

AGENDA  
TRANSPORTATION AGENCY FOR MONTEREY COUNTY  
SERVICE AUTHORITY FOR FREEWAYS EMERGENCIES  
AND  
MONTEREY COUNTY REGIONAL DEVELOPMENT IMPACT FEE  
JOINT POWERS AGENCY  
**\*\*\* Revised Item: 5, Attachment 1 and Web Attachment\*\*\***  
Meeting of March 23, 2016

**Agricultural Center Conference Room  
1428 Abbott Street  
Salinas, California  
9:00 AM**

**WIFI INFO:  
Network: ABBOTT CONF-GUEST  
Password (all caps): 1428AGGUEST**

*(Agendas are on display and are posted 72 hours prior to the scheduled meeting at the Transportation Agency office and at these public libraries: Carmel, Monterey, Salinas Steinbeck Branch, Seaside, Prunedale, King City, Hartnell College, Monterey Peninsula College, and Cal State University Monterey Bay. Any person who has a question concerning an item on this agenda may call the Transportation Agency office at 831-775-0903 to make inquiry concerning the nature of the item described on the agenda.) The agenda and all enclosures are available on the Transportation Agency website: [www.tamcmonterey.org](http://www.tamcmonterey.org), by clicking on Transportation Agency Board, meetings & agendas, click on agenda item and open it, click on report attachments listed at end of report.*

**1. QUORUM CHECK – CALL TO ORDER.** Transportation Agency by-laws require a quorum of a minimum of 9 voting members, including a minimum of 7 city representatives and 1 county representative.

*If you are unable to attend, please contact your alternate. Your courtesy to the other Transportation Agency Board members to assure a quorum is appreciated.*

## **PLEDGE OF ALLEGIANCE**

**1.1 ADDITIONS or CORRECTIONS** to the agenda.

**2. PUBLIC COMMENTS.** Any person may address the Transportation Agency Board at this time. Presentations should not exceed three minutes, should be directed to an item **NOT** on today's agenda, and should be within the jurisdiction of the Transportation Agency Board. *Though it is not required, the Transportation Agency Board appreciates your cooperation in completing a speaker request form available on the table at the entrance to the meeting room. Please give the completed form to the Transportation Agency Administrative Assistant. If you have handouts, please provide 30 copies for the entire Board before the meeting starts or email to Agency Administrative Assistant 24 hours in advance of the meeting.*

**3. CONSENT AGENDA**

**APPROVE** the staff recommendations for items 3.1.1 - 3.7.1 by majority vote with one motion. Any member may pull an item off the Consent Agenda to be considered for discussion and action after the Consent Agenda.

**4. RECEIVE** update on the SR 68 Scenic Highway Plan. - Leonard

*The SR 68 Scenic Highway Plan will evaluate current and future travel patterns between Salinas and the Monterey Peninsula, the feasibility of affordable mid-term operational and capacity improvements in the SR 68 corridor in context to other planned regional improvements, and the potential for wildlife connectivity enhancements.*

**5. Transportation Safety and Investment Plan - Wright**

1. **AMEND** the Transportation Safety & Investment Plan previously adopted with the following modifications:
  - a. Add Holman Highway safety project (\$10 million) as the final regionally funded project;
  - b. Reduce Imjin Road/Parkway – Safety and Traffic Improvements by \$5 million;
  - c. Increase Highway 68 – Salinas to Monterey – Safety and Traffic Flow by \$5 million;
2. **RELEASE** the plan to the cities and county for adoption; and,
3. **ADOPT** the Policies and Project Descriptions for the Transportation Safety & Investment Plan and **RELEASE** the document to the public for review.

*The Agency's Board of Directors approved a spending plan and ten of eleven regional projects for the Transportation Safety and Investment Plan on February 24, 2016. The Board decided that further discussion was needed before determining if the last regional project should be the Del Monte/Lighthouse Avenue Corridor or the Holman Highway safety project.*

6. Reports on meetings attended by Board Members at Transportation Agency expense, as required by state law.
7. Reports from transportation providers:
  - [Caltrans Director's Report – Project Update](#) – Gubbins
  - Monterey Peninsula Airport District – Sabo
  - Monterey-Salinas Transit – Sedoryk

8. Executive Director's report
9. Announcements and/or comments from Transportation Agency members on matters that they wish to put on future Transportation Agency agendas.
10. **ADJOURN**

**Please send any items for the April 27, 2015 Transportation Agency agenda to Senior Administrative Assistant Elouise Rodriguez by 12 noon, Thursday, April 14, 2015.**

The Transportation Agency Agenda will be prepared by Transportation Agency staff and will close at noon Thursday, April 14, 2015 nine (9) working days before the regular meeting. Any member 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.

*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 at 831-775-0903. Auxiliary aids or services include wheelchair accessible facilities, sign language interpreters, Spanish Language interpreters and printed materials, 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.*



## ANNOUNCEMENTS

Next Transportation Agency for Monterey County meeting will be on  
**April 27, 2016**  
**Agricultural Center Conference Room**  
**1428 Abbott Street**  
**Salinas, California**  
**9:00 A.M.**

Transportation Agency Board members will receive automatic mileage reimbursement payments not to exceed current IRS rates, (or reimbursed for the cost of transit). Payments will be made quarterly based on attendance records. Board members must submit a mileage declaration form with their declared mileage to and from the transportation agency meetings. Please call Transportation Agency office at 831-775-0903 if you need a mileage declaration form.

For Transportation Agency related travel reimbursement other than the monthly Transportation Agency meetings, please call Transportation Agency office at 831-775-0903 to request a travel reimbursement form.

The Transportation Agency web site contains information from the Transportation Agency Resource Guide, including Transportation Agency Board members, Transportation Agency committee members, grant programs, etc. Visit us at:

<http://www.tamcmonterey.org>

Documents relating to an item on the open session that are distributed to the Board less than 72 hours prior to the meeting shall be available for public inspection at the Office of the Transportation Agency for Monterey County,

55-B Plaza Circle, Salinas, CA. Documents distributed to the Agency Board at the meeting by staff will be available at the meeting; documents distributed to the Board by members of the public shall be made available after the meeting.

**Transportation Agency for Monterey County**  
**55-B PLAZA CIRCLE, SALINAS, CA 93901-2902**  
**Monday thru Friday**  
**8:00 a.m. – 5:00 p.m.**  
**TEL: 831-775-0903**  
**FAX: 831-775-0897**

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**BEGINNING OF CONSENT AGENDA:** Approve the staff recommendations for items 3.1.1 - 3.7.1 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.

**ADMINISTRATION and BUDGET**

**3.1.1** **APPROVE** minutes of the Transportation Agency For Monterey County (TAMC) Service Authority for Freeways and Expressways and Monterey County Regional Development Impact Fee Joint Powers Agency of February 24, 2016. – Montiel

**3.1.2** **ACCEPT** the list of checks written for the month of February 2016 and credit card statements for the month of January 2016. - Delfino

*The list of checks and copies of credit card statements are submitted to the Transportation Agency Board each month in accordance with the recommendation from the Transportation Agency's independent Certified Public Accountant to keep the Board informed about the Transportation Agency's financial transactions.*

**3.1.3** **RECEIVE** report on conferences or trainings attended by agency staff. – Muck

*Agency staff occasionally attends conferences or trainings at Agency expense that are pertinent to their roles in pursuing the Agency's mission. These events allow the staff to stay current and participate in the development of transportation practices and policies related to their roles.*

**3.1.4 APPROVE** revisions to the HR Rules and Regulations. - Goel

*The Agency Board first approved these policies and regulations in 2000, though periodic changes and additions have been made since then. The first comprehensive update was done in December 2005. Comprehensive updates were also done in February 2008, June 2011 and March 2012. Some revisions are being proposed at this time to bring the policies up to date.*

**3.1.5 Video Recording and Broadcasting of Board Meetings** - Wright

1. **RECIEVE** a report on the status of the TAMC Board Recordings; and
2. **AUTHORIZE** a Sole Source Authorization for Access Monterey Peninsula to provide video recording, production, broadcasting and live stream services of Transportation Agency Board meetings; and
3. **APPROVE** the use of administration funds budgeted to this purpose.

*The agreements for services with Access Monterey Peninsula and the Monterey County Superintendent of Schools for video production and television broadcasting services of the Agency's Board meetings expire on June 30, 2016. At this time, the Agency is exploring the best option for video production and television broadcasting of the Transportation Agency's Board meetings.*

## **BICYCLE, PEDESTRIAN, TRANSIT, and SOCIAL SERVICES**

### **3.2.1 AMEND** the Agency's Transportation Development Act Guidelines. - Murillo

*The Agency administers Transportation Development Act funds that are a designated source of funding for planning, bicycle and pedestrian projects and public transit. The Agency's Transportation Development Act Guidelines must be updated to reflect legislative changes in the Act from Senate Bill 508, which include updated farebox recovery ratios for transit operators.*

### **3.2.2 Section 5311 Program of Projects** - Murillo

1. **APPROVE** the Section 5311 Program of Projects in the amount of \$582,033 for Monterey-Salinas Transit service on rural transit routes;
2. **ADOPT** Resolution 2016-05 authorizing federal funding under the Federal Transit Administration Section 5311 program; and
3. **AUTHORIZE** the Executive Director to sign Regional Agency Certifications and Assurances as part of the project application.

*The Federal Transit Administration provides operating support for rural transit services through the Section 5311 non-urbanized formula funding program. This action is necessary for Monterey-Salinas Transit to receive Section 5311 funding to operate transit services in rural areas of Monterey County.*

**3.2.3 Monterey-Salinas Transit Intercity Bus Grant Application - Murillo**

1. **ADOPT** Resolution 2016-06 authorizing federal funding for Monterey-Salinas Transit under the Federal Transit Administration Section 5311(f) Intercity Bus Program through the California Department of Transportation; and
2. **AUTHORIZE** the Executive Director to sign and submit regional agency certifications and assurances.

*The Federal Transit Administration Section 5311(f) Intercity Bus Transportation program provides capital and operating assistance for public transit services with rural to urban connections on the state's intercity bus routes. The Transportation Agency is required to authorize Monterey-Salinas Transit's grant application, which will provide operating funding to continue service connecting Fort Hunter Liggett with Salinas, Soledad with Paso Robles, and continued service between King City and San Jose. The grant application will also support new service from Fort Hunter Liggett to Templeton.*

**3.2.4 Bicycle Secure Program. - Leonard**

1. **RECEIVE** 2015 Bicycle Secure Program Annual Report;
2. **APPROVE** funding each 2016 Bicycle Secure Program application, with partial awards to the largest applications, and the ability to adjust awards as funding allows.

*In 2015, the Agency restarted the Bicycle Secure Program. The 2015 Bicycle Secure Program Annual Report provides an overview the first year of the program. Additionally, the Agency received eleven applications, requesting a total of 55 bike racks, 3 bike lockers, 4 bicycle repair stations, and 5 skateboard racks for 2016 Bicycle Secure Program.*

## PLANNING

**3.3.1** **RECEIVE** state legislative update and **ADOPT** positions on bills of interest to the Agency. - Watson

*The bill list has been updated with new bills introduced in 2016 as well as two-year bills, including special session bills still under consideration. The Executive Committee received an update and discussed the list on March 2 and recommends Board adoption of the positions as indicated.*

**3.3.2** **RELEASE** Draft 2014 Regional Transportation Plan Amendment No. 1 for public review. - Leonard

*This amendment will modify the 2014 Regional Transportation Plan (RTP) Regionally Significant Projects list to include three additional projects. The draft amendment requires a 30 day public review prior to Board approval.*

## PROJECT DELIVERY and PROGRAMMING

**3.4.1** **City of Sand City Regional Surface Transportation Program Fair Share Allocation** - Delfino

1. **APPROVE** the request by the City of Sand City to reprogram \$116,406.57 in Regional Surface Transportation Program fair share funds to the Hickory Street Improvement project; and
2. **APPROVE** amending Exhibit A of the local funding agreement to include this project and funding.

*The Agency has distributed Regional Surface Transportation Program fair share funding by population to the local jurisdictions for a wide range of eligible transportation projects and is available at the discretion of the local jurisdiction for their chosen projects upon approval by the Transportation Agency Board.*

**3.4.2 City of Pacific Grove Regional Surface Transportation Program Fair Share Allocation - Delfino**

1. **APPROVE** the request by the City of Pacific Grove to allocate \$100,000.00 in Regional Surface Transportation Program fair share funds to the Holman Highway 68 Roundabout Project; and
2. **APPROVE** amending Exhibit A of the local funding agreement to include this project and funding.

*The Agency has distributed Regional Surface Transportation Program fair share funding by population to the local jurisdictions for a wide range of eligible transportation projects and is available at the discretion of the local jurisdiction for their chosen projects upon approval by the Transportation Agency Board.*

**3.4.3 County of Monterey Regional Surface Transportation Program Fair Share Allocation - Delfino**

1. **APPROVE** the request by the County of Monterey to allocate \$68,000.00 in Regional Surface Transportation Program fair share funds to the Holman Highway 68 Roundabout Project; and
2. **APPROVE** amending Exhibit A of the local funding agreement to include this project and funding

*The Agency has distributed Regional Surface Transportation Program fair share funding by population to the local jurisdictions for a wide range of eligible transportation projects and is available at the discretion of the local jurisdiction for their chosen projects upon approval by the Transportation Agency Board.*

## RAIL PROGRAM

### **3.5.1 Request for Proposals for Cal Am Pipeline Easement Appraisal - Myers**

1. **APPROVE** the scope of work for the Request for Proposals for right-of-way appraisal services and legal and negotiation assistance for the proposed Cal Am pipeline easements; and
2. **APPROVE** staff to release the Request for Proposals and return to the Board of Directors with a recommendation for approval of the consultant contract, including scope of work.

*Agency staff has been in discussions with California American Water (Cal Am) for proposed water pipeline easements along the Agency-owned Monterey Branch line rail corridor. An independent appraisal is necessary in order to assure that fair market value is paid for use of the right-of-way. The Agency will also require legal assistance in determining the structure of the agreements and in negotiating with Cal Am.*



**3.5.2 17 Station Place Lost Rent Agreement - Zeller**

1. **AUTHORIZE** the Executive Director to execute a lost rent agreement with Elaine Molinari, as Trustee of the Elaine M. Molinari Revocable Trust, in an amount not-to-exceed \$67,200, to potential lost rent at 17 Station Place, Salinas, CA while acquisition negotiations proceed;
2. **APPROVE** the use of lease revenue reserves budgeted to this purpose;
3. **AUTHORIZE** the Executive Director to make administrative changes to the agreement if such changes do not increase the Agency's net cost, subject to approval by Agency counsel.

*The Transportation Agency is seeking to acquire the hotel property at 17 Station Place in Salinas to construct upgrades of the Salinas station for the Capitol Corridor Rail Extension project. Approval of this agreement is a pre-cursor to beginning negotiations and compensates the owner for units that are or may become vacant prior to acquisition.*

**REGIONAL DEVELOPMENT IMPACT FEE**

*No items this month.*

## COMMITTEE MINUTES

### 3.7.1 ACCEPT minutes from Transportation Agency committees:

1. Executive Committee – Draft March 2, 2016
2. Bicycle & Pedestrian Facilities Advisory Committee – Draft March 2, 2016 (online at [www.tamcmonterey.org](http://www.tamcmonterey.org))
3. Rail Policy Committee – Draft March 7, 2016
4. Technical Advisory Committee – Draft March 3, 2016 (online at [www.tamcmonterey.org](http://www.tamcmonterey.org))

## END OF CONSENT AGENDA

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### CORRESPONDENCE, REPORTS, MEDIA CLIPPINGS

Online at [www.tamcmonterey.org](http://www.tamcmonterey.org)

- C1 Letters of Support for AB 2730 (Alejo): Department of Transportation: Prunedale Bypass: County of Monterey: Disposition of Excess Properties from: Association of Monterey Bay Area Governments; Cities of Del Rey Oaks, Greenfield, and Seaside; Monterey-Salinas Transit District; and the Transportation Agency for Monterey County.
- C2 Letters of Support for SB 1197 (Cannella): Intercity Rail Corridors: Extensions from the City of Salinas and the Transportation Agency for Monterey County.
- C3 Letters from the Transportation Agency for Monterey County to the Monterey County State Legislative Delegation re: Continuing Transportation Funding Crisis.



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

## Memorandum

**To:** Board of Directors  
**From:** Grant Leonard, Assistant Transportation Planner  
**Meeting Date:** March 23, 2016  
**Subject:** **SR 68 Scenic Highway Plan**

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### **RECOMMENDED ACTION:**

**RECEIVE** update on the SR 68 Scenic Highway Plan.

### **SUMMARY:**

The SR 68 Scenic Highway Plan will evaluate current and future travel patterns between Salinas and the Monterey Peninsula, the feasibility of affordable mid-term operational and capacity improvements in the SR 68 corridor in context to other planned regional improvements, and the potential for wildlife connectivity enhancements.

### **FINANCIAL IMPACT:**

The Monterey-Salinas Scenic Highway 68 plan is funded with a \$270,970 Caltrans Sustainable Transportation Planning Grant (federal funds) , matched with an additional \$176,686 of state and local funds for a total project cost of \$447,656.

### **DISCUSSION:**

In 2015, the Agency received a California Department of Transportation (Caltrans) Sustainable Communities Planning Grant to evaluate current and future travel patterns between Salinas and the Monterey Peninsula, the feasibility of affordable mid-term operational and capacity improvements in the SR 68 corridor in context to other planned regional improvements, and the potential for wildlife connectivity enhancements.

Throughout the course of the plan, the Agency will actively engage the public and partner agencies in the planning process with a program of public meetings and online outreach efforts. The plan will provide the data, analysis, and public deliberation necessary to make informed decisions to identify capacity, operational, affordable, and sustainable projects that can be implemented in the scenic Highway 68 corridor over the next twenty years.

In December 2015, the Agency approved two contracts for consultant services to complete the plan, one to conduct the wildlife connectivity analysis, and the other to conduct the travel analysis and evaluate concepts for improving travel through the corridor.

Key aspects of the plan include:

- Collecting data and documenting existing conditions and traffic volumes,
- Travel demand modeling forecasting future conditions and traffic volumes,
- Producing concepts and cost estimates for short-term and mid-term projects,
- Creating travel simulations to evaluate potential projects,
- Producing a plan that includes an implementation strategy for selected projects
- Mapping existing wildlife habitats, connectors, and crossings,
- Collecting species specific wildlife crossing data for existing connectors and crossings,
- Recommending potential wildlife mobility features and conceptual designs for new connectors, and
- Providing a wildlife connectivity report with supporting graphics for improved wildlife connectivity.

Since December, work has focused on data collection, and the development of public outreach tools. Traffic counts have been collected in order to inform the modeling of existing conditions and traffic volumes, and development of the travel demand model has begun. Additionally, the wildlife consultant has conducted a corridor-long habitat analysis, completed an inventory of existing animal crossing locations, developed a roadkill data base, and the installed wildlife monitoring cameras at key locations. Finally, a project specific website was created, equipped with an interactive corridor map to help gather public feedback about the corridor.

Going forward, the project team will continue development of the transportation model in order to create travel simulations and evaluate conceptual designs for potential improvements, as well as continue to gather wildlife crossing data in order to develop potential wildlife mobility features and conceptual designs for new connectors. As part of the public outreach process, the project team will be holding a public workshop along the corridor in April, meet with community groups and stakeholders individually, and promote the interactive project website.

The SR 68 Scenic Highway Plan is expected to be complete by fall of 2017.

Approved by:   
Debra L. Hale, Executive Director

Date signed: March 10, 2016

Regular Agenda

Counsel Approval: N/A  
Admin/Finance Approval: N/A



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

## Memorandum

**To:** Board of Directors  
**From:** Theresa Wright, Community Outreach Coordinator/Associate Transportation Planner  
**Meeting Date:** March 23, 2016  
**Subject:** Transportation Safety and Investment Plan

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### RECOMMENDED ACTION

1. **AMEND** the Transportation Safety & Investment Plan previously adopted with the following modifications:
  - a. Add Holman Highway safety project (\$10 million) as the final regionally funded project;
  - b. Reduce Imjin Road/Parkway – Safety and Traffic Improvements by \$5 million;
  - c. Increase Highway 68 – Salinas to Monterey – Safety and Traffic Flow by \$5 million;
2. **RELEASE** the plan to the cities and county for adoption; and,
3. **ADOPT** the Policies and Project Descriptions for the Transportation Safety & Investment Plan and **RELEASE** the document to the public for review.

### SUMMARY

The Agency's Board of Directors approved a spending plan and ten of eleven regional projects for the Transportation Safety and Investment Plan on February 24, 2016. The Board decided that further discussion was needed before determining if the last regional project should be the Del Monte/Lighthouse Avenue Corridor or the Holman Highway safety project.

### FINANCIAL IMPACT

The proposed 3/8% sales tax will raise approximately \$20 million per year, for a total of \$600 million over 30 years for road repair, safety and mobility improvements. 60% of the funds (est. \$360 million) will be allocated to the cities and County for road repairs and safety projects, and 40% (est. \$240 million) for regional safety and mobility projects.

### DISCUSSION

Due to the 50% cut in the gas tax's purchasing power over the last twenty years, the Transportation Agency has been looking to raise local money to help fund the region's growing transportation needs, and become a self-help county. State law requires the regional transportation planning agency, in this case TAMC, to develop an expenditure plan for a transportation sales tax measure, which is the proposed Transportation Safety and Investment Plan.

On February 23, 2016, the Agency's Board of Directors agreed to a spending plan for the Transportation Safety & Investment Plan that will split the estimated \$600 million raised through the transportation sales tax. The Board approved a 60% /40 % split of revenues between local and regional projects, respectively; and approved a formula based upon 50% population and 50% lane miles for distribution of the 60% local share amongst the cities and the county.

At the February meeting, the Board of Directors also received a list of eleven regional projects recommended for funding through the sales tax measure. The following ten projects were approved for regional funding by the Board:

**Highway and Road Safety: \$160 million**

- Highway 68 –Salinas to Monterey
- Highway 156 Interchange at Castroville Blvd
- US 101 – South County Frontage Roads
- Imjin Road/Parkway
- Highway 1 - Rapid Busway
- Habitat Preservation/Mitigation (for the above projects)

**Mobility for Youth, Seniors, Working Families: \$80 million**

- Safe Routes to Schools
- Commuter Bus Transit, Salinas Valley Transit Center(s), Vanpools
- Senior Transportation
- FORTAG - regional paved path

The Board postponed a decision as to whether the 11<sup>th</sup> project should be the Del Monte/Lighthouse Avenue safety project or the Holman Highway safety project. After subsequent discussions between the cities of Monterey and Pacific Grove, the City of Monterey assumed responsibility for the Del Monte/Lighthouse project within their local share. The city further recommended that the regional funds delegated to the Del Monte/Lighthouse project be reassigned to the Holman Highway project. Staff is recommending that the Board of Directors accept the recommendation and approve the Holman Highway safety project as the 11<sup>th</sup> regional project in the Investment Plan.

The Discussion Draft Expenditure Plan released by the Board in December 2015 recommended a 50/50 percent split for local and regional projects. After public input, the plan was modified to address the \$1 billion backlog in deferred road maintenance needs. That modification resulted in the Board's adoption of a 60/40 percent split for local and regional projects. This action shifted \$60 million out of the regional projects resulting in some projects being deleted and funding being reduced for other projects. This action also created further dialog from community members about the importance of the River Road project and the Highway 68 project.

The County has agreed to assume responsibility for the River Road project and will fund it through their local share (note that River Road Safety, Operations and Maintenance listed as a County project in the *Policies and Project Descriptions* document). Given the high priority of the Highway 68 project to the traveling public, and the regional economy, staff is recommending an increase in the allocation for the Highway 68 project from \$45 million to \$50 million. This change will be funded by shifting \$5 million from the Imjin Road Project. Staff believes that the Imjin Project can proceed despite the reduction in funding by leveraging matching funds or adjusting the project scope. This project is a good candidate for leveraging funding because it is already partially funded in the State

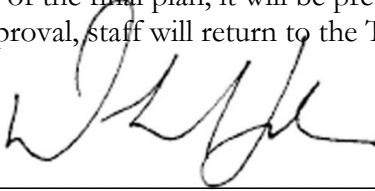
Transportation Improvement Program, and will be ready to construct within 3 years. With these changes, staff believes that there can be consensus in support of the Safety and Investment Plan.

An additional provision that was agreed to by the community leaders group was a requirement that the local road funding be focused on maintenance and safety and not result in new roads or lanes, since maintenance and safety needs are so great. City representatives generally agreed to this restriction. However, the City of Soledad wishes to use its local share of the sales tax revenue to improve access to Pinnacles National Park, a project called the Pinnacles Parkway Connection. This project does include a new road that would connect Los Coches Road to SR-146/Metz Road. This project was formerly proposed as a regional project, but did not make it to the final list. Staff is proposing to allow this project to be eligible despite restrictions on new lane miles for all other local roads projects, and has added a notation to the Local Road Maintenance, Pothole Repair and Safety Projects section of the Investment Plan policies document granting this limited exemption.

The proposed Transportation Safety and Investment Plan must be adopted by a majority of the cities representing a majority of the population and then placed on the ballot by the County Board of Supervisors. The plan must be approved and placed on the ballot by early August, 2016 for the November 2016 ballot. The plan will require at least 2/3rds voter approval to be successful.

**Attachment 1** is the proposed final Transportation Safety and Investment Plan. **Attachment 2** is the *Policies and Project Descriptions* document, which provides the technical provisions and detailed project descriptions. The Plan emphasizes strong taxpayer safeguards: a firm sunset date, financial audits, transportation project eligibility requirements, a citizen oversight committee, certification of eligible expenditures, and a requirement that local jurisdictions maintain prior investment levels for local road and street maintenance funding. The policies for the local funding have been developed in conjunction with the City Managers group. The attached version of the *Policies and Project Descriptions* is undergoing a final review and additional modifications may be proposed for consideration at the March 23 meeting.

After Board release of the final plan, it will be presented to each city and the county for approval. After City and county approval, staff will return to the TAMC Board of Directors' adoption of the final Plan and ordinance.



Approved by: \_\_\_\_\_  
Debra L. Hale, Executive Director

Date Signed: **March 18, 2016**

Regular Agenda

Counsel Approval: N/A  
Finance Approval: N/A

Attachments:

1. \*\*\*REVISED\*\*\*Proposed final Transportation Safety and Investment Plan
2. \*\*\*REVISED\*\*\*Policies & Project Descriptions for the Plan





Keep  
Monterey  
County  
Moving



# Transportation Safety & Investment Plan



# TAMC Board of Directors

## ROADS & POTHOLES



## MOBILITY & ACCESS



## SAFETY & TRAFFIC



## WALKING & BIKING



### Voting Representatives

County of Monterey Board of Supervisors

City of Carmel-by-the-Sea

City of Del Rey Oaks

City of Gonzales

City of Greenfield

City of King City

City of Marina

City of Monterey

City of Pacific Grove

City of Salinas

City of Sand City

City of Seaside

City of Soledad

### Non-voting Ex-officio Representatives

Association of Monterey Bay Area Governments

Caltrans District 5

City of Watsonville

Monterey Bay Unified Air Pollution Control District

Monterey Regional Airport

Monterey-Salinas Transit

# Our Plan

## ROADS & POTHOLES



The Transportation Agency for Monterey County's mission is to proactively fund and plan a transportation system that enhances mobility, safety, access, environmental quality and economic activities by investing in regional transportation projects for Monterey County residents, businesses and visitors.

Our Board of Directors is made up of local elected officials who want to make our transportation system better by filling potholes, making our roads safer, and reducing traffic. Representative of the County's diversity, our Board has one elected official from each of our twelve cities, and all five county supervisors.

## MOBILITY & ACCESS



The Transportation Agency for Monterey County, working with our local, state, and federal partners, has made great progress on making our highways safer and reducing traffic, ranging from large projects, such as US 101 at San Juan Road; to rail or bus service; to smaller projects such as neighborhood sidewalks, bicycle paths and bike racks. However, our transportation system in Monterey County is aging and the county roads and city streets are crumbling. There are still significant safety concerns and traffic jams, such as those on Highway 68, Highway 156 and US 101. These issues stifle our regional economy and make it more difficult for our vulnerable populations – the elderly, children and the disabled – to get around.

## SAFETY & TRAFFIC



The challenge facing us is that we have fallen off the fiscal cliff when it comes to transportation revenues. The gas tax hasn't been raised for 20 years, and our cars are more fuel-efficient than ever before. We can't count on the State and federal government to bail us out. Meanwhile, the cost of projects rises with inflation, and road repairs become more expensive the longer we wait. We have over \$2 billion dollars in unfunded road maintenance, safety and traffic reduction needs in Monterey County.

## WALKING & BIKING



Community leaders have joined with the Transportation Agency for Monterey County to develop this Transportation Safety Investment Plan, which identifies solutions to regional safety and local road needs of the highest priority.

*Community Leaders have joined with the Transportation Agency for Monterey County to develop this Transportation and Safety Plan*

# Our Plan

## ROADS & POTHOLES



### Local Road Maintenance, Pothole Repairs & Safety

\$360 million for maintenance of local streets, pothole repairs, and safety improvements.

### Transportation for Youth, Seniors, Disabled & Working Families

Investing in transportation options for older adults to support their ability to live independently in their homes and communities. Also, funding for youth transportation and new bus and vanpool service for workers to reach jobs throughout the region.

## MOBILITY & ACCESS



### Increase Safety and Reduce Traffic Congestion

Constructing regionally significant improvements based on input from key community leaders, the TAMC Board, city managers and mayors. These projects include safety improvements at the top collision locations and/or corridors within the county.

## SAFETY & TRAFFIC



### Make Walking and Biking Safer

Improving the safety and health of children by funding Safe Routes to Schools projects and programs that promote safe walking, bicycling and rides to schools, including transportation to Rancho Cielo. Also includes funding for a safe, paved regional biking and walking path that links California State University Monterey Bay, local schools and residents to parks, shops and jobs in Seaside, Marina, Del Rey Oaks, and Monterey (the Fort Ord Recreational Trail and Greenway).

To ensure proper safeguards for these funds, this Investment Plan will be approved by the County, the cities, and then the voters. The money can only be spent on what is in the plan. There will be annual audits and a Citizens Oversight Committee.

Localities must demonstrate that they are not shifting existing funds out of transportation projects in order to receive new monies. Since the funds are locally generated, the state cannot take the money away.

## WALKING & BIKING



But most importantly, with an approved transportation measure, our County will qualify for State and federal matching funds, essentially doubling our money.

Making this investment now in our future transportation needs will help to maintain our quality of life and ensure safer travel for all of Monterey County's residents, workers and visitors.

# Our Plan

## ROADS & POTHOLES



## MOBILITY & ACCESS



## SAFETY & TRAFFIC



## WALKING & BIKING



### Taxpayer Safeguards

Strong taxpayer safeguards have been put in place to ensure that the projects and programs proposed in this balanced plan can be funded over its lifetime. They include:

- Guarantees that funding raised by the sales tax can only be used for the transportation projects and programs in this investment plan;
- Specifies that the Transportation Agency for Monterey County will oversee the distribution of revenues to the projects and programs in this plan;
- Assures that these local monies cannot be taken and used for other purposes by TAMC or another government agency;
- Appoints an independent Citizens Oversight Committee to assure that revenues are spent according to the plan;
- Requires annual independent audits and reports to the taxpayers;
- Limits the ability to change the programs or projects in the Investment Plan;
- Sets a 1% limit on funds used to pay for administrative salaries and benefits; and
- Provides the ability to issue bonds to deliver projects ahead of schedule.

*Strong taxpayer safeguards ensure that the projects and programs will be funded over the lifetime of the plan.*



# Our Plan

## ROADS & POTHOLES



## MOBILITY & ACCESS



## SAFETY & TRAFFIC



## WALKING & BIKING



### Safety & Investment Plan

The Safety & Investment Plan is estimated to receive \$20 million per year, or \$600 million total, funded by a 3/8-percent sales tax over 30-years. The revenues are split with 60% dedicated to local road maintenance, pothole repairs and safety projects, and 40% dedicated to regional safety and mobility projects.

### Local Road Maintenance, Pothole Repairs & Safety – \$360 million (est.)\*

- Cities and County select their projects, with Transportation Agency oversight.
- Flexible local funding is restricted to expenditures for local road maintenance and safety projects.
- Local safety projects are defined as projects that directly correlate to safety of the user and do not increase motor vehicle lane miles with the exception of the Pinnacles Parkway Connection project.
- Maintenance of prior years' funding levels from other sources is required.

**Formula: 50% by Population, 50% by Lane Miles**

Jurisdiction	Est. 30-Year Distribution
Carmel	\$4,292,000
Del Rey Oaks	\$1,566,000
Gonzales	\$4,386,000
Greenfield	\$9,131,000
King City	\$8,097,000
Marina	14,370,000
Monterey	\$22,643,000
Pacific Grove	\$12,314,000
Salinas	\$91,383,000
Sand City	\$586,000
Seaside	\$22,193,000
Soledad	\$12,595,000
County Roads	\$156,444,000
<b>Total</b>	<b>\$360,000,000</b>

# Our Plan

## ROADS & POTHoles



### Regional Safety, Mobility & Walkability Projects - \$240 million (est.)\*

- Constructs regionally significant improvements selected based on input from key community leaders, transportation planners and engineers, and your elected representatives.
- Includes traffic flow improvements on Highways 68, 101 and 1.
- Includes safety improvements at the top collision locations and corridors within the county.

## MOBILITY & ACCESS



### Highway & Road Safety \$160 million

Highway 68 Safety & Traffic Flow <i>Salinas to Monterey</i>	\$50 million
US 101 Safety Improvements - South County <i>South County Frontage Roads</i>	\$30 million
State Route 156 Safety Improvements <i>Castroville Boulevard Interchange</i>	\$30 million
Imjin Safety & Traffic Improvements <i>Multimodal Corridor Improvements</i>	\$20 million
Highway 1 Traffic Relief - Busway	\$15 million
Holman Highway 68 Safety & Traffic Flow† <i>Monterey to Pacific Grove</i>	\$10 million
Habitat Preservation/Advance Mitigation <i>Habitat Plan and Advance Right-of-way for Projects</i>	\$5 million

## SAFETY & TRAFFIC



### Mobility for All \$80 million

Pedestrian & Bike Safety <i>Fort Ord Regional Trail and Greenway - paved pathway</i>	\$20 million
Transportation for Youth, Seniors Disabled & Working Families <i>Safe Routes to Schools</i>	\$20 million
<i>Senior &amp; Disabled Transportation</i>	\$15 million
<i>Commuter Bus, Salinas Valley Transit Center(s) &amp; Vanpools</i>	\$25 million

## WALKING & BIKING



\*Visit [tamcmonterey.org](http://tamcmonterey.org) for policies and project descriptions.

† Proposed change to plan, replacing Del Monte/Lighthouse Corridor project. Vote will occur at TAMC Board Meeting March 23, 2016.





# Keep Monterey County Moving



## Policies & Project Descriptions for the Transportation Safety & Investment Plan



# Project Descriptions & Policies

## ROADS & POTHOLES



Since May of 2015, the Transportation Agency has engaged in a public outreach effort to inform the public about our transportation needs, funding challenges and the “self-help” option. For the Investment Plan, we gathered the input from months of presentations to our “Community Leaders” stakeholders’ group, city managers and public works directors, and elected officials. Based upon the responses we heard from these groups, the following categories have been identified as priorities for the Transportation Investment Plan:

## MOBILITY & ACCESS



- Local Road Maintenance, Pothole Repairs & Safety
- Increase Safety and Reduce Traffic Congestion
- Improve Transportation for Youth, Seniors, Disabled and Working Families
- Make Walking and Biking Safer

## SAFETY & TRAFFIC



The goals of this investment plan are to make traveling safer, reduce traffic, fix potholes and improve the condition of our local roads, and provide meaningful alternatives to driving alone. The funding is divided into two basic programs to reach these goals:

- Local Road Maintenance, Pothole Repairs & Safety – 60%
- Regional Safety, Mobility, & Walkability – 40%

## WALKING & BIKING



As funds are received, they will be set aside for these two separate accounts according to the percentages listed above, after deducting no more than 1% on funds to pay for administrative salaries and benefits. All interest earned shall remain within its respective program category.

# Project Descriptions & Policies

## ROADS & POTHOLES



## MOBILITY & ACCESS



## SAFETY & TRAFFIC



## WALKING & BIKING



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**Local Road Maintenance, Pothole Repairs and Safety Priority Projects\***

These are just some of the local projects that will be constructed using the money from this measure.

