre (City representative)*

**Wednesday, November 4, 2020**

\*\*\* 9:00 a.m. \*\*\*

ZOOM REMOTE VIDEO/PHONE CONFERENCE ONLY

<b>EXECUTIVE COMMITTEE</b>	<b>JAN 20</b>	<b>FEB 20</b>	<b>MAR 20</b>	<b>APR 20</b>	<b>MAY 20</b>	<b>JUN 20</b>	<b>AUG 20</b>	<b>SEP 20</b>	<b>OCT 20</b>	<b>NOV 20</b>
Luis Alejo, <b>Chair</b> Supr. Dist. 1 (L. Gonzales; J. Gomez)	P(A)	P (TC)	P (TC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)
Michael LeBarre, <b>City Representative</b> King City (C. DeLeon)	P	P	P	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)
Robert Huitt, <b>Past Chair</b> Pacific Grove (D. Gho)	P	P	P	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)
Chris Lopez, <b>County Representative</b> Supr. Dist. 2		P*	P	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)
Mary Adams, <b>2<sup>nd</sup> Vice Chair</b> Supr. Dist. 5 (Y. Anderson)	P	P	P(A)	P (VC)	P (VC)	P (A) (VC)	P (VC)	P (VC)	P(A) (VC)	P(A) (VC)
Ed Smith, <b>1<sup>st</sup> Vice</b> Monterey (D. Albert, A. Renny)	P	P	P	P (VC)	P (VC)	P (VC)	P(A)	P (VC)	P (VC)	P (VC)

*TC: via teleconference; VC: via Zoom video conference*

1. **CALL TO ORDER:** Chair Alejo called the meeting to order at 9:00 a.m. Roll call was taken, and a quorum was confirmed, with six members in attendance (as noted above).

Staff present: Goel, Hale, Muck, and Rodriguez.

Others present: Agency Counsel Kay Reimann; and County Counsel Katherine Hansen.

2. **PUBLIC COMMENTS:**

None this month.

3. **CONSENT AGENDA:**

**M/S/C** Huitt/Smith/unanimous

On a motion by Committee Member Huitt and seconded by Committee Member Smith, the committee voted 6-0 to approve the minutes from the Executive Committee meeting of October 7, 2020.

4. **BUDGET ASSUMPTIONS FY 21/22**

Rita Goel, Director of Finance & Administration, highlighted the proposed budget assumptions for fiscal years 21/22.

Director Goel outlined the assumptions for revenues and expenditures for upcoming activities. She reported that the Agency budget separates expenditures into two types: operating and direct programs. Operating expenditures include staff salaries and benefits, materials and supplies, and equipment purchases. Direct program expenditures include outside consultants, contracts, expenditures that apply to specific project delivery tasks.

Ms. Goel reported a proposed 2% cost of living increase, some increase to CalPERS employer contributions, and an increase in the health plan allowance. She reported that TAMC proposed to add a part-time finance position for an overlap 6-month transition in case a finance staff employee retires. She noted that no big change in planning funds was anticipated. The big change in budgeting process was that under the Direct Programs, Capital Expenditures e.g. Rail to Salinas will be put in the Integrated Funding Plan and ongoing programs e.g. FSP/SAFE/Go 831 will stay in the budget. The Agency continues to have a healthy reserve and may have to use some reserves in case of shortfall of planning funds or higher expenses. However, in the past years, although budgeted to use the reserves, the agency has only used reserves for 1 time costs for Direct programs and not for operating costs. Director Goel noted that the next steps will be that the draft budget will be presented to the Executive Committee in January or February 2021 and to the Board in February. Final budget adoption will be in May 2021.

Committee member Smith requested comparative data from other organizations for the 2% cost of living increase proposed.

Committee member Huitt asked for clarification on the part time finance position. Director Hale noted that this is being proposed as a transitioning time position it will only be needed if someone in the finance dept gives their retirement notice.

**5. NOMINATING COMMITTEE**

The committee reached consensus to recommend that the Transportation Agency for Monterey County appoint Board members Luis Alejo and Mike LeBarre as the Nominating Committee to meet and return to the Board of Directors on January 27, 2021 with recommendations for Board Chair, 1<sup>st</sup> Vice Chair, 2<sup>nd</sup> Vice Chair, and Executive Committee. These positions will serve one-year terms beginning upon their election through the next election of officers at the beginning of the January 26, 2022 Board meeting.

**6.**

**TAMC DRAFT AGENDA**

Deputy Executive Director Muck reviewed the draft regular and consent agenda for the TAMC Board meeting of December 2, 2020. After Executive Committee discussion, the following are some of the items will be considered on the regular agenda:

- Recognition of Senator William Monning
- Recognize Outgoing TAMC Board Members
- Presentation on the Caltrans US 101 Business Plan
- Fort Ord Building Demolition - Joint Procurement with MST
- Closed Session - Rail Acquisitions

On the consent agenda, the Board will consider actions on several items including:

- Appoint Nominating Committee
- TAMC 2021 Schedule of Meetings
- Central Coast Electric Vehicle Infrastructure Coordination
- SR 68 Scenic Corridor Design Project Management Request for Proposals
- SB 743 VMT Threshold Development - Contract Amendment #1
- Salinas Rail Project - HDR Engineering Contract Amendment
- Monterey Branch Line Easement

**7. ANNOUNCEMENTS**

None this month.

