



Regional Transportation Planning Agency - Local Transportation Commission
Monterey County Service Authority for Freeways and Expressways
Monterey County Regional Development Impact Fee Joint Powers Agency
Email: info@tamcmonterey.org

Executive Committee

Members are: Michael LeBarre, Chair; Chris Lopez, 1st Vice Chair; Dave Potter, 2nd Vice Chair; Mary Adams, Past Chair; Wendy Askew, County Representative; Chaps Poduri, City Representative

**Wednesday, September 6, 2023
8:30 AM**

MEETING LOCATION

Voting members must attend a physical meeting location to count towards quorum
*55B Plaza Circle, Salinas, California 93901
Transportation Agency Conference Room*

Alternate Locations with Zoom Connection Open to the Public

*2616 1st Avenue, Marina, California 93933
Supervisor Askew's Office*

*599 El Camino Real, Greenfield, California 93927
Supervisor Lopez's Office*

Members of the public & non-voting members may 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

Please note: If all board members are present in person, public participation by Zoom is for convenience only and is not required by law. If the Zoom feed is lost for any reason, the meeting may be paused while a fix is attempted but the meeting may continue at the discretion of the Chairperson.

Please see all the special meeting instructions at the end of this agenda

Complete agenda packets are on display at the Transportation Agency for Monterey County office and at these public libraries: Carmel, Monterey, Salinas Steinbeck Branch, Seaside, Prunedale, and King City. Any person who has a question concerning an item on this agenda may call the Agency Secretary to make an inquiry concerning the nature of the item described on the agenda. Please recycle this agenda.

1. QUORUM CHECK – CALL TO ORDER

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 Board. 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 Board for public comment or on an item on the agenda are encouraged to submit comments in writing to Maria at maria@tamcmonterey.org by 5:00 pm the Monday before the meeting, and such comments will be distributed to the Board before the meeting.

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.

3. 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** Executive Committee draft minutes of August 2, 2023.

- Elouise Rodriguez

4. Legislative Update:

1. **RECEIVE** update on state and federal legislative issues; and
2. **RECOMMEND** the Board of Directors adopt positions on proposed legislation.

- Todd Muck

Staff and consultants will present updates on state and federal legislative activities and present proposed positions on draft legislation.

5. **RECEIVE** report on draft agenda for September 27, 2023, TAMC Board meeting.

6. **Announcements and/or comments**

7. **ADJOURN**

ANNOUNCEMENTS

Next Executive Committee meeting:
Wednesday, October 4, 2023, at 8:30 a.m.

**Transportation Agency for Monterey County
Conference Room
55-B Plaza Circle, Salinas CA 93901**

A quorum of voting members is required to be present to hold this meeting.

There will be a zoom link for hybrid participation by members of the public.

If you have any items for the next agenda, please submit them to:
Elouise Rodriguez, Clerk of the Board & Senior Administrative Assistant
Elouise@tamcmonterey.org

Important Meeting Information

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
55B Plaza Circle, Salinas, CA 93901
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 Board may request in writing an item to appear on the agenda. The request shall be made by the agenda deadline and any support papers must be furnished by that time or be readily available.

Memorandum

To: Executive Committee
From: Elouise Rodriguez
Meeting Date: September 6, 2023
Subject: Executive Committee draft minutes of August 2, 2023.

RECOMMENDED ACTION:

APPROVE Executive Committee draft minutes of August 2, 2023.

SUMMARY:

FINANCIAL IMPACT:

DISCUSSION:

ATTACHMENTS:

1. Exec draft minutes August_2_2023

WEB ATTACHMENTS:

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: Michael LeBarre (Chair), Chris Lopez (1st Vice Chair),
 Dave Potter (2nd Vice Chair), Mary Adams (Past Chair),
 Wendy Root Askew (County representative), Chaps Poduri (City representative)*

Wednesday, August 2, 2023

*** 8:30 a.m. ***

Transportation Agency Conference Room, 55-B Plaza Circle, Salinas California

Alternate locations:

2616 1st Avenue, Marina, California 93933, Supervisor Askew's Office

599 El Camino Real, Greenfield, California 93927, Supervisor Lopez's Office

EXECUTIVE COMMITTEE	SEP 22	OCT 22	NOV 22	JAN 23	FEB 23	MAR 23	APR 23	MAY 23	JUN 23	AUG 23
Michael LeBarre, Chair King City (C. DeLeon)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P	P	P	P (VC)	P (VC)
Mary Adams, Past Chair Supr. Dist. 5 (C. Courtney)	P (VC)	P (VC)	P (VC)	P (TC)	P (VC)	P	P	P(A) (VC)	P	P(A) (VC)
Chris Lopez, 1st Vice Chair Supr. Dist. 3 (P. Barba)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P(A) (VC)
Dave Potter, 2nd Vice Chair Carmel-By-The-Sea (J. Baron)	P (VC)	P (VC)	P (VC)	P (VC)	A	P*	P	P	P	P
Wendy Root Askew, County Representative Supr. Dist. 4 (Y. Anderson)	P (VC)	P (VC)	P(A) (VC)	P(A) (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P (VC)	P(A) (VC)
Chaps Poduri, City Representative (Joe Amelio)	P (VC)	P (VC)	P (VC)	E	P* (VC)	P	P	P	P (VC)	P

TC: via teleconference; VC: via video conference

P = Present

A = Absent

P(A) = alternate present

E = Excused

P(VC) Video Conference

P*= New Representative

1. **CALL TO ORDER**

Chair LeBarre called the meeting to order at 8:30 a.m. Roll call was taken, and a quorum was confirmed.

Staff present: Guther, Kise, Muck, Rodriguez, Strause, Watson, Wright, and Zeller.

Others present (PV): Robert Brayer, County Counsel; Paul Schlesinger and Jim Davenport, Thorn Run Partners; and Gus Khouri, Khouri Consulting.

2. **PUBLIC COMMENTS**

No public comment

3. **CONSENT AGENDA**

On a motion by Committee Member Potter seconded by Committee Alternate Anderson, the Committee voted 5-0 to approve the minutes from the Executive Committee meeting of June 7, 2023.

Abstained: Committee Alternate Courtney

4. **LEGISLATIVE UPDATE**

The Committee received an update on state and federal legislative issues.

Jim Davenport, Agency federal legislative analyst, presented an update on federal legislative activities. Mr. Davenport reported that TAMC is one of only three California projects nominated in the Senate Transportation Appropriations bill, slated to receive \$1.8 million to construct the G12 Pajaro to Prunedale corridor project, thanks to Senator Alex Padilla.

Gus Khouri, Agency state legislative analyst, presented the draft state bill list and an update on state legislative activities. He reported the adopted state budget included \$4 billion in new Transit and Intercity Rail Capital Program (TIRCP) formula funds and \$1.1 billion for a new Zero Emission Transit Capital Program (ZETCP). Of those funds, TAMC is estimated to get approximately \$44 million over two fiscal years in TIRCP and \$8 million over four fiscal years in ZETCP funds. The California State Transportation Agency (CalSTA) is developing guidance for this funding, which is meant to be flexible for use for planning, constructing, or operating rail or bus transit. Mr. Khouri also announced that Assembly Member Dawn Addis secured \$1 million for the Highway 1 Elkhorn Slough project preconstruction activities.

Christina Watson, Director of Planning, announced staff is planning a Highway 1 Elkhorn Slough news event on October 3, 2023, 12:30 p.m., more info to come in a save-the-date.

5. MEASURE X REVENUES

The Committee received an update on Measure X revenues.

Mike Zeller, Director of Programming & Project Delivery, reported that prior to Monterey County voters adopting Measure X in November 2016, revenues were conservatively estimated to be \$20 million per year. Actual revenues have been significantly higher, with the fiscal year 2021/22 revenues totaling \$38.13 million. At the Measure X Citizens Oversight Committee, Agency staff presented the FY21/22 annual audits and the revenue projections showing continued strong Measure X returns for the upcoming two fiscal years. The Committee requested information on how excess revenues could be used and Agency staff wanted to provide this discussion to the Executive Committee in advance of the Oversight Committee.

Mr. Zeller reported that the Policies and Projects Descriptions for the Transportation Safety and Investment Plan anticipated this issue and provides some guidance for utilizing increased revenues as well as addressing inflation and increased project costs. First, the regional project policies state that: the effects of inflation or rising construction costs may impact the total amount of funding needed to complete the projects. As such, the project funding shares in this plan will be revised annually to account for inflation. Mr. Zeller noted that the Agency inadvertently had not been indexing the regional projects and programs in the past and was seeking Executive Committee concurrence to start the practice going forward on an annual basis. The Committee members concurred with this approach.

After accounting for the inflation adjustment, the Policies and Project Descriptions describes how the Board of Directors can elect to use additional Measure X revenues. If a five-year average of revenues exceeds the estimates in this plan, funding may be allocated in this order of priority by the TAMC Board:

- To cover cost increases or new features of projects on the list;
- To incorporate new technologies into the plan; and
- To add new projects to the list.