*\*Priority project lists are currently being developed by each city and the County and will be added to this document when they are received.*

**County Roads**

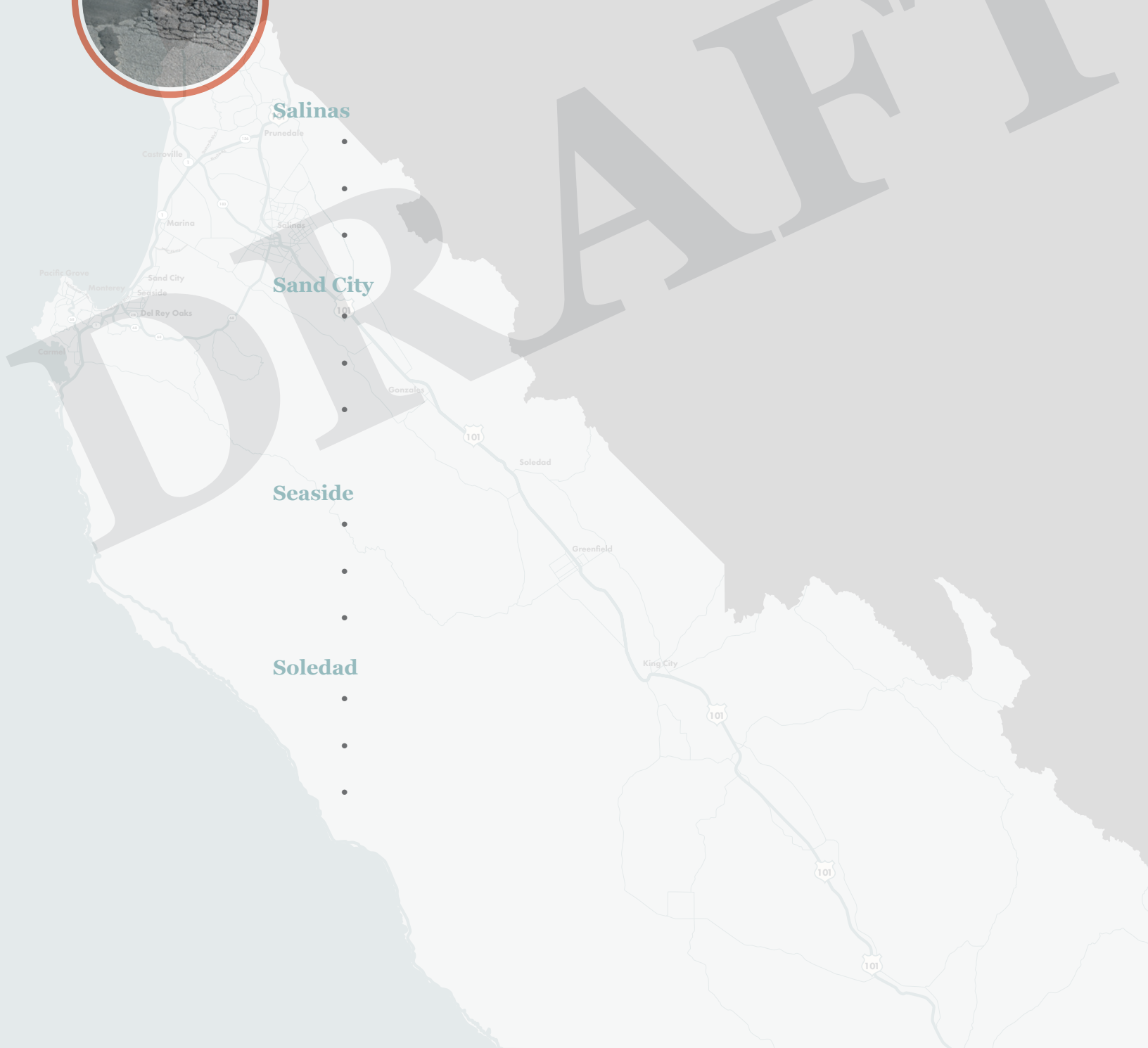
- River Road - Safety, Operations and Maintenance

**Carmel**

**Del Rey Oaks**

**Gonzales**







## Local Road Maintenance, Pothole Repairs & Safety

Through tax sharing agreements with the cities and the County of Monterey, this program will receive 60% of the transportation sales tax funds, estimated at a total of \$360 million over 30 years.

This program will provide flexible funding to cities and the County of Monterey to help them reduce the maintenance backlog on their aging street and road systems. In addition, these funds can be used for other local transportation needs that will reduce accidents and improve operations for all people and transportation modes, including local bicycle and pedestrian projects.

City and county formula shares shall be allocated based 50% on population and 50% lane miles. The Transportation Agency for Monterey County will update the funding shares formula annually at the beginning of each fiscal year using Department of Finance population figures and Association of Monterey Bay Area Governments (or equivalent) lane mile data. If the number of incorporated cities changes, the funding calculation shall account for changes in population and lane miles for the new and existing jurisdictions.

City and the county formula shares will be distributed to each city and the County by the County of Monterey Auditor-Controller on a quarterly basis by an agreement between TAMC and the County. This program is intended to augment, rather than replace, existing transportation expenditures; accordingly, the tax sharing agreements with cities and the County will include each of the following requirements to receive funds:

### **Use for Transportation Purposes Only**

The cities and County must agree to use sales tax funds for transportation purposes only, subject to full repayment for any misuse.





## Local Road Maintenance, Pothole Repairs & Safety

### **Transportation Safety & Investment Plan Account**

For ease of tracking and to assure full transparency, all revenues received and expenditures of these funds will be accounted for and tracked in its own separate budget and fund titled “The Transportation Safety & Investment Plan Account” and will not be comingled with any other funds.

### **Regional Development Impact Fees**

Cities and the County shall maintain participation in the Transportation Agency for Monterey County’s Regional Development Impact Fee program and impose these fees on new development as applicable to assure that new development pays for its impacts on the regional transportation system.

### **Eligibility Verification**

The cities and County will select transportation projects that meet eligibility criteria as identified in this plan. The local jurisdictions will certify in the annual verification submitted to TAMC that these transportation funds were used for eligible expenses.

### **Maintaining Local Transportation Funding Efforts**

The local jurisdictions will certify in the annual verification submitted to TAMC that these transportation funds will be used to augment and not supplant annual resources spent. For purposes of this calculation an average of the prior three (3) years spent for local transportation purposes as defined in this document will be used. Exemptions from this calculation include onetime capital expenses, and expiration of any voter approved or state controlled fund sources that were used for local transportation purposes. In the case of expired voter approved or state controlled fund sources, the three year average baseline would be recalculated in the next annual verification period without said expired fund sources.



## Local Road Maintenance, Pothole Repairs & Safety

### Monitor Local Street and Road Conditions

In order to receive these funds, the cities and County shall develop, or participate in the development of by TAMC, a pavement management program. They shall submit regular reports on the conditions of their streets, to ensure timely repairs and keep the public informed. Development of the pavement management program by TAMC is eligible to be funded out of this program prior to distribution of funds to the cities and County.

### Enforcement of Policies

The tax sharing agreements will also include enforcement procedures, designed to reassure the public that tax revenues are spent in accordance with the ballot language. For example, each of the above conditions will be subject to verification and annual audit by the Transportation Agency for Monterey County. Failure to meet any of the above conditions will result in the suspension of the distribution of funds from the County Auditor-Controller to the deficient city/county. Resumption of funding distribution by the County Auditor-Controller to the deficient city/county will resume only after full repayment for any misuse, and conformation of compliance to each of the above conditions by the Transportation Agency for Monterey County. Transportation Safety & Investment Plan funding accrued due to the failure of a city/county to meet the above conditions will be held in trust for up to two (2) years for said jurisdiction, after which the funds will be redistributed to the remaining cities/county in Monterey County per formula. The tax sharing agreements will also provide that resumption of funding can occur at any time during the life of the Transportation Safety & Investment Plan upon compliance with the above conditions and full repayment of any prior misused funds.





## Local Road Maintenance, Pothole Repairs & Safety

### Eligibility Criteria

#### Road and Street Maintenance and Repairs

Filling potholes, repairing, resurfacing or reconstructing roads, streets and bridges, or otherwise conducting maintenance to extend the lifetime of the roadway network and/or reduce or eliminate liability and safety concerns. Repairs, reconstruction or maintenance of walkways or bikeways are also eligible.

#### Road Safety and Operations

Improvements designed to reduce traffic collisions and related injuries and fatalities, as well as projects designed to reduce traffic delays. Examples of safety projects include, but are not limited to: roundabouts, turning lanes, traffic signals or other intersection improvements, hazard eliminations, safety barriers, traffic calming or speed reduction measures. New lane miles or roadways are not eligible with the exception of the Pinnacles Parkway Connection project.

#### Walkability and Pedestrian Safety

Projects designed to make neighborhoods or corridors walkable by making walking safer, more comfortable and convenient. Examples include, but are not limited to: sidewalks, lighted crosswalks, walking paths, landscaping or other barriers from traffic, bulbouts to shorten the crossing distance, safe haven islands, pedestrian countdown signals, street or path lighting and traffic calming.

#### Bike Safety Projects

Projects designed to support safe and convenient bicycling for all levels of riders. Examples include, but are not limited to: new or improved bikeways (lanes, paths, bridges, protected lanes or other barriers to automobile traffic); removing barriers to bicycling (curbs, medians, etc.); signal detectors; and, bicycle racks, lockers and other storage facilities.



## Local Road Maintenance, Pothole Repairs & Safety

### Street Enhancements

Streetscape projects that enhance the safety and experience of the transportation corridor. Examples include, but are not limited to: lighting, landscaping, drainage improvements.

### New Technology

Projects that support or include new technology to promote transportation safety, mobility, cost savings or air quality improvements. Examples include, but are not limited to: electric vehicle chargers, vehicle detection systems, traffic signal synchronization.

### Matching Funds

These funds can be utilized to match grants, loans, programs and pay annual debt service to fund eligible local road maintenance or safety projects as defined in this document. Eligible costs include those directly-related to projects or programs described above, including: corridor studies, research and planning, environmental review and mitigation, right-of-way acquisition, construction, improvement, maintenance, and operations. Examples are not exhaustive but projects must be transportation-oriented. However, in no instance shall funding be used to pay for general operating or staff costs that are not directly related to an eligible transportation project.

### Environmental and Engineering Standards

Projects will be designed to meet current standards, and will include bicycle and pedestrian access whenever possible. Projects will be thoroughly studied for environmental impacts and the identified environmental mitigations will be included in the project.

# Project Descriptions & Policies

## ROADS & POTHOLES



## Regional Safety, Mobility, & Walkability

The Regional Safety, Mobility, and Walkability program will receive 40% of the revenues.

These revenues, estimated at approximately \$240 million, will be matched with development fees and state and federal funding to pay for key safety and congestion relief, transit, and bicycle/pedestrian projects. Most projects will be funded by a mix of funding sources, using the sales tax revenues to leverage outside sources of funding.

## MOBILITY & ACCESS



Projects will be designed to meet current standards, and will include bicycle and pedestrian access whenever possible. They will be thoroughly studied for environmental impacts and the identified environmental mitigations will be included in the project.

### Eligible Project Costs

Eligible project costs include all conceptual studies, project development costs, right-of-way acquisition, construction costs and any other costs needed to deliver the projects, unless otherwise noted in the project description.

## SAFETY & TRAFFIC



### Funding or Cost Changes

Transportation planning experts, including independent financial and engineering professionals have carefully crafted these policies and project descriptions with conservative revenue estimates and reasonable project cost contingencies. There are, however, many unforeseen circumstances that can arise over 30 years. The actual funding needs to construct the regional roadway projects may be higher or lower due to factors that are outside their control. 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. Sales tax revenues or anticipated matching funds may also fall below or above projections. Should funding fall short, the Transportation Agency will prioritize the delivery of safety and congestion relief projects. Should revenues for a given phase exceed projections, monies shall first be used to accelerate the delivery of projects, and only then consider adding new safety or mobility projects to the list.

## WALKING & BIKING





Top 10 Traffic Collision Corridor in Monterey County

## Highway 68 Safety & Traffic Flow

### Salinas to Monterey

Make intersection and other capacity & operational improvements to increase safety and improve traffic flow between Toro Park and Highway 1.

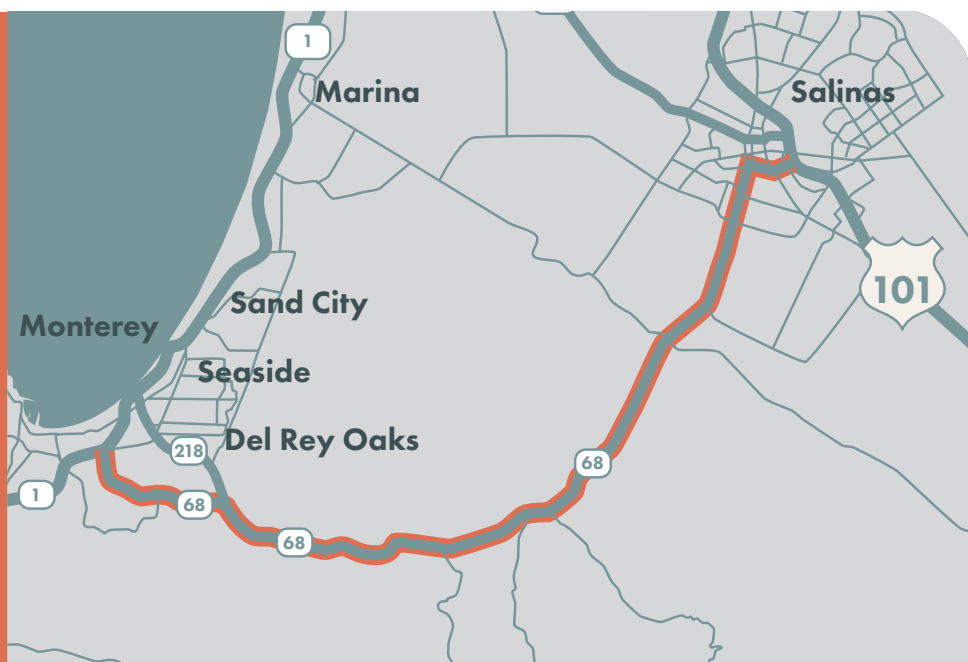
### Project Purpose

Highway 68 is the main connector between Monterey County's two principal urbanized areas, Salinas and the Monterey Peninsula, serving commuters and the residents, schools and business parks along the corridor. Traffic congestion along Highway 68 is currently at gridlock during the morning and afternoon commute periods. This project will provide relief to commuters in the Highway 68 corridor in a manner that is cost-effective and environmentally sensitive. A team of planners, engineers and community representatives is currently developing the proposed corridor improvements.

### Investment Plan Funding: \$50 Million

### Project Benefits:

- Improves safety
- Reduces congestion and delays on Highway 68
- Supports regional travel between Monterey Peninsula and Salinas
- Improves access for local residents





Top 10 Traffic Collision Corridor in Monterey County

## State Route 156 Safety Improvements

### State Route 156/Castroville Boulevard Interchange

Build a new interchange at Castroville Boulevard and Highway 156, with connections to Blackie Road to improve access for commercial traffic.

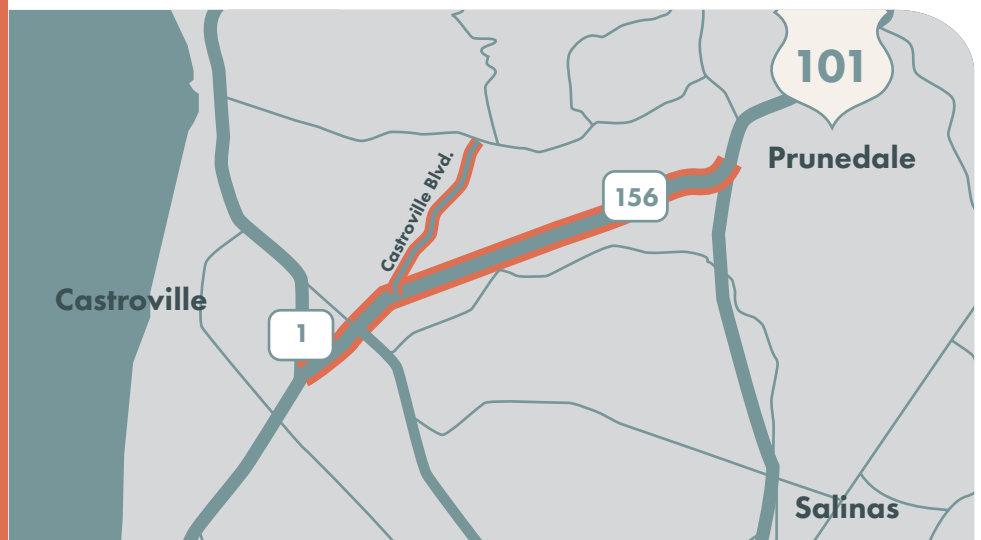
#### Project Purpose

Highway 156 at Castroville Boulevard is the top collision location in Monterey County. In addition, Highway 156 is the major link connecting the San Francisco Bay area and North Monterey County to the Monterey Peninsula. With its present narrow configuration, it currently operates over capacity, with substantial delays and safety concerns, particularly during special events on the Monterey Peninsula. This congestion affects travel to and from the Peninsula as well as travel between US 101 and Highway 1 for local residents. In addition, the traffic impedes access to the Oak Hills neighborhood. This project will direct truck traffic from Merritt Street in Castroville and away from the accident-ridden Highway 183 / 156 interchange. It will also help relieve traffic congestion on Highway 156 while improving safety and local traffic circulation in North Monterey County.

#### Project Benefits:

- Provides traffic congestion relief for 32,000 vehicles per weekday
- Improves safety for Oak Hills and other local communities
- Improves safety at intersections
- Supports our \$2 billion per year visitor economy
- Improves movement of valuable goods to market

#### Investment Plan Funding: \$30 Million







**Top 10 Traffic Collision Corridor in Monterey County**

**US-101 Safety Improvements - South County**

**South County Frontage Roads**

Construct frontage roads along US-101 between South Salinas (Abbott Street on/off-ramp) and King City.

**Project Purpose:**

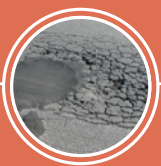
Traffic on US 101 in South County is increasingly impacting the highway as well as adjoining interchanges. The lack of frontage roads means that agricultural trucks must use the highway to make local trips, adding to traffic congestion and forcing U-turns and other tricky maneuvers on US 101. Antiquated interchanges all along US 101 will not be able to accommodate traffic in the near future. The purpose of this project is to improve safety and relieve future traffic congestion by eliminating multiple highway crossings while providing the necessary frontage roads to allow farmers access to their lands.

**Investment Plan Funding: \$30 Million**

**Project Benefits:**

- Improves safety and relieves traffic congestion on US 101
- Reduces conflicts with slow moving agricultural vehicles
- Supports regional travel between Salinas and south Monterey County cities
- Improves access for local residents





**Top 10 Traffic Collision Corridor in Monterey County**

**Imjin  
Safety &  
Traffic Flow  
Improvements**

**Multimodal Corridor Improvements**

Widen Imjin from 2 to 4 lanes between Reservation Road and Imjin Road and make bike and pedestrian safety and transit improvements along the corridor.

**Project Purpose**

This project will provide a transit, bicycle, pedestrian and auto corridor that will connect Salinas to Marina and California State University Monterey Bay. Features of the project will include new travel lanes, bicycle facilities, sidewalks, transit stops/shelters, transit prioritization at signalized intersections.

**Investment Plan Funding: \$20 Million**

**Project Benefits:**

- Reduced travel times between Salinas and the Peninsula
- Improves safety for all travelers
- Creates a more comfortable regional bicycle route
- Improves pedestrian safety in the corridor





**Top 10 Traffic Collision Corridor in Monterey County**

**Highway 1  
Traffic Relief -  
Busway**

Create a new rapid bus corridor along Highway 1 between Monterey and Marina, with possible extensions to Castroville, utilizing the shoulder of the highway and / or portions of the parallel rail right-of-way, to provide a way for commuters to spend less time in traffic.

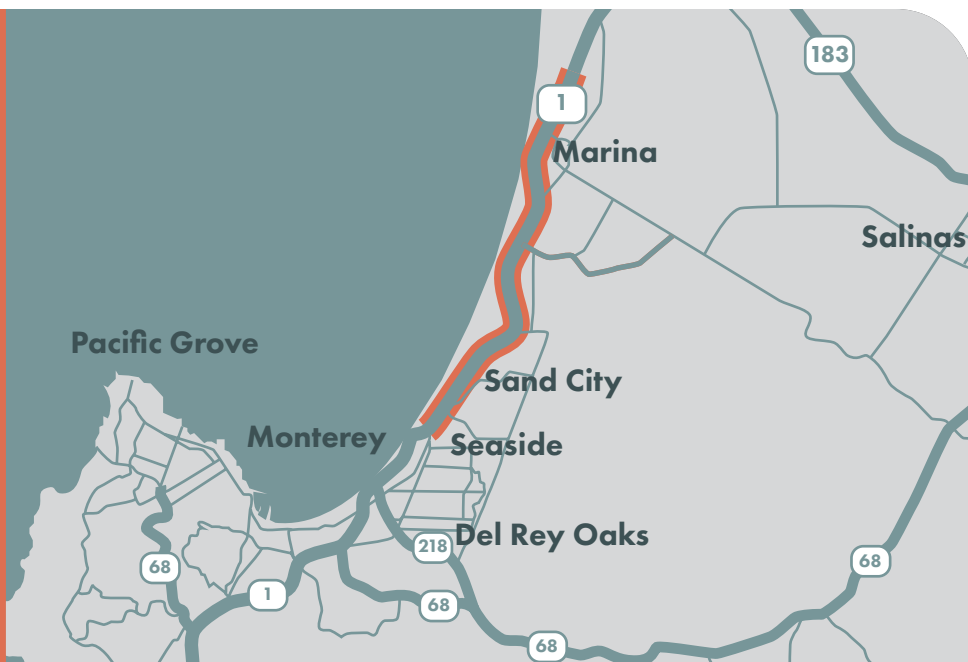
**Project Purpose**

Rapid bus corridors, also known as “bus rapid transit”, are an innovative concept to build improvements to that allow buses to travel more rapidly than cars in a corridor. This project is a low cost way to reduce travel times on the busy Highway 1 corridor.

**Investment Plan Funding: \$15 Million**

**Project Benefits:**

- Increases transit service
- Reduces bus and automobile travel times
- Improves air quality







## Holman Highway 68 Safety & Traffic Flow

### Monterey to Pacific Grove – Holman Highway

Make road, bike and pedestrian safety improvements on Holman Highway 68 between Highway 1 and Asilomar.

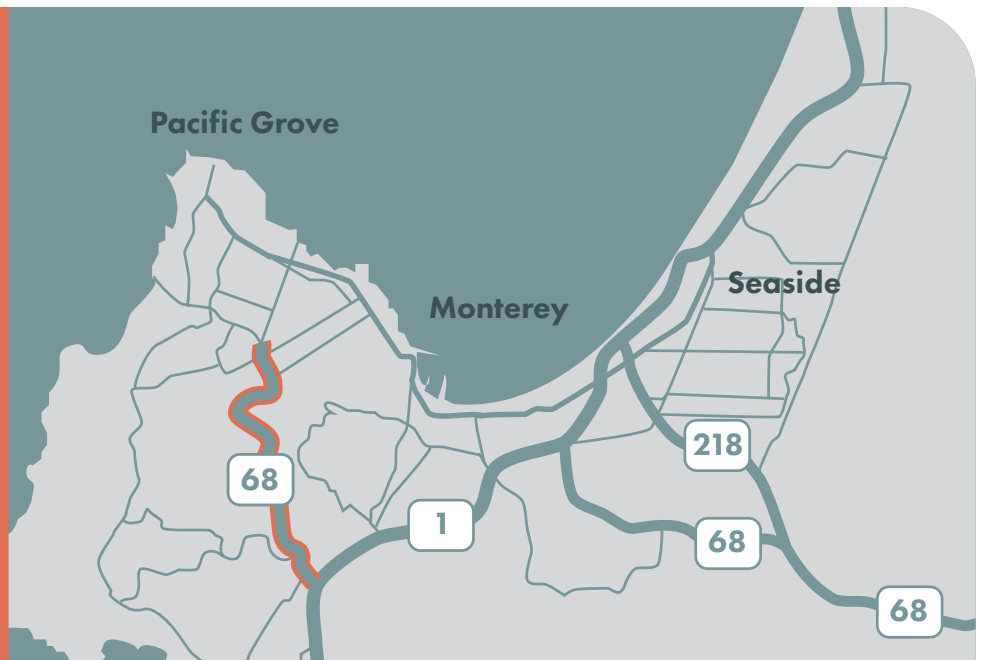
#### Purpose

With its present narrow configuration, Holman Highway currently is very congested during peak commute periods and during special events on the Monterey Peninsula. This project, phase 2 of the improvements to this area, will improve emergency access to the hospital and facilitate the flow of traffic between Highway 1 and Pacific Grove.

**Investment Plan Funding: \$10 Million**

### Project Benefits:

- Provides safety improvements
- Improves emergency access for patients going to the hospital
- Facilitates commuter and other travel to and from Pacific Grove, Pebble Beach and Monterey
- Reduces congestion on Highway 68 leading to the Highway 1 interchange





## Habitat Preservation/ Advance Mitigation



### Habitat Plan and Advance Right-of-way

Create a plan that identifies high quality habitat to acquire to replace land that is needed to construct the transportation projects in this investment plan. The plan will allow early preservation of quality habitat, while reducing the cost and the time it takes to build transportation projects.

### Project Purpose

By surveying the project right of way needs and planning ahead, this project will allow quality habitat parcels to be purchased early to better meet strict environmental conservation requirements. Eligible uses of funds include creation of a habitat conservation plan, contributions towards the purchase of habitat, and purchase of interest or credit in a “land conservation bank”.

Transportation projects may have unavoidable impacts to sensitive habitat. The projects in this plan will be carefully designed to preserve sensitive habitat whenever possible, but where impacts are unavoidable, habitat must be preserved elsewhere, to more than offset the project’s impacts. The goal of this program is to mitigate habitat impacted by transportation projects in a more comprehensive and cost-effective manner so as to benefit both taxpayers and the environment.

### Project Benefits

- Preserves quality habitat at a lower cost
- Accommodates a wide range of projects that vary greatly in size and scope
- Reduces uncertainty for landowners

**Investment Plan Funding: \$5 million**



## Pedestrian & Bike Safety

### **Fort Ord Regional Trail and Greenway (FORTAG) – Paved Transportation Corridor**

Create a new paved regional active transportation route to serve as a safe pedestrian and bicycle corridor connecting Seaside, Marina, Del Rey Oaks, Monterey, and unincorporated county residents to California State University Monterey Bay, Fort Ord National Monument, and the Monterey Bay Sanctuary Scenic Trail transportation corridor.

#### **Project Purpose**

The project is a continuous 12-ft wide paved bikeway with an open space buffer on both sides incorporating habitat, parks, playing fields, developed outdoor recreation sites and associated amenities. The northern loop of FORTAG encircles Marina, following a 13 mile route that includes 3 miles of the existing “Coastal Rec Trail”. The southern loop of FORTAG encircles Seaside and bisects Del Rey Oaks, following a 15 mile route that includes 4 miles of the existing coastal trail system. The route includes spurs connecting with existing and planned bike/pedestrian infrastructure. Several sections of the paved trail will link to nearby unpaved trails

#### **Project Benefits**

- Provides a safe connection between residential areas, schools, workplaces, regional parks, and city services
- Enhances property values along the greenway corridor
- Provides community health benefits from active transportation alternatives
- Creates economic benefits from associated retail, hospitality, and competitive events

**Investment Plan Funding: \$20 million**







## Transportation for Youth, Seniors, Disabled & Working Families

### Safe Routes to Schools

Improve the safety and health of children by funding projects and programs (such as sidewalks, bikeways and educational programs) that promote safe walking and bicycling to school. Also, funds may be used to transport young people to vocational training at Rancho Cielo and similar non-profit programs.

### Project Purpose

Thirty years ago, 60% of children living within a 2-mile radius of a school walked or bicycled to school. Today, that number has dropped to less than 15%. Roughly 25% commute by school bus, and well over half are driven to or from school in vehicles. And back then, 5% of children between the ages of 6 and 11 were considered to be overweight or obese. Today, that number has climbed to 20%. These statistics point to a rise in preventable childhood diseases, worsening air quality and congestion around schools. This program is intended to reverse these trends by funding projects that improve children's health by making walking and bicycling safer and easier.

### Project Benefits

- Improves safety for children walking and biking to school
- Creates better connections between schools, such as Ranch Cielo, and residential areas
- Enhances air quality
- Provides healthier transportation choices for school children and parents

**Investment Plan Funding: \$20 million**





## Transportation for Youth, Seniors, Disabled & Working Families

### Senior & Disabled Transportation Services

Increase transportation services for older adults and persons with disabilities to support their ability to live independently in their homes and communities.

#### Program Purpose

The number of Monterey County residents 75 years of age and older is projected to increase from 19,000 in 2000 to 44,000 in 2030. The health and well-being of seniors and persons with disabilities depends on their ability to travel to health care, engage in social activities, and go shopping independently. Providing low-cost transportation services will allow working adults to help their parents and grandparents thrive. This program will fund non-profit transportation that will support seniors and persons with disabilities.

#### Project Benefits:

- Gives seniors more transportation options
- Supports independent travel by people with disabilities
- Provides safer and more reliable senior transportation services

#### Investment Plan Funding: \$15 million





## Transportation for Youth, Seniors, Disabled & Working Families



### **Commuter Bus, Salinas Valley Transit Center(s) & Vanpools**

This Program will fund new bus and vanpool services for workers to reach jobs throughout the region, create a new bus maintenance facility in King City, and create a new bus facility in the Salinas area to reduce operating costs.

#### **Project Purpose**

Commuters are looking for alternatives to driving on congested roads between Monterey and Salinas and the Salinas Valley. Bus travel between these cities is very popular, with buses often at standing room only during rush hour, with long travel times and waits. Increasing the frequency of this commuter bus service will make this alternative to driving more convenient for commuters. In addition, new bus facilities in the Salinas Valley will help to reduce operating costs for Monterey-Salinas Transit.

#### **Project Benefits**

- Increases transit service and frequency, including service between King City and Salinas
- Reduces greenhouse gas emissions
- Improves traffic flow and travel times

**Investment Plan Funding: \$25 million**



# Project Descriptions & Policies

## ROADS & POTHOLES



### Use of Excess 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.

## MOBILITY & ACCESS



### Removal or Addition of Projects

Removal or addition of any project on the safety and congestion relief project list, for any reason, shall require an amendment to the Investment Plan.

### Expenditure Plan

The Transportation Agency will prepare and adopt by a vote of the Transportation Agency Board a Strategic Expenditure Plan within twelve months of the sales tax taking effect. The expenditure plan will include project cost estimates, revenue estimates, other matching funds, and a draft timeline for regional project delivery.

## SAFETY & TRAFFIC



The Transportation Agency will consider the following criteria when establishing the delivery schedule of the Transportation Improvement Projects:

- Project Readiness: including the degree of completion of environmental and design phases; well-documented preliminary cost estimates, and documented community support as appropriate;
- Project Funding: Availability of matching funds from other sources, including federal, state and local monies;
- Relative Level of Need or Urgency for the project, in consideration of safety and congestion relief impacts;
- Cost Effectiveness, including the ability to construct the project in the short term for a large long-term gain in safety or congestion relief; and,
- Fair Geographic Distribution of projects reflecting where growth is occurring throughout the County.

## WALKING & BIKING



# Project Descriptions & Policies

## ROADS & POTHOLES



### **Governance & Safeguards**

The investment plan includes strong taxpayer safeguards to ensure that the projects and programs approved by the voters are funded and delivered over its 30-year lifetime. These safeguards are as follows:

### **Firm Sunset Date**

This tax will be imposed for a period of 30 years. Collection of the tax will start on April 1, 2017 and cease after 30 years.

### **Funds Are Exclusively for Transportation**

Under no circumstances may the proceeds of this transportation sales tax be applied to any purpose other than for transportation projects, programs and activities.

### **Independent Audits**

The sales tax program shall be subject to an annual audit by an independent firm to confirm that the program is meeting the voter-approved requirements in the plan and following accepted accounting standards.

### **Program Administration**

The Transportation Agency for Monterey County shall have the responsibility for administering and distributing the transportation sales tax proceeds. The Transportation Agency is an independent agency composed of one representative from each city in the county plus the five County supervisors.

### **One-Percent Spending Limit on Salaries and Benefits**

The purpose of this measure is to deliver transportation improvements. Administrative costs shall be kept to the minimum required to deliver projects on time and within budget. In no case shall more than 1% of revenues from this measure be used to pay for Transportation Agency administrative salaries and benefits, and only for activities related to the sales tax program.

## MOBILITY & ACCESS



## SAFETY & TRAFFIC



## WALKING & BIKING





# Project Descriptions & Policies

## ROADS & POTHoles



### Amendments to the Plan

It is the intent that this plan will be implemented as approved by the voters. However, there may be unforeseen circumstances that occur over the 30-year implementation period. The Transportation Agency for Monterey County may propose amendments to the Plan to respond to unforeseen circumstances, or to provide for the use of additional federal, state, local or other funds. To modify the plan, an amendment must be approved by a 2/3 vote of the Transportation Agency for Monterey County Board of Directors, and by a simple majority weighted vote of the Transportation Agency for Monterey County Board of Directors based on population, following a noticed public hearing, a 45-day comment period and Citizens Oversight Committee review and recommendation of approval.

## MOBILITY & ACCESS



### Loans Within the Program

Unspent funds may be loaned from one category to another at prevailing interest rates provided that repayment occurs within five years. Loans may also be made to projects outside of this program to projects at risk of delays due to a shortfall in State or federal funding, provided repayment is made within five years. Such loans may not interfere with the implementation of programs or projects in the loaning category and must be approved with a 2/3 vote of the Transportation Agency for Monterey County Board of Directors and by a simple majority weighted vote of the Board of Directors based on population, with Citizens Oversight Committee review and recommendation of approval.

## SAFETY & TRAFFIC



### Bonding Provisions

Early delivery of projects is a goal of this program to maximize project benefits and reduce costs. This Investment Plan anticipates accelerating the delivery of projects in the Regional Safety, Mobility, & Walkability program by issuing bonds. The issuance of bonds is based on the assurance that repayment of bonds is the first priority for the use of sales tax funds.

## WALKING & BIKING



### Published Results of Audits and Annual Reports

Results of the Independent Audit, Citizens Oversight Committee findings, and the Annual Report must be published and made available to the general public.

# Project Descriptions & Policies

## ROADS & POTHOLES



## MOBILITY & ACCESS



## SAFETY & TRAFFIC



## WALKING & BIKING



### Citizens Oversight Committee

A Citizens Oversight Committee representing a diverse range of community interests shall be formed within 6 months of voter approval of this measure. The committee shall meet at least once a year or as often as monthly. Meetings shall be open to the public. The Committee's duties shall be as follows:

- **Independent Audits:** Have full access to the Agency's independent auditor and review the annual audits, have the authority to request and review specific financial information, and provide input on the audit to assure that funds are being expended in accordance with the requirements of this plan;
- **Plan Changes:** Review and make recommendations on any proposed changes to the plan, prior to Transportation Agency Board consideration;
- **Project Delivery and Priorities:** Review and comment on project delivery schedules as represented in the Strategic Expenditure Plan and make recommendations to the Transportation Agency on any proposals for changing project delivery priorities; and
- **Annual and Final Reports:** Prepare annual reports regarding the administration of the program, to be presented to the Transportation Agency Board of Directors and posted on the Transportation Agency for Monterey County website.

# Project Descriptions & Policies

## ROADS & POTHoles



The Citizens Oversight Committee membership shall include one representative from each of the following organizations or interests:

1. League of Women Voters
2. A bona fide taxpayers association from the Salinas Valley
3. A bonafide taxpayers association from the Monterey Peninsula
4. Senior or disabled services agency
5. Pedestrian or bicycle transportation advocate
6. Transit users
7. Labor organization
8. Central Coast Builders Exchange
9. Chamber of Commerce –Salinas Valley
10. Chamber of Commerce - Monterey Peninsula
11. Agriculture
12. Habitat preservation
13. Hospitality
14. Education

## MOBILITY & ACCESS



## SAFETY & TRAFFIC



## WALKING & BIKING



Members and their alternates shall be nominated by the bona fide organization they are representing and appointed by the Transportation Agency Board of Directors. Additional members may be appointed by the Transportation Agency Board of Directors to assure that a broad range of geographic and stakeholder interests are represented on the committee; however, no case shall Committee membership excluding alternates exceed 20. Initial member terms shall be staggered with half serving a 2-year term and half serving a 3-year term as specified by the Transportation Agency. Any member may be reappointed to a 2-year term for an unlimited number of terms.

# Project Descriptions & Policies

## ROADS & POTHOLES



### Matching Funds Opportunity

This program will give Monterey County the opportunity to double its transportation resources. With an approved transportation measure, our county will qualify as “self-help.” Residents in “self- help” counties have passed sales tax measures to meet the transportation needs of their communities. These are locally controlled dollars that can’t be taken by the state and can only be used for projects approved by the voters.

## MOBILITY & ACCESS



Self-Help Counties are able to compete for matching state and federal grants, thereby leveraging their local dollars to further enhance their ability to meet their transportation needs.

### Risk of Not Investing

Our transportation infrastructure is aging and county roads and city streets are crumbling. The current state of transportation in Monterey County is detrimental to our regional economy. There are many key corridors, such as Highway 68 between Salinas and Monterey, which suffer collisions and traffic jams that make commuting difficult. The transit system can be crowded and serviced by infrequent buses, which discourages motorists from taking alternative forms of transportation. In many communities, there is a lack of safe walkways and bicycle routes between neighborhoods and schools.

## SAFETY & TRAFFIC



Failure to invest in our transportation future will prolong and exacerbate the current issues and make it that much more difficult and expensive to fix the problems later. Our county will also lose out on our fair share of matching state and federal funds. Now is the time to construct the projects in the Transportation Safety & Investment Plan and keep Monterey County moving.

## WALKING & BIKING



For more information on our transportation needs, visit the Transportation Agency for Monterey County’s website at [tamcmonterey.org](http://tamcmonterey.org).



# Community Leaders Advisory Group

## ROADS & POTHOLES



Alliance for Jobs  
Alliance on Aging  
Bay Bikes  
Big Sur International Marathon  
Big Sur Land Trust  
Building Healthy Communities  
California State University Monterey Bay

League of Women Voters of Monterey County

Meals on Wheels of the Monterey Peninsula

Monterey Bay Area Managers

Monterey County Convention & Visitors Bureau

Monterey County Farm Bureau

Monterey County Hospitality Association

Monterey County Office of Education

Monterey County Public Works

Monterey County Vintners and Growers Association

Monterey Peninsula Chamber of Commerce

Monterey Peninsula Taxpayers Association

Monterey-Salinas Transit

North County Fire District

North Monterey County LULAC

Salinas Seniors Center

Salinas United Business Association

Salinas Valley Chamber of Commerce

Salinas Valley Taxpayers Association

Sierra Club

Southern Monterey County Rural Coalition

Supervisor Parker's Office

## MOBILITY & ACCESS



Carpenters Union  
Castroville Community Service District  
Central Coast Center for Independent Living  
Central Labor Council (including Unite Here, SEIU)

Communities Organized for Relational Power in Action

Community Hospital of the Monterey Peninsula

Community Housing Improvement Systems and Planning Association, Inc. (CHISPA)

Elkhorn Slough Foundation

Fort Ord Recreational Trail and Greenway

Gourley Construction

Graniterock Company

International Brotherhood of Electrical Workers

LandWatch Monterey County

## SAFETY & TRAFFIC



## WALKING & BIKING





Highway 1 near Big Sur in Monterey County

WINTER 2016

## District Director's Report

A quarterly publication for our transportation partners



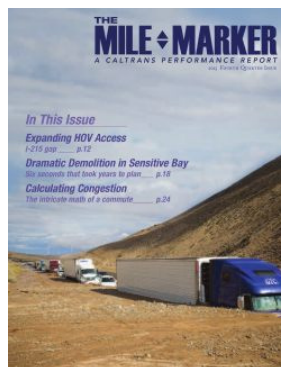
### Preparing for El Niño

Maintaining rapid and appropriate response to storm damages and keeping the traveling public informed are top priorities for the Caltrans Maintenance Division. This year's efforts are a bit more extensive than during an average rainy season, according to Senior Maintenance Engineer Lance Gorman, P.E.