**8. ADJOURNMENT**

Chair Alejo adjourned the meeting at 9:55 a.m.





**Memorandum**

**To:** Executive Committee  
**From:** Todd Muck, Deputy Executive Director  
**Meeting Date:** January 6, 2021  
**Subject:** Employee Incentive Award

**RECOMMENDED ACTION:**

**APPROVE** a cash incentive award of \$150 to Mike Zeller for excellent performance above and beyond his regular duties.

**SUMMARY:**

The Transportation Agency for Monterey County's adopted employee incentive program makes available a single-event cash award for an outstanding performance on a particular project. The award requires approval by the Executive Committee.

**FINANCIAL IMPACT:**

The financial impact of this one-time cash award is \$150.

**DISCUSSION:**

Management seeks Executive Committee approval to award this special incentive due to Mr. Zeller's dedication and commitment to the Transportation Agency for Monterey County during the past nine months. Mike has played a key role in helping TAMC evolve into a nearly fully remote workplace during the COVID-19 crisis. He implemented a cloud-based data storage system before the shelter-in-place, contributing to our ability to transition. He not only led training sessions for Transportation Agency staff and Board members, he also assisted other agencies in learning how to hold public meetings remotely. In fact, he was nominated for recognition by Monterey-Salinas Transit for a TAMC Excellence award, but staff members of the Agency are not eligible. Mike has continued to support Agency staff to insure the team is working efficiently while being safe working from home.

**ATTACHMENTS:**

- ▣ Employee Incentive Program

#### 4.4 Employee Incentive Program

- A. All employees that are subject to step increases are eligible for this program. The total cost of this program shall not exceed \$7,500 in a fiscal year. The purpose of this incentive program is not to increase employee compensation, but rather to realize a public benefit through the promotion of efficiency, initiative and morale in TAMC service. This incentive program serves the substantial public purpose of ensuring continued recruitment and retention of qualified and competent employees. With this incentive program, TAMC is taking steps to further the Agency's self-interest in recruiting and retaining the most competent employees.
- B. If an employee demonstrates sustained superior performance over a significant period of time, the Executive Director may at his/her discretion approve the advancement or acceleration of a step increase for this employee. The definition of sustained superior performance includes consistent, day-to-day, unfailingly exceptional work output that is both quantitatively and qualitatively superior. Superior quality means written reports that are well thought out, timely, accurate, and written correctly for the intended audience. Superior quantity means volume of work above what would normally be expected of an average performer. Any award of this nature must have prior approval by the TAMC Executive Committee.
- C. Alternatively, if an employee performs outstandingly and spectacularly on a particular project, the Executive Director may at his/her discretion authorize payment to this employee of a one-time cash award. The one-time cash award is for a piece of work or completed project that is over and above what is usually expected of that person in that job classification. It is for work "above and beyond" the call of duty that is beneficial to the Agency and to the public. The one-time cash awards may range from \$50 to \$150 each and cannot exceed an agency-wide total of \$700 per fiscal year. Awards of this nature must have prior approval by the TAMC Executive Committee.
- D. If an employee performs outstandingly "in the moment," a Management Employee may award an Employee with an "employee of the moment" coupon, which could include low-value redeemable merchant coupons for outstanding performance of specific activity. The "employee of the moment" coupons would be from \$5 to \$10 each and would not exceed a total cost to the Agency of \$300 a year. The "Employee of the Moment" award is for an action or individual piece of work that took less than one day to accomplish, and was superlative in and of itself in character, and successful in outcome. All TAMC Management is authorized to make this award.



## Memorandum

**To:** Executive Committee  
**From:** Christina Watson, Principal Transportation Planner  
**Meeting Date:** January 6, 2021  
**Subject:** State Legislative Update & Draft 2021 Program

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### **RECOMMENDED ACTION:**

**RECEIVE** update on state and federal legislative issues and **RECOMMEND** the Board of Directors adopt the 2021 legislative program.

### **SUMMARY:**

Staff and legislative analyst Gus Khouri will present updates on state and federal legislative activities and present the 2021 legislative program.

### **FINANCIAL IMPACT:**

The legislative program continues a focus on preserving and seeking transportation funding.

### **DISCUSSION:**

Agency legislative analyst Gus Khouri will attend the meeting to present an update on state and federal legislative activities and the Agency legislative program for 2021.

**Web Attachment 1** is a state legislative update from Agency consultant Gus Khouri summarizing the 2020 election results, the state budget, and the executive orders on greenhouse gas emissions reductions in the transportation sector.

**Web attachment 2, 3 and 4** are news articles about the federal transportation legislative issues facing the incoming Biden administration, and Biden's decision to nominate former South Bend, Indiana Mayor Pete Buttigieg as the Secretary of Transportation. **Web attachment 5** is a summary of the COVID-19 legislation passed on December 20, 2020, which includes \$14 billion for transit, \$10 billion for highways, and \$1 billion for Amtrak.