Committee Member Poduri asked why the revenues have been higher and if they can be expected to stay above the original estimates. Mr. Zeller responded that due to internet purchases now being taxed properly, the return of tourism and an overall healthy economy have helped to keep Measure X revenues higher. He also noted that the Agency's sales tax forecasting firm has forecasted that Measure X revenues will remain around \$38 million for at least the next two fiscal years.

Director Muck noted that staff does not want to start adding projects to the list, noting that we need to complete projects already on the list. Committee Chair LeBarre and Committee

Member Poduri agreed that creating a list of projects that can be added if funding becomes available, and remove projects if revenues decline, should be brought to the Board for consideration when appropriate to have the discussion.

6. EXECUTIVE DIRECTOR AND COUNTY COUNSEL EVALUATION

On a motion by Committee Member Potter, seconded by Committee Member Poduri, the Committee voted 6-0 to recommend that the Board of Directors approve the evaluation form, procedure, and timeline for completing the annual evaluation for Executive Director and Counsel.

Jeff Kise, Director of Finance & Administration, reported the Executive Director's employment agreement requires the Board to evaluate Todd by the December Board meeting of each year. The attached evaluation forms were revised in 2016 in response to recommendations from Board Members. After the Board approves this procedure and timeline, forms will be sent out to Board Members with the Executive Director's goals and accomplishments via e-mail and regular mail. Upon completion, the Board Members are requested to return the evaluation to the chair either via e-mail or regular mail. The proposed procedure and timeline for completing the annual evaluation is:

- August 23, 2023 – Board approves form, procedure and timeline.
- August 28, 2023 – Staff e-mails to voting members of the Board of Directors the evaluation forms for the Executive Director. The Executive Director's goals and accomplishments will also be included.
- September 30, 2023 – All voting Board Members complete evaluation forms and e-mail or mail to the Chair for her receipt no later than September 30, 2023.
- October 1-21, 2023 – The Chair reviews completed evaluation forms and prepares summary of results to present to Executive Committee on November 1, 2023.
- November 1, 2023 – Executive Committee meets in closed session to review the evaluations, formulate a recommendation to the Board of Directors, and confer with the Executive Director regarding the recommendations.
- December 6, 2023 – Board of Directors meets in closed session to receive presentation from the Executive Committee, to review the evaluations and recommendations of the Executive Committee and take any appropriate actions.
- Date to be determined by the Chair – The Chair will review the evaluations with the Executive Director.

7. TAMC BOARD DRAFT AGENDA

On a motion by Committee Member Potter, seconded by Committee Alternate Anderson, the Committee voted 6-0 as an urgency item to review the draft TAMC Board agenda of August 23, 2023. Agency Counsel Brayer noted that a 2/3 vote is required to add an item to the agenda.

Executive Director Todd Muck reviewed the draft regular and consent agenda for the TAMC Board meeting of August 23, 2023. After Executive Committee discussion, directions were provided to staff to place the following items for consideration on the regular agenda:

- 2023 Competitive Grants Program of Projects
- Fort Ord Regional Trail and Greenway California Avenue Final Design and Right-of-Way Contract
- Draft 2023 Public Participation Plan

8. ANNOUNCEMENTS

None this month.

9. ADJOURNMENT

Chair LeBarre adjourned the meeting at 9:35 a.m.

Memorandum

To: Executive Committee
From: Todd Muck, Executive Director
Meeting Date: September 6, 2023
Subject: **Legislative Update**

RECOMMENDED ACTION:**Legislative Update:**

1. **RECEIVE** update on state and federal legislative issues; and
2. **RECOMMEND** the Board of Directors adopt positions on proposed legislation.

SUMMARY:

Staff and consultants will present updates on state and federal legislative activities and present proposed positions on draft legislation.

FINANCIAL IMPACT:

The legislative proposals may have a financial impact on TAMC if they are enacted.

DISCUSSION:

Agency legislative analyst Gus Khouri will present an update on state legislative activities and Agency legislative analysts Paul Schlesinger and Jim Davenport will present an update on federal legislative activities.

Attachment 1 is the updated draft state bill list. Changes to the bill list adopted by the TAMC Board on August 23 are indicated by cross-out and underline. The adopted 2023 legislative program is online as a **web attachment**. Staff and Mr. Khouri will review the list at the meeting.

Staff and consultants will present verbal updates at the meeting.