Highway 1 at Big Sur frequently sustains winter storm damage, especially between San Carpoforo Creek, just south of Ragged Point in San Luis Obispo County, and the Carmel River Bridge in Monterey County. This location has a high concentration of endangered and protected resources requiring multi-agency emergency preparation. Every year, Maintenance crews diligently prepare for winter storms by doing the following:

- Keeping the public informed.

- Monitoring, clearing and repairing all highway culverts and drainage structures.
- Coordinating with emergency responders to expediently open closed roadways.
- Working collaboratively with local resource agencies on specific area needs.
- Providing a uniform approach regarding maintenance forces overseeing a major damage site.



### Mile Marker

### Winter Edition Released

The Mile Marker: A Caltrans Performance Report is now available online. This edition features closing the carpool lane gap on Interstate 215 in Southern California, the demolition of the largest pier on the old Bay Bridge and the new 2015 Strategic Highway

## Caltrans District 5



District Director

Timothy Gubbins

Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability.

Safety Plan addressing reduced fatalities and severe injuries on all public roads. For more information:

<http://www.dot.ca.gov/MileMarker/2015-4/index.html>.

### Rosales leads Program Project Management



Deputy District Director  
Richard Rosales

Richard Rosales is the new Deputy District Director of Program Project Management. He has served Caltrans for more than 29 years, including 15 years as a project manager in four of the District's five counties. He's experienced in encroachment permits, construction, design and hydraulics, and holds a Bachelor's degree in civil engineering from CSU-Cal Poly, Pomona. He enjoys spending time with his family, basketball, hunting, and golfing.





## Highway 17 Access Management Plan

Addressing mobility, access and safety in coordination and partnership are the main goals for the multi-agency *Highway 17 Access Management Plan*. The study presents unique challenges as it considers access in a rural area carrying heavy traffic with mountainous terrain. So far, Caltrans has hosted three workshops in the communities of Happy



Valley, Loma Prieta and Scotts Valley, garnering public comment from those traversing the highway daily.

The second round of workshops, scheduled in the spring, will present potential concepts for addressing the public's identified needs and issues from the earlier sessions.

The plan focuses on preserving both the function and operation of the highway corridor and local road network, reducing conflict points, and coordinating land use



and transportation planning. Ultimately, the plan will allow Caltrans and its partners to proactively manage the highway's existing and future access from the Granite Creek Road interchange to the Santa Cruz-Santa Clara county line.

Caltrans' partners on this planning effort include Santa Cruz County Supervisor John Leopold, District 1; Santa Cruz County Supervisor Bruce McPherson, District 5; Santa Cruz County; Santa Cruz County Regional Transportation Commission; California Highway Patrol; and the City of Scotts Valley. Caltrans invites public input on this plan, which is available online at:

<http://www.ca-hwy17amp.org/>.



## Concrete pavement for Highway 46

The Highway 46 East (Whitley 2B) project will widen the highway to four lanes for more than four miles near Shandon in San Luis Obispo County. This is District 5's first project to feature Continuously Reinforced Concrete Pavement, which provides the following major benefits:

- Sustainable and minimal maintenance.
- Reduced worker safety risks, future maintenance costs and traffic closures.

- Tighter transverse cracks and fewer joints, resulting in smoother pavement and reduced water penetration and potential base damage.
- Lower life cycle costs despite higher initial costs.
- Ability to handle heavier truck loading and volumes.

Concrete pavement is now being installed across the nation and around the world, according to the Federal Highway Administration. It has the potential to provide a sustainable, long-term, *zero maintenance*, service life under heavy traffic loadings and challenging environmental conditions. Currently, the \$47 million project is being advertised for construction. It is scheduled for completion in summer 2018. More information on concrete pavement is available at:

[http://www.dot.ca.gov/hq/maint/Pavement/Offices/Pavement\\_Engineering/PDF/CRCR-Design\\_Const-Guide-Jun-5-07.pdf](http://www.dot.ca.gov/hq/maint/Pavement/Offices/Pavement_Engineering/PDF/CRCR-Design_Const-Guide-Jun-5-07.pdf).







# PROJECT UPDATE – MONTEREY COUNTY

PREPARED FOR MARCH 23, 2016 TRANSPORTATION AGENCY FOR MONTEREY COUNTY'S MEETING

## COMPLETED CONSTRUCTION PROJECTS

	Project	Location	Description	Construction Timeline	Construction Cost	Funding Source	Implementing Agency	Project Manager (Resident Engineer)	Contractor	Comments
1.	<b>Route 68 East Hitchcock Road Signal (0T2704)</b>	Along SR 68 near Salinas at Hitchcock Road (PM 19.2)	Install traffic signal	Summer 2015-March 1, 2016	\$904,000	SHOPP	Caltrans	David Rasmussen (TL)		Project completed and accepted on March 1, 2016.

## CONSTRUCTION PROJECTS

	Project	Location	Description	Construction Timeline	Construction Cost	Funding Source	Implementing Agency	Project Manager (Resident Engineer)	Contractor	Comments
2.	<b>Highway 1 Elephant Trunk Slide Permanent Restoration (1A7004)</b>	On Highway 1 in northern San Luis Obispo County and southern Monterey County about 3 miles north of San Carpoforo Creek Bridge to Limekiln Creek (PM 73.7-74.0)	Construct a 1,000-foot-long retaining wall for permanent restoration and to stabilize settlement	Spring 2015 – Winter 2016/17	\$9.5 million	SHOPP	Caltrans	Lisa Lowerison (RS)	John Madonna Construction of San Luis Obispo, CA.	Daytime work only, consisting of one-way reversing traffic control.
3.	<b>Highway 1 Cow Cliffs Viaduct (1F8904)</b>	In Monterey County Near Lucia from 0.1 Mile South of Big Creek Bridge to 2.8 Miles South of Dolan Creek Bridge (PM 28.0-28.4)	Construct Viaduct	Summer 2015-Fall 2016	\$3.9 million	SHOPP	Caltrans	Ken Dostalek (TL)	RGW Construction Inc. Livermore, CA	Signal controlled one-way traffic control. 10-minute traffic holds for movement of equipment. A few full overnight closures starting in February, weather permitting.
4.	<b>Hwy. 152 Accessible Pedestrian Signals (1G280)</b>	9 intersections in Monterey County along Routes 68, 156, 183 and 218 (other locations in SCr, SBT and SLO Counties)	Install accessible pedestrian signals	Winter, 2016	\$1.3 Million	SHOPP	Caltrans	Kathy DiGrazia (LB)	PTM Engineering, Riverside, CA	Locations: 5 locations on Hwy. 68 1 location on Hwy. 156 2 locations on Hwy 183 1 location on Hwy 218



# PROJECT UPDATE – MONTEREY COUNTY

PREPARED FOR MARCH 23, 2016 TRANSPORTATION AGENCY FOR MONTEREY COUNTY'S MEETING

## CONSTRUCTION PROJECTS (Cont'd.)

	Project	Location	Description	Construction Timeline	Construction Cost	Funding Source	Implementing Agency	Project Manager (Resident Engineer)	Contractor	Comments
5.	<b>Hwy. 1 Monterey to Marina CAPM (1A7604)</b>	In Monterey County, from Sloat Avenue Undercrossing to South Marina Overhead (PM R77.56-R85.3)	Pavement Preservation (CAPM)	Fall 2015-Summer 2016	\$9.2 million	SHOPP	Caltrans	Kathy DiGrazia (TL)	Granite Construction Co. Watsonville, CA	On-going daytime roadwork. Project scheduled to be completed at the end of summer, 2016, weather permitting.
6.	<b>Monterey-Santa Cruz ADA (0R5104)</b>	On SR 1 and Hwy. 68 and 218 at various locations (other locations in Santa Cruz County)	Construct curb ramps, sidewalks, and modify signal and lightings	Fall 2015 – Fall 2016	\$1.2 Million	SHOPP	Caltrans	Kathy DiGrazia (BR)	Pacific Infrastructure, Vacaville, CA	Locations: 35 curb ramps at 16 intersections in Mon. County along Routes 1, 68 and 218.
7.	<b>Highway 68 Salinas River Bridge Widening (0F7004)</b>	In Monterey County on Route 68 near Salinas from 0.2 mile East of Reservation Rd. undercrossing to Spreckels Blvd. undercrossing (PM R17.4/R18.0)	Bridge Widening	Spring 2016	\$9.8 million	SHOPP	Caltrans	David Rasmussen (PM)	Viking Construction Co. of Rancho Cordova	Construction expected in Spring 2016
8.	<b>Hwy. 101 South Greenfield Median Barrier (1E0604)</b>	In and near Greenfield from Teague Ave. to Walnut Ave. OC (PM 47.7-53.9)	Concrete median barrier, inside shoulder widening and rumble strip	Spring 2016— Summer 2016	\$4, 475,000	SHOPP	Caltrans	Aaron Henkel (PM)	Granite Construction Company, Watsonville	Project currently in winter suspension until April and will take approximately three months to complete.



# PROJECT UPDATE – MONTEREY COUNTY

PREPARED FOR MARCH 23, 2016 TRANSPORTATION AGENCY FOR MONTEREY COUNTY'S MEETING

## CONSTRUCTION PROJECTS (Cont'd.)

	Project	Location	Description	Construction Timeline	Construction Cost	Funding Source	Implementing Agency	Project Manager (Resident Engineer)	Contractor	Comments
9.	<b>Hwy. 101 Soledad CAPM (1F69U4)</b>	In Monterey County North of Greenfield Overcrossing to North of Gonzales Overcrossing (PM 55.2-73.8)	Pavement Preservation	February 1, 2016-Winter 2016	\$22.9 million	SHOPP	Caltrans	Aaron Henkel (PM)	Graniterock, Watsonville	Construction began February 1.
10.	<b>Hwy. 101/San Juan Road Interchange (31580_)</b>	On Route 101 near Prunedale.4 mile south of Dunbarton Road in Mon. Co. (PM 100.0-101.3)	Construct new interchange at San Juan Road and US 101	Dec. 3, 2012-Summer 2016 (Timeframe includes Plant Establishment Work)	\$46.2 Million	STIP/CMI A/ARRA	Caltrans	David Silberberger (JW)	GCC/MCM A JV, Watsonville	The new interchange and related improvements were fully open to traffic on July 17, 2015. However, the project remains active due to a 1 year plant establishment process which is targeted to be completed by the Summer of 2016.

## PROJECTS IN DEVELOPMENT

	Project	Location	Description	Construction Timeline	Construction Cost	Funding Source	Implementing Agency	Project Manager (Resident Engineer)	Comments
11.	<b>Highway 1 Paul's Slide Repair (0T850)</b>	Near Lucia north of Limekiln Creek Bridge to south of Lucia (PM 21.6/22.1)	Widen Highway, Install Catchment	Fall 2019	\$16 million	SHOPP	Caltrans	Ken Dostalek (PM)	Project scope has changed from constructing a viaduct to installing a catchment and improving drainage. May require widening of highway and installation of retaining structures.
12.	<b>Highway 1 Safety Upgrades: Hurricane Pt. to Rocky Creek Viaduct (1A000)</b>	In Monterey County north of Big Sur south of Bixby Creek Bridge to south of Rocky Creek Bridge (PM 58.3/59.8)	Shoulder Widening, Guardrail Upgrades, Potential Retaining Wall	Summer 2019	\$5 million	SHOPP	Caltrans	Ken Dostalek (PM)	Project Development Team making concerted effort to minimize visual impacts. Formation of proposed Aesthetic Design Advisory Committee (ADAC) put on hold until visual impacts better assessed (target date around the time environmental phase in September of 2016).



# PROJECT UPDATE – MONTEREY COUNTY

PREPARED FOR MARCH 23, 2016 TRANSPORTATION AGENCY FOR MONTEREY COUNTY’S MEETING

PROJECTS IN DEVELOPMENT (Cont’d.)									
	Project	Location	Description	Construction Timeline	Construction Cost	Funding Source	Implementing Agency	Project Manager (Resident Engineer)	Comments
13.	<b>Highway 68 Pacific Grove Shoulder Widening (1C250)</b>	In Monterey County, Pacific Grove to Scenic Drive (PM 1.6/L4.0)	Shoulder Widening, Rumble Strips, Guardrail	Spring 2021	\$2.5 million	SHOPP	Caltrans	David Rasmussen (PM)	Project is currently in environmental phase and it is expected to move to design phase in 2016.
14.	<b>Highway 68 Pacific Grove Centerline Rumble Strip (1G450)</b>	In Monterey County East of Piedmont Avenue to West of the JCT RTE 1/68 (PM1.6/L4.1)	Centerline Rumble Strip & OGAC	Summer 2018	\$1.7 million	SHOPP	Caltrans	David Rasmussen (PM)	Project is currently in environmental phase and it is expected to move to design phase in 2016.
15.	<b>Highway 101 North Greenfield Median Barrier (1G380)</b>	In Monterey County from just North of Walnut Avenue (53.9-57.1)	Median barrier and inside shoulder rumble strip with shoulder widening	Fall 2018	\$4.1 million	SHOPP	Caltrans	Aaron Henkel (PM)	Project is in design phase and will be ready to go to bid by 3/1/2017.
16.	<b>Highway 156 Castroville Median Barrier (1F730)</b>	In Monterey County in and near Castroville from junction of SR1 to Castroville (PM R0.1/R1.6)	Median Barrier and Rumble Strip	Summer 2016	\$900,000	SHOPP	Caltrans	David Silberberger (PM)	Project ready to go out for by late March 2016.
17.	<b>Highway 156 West Corridor (31600)</b>	On SR 156 btwn Castroville and Prunedale (PM R1.6-T5.2)	Construct new 4-lane divided freeway and new interchanges	Fall 2019-Fall 2023	\$264 million	STIP / Federal Demo	Caltrans	David Silberberger (PM)	The project team is now focusing their attention on delivering a Supplemental Environmental Impact Report (EIR) through a standard process, with Caltrans and TAMC partnering to produce the final document. This Supplemental EIR will provide important information regarding the feasibility of moving ahead with tolling as a source of revenue for this project.

TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC)  
 SERVICE AUTHORITY FOR FREEWAYS AND EXPRESSWAYS  
 MONTEREY COUNTY REGIONAL DEVELOPMENT IMPACT FEE  
 JOINT POWERS AGENCY

**Draft Minutes of February 24, 2016 TAMC Board Meeting**

Held at the  
 Agricultural Center Conference Room  
 1428 Abbott Street, Salinas

TAMC BOARD MEMBERS	FEB 15	MAR 15	APR 15	MAY 15	JUN 15	AUG 15	SEP 15	OCT 15	DEC 15	JAN 16	FEB 16
F. Armenta, Supr. Dist. 1- <b>Chair</b> (J. Martinez)	P(A)	P	P	P(A)	P	P	P	P	P(A)	P	P
J. Phillips, Supr. Dist. 2 (J. Stratton; C. Link)	P	P	P	P	P	P(A)	P	P	P(A)	P	P
S. Salinas, Supr. Dist. 3- (C. Lopez)	P(A)	P	P	P(A)	P	P	P	P	P(A)	P	P
J. Parker, Supr. Dist. 4- (K. Markey)	P	P(A)	P(A)	P	P(A)	P(A)	P	P	P	P(A)	P
D. Potter, Supr. Dist 5 - <b>2nd Vice Chair</b> ( <del>K. Lee</del> ; J. Mohammadi)	P(A)	P	P	P(A)	P(A)	P(A)	P	P	P(A)	P(A)	P(A)
J. Burnett, Carmel-by-the-Sea (V. Beach)	P(A)	P	P	P(A)	P	P(A)	P(A)	P	-	P(A)	P(A)
J. Edelen, Del Rey Oaks- (K. Clark)	P	P	P	P	P	E	P	P	P	-	P
M. Orozco, Gonzales (J. Lopez)	P	-	P	P	P(A)	P	P	P	P	P	P
J. Huerta, Greenfield (R. Rodriguez)	P	P	P	P	P	P	-	-	P(A)	P	P
B. Hendrickson, King City (M. LeBarre)	P	-	P	P	E	P	P	P	P	P(A)	P(A)
B. Delgado, Marina (F. O'Connell)	P(A)	P(A)	P	P	-	P	P	P	P	P(A)	P
E. Smith, Monterey (R. Deal)	P(A)	P	P	-	P	P	E	P	-	P	P
R. Huitt, Pacific Grove (C. Lucius)	P	P	P	P	P	P	P	P	P	P	P
K. Craig, Salinas - <b>Past Chair</b> (R. Russell, J. Serrano)	P	P	P	P	P	E	P	P	P(A)	P	P
T. Bodem, Sand City (L. Gomez)	E	P	P	P	P	P	-	P	-	P	P
R. Rubio, Seaside (I. Oglesby)	P	P	P	P	P	P	P	P	P	P	P(A)
A. Chavez, Soledad - <b>1<sup>st</sup> Vice Chair</b> (F. Ledesma)	P	P	P	P	P	P	P	P	P	P	P
M. Twomey, AMBAG (H. Adamson)	P(A)	P(A)	P	P	P	P(A)	P(A)	P(A)	P(A)	P	P
T. Gubbins, Caltrans, Dist. 5 ( <del>A. Loe, C. Jones, J. Olenik, Rider</del> )	P(A)	P	P	P	P(A)	P(A)	P(A)	P(A)	P(A)	P(A)	P
R. Stedman, Monterey Bay Unified Air Pollution Control District (A. Clymo, <del>A. Romero</del> )	P(A)	P(A)	P(A)	P	-	-	P(A)	P	P	P	-
B. Sabo, Monterey Regional Airport	P	P	-	P	P	P	-	P	P	P	P
C. Sedoryk, MST ( <del>M. Hernandez, H. Harvath,</del> L. Rheinheimer)	P	P	P	P	P	P(A)	P	P	P(A)	P	P
E. Montesino, Watsonville (D. Dodge)	-	-	-	-	-	-	-	-	-	-	-

<b>TAMC STAFF</b>	<b>FEB 15</b>	<b>MAR 15</b>	<b>APR 15</b>	<b>MAY 15</b>	<b>JUN 15</b>	<b>AUG 15</b>	<b>SEP 15</b>	<b>OCT 15</b>	<b>DEC 15</b>	<b>JAN 16</b>	<b>FEB 16</b>
D. Delfino, Finance Officer/Analyst	P	P	P	P	P	P	P	P	P	P	P
R. Goel, Dir. Finance & Administration	P	P	P	P	P	P	P	P	P	P	P
A. Green, Transportation Planner	P	P	P	P	P	P	P	P	P	P	P
G. Leonard, Transportation Planner	P	P	P	P	P	P	P	P	P	P	P
M. Montiel, Administrative Assistant	P	P	P	P	P	P	P	P	P	P	P
T. Muck, Deputy Executive Director	P	P	P	P	P	P	P	P	P	P	P
V. Murillo, Assistant Trans. Planner	P	P	P	P	P	P	P	P	P	P	P
H. Myers, Sr. Trans. Planning Engineer	P	P	P	P	P	P	P	P	P	P	P
K. Reimann, Legal Counsel	P	P	P	P	P	P	P	P	P	P	P
E. Rodriguez, Senior Admin. Assistant	P	E	P	P	P	P	P	P	P	P	E
L. Terry, Accountant Assistant	E	E	E	E	E	E	E	E	E	E	E
C. Watson, Principal Trans. Planner	P	E	P	P	E	E	P	P	P	P	P
M. Zeller, Senior Trans. Planner	P	E	P	P	P	P	P	P	P	P	P
T. Wright, Community Outreach	P	P	P	P	P	P	P	P	P	P	P

**OTHERS PRESENT**

Dell Matt	101 Bypass Committee	Eric Petersen	Salinas resident
Tim O'Halloran	City of Seaside	Rich Deal	City of Monterey
Alex Vasquez	Access Monterey Peninsula	Steve Erland	Public resident
Mario Romo	Access Monterey Peninsula	Natalie Zayas Delgado	City of Marina resident
Terry Feinberg	Moxxy Marketing	Scott Waltz	FORTAG
Meagan Edwards	Moxxy Marketing	Arthur Mc Loughlin	City of Salinas resident
Rob Russell	City of Salinas	Kalah Bumba	Public resident
Louise Iredell	Oak Hills resident	Joel Trice	Monterey off Road Cycling Ass.
MacGregor Eddy	We Could Car Less	Cynthia Suverkrop	Oak Hills resident
Phillis Meurer	Herald editor	Caine Camarillo	MPRPD
Greg Netzorg	City of Monterey resident	Tony Uzzle	Carpenters Union
Robin Lee	City of Salinas resident	Catherine Crockett	City of Seaside resident
Margaret Dawn	Public resident	Jeanette Pantoja	Bldg. Healthy Communities
Kay Cline	City of Seaside	Gene Doherty	City of Marina resident
Kim Stemler	MCVGA	Meredith Evans	Office of Senator Cannella
Rachel Saunders	Big Sur Land Trust	Kevin Dayton	Labor Issue Solutions
Shirmaine Jones	Charter school	Gail Morton	City of Marina resident
Jean Carpenter	Public resident	Bill Weigh	City of Seaside resident
Dale Ellis	City of Salinas resident	John Narigi	Hospitality Association
Doug Yount	Monterey Peninsula Chamber	Kathy Biola	Public resident
Chris Cain	Public resident	Jody Hansen	City of Monterey resident

**1. CALL TO ORDER**

Chair Armenta called the meeting to order at 9:00 a.m., and led the pledge of allegiance.



**1.1 ADDITIONS OR CORRECTIONS TO THE AGENDA**

No items this month.

**2. PUBLIC COMMENTS**

Ms. Childs, Prunedale, made comments regarding the upcoming tax measure and noted that residents need walking and bicycling trails including connections to Castroville and Moss Landing. Chair Armenta reminded members of the public that any other comments of this nature would be taken under Item 6 regarding the Transportation Investment Plan

Cynthia Suverkrop, Oak Hills resident expressed concern on the accessibility of 156 toll road. She noted that while the business community's concerns are eased with discounted tolls, financial accessibility for residents are still a concern. She noted even a discounted charge is too expensive for poorer residents. In conclusion Ms. Suverkrop noted that all they want is a safe and efficient road to be accessible (free) to all.

Arthur McLoughlin, Oak Hills resident noted that traffic is increasing and it's not just the tourists and long distance commuters. He noted reduced toll fees will encourage use of the new toll facility.

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**3. CONSENT AGENDA**

M/S/C Delgado/Bodem/unanimous

The Board approved the consent agenda as follows:

***ADMINISTRATION and BUDGET***

**3.1.1** Approved minutes of the Transportation Agency for Monterey County and the Joint Powers Agency for Monterey County meetings of January 27, 2016.

**3.1.2** Accepted the list of checks written for January 2016 and credit card statements for the months of December 2015.

**3.1.3** Received report on conferences attended by agency staff.

**3.1.4** Regarding prepayment of TAMC's Governmental Accounting Standards Board Statement No. 68 unfunded net pension liability:

1. Received a report regarding the prepayment of the current calculated unfunded net pension liability of the Agency's according to Governmental Accounting Standards Board Statement No. 68, "Accounting and Financial Reporting for Pensions", and,
2. Authorized the Executive Director to make a payment of \$550,842 to California Public Employee Retirement System to pay off the Agency's current net pension liability.

**3.1.5** Regarding Prefunding of TAMC's Governmental Accounting Standards Board Statement No. 45 unfunded liabilities:

1. Received a report regarding the prefunding of the estimated current calculated unfunded liabilities of the Agency's Governmental Accounting Standards Board Statement No. 45 Other Post-Employment Benefits; and
2. Approved the Agency to continue with the pay as you go basis and with the reserve already set aside.

**3.1.6** Regarding revised Standard Contract Templates for Professional Services:

1. Approved four revised templates for use by the Transportation Agency for Monterey County in contracting for professional services;
2. Authorized the Executive Director to approve changes to templates when such changes are required by Caltrans guidelines;
3. Directed staff, when seeking Board approval of a Professional Services Agreement, to present the payment amount, scope of work, work schedule, payment provisions, funding source, deliverables and any material changes to template terms and conditions of all future agreements for professional services, without the need to attach the entire agreement; and
4. Authorized the Executive Director to sign the template agreements or sign the agreements with minor changes if such changes do not increase the Agency's net cost, subject to approval by Agency Counsel.

***BICYCLE, PEDESTRIAN, TRANSIT and SOCIAL SERVICES***

**3.2.1** Adopted Resolution 2016-03 apportioning Local Transportation Funds for Fiscal Year 2016-17 in the amount of \$15,500,000.

**3.2.2** Approved appointment of Mark Lasnik representing City of Salinas as an alternate to the Bicycle and Pedestrian Facilities Advisory Committee.

***PLANNING***

**3.3.1** No items this month.

***PROJECT DELIVERY and PROGRAMMING***

**3.4.1** Approved the Construction Contract Administration Policies and Procedures Manual.

**3.4.2** Authorized staff to partner with the Metropolitan Transportation Commission, Santa Cruz Regional Transportation Commission, and the San Luis Obispo County Council of Governments in a joint request for Proposals for the operation of call box answering center.

**3.4.3** Approved the request by the City of Monterey to program \$367,985 in Regional Surface Transportation Program fair share funds to the North Fremont Boulevard bike lanes project; and \$117,765 of RSTP Competitive funds for the Holman Highway 68 Roundabout Project to TAMC for project related public outreach efforts; and Approved the allocation of \$450,018 in programmed Regional Development Impact Fees for the Holman Highway 68 Roundabout.

**3.4.4** Approved the request by the City of Carmel to program \$128,102 in Regional Surface Transportation Program fair share funds to the Carpenter Street overlay project' and approved amending Exhibit A of the local funding agreement to include this project and funding.

**3.4.5** Regarding Monterey County Service Authority for Freeways and Expressways Agreement with the California Highway Patrol:

1. Approved the use of \$1,850 in Service Authority for Freeways and Expressways funds for call box program administration and to make administrative changes if such changes do not increase the Agency's net cost, subject to approval by Agency counsel; and
2. Authorized Executive Director to execute an agreement with the CHP for call box program administration and to make administrative changes if such changes do not increase the Agency's net cost, subject to approval by Agency counsel.

- 3.5.1** Approved membership in the Coast Rail Coordinating Council with annual membership dues of \$1,500 per year and authorized the Executive Director to execute documents necessary to formalize membership dues.
- 3.5.2** Authorized the Executive Director to execute a lease of Monterey Branch Line property with Martial Molinari.

***REGIONAL DEVELOPMENT IMPACT FEE***

- 3.6.1** No items this month.

***COMMITTEE MINUTES***

- 3.7.1** Accepted minutes from Transportation Agency committees:
- Executive Committee – Draft February 3, 2016
  - Bicycle & Pedestrian Facilities Advisory Committee – Draft February 3, 2016
  - Rail Policy Committee – Draft February 1, 2016
  - Technical Advisory Committee – No meeting

**4. UNMET TRANSIT NEEDS PUBLIC HEARING**

Board chair Armenta opened a public hearing on unmet transit needs;  
No public comments were made; Chair Armenta closed the public hearing.

Virginia Murillo, Associate Transportation Planner, reported that the Transportation Agency annually conducts outreach to identify unmet transit needs. This unmet needs process is associated with the Local Transportation Fund, which is one of two designated funding sources for public transit created by the Transportation Development Act. Because the Agency no longer allocates Local Transportation Funds to local streets and roads, the Agency is no longer required to adopt a finding on unmet transit needs. However, the Agency still must solicit public input on unmet transit needs.

Ms. Murillo noted that all comments are reviewed with MST staff to consider options to implement requests and to evaluate comments. The Agency's deadline for accepting public comments and questionnaires on unmet transit needs for consideration as part of the Agency's annual unmet transit needs process is April 30, 2016.

Committee member Salinas noted that Gonzales residents and farm workers have comments but couldn't attend. Virginia Murillo noted that MST Mobility Advisory Committee will also be holding a public hearing at their March meeting and comment period closes on April 30, 2016.

**5. 2016 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM - REVISED**

M/S/C Parker/Phillips/unanimous

Approved Resolution 2016-04 adopting the revised Monterey County 2016 Regional Transportation Improvement Program.

Mike Zeller, Principal Transportation Planner, reported that the State Transportation Improvement Program (STIP) is a five-year program of state highway, rail and local transportation projects funded with revenues from state and federal fuel taxes, and that the 2016 STIP covers fiscal years 2016/17 through 2020/21. Due to declining revenue forecasts, the Transportation Agency must now resubmit its 2016 Regional Transportation Improvement Program to remove \$6.9 million worth of projects and delay other projects to match state funding availability. Mr. Zeller noted Agency staff has consulted with project sponsors to address the lack of new funding. The new proposal focuses on maintaining project schedules for projects close to construction; the primary changes involve removing state funding from the US 101 South County Frontage Roads project, and reducing funding for the State Route 156 project.

**6. TRANSPORTATION SAFETY AND INVESTMENT PLAN**

M/S/C Craig/LeBarre/Passed  
Noes: Huitt

The Board reviewed and discussed the final draft Transportation Safety and Investment Plan and approved the local/regional split 60/40 and the 50% population/50% lane miles formula for distribution of local funds; approved the projects and programs on the regional list with the exception of deferring the decision to fund either the Del Monte/Lighthouse project or the Holman Highway project; adopted a cost-sharing policy following the local/regional split for payment of election costs based thereon, should the measure not be approved; and agreed to bring back at a future date the final Transportation Safety and Investment Plan for TAMC consideration prior to adoption by the cities and the Monterey County Board of Supervisors.

Theresa Wright, Community Outreach Coordinator/Associate Transportation Planner, reported the Agency's Board of Directors approved and authorized the release of a draft Transportation Safety and Investment Plan for public comments on December 2, 2015. Based upon public comment, and input from the Agency's ad hoc committee and the community leader's task force, a revised final Transportation Safety and Investment Plan was presented for Board adoption. The revised plan proposes that the funding be split 60% for local road repair and safety projects, and 40% for regional safety and mobility projects, and that certain regional projects be deleted (River Road, Holman Highway, Downtown Safety/Walkability) or have funding reduced (US 101, Safe Routes to Schools, Fort Ord Trail) to account for this shift. The revised plan also proposes that the local roads funding be distributed by formula based 50% on population and 50% on road miles. The County of Monterey indicated that it would be willing to pay for the River Road maintenance work out of its funding share.

Board member Comments

Board member Huitt expressed concern with the decision made to cut the Holman Highway 68 safety improvements from the Transportation Investment Plan project list. He further added that he supported the measure, but thought that the 50/50 split between local and regional projects sounds good and fair.

Board member Smith concurred that there is a need for Holman Highway 68 funding.

Board member Beach asked for clarification on the source of the population data to be used in the local formula distribution. She also expressed concern that using only population and road miles in the distribution formula doesn't reflect the impacts of non-residents. She added that everyone should be united in support once the plan is adopted.

Board member Parker indicated her support for the 50 local /50 regional split and 50% population /50% lane miles formula. She added that a lot of work had gone into creating a balanced program according to those formulas.

Board member Phillips suggested that funding should go towards trails throughout the county, not just FORTAG. After hearing public testimony, he noted that given the public support, he would be willing to move forward with FORTAG on the list.

Board member Delgado stated the importance of accountability, noting that the FORTAG project is very specific and has been significantly vetted and is strongly supported. He added that part of the trail includes the Veterans Memorial Trail. He noted that the FORTAG project only comprises 3% of the total program funding and that funding this project is important.

Board member Salinas indicated the importance of moving together on the program and that the FORTAG project an organized group of supporters who will help mobilize voters. He also supports the 60/40 split to fix potholes.

Board member Chavez noted that the 50% population/50% lane miles is the only way to keep funding equitable across the board and support poorer areas such as South County.

Board member Huerta noted that the Salinas Valley has a lot of commuters and supporters for the 50/50 split. He added that the US 101 corridor safety improvements would be a great project.

Public Comment:

The following individuals spoke of support for the measure only if the \$20 million as currently listed are maintained to implementation/development of the Fort Ord Recreational Trail and Greenway (FORTAG): Fred Watson, Andre Lewis (Cal State Monterey Bay), Natalie Zayas Delgado, Margaret Davis, Joel Trice (Monterey Off Road Cycling Association), Kay Cline, Catherine Crockett, Bill Weigh, Rachel Saunders (Big Sur Land Trust), Kathy Biala, Chris Cain, Greg Netzorg, Joan Carpenter (California State Parks), Gene Doherty, Gail Morton, Eric Petersen, Caine Camarillo (Monterey Peninsula Regional Parks District) and Robin Lee.

Kim Stemler, on behalf of Monterey County Vintners Growers Association, expressed that they will rescind their current opposition if the County agrees to fund the River Road project out of its share.

John Narigi, Monterey County Hospitality Association Government Affairs, expressed that there has been only a short period of time to review the draft Transportation Investment Plan. He supports the 60/40 split and noted that the regional dollars should be for truly regional projects. He doesn't believe the Del Monte project is regional and noted that Highways 68 and 1 are the key commute corridors. He supports the River Road project. He stated that \$40 million is going into projects that have nothing to do with roads, and added his concern that \$45 million is not enough for Highway 68. He concluded by saying that the list needs to be reevaluated to get Hospitality's support.

Dale Ellis, Monterey County Hospitality Association, echoed Mr. Narigi's concerns and noted the need for more specificity in cost and benefit analysis of projects. He also supports the River Road p

Doug Yount, Monterey Peninsula Chamber, noted the need for measure to pass to secure matching funds from Federal and State sources. He expressed the need to stand together behind the final Transportation Investment plan once it is adopted.

Jeanette Pantoja, Building Healthy Communities East Salinas, noted that they support the 50/50 formula for local roads to establish equity in South County Cities. She expressed that a lot of stakeholder outreach has been happening with several opportunities to make comments about the Investment Plan. She supports the funding for transit.

Jody Hansen, Monterey Peninsula Chamber, expressed the support of 60/40 split and noted her top concern is road maintenance and filling potholes. She noted that regional projects should be highway projects along current corridors. She stated that the other projects are local projects that should be delegated to local jurisdictions and noted that FORTAG should be a FORA responsibility. She asked to remove habitat mitigation from the project list.

**7. DRAFT OVERALL WORK PROGRAM AND BUDGET (FY16/17 – FY18/19)**

M/S/C Salinas/ LeBarre/unanimous

The Board Authorized the Executive Director to submit the draft fiscal year 2016/17 budget and overall work program to state funding agencies for initial review; and directed the Executive Director to bring the final three-year budget and one-year overall work program back to the Board on May 25, 2016 for approval.

**8. REPORTS ON MEETINGS ATTENDED BY BOARD MEMBERS AT TRANSPORTATION AGENCY EXPENSE, AS REQUIRED BY STATE LAW**

None this month.

**9. REPORTS FROM TRANSPORTATION PROVIDERS**

**Caltrans** – Tim Gubbins, Caltrans, reported that the federal TIGER applications are due on April 5, 2016.

**Monterey Regional Airport District** – Bill Sabo reported that airport operations were successful during the AT&T Pebble Beach Pro-Am event and noted that there were no evident effects from the Super Bowl.

**Monterey-Salinas Transit District** – – No report this month.

**Monterey Bay Unified Air Pollution Control District** – No report this month.

**10. EXECUTIVE DIRECTOR'S REPORT**

None this month.

**11. ANNOUNCEMENTS AND/OR COMMENTS FROM TRANSPORTATION AGENCY MEMBERS**

None this month.

**12. ADJOURNMENT**

Chair Armenta adjourned the meeting at 11:49 a.m.





TRANSPORTATION AGENCY FOR MONTEREY COUNTY

## Memorandum

**To:** Board of Directors  
**From:** David Delfino, Finance Officer / Analyst  
**Meeting Date:** March 23, 2016  
**Subject:** TAMC payments for the month of February 2016

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### RECOMMENDED ACTION

**ACCEPT** the list of checks written for the month of February 2016 and credit card statements for the month of January 2016.

### SUMMARY

The list of checks and copies of credit card statements are submitted to the Transportation Agency Board each month in accordance with the recommendation from the Transportation Agency's independent Certified Public Accountant to keep the Board informed about the Transportation Agency's financial transactions.

### FINANCIAL IMPACT

The checks processed this period total \$236,235.98, which included checks written for February 2016 and payments of the January 2016 Platinum Plus Credit Card statement.

### DISCUSSION

During the month of February 2016 normal operating checks were written, as well as, a check for \$6,448.75 to Overland, Pacific & Cutler, Inc. and a check for \$6,955.00 to Meyers, Nave, Riback, Silver and Wilson for right of way services regarding the purchase of real property for the Salinas Rail Extension Kick-Start Project a check for \$2,515.00 to Moss, Levy and Hartzheim for the 2014/15 Financial Audit, a check for \$1,843.50 to Alta Planning + Design for services for the Wayfinding Plan for Monterey County, a check for \$2,435.00 to Pathways For Wildlife for planning services for Highway 68 Scenic Plan Salinas/Monterey Corridor, a check for \$4,875.00 to MySidewalk for the TAMC survey system software, a check for \$19,107.34 to Wood Rodgers, Inc. for engineering services for the Expenditure Plan cost estimates, , a check for \$5,000.00 to AMBAG for TAMC's share for the regional Transportation Plan Environmental Impact Report, a check for \$2,505.62 to TJKM Transportation Consultants for traffic counts for Highway 156 Analysis and a check for \$23,623.28 to

TAMC payments for the month of February 2016

Board of Directors  
March 23, 2016

Kimley-Horn & Associates, Inc. for services for the Level 2 traffic and revenue study of Highway 156.