**Web attachment 6** is the 2021 legislative program, showing changes from the 2020 adopted program. **Attached** is the 2021 program, changes accepted.

### ATTACHMENTS:

- Draft 2021 Legislative Program

### **WEB ATTACHMENTS:**

1. [State Legislative Update](#)
2. [November 23, 2020 article in Roll Call, "Biden's infrastructure challenge: finding common ground"](#)

3. [December 15, 2020 American Public Transportation Association Legislative Update](#)
4. [December 16, 2020 article on Mass Transit, "Pete Buttigieg put forth as nominee for Secretary of Transportation"](#)
5. [COVID-19 Emergency Relief Package – Topline Summary of New Agreement](#)
6. [Draft 2021 legislative program, showing changes from the adopted 2020 program](#)



## **2021 Legislative Program**

### **State Priorities**

- 1S.** Preserve funding for transportation projects, maximize formula funding to regions, and preserve regional discretion and priority-setting.
- 2S.** Pursue competitive grant or bond funding for highway safety, traffic congestion relief, trade corridors, passenger rail, public transportation, infrastructure resiliency, and bicycle and pedestrian routes for Monterey County projects.
- 3S.** Promote jobs-housing balance and alternative transportation modes as ways to reduce vehicles miles traveled, such as via funding reduced transit fares, while maintaining statewide equity between urban and rural areas.
- 4S.** Support funding for electric vehicle charging infrastructure, electric power storage capacity, and rebates for electric vehicle purchase.
- 5S.** Explore replacement funding mechanisms for transportation investments, such as a pay-by-the-mile user fee, public private partnerships, vehicle registration fee, or wholesale energy taxes, that are equitable to disadvantaged and rural areas.
- 6S.** Support funding to increase broadband infrastructure capacity to help bridge the digital divide, including promoting new server farms in rural areas, and to encourage telecommuting to reduce vehicle miles traveled.
- 7S.** Support the use of State rail funding to implement new state-supported passenger rail service on the Coast Route to help the State meet transportation and greenhouse gas emission reduction goals.
- 8S.** Support efforts to reauthorize Public Private Partnership authority, public tolling authority, and design-build authority, expand mode eligibility, and allow for regional control of such projects
- 9S.** Support legislation to increase safety and reduce fatalities by modifying laws establishing speed limits to be based on safety considerations, with attention to enforcement of speed limits.

- 10S.** Support legislation to devote more funding to the oversubscribed Active Transportation Program.
- 11S.** Support streamlining project delivery, including simplifying grant program applications, raising encroachment permit thresholds, and accelerating project permit approvals.
- 12S.** Coordinate with the Monterey-Salinas Transit District to update Transportation Development Act (TDA) law.
- 13S.** Support MST efforts to seek funding to implement the infrastructure needed to meet the deadlines of the Innovative Clean Transit (ICT) Regulation transition to a 100 percent zero-emission bus fleet by 2040.
- 14S.** Support legislation that promotes transit-oriented development (such as via redevelopment or opportunity zones), complete streets, alternative commutes, multi-modal transportation, bikes on board trains and buses, and active transportation projects.
- 15S.** Reform the Brown Act to enhance transparency and public access to allow the use of remote access to public meetings without requiring noticing of all remote Board or committee member locations, provided the public can participate via remote access software or in-person.
- 16S.** Support member agencies' requests for state funding of regionally significant transportation projects and support partner agency legislative efforts as they interface with regional transportation priorities, when they are consistent with Transportation Agency for Monterey County priorities.

## **2021 Legislative Program**

### **Federal Priorities**

- 1F.** Support stabilizing and increasing transportation infrastructure funding sources to avoid the bankruptcy of the federal highway and transit trust funds in the multimodal transportation authorization bill:
1. Support an adequate level of funding for Monterey-Salinas Transit to restore pre-COVID-19 service levels through advocacy on a new transportation bill with appropriations sufficient to ensure immediate access to funding.
  2. Increase and index the gas tax to inflation.
  3. Explore innovative funding mechanisms, such as a vehicle registration fee, pay-by-the-mile user fee, public private partnerships, or wholesale energy taxes, that are equitable to disadvantaged and rural areas.
  4. Expand access to Transportation Infrastructure Finance and Innovation Act (TIFIA) loans.
  5. Remove procedural obstacles that impede expenditure of authorized federal funding, including cash flow options for small and rural grantees.
  6. Support the return of directed federal funding for transportation priorities.
  7. Coordinate with military installations in Monterey County to seek funding for transportation projects with a nexus to those installations.
  8. Support Monterey-Salinas Transit application for federal funding for the SURF! Bus Line in the Monterey Branch Line corridor.
  9. Support applications for the Better Utilizing Investments to Leverage Development (BUILD) Transportation Discretionary Grant program on the California Central Coast.
  10. Support funding for resilient infrastructure projects.
- 2F.** Allow the California Environmental Quality Act (CEQA) to substitute for the National Environmental Policy Act (NEPA), and expand the definition of Categorical Exclusions, while retaining environmental protections.