ATTACHMENTS:

1. State bill list - Sep Exec

WEB ATTACHMENTS:

- [TAMC 2023 Legislative Program](#)

TAMC Bill Matrix – September 2023

Measure	Status	Bill Summary	Recommended Position
AB 7 (Friedman) Transportation: project selection processes	7/12/23 Senate Appropriations	<p>As amended on June 28, this bill would require the California State Transportation Agency (CalSTA), the Department of Transportation (Caltrans), and the California Transportation Commission (CTC) to incorporate principles outlined in the Climate Action Plan for Transportation Infrastructure (CAPTI), the federal Infrastructure Investment and Jobs Act of 2021 (IIJA), and the federal Justice40 initiative into their existing program funding guidelines and processes. TAMC staff has concerns related to provision (g), “Promoting projects that do not significantly increase passenger vehicle travel, particularly in congested urbanized settings where other mobility options can be provided and where projects are shown to induce significant auto travel. These projects should generally aim to reduce vehicle miles traveled (VMT) and not induce significant VMT growth. When addressing congestion, consider alternatives to highway capacity expansion, such as providing multimodal options in the corridor, employing pricing strategies, and using technology to optimize operations.”</p>	OPPOSE UNLESS AMENDED Priority 1S
AB 251 (Ward) California Transportation Commission: vehicle weight safety study	6/26/23 Senate Appropriations suspense file	<p>This bill would require the CTC to convene a task force to study the relationship between vehicle weight and injuries to vulnerable road users, such as pedestrians and cyclists, and degradation to roads, and to study the costs and benefits of imposing a passenger vehicle weight fee. fee, or restructuring an existing fee to include consideration of vehicle weight.</p>	Watch Priority 9S
AB 557 (Hart) Open Meetings: local agencies: teleconferences	6/29/23 Senate Floor	<p>This bill would remove the January 1, 2024, sunset on the Brown Act exemptions for boards to meet virtually during a declared state of emergency declaration provided under AB 361 (Rivas), Chapter 165, Statutes of 2021.</p>	SUPPORT Priority 15S Letter sent 6/28

TAMC Bill Matrix – September 2023

Measure	Status	Bill Summary	Recommended Position
AB 610 (Holden) Youth Transit Pass Pilot Program: free youth transit passes	8/21/23 Senate Appropriations suspense file	Upon the appropriation of moneys by the Legislature, this bill would create the Youth Transit Pass Pilot Program, administered by Caltrans for purposes of awarding grants to transit agencies for the costs of creating, designing, developing, advertising, distributing, and implementing free youth transit passes to persons attending certain educational institutions, providing free transit service to holders of those passes, and administering and participating in the program. Riders under the age of 18 would be authorized to use a system for free. This bill is like AB 1919 (Holden) from 2022, which TAMC supported.	Watch Priority 2S
AB 645 (Friedman) Vehicles: speed safety system pilot program	8/22/23 Senate Appropriations	This bill would authorize the Cities of Los Angeles, San Jose, Oakland, Glendale, and Long Beach, and the City and County of San Francisco, to establish a Speed Safety System Pilot Program. The bill would require a participating jurisdiction to adopt a Speed Safety System Use Policy and a Speed Safety System Impact Report before implementing the program, and would require the participating city or city and county to engage in a public information campaign at least 30 days before implementation of the program, including information relating to when the systems would begin detecting violations and where the systems would be utilized.	Watch Priority 9S
AB 744 (Carillo) California Transportation Commission: data, modeling, and analytic software tools procurement	8/14/23 Senate Appropriations suspense file	Upon the appropriation of funds by the Legislature, this bill would require the CTC to acquire public domain or procure commercially available or open-source licensed solutions for data, modeling, and analytic software tools to support the state’s sustainable transportation, congestion management, affordable housing, efficient land use, air quality, and climate change strategies and goals. This bill would authorize the CTC to establish best practices for use of data in transportation planning and to identify data elements that should be made available to state and local agencies for transportation planning.	Watch Priority 2S