Approved by: Todd Muck  
Debra L. Hale, Executive Director

Date Signed: March 8, 2016

Consent Agenda

Counsel Approval: N/A  
Finance Approval: Yes

Attachments:

1. List of checks written during the month of February 2016
2. Platinum Plus Credit Card Statement for January 2016

Transportation Agency for Monterey County (TAMC)  
 Union Bank Operating Account  
 February 29, 2016

DATE	ITEM NAME	CHECK	DEPOSIT	DESCRIPTION
02/02/2016	EFT CalPers Health Benefits	8,152.88		Employee Benefits
02/05/2016	16591 Alvarez Technology Group, Inc.	1,579.64		Computer Support & Telecommunication
02/05/2016	16592 AMBAG	5,000.00		TAMC Share - Regional Transportation Plan Environmental Impact Report
02/05/2016	16593 AT&T Wireless Services	40.41		SAFE Call Box - Phone Service
02/05/2016	16594 De Lage Landen Financial Services	280.91		Office Copier Lease
02/05/2016	16595 Department of Consumer Affairs	115.00		Dues
02/05/2016	16596 ENR	79.95		Subscriptions
02/05/2016	16597 Enterprise Rent-a-Car	64.11		Auto Rental
02/05/2016	16598 Kimley-Horn & Associates, Inc.	23,623.28		Services for Level 2 Traffic and Revenue Study for HWY 156
02/05/2016	16599 Meyers, Nave, Riback, Silver & Wilson	6,955.00		Right of Way Services for Salinas Rail Extension Kick-Start Project
02/05/2016	16600 Monterey County Weekly	210.00		Bike Week Advertising
02/05/2016	16601 Overland, Pacific & Cutler, Inc.	6,448.75		Right of Way Services for Salinas Rail Extension Kick-Start Project
02/05/2016	16602 TJKM Transportation Consultants	2,505.62		Traffic Counts for Highway 156 Analysis
02/05/2016	16603 Verizon Business	127.18		SAFE Call Box - Phone Service
02/05/2016	16604 VSP	143.37		Employee Benefits
02/05/2016	16605 Wood Rodgers, Inc.	19,107.34		Engineering Services for Expenditure Plan Project Cost Estimates
02/09/2016	EFT Christina Watson	50.07		Travel for TIRCP and APWA Meetings
02/11/2016	DEP State of California		16,390.61	FHWA - HWY 68 Planning Grant
02/11/2016	DEP Lithia, Newton Bros., P&S Real Estate and Jaguar		8,981.18	Railroad Right Way Rent
02/11/2016	DEP Marina Concrete Co.		450.00	Railroad Right Way Rent
02/12/2016	16606 United Way of Monterey County	65.00		Employee Deduction - Charitable
02/12/2016	16607 AT & T (Carol Stream, Il.)	352.50		Telecommunications, Call Box - Phone Service and Rideshare
02/12/2016	16608 Case Systems Inc.	6,700.05		SAFE Call Box - Maintenance
02/12/2016	16609 Delta Dental	849.43		Employee Benefits
02/12/2016	16610 Fedex (Postage)	56.67		Delivery Service
02/12/2016	16611 Mid-State Investigations, Inc	220.00		Human Resource Consultants
02/12/2016	16612 Moss, Levy & Hartzheim	2,515.00		Financial Audit
02/12/2016	16613 mySidewalk, Inc.	4,875.00		TAMC Survey System
02/12/2016	16614 Pathways For Wildlife (V)	2,435.00		HWY 68 Scenic Plan : Wildlife Study
02/12/2016	16615 Peninsula Messenger LLC	375.00		Courier Service
02/12/2016	16616 Pure Water	64.20		Water
02/12/2016	EFT Payroll	34,258.29		Payroll
02/12/2016	EFT Form 941	8,760.38		Payroll Taxes & Withholding
02/12/2016	EFT EDD	2,974.08		Payroll Taxes & Withholding
02/12/2016	EFT EDD	64.46		Payroll Taxes & Withholding
02/12/2016	EFT Pers Retirement	6,335.44		Employee Benefits
02/12/2016	EFT Pers Retirement PEPRA	870.59		Employee Benefits
02/12/2016	EFT CalPERS	5,668.22		Employee Benefits
02/19/2016	16617 Access Monterey Peninsula, Inc. (AMP)	1,410.00		TV Video Services
02/19/2016	16618 Business Card	1,752.22		Office and Meeting Supplies, Staff Travel & Professional
02/19/2016	16619 Comcast	132.54		Telecommunication and Internet Services
02/19/2016	16620 JEA & Associates	2,083.33		Legislative Consultants
02/19/2016	16621 Office of the County Counsel	5,755.90		Legal Services
02/19/2016	16622 Oppidea, LLC	2,335.00		Accounting Services
02/19/2016	16623 Salinas FARP (False Alarm Reduction Prog.	21.00		Office Expenses
02/19/2016	DEP Cardinale, AllUS Credit Union and Portola Leasing		7,202.00	Railroad Right Way Rent
02/22/2016	EFT TAMC Monterey County Acct. 691		150,000.00	Funds Transfer from TAMC County Acct. 691
02/25/2016	EFT Union Bank	46.00		Bank Service Charges
02/26/2016	16624 United Way of Monterey County	65.00		Employee Deduction - Charitable
02/26/2016	16625 Alta Planning + Design	1,843.50		Services for Wayfinding Plan and Bike Map for Monterey County
02/26/2016	16626 Lincoln National Life Insurance Co.	584.29		Employee Benefits

Transportation Agency for Monterey County (TAMC)  
 Union Bank Operating Account  
 February 29, 2016

DATE	ITEM NAME	CHECK	DEPOSIT	DESCRIPTION
02/26/2016 16627	Office Depot	247.41		Office Supplies
02/26/2016 16628	Plaza Circle, Ltd	8,027.61		Office Rent
02/26/2016 16629	Shell	47.26		Auto Expense - Gasoline
02/26/2016 16630	Valero Marketing and Supply	28.60		Auto Expense - Gasoline
02/26/2016 EFT	Christina Watson	95.00		Section 125 Reimbursement
02/26/2016 EFT	Dave Delfino	597.50		Section 125 Reimbursement
02/26/2016 EFT	Payroll	34,581.91		Payroll
02/26/2016 EFT	Form 941	8,820.30		Payroll Taxes & Withholding
02/26/2016 EFT	EDD	2,937.84		Payroll Taxes & Withholding
02/26/2016 EFT	EDD	26.70		Payroll Taxes & Withholding
02/26/2016 EFT	Pers Retirement	6,335.44		Employee Benefits
02/26/2016 EFT	Pers Retirement PEPRA	870.59		Employee Benefits
02/26/2016 EFT	CalPERS	5,668.22		Employee Benefits
<b>TOTAL</b>		<b>236,235.98</b>	<b>183,023.79</b>	

DD - checks February 2016 Att. 2



DEBRA L HALE

Platinum Plus® for Business

January 05, 2016 - February 04, 2016

Cardholder Statement

Account Information:  
www.bankofamerica.com

Mail Billing Inquiries to:  
BANK OF AMERICA  
PO BOX 982238  
EL PASO, TX 79998-2238

Mail Payments to:  
BUSINESS CARD  
PO BOX 15796  
WILMINGTON, DE 19886-5796

Customer Service:  
1.800.673.1044, 24 Hours

TTY Hearing Impaired:  
1.888.500.6267, 24 Hours

Outside the U.S.:  
1.509.353.6656, 24 Hours

For Lost or Stolen Card:  
1.800.673.1044, 24 Hours

Business Offers:  
www.bankofamerica.com/mybusinesscenter

Payment Information	
New Balance Total .....	\$1,015.88
Minimum Payment Due .....	\$10.16
Payment Due Date .....	03/02/16
<b>Late Payment Warning:</b> If we do not receive your minimum payment by the date listed above, you may have to pay a fee based on the outstanding balance: \$19.00 for balance less than \$100.01 \$29.00 for balance less than \$1,000.01 \$39.00 for balance less than \$5,000.01 \$49.00 for balance greater than \$5,000.01	
<b>Minimum Payment Warning:</b> If you make only the minimum payment each period, you will pay more in interest and it will take you longer to pay off your balance.	

Account Summary	
Previous Balance .....	\$25.00
Payments and Other Credits .....	-\$25.00
Balance Transfer Activity .....	\$0.00
Cash Advance Activity .....	\$0.00
Purchases and Other Charges .....	\$1,015.88
<b>Fees Charged .....</b>	<b>\$0.00</b>
<b>Finance Charge .....</b>	<b>\$0.00</b>
New Balance Total .....	\$1,015.88
Credit Limit .....	\$5,000
Credit Available .....	\$3,984.12
Statement Closing Date .....	02/04/16
Days in Billing Cycle .....	31

Transactions				
Posting Date	Transaction Date	Description	Reference Number	Amount
<b>Payments and Other Credits</b>				
01/25	01/23	PAYMENT - THANK YOU		- 25.00
<b>TOTAL PAYMENTS AND OTHER CREDITS FOR THIS PERIOD</b>				<b>-\$25.00</b>
<b>Purchases and Other Charges</b>				
01/06	01/04	WOMENS TRANSPORTATION	202-955-5085 DC	95.00
01/25	01/22	UCD UNEX STUDENT SERVI	08007520881 CA	360.00
01/25	01/22	ASSOCIATION OF ENVIRO	PALM DESERT CA	150.00
01/25	01/22	OFFICEMAX/OFFICE DEPOT	SALINAS CA	40.89

BUSINESS CARD  
PO BOX 15796  
WILMINGTON, DE 19886-5796

DEBRA L HALE  
TAMC  
ATTN DAVE DELFINO  
55 PLAZA CIR STE B  
SALINAS, CA 93901-295274

Account Number:  
January 05, 2016 - February 04, 2016

New Balance Total ..... \$1,015.88  
Minimum Payment Due ..... \$10.16  
Payment Due Date ..... 03/02/16

Enter payment amount

\$ \_\_\_\_\_

Check here for a change of mailing address or phone numbers.  
Please provide all corrections on the reverse side.

Mail this coupon along with your check payable to:  
BUSINESS CARD,  
or make your payment online at  
www.bankofamerica.com



DD - checks February 2016

Transactions

Posting Date	Transaction Date	Description	Reference Number	Amount
01/28	01/28	123SIGNUP	877-6919951 CA	150.00
01/28	01/28	123SIGNUP	877-6919951 CA	150.00
02/01	01/29	NOB HILL #607	SALINAS CA	52.02
02/03	02/01	LUCKY #747	SALINAS CA	17.97
<b>TOTAL PURCHASES AND OTHER CHARGES FOR THIS PERIOD</b>				<b>\$1,015.88</b>

Finance Charge Calculation

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

	Annual Percentage Rate	Balance Subject to Interest Rate	Finance Charges by Transaction Type
PURCHASES	17.99%	\$0.00	\$0.00
CASH	24.49% V	\$0.00	\$0.00

V = Variable Rate (rate may vary), Promotional Balance = APR for limited time on specified transactions.

Important Messages

Your credit card now has an added security feature. To learn more about EMV chip card technology, visit bankofamerica.com/businesschipcard.

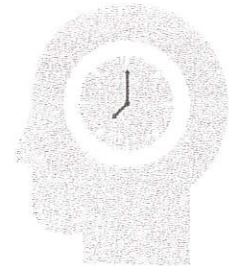
YOUR FINANCE CHARGES IN 2015 WERE \$5.62.



Small Business Online Banking

TIP OF THE MONTH

# Stay informed around the clock



Online alerts<sup>1</sup> help keep you informed.

- Stay up-to-date on your account balances
- Know when payments are due
- Be notified when transactions have cleared

Log in or enroll at [bankofamerica.com/smallbusiness](http://bankofamerica.com/smallbusiness) and choose **Help & Support** to manage alerts.

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DD - checks February 2016



ELOUISE RODRIGUEZ

Platinum Plus® for Business

January 05, 2016 - February 04, 2016

Cardholder Statement

Account Information:  
www.bankofamerica.com

Mail Billing Inquiries to:  
BANK OF AMERICA  
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EL PASO, TX 79998-2238

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Outside the U.S.:  
1.509.353.6656, 24 Hours

For Lost or Stolen Card:  
1.800.673.1044, 24 Hours

Business Offers:  
www.bankofamerica.com/mybusinesscenter

**Payment Information**

New Balance Total ..... \$736.34  
Minimum Payment Due ..... **\$10.00**  
Payment Due Date ..... **03/02/16**

**Late Payment Warning:** If we do not receive your minimum payment by the date listed above, you may have to pay a fee based on the outstanding balance:  
\$19.00 for balance less than \$100.01  
\$29.00 for balance less than \$1,000.01  
\$39.00 for balance less than \$5,000.01  
\$49.00 for balance greater than \$5,000.01

**Minimum Payment Warning:** If you make only the minimum payment each period, you will pay more in interest and it will take you longer to pay off your balance.

**Account Summary**

Previous Balance ..... \$308.64  
Payments and Other Credits ..... **-\$308.64**  
Balance Transfer Activity ..... \$0.00  
Cash Advance Activity ..... \$0.00  
Purchases and Other Charges ..... \$736.34  
**Fees Charged ..... \$0.00**  
**Finance Charge ..... \$0.00**

New Balance Total ..... \$736.34  
Credit Limit ..... \$5,000  
Credit Available ..... \$4,263.66  
Statement Closing Date ..... 02/04/16  
Days in Billing Cycle ..... 31

**Transactions**

Posting Date	Transaction Date	Description	Reference Number	Amount
<b>Payments and Other Credits</b>				
01/25	01/23	PAYMENT - THANK YOU		- 308.64
<b>TOTAL PAYMENTS AND OTHER CREDITS FOR THIS PERIOD</b>				<b>-\$308.64</b>
<b>Purchases and Other Charges</b>				
01/07	01/06	NOB HILL #607 SALINAS CA		146.03
01/07	01/06	BAUDVILLE INC. 08007280888 MI		70.75
01/08	01/06	THE BAGEL CORNER SALINAS CA		20.50
01/08	01/06	DEVICE MAGIC INC RALEIGH NC		30.00

BUSINESS CARD  
PO BOX 15796  
WILMINGTON, DE 19886-5796

ELOUISE RODRIGUEZ  
TAMC  
ATTN DAVE DELFINO  
55 PLAZA CIR STE B  
SALINAS, CA 93901-295274

Account Number:  
January 05, 2016 - February 04, 2016

New Balance Total ..... \$736.34  
Minimum Payment Due ..... **\$10.00**  
Payment Due Date ..... **03/02/16**

Enter payment amount

\$

Check here for a change of mailing address or phone numbers.  
Please provide all corrections on the reverse side.

Mail this coupon along with your check payable to:  
BUSINESS CARD,  
or make your payment online at  
www.bankofamerica.com

**Transactions**

Posting Date	Transaction Date	Description	Reference Number	Amount
01/11	01/07	THE BAGEL CORNER SALINAS CA		18.45
01/12	01/11	STAR MARKET SALINAS CA		13.98
01/18	01/15	ASSOCIATION OF ENVIRO PALM DESERT CA		150.00
01/18	01/16	MSFT * E02001PXCF 800-642-7676 NV		68.00
01/27	01/26	STARBUCKS #06629 SALIN Salinas CA		44.85
01/27	01/26	A&C ENGRAVING SALINAS CA		64.79
02/04	02/03	NOB HILL #607 SALINAS CA		108.99
<b>TOTAL PURCHASES AND OTHER CHARGES FOR THIS PERIOD</b>				<b>\$736.34</b>

**Finance Charge Calculation**


Your Annual Percentage Rate (APR) is the annual interest rate on your account.

	Annual Percentage Rate	Balance Subject to Interest Rate	Finance Charges by Transaction Type
PURCHASES	17.99%	\$0.00	\$0.00
CASH	24.49% V	\$0.00	\$0.00

V = Variable Rate (rate may vary), Promotional Balance = APR for limited time on specified transactions.

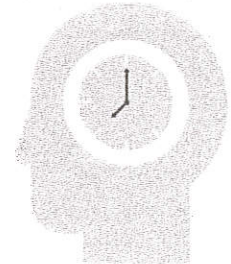
**Important Messages**

Your credit card now has an added security feature. To learn more about EMV chip card technology, visit [bankofamerica.com/businesschipcard](http://bankofamerica.com/businesschipcard).

Small Business  
Online Banking

# Stay informed around the clock



**Online alerts<sup>1</sup>** help keep you informed.

- Stay up-to-date on your account balances
- Know when payments are due
- Be notified when transactions have cleared

TIP OF THE MONTH

Log in or enroll at [bankofamerica.com/smallbusiness](http://bankofamerica.com/smallbusiness) and choose **Help & Support** to manage alerts.

Alerts received as text messages on your mobile device may incur a charge from your mobile access service provider. Mobile App alerts are not available on some devices. AP6P3800L | 35M-02-15-0019 |





TRANSPORTATION AGENCY FOR MONTEREY COUNTY

## Memorandum

**To:** Board of Directors  
**From:** Todd Muck, AICP, Deputy Executive Director  
**Meeting Date:** March 23, 2016  
**Subject:** Conferences Attended by Agency Staff

### RECOMMENDED ACTION:

**RECEIVE** report on conferences or trainings attended by agency staff.

### SUMMARY:

Agency staff occasionally attends conferences or trainings at Agency expense that are pertinent to their roles in pursuing the Agency's mission. These events allow the staff to stay current and participate in the development of transportation practices and policies related to their roles.

### FINANCIAL IMPACT:

Expenses related to staff conferences are included in the Travel and Training item in the adopted Agency budget.

### DISCUSSION:

On February 27th, Assistant Transportation Planners Virginia Murillo and Grant Leonard attended the 2016 Advanced California Environmental Quality Act (CEQA) Workshop in San Jose. Transportation projects implemented by the Transportation Agency for Monterey County, as well as partner agencies' non-transportation land use developments reviewed by the Transportation Agency frequently require compliance with CEQA. This workshop review 2015 CEQA legal decisions and recent legislation such as SB 743's requirement that public agencies evaluate the impacts of projects under CEQA by using Vehicle Miles Traveled (VMT) as a measure of a project's environmental impact. A summary report on the training is attached.

On May 25<sup>th</sup>, Executive Director Debbie Hale and Principal Transportation Planner Michael Zeller attended the 2016 California Transportation Forum. The California Transportation Foundation sponsors the Transportation Forum, which brings in legislators and other State officials to speak on critical transportation issues. A summary of the forum, including the speakers and session topics is attached.

Approved by:   
Debra L. Hale, Executive Director

Date signed: March 11, 2016

Consent Agenda

Counsel Approval: N/A  
Finance Approval: N/A

Attachments: Summary Report on 2016 Advanced CEQA Training  
Summary Report on the California Transportation Forum



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

## Memorandum

**To:** Board of Directors

**From:** Virginia Murillo, Assistant Transportation Planner  
Grant Leonard, Assistant Transportation Planner

**Subject:** **2016 Advanced California Environmental Quality Act Training**

On February 27<sup>th</sup>, we attended the 2016 Advanced California Environmental Quality Act (CEQA) Workshop at the Santa Clara Valley Water District in San Jose. The workshop was hosted by the Association for Environmental Professionals, which is an association of public and private sector environmental planning professionals. Transportation projects implemented by the Transportation Agency for Monterey County, as well as partner agencies' non-transportation land use developments reviewed by the Transportation Agency frequently require compliance with CEQA. The workshop improved our understanding about the CEQA process and current trends in CEQA, which will assist us with document review and project development.

A panel of experts, which included an air quality consultant, a transportation engineering consultant, an environmental planning consultant, and an attorney from an environmental law firm, taught the workshop sessions. The workshop began with a review of 2015 CEQA legal decisions and a session on transportation planning relative to Senate Bill 743. The afternoon workshops provided a discussion of greenhouse gas analysis, a complement to the Senate Bill 743 session, and a discussion of best practices for the cumulative impacts analysis. The workshop concluded with a discussion on cultural resources evaluation as part of CEQA.

Several sessions of the workshop proved to be of specific interest to the work TAMC does. One of the most pertinent sessions was the New Era in Transportation and CEQA dealing with Senate Bill 743. Senate Bill 743 mandates a change in the way that public agencies evaluate the impacts of projects under CEQA by using Vehicle Miles Traveled (VMT) as a measure of a project's environmental impact rather than the Level of Service measure, which measures delay at intersections. Using VMT as a measure of project environmental impact aligns with statewide policy of reducing greenhouse gas emissions and promoting sustainable communities via transit and active transportation projects. Updated CEQA guidelines reflecting the shift to VMT are in draft form now, with final guidelines expected by early 2017. Going forward, staff will need to focus on the Vehicle Miles Traveled impacts for agency projects, as well as projects the agency reviews.

The session on greenhouse gas analysis offered detailed explanations about how Senate Bill 743, local Climate Action Plans and recent California Supreme Court legal decisions impact the required CEQA analysis for greenhouse gas emissions. These discussions also provided us with a better understanding of greenhouse gas analysis, as State grant funding sources, such as cap and trade funding sources, now require this type of analysis as part of the grant application process. Similarly, the session on cumulative impacts reminded us that it is important to consider the environmental impacts of other projects when evaluating Agency projects and with projects that the Agency reviews.

Lastly, the session on cultural resources section of CEQA was informative as there are new requirements that lead agencies must consider tribal resources when analyzing impacts to cultural resources. This is a new requirement of CEQA and Agency staff will consider this when evaluating projects. Additionally, throughout the workshop, different CEQA legal cases and their outcomes were discussed. These case studies provided insight into current CEQA law, and offered perspective on cases pending before the California Supreme Court. Depending on their future outcomes, the cases discussed may have meaningful impacts to the CEQA work that Transportation Agency staff conducts.

The CEQA workshop was well attended by professionals from the private and public sector from around the Monterey Bay Area. We also were able to meet professionals from the Bay Area that may be useful contacts in the future. More importantly, the CEQA workshop provided us with more technical project management skills that will be of use in future Transportation Agency projects.



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

## Memorandum

**To:** Board of Directors  
**From:** Debra L. Hale, Executive Director &  
Michael Zeller, Principal Transportation Planner  
**Meeting Date:** March 23, 2016  
**Subject:** California Transportation Forum

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### SUMMARY

Established more than twenty years ago, the California Transportation Foundation (CTF) supports California's transportation community with scholarships for students planning a career in transportation; financial assistance to those injured on the job and to the families of transportation workers who died; and career development and awards and recognition. Each year, the California Transportation Foundation also sponsors the Transportation Forum, which brings in legislators and other State officials to speak on critical transportation issues. This year, the forum was held on May 25 and was attended by Debra L. Hale, Executive Director, and Michael Zeller, Principal Transportation Planner.

### DISCUSSION

The first presenter at the forum was Jim Madaffer. In 2014, Jim was appointed by Governor Jerry Brown to the California Transportation Commission and he chairs the California Transportation Commission's Road Charge Task Force, which is tasked with creating a program that might eventually replace the gasoline tax. Mr. Madaffer presented on the work of the Road Charge Task Force, and highlighted how the current system of funding transportation through the gas tax is a source of the transportation funding crisis. Faced with erosion of motor fuel tax revenues over time, and the need for the state to explore alternative revenue sources that may be implemented in lieu of the antiquated gas tax structure, the California State Legislature passed (and Governor Brown signed) SB 1077, creating the Road Charge Pilot Program as well as a 15-member volunteer "Technical Advisory Committee" (TAC) to study, gather input and make recommendations on the parameters of the pilot. The California Road Charge Pilot is a 9-month field trial that will launch in July 2016. The pilot will give participants a variety of choices for reporting and simulating payment for the miles they travel, including several which do not require new technology. This trial will inform the state Legislature's decision on whether and how to move forward with a full-scale, permanent road charge program.



The next presenter was the Honorable Jim Frazier, Chair of the State Assembly Transportation Committee. Assemblyman Frazier presented on the transportation funding crisis and his proposed legislation, Assembly Bill 1591, to address the problem. Assembly Bill 1591 will raise over \$7 billion annually and fund two major initiatives: trade corridor improvements and road maintenance and rehabilitation. "California must invest in its trade corridors if we hope to develop and sustain economic vitality. Manufacturers and farmers want to be able to move their goods to market and AB 1591 will provide the investments we need to ensure that they can," stated Frazier. Assembly Bill 1591 further answers the challenge Governor Brown made last year when he called upon the Legislature to provide \$5.9 billion annually to fix state highways. According to Frazier, "You can't put out half a fire. The funding proposals developed over the past year do not begin to sufficiently address our highway and bridge maintenance needs. Failure to adequately fund deferred maintenance is short-sighted and will leave our highways congested in gridlock."

The following presentation was a panel discussion on Innovation, Efficiencies and Partnerships, which was moderated by Janet Dawson, Chief Consultant for the Assembly Transportation Committee, and included Joshua L. Schank, Chief Innovation Officer for LA METRO; Laurie Berman, Director for Caltrans District 11; and Randell Iwasaki, Executive Director for Contra Costa Transportation Authority. The panel explored what we mean by the calls for reforms. The panel discussed the way we deliver transportation projects and how the procurement process can be streamlined to identify innovative solutions and cost savings for taxpayers. In addition, they discussed how to create the partnerships, efficiencies, and outcomes that will encourage investments in transportation.

The next two presenters were Malcolm Dougherty, Director for Caltrans, and Brian Kelly, Secretary for the State Transportation Agency. Both speakers again highlighted the State's transportation funding crisis and the need for the legislature to provide a solution. They also both spoke on the roles their respective organizations have with transportation in the State and the efforts they are undertaking to operate more efficiently, fund alternative modes of transportation, and utilize new technologies and innovations to create safer and less congested roadways.

The final speaker at the forum was Will Kempton, Executive Director for the California Transportation Commission. Executive Director Kempton's presentation sought to answer two commonly-asked questions: "what are you doing with our money?" and "how come transportation projects cost so much?" The presentation provided an overview of how California compares to other states with respect to population, vehicle miles travelled, and gas tax rates. He stated the main drivers of project costs as State and federal regulations, demands on the system (vehicle miles traveled and high percentage of trucks), the age of the transportation system, and the cost of doing business (labor, materials, and design standards). The presentation provided an excellent primer on how transportation is financed in California and concluded with a call for the legislature to make a deal on one of the three proposed transportation finance bills on offer.



## Memorandum

**To:** Board of Directors

**From:** Rita Goel, Director of Finance & Administration

**Meeting Date:** March 23, 2016

**Subject:** **HUMAN RESOURCES RULES & REGULATIONS**

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### **RECOMMENDED ACTION:**

**APPROVE** revisions to the Human Resources Rules and Regulations.

### **SUMMARY:**

The Agency Board first approved these policies and regulations in 2000, though periodic changes and additions have been made since then. The first comprehensive update was done in December 2005. Comprehensive updates were also done in February 2008, June 2011 and March 2012. Some revisions are being proposed at this time to bring the policies up to date.

### **FINANCIAL IMPACT:**

There is no direct financial impact of most of the proposed changes. The proposed revisions should help to minimize the Agencies potential financial liability as a result of better definition and risk management.

### **DISCUSSION:**

The Human Resources Rules and Regulations contain basic personnel procedures governing such topics as job classifications, compensation, recruitment, appointments, promotions, probation, employee conduct, work schedule, overtime, employee benefits, paid and unpaid leave, training, employee benefits, performance review, disciplinary action, etc.

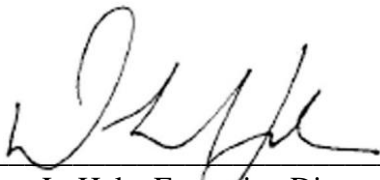
The original policies were approved when the Agency separated from the County of Monterey in July 2000. These documents were based on similar policies in place at the County of Monterey and with member agencies. The Agency Board has approved changes to the policies at different times since 2000 and the last major update was done in March 2012. Changes since 2012, recommended by staff and reviewed by Agency Counsel, have been presented in the revisions to either comply with legislative changes or to give better definition to the rules and regulations previously in the policies.

The proposed changes are as follows:

- Rules for Ethical Business Conduct, Conflicts of Interest, Gratuities, Paid Sick Leave under the Healthy Workplace/Healthy Families Act of 2014 and Pension Reform have been added.
- Disciplinary Action and the Skelly Hearing process description has been modified per Counsel's recommendation. Counsel and management have also proposed some non-substantive wording changes to clarify and standardize language/practice.
- Updates have been made to comply with legislative changes, to reflect Board-approved benefit changes and to better define the rules and regulations that apply to existing policies.

The revised policies are included as a Web Attachment.

**Staff recommends the approval of revisions to the Human Resources Rules and Regulations.**

Approved by:   
Debra L. Hale, Executive Director

Date: February 26, 2016

Consent agenda

Counsel Review: Yes

Web Attachment: Human Resources Rules and Regulations

**TRANSPORTATION AGENCY  
FOR  
MONTEREY COUNTY  
(TAMC)**

**HUMAN RESOURCES  
RULES AND REGULATIONS**

**Revised and approved by the  
Board of Directors on**

**~~March 28, 2012~~ ?????**

**March 23, 2016**

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# TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC)

## Human Resources Rules and Regulations

### SECTION I GENERAL

#### 1.1 Purpose

It is the purpose of these regulations to set forth the policy for TAMC employees and to establish procedures for the handling of human resources matters.

#### 1.2 Positions Covered

These rules and regulations contained in Section I, shall cover all Board Members and employees. The rules and regulations contained in Sections II. through XXIII., shall cover all TAMC employees in the classified service. The Executive Director is appointed and serves at the pleasure of the Board of Directors. To the extent that provisions of the Executive Director's contract vary from these Human Resources Rules and Regulations, the contract requirements prevail. Temporary employees are not covered by these rules.

#### 1.3 Authority of the Executive Director

The Executive Director shall administer these rules and regulations and is authorized to hire, discharge, and discipline employees.

#### 1.4 Administration

These rules shall be maintained by the Executive Director, who shall, him/herself or by designee:

A. Maintain personnel records.

B. Prepare and recommend to the Executive Director:

1. Revisions and amendments to these rules.
2. Revisions to the pay and classification plans.

C. Handle personnel recruitment and in-service training actions.

#### 1.5 Amendment of Rules

A. Amendments to these rules shall be reviewed by the Executive Director and referred

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to the Board for decision.

- B. The Executive Director is authorized to issue administrative policies for the purpose of implementing those rules, providing that such policies are not in conflict with the rules as written and approved by the Board. Administrative policies, which have a substantive effect on employees or a financial impact on TAMC, will be referred to the TAMC Board for approval.

#### 1.6 Equal Employment Opportunity/Affirmative Action Employer Statement

TAMC is an equal opportunity employer and TAMC does will not discriminate based on race, color, ancestry, citizenship, medical condition, sex (including pregnancy, childbirth and related medical conditions), physical or mental disability, veteran or military status, sexual orientation, age (over 40), gender characteristics, genetic classification, national origin, religious affiliation, political affiliation, Union membership, marital status, Workers' Compensation in California, or gender identity, or any other classification protected under federal, state, or local law. This policy covers all facets of employment, including but not limited to, recruitment, training, selection, promotions, transfers, compensation, demotions and terminations.

#### 1.7 Policy Against Harassment

The Agency does not tolerate unlawful, discriminatory harassment in any form, including verbal, physical and visual harassment by any employee, supervisor, manager, officer or Board member, or agent of the employer. This includes harassment on the basis of gender, sexual orientation, race, color, ancestry, religious creed, disability, medical condition, age (over 40), marital status, gender identity or any other protected class under applicable law. This policy applies to all phases of the employment relationship, including recruitment, testing, hiring, promotion/demotion, layoff, termination, rates of pay benefits, and selection for training.

Activity or conduct is defined as "harassment" when it is personally offensive or unreasonably interferes with any person's work performance or creates an intimidating or uncomfortable work environment. Harassment is any behavior that intimidates, threatens, degrades, torments or places demands upon another based upon the categories described above, to the extent that the conduct unreasonably interferes with the employee's work performance or creates an intimidating, hostile, or offensive work environment. The person offended, unreasonably interfered with or intimidated need not be the recipient or object of the discriminatory conduct.

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Sexual harassment includes, but is not limited to the making of unwelcome sexual advances and requests for sexual favors where either submission to such conduct is made an explicit term or condition of employment, or submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals. Sexual harassment can also include the display of derogatory posters, cartoons and/or drawings and other material referring to sex, or other physical or verbal conduct of a sexual nature in the workplace by supervisors, managers or co-workers.

Any employee, paid or unpaid, or volunteer, who believes he or she has been harassed by a co-worker, supervisor, manager, officer, Board member or agent of the employer, or who has knowledge of such harassment, should promptly report incident(s) and the name(s) of the individual(s) to his/her supervisor or, in the alternative, to the Executive Director or the TAMC Legal Counsel. Supervisors shall immediately report any incidents of harassment to the Executive Director. The Executive Director shall designate an appropriate individual to investigate any such claim and may take appropriate action. ~~Any claims against the Executive Director will be investigated by TAMC Legal Counsel or his/her designee. All records and information relating to the investigation of any alleged harassment and resulting disciplinary action shall be confidential, except to the extent disclosure is required by the law, as part of the investigatory or disciplinary process, or as otherwise reasonably necessary.~~ Retaliation against anyone for opposing conduct prohibited by this policy or for filing a complaint with or otherwise participating in an investigation, proceeding or hearing conducted by TAMC, Equal Employment Opportunity Commission or the Department of Fair Employment and Housing is strictly prohibited.

Any claims against the Executive Director will be investigated by TAMC Legal Counsel or his/her designee. All records and information relating to the filing, investigation and resolution of any alleged harassment, discrimination and retaliation complaints shall be treated as highly sensitive and confidential, except to the extent disclosure is required by the law, as part of the investigatory or disciplinary process, or as otherwise reasonably necessary.

Knowingly, Intentionally falsely accusing someone of harassment, or otherwise knowingly giving false or misleading information in an investigation of harassment, shall be grounds for disciplinary action, up to and including, termination of employment.

#### 1.8 Security/Workplace Violence

TAMC is committed to providing its employees a safe work environment. The Agency does not tolerate any violent or threatening behavior by or toward its employees. This

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policy prohibits actual or threatened violence against any person on Agency premises, at any Agency sponsored event, and/or while engaging in any Agency related activity. Safety and security in the workplace is every employee's responsibility.

Some examples of conduct that violate this policy include threats of any kind, physically aggressive or violent behavior, intimidating or harassing behavior, sabotage or destruction of any TAMC property or property of any employee. Additionally, the Agency strictly prohibits the possession of any weapon, firearm, or other dangerous objects or material of any kind on TAMC premises or at any TAMC related event.

The security of facilities as well as the welfare of the employees depends upon the alertness and sensitivity of every individual to potential security risks. Employees should be aware of persons loitering for no apparent reason in the parking area, entrances and exits, and should report any suspicious persons or activities to management personnel. Immediately report any facilities keys that are missing. Employees must secure your/his/her desk or office at the end of the day, including all TAMC checks and any confidential paperwork. WhenIf an employee leavesing your his/her work area for an extended length of time, do not leave valuable and/or personal articles must not be left in or around yourthe workstation.

~~TAMC is committed to providing its employees a safe work environment. The Agency does not tolerate any violent or threatening behavior by or toward its employees. This policy prohibits actual or threatened violence against any person on Agency premises, at any Agency sponsored event, and/or while engaging in any Agency related activity. Safety and security in the workplace is every employee's responsibility.~~

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It is each employee's obligation to report any threats of or actual violence to his/her immediate supervisor or any management personnel. This includes threats by employees, vendors, solicitors or other members of the public.

Employees should notify their supervisor and Director of Finance & Administration of any restraining order in effect or of any potentially violent non-work situation that could result

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in workplace violence.

TAMC will promptly and thoroughly investigate any report of actual or potential workplace violence. The identity of the individual making a report will be kept confidential as much as practical/legal possible. The Agency will not tolerate retaliation against any employee who reports workplace violence.

#### 1.9 Complaint Procedure/Problem Solving Policy

TAMC intends to treat each employee fairly and. ~~We~~ will do all we reasonably can to make this a good place to work. The Agency is committed to correcting a condition or situation that may cause unfairness or misunderstanding. Therefore, the Agency has provided an orderly manner for an employee to voice a complaint or discuss a problem with management without prejudice or fear of retaliation. If you have an employee has a problem or complaint concerning your employment, or if you an employee believes yous/he ares not being treated fairly, you are the employee is expected to take the appropriate steps, as set forth below, to resolve the matter.

##### Procedure

The employee should discuss problem or complaint with his or her immediate supervisor as soon as possible.

If the problem is not satisfactorily resolved or the problem is with the supervisor, the employee has the right to discuss it with the Director of Finance & Administration.

If the problem still has not been satisfactorily resolved, the employee may make an appointment to discuss the situation with the Executive Director for a final resolution. The Director of Finance & Administration will assist the employee (if requested) in the presentation of the problem to the Executive Director.

Not all complaints can be resolved to everyone's satisfaction. However, in each case, the reason for the decision will be clearly explained to the employee.

No one may criticize, penalize, or treat the employee differently in any way for using this complaint procedure/problem solving policy.

This procedure is not intended to prevent an employee from discussing any matter with any level of management, including the Executive Director, at any time, but you employees are encouraged to follow the procedure as set forth in this policy. This procedure is also not intended to prevent an employee from contacting appropriate State or Federal authorities, if

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deemed necessary.

#### 1.10 Ethical Business Conduct.

##### A. Practice of Ethical Behavior

The highest standards of ethical conduct are required of employees, officers, board members, consultants, and independent contractors in their performance and their Agency responsibilities. Unethical actions, or the appearance of unethical actions, are unacceptable under any conditions.

An obligation exists to exercise honesty, objectivity and diligence in the performance of duties and responsibilities for the Agency. Activities shall not be entered into which may be in conflict with the interests of the Agency or which would prejudice the ability of the Agency to objectively carry out its duties and responsibilities. Confidential and proprietary information shall not be used for personal gain or in a manner which would be detrimental to the interests of the Agency.

Each employee, officer, board member, consultant, and independent contractor must apply her/his own sense of personal ethics, which should extend beyond compliance with applicable laws and regulations in business situations, to govern behavior where no existing regulation provides a guideline. Each individual is responsible for applying common sense in business decisions where specific rules do not provide all the answers.