- 3F.** Advocate for the Federal Communications Commission to regulate broadband/internet access as a utility to enable the increase of broadband infrastructure capacity to help bridge the digital divide and to encourage telecommuting.
- 4F.** Support streamlining of federal rail funding and removal of funding barriers between commuter and intercity rail programs, with the goal of increasing integrated passenger rail service for the traveling public.
- 5F.** Support an adequate level of funding for Amtrak to restore pre-COVID-19 service level and support a fair share allocation to California for capital improvements and vehicle acquisition.
- 6F.** Support member agencies' requests for federal funding of regionally significant transportation projects and support partner agency legislative efforts as they interface with regional transportation priorities, when they are consistent with Transportation Agency for Monterey County priorities.





## Memorandum

**To:** Executive Committee  
**From:** Rita Goel, Director of Finance & Administration  
**Meeting Date:** January 6, 2021  
**Subject:** Cost of Living Allowance Survey & Impact on FY 21/22 Budget

### **RECOMMENDED ACTION:**

#### **Cost of Living Allowance Survey & Impact on FY 21/22 Budget**

1. **RECEIVE** Cost of Living Allowance survey results and its fiscal impact on FY 21/22 budget; and
2. **PROVIDE** direction to staff on how to proceed on the FY 21/22 budget.

### **SUMMARY:**

The draft budget & Overall Work Program for fiscal year 21/22 will be presented to the Executive Committee in February. At its November 2020 meeting, the Executive Committee requested staff to conduct a cost of living allowance (COLA) survey of other jurisdictions and provide information on the impact of a 2% & 3% COLA on the proposed budget for FY 21/22.

### **FINANCIAL IMPACT:**

The cost of a 2% cost of living allowance is estimated to be \$40,645. The cost of a 3% COLA is estimated to be \$60,968.

### **DISCUSSION:**

At the November 2020 Executive Committee meeting, agency staff reviewed budget assumptions for the FY 21/22 budget. A 2% cost of living allowance was proposed in order to maintain staff morale and support staff retention. The committee directed staff to conduct a cost of living survey of other jurisdictions and requested the fiscal impact of a 2% and 3% COLA. The survey results are included as an attachment with this staff report. A majority of the jurisdictions responding implemented a cost of living adjustment between 2% and 3.5% in two of the three survey years (FY 19/20, 20/21, 21/22), and Pacific Grove adopted a single year 4.5% COLA. Most have not finalized a cost of living allowance for FY 21/22.

The TAMC Board had approved a 3% cost of living allowance in the FY 20/21 draft budget but it was eliminated from the final budget due to the COVID-19 pandemic concerns.

The cost of a 2% cost of living allowance is estimated to be \$40,645. A 3% is estimated to be \$60,968. The elimination of 2 part-time intern positions would cover the impact of a 2% COLA. Staff is reviewing other potential reductions and should be able to absorb a 3% COLA as well. The agency continues to maintain a healthy reserves also.

Staff requests direction on how to proceed on the FY 21/22 budget.

### **ATTACHMENTS:**

▫ COLA Survey



**COLA SURVEY**  
Nov-20

**FY 19-20    FY 20-21    FY 21-22    COMMENTS**

	<b>FY 19-20</b>	<b>FY 20-21</b>	<b>FY 21-22</b>	<b>COMMENTS</b>
<b>TAMC</b>	<b>3.0%</b>	<b>0.0%</b>	<b>TBD</b>	<b>FY 21-22</b> BOARD TO DETERMINE
<b>AIR DISTRICT</b>	<b>3.5%</b>	<b>0.0%</b>	<b>TBD</b>	<b>FY 20-21</b> \$ 1,000 OFF-SCHEDULE PAYMENT
<b>AMBAG</b>	<b>0.0%</b>	<b>0.0%</b>	<b>TBD</b>	<b>FY 19-20</b> ADDED 3-5 STEPS TO SALARY SCALE
<b>CAPITOLA</b>	<b>UNKNOWN</b>	<b>0.0%</b>	<b>TBD</b>	Contract expires 1/1/2021
<b>COUNTY OF MTRY</b>	<b>2.0%</b>	<b>3.0%</b>	<b>TBD</b>	
<b>GONZALES</b>	<b>3.0%</b>	<b>3.0%</b>	<b>TBD</b>	
<b>KING CITY</b>	<b>3.0%</b>	<b>0.0%</b>	<b>3.0%</b>	
<b>MARINA</b>	<b>3.0%</b>	<b>0.0%</b>	<b>TBD</b>	Contract expires 6/30/21
<b>MONTEREY</b>	<b>2.0%</b>	<b>2.0%</b>	<b>TBD</b>	Contract expires 6/30/21
<b>PACIFIC GROVE</b>	<b>N/A</b>	<b>4.5%</b>	<b>0.0%</b>	<b>FY 20-21</b> Employees wanted 1 bump
<b>SAND CITY</b>	<b>0.0%</b>	<b>2.5%</b>	<b>TBD</b>	
<b>SANTA CRUZ CITY</b>	<b>4.0%</b>	<b>3.0%</b>	<b>3.0%</b>	
<b>SCCRTC</b>	<b>3.0%</b>	<b>3.0%</b>	<b>TBD</b>	
<b>SEASIDE</b>	<b>2.0%</b>	<b>2.0%</b>	<b>TBD</b>	