TAMC Bill Matrix – September 2023

Measure	Status	Bill Summary	Recommended Position
AB 825 (Bryan) Vehicles: bicycles on sidewalks	8/22/23 Senate third reading	This bill would prohibit a local authority from prohibiting the operation of a bicycle on a sidewalk adjacent to a highway or corridor that does not include a Class I, Class II, or Class IV bikeway <u>until January 1, 2031</u> . The bill would require a person riding a bicycle upon a sidewalk to yield the right of way to pedestrians and to adhere to a 10-miles-per-hour speed limit.	OPPOSE Priority 9S
AB 1335 (Zbur) Local government: transportation planning and land use: sustainable communities strategy	7/12/23 Senate Appropriations	This bill would require each transportation planning agency to follow certain population projection procedures when updating the regional transportation plan. The bill would require the sustainable communities strategy to be based on population projections produced by the Department of Finance and regional population forecasts used in determining applicable city and county regional housing needs. The bill would impose similar reconciliation procedures when there are differences in the population forecast provided by the council of governments and the Department of Finance.	OPPOSE Priority 1S Letters sent 6/7
SB 304 (Laird) Monterey-Salinas Transit District: public contracting	7/21/23 Chaptered	This bill would increase, from \$100,000 to \$150,000, the monetary threshold for the Monterey-Salinas Transit District (MST) to award contracts for the purchase of supplies, materials, and equipment, to the lowest responsible bidder, or to the responsible bidder that provides the best value. The bill would require MST to obtain a minimum of 3 quotes that permit prices and terms to be compared whenever the expected expenditure required for the purchase exceeds \$10,000 but does not exceed \$150,000. The bill would apply those rules concerning monetary thresholds for contracts to contracts for the purchase of services, excluding services related to certain public construction projects and architectural, landscape architectural, engineering, environmental, land surveying, or construction project management services.	SUPPORT Priority 16S Letters sent 3/24 & 7/6

TAMC Bill Matrix – September 2023

Measure	Status	Bill Summary	Recommended Position
<p>SB 537 (Becker) Open meetings: multijurisdictional, cross-county agencies: teleconferences</p>	<p>8/15/23 Assembly third reading</p>	<p>As amended on August 14, this bill authorizes multi-jurisdictional, cross-county legislative bodies to use alternate teleconferencing provisions if the authorizing agency has adopted a resolution. The bill would require a legislative body to provide a record of attendance on its internet website within 7 days after a teleconference meeting. The bill requires a quorum of members of the legislative body to participate from <u>one or more physical locations that are open to the public and within the boundaries of the agency jurisdiction. The bill would require a member who receives compensation for their service, as specified, on the legislative body to participate from a physical location that is open to the public.</u> The bill requires the legislative body to identify in the agenda each member who plans to participate remotely and to include the address of the publicly accessible building from each member will participate via teleconference. The bill would prohibit a member from participating remotely pursuant to these provisions unless the remote location is the member’s office or another location in a publicly accessible building and is more than 40 miles from the in-person location of the meeting.</p>	<p>SUPPORT Priority 15S Letter sent 6/27</p>
<p>SB 617 (Newman) Public contracts: progressive design-build: local and regional agencies: transit</p>	<p>8/17/23 Assembly Appropriations</p>	<p>As amended on June 28, this bill authorizes a transit district, municipal operator, consolidated agency, joint powers authority, regional transportation agency, or local or regional agency, to use the progressive design-build process for up to 10 public works projects in excess of \$5,000,000 for each project. The bill would specify that this authority to use the progressive design-build process does not include inspection services for projects on, or interfacing with, the state highway system. Progressive design-build procurement is defined as a project delivery process in which both the design and construction of a project are procured from a single entity that is selected through a qualifications-based selection at the earliest feasible stage of the project.</p>	<p>SUPPORT Priority 8S Letter sent 3/24</p>

TAMC Bill Matrix – September 2023

Measure	Status	Bill Summary	Recommended Position
SB 677 (Blakespear) Intercity rail: LOSSAN Rail Corridor	6/27/23 Assembly Appropriations	This bill would require the Los Angeles – San Diego – San Luis Obispo Rail Corridor (LOSSAN Corridor) Agency, as part of the annual business plan submitted to the secretary, to include a description of the effects of climate change on the LOSSAN corridor, to identify projects planned to increase climate resiliency on the corridor, and to discuss possible funding options for those identified projects.	Watch Priority 7S
SB 695 (Gonzalez) Department of Transportation: state highway system: public data portal	7/6/23 Assembly Appropriations	This bill would require Caltrans to annually prepare and make available information and data about activities on the state highway system on a public data portal from the prior fiscal year. The bill would require Caltrans to prepare and make available data and information on a public data portal on planned, pending projects on the state highway system.	Watch Priority 3S
SB 825 (Limón) Local government: public broadband services	6/15/23 Assembly Floor	This bill would add metropolitan planning organizations and regional transportation planning authorities to the list of local government agencies included in the definition of “local agency” eligible to directly apply for local technical assistance grants administered by the California Public Utilities Commission for implementation of broadband.	SUPPORT Priority 6S Letter sent 3/24