In determining compliance with this standard in specific situations, individuals should ask themselves the following questions:

1. Is my action legal?
2. Is my action ethical?
3. Does my action comply with Agency policy?
4. Am I sure my action does not appear inappropriate?
5. Am I sure that I would not be embarrassed or compromised if my action became known within the Agency or publicly?
6. Am I sure that my action meets my personal code of ethics and behavior?
7. Would I feel comfortable defending my actions on the 6 o'clock news?

Each individual should be able to answer "yes" to all of these questions before taking action.

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The Executive Director is responsible for the ethical business behavior of her/his subordinates. The Executive Director must carefully weigh all courses of action suggested in ethical, as well as economic terms, and base their final decisions on the guidelines provided by this policy, as well as their personal sense of right and wrong.

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#### B. Compliance with Laws, Regulations, and Agency Policies

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The Agency does not tolerate:

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- The willful violation or circumvention of any federal, state, local, or foreign law by an employee during the course of that person's employment.
- The disregard or circumvention of Agency policy or the engagement in unscrupulous dealings.
- The manipulation or disregard of policies or provisions in order to secure a benefit for friends and family members.

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All Board members, alternates and management staff of TAMC shall take at least two hours of ethics training every two years and provide the Agency a certificate of completion. New Board members need to demonstrate completion of the training within one year of taking office.

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Employees should not attempt to accomplish by indirect means, through agents or intermediaries, that which is directly forbidden.

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The performance of all levels of employees will be measured against implementation of the provisions of these standards.

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### 1.11 CONFLICTS OF INTEREST

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#### A. Introduction

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In the course of business, situations may arise in which an Agency decision-maker has a conflict of interest, or in which the process of making a decision may create an appearance of a conflict of interest.

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All employees, officers, board members, committee members and volunteers have an

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obligation to:

1. Avoid conflicts of interest, or the appearance of conflicts, between their personal interests and those of the Agency in dealing with outside entities or individuals,
2. Disclose real and apparent conflicts of interest to the Executive Director, and
3. Refrain from participation in any decisions on matters that involve a real conflict of interest or the appearance of a conflict.

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The following discussion provides general guidance; employees, officers, board members, committee members and volunteers need to follow State and Federal law, and should look to the California Fair Political Practices Commission and its regulations for guidance.

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B. What Constitutes a Conflict of Interest?

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No employee, officer, or board member of the Agency, whether paid or unpaid, shall engage in any business transactions, or shall have a financial interest, direct or indirect, which is incompatible with the proper discharge of their official capacity in the public interest or would tend to impair their independence of judgment or action in the performance of their official duties.

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A conflict of interest arises when an employee, officer, or board member involved in making a decision is in the position to benefit, directly or indirectly, from his/her dealings with the Agency or person conducting business with the Agency.

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Examples of conflicts of interest include, but are not limited to, situations in which an employee:

1. Negotiates or approves a contract, purchase, or lease on behalf of the Agency and has a direct or indirect interest in, or receives personal benefit from, the entity or individual providing the goods or services;
2. Negotiates or approves a contract, sale, or lease on behalf of the Agency and has a direct or indirect interest in, or receives personal benefit from, the entity or individual receiving the goods or services;
3. Employs or approves the employment of, or supervises a person who is an immediate family member of the director or employee;
4. Sells products or services in competition with the Agency;
5. Uses the Agency's facilities, other assets, employees, or other resources for personal gain;

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6. Receives a gift from a vendor, if the employee is responsible for initiating or approving purchases from that vendor.

### C. Disclosure Requirements

An employee, officer, or board member who believes that he/she may be perceived as having a conflict of interest in a discussion or decision must disclose that conflict to the group making the decision. Most concerns about conflicts of interest may be resolved and appropriately addressed through prompt and complete disclosure.

The Agency requires the following:

1. On an annual basis, all members of the Board of Directors, Ex-Officio members, alternates, the Executive Director, the Deputy Executive Director, Director of Finance and Administration, Finance Officer/Analyst, Planners and Engineers shall complete Form 700, Report of Economic Interests.
2. Employees, officers, or board members of the Agency are required to notify the Executive Director of any financial conflict of interest that may arise in the course of carrying out assigned duties.
3. If a conflict arises during the year, the employee, officer, or board member will immediately notify the Executive Director.

### D. Disciplinary Action for Violations of this Policy

Failure to comply with the standards contained in this Policy will result in disciplinary action that may include termination, referral for criminal prosecution, and reimbursement to the Agency or to the government, for any loss or damage resulting from the violation. As with all matters involving disciplinary action, principles of fairness will apply. Any employee, officer, or Board member charged with a violation of this Policy will be afforded an opportunity to explain her/his actions before disciplinary action is taken.

Disciplinary action will be taken:

1. Against any employee who authorizes or participates directly in actions that are a violation of this policy or applicable law or regulation.
2. Against any employee who has deliberately failed to report a violation or deliberately withheld relevant and material information concerning a violation of this policy or applicable law or regulation.

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3. Against any supervisor who attempts to retaliate, directly or indirectly, or encourages others to do so, against any employee who reports a violation of this policy or applicable law or regulation.

A Board member who violates this Policy will be reported to his/her respective governing board for appropriate action.

E. Resolution of Conflicts of Interest

All real or apparent conflicts of interest shall be disclosed to the Board Chairperson or the Executive Director of the Agency. Conflicts shall be resolved as follows:

- The Chair of the Board shall be responsible for making all decisions concerning resolutions of conflicts involving the Executive Director or other Board members.
- The Executive Director shall be responsible for making all decisions concerning resolutions of conflicts involving employees.

An employee, officer, or Board member may appeal a decision that a conflict (or appearance of conflict) exists as follows:

- An appeal must be directed to the Board Chairperson.
- Appeals must be made within 30 days of the initial determination.
- Resolution of the appeal shall be made by vote of the full Board of Directors.
- Board members who are the subject of the appeal, or who have a conflict of interest with respect to the subject of the appeal, shall abstain from participating in the consideration of, discussing, or voting on the resolution.

E. Conflict of Interest Code

The Political Reform Act of 1974, Government Code sections 81000, et seq., requires state and local government agencies to adopt and promulgate Conflict of Interest Codes. TAMC has adopted a Conflict of Interest Code policy to be in compliance with this requirement under a separate policy.

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SECTION II DEFINITIONS

2.1 Allocation

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The assignment of a specific position to an appropriate classification on the basis of the type, degree of difficulty, and responsibility of the work actually performed in the position.

2.2 Agency (or TAMC)

Transportation Agency for Monterey County, composed of the five County Board of Supervisors, representatives from the 12 incorporated cities, 6 ex-officio members, a TAMC Counsel, an Executive Director and staff.

2.3 Applicant

An individual who has completed and submitted an application for employment with TAMC.

2.4 Appointing Authority

The Executive Director who has authority to appoint or to remove employees.

2.5 Appointment

The filling of a position with an incumbent properly authorized by the Executive Director.

2.6 Candidate

An individual whose application has been accepted for consideration and who is invited to participate in the selection process.

2.7 Certification

The submission of names of eligible candidates from an appropriate list to the Executive Director.

2.8 Class or Classification

A group of positions, which are sufficiently alike in general duties and responsibilities to warrant the use of the same title, class specification, examples of duties, requirements, and salary range.

2.9 Class Specification

The written description of a class, containing a title, statement of duties, authority and responsibilities and the minimum qualifications for the class.

2.10 Classification Plan

The official or approved system of grouping positions into appropriate classes consisting

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of:

- A. An index to the class specification.
- B. The class specifications.
- C. Rules for administering the classification plan.

2.11 Classified Service

All regular positions in the service of TAMC as defined in the TAMC job classification.

2.121 Compensation Plan

The official schedule of pay approved by the TAMC Board assigning one or more rates of pay to each classification.

2.132 Compensation

The standard rates of pay which have been established for the respective classes of work, as set forth in the compensation plan.

2.143 Controlled Substance

A controlled substance is as provided on schedules I through V of Section 202 of the Controlled Substances Act (21U.S.C. 812), and as further defined by regulation at 21 CFR 1300.11 through 1300.15.

2.154 Conviction

A finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal statutes.

2.165 Criminal Drug Statute

A federal or non-federal criminal statute involving the manufacture, distribution, dispensing, use or possess of any controlled substance.

2.176 Dismissal

Separation from employment by TAMC action; for cause, if required by law, in the case of a ~~Regular~~ Regular Employee-employee; or with or without cause, in the case of a probationary or temporary employee.

2.187 Drug-Free Workplace

A site for the performance of work done in connection with a specific grant at which employees of the grantee are prohibited from engaging in the unlawful manufacture,

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distribution, dispensing, possession or use of a controlled substance.

2.198 Employee

A person occupying a paid position ~~in~~ TAMC ~~service and covered by these policies unless otherwise excluded.~~

2.2019 Employee Organization

A union or employee group representative recognized by TAMC as an exclusive bargaining representative.

2.240 Examination

Any procedure used as a basis for making employment decisions.

2.221 General Employees

All positions except the Executive Director, the Deputy Executive Director and the Director of Finance & Administration are ~~classified as g~~General ~~e~~Employees for the purposes defined in this ~~document~~Policy.

2.232 Gratuities

A Gratuity, for purposes of this Policy, is the provision of remuneration of any kind, including money, meals, gifts, honoraria, discounts, loans, or anything of value from any person or firm doing business, or seeking to do business, with TAMC. Provided, however, that employee incentives are not gratuities, nor are gifts received in an employee gift exchange or reciprocal exchanges of gifts or meals among TAMC employees, provided the value of such gifts are not disproportionate and comply with FPPC Regulation 18942 or similar regulation.

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2.2343 Holiday

The period between 12 midnight and 12 midnight of the day on which an authorized holiday falls, or the same period on the day designated to serve in lieu of the holiday, when the latter falls on a Saturday or Sunday.

2.2454 Human Resources Resolution

~~Resolution adopted by the TAMC Board, establishing a system of human resources administration.~~

2.2564 Immediate Family

Includes spouse, children, parents, brother, sister, or grandparents of employee, and close

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blood relatives or close relatives through marriage; as determined by the Executive Director.

2.2675 Leave of Absence

Permission to be absent from duty for a specified period of time and for a specified purpose, with the right to return at the expiration of the approved period of leave.

2.2786 Management Employees

The Executive Director, the Deputy Executive Director and the Director of Finance & Administration are ~~classified as~~ management employees for the purposes defined in this ~~document~~Policy, including exempt status and benefits.

2.2897 Pay Period

A two-week period consisting of 14 consecutive days.

2.293028 Personnel Action

An action taken with reference to appointment, compensation, promotion, transfer, layoff, dismissal, or any other action affecting status of employment.

2.30129 Personnel File or Personnel Record

That record maintained by the Executive Director or designee relating to the employment history of an individual employee.

2.3201 Position

A group of current duties and responsibilities assigned to be performed by one employee on a full or part time basis.

2.3312 Probationary Period

A fixed period of time during which a ~~Regular~~Regular Employee-employee is required to demonstrate, by actual performance of duties, his/her fitness for the position to which he/she has been appointed.

2.33423 Promotion

The movement of an employee from a position in one class to a vacant position in another class with a higher salary range, usually as a result of a competitive selection process.

2.35443 Reclassification

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A change in designation of an individual position by raising it to a higher class, reducing it to a lower class, or by moving it to another class at the same salary level on the basis of significant changes in the type, degree of difficulty, or responsibility of the work performed in such position.

2.3645 Reduced-time or Part-time employee

An employee who works a total number of hours which is less than full-time work (8 hours per day/40 hours per week) on either a daily or weekly basis.

2.3756 Regular Employee

A person appointed through certification to a vacancy after s/he successfully completes probation.

2.3867 Retired Annuitant

A person who has retired from a California Public Employees' Retirement System (CalPERS) agency, or other similar public employment retirement system, and is hired by TAMC for less than 960 hours per fiscal year.

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2.37897 Supervisor

Employees that have the authority, in the interest of TAMC, to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, or to adjust their complaints. This is generally to whom an employee reports.

2.3894038 Suspension

The temporary separation of an employee from his or her duties with or without pay for disciplinary purposes or pending investigations of charges or circumstance.

2.3940139 Temporary Employees

Personnel hired for a period of time that is normally limited to six full calendar months or less, the purpose of which is to provide additional employees to prevent undue delay or interference with the provisions of necessary public service, or when a short-term increase in workload requires additional employees.

2.401240 Vacancy

A duly authorized position that is in the classified service, which is not occupied, for which funds have been budgeted and which the Executive Director has determined to fill.

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2.41 2341 Work Day  
Scheduled number of hours an employee is required to work per day.

2.42 3442 Y- Rate  
“Y-rating” is a procedure whereby an employee who is reclassified or demoted to a class having a lower salary range than his/her current class may retain his/her current salary after the reclassification to the lower class. The employee’s salary at the time of the Y-rate shall not increase until such time as the maximum salary of the class to which the employee was reclassified exceeds the employee’ salary.

### SECTION III CLASSIFICATION PLAN

3.1 Purpose  
The classification plan provides a complete inventory of all positions in the classified service and specification for each classification.

3.2 Composition of Classification Plan  
The classification plan shall consist of:  
A. A grouping of positions by classification within classification series.  
B. A schedule of compensation by classification.  
C. Written specifications for each classification.

3.3 Content of Specifications  
Each class specification shall include the title, a description of the duties and responsibilities of work, and a statement of the qualifications required of the person who is to perform the work.

Class specifications are descriptive and not restrictive. They are not to be construed as limiting the duties or responsibilities of any position, nor as limiting or modifying the power of the Executive Director, or designee to assign, direct and control the work of employees under his supervision.

3.4 Assignment of Positions to Class  
The Executive Director or designee will assign or allocate each position in the classified service to a classification established under the plan.

3.5 Use of Class Title  
Class title shall be the official title of every position allocated to the classification

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for the purpose of personnel actions and shall be used on all payrolls, budget estimates, official records, and reports relating to the position.

3.6 Modifications to Classifications Plan

Modifications to existing classifications may be made necessary by gradual changes in job duties over a period of time. The classification plan will be kept current to reflect additions, deletions, or modifications of classes. Major changes of classification content, which have fiscal impact, shall be referred to the Board's Executive Committee for recommendation to the full Board for action.

SECTION IV COMPENSATION

4.1 Salary Plan

The TAMC salary plan was approved by the TAMC Board on December 6, 2000, and as it is updated by the TAMC Board thereafter.

4.2 Allocation of Positions

The salary ranges and positions allocated thereto, shall be set by the Board of Directors usually in conjunction with approval by the annual budget, but the salary schedule may be amended by the Board at other times when a specific need arises.

4.3 Anniversary Date for Purposes of Step Advancement

A. All Regular Employees other than the Executive Director are eligible for Step Advances in salaries, based upon the Salary Plan.

B. An employee's anniversary date or date of eligibility for advancement to a higher step on a salary range shall be determined by the employee's most recent date of appointment or re-employment in his/her current class. All increases will be effective with a Monday date in order to coincide with Payroll. If the employee's anniversary date is Sunday, Monday, Tuesday or Wednesday, the increase will be effective the Monday of the week in which it is due. If the employee's anniversary date is Thursday, Friday or Saturday, the increase will be effective the Monday of the week following in which it is due.

C. The Executive Director or designee shall notify all prospective employees, when confirming in writing his/her employment with TAMC the employees' anniversary date as well as the Basic Salary plan.

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#### 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 to exceed \$7,500 in a fiscal year. ~~All employees that are subject to step increases are eligible for this program.~~ 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. ~~From a legal perspective, TAMC Counsel approves this program, provided it is not granting benefits to employees for past services, which could be construed as making a gift of public money.~~ With this incentive program, TAMC is taking ~~self-serving~~ steps to further the ~~a~~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. ~~This~~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 ~~a~~Agency and to the public. The one-time cash awards ~~would~~may range from \$50 to \$150 each and ~~would~~can not exceed an agency-wide total of \$700 per fiscal year. ~~This~~ awards of this nature must have prior approval by the TAMC Executive Committee.
- D. If an employee performs outstandingly "in the moment," a ~~m~~Management

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Employee may award the General 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 staff is authorized to make this award.

## SECTION V RECRUITMENT

All personnel ~~covered by these rules and~~ employed by TAMC will be chosen, retained and advanced on the basis of merit. All recruitment and hiring of employees shall conform to the Agency’s Equal Employment Opportunity Plan.

Recruitment for Regular Employee position vacancies will be advertised to the public on an area basis as dictated by the particular situation unless waived by Board of Directors. All persons who meet the minimum qualifications for the position may apply. All applications will be impartially screened, and those individuals determined to be the best qualified will be invited to participate in an examination, either oral, written, or both. An eligibility list will be prepared and certified to the Executive Director. Under normal conditions, one of the top rated candidates will be chosen to fill the position.

### 5.1 Employment Policies

~~Objective:~~ The underlying objectives of TAMC's employment policy is to reach and consider all segments of the population through a positive recruitment program and by recruitment of personnel who are capable of making a distinct contribution to the effective operation of TAMC.

TAMC is an equal opportunity employer. There shall be no unlawful discrimination in favor of or against any employee or person seeking employment.

The employment of members of an employee’s immediate family shall be avoided except under extraordinary circumstances.

### 5.2 Filling Vacant Positions

Vacancies ~~in the classified service~~ shall be filled in accordance with these

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regulations and the rules on compensation classification.

5.3 Certification Procedures

The Executive Director's designee shall certify the names of qualified candidates on an existing current eligibility list to the Executive Director for consideration. If, in the opinion of the Executive Director, qualified candidates are not available on an existing eligibility list, TAMC may proceed to conduct a recruitment to fill the vacancy.

Order of Consideration in Filling Vacant Positions

The Executive Director will utilize the following order of consideration in filling vacant positions:

- A. Laid-off and Bumped Employees. Employees with Regular status who were (a) separated through no fault of their own, or (b) bumped from their positions to a lower level position as a result of a layoff action.
- B. Reinstatement. This includes employees who held Regular status in the classified service, resigned in good standing, have requested reinstatement within one year from the time each resigned.
- C. Entrance Appointment. Includes those candidates whose names are on eligibility lists for employment with TAMC.

5.4 Order of Consideration in Filling Vacant Positions

The Executive Director will utilize the following order of consideration in exercising his/her discretion for filling vacant positions:

- A. Laid-off and Bumped Employees. ~~Employees with Regular Employees who were status who were~~ (a) separated from the Agency through no fault of their own, or (b) bumped from their positions to a lower level position as a result of a layoff action.
- B. Reinstatement. This includes ~~employees who held Regular employees who status in the classified service,~~ resigned in good standing and, have requested reinstatement within one year from the time each resigned.
- C. Entrance Appointment. Includes those candidates whose names are on

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eligibility lists for employment with TAMC or a Regular employee who would be moving from one class to another.

Certification Procedures

~~The Executive Director or designee shall certify the names of qualified candidates on an existing current eligibility list to the Executive Director for consideration. If, in the opinion of the Executive Director, qualified candidates are not available on an existing eligibility list, TAMC may proceed to conduct a recruitment to fill the vacancy.~~

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5.5 Announcements

The Executive Director or designee will prepare recruitment announcements containing a job summary and other essential information about the position. Outside recruitment sources ~~shall~~ may be selected by the Executive Director according to the level of job, difficulty in recruiting, and applicable labor market.

5.6 Applications

All persons applying for positions with TAMC will be required to complete the TAMC employment application form. Applications may also include a request for supplemental information including a resume, supplemental questions and voluntary equal employment opportunity information.

5.7 Testing of Applicants

- A. Types of Examinations. Examinations held to establish a list of eligible candidates for any class shall consist of one or more of the following parts:
1. Written Tests. Written tests shall be designed to measure the various knowledge and abilities necessary to perform the particular job. Written examinations will be given when the qualifications necessary to perform the job cannot be tested in an oral examination alone.
  2. Oral Examinations. Oral examinations shall include a personal interview with the candidates for those classes where the ability to deal with others or to meet the public, or other personal qualifications are to be determined.
  3. Performance Tests. Performance tests shall include tests to determine the ability and manual skills of candidates to perform the specific tasks required by the position.

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- B. Training and Experience. Applicants may be required to indicate possession of necessary training and/or experience for specific questionspositions. This information shall be supplied by the applicant in his or her application form or by providing supplementary data when required.
- C. Scoring of Examination. Sound measurement techniques and procedures shall be used in scoring the results of these tests and in determining the relative ranking of the candidates. Candidates may be required to attain a minimum score on the required tests. In all examinations, the minimum score by which eligibility may be achieved shall be established by the Executive Director, established by TAMC.

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5.8 Notification of Applicants

If the Agency establishes an eligibility list, each person who takes an examination shall be notified that he/she has been placed on the eligibility list or his/her failure to obtain a place on the list.

Eligibility lists shall normally remain in effect for one year, but may be extended or shortened based on the needs of TAMC as determined by the Executive Director or his/her designee.

## SECTION VI APPOINTMENTS

6.1 General

The Board of Directors appoints the Executive Director. All other employment appointments are made by the Executive Director.

6.2 Completion of Appointments Papers

- A. Personnel Action Form. This form is used for initial appointment to Regular and temporary positions, as well as for re-hires, promotions, demotions, transfers, reclassification, merit increases, basic rate changes, premium pay, salary changes and separations. All copies of the form are reviewed and approved by the Executive Director or designee and signed by the employee.
- B. Personnel Division Forms. TAMC shall prepare the following forms and furnish them to eligible employees:

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1. Personnel Action Form.
2. Employee withholding exemption certificates.
3. Health insurance enrollment card.
4. Retirement enrollment form.
5. Other forms as may be necessary.

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C. Payroll Data for New Employees

1. Personnel employed after the start of a normal pay period will be paid at the hourly rate established for the step and range of their position, for the balance of the first pay period.
2. Personnel commencing work on the first day of a normal pay period will be paid at the rate of the step and pay range for their position.

- D. Employment Eligibility Verification. In compliance with the Immigration Reform and Control Act, each new employee, as a condition of employment, must complete the Employment Eligibility Verification form (I-9) and present documentation establishing identity and employment eligibility no later than three (3) days following date of hire.

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6.3 Types of Appointments

- A. Regular Employee appointments. Appointments of ~~r~~Regular ~~e~~Employees are to vacant positions existing for an on-going period of time. A Regular ~~e~~Employee appointment carries with it the rights, duties, privileges, and protection extended by these Personnel Rules.

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1. Probationary Status

- (a) Initial Probation - The probationary period served upon initial hiring or reinstatement. Full rights, privileges, and protection of a Regular ~~E~~mployee may be limited during initial probation, as indicated in these Rules.
- (b) Disciplinary Probation - The probationary period served upon disciplinary demotion.

- B. Temporary Employee appointments. The Executive Director may make temporary part time or full time employee appointments in an emergency, to

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prevent undue delay or interference with the provision of necessary public services, or when a short-term increase in workload requires additional employees, provided budgeted or emergency funds are available. Temporary employee appointments are limited to less than 1,000 hours per fiscal year, unless the Temporary Employee is a Retired Annuitant, in which case employment shall be limited to less than 960 hours per fiscal year. Successive temporary appointments to the same position or of the same person ~~are not generally~~shall not be made. ~~These temporary employee~~ positions are ineligible for benefits, except those required by statute. Temporary Employees will be subject to the general provisions of the sections on Disciplinary Actions and Employee Performance Reviews.

- C. Reduced--Time Appointments. Regular Employee appointments may be made where positions require less than full time work on either a daily or weekly basis. Appointments to budgeted positions in the classified plan in which the annual work schedule will be 21 to 39 hours per workweek will accrue benefits on a prorated basis. Appointments to budgeted positions in the classified plan in the classified plan in which the annual work schedule will be 20 hours a week or less, shall not accrue any benefits, except as required by law. Reduced-Time Employees will be subject to the general provisions of the sections on Disciplinary Actions and Employee Performance Reviews.
- D. Intern Appointment. Intern appointments are temporary appointments made when funds have been budgeted for persons in a professional field who seek to gain supervised practical experience while working in support of ongoing projects and programs. The annual work schedule for such appointments shall include less than 1,000 hours per fiscal year. These appointments are ineligible for benefits, except for those required by statute, or negotiated by the Executive Director. Successive intern appointments are not generally made. Interns will be subject to the general provisions of the sections on Disciplinary Actions and Employee Performance Reviews and will receive interim reviews and updates every three months.

## SECTION VII PROMOTIONS, DEMOTIONS AND REINSTATEMENTS

### 7.1 Promotion

First consideration for promotions will be given to qualified Regular eEmployees.

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- A. Vacant positions ~~in the classified service~~ above the lowest rank in any classification shall be filled, as far as practicable, by the promotion of existing Regular e~~Employees in the classified service~~. In each case the Executive Director shall determine whether an open competitive examination or a promotional examination will best serve TAMC.
- B. Whenever it is determined ~~TAMC determines~~ that a promotional examination is to be held, notice of such examination shall be published and posted in prominent locations in all work areas.
- C. In exceptional cases, when an individual employee has demonstrated through superior job performance that he/she is capable of performing work in a higher related class, and is the only current employee to have so demonstrated, the Executive Director may approve the promotion of that employee without further testing.

## 7.2 Demotion

An employee may be demoted to a position in a lower class for which he/she is qualified, and for which a vacancy exists, for any of the following reasons:

### A. Non-Disciplinary

1. When a ~~regular~~Regular Employee ~~employee~~ would otherwise be laid off because his/her position is being abolished; his/her position is being reclassified and he/she is not qualified for the new classification; lack of work; lack of funds; or because of the return to work from authorized leave of another employee to such a position in accordance with the rules on leave.
2. When an employee voluntarily requests such a demotion, the Executive Director may impose a new probationary period, at his/her discretion.
3. In the case of non-disciplinary demotion, the Executive Director may “Y-rate” the employee’s salary, in his/her reasonable discretion. Y-rating is not subject to the complaint procedure.

### B. Disciplinary

1. Disciplinary demotions may occur when an employee is not rendering

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satisfactory service or if he or she has engaged in conduct which may lead to discipline, as enumerated in section 9.4.

2. An employee demoted for disciplinary reason shall serve a new probationary period.

### 7.3 Reinstatement

A qualified former Regular ~~e~~Employee ~~in the classified service~~ who has resigned with a good record may be re-appointed, if a vacancy exists, to the former position or a similar position from which he/she resigned. Such reinstatement must be within one year of the date of resignation and may be without a qualifying competitive examination.

The former employee ~~may~~shall may be reinstated at the same step in the pay range, which he/she received, or may revert to a lower step within the range at the discretion of the Executive Director. He/she may be reinstated at a higher step only if the position has been reclassified~~if sufficient justification exists~~.

Reinstated employees will qualify for vacation and sick accrual at the same rate at time of resignation. The employee's new service date will be considered the anniversary date.

Reinstated employees will serve another probationary period ~~unless such service is waived~~.

## SECTION VIII PROBATIONARY PERIOD

### 8.1 Nature, Purpose and Duration

The probationary period ~~shall be~~is an extension of and an essential part of the selection process, and shall be utilized to determine whether the employee is able to effectively perform the duties of the new position. Previous employment of any sort prior to appointment shall not reduce the probationary period.

~~All individuals appointed to Regular positions shall serve a probationary period of twelve (12) months, which may be extended in up to two (2) additional three (3) month increments at the discretion of the supervisor with prior notice to the employee. Employees in a probationary status as of the time of approval of these rules and regulations shall serve the probationary period that was in effect at the~~

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~~time of their hire. (delete this?????)~~

~~A probationary period shall be served after initial appointment to a Regular position. A new probationary period shall be served upon a disciplinary demotion. A new probationary period shall be served upon a voluntary demotion or a reinstatement, unless waived by the Executive Director. (delete???)~~

Each appointment, demotion, promotion, reclassification, demotion, reemployment or reinstatement to a permanent position shall be subject to a probationary period. This ~~test~~ probationary period shall be a minimum of twelve (12) months, which may be extended in up to two (2) additional three (3) month increments at the discretion of the supervisor, with prior notice to the employee. (green highlighted was added from paragraph 2 above)

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#### 8.2 Recommendation for Regular Employee Status

Attainment of ~~Regular~~Regular Employee status by a probationary employee usually would take effect following the date ending the probationary period. No probationary employee shall achieve ~~Regular~~Regular Employee status until ~~Regular~~Regular Employee status is authorized by the Executive Director.

#### 8.3 Promotion During Probation

The serving of a probationary period shall not, of itself, prevent an employee from being promoted, provided that he or she is certified from an appropriate eligibility list for such higher class. If such a promotion is made, the probationary period for the position to which the employee is promoted shall begin with the date of appointment to such position. The period of probation would restart with such a promotion.

#### 8.4 Release or Disciplinary Action During Probation

At any time during a probationary period, an employee may be disciplined, including termination without cause or, without right of appeal or hearing. Unless an appointment is made Regular at the close of the probationary period, the employee shall be released.

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#### 8.5 Accrual of Fringe Benefits During Initial Probationary Period

This section applies to only ~~regular~~ regular employees serving an initial probationary period. ~~It does not apply to employees who are serving a probationary period as a result of being demoted.~~

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- A. Vacation, annual leave and sick leave accrue on a weekly basis, as long as the employee is in paid status during the pay period.
- B. Vacation or sick leave benefits may not be used until the employee has worked a minimum of 40 hours during his/her initial pay period.
- C. In computing length of service for step advancement purposes, service begins on the initial date of appointment ~~in to~~ the particular Regular Regular Employee position.
- D. Holidays may be taken during probation.

## SECTION IX EMPLOYEE CONDUCT

### 9.1 Employee Conduct Generally

The expected standard of conduct for all TAMC employees in the service of TAMC shall be in the public interest as opposed to individual interests. Therefore, in order to render best possible service to the general public and to reflect credit on the organization, high standards of conduct are deemed essential. The tenure of every employee shall be conditioned on good behavior and satisfactory performance of duties.

### 9.2 Attendance

All employees shall be in attendance on site or at approved off-site activities during their work hours in accordance with these rules.

### 9.3 Outside Employment

No Regular or ~~Temporary~~ employee may engage in employment outside his/her official hours of duty unless approved in advance in writing by the Executive Director. Approval will be based on whether outside employment will cause or might cause conflict of interests with TAMC or otherwise be incompatible, and whether such outside employment will adversely affect the employee's position or efficiency on the job.

### 9.4 Conduct Which May Lead to Discipline

Improper action by an employee in his/her official capacity tending to adversely impact TAMC or to bring TAMC into discredit or to affect the employee's ability

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to perform his/her duties officially, or any improper use of his/her position as an employee for his/her personal advantage may be grounds for discipline. Improper conduct includes, but is not limited to, the following:

- A. Misrepresentation or fraud in securing or during appointment/-employment, including falsifying or omitting information on the employment application.
- B. Conviction of a felony or a misdemeanor involving moral turpitude. A plea or verdict of guilty, or a conviction following a plea of nolo contendere, as to a charge of a felony or any offense involving moral turpitude is deemed to be a conviction within the meaning of this section.
- C. Consumption of intoxicating beverages, use of non-prescribed controlled substances, or being intoxicated while on duty.
- D. Insubordination, willful disobedience, or dishonesty.
- E. Discourteous or offensive conduct or language toward the public or towards fellow employees.
- F. Other failure of good behavior either during or outside of duty hours, which is of such a nature that it adversely impacts the ~~a~~Agency or employment.
- G. Inefficiency or incompetence.
- H. Inattention to or willful neglect of duty, ~~excessive or repeated tardiness,~~ indolence, carelessness, misuse of, or damage to TAMC property.
- I. Unauthorized absence from duty.
- J. Excessive absenteeism or repeated tardiness.
- K. Improper or unauthorized use of vehicles or equipment.
- L. Claim of sick leave under false pretenses, malingering, or other misuse of sick leave.
- M. Outside employment not specifically authorized, or failure to obey ~~an~~ order

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direction from the Executive Director to terminate or desist from outside employment or enterprise that has not been approved or has been determined to be incompatible with TAMC employment or detrimental to the efficiency of his/her ~~R~~regular work.

- N. ~~Absence from duty without leave, or f~~ailure to return to work after leave of absence has expired or has been disapproved or revoked or cancelled by proper authorities.
- O. Willful violation of any of the provisions of TAMC Policies or Resolutions, these ~~R~~Rules, or —any administrative policies, including those related to discrimination, harassment or retaliation.
- P. Failure to immediately report a work-related injury or illness to his/her supervisor.

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~~Q~~ —Improper conduct may be grounds for disciplinary action up to and including termination of employment.

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This list is not intended to be all inclusive of the improper conduct, which may constitute grounds for employee dismissal.

#### 9.5 Drug Use in the Workplace

In TAMC's continuing recognition of the importance of a drug-free workplace, the Agency has established a drug-free awareness program to inform employees about:

- A. The dangers of drug abuse in the workplace;
- B. TAMC's policy of maintaining a drug-free workplace;
- C. Drug counseling, rehabilitation, and employee assistance programs that are locally available to the employee; and
- D. The penalties, as outlined above, that may be imposed upon employees for drug abuse violations occurring in the workplace.

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This awareness program will be perpetuated by notification to the employees on the employee bulletin board and distribution of the TAMC Human Resources Rules and Regulations to new employees upon their hire.

Unlawfully manufacturing, distributing, dispensing, possessing, or using a controlled substance in TAMC's workplace is prohibited and the following actions may be taken against the employee for violations of the prohibition:

1. Requiring a convicted employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency. TAMC will be responsible for maintaining a list of appropriate, locally available programs; and/or
2. Disciplinary action including termination pursuant to policies found under the section on Disciplinary Action.
3. As a condition of employment under federal grants or cooperative agreements, the employee shall:
  - A. Abide by the terms of the drug policy statements in such grants and agreements; and
  - B. Notify TAMC of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such a conviction. After receiving notice of such misconduct ~~within the above paragraph~~, TAMC, within ten (10) days will notify the Federal sponsoring agency of the employee conviction, as mandated by the Rules implementing the Drug-Free Workplace Act of 1988 (54FR 4946 and 6363). Additionally, after receiving notice of misconduct as outlined within the same paragraph, TAMC, within thirty (30) days will take the following actions:
    1. Require the employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency; or
    2. Appropriate personnel action against such an employee, up to and

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including termination.

~~4. In TAMC's continuing recognition of the importance of a drug free workplace, the agency has established a drug free awareness program to inform employees about:~~

~~A. The dangers of drug abuse in the workplace;~~

~~B. TAMC's policy of maintaining a drug free workplace;~~

~~C. Drug counseling, rehabilitation, and employee assistance programs that are locally available to the employee; and~~

~~D. The penalties, as outlined above, that may be imposed upon employees for drug abuse violations occurring in the workplace.~~

~~This awareness program will be perpetuated by notification to the employees on the employee bulletin board and distribution of the TAMC Human Resources Rules and Regulations to new employees upon their hire.~~

#### 9.6 Supervisor-Subordinate Employee/Contractor Relationships

TAMC desires to avoid misunderstandings, complaints of favoritism, possible claims of sexual harassment and employee morale problems that can potentially result from personal relationships involving supervisory employees at TAMC. Accordingly, supervisors are prohibited from engaging in romantic or dating relationships with any subordinate employee in their chain of command, regardless if the employee is a direct employee of TAMC or contracted to work with or for TAMC. TAMC will take ~~remedial~~appropriate action against anyone who violates this policy.

### SECTION X HOURS OF WORK

#### 10.1 Work Week

The workweek for TAMC shall be five consecutive days from Monday through Friday. However a designated seven-day work period for each employee will be established as required by the Fair Labor Standards Act.

#### 10.2 Schedule

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The normal work schedule within a workweek for full-time employees shall be eight hours per day on five consecutive days. Office hours are from 8:00 a.m. to 5:00 p.m., excluding one hour for lunch from Monday to Thursday and from 8:00 a.m. to 4:30 p.m. on Friday. With prior supervisor approval, employees may flex their work schedule one day per week in order to make up for the shortened office hours on Friday.

10.3 Alternate Work Schedule

Alternate work schedules may be authorized by the employee's supervisor.

10.4 Rest Periods

Rest Periods not to exceed fifteen (15) minutes, once during the work period of four (4) hours or more, shall be granted all employees. The time shall not be taken at the beginning or end of a work period, and time not used for rest periods shall not be accumulated and used at a later date. Employees are not required to work during rest periods. 15-minute rest periods will be provided for the following work hours:

- 0 rest period for hours of work between 0-3.5
- 1 rest period for hours of work between 3.5-6.0
- 2 rest periods for hours of work between 6.0-10.0
- 3 rest periods for hours of work between 10.0-14.0
- 4 rest periods for hours of work between 14.0-18.0

10.5 Lunch Break (Meal Period)

A minimum lunch of ½ hour per day mustis to be taken by all employees, in accordance with state and federal labor laws. The meal period must be taken no later than 5.0 hours after the start of the workday. A second meal period of no less than ½ hour must be taken if an employee works more than 10.0 hours. Employees mayare expected not to work through the meal period.

Employees who work at home (refer to Administrative Policy on Telecommuting) shall observe rest periods and lunch breaks as defined above.

SECTION XI OVERTIME

11.1 Eligibility

When overtime is duly authorized in advance in writing by the Executive Director, the Deputy Executive Director, or the Director of Finance &

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Administration, non-exempt personnel will be paid at the rate of one and one-half for every hour worked in excess of 40 hours during the employee's designated seven-day work period. The only non-worked hours counted towards the computation of hours worked for the purposes of calculating overtime pay will be paid holidays occurring within the seven-day work period. Work hours related to travel time will be compensated according to the Agency's travel policy.

In lieu of paid overtime, compensatory time may be earned at a rate of one and one-half hours for every hour worked in excess of 40 hours during the employee's designated seven-day work period. An employee shall not be allowed to accumulate more than eighty (80) hours of compensatory time earned, above which maximum all overtime compensation shall be paid in cash. Compensatory time off must be utilized before the use of vacation time. Any compensatory time that is not utilized during the calendar year shall be paid in cash.

11.2 No Overtime for Exempt Employees/Management Personnel

Payment of overtime or compensatory time off is not authorized for management, administrative and professional classes exempt under the Fair Labor Standards Act.