## **Memorandum**

**To:** Executive Committee  
**From:** Christina Watson, Principal Transportation Planner  
**Meeting Date:** January 6, 2021  
**Subject:** **Monterey Branch Line Recreational Use Handcar Proposal**

### **RECOMMENDED ACTION:**

**RECEIVE** the revised detailed proposal from the Museum of Handcar Technology for an interim use of the Monterey Branch Line right-of-way for a recreational enterprise in 2021; and **PROVIDE DIRECTION** to staff on whether or not to begin activities required to negotiate a lease agreement.

### **SUMMARY:**

On February 26, 2020, the Board of Directors approved a lease agreement with the Museum of Handcar Technology for a trial use of the Monterey Branch Line for a recreational use. The agreement was executed but never implemented due to the COVID-19 pandemic. The lease agreement expired on August 31, 2020. The Museum of Handcar Technology has submitted a new proposal (attached) to try again, in a slightly different location, in 2021. Staff seeks Committee input and direction.

### **FINANCIAL IMPACT:**

For the prior work on this proposal, developing and executing the reimbursement agreement and lease agreement, TAMC expended approximately \$17,500 on planner time and legal costs, including the filing of California Environmental Quality Act documentation. Of that amount, the Museum of Handcar Technology reimbursed TAMC a total of \$6,130.56. The remainder of costs were paid using Monterey Branch Line lease revenues.

If the Executive Committee directs staff to proceed with activities related to negotiating a second lease agreement, staff estimates that planner and legal costs would be approximately \$15,000. Proceeding with the handcar trial would involve an additional set of costs, including potential liability and insurance costs, although every effort would be made to transfer such costs to the operator.

### **DISCUSSION:**

In July 2019, TAMC staff received the original unsolicited proposal from Mason and Todd Clark of the Museum of Handcar Technology to use three miles of the Monterey Branch Line rail corridor (Marina to Seaside) for a one-month demo of tourist handcar operations in the summer of 2020. In February 2020, the TAMC Board of Directors approved a lease agreement that was subsequently executed. TAMC filed the relevant California Environmental Quality Act paperwork with the County. The Museum of Handcar Technology never paid the \$10,000 deposit on that agreement, as it was increasingly evident that the pandemic would make the demonstration project inadvisable, and the lease agreement was allowed to expire on August 31, 2020.

In December 2020, Todd Clark reached out again with an alternative proposal for 2021, assuming the waning of the pandemic and the availability of a vaccine, that will enable this tourist venture to occur. His proposal envisions a new

starting location, off Palm Avenue and Marina Drive in downtown Marina, for improved visibility and accessibility, because it is outside of the Coastal Zone, and due to the flatter grade of the tracks at that location.

The proposal narrative is **attached** and the full detailed proposal is online as a **web attachment**.

The handcar operations would run approximately two and a half (2.5) miles from the Palm Avenue/ Marina Drive intersection, under the Highway 1 overcrossing in Marina and over the bike path, to the balloon spur tracks in the Fort Ord Dunes State Park. The project proponents are requesting to place a 45-foot long cargo container to store handcars and a 20-foot long container for support item storage on the tracks within the Monterey Branch Line right-of-way near to Palm Avenue in Marina. They propose to have employees and customers park on TAMC property off Marina Drive. Brush and weed clearance as well as upgrading of seven railroad switches would take place prior to beginning the demonstration operations.

Before the Board of Directors can approve a lease, several activities would need to take place. As the property owner, the Agency would be required to serve as the lead agency for the purposes of the California Environmental Quality Act (CEQA). Staff and legal counsel agree that the project should be eligible for a categorical exemption since it is operating on an existing right-of-way and it would only operate over a 30-day trial period. TAMC filed such a document for the initial proposal and it was not challenged. If the resubmittal is contested, TAMC would need to conduct more extensive work, possibly a negative declaration or mitigated negative declaration. In such a circumstance, staff workload would increase substantially; costs could be billed to the project proponent.

The project proponent would be responsible for obtaining all reviews and permits, including, as necessary: County and City use permits (branch line is in the County, parking is in the City), State Parks review, and Coastal Commission review and permits. If the trial were a success and both TAMC and the operator were to agree to pursue future operations, additional environmental review and permits and a new agreement would be necessary.

At this time, staff seeks Committee direction on whether or not to pursue a lease agreement with the Museum of Handcar Technologies for a 30-day trial run of a recreational handcar service for a date to be determined between July and October 2021. The lease would be brought to the full TAMC Board for approval at a future date.