SECTION XII EMPLOYEE BENEFITS

12.1 Benefits Provided

The Transportation Agency/AMC provides employee benefits as approved by the Agency Board including paid holidays, vacation and sick leave or annual leave, employer's contributions to the retirement plan (PERS) and deferred compensation plan, unemployment insurance, Long Term Disability coverage, Accidental Death and Dismemberment coverage, dental and vision plan, pre-tax premium and flexible spending plan for health and dependent care, and an employer-paid health plan for the employee and all eligible dependents. See Section 14 below for a complete listing of Agency Regular and Management employee benefits. TAMC employees may use payroll deductions for PERS service credit purchases. The scope of coverage is summarized in these rules; and applicable provider documents which shall take precedence.

12.2 Temporary employees, Interns and reduced-time employees

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Temporary employees, interns and reduced-time employees working less than or equal to 20 hours per week receive no benefits except sick leave required by State law.  
(See Section 14.2 H-Healthy Workplaces/Healthy Families Act of 2014 Paid Sick Leave)

### SECTION XIII HOLIDAYS

#### 13.1 General

The number of paid holidays per year is fixed by the TAMC Board. All ~~regular~~Regular Employees ~~employees~~ receive time off with pay for these authorized holidays. ~~Regular~~Regular Employees ~~employees~~ working a reduced workweek schedule will receive time off with pay when the holiday falls on that employee's scheduled workday. ~~Regular~~Regular Employees ~~employees~~ working ~~part time~~ (less than 8 hours/day) shall receive pro-rata holiday pay.

TAMC office will be closed on the following paid holidays:

HOLIDAY	DATE
New Year's Day	January 1
Martin Luther King's Birthday	Third Monday in January
President's Day Observance	As announced for February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving	Day after Thanksgiving
Day preceding December holiday	December 24
December holiday	December 25

In addition to the above holidays, all ~~regular~~Regular Employees ~~employees~~ will receive time off with pay for two (2) floating holidays per calendar year. The floating holidays cannot be accrued or carried over and must be used within the calendar year in which they are granted. Scheduling is at the discretion of the employee, subject to approval by the supervisor.

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13.2 Other Holidays

Every day appointed by the President or Governor for a public day of mourning, ~~day of~~ thanksgiving, or holiday, when ratified by the TAMC Board, shall be a paid staff holiday. If the one-time only public day of mourning, ~~day of~~ thanksgiving, or holiday takes place before the TAMC Board has had an opportunity to meet and ratify the holiday, it shall be a paid staff holiday for TAMC employees if the TAMC Board Chair and TAMC Executive Director so approve.

13.3 Holiday Observance

When a holiday falls on a Sunday, the following Monday shall be observed; when a holiday falls on Saturday, the previous Friday shall be observed. The Executive Director shall resolve any conflicts caused by duplication in the aforementioned days off, by determining the actual holiday observance days.

Employees are not allowed holiday pay while in an out-of-pay status, such as leave of absence or layoff, or while receiving long-term disability payments.

13.4 Holiday Schedule

The holiday schedule for the upcoming calendar year shall be posted in the lunchroom during the month of December.

SECTION XIV PAID LEAVE AND OTHER EMPLOYEE BENEFITS

14.1 Vacation, sick leave and other employee benefits

A. Purpose.

Vacations are provided for all ~~Regular~~Regular Employees-employees and are designed to give the employee an opportunity to rest and relax. Employees shall not work during time charged as vacation. It is normally expected that the employee will take a vacation at least once a year.

B. Tables of Vacation, Leave Earned, Sick Leave Accrued, and other Employee benefits including health.

	General Employees	Management Employees
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<b>Vacation time:</b> Based on Years of Completed Continuous TAMC Service		
Up to two (2) years	12 days	25 days
More than two (2) years	14 days	28 days
More than four (4) years	16 days	28 days
More than six (6) years	18 days	28 days
More than ten (10) years	20 days	30 days
More than thirteen (13) years	21 days	31 days
More than eighteen (18) years	23 days	33 days
More than twenty (20) years	24 days	34 days
More than twenty-five (25) years	25 days	35 days
Maximum vacation accrual	260 hours	600 hours
<b>Sick Leave:</b> Accrual rate	10 days per year, <del>no maximum accrual for usage</del> . May use up to 10 days a year as vacation if maintain minimum reserve of 10 sick days.  <u>Effective July 1, 2015: for Temporary employees, Interns and Reduced-time employees (excluding Retired Annuitants) who work 30 days or more within a fiscal year and satisfy a 90 day employment period (defined as the number of days worked): 24 hours will be credited each July 1 for the upcoming fiscal year. Unused sick leave accrual cannot be carried over to the following fiscal year or cashed out at termination. Retired Annuitants are not eligible for Sick Leave.</u>	No sick leave – just annual leave.
<b>Family Illness Use:</b>	May use up to 10 days in a fiscal year of accumulated sick leave	<u>Use Annual Leave</u>

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<b>Bereavement Leave:</b>	Up to 3 days for in state and 5 days for out of state paid leave to attend funeral of an immediate family member.	Up to 3 days for in state and 5 days for out of state paid leave to attend funeral of an immediate family member
<b>Professional Leave:</b>	General eEmployees are not eligible. However, any gGeneral eEmployee who has professional leave as of 3/5/2012 shall continue to receive professional leave of ten (10) days per calendar year non-accruable <u>unless the General Employee becomes a Management Employee, at which time the Management Employee benefit controls</u>	Ten (10) days per calendar year non-accruable.
<b>Quarterly Expense Allowance:</b>	<u>\$50 for Planner &amp; Engineering positions</u>	\$100
<b>Life Insurance:</b>	\$20,000; premium paid by employer <u>Benefit reduces by 35% at age 65, by 60% at age 70, by 75% at age 75, by 85% at age 80 per current policy</u>	\$50,000; premium paid by employer <u>Benefit reduces by 35% at age 65, by 60% at age 70, by 75% at age 75, by 85% at age 80 per current policy</u>

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Following Benefits Provided to all Employees (To the extent that benefit provisions of the Executive Director’s contract vary from these provisions, the contract requirements prevail.)	
<b>Health Benefits:</b>	Cafeteria 125 plan offering pre and <del>post-tax</del> <u>post-tax</u> benefits. Monthly minimum employer contribution towards PEMHCA as determined by CalPERS paid by employer towards health insurance premiums; also paid after retirement. Additional monthly employer contribution may be made towards elective portion of health insurance premiums for active employee and eligible dependents based on employee participation in a PERS plan as approved by TAMC Board; Cash-out option at CalPERS Choice single rate. Unused portion of plan paid to employee as cash subject to taxes. If the cash-out option is selected, employee must provide proof of alternate health coverage.
<b>Dental Benefits</b>	Employee <u>premium</u> contribution <del>paid</del> by employer for employee benefits only.
<b>Vision Care</b>	Employee <u>premium</u> contribution paid by employer for employee benefits only.
<b>Other Insurance</b>	Long-term Disability; Accidental Death & Dismemberment Employee <u>premium</u> contribution paid by the employer
<b>Flexible Benefit Plan</b>	Cafeteria benefit plan offering pre tax deductions through employee payroll for payments of health, dental & vision premiums. Also, unreimbursed medical, and dependent care
<b>State Disability Insurance and Paid Family Leave</b>	Paid by employee. TAMC employees pay into State Disability Insurance (SDI) as part of payroll deduction. TAMC employees are covered by SDI, including paid family leave program under SDI. Paid Family Leave covers all employees who are covered by SDI. To be eligible, the employee must have earned at least \$300 from which deductions were withheld. Employees wishing to receive Paid Family Leave benefits must file a claim with the State Employment Development Department (EDD) and provide documentation supporting the request. An employee may file a claim for Paid Family Leave benefits for the following reasons: To care for a seriously ill child, spouse, parent, <del>or</del> domestic partner, <u>grandparent, grandchild, sibling, or parent-in-law</u> ; to bond with a new child; or to bond with a minor child in connection with the adoption or foster care placement of that child. For bonding leave, Paid Family Leave benefits are limited to the first year after the birth, adoption or foster care placement of a child. Paid Family Leave claim forms (EDD form DE 2501F) are available from the EDD.
<b>Unpaid Family Leave</b>	Under the Federal Family and Medical Leave Act of 1993 and the California Family Rights Act (“the Acts”), eligible employees are entitled to take up to 12 work weeks of <u>unpaid</u> leave <u>without pay but</u> with benefits <u>as required by law, except as provided in section 14.2.D. See Section 15.5 below for details.</u>

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Following Benefits Provided to all Employees (To the extent that benefit provisions of the Executive Director's contract vary from these provisions, the contract requirements prevail.)	
<b>PERS coverage</b>	<p><u>Applies to employees hired prior to 1/1/2013 &amp; Legacy (or Classic Employees) members</u>: 2% @ 55; 1959 Level 3 Survivor Benefits; employee portion and employer contributions paid by <u>Agency as approved by Board</u>; one-year final compensation; Military Service Credit as Public Service; Public Service Credit for Peace Corps, AmeriCorps VISTA, or AmeriCorps Service.</p> <p><u>Applies to new PEPRAs members employed after 1/1/2013: 2% @ 62; 1959 Level 3 Survivor Benefits; employee pays 50% of the normal cost of their pension benefit as determined annually by PERS; three-year final compensation; Military Service Credit as Public Service; Public Service Credit for Peace Corps, AmeriCorps VISTA, or AmeriCorps Service. Maximum pensionable compensation is capped at 120% of the Social Security contribution and benefit base if the member's service is not included in Social Security, and 100% if it is.</u></p> <p><u>Any required employee contributions to the pension shall be made on a pre-tax basis.</u></p>
<b>Deferred Compensation</b>	<p><u>Applies to employees hired prior to 1/1/2013 &amp; Legacy (or Classic Employees) Employer</u>: Employer contributes up to 8% of employee's base salary to employee's deferred compensation plan as permitted by law. <u>Employees may defer additional compensation up to that amount permitted under current Internal Revenue Service regulations by investment in the CalPERS Deferred Compensation Program as contracted by TAMC.</u></p> <p><u>Applies to new PEPRAs members employed after 1/1/2013: The Agency as employer will pay up to 8% of each employee's base salary into the TAMC-approved Deferred Compensation Program, as permitted by law. Employees may defer additional compensation up to that amount permitted under current Internal Revenue Service regulations by investment in the CalPERS Deferred Compensation Program as contracted by TAMC. Employer contributions may be further limited by CalPERS/IRS rules. If annual salary exceeds \$???? Employer contributions are capped as ????????</u></p>
<b>Alternative Transportation Incentive</b>	\$1.50/ one- way (maximum of \$3.00/day & 15.00/week) incentive for use of alternative transportation. Alternative transportation is defined as vanpooling, car-pooling, biking, walking, riding bus or rail to work.
<b>Wellness Program</b>	50% reimbursement for eligible expenses up to \$350/ calendar year
<b>Employee Assistance Program</b>	Counseling, Consulting and Educational Services <u>up to \$XXX per calendar year</u>
<b>Tuition Reimbursement</b>	Up to \$2,000 per fiscal year

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- C. Reduced time employees earn vacation on a pro rata basis (percent of full time hours worked) according to the foregoing schedule. Reduced time employees working less than or equal to 20 hours per week, do not accrue vacation or sick leave.
- D. Sick Leave Payoff. ~~Agency Employees of the agency~~ whose services are terminated by death, or who qualify for and officially retire from services of the Agency, shall be eligible to be paid his/her accumulated sick leave, up to a maximum of two hundred (200) hours.
- E. Vacation Accrual. ~~Accrued~~ ~~V~~vacation hours in excess of maximum accrued hours listed above, must be used by January 1 each year. An employee who ~~accrues~~ ~~reaches~~ the maximum accrued hours of vacation shall cease accruing time until his/her accrual drops below the maximum. In certain circumstances, the Executive Director may approve a carry-over of year-end accruals over maximum hours listed above, however, in no event shall payment for accrued vacation hours on termination exceed maximum hours listed above. Employees who are paid for less than one half (1/2) their regularly scheduled hours in a given pay period shall not accrue vacation for that pay period.
- F. Vacation Leave Buy Back Cash Out. Regular Management and ~~g~~General ~~e~~employees may sell back to the Agency up to forty (40) hours of vacation leave in any calendar year if the following conditions are met:
1. Vacation or annual leave can be cashed out only in increments of eight (8) hours.
  2. The employee has used (taken) ten (10) vacation/annual leave days during the previous calendar year.
  3. The employee must have at least eighty (80) hours of vacation/annual leave remaining after the "cash out" of some of their vacation/annual leave.
  4. The employee makes an irrevocable election in writing to cash-out vacation/annual leave and submits such election to the Director of Finance and Administration prior to December 15 of the prior calendar year.
- G. Vacation and Compensatory Time Scheduling and Advances. Vacations and compensatory time must be scheduled in advance and approved by employee's supervisor. While every effort will be made to afford the employee the

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opportunity to utilize accrued time and to select the dates that best suit his/her personal convenience, TAMC operational needs will take precedence over all individual considerations. No advance grant of vacation leave, beyond then accrued amounts, is authorized, except under exceptional circumstances, as approved by the Executive Director. If the Executive Director authorizes an advance grant of vacation, the employee must be able to earn enough vacation/annual leave hours over the next 12-month period to eliminate the deficit in his/her vacation/annual leave reserve account.

- H. Benefits on promotion to a classification with greater benefits. When an — employee is promoted to a classification having benefits of overall ——— greater value than the benefits assigned to his/her former class, effective the ——— date of the change of class, the employee will receive the benefits of the new ——— class. All benefits of the old class will terminate, except that existing vacation — balances will be maintained and the employee may elect to convert sick leave — balances over 80.0 hours to vacation time or, in the alternative cash-out sick leave at the hourly rate of the — classification prior to the promotion. The election to convert accumulated sick — leave to vacation time or cash-out such leave must be made by the effective date of the — promotion. Sick leave balances equal to or less than 80.0 hours will remain — available for future use.

## 14.2 Sick Leave

- A. Certification. Sick leave is provided for an General e Employee's bona fide illness or injury. Such leave usage is subject to approval of the Executive Director, who may require a doctor's certification for any claim for such leave in excess of three days or when leave usage shows an unacceptable pattern.

Sick leave may also be used to care for an ill child, parent, spouse, registered domestic partner, or the child of a registered domestic partner. Up to one-half of the employee's accrued sick leave may be used for this purpose. These days may not be carried over.

- Accrual of Sick Leave. Sick leave accrual rates are shown on the table above

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by each employee classification unit. General employees may use a maximum of ten (10) days per year of sick leave as vacation time if they have a reserve of ten (10) days of sick leave. There is no change to maximum accrual hours for usage.

Employees who are paid for less than one half (1/2) their regularly scheduled hours in a given pay period shall not accrue sick leave for that pay period.

B. Use of Paid Sick Leave. Time off may be charged to sick leave with pay for the following reasons:

1. Bona fide illness or injury.
2. Physical injury disability incurred on the job, in which sick leave supplements workers' compensation benefits.
3. Doctor's appointments for self or family members.
4. Finding, enrolling, or reenrolling a child in school or a licensed child care provider, and to address a child care provider or school emergency.

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D. Approval of Sick Leave. When possible, the employee must receive the approval of his/her supervisor prior to taking sick leave. If the employee is sick and unable to work, the employee shall call in sick by 8:00 a.m. on each day he/she is not reporting for work, and keep his/her supervisor informed of anticipated date and time of return to work.

E. Critical Illness of Immediate Family Member. ~~Regular~~ Regular Employees employees are eligible to use five days of sick leave with pay in event of critical illness of a spouse, child, parent, grandparent, brother or sister of employee and close blood-relative or close relatives through marriage as determined by Executive Director. Critical illness is defined as an illness where death appears imminent. Leave for such critical illness shall be considered leave under section on Family Care & Medical Leave (Section 15.1).

F. Family Sick Leave. (California Kin Care Leave) With advance approval of the Executive Director, up to one-half of accrued sick leave may be taken

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each calendar year as Family Sick Leave to care for, and attend to spouse, children for whom the employee is legal guardian, stepchildren, parents, siblings, registered domestic partner or the child of a registered domestic partner and grandparents, who are under medical care. Sick leave may also be used for the employee, or a family member for diagnosis, care or treatment of an existing health condition or preventative care, or specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking. Said time may be considered leave under ~~sSection 15.5 on~~ (Family Care & Medical Leave).

G. State Disability Insurance

If an employee is on sick leave for more than 7 consecutive calendar days, he/she must file for State Disability Insurance. In the event that the employee is receiving salary from the Agency due to accrued leave, any wages paid by the Agency will be coordinated/integrated with the State Disability Insurance payments.

H. Paid Sick Leave Under Healthy Workplaces/ Healthy Families Act of 2014.  
Paid Sick Leave

Employees (excluding ~~r~~Retired ~~a~~Annuitants) who work for 30 days or more within a fiscal year and satisfy a 90 day employment period (defined as the number of days worked), will be credited with 24 hours of paid sick leave at the beginning of each fiscal year on July 1. No unused sick leave accrual shall be carried over to the following fiscal year or cashed out at termination. The sick leave accrual is effective July 1, 2015. Sick leave may be used for the employee, or a family member for diagnosis, care or treatment of an existing health condition or preventative care, or specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking, consistent with State law.

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14.3 Workers' Compensation

Workers' compensation disability benefits shall be provided in accordance with State law to employees injured on the job. Vacation leave may be used to supplement Workers' Compensation benefits only after accrued sick leave has been exhausted.

14.4 Military Leave

~~Regular~~Regular Employee employees who have completed one year of TAMC

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service will be granted temporary military leave of absence, as specified by appropriate State law (Military and Veterans Code Section 395). An employee with less than one-year service may use vacation leave, if available, during periods of summer training; otherwise said leave shall be without pay.

#### 14.5 Jury Duty

Employees called for jury duty during working hours will be authorized time off with pay for the duration of jury duty. Employees dismissed from jury duty before the end of the workday shall report for duty at the Agency. Compensation paid by the court, other than travel expenses, will be declined by the employee .

#### 14.6 Pregnancy Disability Leave

With appropriate medical certification, this disability leave will be granted for up to 4 months.

A. Leave for pregnancy disability is as follows:

1. Childbirth and complications of pregnancy includes temporary medical disability for which a maternity leave, in the form of paid sick leave, will be granted, based upon the employee's accrual.
2. The employee may use her accumulated sick leave and vacation credits during maternity leave for reasons of Pregnancy Disability Leave. Sick leave and vacation credits cease to accrue after all paid leave time has been exhausted. The employee may then be placed on leave under section on Authorized Leave Without Pay and/or section on Family Care & Medical Leave. Upon return to work in a paid status, the employee shall be entitled to accrue sick leave and vacation credits.
3. Leave beyond the period of Pregnancy disability leave shall be as provided in section on Authorized Leave Without Pay and/or section on Family Care & Medical Leave.
4. Seniority will continue to accumulate during the entire period of leave. Performance reviews and eligibility for merit increases are extended by the period of time the employee is on pregnancy disability leave. TAMC will continue to pay health, dental and vision insurance coverage premiums during Pregnancy Disability Leave, at the same level as if the employee were not on leave.

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## B. Procedures

1. The point at which leave for disability due to pregnancy commences is a matter for the employee and her physician to determine, based upon medical need. Notification of maternity leave will be made as soon as possible to the employee's supervisor and the Director of Finance & Administration and be accompanied by the appropriate certification from the employee's physician.
2. Return to work after childbirth is a matter for the employee's physician to determine. Return from maternity leave will not be allowed until the physician has provided a medical release to return to work.
3. The employee will contact her supervisor and the Director of Finance & Administration at least thirty (30) days prior to the scheduled termination of leave, stating her intention to return or not to return to regular employment at the conclusion of the leave for disability due to pregnancy. -Return to work immediately after the end of Pregnancy Disability Leave, upon the completion of California Family Rights Act (CFRA) leave, or within the additional period of leave for disability due to pregnancy approved by the department Executive Director, entitles the employee to reinstatement to the position she held at the time leave was granted.

### 14.7 Lactation Policy

Any employee who is breastfeeding her child, and who needs to express milk during the working day, will coordinate with her supervisor and administrative section Director of Finance & Administration to determine how best to accommodate her needs while still accommodating the performance of her job.

Reasonable efforts will be made to provide the employee the use of a private area in which they may express milk. The room or location may include the place where the employee normally works. Milk may be stored in the Agency refrigerator and shall be clearly marked.

Lactation times shall be established for each employee and her work schedule. If possible, the lactation time is to run concurrently with any break and lunch time

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already provided. Lactation time beyond the regular break or lunchtime is unpaid and the employee will need to use personal time.

14.8 Bereavement Leave

~~Regular~~Regular Employees employees are eligible for up to 3 days for in-state, and up to 5 days for out-of-state, paid leave per incident to attend funeral services for immediate family. Immediate family is defined as father, mother, brother, sister, wife, husband, registered domestic partner, grandparent, child, mother-in-law, father-in-law, sister-in-law, brother-in-law, step mother, step father, step brother and step sister. Executive Director approval is required prior to payment of this leave.

14.9 Voting Leave

Time off for voting shall be provided to any employee during regular office hours if the employee is unable to reach the polls during non-working hours. Time off will be provided in accordance with the provisions of the Elections Code of the State of California.

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SECTION XV UNPAID LEAVE

15.1 Authorized Leave Without Pay

- A. The Executive Director may grant an employee a leave of absence without pay for a period up to one year.
- B. Regular employees desiring to take time off, who have inadequate accumulation of vacation, annual leave or sick leave, may request leave without pay.
- C. Return of the employee within the approved period of unpaid leave entitles the employee to reinstatement in the position he/she held at the time leave was granted, providing the position is still authorized. Failure of the employee to return to work after due notice shall be considered a resignation. During a leave without pay of 30 days or more, the Executive Director may fill the position on a temporary basis.
- D. Sick leave and vacation credits cease to accrue after all paid leave time has been exhausted. When the employee returns to work in a paid status he/she shall resume sick leave and vacation credit accrual.

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E. Retirement contributions to PERS are suspended effective the first day of the month after the unpaid/unpaid leave begins and reinstated the first of the month after return.

F. TAMC contributions to the health, dental and vision plan are suspended after all paid leave time has been exhausted and will be reinstated when the employee returns to work in a paid status. However, with the Executive Director's approval, the employee may elect to remain on the health plan during his/her absence, providing the employee pays all premium costs to TAMC prior to premium due date. Failure to remit premiums on time will result in removal of employee from the health plan.

#### 15.2 Unauthorized Absence

An employees who does not report for work as scheduled and does not report a valid reason for such absence by telephone is considered to be absent from duty without leave, and has abandoned his/her position if such absence exceeds 3 work days the employee will be considered to have abandoned his/her position.

#### 15.3 Military Leave

Extended Military Leave of Absence. Employee drafted into the military service or who enlist during a period of national emergency will be granted military leave for the period of service, as per State law. No pay, vacation or sick leave benefits accrue to the employee during this period of military leave. Personnel returning from military service will be paid the same salary as they received when they left TAMC (as adjusted by Board Action). Benefits will accrue from the date the employee is restored to duty, with pre-military leave employment credits given.

At the time the person leaves for extended military leave, he/she will be paid for all time worked and full accrual of vacation/annual leave. No payment will be made for sick leave accumulation; however, the employee will be credited with his/her entire previous accumulation of sick leave at the time of return to work.

Failure of the employee to return to work upon completion of military service shall be cause for dismissal as prescribed by State law.

#### 15.4 Military Spouse & Family Leave

An employee who works more than 20 hours per week and whose spouse is a

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member of the Armed Forces, National Guard or Reserves, who has been deployed during a period of military conflict, shall be eligible for up to 10 unpaid days off when their spouse is on leave ~~for~~ from military deployment. The employee must provide TAMC with notice within at least two business days of receiving official notice that their spouse will be on leave from deployment and that he/she wishes to take leave and must also provide written documentation certifying the spouse will be on leave for deployment.

Eligible employees may also take up to 26 weeks of unpaid leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of active duty or an existing or preexisting serious injury or illness that was aggravated because of service on active duty, that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disabled retired list. Military caregiver leave may also be used by family members to care for veterans undergoing treatment, recuperation or therapy for an injury, as long as the veteran was a member of the National Guard or Reserves within five years of requiring care.

#### 15.5 Family Care and Medical Leave

~~1-A.~~ TAMC will comply with the terms of ~~Under~~ the Federal Family and Medical Leave Act of 1993 and the California Family Rights Act (“the Acts”). Under the Acts, eligible employees are entitled to take up to 12 workweeks of unpaid leave without pay but with benefits, except as required by law, ~~except as provided in section 14.2.D.~~ Federal and State leaves run concurrently, except in cases of Pregnancy Disability Leave (PDL). Leave is 12 workweeks per calendar year. Eligibility factors are:

1. The employee has worked for TAMC at least 12 months.
2. The employee has worked at least 1,250 hours in the previous 12 months.

~~2-B.~~ Leave must be granted for the following reasons:

1. Birth or adoption of the employee’s child.

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2. Placement of a child with the employee for adoption or foster care.
3. To care for the employee's child, spouse or parent with a serious health condition.
4. For the employee's own serious health condition preventing the employee from doing his/her job.

3.C. In the case of leave for the employee's own, or an eligible family member's serious health condition, the employee must, whenever possible, provide advance notice of the leave request and medical certification. Thirty (30) days advance notice is required where the health condition is foreseeable. Failure to provide notice as required and/or medical certification may delay the granting of the leave. TAMC may require a second or third medical opinion in its discretion.

~~4. In the case of leave for the employee's own, or an eligible family member's serious health condition, medical certification is required. Failure to provide notice as required and/or medical certification may delay the granting of the leave. TAMC may require a second or third medical opinion in its discretion.~~

5. D. Leave available under this rule is unpaid leave, but with TAMC continuing payment of its share of health, dental and vision benefits costs. Leave under this rule shall run concurrently with eligible paid sick or annual leave.

E. Employees with a spouse, son, daughter, or parent in the regular Armed Forces or on active duty or call to active duty status in the National Guard or Reserves may use their 12- week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

6. F. Regardless of the specific provisions of this Policy, TAMC shall comply with all applicable provisions of the Acts, as they may be amended from time to time.

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## SECTION XVI INSURANCE AND RETIREMENT

### 16.1 Insurance Benefits

A. Health Insurance. On the date of hire, ~~regular~~Regular Employees-employees are provided:

5. Health Insurance Plan. A cafeteria selection of health plans is provided to all ~~regular~~Regular Employees-employees. TAMC employees may choose from among the health plans offered by the Agency. Premiums for specific health plans, including coverage for eligible dependents, is paid by the Agency up to the limits set in Section XIV. Coverage is effective the first of the month after the employee's hire date. COBRA coverage is available upon termination subject to conditions. The Agency pays only the non-elective employer contribution for retiree coverage according to conditions defined by CalPERS. ~~(Add???)~~ In order to be eligible to receive the Agency-paid healthcare benefits, the retiree must be age 50 and have 5 years of covered PERS service or qualify for disability retirement status. Language taken from GASB 45 actuarial of July 1, 2015)

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1.  
6.2. Domestic Partner Health Benefits.

Domestic partners as defined by Section 297 of the Family Code~~authorized by Section 22873 of the Government Code~~ and their children are considered eligible dependents for the purpose of Agency health care coverage.

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3. Dental and Vision Plan. These plans are provided to all ~~Regular~~Regular Employees-employees. Dependent coverage is available at employee expense.

4. Pre-tax Medical and Dependent Care Benefits. A flexible spending account is available at employee expense on a pre-tax basis- (Section 125 of IRS code). This program allows employees to set up pre-tax deductions from their paychecks to be placed into accounts with TAMC to use for the employee's share of premiums for health, dental and vision premiums and

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for unreimbursed medical benefits and dependent care.

It is the employee's responsibility to report any changes in life that impact his/her health plan. (E.g. divorce, change of address, etc.). If the change is not reported in a timely manner, the employee will be responsible for any financial consequences the Agency may incur as a result of the change.

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- B. Worker's Compensation Insurance. As required by State law, all TAMC employees are covered by worker's compensation insurance.
- C. Group Term Life Insurance. TAMC pays premium on \$20,000.00 Group Term Life Insurance for each ~~Regular General Employee, employee, except for the Executive Director, the Deputy Executive Director and the Director of Finance & Administration.~~ TAMC pays premium on \$50,000.00 Group Term Life Insurance for the Deputy Executive Director and the Director of Finance & Administration. -The life insurance benefits provided to the Executive Director are defined in his/her contract, and the contract requirements prevail.
- D. Unemployment Compensation Insurance (UCI). All TAMC employees are covered by UCI at employer expense.
- E. Long Term Disability Insurance. All eligible ~~regular~~ Regular Employees employees are covered —under a Long Term Disability Insurance plan at employer expense.

## 16.2 Retirement

- A. Public Employees Retirement System (PERS). At the time of hire, employees eligible to participate in the PERS plan must work at least 1,000 hours in a fiscal year. Benefits and contributions will be in accordance with PERS regulations, and the Agency's contract with PERS.

Applies to employees prior to 1/1/2013 & Legacy (or Classic Employees/Members):

- ~~C.~~ 2% at 55 Formula
- ~~D.~~ Portion of Employee contribution paid by TAMC as approved by the Board
- ~~E.~~ Minimum service requirement for retirement eligibility: age 50 with 5

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years of service

- F. Final compensation: highest 12-month average
- G. Military Service Credit: up to four (4) years credit available at employees expense.
- H. Public Service Credit for Peace Corps or AmeriCorps: VISTA Service for up to three (3) years credit available at employee's expense.
- I. 1959 Level 3 Survivor Benefit premium paid by employer

Applies to newPEPRA members employed after 1/1/2013:

- 2% at 62 Formula
- Employees pay 50% of the normal cost of their pension benefit as determined annually by PERS
- Minimum service requirement for retirement eligibility: age 52 with 5 years of service
- Final compensation: highest 36-month average
- Maximum pensionable compensation is capped at 120% of the Social Security contribution and benefit base if the member's service is not included in Social Security, and 100% if it is.
- Military Service Credit: up to four (4) years credit available at employees expense.
- Public Service Credit for Peace Corps or AmeriCorps: VISTA Service for up to three (3) years credit available at employee's expense.
- 1959 Level 3 Survivor Benefit premium paid by employer

Any required employee contributions to the pension will be made on a pre tax basis.

**B. Deferred Compensation Plan.** Applies to employees prior to 1/1/2013 & Legacy (or Classic Employees Members): The Agency as employer will pay up to 8% of each employee's base salary into the TAMC-approved Deferred Compensation Program as permitted by law. Employees may defer additional compensation up to that amount permitted under current Internal Revenue Service regulations by investment in the CalPERS Deferred Compensation Program as contracted by TAMC.

Applies to newPEPRA members employed after 1/1/2013: The Agency as employer will pay up to 8% of each employee's base salary into the TAMC-approved Deferred Compensation Program as permitted by law. Employees

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may defer additional compensation up to that amount permitted under current Internal Revenue Service regulations by investment in the CalPERS Deferred Compensation Program as contracted by TAMC. If annual salary exceeds \$????? Employer contributions are capped as ????????. Employer contributions may be further limited by CalPERS/IRS rules.

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C. Medicare. At time of hire, all employees are automatically members of the Medicare system. TAMC and employee each pay statutory amounts into plan.

D. Social Security. TAMC is not a member of Social Security and does not provide that benefit. Employees are encouraged to contribute to their Deferred Compensation Plan.

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## SECTION XVII TRAINING

### 17.1 Policy

TAMC encourages and promotes training opportunities for all employees to ensure that services they render may be more effective.

### 17.2 Types of Training

A. Specialized Individual Training includes special training courses, which are directly related to work performed by the employee. Covers conferences, seminars and training sessions held by professional organizations and specialized professional short courses.

B. Academic Training indicates courses offered by colleges, universities or local schools for academic credit that would improve employee's performance of TAMC duties.

C. Orientation Training will be conducted over the first six months of employment for all new ~~regular~~Regular Employees-employees, or other employees as designated by the Executive Director.

### 17.3 Professional Training Program

TAMC policy is to encourage enhancement of professional skills of all TAMC employees.

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A. On-The-Job Training:

The cost of professional training courses, authorized by the employees' supervisor as part of the employees' regular work schedule, will be reimbursed. Training is distinguished from continuing education because training is required by the employer, and continuing education is at the discretion of the employee.

B. Continuing Education:

Subject to Executive Director approval, reimbursement of up to \$2,000 per employee per fiscal year shall be paid upon submittal of documentation of successful completion of approved course(s). Employees shall submit continuing education program requests in writing, which shall include estimated reimbursement amount, type of degree or certification program, schedule of classes, and description of how participation in the program will be of benefit to his or her work. All classes are to be attended outside normal working hours, unless approved as an exception by the Executive Director. If scholarships are available, employee will make every effort to apply and use the scholarships to defray the reimbursement cost to the employer. The Executive Director may request TAMC Board approval for exceptions to the \$2,000 limit for employee training that is deemed crucial to the skills and knowledge needed by TAMC to complete its mission. ([IRS Section 127](#))

## SECTION XVIII EMPLOYEE PERFORMANCE REVIEWS

### 18.1 Purpose and Objectives

The purpose of a systematic review of employee performance is to reflect individual capability with the view of improving performance and promoting over-all program excellence.

This process is defined as performance management. At the core of performance management is the evaluation process. The evaluation process provides the opportunity to develop better relationships between the supervisor and employee by giving an ongoing feedback in an atmosphere that encourages growth and improvement.

### 18.2 Goals and Objectives and Job Specifications

A. Goals and objectives shall be set by each Regular Employee within six months of his or her hire date and updated annually in coordination with his or

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her supervisor, taking into account the adopted job specifications for that particular position. From these goals and objectives an employee should know what his/her job requires and the manner in which he/she is expected to perform those requirements.

At his or her performance review, each employee is rated against his or her goals and objectives for the specified review period. Based on the progress in meeting these goals and objectives, an employee should know how well she/he has performed in relation to what is expected.

### 18.3 Timing of the Performance Review

A. Performance reviews utilizing the appropriate evaluation forms shall be conducted by the supervisor directly responsible for an employee's performance. The purpose of the interim review is to deliver timely feedback on performance and to reduce the probability of any unanticipated performance matters arising at the periodic review. The annual and periodic reviews will include consideration of step increases until an employee has reached the seventh step of the salary range. All reviews will become part of the employee's personnel file. These performance reviews shall be conducted as follows:

1. Interim Review: At the end of the first six months during the probationary period, an interim review is conducted with an employee.

2. Periodic Review: The first periodic review will occur at the end of the probationary period for all Regular eEmployees.

7.3. Annual Review: At the annual anniversary of the employees' ascension to the next step of the salary range, and every year thereafter.

4. Step Increases: Step increases are considered after the successful completion of the probationary period, and annually thereafter. An employee is eligible for advancement to Steps 2 through 5 annually, from the anniversary of appointment as a regularRegular Employee employee. An employee is eligible for a Step 6 after serving at least 3 years at the 5<sup>th</sup> step, and eligible for Step 7 after serving at least 4 years at the 6<sup>th</sup> step.

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5. Special Performance Review. Whenever commendation or an adverse circumstance warrants a special performance review.

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- B. Discussion of Review: Supervisors will conduct private interviews with each employee. Both employee and supervisor will discuss each section of the employee's performance review form.
- C. Performance Review Form: The performance review form shall be standardized for each position. The form shall provide for the employee to add comments if desired. Supervisors must indicate the overall rating given the employee, and the employee must sign the performance review form indicating that it was discussed with him/her. Signature by the employee does not necessarily indicate that the employee agrees with the content of the performance review form, only that it has been discussed in the manner described above. Addendum sheets may be added to the evaluation by the employee if the employee takes exception to the rating received, or has additional relevant information to add. Prior to discussing with the employee, the Supervisor shall discuss the employee's review with the Executive Director. The Executive Director will also sign the performance review form.
- D. Special Performance Reviews: Special performance reviews may be scheduled for employees who are ending ~~probation~~ and employees not on probation at any time when a performance problem exists. An employee who has completed the probation period for his/her current job class and who received a probation performance review with an overall rating which is less than fully satisfactory may be placed on a special two month's performance review schedule. Any other employee may also be placed on special performance review by their supervisor through memorandum to the employee, with a copy to the Executive Director. The memorandum must include a statement of the performance problems leading to the special performance review, the date that the performance problems were discussed with the employee, the type of performance improvement that is required, and the date that the special performance review period is to begin.

The special performance review period will continue at two month intervals until the employee attains an overall rating of fully satisfactory or is terminated; provided, however, that the maximum time period that an employee can remain on special evaluation does not exceed six months.

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This Section does not limit the Agency's right to impose disciplinary action on an employee at any time, with or without special or periodic performance reviews.

## SECTION XIX DISCIPLINARY ACTION

### 19.1 Purpose

The principal objective of any disciplinary action shall be to the extent possible, to improve the performance, efficiency, and morale among employees. Any action by an employee, which reflects discredit on the TAMC organization is a direct hindrance to the effective performance of TAMC, or constitutes improper employee conduct, shall be considered good cause for disciplinary action.

### 19.2 Basis for Disciplinary Action

Whenever an employee's performance, work habits, or personal conduct fall below the desired level, the supervisor shall inform the employee promptly and specify the nature of the problem and the means the employee may take to rectify the situation. If appropriate, a reasonable period of time for improvement may be allowed before initiating disciplinary action.

### 19.3 Types of Disciplinary Actions

#### A. Warnings and Reprimands

If it has been determined by the supervisor that more severe action is not immediately necessary, the supervisor may communicate a warning to the employee orally or in writing, and document the dates and nature of the problem or deficiency observed. The written reprimand will be recorded in the employee's personnel file so as to be available for future reference. Written reprimands will be filed in the employee's personnel file. Oral warnings and written reprimands are not grievable, but written reprimands may be rebutted in writing and the rebuttals shall be attached to the written reprimand. The supervisor may correct the reprimand at his/her discretion.

#### B. Suspension

1. Normal Circumstances Without Pay. The Executive Director may suspend an employee without pay for up to ~~six (6) months~~ 90 (ninety) days

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depending upon the circumstances. Vacation and sick leave will not be available or accrue during a period of suspension.

2. Administrative Removal with Pay. The Executive Director may administratively suspend an employee with pay pending investigation into charges of misconduct on the part of the employee. The Executive Director may also administratively suspend an employee with pay for up to twenty (20) working days, based upon a determination that circumstances exist that make the immediate removal of the employee to be in the best interests of TAMC.

a) Paid suspension pending investigations are not disciplinary actions and not subject to appeal, unless the suspension subsequently becomes a disciplinary action.

b) Written notice of such suspension shall be given to the employee as soon as possible, but not later than 72 hours after such action is taken.

~~B.~~ c) If the charges against the employee are substantiated by the investigation, appropriate disciplinary action may be taken in accordance with the remaining provisions of this chapter.

- C. Reduction in Pay Step. The Executive Director may reduce an employee's pay step as part of a disciplinary action.

- D. Demotion to Lower Classification. The Executive Director may demote an employee to a lower classification as part of a disciplinary action.

- E. Payment for Damages

If the Executive Director determines that an employee, through gross negligence or willful misconduct, has caused the damage of vehicles, equipment, or property, the employee may be held financially responsible for the amount of damage or loss.

- F. Dismissal

The Executive Director may dismiss for cause any ~~Regular~~ Regular Employee.

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~~employee in Regular status~~ or without cause any probationary employee,  
under his or her jurisdiction. ~~Dismissal may be imposed in the absence of  
prior warnings or suspensions, in the discretion of the Executive Director.~~

#### 19.4 Procedures for Disciplinary Action

After consultation with the Executive Director, the employee's supervisor shall inform the employee in writing of the proposed disciplinary action. A copy of the notice shall be placed in the employee's personnel file.

- A. Except when emergency or other special circumstances require immediate action, written notice of proposed disciplinary action shall be given directly to the employee or sent by U.S. certified mail to the address on file in the personnel department at least five (5) ~~working~~ days prior to the effective date of such action. The date of service shall be the date the notice is given to the employee or the date mailed. ~~The written notice shall: The five (5) days prior notice requirement shall not apply in cases where the integrity of TAMC funds or data are threatened, or in the case of workplace violence (threatened or actual); in such cases, notice shall be given within a reasonable time after commencement of discipline.~~

~~1. State the intended disciplinary action, the reason for the disciplinary action, and the effective date of the action.~~

~~2. Include a copy of the charges and copies of all relevant documents upon which the disciplinary action is based.~~

~~3. State the employee's right to respond to such action to the charges either verbally or in writing at an informal meeting conducted by the Executive Director or his designee at a time between no earlier than five (5) working days following the date of service of the notice.~~

B. The written notice shall:

1. State the intended disciplinary action, the reason for the disciplinary action, and the effective date of the action.

2. Include a copy of the charges and copies of all relevant documents upon which the disciplinary action is based.

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~~3.3. State the employee's right to respond to such action to the charges either verbally or in writing at an informal meeting conducted by the Executive Director or his designee at a time no earlier than five (5) working days following the date of service of the notice. State the employee's right to respond to such action to the charges either verbally or in writing at an informal meeting conducted by the Executive Director or his designee at a time prior to the effective date of the proposed discipline.~~

~~BC. In cases of intended dismissal, the employee's supervisor Executive Director shall make the final decision and give, after the employee's response or non response, and no earlier than five (5) days from the notice of intention to dismiss, whichever is sooner, shall notify the employee of his/her decision. If the decision is to dismiss, the Executive Director shall give the employee written notice of dismissal.~~

#### 19.5 Appeals from Disciplinary Action

A. Any ~~Regular e~~Employee who has successfully completed his/her probationary period may appeal disciplinary actions. Such appeals must be made in writing, must describe the basis for the appeal, and must be filed with the Executive Director within a period of ten (10) calendar days from notification of the decision to take disciplinary action.

~~B. Only disciplinary actions which result in loss of salary or of Regular status~~  
~~B. Written reprimands and administrative removal with pay may not be appealed.~~  
~~may be appealed.~~

C. Appeals From Disciplinary Actions  
The Executive Director or his/her designee shall serve as hearing officer for disciplinary appeals. The hearing officer shall base his/her findings upon the written statement of charges and upon information presented orally or in writing at the hearing. The hearing officer shall determine whether or not the charges as made and the proposed disciplinary action are appropriate. The hearing officer shall approve, modify or withdraw the recommended disciplinary action. The hearing officer shall give the employee and the Director of Finance & Administration notice if the intended disciplinary action is modified or withdrawn. If the disciplinary action is upheld, it shall take affect at the time specified in the notice of intended disciplinary action to the

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~~employee. If modified, the effective date shall be specified in the notice from the hearing officer.~~

~~D. The decision shall be final and conclusive for purposes of grievance procedures, with no further appeal to the Agency Board.~~

C. Within thirty (30) days of receipt of a written appeal of a disciplinary action, the Executive Director shall ask the TAMC Executive Committee to designate a hearing officer. The hearing officer shall not be a member of TAMC staff and shall not be a member of the TAMC Board.

1. The hearing officer shall base his/her findings upon the written statement of charges and upon information presented orally or in writing at the hearing. Oral evidence shall be taken only on oath or affirmation. Witnesses may be called and cross-examined. Technical rules relating to evidence and witnesses do not have to apply; hearsay evidence may be used for the purpose of supplementing or explaining direct evidence but shall not be sufficient in itself to support a finding unless it would be admissible over objection in a civil action.

2. At the hearing, the burden of proof shall be on TAMC.

3. The hearing officer shall determine whether or not the charges as made and the proposed disciplinary action are appropriate. The hearing officer shall prepare a summary record of proceedings and recommend whether to approve, modify or withdraw the recommended disciplinary action.

4. Within thirty (30) days after the filing of the hearing officer's record and recommendation, review maybe sought by filing an appeal with the TAMC Executive Committee . If review is sought, then the TAMC Executive Committee shall consider the matter and either adopt the hearing officer's recommendations or make its own findings, conclusions and determinations within sixty (60) days of the filing of an appeal, but no later than the next available TAMC Executive Committee meeting which is after the 60<sup>th</sup> day.

D. The decision of the TAMC Executive Committee shall be final and conclusive for purposes of grievance procedures, with no further appeal to the Agency Board.

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## SECTION XX NON-DISCIPLINARY SEPARATION

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20.1 Rights Upon Separation

~~Regular~~Regular Employees-employees who separate shall receive payment for all earned salary and accrued annual leave and/or vacation for which the employee is eligible. The use of accrued annual leave and/or vacation to extend employment beyond the actual last day worked shall not be permitted.

20.2 Employee Property Clearance

The Executive Director will certify that all keys, records, assets, and other items of property in the custody of separating employee have been returned to TAMC prior to receiving final pay.

20.3 Resignations

Any employee may resign from the service by presenting his/her resignation in writing to the Executive Director. To resign in good standing, an employee must give at least two weeks' notice, unless because of extenuating circumstances the Executive Director agrees to permit a shorter period of notice. Resignations shall be promptly forwarded to the Executive Director or his/ her designee who will conduct exit interviews for each resignation.

20.4 Reduction-in-Force (Layoff)

A. Layoff. Layoff occurs when TAMC finds it necessary to reduce its level of staffing within (a) job classification(s) due to lack of work, lack of funds, curtailment of positions due to reclassification action, for purposes of economy or reorganization.

Layoffs shall occur within the job classification(s) selected by the Executive Director and shall consider such factors as the needs of TAMC work program and workload, employee skills, expertise, and knowledge, and employee performance.

The Executive Director may retain ~~Regular~~Regular Employees-employees irrespective of status or seniority who possess special skills, knowledge or abilities that are necessary to perform the continuing functions of TAMC.

B. Notice. TAMC will notify employees prior to implementing any reductions in force. Employees shall be given at least 14 days written notice, whenever

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possible, prior to layoff.

The notice shall state: (1) the employee's last date of work; (2) the reason for the layoff; (3) reinstatement rights; and (4) voluntary demotion rights.

- C. Layoff List. Each employee who is laid off shall have his/her name, position, and date of layoff placed on a layoff list. For one year, the layoff list shall be the basis for recall to the employee's original position or positions of the same classification within the organizational unit in which the layoff occurred.

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- D. Demotion in Lieu of Layoff.

A qualified TAMC employee may, in lieu of layoff, agree to be demoted to a lower-paid classification in which there is a vacancy. Where more employees seek to demote than there are available positions, the needs of the agency shall prevail. An employee electing this option shall also be placed on the layoff list for possible recall.

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- E. Layoff Appeal Procedure.

Persons subject to layoff under these provisions may appeal based only on an allegation of error, irregularity or bias in the application of the layoff procedures. TAMC's determination as to lack of funds, need for the layoff, or classification(s) selected, may not be appealed. The affected employee may, within seven (7) calendar days after the personal delivery or mailing of the layoff notice, appeal the layoff as provided herein to the Executive Director. An appeal concerning a layoff procedures violation shall not act to stay or stop the intended displacement. The Executive Director shall review the appeal and respond to the employee in writing no later than seven (7) calendar days after receiving the appeal.

If the employee is not satisfied with the Executive Director's decision, the employee may, within seven (7) calendar days, request the review and final resolution of the matter by the Executive Committee of the TAMC Board whose decision shall be final.

## 20.5 Disability

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An employee may be separated for disability when he or she cannot perform essential duties because of a physical or mental impairment. TAMC may require an examination at its expense and performed by a physician of its choice.

20.6 Death.

All compensation due in accordance with Section ~~20.1~~ on Rights Upon Separation shall be paid the estate of the employee, except for such sums as by law must be paid to the surviving spouse.

20.7 Retirement.

Whenever an employee meets the conditions set forth in the applicable PERS retirement plan, he or she may elect to retire and receive benefits earned as determined by and under that plan.

20.8 Processing Separation Actions

A. Separation data, along with the following documents, must be submitted to TAMC:

1. Letter of Resignation. To be submitted with Personnel Action Form in case of employee resignation.
2. Letter of Retirement. To be submitted with Personnel Action Form in case of employee retirement.
23. Substantiating Data for Separations Due to Dismissal. Data will normally include copies of unsatisfactory employee performance reviews and letter of notification to the employee if dismissal is for unsatisfactory work.

B. Whenever practical, separation should be effective as of the completion of a normal pay period, and all data pertaining to final pay and accumulation of vacation leave, holiday pay and compensatory time should be included in the ~~R~~regular payroll.

1. Pay for personnel separating for reasons other than dismissal will be available on the normal payday unless prior arrangements are made with the Executive Director.
2. Pay for personnel dismissed for cause will be processed on the same day

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as the separation is effective.

C. Exit Interviews

The purpose of the exit interview is for the departing employee to be aware of his or her continuing benefits and rights, and for the Agency to learn about issues that may have led to the employee's departure or areas for improvement within the Agency. The Executive Director or designee will schedule an exit interview for each departing employee. This interview will cover benefits conversion/continuation, retirement rights, clearance of office keys and property, final pay and related administrative matters as well as concerns, observations and suggestions for improving working conditions.

Future contact with departing employees will be encouraged.

SECTION XXI EXPENSES

21.1 Mileage reimbursement

Any TAMC employee who is required to operate his or her own privately owned vehicle on official duties shall be reimbursed mileage at the Internal Revenue Service reimbursement rate. ~~If the employee is authorized by the TAMC Board to receive a car allowance, that employee is expected to use his/her vehicle for work-related trips within the County and may only claim mileage reimbursement for work-related trips out of Monterey County.~~

Claims for mileage reimbursement shall be paid upon completion, ~~and~~ submission and approval of the reimbursement claim form.

21.2 Travel reimbursement

A TAMC employee shall receive reimbursement for authorized, ~~actual~~ and necessary expenses of meals, lodging, parking and similar charges as a result of being assigned duties away from his/her principal work site, or to attend a school, conference, seminar or similar function at TAMC direction. ~~Reimbursement rates shall be in accord with federal guidelines. If state rates are lower than federal rates, TAMC shall pay the difference using non-state revenue. Reimbursement shall be in accord with current state guideline rates. (Refer to Official Travel & Training-Employees Policy.) Any reimbursement in excess of state rates must be approved by the Executive Director and will be paid for using non federal and state revenue.~~

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Claims for travel reimbursement shall be paid upon completion, ~~and~~ submission and approval of the reimbursement claim form.

(For more details on expense and travel reimbursement, refer to Administrative policy on Official travel.)

## SECTION XXII WORKPLACE SAFETY AND REPORTING OF WORKPLACE INJURIES

TAMC is committed to providing a safe and healthy work environment for all employees.

All employees have responsibilities with respect to their own personal safety, that of fellow employees, and public safety.

Employees are required to think about safety at all times. If an employee sees an unsafe or unhealthy condition or hazard, the employee must advise his/her supervisor or Executive Director so that the condition or hazard can be corrected.

Staff members injured while at work shall report such accidents to the Administrative Section in writing as soon as possible after the accident. "At work" refers to any time period or location where the employee is conducting official TAMC business. The Assistant Director for Finance & Administrative Section will notify the insurance carrier and Executive Director of all accidents ~~and The Administrative Section will~~ ensure that the employee receives appropriate medical treatment. (Refer to the Administrative policy for more details)

California law makes it a crime to knowingly file a false or fraudulent claim for workers' compensation benefits, or to knowingly submit false or fraudulent information in connection with any workers' compensation claim.

TAMC or its insurer will not be liable for payment of workers' compensation benefits for any injury that arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity that is not part of the employee's work-related duties.

## SECTION XXIII MISCELLANEOUS

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23.1 Loyalty Oath

Prior to receiving any compensation, employees shall complete and sign oaths as may be required by State law.

23.2 Personnel Files

All TAMC personnel files shall be confidential and not open to public inspection, unless otherwise required by law. An employee may review his/her personnel file during non-duty time in the presence of an Agency representative. Requests to inspect files must be made with the Director of Finance & Administration. Records shall be made available within 30 days of receiving the request. Employee may also request to receive a copy of the records. An employee may write a response to adverse information in his/her personnel file, which shall be entered into and maintained in the file.

23.3 Employee References

Other than what is may be required by the law, the Agency will not release any information concerning references without an employee's written authorization. In the absence of a written authorization, the Agency will only confirm dates of employment, and the title of the last position held. All requests for references must be directed to the Director of Finance and Administration. No other manager, supervisor, or employee is authorized to release information for current or former employees without prior authorization from the Director of Finance and Administration.

23.4 Employer Property

The Agency has the right to inspect any and all Agency property at any time. This includes but is not limited to offices, desks, phones, personal computers, and e-mails. (Also refer to administrative policy on Electronic Communications, policies)

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23.5 Dress Code and Other Personal Standards

TAMC expects all employees to use good judgment and taste in matters of personal grooming and dress. Attire should be in keeping with the dignity of a professional office. Employees should always be neat and clean in appearance, dressed in reasonably conservative attire, and conduct themselves in a business business-like manner. Management will help employees determine what is considered appropriate attire for the particular situation.

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23.6 Use of Cell Phones

A. Use of cell phones ~~or text messaging~~ while driving an Agency vehicle or personal vehicle on Agency business is discouraged. In the event that a cell phone must be used while driving, a hands-free device must be used in the interest of safety of employees and other drivers. Any citations for cell phone violations shall be the employee's responsibility and may be subject to TAMC disciplinary action.

B. Text messaging while driving an Agency vehicle or personal vehicle on Agency business is prohibited.

C. Use of cell phones for personal use during business hours shall be minimized and should be limited to infrequent immediate family and medical needs. Phone calls of any other nature should be conducted while on break.

23.7 Gratuities and Gifts

In order to avoid raising any questions about the integrity of TAMC as an agency or that of any individual staff member, all employees are prohibited from accepting gratuities, from any person or entity, relative to their job function or performance within TAMC. Employees and their immediate family are not to accept gratuities, meals, or honoraria, or any special discounts or loans from any person or firm doing, or seeking to do, business with TAMC.

If an employee has any question regarding the propriety of a gift, or proposed gift, disclosure should be made to their supervisor or the Executive Director for a determination of the proper course of action.

A violation of this policy may result in disciplinary action, up to and including termination.

23.8 Smoking Policy

Smoking is not permitted in any TAMC building, office or vehicle. Smoking is permitted during employee rest and meal breaks only in outside areas, consistent with applicable law. Smokers are required to leave such areas free of smoking litter and debris.

23.9 Confidential Information

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- A. If during the course of employment an employee acquires confidential or proprietary information about TAMC, or any TAMC's business or operations, such information is to be handled in strict confidence and not to be discussed with those outside of TAMC. Employees shall also be responsible for keeping such information in strict confidence internally where appropriate.

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Most communication among TAMC employees is not considered confidential. However, certain circumstances, such as police investigations, personnel records, personnel related matters and communications from TAMC Counsel, may be confidential or contain confidential information. At times when an employee possesses "confidential" information, the employee has an obligation to take all reasonable and necessary steps to protect the confidentiality of the information, and minimize the likelihood of inadvertent transmission of the confidential information to unintended recipients. If an employee has any question regarding the implementation of this section, they should contact their supervisor or the Executive Director.

- B. Employee's confidentiality obligations remain in effect even after an employee is no longer employed by TAMC.
- C. Employees shall treat all information as "confidential" if there is any possibility that the information could be considered personal (such as personnel or medical records), or private (such as proprietary or financial information received in confidence from a third party with the expectation, expressed or implied, that such information will be kept confidential), or if it could potentially expose TAMC to liability if released to the public.

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- D. ~~Identify~~ of the People Who Are Authorized To Receive The Confidential Information: Employees with the care and custody of confidential information shall be responsible for determining which other employees (or possibly attorneys or consultants hired to represent TAMC) are authorized recipients of the information. Generally, only people with a "need to know" the confidential information are authorized recipients. Employees with any questions as to who is an authorized recipient for confidential information shall contact their supervisor or the Executive Director.

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- E. All requests made under the California Public Records Act and Federal Freedom of Information Act shall be forwarded to the Executive Director, or

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his/her designee, who will communicate the request to TAMC Counsel.

Conflicts of Interest

A conflict of interest exists where the employee's loyalties, duties or responsibilities are divided between TAMC's interests and those of another such as an individual, corporation or other business entity.

A. TAMC's reputation for integrity is among its most valuable assets and is directly related to its employees. Therefore, TAMC employees shall faithfully discharge their duties and shall refrain from knowingly engaging in any outside matters of financial interest incompatible with the impartial, objective, and effective performance of their duties. Further, employees shall not use their positions with TAMC for private gains, to advance personal interest, or to obtain favors or benefits for themselves, members of their families, or any individuals, corporations, or business entities.

B. Employees shall not knowingly use TAMC property, funds, position or power for personal or financial gain.

C. Employees shall inform their supervisor in writing of reasonably foreseeable potential conflicts.

23.140 Workplace Search Policy

All offices, desks, lockers, file cabinets, computers, voicemail boxes, Agency vehicles, and other equipment and furnishings provided by TAMC are considered property of TAMC and are issued for the use of employees during their employment with TAMC. Inspection or searches may be conducted of TAMC property at any time at the discretion of TAMC management.

In the event that TAMC has reasonable suspicion to believe that an employee is possessing, selling, or using illegal drugs, weapons, or stolen property on TAMC premises, TAMC management reserves the right to notify law enforcement authorities to initiate appropriate searches and/or investigations.

Employees who, after lawful inspection or searches, are found to be in possession of illegal drugs, weapons, or stolen property will be subject to disciplinary action up to and including termination.

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EMPLOYEE CERTIFICATION

I, \_\_\_\_\_, certify that I have  
(Print Name of Employee)

received a copy of the Transportation Agency for Monterey County's Human Resources Rules and Regulations. I understand that I am to promptly read its contents and that if I have any questions about the Rules and Regulations, I am to discuss them with my supervisor or the Director of Finance & Administration. I acknowledge that I am expected to read, understand and adhere to the Transportation Agency for Monterey County's policies.

\_\_\_\_\_  
(Employee Signature)

\_\_\_\_\_  
(Date)

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TRANSPORTATION AGENCY FOR MONTEREY COUNTY

## Memorandum

**To:** Board of Directors

**From:** Theresa Wright, Community Outreach Coordinator/  
Associate Transportation Planner

**Meeting Date:** March 23, 2016

**Subject:** **Video Recording and Broadcasting of Board Meetings**

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### **RECOMMENDED ACTION**

1. **RECIEVE** a report on the status of the TAMC Board Recordings; and
2. **AUTHORIZE** a Sole Source Authorization for Access Monterey Peninsula to provide video recording, production, broadcasting and live stream services of Transportation Agency Board meetings; and
3. **APPROVE** the use of administration funds budgeted to this purpose.

### **SUMMARY**

The agreements for services with Access Monterey Peninsula and the Monterey County Superintendent of Schools for video production and television broadcasting services of the Agency's Board meetings expire on June 30, 2016. At this time, the Agency is exploring the best option for video production and television broadcasting of the Transportation Agency's Board meetings.

### **FINANCIAL IMPACT**

The total cost to provide video production services, broadcasting and live streaming of Agency's Board meetings is \$48,400 for three years. This cost is included in the Agency's adopted budget.

### **DISCUSSION**

On September 26, 2012, after a competitive bidding process, the Board approved a \$39,900 contract with Access Monterey Peninsula to provide video production service for the TAMC Board meetings through July 1, 2015. Additionally, on September 26, 2012, the Board approved an \$8,400 contract with the Monterey County Superintendent of Schools to have Agency Board meetings broadcast on the Monterey County government-programming channel, Comcast Cable

channel 28, on Access Monterey Peninsula channel 25, and on Charter Channel 26 through July 1, 2015.

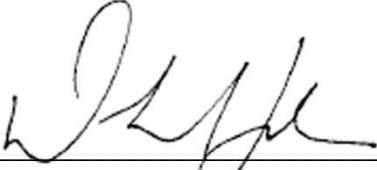
On June 24, 2015, the Board approved contract amendments with Access Monterey Peninsula and the Monterey County Superintendent of Schools to extend the previous contracts by two meetings to allow for solicitation of proposals through the Agency's procurement process to secure new contracts. A Request for Proposals was issued, and after the specified 30 day submittal period, no qualified proposals were submitted. As a result, no contractors could be selected through the competitive solicitation process. A sole source determination to extend the current agreements with Access Monterey Peninsula and the Monterey County Superintendent of Schools was justified based on the lack of any respondents to the June Request for Proposals and approved by the Board. The amendments extended the current agreements to cover the remainder of fiscal year 2015/16.

At the signing of amendment contract, the Monterey County Superintendent of Schools notified the Agency that they would be unable to provide broadcasting services for the Agency Board meetings after the expiration of the amended contract in 2016.

Research conducted by staff revealed that there is a software company that offers agenda management and live stream services for government agencies. That company, Granicus, however, does not offer video recording. The cost for one year of services for agenda management and live stream services is \$ \$36,710.

Based upon research, the lack of qualified responses to the previous Request for Proposals and the loss of broadcasting services through Monterey County Superintendent of Schools, staff is seeking to a sole source determination to contract with Access Monterey Peninsula be provide recording, video production, broadcasting on the Comcast Access Monterey channel, web copies and live streaming of Board meeting for fiscal years 2016/17 – 2018/19.

This determination meets the criteria to approve a sole source finding based on economy and efficiency, and the appropriate documentation has been made to the contract file.

Approved by:  Date signed: March 16, 2016  
Debra L. Hale, Executive Director

Consent Agenda

Agency Counsel Approval: N/A  
Admin/Finance Approval: Pending



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

## Memorandum

**To:** Board of Directors  
**From:** Virginia Murillo, Assistant Transportation Planner  
**Meeting Date:** March 23, 2016  
**Subject:** Transportation Development Act Guidelines

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### RECOMMENDED ACTION

**AMEND** the Agency's Transportation Development Act Guidelines.

### SUMMARY

The Agency administers Transportation Development Act funds that are a designated source of funding for planning, bicycle and pedestrian projects and public transit. The Agency's Transportation Development Act Guidelines must be updated to reflect legislative changes in the Act from Senate Bill 508, which include updated farebox recovery ratios for transit operators.

### FINANCIAL IMPACT

There is no financial impact associated with this action. Staff time required to administer Transportation Development Act funds is budgeted in Work Element 1020.

### DISCUSSION

The California Legislature enacted the Transportation Development Act of 1971 to improve existing public transportation services and encourage regional transportation coordination. Caltrans administers the Act through each county's regional transportation planning agency. As the regional transportation planning agency for Monterey County, TAMC administers the county's TDA funds. TAMC is responsible for authorizing funding to local agencies for the purposes outlined in the Act, and is responsible for conducting an annual unmet transit needs assessment.

The TDA provides two major sources for funding of public transportation in California. The first, the Local Transportation Fund (LTF) is derived from a ¼ cent of the general sales tax collected statewide. The second, the State Transit Assistance fund is derived from the statewide sales tax on diesel fuel. Each February, the Agency prepares an estimate of the LTF funding it

expects to be available in the coming fiscal year and apportions funds to eligible uses pursuant to state law in the following priority order:

1. Agency Administration and Planning (Article 3, PUC Section 99233.1);
2. Bicycle & pedestrian projects through the Transportation Development Act 2% program (Article 3, PUC Section 99233.3);
3. Public transit by jurisdiction, based on population as reported by the Department of Finance (Article 4, PUC Sections 99260(a)-(c)); and,
4. For the construction and maintenance of local streets and roads (Article 8, PUC Section 99400).

Prior to allocating LTF funding for local streets and roads purposes as outlined in Article 8 of the TDA, TAMC must provide for a public hearing and outreach to solicit comments on public transit services needed in the community, and determine if there are any “unmet transit needs that are reasonable to meet”. After 2010, TAMC’s finding on unmet transit needs allowed MST to claim all available funds to support existing transit operations countywide.

There are no prescribed priorities for STA funds. Transit operations and capital replacement are equally eligible for funding. In addition, STA funds may also be used for passenger rail pursuant to PUC Section 99234.9.

TAMC’s TDA Guidelines establish a formal claims process for the Agency’s administration of TDA funds. Senate Bill 508 amended portions of the TDA, requiring updates to TAMC’s TDA Guidelines. The revised unmet transit needs process adopted by the Board in December 2015 is included in the updated TDA Guidelines. Changes from Senate Bill 508 are reflected in the **attachment** and include:

- Up to 5% of the TDA 2% program amount may be used to support bicycle and pedestrian safety education programs
- 10% is the farebox recovery ratio for transit operators
- Local funds, such as MST’s Measure Q, can be counted in the farebox recovery ratio

The complete amended TDA Guidelines are included as a **web attachment** to this report. Staff recommends that the Board adopt these changes to the TDA Guidelines so that they match the most current State law.

Approved by:   
Debra L. Hale, Executive Director

Date Signed: March 10, 2016

Consent Agenda

Counsel Approval: N/A  
Finance Approval: N/A

Attachment: Transportation Development Act Guidelines Amended Sections

Web Attachment: Amended Transportation Development Act Guidelines

## Transit System Farebox Recovery Ratios

No claimant can receive TDA funds if the ratio of the sum of fares and eligible local support falls below the TDA minimum, called the farebox recovery ratio. This applies to both STA and LTF funds. Pursuant to [California Code of Regulations Section 6633.2\(d\)](#), TAMC may set the farebox recovery ratio for transit operators. [Senate Bill 508 \(Beall, 2015\)](#), the farebox recovery ratio for rural areas is 10%.

In order to claim TDA funds, MST must meet the minimum farebox recovery ratio of ~~15~~10%, as set by the [Transportation Agency's resolution 2004-19](#) [Senate Bill 508](#). [Local fund sources, such as MST's Measure Q revenues, count for this farebox ratio.](#)

In the event that a transit claimant does not meet the required farebox recovery ratio, TAMC will comply with the provision of Non-Compliance with the Required Revenue Ratio (PUC Section 6633.9):

- The first year of non-compliance is the grace year.
- The second year of non-compliance is the non-compliance year for purposes of calculating the penalty.
- The third year is the determination year.
- The fourth year is the penalty year. TDA funds are reduced by the difference between the required farebox revenues and the actual revenues (in the non-compliance year).

TDA requires that a claimant subject to the penalty in this section demonstrate to TAMC how it will achieve the required ratio during any penalty year.

## Social Services Transportation Advisory Council

Pursuant to Article 3, PUC section 99238 of the TDA, TAMC consults with the Social Services Transportation Advisory Council (SSTAC) on the transit needs of transit-dependent and transit-disadvantaged persons, including the elderly, disabled, and persons of limited income.

### Membership of SSTAC

TAMC must designate a SSTAC, which serves as a citizen advisory body that communicates information about unmet transit needs and recommends an annual finding for consideration by the TAMC Board of Directors. Members of the committee must be appointed to represent the following categories:

- Potential transit users 60 years of age or older
- Potential transit users with disabilities
- Local social service providers for seniors, including one representative of a social service transportation provider, if one exists
- Local social service providers for persons with disabilities, including one representative of a social service transportation provider, if one exists
- Local social service provider for persons of limited means
- Consolidated transportation service agency, including one representative from an operator, if one exists

The Transportation Agency has designated MST's Mobility Advisory Committee as the Social Services Transportation Advisory Council for Monterey County, and meets the membership criteria.

## Unmet Public Transit Needs

Pursuant to Article 8, PUC section 99401.5, TAMC annually seeks public comments on unmet public transit needs in Monterey County. Public transit operators are required to implement service meeting any unmet transit needs that are deemed reasonable to meet with any Local Transportation Funds available after existing transit service commitments are met. Since all of the LTF in Monterey County has been allocated to MST, the unmet needs process serves largely as a public input process on the transit needs in the region. Several creative responses to addressing these transit needs (i.e. special grant applications, ~~redirection-refinement~~ of routes), have been used in the past to address comments made during the unmet needs process that have been found reasonable to meet, despite a lack of additional Local Transportation Funds.

## Unmet Transit Needs Process

Under state law, prior to allocating LTF funding for local streets and roads purposes as outlined in Article 8 of the TDA, the Regional Transportation Planning Agency must provide for a public hearing and outreach to solicit comments and testimony on public transit services needed in the community, and determine if there are any “unmet transit needs that are reasonable to meet”. Before 2010, TAMC allocated streets and roads funding to the four south County cities and the County of Monterey through the unmet needs process. After 2010, TAMC’s finding on unmet transit needs allowed MST to claim all available funds to support existing transit operations countywide.

Because TAMC no longer allocates Local Transportation Funds to local streets and roads, the Agency is no longer required to adopt a finding on unmet transit needs. To reflect this change, the TAMC Board adopted a revised unmet transit needs process in December 2015. Although TAMC no longer allocates TDA funds to local streets and roads, the Agency is still required to solicit public input on unmet transit needs. Nonetheless, Caltrans has stipulated that TAMC must still conduct the unmet transit needs process, to provide public input on the adequacy of transit services.—The revised unmet transit needs process requires TAMC to perform the following tasks:

1. Consult with MST’s Mobility Advisory Committee, which is the county’s designated SSTAC.
2. Perform an annual assessment of transportation needs within Monterey County, including an assessment of the size and location of potentially transit dependent groups, an analysis of the adequacy of existing transportation systems in providing service for those groups, and an analysis of the potential for transit service to provide service that would meet the demand of those groups.
- ~~3. Adopt a definition of “unmet transit need” and establish criteria for determining transit needs that are “reasonable to meet.”~~
- ~~4.3.~~ Hold an annual unmet transit needs hearing to solicit comments on unmet transit needs that may exist in Monterey County.
- ~~5.4.~~ Consider all the available information obtained in the above actions and maintain a list of unmet transit needs comments categorized by:~~adopt an unmet transit needs finding by resolution determining whether:~~
  - Transit service improvement requests that would improve an existing service.
  - Transit service expansion requests that extend a transit route beyond its current limits and fill a gap in service.
  - Capital improvement projects that would enhance existing public transit facilities.
  - ~~There are no unmet transit needs;~~
  - ~~There are no unmet transit needs that are reasonable to meet; or~~
  - ~~There are unmet transit needs that are reasonable to meet.~~

## Unmet Transit Needs Definition

In general, an unmet need represents a request for new public transit service for which public support has been expressed through the public hearing and outreach process. Service meeting the unmet need cannot impact existing service, and sufficient funds must be available to implement the service. Lack of funding cannot be used as the sole criteria for determining that an unmet need is not reasonable to meet.

An “unmet transit need” is a public transportation need that the public transportation system is not currently meeting and would be expected to generate sufficient ridership to meet the required 10% farebox recovery ratio. ~~transportation request that is not being met by the current public transportation system and meets the criteria adopted by the SSTAC and TAMC that is defined below.~~

~~The request has been identified as a deficiency at a public hearing, or at a meeting of the SSTAC.~~

~~Community support was expressed through the public hearing process.~~

~~The request represents a trip demand, and proposed transit services do not duplicate transit services currently provided either publicly or privately.~~

## Unmet Transit Needs ~~that are Reasonable to Meet~~ Evaluation

Unmet transit needs are placed into the following categories:

- Transit service improvement requests that would improve an existing service.
- Transit service expansion requests that extend a transit route beyond its current limits and fill a gap in service.
- Capital improvement projects that would enhance existing public transit facilities.

TAMC shares the list of unmet transit needs comments with Monterey-Salinas Transit, the only public transportation provider in the county. The unmet transit needs comments list serves as a public input tool for MST’s short and long term transit service planning and improvements. TAMC works with MST to evaluate comments based on the time frame in which unmet transit needs can be met:

- Short term transit improvements are those that can be implemented in the current service year within MST’s funding limits and without negatively impacting existing services.
- Long term transit improvements are those that would require additional funding beyond MST’s current funding limits. Long term improvement comments remain on the unmet transit needs comment list until additional funding becomes available.

MST’s Mobility Advisory Committee provides input on the categorized unmet transit needs comments list. This input serves to prioritize needs in the region, and is used to assist prioritizing transit projects as funds become available. The TAMC Board of Directors will receive the final list.

~~An “unmet transit need” is “reasonable to meet” if it meets the criteria adopted by the SSTAC and TAMC, as defined below:~~

- ~~1. The proposed service shall be feasible to fund within the existing and projected limits of TDA funds available to the affected jurisdictions.~~
- ~~2. An analysis has been made of the existing public transportation services and specialized transportation services, including privately and publicly provided services, and it has been determined that existing services do not meet this need.~~



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- ~~3. An analysis has been made of the potential alternative public transportation and specialized transportation services and service improvements that would meet all or part of this request.~~
- ~~4. Funding of this transportation request would not result in Local Transportation Funds (LTF) replacing federal and/or state revenues that presently fund this transportation request.~~
- ~~5. The proposed service is projected to generate the 15% farebox recovery ratio as required of the operator by the Transportation Development Act, and as set by TAMC's resolution from 2004-19.~~
- ~~6. Existing transit operators are capable of expanding their services; or establishment of a new service is logistically feasible without negatively impacting the current transit system.~~

### TDA Timeline

<b>January 31</b>	TAMC receives preliminary STA estimates from State controller. (99312.7 <sup>2</sup> ) The unmet transit needs public hearing comment period closes.
<b>February 1</b>	TAMC receives LTF estimate from County-Auditor. (6620)
<b>February</b>	TAMC apportions LTF funds by resolution <a href="#">for transportation planning and administration purposes, for the TDA 2% program and</a> to the Monterey-Salinas Transit District.
<b>April</b>	TAMC discusses unmet transit needs comments with MST's Mobility Advisory Committee.
<b>June 1</b>	Complete TDA claim packet due to TAMC (6630).
<b>June</b>	TAMC Board of Directors <del>adopts resolution</del> <a href="#">receives list</a> on unmet transit needs. TAMC allocates LTF and STA funds to claimant(s).
<b>June 30</b>	TAMC conveys allocation instructions to LTF claimant(s) and to the county auditor. (99235, 6659)
<b>August 1</b>	TAMC receives revised STA estimates from the State Controller. (99312.7)
<b>August 15</b>	TAMC submits unmet transit needs documentation to Caltrans. (99401.6)
<b>September 30</b>	TAMC submits annual financial transaction reports to the State Controller. (99406, 6660) MST submits its operations report to TAMC and the State Controller. (99243, 6637)
<b>November</b>	TAMC holds public hearing on unmet transit needs at MST's Mobility Advisory Committee.
<b>December</b>	TAMC holds a public hearing on unmet transit needs at TAMC Board of Director's meeting.
<b>December 31</b>	TAMC submits fiscal and compliance audit of its STA fund to State Controller. (6751) MST, and any past claimants with an LTF balance (i.e. City of Greenfield), submit certified fiscal and compliance audits of LTF to TAMC and to the State Controller. (99245, 6663, 6664)
<b>Monthly</b>	Claimants submit LTF claims to TAMC for payment <sup>3</sup> .

<sup>2</sup> Statutes and California Code of Regulations from Transportation Development Act (updated April 2013).

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<b>Quarterly</b>	Claimants submit STA claims to TAMC for payment.
<b>Triennially</b>	TAMC and TDA fund claimants must submit triennial performance audits to Caltrans (99246-99249).

## Claim Instructions

### Claim Checklist

All TDA fund claimants must complete the Application for Transportation Development Act Funds (Appendix A) and must submit a complete claim form (Appendix C). In addition to this, transit claimants must also submit the complete Standard Assurances for Transit Applicants form (Appendix B), along with the requirements for transit operators outlined in the Application for Transportation Development Act Funds. As of 2015, Monterey-Salinas Transit is the only new transit claimant, but the City of Greenfield may also issue claims from its balance of LTF monies allocated prior to the 2010 unmet finding. Claimants for the TDA 2% for Bike and Pedestrian program should refer to the TAMC's Regional Surface Transportation Program.

The checklist below is provided to help ensure that all required information is being submitted with each application for allocations, which will be approved by the Transportation Agency Board of Directors if found to be in compliance with the Transportation Development Act. This information must also be provided for purposes of preparing the Triennial Transit Performance Audits required by the Act.

In order to claim Transportation Development Act funds, claimants must submit the following documents:

#### Checklist for Claimants

- Application for Transportation Development Act Funds (Appendix A)
- Standard Assurances for Transit Applicants (Appendix B)
- TAMC Claim for Payment form (Appendix C)
- Claimant 's most recent comprehensive annual financial report
- Operator's current fiscal year transit budget
- California Highway Patrol Certifications
- Operator's governing body resolution or minute action making application for the LTF funds
- Operator's monthly performance statistics, including farebox recovery ratio

### Payment of Claims

The Transportation Agency endeavors to approve funding allocations as they are received. Claims for funds can be made after the authorizing body has approved the application(s), either by Resolution or minute action, and the necessary documentation has been provided to the Agency. The application must be signed by the jurisdiction's authorized representative.

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<sup>3</sup> Claimant packets must have been submitted to TAMC by June 1<sup>st</sup>, and approved by TAMC in June.