#### **ATTACHMENTS:**

- Handcar Detailed Proposal Summary

#### **WEB ATTACHMENTS:**

- [Museum of Handcar Technology revised detailed proposal, December 7, 2020](#)

## **Summary**

Museum of Handcar Technology LLC proposes to host guided tours using human powered rail vehicles across three miles of the Monterey Branch Line. We originally came before the Executive Committee in January 2020 and received approval in February from the full Transportation Commission to provide a 30 day demonstration beginning in July. Shortly after the commission approved our proposal, a statewide stay at home order was enacted that lasted until June. State guidelines that would have allowed our operation to take place were not released until mid September 2020. As a result we were unable to carry out our demonstration. We are proposing to conduct the demonstration event for a 30 day period during the summer or fall of 2021 over much of the same route, but using an alternative site as a terminal location for starting and ending our tours.

## **Demonstration Dates**

During the previous proposal we committed to initiating the tours beginning in mid July 2020. Considering the current health emergency, we are requesting flexibility to allow for a “to be determined” start date. We plan to initiate the demonstration during a 30 day period between July 1 and October 1. This flexibility will allow us to choose the least risky period if public health restrictions create operating restrictions.

## **Terminal Location Change**

We are proposing to relocate the participant loading location to Marina Drive and Palm Avenue within the City of Marina to alleviate three issues that make the previous site difficult to operate from.

1. The former location situated off the former Fort Ord Spur was also not well suited to allow for social distancing. Under our previous plan, participants were to receive a briefing at the checkin station before being led as a group along the pedestrian trail, under Highway 1 to the boarding spur. Herding participants as a group along the trail would be risky, as would directing visitors to walk single file alongside the narrow pathway next to the spur before boarding our handcars. The new proposed location alleviates these hazards by offering more space to allow adequate social distancing.
2. It appeared after we received approval from TAMC that the City of Marina had concerns with processing a local coastal development permit. The handcar storage location may have triggered the need for a Coastal Development Permit directly from the California Coastal Commission requiring costly and significant delays for carrying out the proposal.
3. Last summer we put our handcars through a battery of tests on the Nevada Northern Railway. With COVID19 infections low, we carried paying passengers over a two day period. We discovered the steep grade where we proposed to load passengers at the Fort Ord spur may create difficulty with participants starting the handcars.

## **Revised Location**

We propose to initiate tours outside of the coastal zone, near the intersection of Marina Drive and Palm Avenue in the City of Marina. This portion of the right-of-way has direct road access to Marina Avenue and is currently used by local residents for unauthorized off-street parking.

## **Operating Route**

Handcars will leave the loading location and proceed south 2.5 miles. The handcars will proceed around the one mile balloon loop track and retrace the route to the starting point. Our tours will cover nearly 6 miles of trackage and require about 45 minutes to complete.

Our plan is for the tours to stop short of the crossing. Our tour guides will set orange traffic cones across both sides of the bicycle trail, and then install a 10 foot long section of lightweight aluminum track on top of the branch line. One guide will function as a flag person to ensure bicycle traffic or pedestrians do not attempt to cross as the handcars pass over the crossing. After the handcars have passed, the lightweight aluminum strips will be taken up and the cones removed. We estimate the entire process will require about 3 minutes, about the same amount of time a passing freight train blocks a road crossing.

State Parks is currently processing construction bids to build out Fort Ord Dunes State Park's new campground. As part of the project, the development contractor will be temporarily removing a section of track around the loop to install utility lines. We will coordinate with the contractor and modify our routing if required. We can accommodate the balloon loop being out of service by having our handcars reverse along the route instead of going around the entire loop.

### **Preparing the Route**

Approximately 1.75 miles of track is in need of brush and weed clearance. Most of this distance is inaccessible by rubber tired vehicles. Handcars will be used for accessing these areas and to carry brush cutting equipment to the work site. Debris will be transported using a flange wheeled maintenance flatbed trailer that can be human pushed or towed with a handcar. Vegetation and trash debris will be transported to staging locations to be picked up by a debris removal contractor.

There is a pedestrian/bicycle trail crossing where the tracks pass under Highway 1 that have been paved over. While we would prefer to obtain the services of a contractor to uncover the crossing at our expense, we understand this improvement may be controversial in that it may be considered a permanent improvement. We will instead create a temporary lightweight aluminum track crossing that will be dropped in place by the tour guide only while the handcars are crossing the pathway.

There are seven mechanical railroad track switches that have not operated in twenty years. Our enterprise will require two of the switches to be in operating condition. A cursory inspection reveals the switches require maintenance and possibly repair as corrosive sea air may have damaged parts. We will repair the switches at our expense and any replacement parts will remain in place after we depart.

We intend to place a temporary chain link security fence around the activity area. Being situated within an urbanized area creates overnight security risks for our handcars. We plan to mitigate this risk by placing a 45 foot long cargo container within the fence off area for overnight handcar storage. We also intend to place a rented 20 foot long "POD" container for support item storage. The smaller container will be used for storing an easy up tent, tables, chairs, tools, and spare parts for supporting the enterprise. We will also place temporary portable toilets within the fenced area.

At the previously approved location we proposed to install a temporary wooden platform to aid in boarding. The tracks at the new proposed location have nearly been completely covered in soil, providing a high level surface for boarding. Therefore, a platform will not be required.

### **Experience Description**

Each touring group consists of 11 handcars that move over the branch line as one unit. Nine handcars are designated for participants and two for tour guides. Each handcar carries up to four people, and each require at least two participants to operate. The lead and rear handcars

are each staffed with at least one trained guide. Tours carry up to 44 participants and will be sold in advanced using our online booking platform.

Arriving participants will be directed to check-in and sign a liability waiver that was written by our attorney before they will be permitted to participate in the activity. Participants will receive a safety briefing explaining how the vehicle functions. We have in place a public health emergency operating plan that provides safeguards if COVID19 restrictions are still in place.

The handcars will depart from the temporary terminal and proceed south. The tour will pause before the paved over section under Highway 1, while our tour guides install a removable lightweight aluminum track segment over the path. After passing, the rails will be removed and the tour will proceed up the grade and around the balloon loop, then back down the line. The tour will once again pause at the bicycle path to allow the rails to be installed and taken down. The tour ends at the terminal where it began.

### **Excursion Frequency**

We initially plan to offer tours Thursday through Monday, with four tours scheduled each day. As tours fill up we will increase capacity by adding additional daily tours, up to a maximum of eight tours each day. Tours may be added on Tuesday and Wednesday as staffing resources permit.

### **Marketing**

We plan to use a combination of local news publication and targeted Facebook advertising. During the summer targeted Facebook advertising was used exclusively to sell out two days worth demonstration trips in remote Northern Nevada with less than \$100 in advertising costs. We also expect that local news media will follow our progress as we clear the lie of brush and trash will drive customers to our enterprise.

### **Tour Guides**

Each tour will be led by at least two guides, each riding a handcar to the front and rear of the group. As required by our insurance terms, each tour will depart with at least one American Red Cross certified CPR and First Aid trained person. Our guides will consist of four members of our immediate family that have handcar operating experience, supplemented with local labor. Athletic trainers and public pool lifeguards are especially well suited as these individuals are generally in top physical condition, are certified in first aid and CPR, and are experienced in working with the public during physical fitness endeavors.

### **Emergency Response Plan**

We have a written plan for responding to emergencies that may arise. Tour guides will be equipped with cell phones and FCC licensed two-way radios to communicate with each other. This will enable efficient coordination in the event of an emergency.

### **COVID19 Operating Plan**

While there is a high probability that COVID19 public health restrictions will be lifted by the time we operate our 30 day demonstration, we feel it is prudent to assume that restrictions will still be in place. We modified our proposal from one year ago to remove instances that may violate social distancing protocols. We have a separate COVID19 response plan that outlines how we plan to operate during a restrictive public health environment.

### **Insurance**

We will obtain a \$1,000,000 per occurrence, \$2,000,000 aggregate insurance policy by Veracity Insurance Solutions. The covered limits are the industry standard for recreational activities. Rail bicycle enterprises operating in Oregon and Washington carry the same coverage limits and



are accepted by the Port of Tillamook Bay and Willowa Union Railroad Authority, both public agencies.

For medical coverage we intend to carry a medical rider policy that covers \$25,000 for medical expenses, with a \$250,000 aggregate limit. This is the maximum coverage our carrier offers and is in addition to the main \$1,000,000 liability insurance that also extends medical benefits.

**Other Land Use Entitlements**

Our enterprise will be conducting business within the Marina City Limits. Although we were not previously asked to receive zoning approval from the City of Marina, we are proactively seeking the City’s approval for the event to alleviate any concerns the City may have with the temporary terminal within their city limits. We intend to obtain a City of Marina business license prior to commencing operation.

# Handcar Photos

Mason Clark on the set of CBS's reality show "Tough As Nails" with two of our handcars in January 2020. Two of our handcars were featured in the pilot episode with contestants racing head to head. The blockbuster rated show was renewed for a second season.

As of this writing we have three of these handcars in our fleet.



Testing our prototype touring handcar in May 2019. By summer 2021 we will have 12 touring handcars completed.

As of this writing in December we have eight of these handcars completed.

We hosted two days of sold out demonstration tours in Ely, Nevada over Labor Day weekend 2020. Participants drove more than 250 miles to join the tour from Las Vegas and Salt Lake City. Our limited capacity event was sold out in hours using a \$100 Facebook advertising budget.



# Proposed Revised Handcar Route



1600 additional feet of operating limits than previous 2020 proposal.

PALM AVE

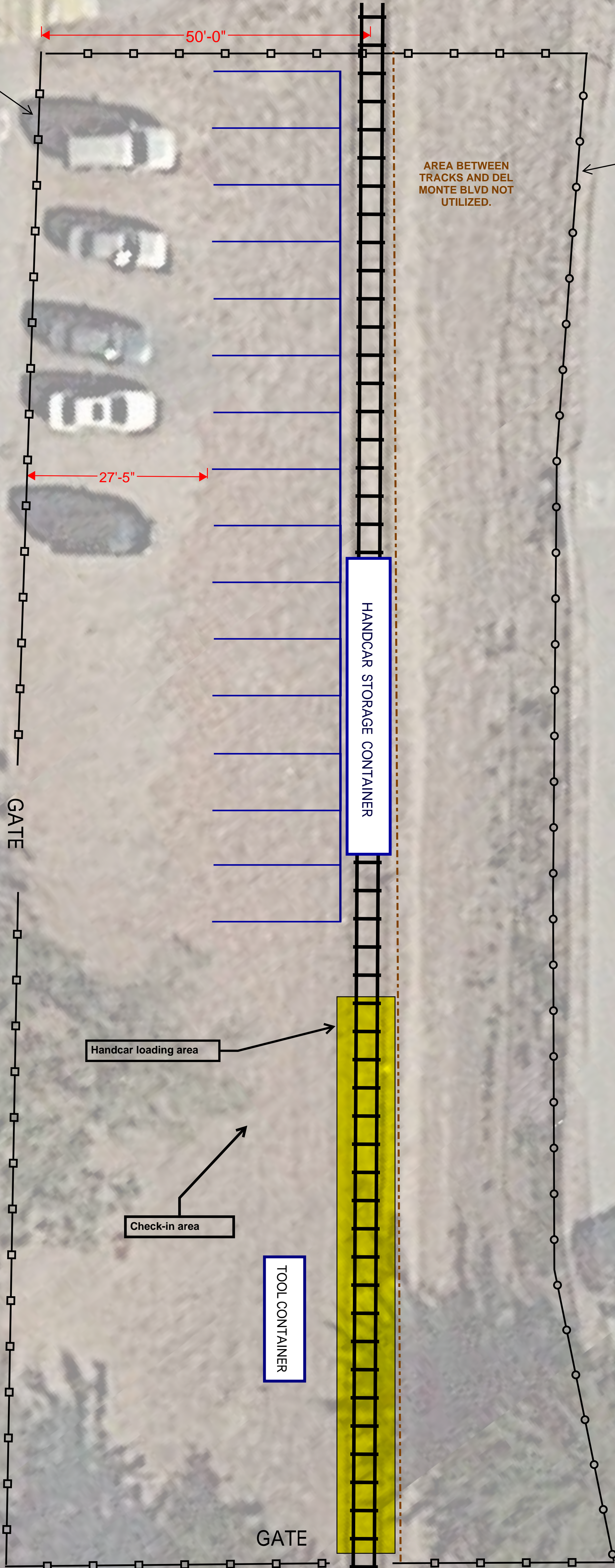
Rented temporary fence for security purposes.

Existing fence chain link fence.

AREA BETWEEN TRACKS AND DEL MONTE BLVD NOT UTILIZED.

MARINA DR

DEL MONTE BLVD



GATE

HANDCAR STORAGE CONTAINER

TOOL CONTAINER

Handcar loading area

Check-in area

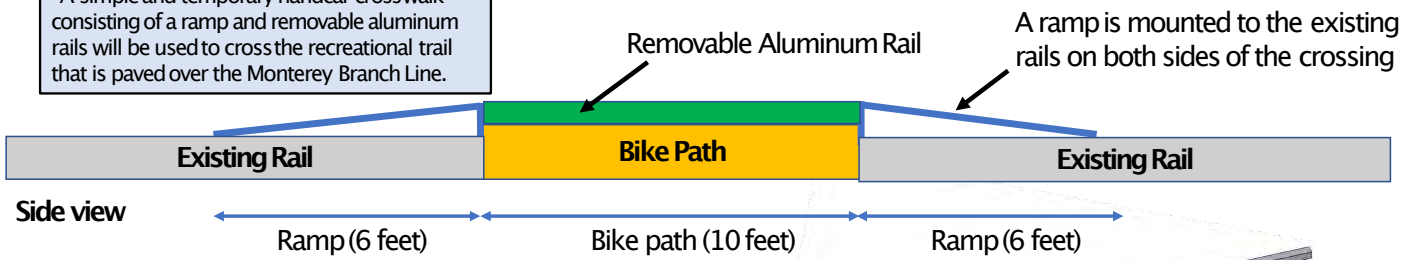
GATE

# Proposed Temporary Terminal Site Photos



# Recreational Trail Handcar Crossing

\*A simple and temporary handcar crosswalk consisting of a ramp and removable aluminum rails will be used to cross the recreational trail that is paved over the Monterey Branch Line.



A ramp is mounted to the existing rails on both sides of the crossing



\*Aluminum rails weigh 9 pounds and are placed over the recreational trail before the first handcar crosses and removed immediately after the last handcar crosses to prevent any tripping hazards on the trail.

\*A handcar tour guide will stand on the trail while the handcars are crossing to ensure pedestrians and bicyclists stop.

1



Tubing sample that will be used for the handcar crosswalk.

Crossing location 1/3 mile South of temporary handcar loading site.