## Appendix B—Standard Assurances for Transit Applicants

### STANDARD ASSURANCES FOR TRANSIT APPLICANTS

#### CLAIMANT ASSURANCES: (initial sections which apply)

- \_\_\_\_\_ A. Claimant certifies that it has submitted a satisfactory, independent fiscal audit, with required certification statement, to the RTPA and to the State Controller, pursuant to PUC 99245 and CCR Section 6664 for the prior fiscal year. Claimant assures that this audit requirement will be completed for the current fiscal year.
- \_\_\_\_\_ B. Claimant certifies that it has submitted a State Controller Report, in conformance with the uniform system of accounts and records, to the RTPA, and to the State Controller, pursuant to PUC 99243, for the prior year (project year minus two). Claimant assures that this report will be audited by an independent CPA. Claimant assures that this report will be completed for the current fiscal year (project year minus one).
- \_\_\_\_\_ C. Claimant certifies in accordance with PUC Section 99314.5(b) that it is not precluded by any contract entered into on or after June 28, 1979, from employing part-time drivers or contracting with common carriers of persons operating under a franchise or license. Claimant further certifies that no person who was a full-time employee on June 28, 1979, shall have his or her employment terminated or his or her regular hours of employment, excluding overtime, reduced by the operator as a result of it employing part-time drivers or contracting with such common carriers.
- \_\_\_\_\_ D. Claimant filing claim pursuant to PUC Section 99260 certifies that (check one):
- \_\_\_\_\_ 1. the current cost of its retirement system is fully funded with respect to the officers and employees of its public transportation system (PUC Section 99271a); or
- \_\_\_\_\_ 2. the operator is implementing a plan approved by the transportation planning agency which will fully fund the retirement system for its employees within 40 years (PUC Section 99271a); or
- \_\_\_\_\_ 3. the operator has a private pension plan which sets aside and invests on a current basis funds sufficient to provide for the payment of future pension benefits and which is fully compliant with the requirements stated in PUC Sections 99272 and 99273.
- \_\_\_\_\_ E. Claimant certifies that it is in compliance with PUC Section 99264 that it does not routinely staff, with two or more persons, a vehicle for public transportation purposes designed to be operated by one person.
- \_\_\_\_\_ F. Claimant certifies that it is making full use of federal funds available under the Urban Mass Transportation Act of 1964, as amended in accordance with Section 6754(a)(3).
- \_\_\_\_\_ G. Claimant certifies that it is in compliance with PUC Section 99155 that if it offers reduced fares to seniors, the same reduced rate is offered to disabled persons, handicapped persons, and disabled veterans and it honors the federal Medicare card for identification

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to receive reduced fares.

- \_\_\_\_\_ H. Claimant certifies that it is in compliance with PUC Section 99155.5 regarding dial-a-ride and paratransit services being accessible to handicapped persons and that the service is provided to persons without regard to vehicle ownership and place of residence.
- \_\_\_\_\_ I. Claimant has been issued a certification by the California Highway Patrol (CHP) verifying that the operator is in compliance with sections 1808.1 and 34501 of the California Vehicle Code, in compliance with PUC 99251.
- \_\_\_\_\_ J. Claimant has made a reasonable effort to implement the productivity improvements recommended in its triennial performance audit as verified by the TAMC Executive Director, in compliance with PUC 99244 and 99247(a)-(j)). Claimant has submitted a letter that details its plan for productivity improvements recommended in its triennial performance audit.
- \_\_\_\_\_ K. Claimant certifies that the proposed expenditures are in conformity with the Regional Transportation Plan, pursuant to CCR 6754(a)(1).
- \_\_\_\_\_ L. Claimant certifies that it meets the minimum farebox recovery ratio of ~~15%~~10%, [as set by Senate Bill 508 \(Beall, 2015\), as defined by the Transportation Agency's resolution 2004 19 pursuant to CCR Section 6633.2\(d\).](#)
- \_\_\_\_\_ M. Claimant certifies that its allocation does not exceed the amount the claimant is eligible to receive during the fiscal year, pursuant to CCR Section 6754(a)(4).
- \_\_\_\_\_ O. Claimant will not claim TDA funds to cover obligations and expenditures covered by other sources.

The undersigned hereby certifies that the above statements are true and correct.

Signature \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_



# TRANSPORTATION DEVELOPMENT ACT Guidelines

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[April 2015 Amended March 2016](#)

Transportation Agency for Monterey County  
55-B Plaza Circle  
Salinas, CA 93901-2902

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## Overview of the Transportation Development Act

The Transportation Development Act of 1971 (TDA)<sup>1</sup>, also known as SB 325, was enacted by the California Legislature to improve existing public transportation services and encourage regional transportation coordination. The TDA is administered by the California Department of Transportation (Caltrans) through each county's regional transportation planning agency (RTPA). The Transportation Agency for Monterey County (TAMC) is Monterey County's designated RTPA and administers the county's TDA funds. TAMC is responsible for authorizing funding to local transportation agencies, and is responsible for ensuring that the public participation process and needs assessments is conducted.

The TDA provides two major sources for funding of public transportation in California (see Figure 1). The first, the Local Transportation Fund (LTF) is derived from a ¼ cent of the general sales tax collected statewide. The second, the State Transit Assistance (STA) fund is derived from the statewide sales tax on diesel fuel. The intent of the TDA is to provide a stable source of funding to meet the area's transit needs.

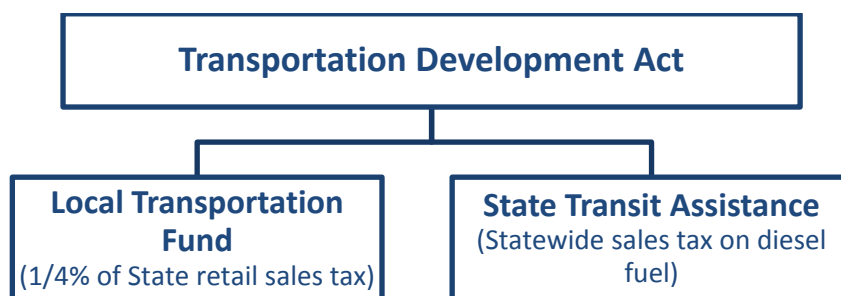


Figure 1: TDA funding sources.

These TDA Guidelines address the following:

- The different categories of TDA funding and their uses, and;
- The minimum applicable transit system farebox recovery ratio, and;
- The Social Services Transportation Advisory Council and the unmet transit needs process, and;
- The TDA claim timeline, and;
- How to prepare a TDA claim and ensure that all reporting requirements are met.

## Local Transportation Fund

The Transportation Development Act created a Local Transportation Fund (LTF) in each county for the transportation purposes specified in the Act. The ¼ cent of the general sales tax collected statewide is returned by the State Board of Equalization to each county in accordance with the amount of sales tax collected in that county.

## Local Transportation Fund Use

Each February, the Agency prepares an estimate of the funds it expects to be available in the coming fiscal year and apportions funds to eligible priority uses pursuant to state law in the following order: 1) Transportation Agency Administration and Planning (Article 3, PUC Section 99233.1);

<sup>1</sup> This guide references the most recent Transportation Development Act Statutes and California Codes of Regulations for April 2013.



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2) bicycle & pedestrian projects through the Transportation Development Act 2% program (Article 3, PUC Section 99233.3); 3) public transit by jurisdiction, based on population as reported by the Department of Finance (Article 4, PUC Sections 99260(a)-(c)); and, 4) for the construction and maintenance of local streets and roads (Article 8, PUC Section 99400). However, in order to use LTF money for local streets and roads the entity wishing to claim must hold a public hearing to certify that there are no unmet transit needs that are reasonable to meet, (see section on unmet transit needs, page 4).

Various actions have resulted in the allocation of the entire public transit share of Local Transportation Funds to Monterey-Salinas Transit, the only public transit operator in the County. First, as members of the countywide Monterey-Salinas Transit District (MST), each city in Monterey County allocates its public transit fund apportionment to MST pursuant to California Assembly Bill 644, which established the countywide transit district effective July 1, 2010. Second, this legislation also directs the Transportation Agency to apportion county local transportation funds to MST based on the percentage of the County population residing within  $\frac{3}{4}$  mile of MST fixed routes. Finally, the Transportation Agency Board's 2010 finding on unmet transit needs allows MST to claim all remaining Monterey County local transportation funds to support public transit operations as an unmet need. As such, LTF funding for local streets and roads is no longer available.

### Local Transportation Fund Claims for Bicycle and Pedestrian Facilities

Pursuant to PUC section 99233.3, 2% Local Transportation Fund, also known as the TDA 2% program, is available for bicycle and pedestrian facilities projects, [and up to 5% of the TDA 2% amount for bicycle and pedestrian education programs](#). The County of Monterey and all of the jurisdictions are eligible claimants for these funds.

The Transportation Agency allocates the TDA 2% funds in three year cycles. The last allocation was made in 2014, when the Transportation Agency Board of Directors decided to include the TDA 2% funding as part of the competitive allocation of Regional Surface Transportation Program exchange funds.

### State Transit Assistance

The TDA also creates a State Transit Assistance (STA) fund for public transit operators. The STA fund is generated through the sales tax on diesel fuel, and is apportioned by the California State Controller annually for public transit. There are no prescribed priorities for STA funds. Transit operations and capital replacement are equally eligible for funding. In addition, STA funds may also be used for passenger rail pursuant to PUC Section 99234.9.

### State Transit Assistance Use

State Transit Assistance (STA) funds are distributed in two manners: 1) funds are apportioned to the Transportation Agency for allocation to operators based on County population [PUC section 99313]; and 2) funds are apportioned directly to transit operators based on the ratio of the operator's fare revenues to the total fare revenues collected statewide [PUC section 99314].

State Transit Assistance (STA) funds must be used solely for transit. TAMC allocates all available STA funds to Monterey-Salinas Transit, which is the sole public transit operator in Monterey County, and the only agency that is eligible to receive these funds.

## Transit System Farebox Recovery Ratios

No claimant can receive TDA funds if the ratio of the sum of fares and eligible local support falls below the TDA minimum, called the farebox recovery ratio. This applies to both STA and LTF funds. Pursuant to [California Code of Regulations Section 6633.2\(d\)](#), TAMC may set the farebox recovery ratio for transit operators. [Senate Bill 508 \(Beall, 2015\)](#), the farebox recovery ratio for rural areas is 10%.

In order to claim TDA funds, MST must meet the minimum farebox recovery ratio of ~~15~~10%, as set by the [Transportation Agency's resolution 2004-19](#) [Senate Bill 508](#). [Local fund sources, such as MST's Measure Q revenues, count for this farebox ratio.](#)

In the event that a transit claimant does not meet the required farebox recovery ratio, TAMC will comply with the provision of Non-Compliance with the Required Revenue Ratio (PUC Section 6633.9):

- The first year of non-compliance is the grace year.
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TDA requires that a claimant subject to the penalty in this section demonstrate to TAMC how it will achieve the required ratio during any penalty year.

## Social Services Transportation Advisory Council

Pursuant to Article 3, PUC section 99238 of the TDA, TAMC consults with the Social Services Transportation Advisory Council (SSTAC) on the transit needs of transit-dependent and transit-disadvantaged persons, including the elderly, disabled, and persons of limited income.

### Membership of SSTAC

TAMC must designate a SSTAC, which serves as a citizen advisory body that communicates information about unmet transit needs and recommends an annual finding for consideration by the TAMC Board of Directors. Members of the committee must be appointed to represent the following categories:

- Potential transit users 60 years of age or older
- Potential transit users with disabilities
- Local social service providers for seniors, including one representative of a social service transportation provider, if one exists
- Local social service providers for persons with disabilities, including one representative of a social service transportation provider, if one exists
- Local social service provider for persons of limited means
- Consolidated transportation service agency, including one representative from an operator, if one exists

The Transportation Agency has designated MST's Mobility Advisory Committee as the Social Services Transportation Advisory Council for Monterey County, and meets the membership criteria.

## Unmet Public Transit Needs

Pursuant to Article 8, PUC section 99401.5, TAMC annually seeks public comments on unmet public transit needs in Monterey County. Public transit operators are required to implement service meeting any unmet transit needs that are deemed reasonable to meet with any Local Transportation Funds available after existing transit service commitments are met. Since all of the LTF in Monterey County has been allocated to MST, the unmet needs process serves largely as a public input process on the transit needs in the region. Several creative responses to addressing these transit needs (i.e. special grant applications, ~~redirection-refinement~~ of routes), have been used in the past to [address comments made during the unmet needs process](#) that have been found reasonable to meet, despite a lack of additional Local Transportation Funds.

## Unmet Transit Needs Process

Under state law, prior to allocating LTF funding for local streets and roads purposes as outlined in Article 8 of the TDA, the Regional Transportation Planning Agency must provide for a public hearing and outreach to solicit comments and testimony on public transit services needed in the community, and determine if there are any “unmet transit needs that are reasonable to meet”. Before 2010, TAMC allocated streets and roads funding to the four south County cities and the County of Monterey through the unmet needs process. After 2010, TAMC’s finding on unmet transit needs allowed MST to claim all available funds to support existing transit operations countywide.

~~Because TAMC no longer allocates Local Transportation Funds to local streets and roads, the Agency is no longer required to adopt a finding on unmet transit needs. To reflect this change, the TAMC Board adopted a revised unmet transit needs process in December 2015. Although TAMC no longer allocates TDA funds to local streets and roads, the Agency is still required to solicit public input on unmet transit needs. Nonetheless, Caltrans has stipulated that TAMC must still conduct the unmet transit needs process, to provide public input on the adequacy of transit services.~~ The [revised](#) unmet transit needs process requires TAMC to perform the following tasks:

1. Consult with MST’s Mobility Advisory Committee, which is the county’s designated SSTAC.
2. Perform an annual assessment of transportation needs within Monterey County, including an assessment of the size and location of potentially transit dependent groups, an analysis of the adequacy of existing transportation systems in providing service for those groups, and an analysis of the potential for transit service to provide service that would meet the demand of those groups.
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  - [Transit service improvement requests that would improve an existing service.](#)
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## Unmet Transit Needs Definition

In general, an unmet need represents a request for new public transit service for which public support has been expressed through the public hearing and outreach process. Service meeting the unmet need cannot impact existing service, and sufficient funds must be available to implement the service. Lack of funding cannot be used as the sole criteria for determining that an unmet need is not reasonable to meet.

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~~The request has been identified as a deficiency at a public hearing, or at a meeting of the SSTAC.~~

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~~The request represents a trip demand, and proposed transit services do not duplicate transit services currently provided either publicly or privately.~~

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Unmet transit needs are placed into the following categories:

- Transit service improvement requests that would improve an existing service.
- Transit service expansion requests that extend a transit route beyond its current limits and fill a gap in service.
- Capital improvement projects that would enhance existing public transit facilities.

TAMC shares the list of unmet transit needs comments with Monterey-Salinas Transit, the only public transportation provider in the county. The unmet transit needs comments list serves as a public input tool for MST’s short and long term transit service planning and improvements. TAMC works with MST to evaluate comments based on the time frame in which unmet transit needs can be met:

- Short term transit improvements are those that can be implemented in the current service year within MST’s funding limits and without negatively impacting existing services.
- Long term transit improvements are those that would require additional funding beyond MST’s current funding limits. Long term improvement comments remain on the unmet transit needs comment list until additional funding becomes available.

MST’s Mobility Advisory Committee provides input on the categorized unmet transit needs comments list. This input serves to prioritize needs in the region, and is used to assist prioritizing transit projects as funds become available. The TAMC Board of Directors will receive the final list.

~~An “unmet transit need” is “reasonable to meet” if it meets the criteria adopted by the SSTAC and TAMC, as defined below:~~

- ~~1. The proposed service shall be feasible to fund within the existing and projected limits of TDA funds available to the affected jurisdictions.~~
- ~~2. An analysis has been made of the existing public transportation services and specialized transportation services, including privately and publicly provided services, and it has been determined that existing services do not meet this need.~~

## Agenda Item 3.2.1, Web Attachment

- ~~3. An analysis has been made of the potential alternative public transportation and specialized transportation services and service improvements that would meet all or part of this request.~~
- ~~4. Funding of this transportation request would not result in Local Transportation Funds (LTF) replacing federal and/or state revenues that presently fund this transportation request.~~
- ~~5. The proposed service is projected to generate the 15% farebox recovery ratio as required of the operator by the Transportation Development Act, and as set by TAMC's resolution from 2004-19.~~
- ~~6. Existing transit operators are capable of expanding their services; or establishment of a new service is logistically feasible without negatively impacting the current transit system.~~

### TDA Timeline

<b>January 31</b>	TAMC receives preliminary STA estimates from State controller. (99312.7 <sup>2</sup> ) The unmet transit needs public hearing comment period closes.
<b>February 1</b>	TAMC receives LTF estimate from County-Auditor. (6620)
<b>February</b>	TAMC apportions LTF funds by resolution <a href="#">for transportation planning and administration purposes, for the TDA 2% program and</a> to the Monterey-Salinas Transit District.
<b>April</b>	TAMC discusses unmet transit needs comments with MST's Mobility Advisory Committee.
<b>June 1</b>	Complete TDA claim packet due to TAMC (6630).
<b>June</b>	TAMC Board of Directors <del>adopts resolution</del> <a href="#">receives list</a> on unmet transit needs. TAMC allocates LTF and STA funds to claimant(s).
<b>June 30</b>	TAMC conveys allocation instructions to LTF claimant(s) and to the county auditor. (99235, 6659)
<b>August 1</b>	TAMC receives revised STA estimates from the State Controller. (99312.7)
<b>August 15</b>	TAMC submits unmet transit needs documentation to Caltrans. (99401.6)
<b>September 30</b>	TAMC submits annual financial transaction reports to the State Controller. (99406, 6660) MST submits its operations report to TAMC and the State Controller. (99243, 6637)
<b>November</b>	TAMC holds public hearing on unmet transit needs at MST's Mobility Advisory Committee.
<b>December</b>	TAMC holds a public hearing on unmet transit needs at TAMC Board of Director's meeting.
<b>December 31</b>	TAMC submits fiscal and compliance audit of its STA fund to State Controller. (6751) MST, and any past claimants with an LTF balance (i.e. City of Greenfield), submit certified fiscal and compliance audits of LTF to TAMC and to the State Controller. (99245, 6663, 6664)
<b>Monthly</b>	Claimants submit LTF claims to TAMC for payment <sup>3</sup> .

<sup>2</sup> Statutes and California Code of Regulations from Transportation Development Act (updated April 2013).

<b>Quarterly</b>	Claimants submit STA claims to TAMC for payment.
<b>Triennially</b>	TAMC and TDA fund claimants must submit triennial performance audits to Caltrans (99246-99249).

## Claim Instructions

### Claim Checklist

All TDA fund claimants must complete the Application for Transportation Development Act Funds (Appendix A) and must submit a complete claim form (Appendix C). In addition to this, transit claimants must also submit the complete Standard Assurances for Transit Applicants form (Appendix B), along with the requirements for transit operators outlined in the Application for Transportation Development Act Funds. As of 2015, Monterey-Salinas Transit is the only new transit claimant, but the City of Greenfield may also issue claims from its balance of LTF monies allocated prior to the 2010 unmet finding. Claimants for the TDA 2% for Bike and Pedestrian program should refer to the TAMC's Regional Surface Transportation Program.

The checklist below is provided to help ensure that all required information is being submitted with each application for allocations, which will be approved by the Transportation Agency Board of Directors if found to be in compliance with the Transportation Development Act. This information must also be provided for purposes of preparing the Triennial Transit Performance Audits required by the Act.

In order to claim Transportation Development Act funds, claimants must submit the following documents:

#### Checklist for Claimants

- Application for Transportation Development Act Funds (Appendix A)
- Standard Assurances for Transit Applicants (Appendix B)
- TAMC Claim for Payment form (Appendix C)
- Claimant 's most recent comprehensive annual financial report
- Operator's current fiscal year transit budget
- California Highway Patrol Certifications
- Operator's governing body resolution or minute action making application for the LTF funds
- Operator's monthly performance statistics, including farebox recovery ratio

### Payment of Claims

The Transportation Agency endeavors to approve funding allocations as they are received. Claims for funds can be made after the authorizing body has approved the application(s), either by Resolution or minute action, and the necessary documentation has been provided to the Agency. The application must be signed by the jurisdiction's authorized representative.

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<sup>3</sup> Claimant packets must have been submitted to TAMC by June 1<sup>st</sup>, and approved by TAMC in June.

### Triennial Performance Audits

The Transportation Agency submits transit performance audits to the state every three years pursuant to the Transportation Development Act. The performance audits evaluate the efficiency and effectiveness, as defined in the Caltrans Performance Audit Guidebook, of Monterey-Salinas Transit, which is the county's sole public transit provider, and the Transportation Agency, which serves as the Local Transportation Fund administrator. Generally, the audits review each operator's financial and operating reports to determine compliance with state operating requirements. The audit determines compliance with administrative requirements, including timely submittal of required financial documentation, farebox recovery requirements, and a review of operating costs among other indicators. Any recommendations to correct findings identified in the audits, or for improvements needed by each operator to enhance the performance and cost-effectiveness of their respective transit services must be implemented in the next three-year audit period.

The Transportation Agency is responsible for hiring an auditor to complete the triennial audits. TDA fund claimants must work with the auditor to ensure timely completion of the triennial performance audits.



## Appendix A—Transportation Development Act Transit Claim Application

### TRANSPORTATION AGENCY FOR MONTEREY COUNTY

#### APPLICATION FOR TRANSPORTATION DEVELOPMENT ACT FUNDS

Please mail the completed application to: Transportation Agency for Monterey County, 55-B Plaza Circle, Salinas, CA 93901-2902, or email it to: [virginia@tamcmonterey.org](mailto:virginia@tamcmonterey.org)

#### Claimant Information

Fiscal Year:	Date:
_____	_____
Agency Name:	Contact Person:
_____	_____
Address:	Fax:
_____	_____
Phone:	Email:
_____	_____

#### Amount of Claim

<u>CATEGORY</u>	<u>DOLLAR AMOUNT</u>	<u>Purpose</u>
Local Transportation Fund	\$ _____	<input type="checkbox"/> Support for transit operations <input type="checkbox"/> Support for transit capital <input type="checkbox"/> Research and demonstration project
State Transit Assistance	\$ _____	<input type="checkbox"/> Support for transit operations <input type="checkbox"/> Support for transit capital
<b>TOTAL CLAIM:</b>	\$ _____	

#### Required Attachments

- Claimant 's most recent comprehensive annual financial report
- Claimant's current fiscal year transit budget with all capital/operating costs and revenues identified separately
- California Highway Patrol Certifications, pursuant to PUC 99251
- Claimant's governing body resolution or minute action making application for the LTF funds
- Claimants monthly performance statistics, including farebox recovery ratio

## Appendix B—Standard Assurances for Transit Applicants

### STANDARD ASSURANCES FOR TRANSIT APPLICANTS

#### CLAIMANT ASSURANCES: (initial sections which apply)

- \_\_\_\_\_ A. Claimant certifies that it has submitted a satisfactory, independent fiscal audit, with required certification statement, to the RTPA and to the State Controller, pursuant to PUC 99245 and CCR Section 6664 for the prior fiscal year. Claimant assures that this audit requirement will be completed for the current fiscal year.
- \_\_\_\_\_ B. Claimant certifies that it has submitted a State Controller Report, in conformance with the uniform system of accounts and records, to the RTPA, and to the State Controller, pursuant to PUC 99243, for the prior year (project year minus two). Claimant assures that this report will be audited by an independent CPA. Claimant assures that this report will be completed for the current fiscal year (project year minus one).
- \_\_\_\_\_ C. Claimant certifies in accordance with PUC Section 99314.5(b) that it is not precluded by any contract entered into on or after June 28, 1979, from employing part-time drivers or contracting with common carriers of persons operating under a franchise or license. Claimant further certifies that no person who was a full-time employee on June 28, 1979, shall have his or her employment terminated or his or her regular hours of employment, excluding overtime, reduced by the operator as a result of it employing part-time drivers or contracting with such common carriers.
- \_\_\_\_\_ D. Claimant filing claim pursuant to PUC Section 99260 certifies that (check one):
- \_\_\_\_\_ 1. the current cost of its retirement system is fully funded with respect to the officers and employees of its public transportation system (PUC Section 99271a); or
- \_\_\_\_\_ 2. the operator is implementing a plan approved by the transportation planning agency which will fully fund the retirement system for its employees within 40 years (PUC Section 99271a); or
- \_\_\_\_\_ 3. the operator has a private pension plan which sets aside and invests on a current basis funds sufficient to provide for the payment of future pension benefits and which is fully compliant with the requirements stated in PUC Sections 99272 and 99273.
- \_\_\_\_\_ E. Claimant certifies that it is in compliance with PUC Section 99264 that it does not routinely staff, with two or more persons, a vehicle for public transportation purposes designed to be operated by one person.
- \_\_\_\_\_ F. Claimant certifies that it is making full use of federal funds available under the Urban Mass Transportation Act of 1964, as amended in accordance with Section 6754(a)(3).
- \_\_\_\_\_ G. Claimant certifies that it is in compliance with PUC Section 99155 that if it offers reduced fares to seniors, the same reduced rate is offered to disabled persons, handicapped persons, and disabled veterans and it honors the federal Medicare card for identification

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to receive reduced fares.

- H. Claimant certifies that it is in compliance with PUC Section 99155.5 regarding dial-a-ride and paratransit services being accessible to handicapped persons and that the service is provided to persons without regard to vehicle ownership and place of residence.
- I. Claimant has been issued a certification by the California Highway Patrol (CHP) verifying that the operator is in compliance with sections 1808.1 and 34501 of the California Vehicle Code, in compliance with PUC 99251.
- J. Claimant has made a reasonable effort to implement the productivity improvements recommended in its triennial performance audit as verified by the TAMC Executive Director, in compliance with PUC 99244 and 99247(a)-(j)). Claimant has submitted a letter that details its plan for productivity improvements recommended in its triennial performance audit.
- K. Claimant certifies that the proposed expenditures are in conformity with the Regional Transportation Plan, pursuant to CCR 6754(a)(1).
- L. Claimant certifies that it meets the minimum farebox recovery ratio of ~~15%~~10%, [as set by Senate Bill 508 \(Beall, 2015\), as defined by the Transportation Agency's resolution 2004-19 pursuant to CCR Section 6633.2\(d\).](#)
- M. Claimant certifies that its allocation does not exceed the amount the claimant is eligible to receive during the fiscal year, pursuant to CCR Section 6754(a)(4).
- O. Claimant will not claim TDA funds to cover obligations and expenditures covered by other sources.

The undersigned hereby certifies that the above statements are true and correct.

Signature \_\_\_\_\_

Name \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_





## Memorandum

**To:** Board of Directors  
**From:** Virginia Murillo, Assistant Transportation Planner  
**Meeting Date:** March 23, 2016  
**Subject:** **Federal Transit Administration Section 5311 Program of Projects**

### **RECOMMENDED ACTION:**

1. **APPROVE** the Section 5311 Program of Projects in the amount of \$582,033 for Monterey-Salinas Transit service on rural transit routes;
2. **ADOPT** Resolution 2016-05 authorizing federal funding under the Federal Transit Administration Section 5311 program; and
3. **AUTHORIZE** the Executive Director to sign Regional Agency Certifications and Assurances as part of the project application.

### **SUMMARY:**

The Federal Transit Administration provides operating support for rural transit services through the Section 5311 non-urbanized formula funding program. This action is necessary for Monterey-Salinas Transit to receive Section 5311 funding to operate rural transit service in South County.

### **FINANCIAL IMPACT:**


Caltrans' estimated annual apportionment of Federal Transit Administration Section 5311 program funds for federal fiscal year 2016 is \$582,033. Transit operators in rural areas are eligible to claim up to 51.87% of their operating costs, after subtracting passenger fares and any other local funding support. MST will use Local Transportation Funds to provide the required local match.

### **DISCUSSION:**

The Federal Transit Administration's Section 5311 grant provides federal funding for public transportation projects serving areas with a population of 50,000 or less. The grant is intended to provide access to employment, education, health care, shopping and recreation in small towns and rural areas. Monterey-Salinas Transit applies for these funds to operate rural transit in South Monterey County.

The Transportation Agency annually adopts a Program of Projects (**Web Attachment**) and certifications and assurances by resolution (see **Attachments 1 & 2**) to ensure that transit projects meet Federal Transit Administration requirements for this funding program. Caltrans apportions and distributes these federal funds on a population formula basis and provides the Transportation Agency with a fund estimate for purposes of preparing the Program of Projects.

This action is necessary to claim federal transit funding apportioned to Monterey County and for Monterey-Salinas Transit to apply for federal operating support for rural transit service in South County.

Approved by:   
Debra L. Hale, Executive Director

Date signed: March 10, 2016

Consent Agenda

Counsel Review: N/A

Finance Review: N/A

Attachments:

1. Regional Agency Certifications
2. Resolution 2016-05: Federal Transit Administration Section 5311 Authorization

Web Attachment: Federal Transit Administration Section 5311 Program of Projects



**Certifications and Assurances of the Regional Agency/Transportation Planning Agency  
State of California - FTA Section 5311 and Rural CMAQ Transit**

**Regional Agency/TPA:** Transportation Agency for Monterey County (TAMC)

**Contact Person:** Virginia Murillo

**Contact Email:** virginia@tamcmonterey.org

**Contact Phone:** 831-775-4415

**Name of Subrecipient:** Monterey-Salinas Transit

**Project Description:** Rural transit for south Monterey County

**Project Amount and Fund Type**

<i>Regional Apportionment 5311*</i>	<i>Toll Credit**</i>	<i>Local Match</i>	<i>Local Match Source/s</i>
\$582,033	\$	\$540,104	Local Transportation Fund

\* Includes Section 5311 JARC eligible projects  
\*\* Prior approval by Caltrans required

<b>Federal Transportation Improvement Program - Metropolitan Planning Organizations/Regional Transportation Planning Agency</b>		
Document (or Amendment) Number	Document (or Amendment) Year	FHWA/FTA Federally Approved TIP (Date)
Administrative Modification #5	amended March 2015	2014

**Check all that apply:**

- Some combination of state, local, or private funding sources have been or will be committed to provide the required local share.
- The subrecipient has coordinated with other transportation providers and users in the region, including social service agencies capable of purchasing service.
- The amount requested does not exceed the Federal funds provided to this agency in the approved Federal TIP/Federal Statewide TIP(FSTIP)
- The regional agency/TPA has approved, by resolution, the programming of funds for this Project and Project has met all Statewide Transportation Improvement Program (STIP) requirements.

**Certifying Representative:**

By signing below, I have read and acknowledge that my agency is in compliance with certifications and assurances as stated above.

Name: Debra L. Hale

Title: Executive Director

Signature: \_\_\_\_\_ Date: 3/23/2016

Signature in BLUE ink



**RESOLUTION NO. 2016-05  
OF THE  
TRANSPORTATION AGENCY FOR MONTEREY COUNTY**

*AUTHORIZING FEDERAL FUNDING UNDER THE  
FEDERAL TRANSIT ADMINISTRATION SECTION 5311 PROGRAM  
(49 U.S.C. SECTION 5311) THROUGH THE  
CALIFORNIA DEPARTMENT OF TRANSPORTATION*

**WHEREAS**, the U.S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support capital and operating assistance projects for non-urbanized public transportation systems under 49 U.S.C. Section 5311, which is a part of the Federal Transit Act;

**WHEREAS**, the California Department of Transportation has been designated by the Governor of the State of California to administer Section 5311 grants for public transportation projects;

**WHEREAS**, Monterey-Salinas Transit desires to apply for said financial assistance to permit operation of rural transit service in South Monterey County;

**WHEREAS**, Monterey-Salinas Transit has some combination of state, local, or private funding sources to be committed to provide the required local share;

**WHEREAS**, Monterey-Salinas Transit has, or will have by the time of delivery, sufficient funds to operate the vehicles, facility and equipment purchased under this project; and

**WHEREAS**, Monterey-Salinas Transit has coordinated with other transportation providers and users in the region, including social service agencies capable of purchasing service.

**NOW, THEREFORE, BE IT RESOLVED THAT:** The Transportation Agency does hereby authorize Monterey-Salinas Transit to file and execute applications in the amount of \$582,033 with the California Department of Transportation for rural transit operating assistance pursuant to 49 U.S.C. Section 5311, which is a part Section 5311 of the Federal Transit Act of 1964, as amended;

That Debra L. Hale, Executive Director is authorized to execute and file Part II – Certifications and Assurances of the Regional Agency in the Federal Transit Administration Section 5311 Project Application; and,

That Debra L. Hale, Executive Director is authorized to provide additional information as the California Department of Transportation may require in connection with the Program of Projects for the Section 5311 program.

**PASSED AND ADOPTED** by the Transportation Agency for Monterey County, State of California this 23th of March 2016 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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**FERNANDO ARMENTA, CHAIR**  
**TRANSPORTATION AGENCY FOR MONTEREY COUNTY**

**ATTEST:**

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**DEBRA L. HALE, EXECUTIVE DIRECTOR**  
**TRANSPORTATION AGENCY FOR MONTEREY COUNTY**



**CALIFORNIA DEPARTMENT OF TRANSPORTATION  
DIVISION OF RAIL & MASS TRANSPORTATION  
Rural Transit and Intercity Bus Branch**

**FEDERAL TRANSIT ADMINISTRATION (FTA)  
SECTION 5311 REGIONAL PROGRAM OF PROJECTS (POP)**

**FEDERAL FISCAL YEAR 2016**



**All Section 5311, 5311(f), and Rural CMAQ Transit Applications and POPs are due April 15th, 2016.**  
However, if there are issues meeting the deadlines, please notify your HQ Liaison as soon as possible.

County/Region: Monterey District: 5  
 Original Submission Date: 4/8/16 Revision No. \_\_\_\_\_ Revision Submission Date: \_\_\_\_\_

**FEDERAL FISCAL YEAR 2016**  
**Section 5311 Program of Projects (POP)**

Regular 5311     JARC 5311     CMAQ

**(A) Available Funding:**

Carryover:	(+)	\$0
<i>Estimated</i> Apportionment [FFY 2016 ]:	(+)	\$582,033
<b>(A) TOTAL FUNDS AVAILABLE:</b>	=	\$582,033

**(B) Programming (POP): Complete Parts I and II**

		<i>Federal Share</i>
Part I. Operating Assistance - Total:	(+)	\$582,033
Part II. Capital - Total:	(+)	\$0
<b>(B) Total [Programmed]:</b>	(=)	\$582,033

**(C) Balance**

		<i>Federal Share</i>
(A) Total Funds Available:	(+)	\$582,033
(B) Total [Programmed]:	(-)	\$582,033
<b>* Balance:</b>	(=)	\$0

**\*BALANCE – Regional Apportionment Funds ONLY:**

- Please Note -
  - funds must be programmed in subsequent year
  - final approval to be determined by the Department
- Request/Letter to carryover funds should include -
  - justification for programming postponement
  - purpose and project plan
  - letter of support from local Transportation Planning Agency

**(D) Flexible Funds (CMAQ, STP or Federalized STIP): Complete Part III (For reference only).**

*Request for transfer will be applied for directly through the District - Local Assistance District Engineer, and Headquarters' Division of Local Assistance. Division of Rail & Mass Transportation will receive a conformation once the transfer is completed.*

		<i>Federal Share</i>
<b>(D) Part III. Flex Fund - Total:</b>	\$0	

**FUNDING SUMMARY**

*Federal Share*

**Agenda Item 3.2.2, Web Attachment**

(B) Regional Apportioned - Total [Programmed]:	(+)	<u>\$582,033</u>
(D) Flex Fund - Total:	(+)	<u>\$0</u>
<b>GRAND TOTAL [Programmed]:</b>	<b>(=)</b>	<b><u>\$582,033</u></b>

Contact Person/Title: Virginia Murillo/Assistant Transportation Planner  
Phone Number: 831-775-4415

Date: 3/23/16

**Statewide Transportation Improvement Program (STIP) –**

All federal funds to be used for transit projects must be included in a federally approved STIP. A Transportation Planning Agency (TPA) must ensure that Section 5311 projects are included in the Department of Transportation’s (Department) Statewide Transportation Federal Improvement Program (FSTIP), which is jointly approved by the Federal Highway Administration (FHWA) and FTA.

A copy of the federally approved STIP Page must be attached for all projects to be programmed through the Section 5311 program. The project description and associated dollar amounts must be consistent with the federally approved STIP information.

**Metropolitan Planning Organizations (MPOs)** are responsible for programming projects within their jurisdiction. Upon receiving the POPs from the Districts, Rural Transit & Procurement staff will submit **Non-MPO / Rural Transportation** organizations projects directly to the Department’s Division of Transportation Programming for inclusion into the FSTIP.

For further guidance see the Department’s Division of Transportation Programming website:

<http://www.dot.ca.gov/hq/transprog/fedpgm.htm>

**PART I. Regional Apportionment - Operating Assistance**

***For all Operating Projects - a complete application MUST be submitted with this POP.***

Subrecipient	Project Description	Federal Share (2016 Funds)	Carryover Funds Utilized	Local Share (Excluding Toll Credit)	Toll Credit Amount	Net Project Cost	PROGRAM OF PROJECTS DOC YR	PROGRAMMED DATE OR AMENDMENT #
MST	Rural Transit in South County	\$582,033	\$0	\$540,104	\$0	\$1,122,137	2015	Amendment Modification#5

<b>Operating Assistance Funds Total</b>	\$582,033	\$0	\$540,104	\$0	\$1,122,137
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**PART II. Regional Apportionment – Capital**  
***For all Capital Projects - a complete application MUST be submitted with this POP.***

Subrecipient	Project Description	Federal Share	Carryover Funds Utilized	Local Share (Excluding Toll Credit)	Toll Credit Amount	Net Project Cost	PROGRAM OF PROJECTS DOC YR	PROGRAMMED DATE OR AMENDMENT #



	<b>Capital Total</b>						

**PART III. FLEX FUNDS (i.e. CMAQ, STP, or Federalized STIP\*) if applicable**  
**For Flex Fund Projects - a complete application MUST be submitted with this POP. \*Federalized STIP projects must complete CTC allocation process.**

Subrecipient	Project Description	Fund Type	Federal Share	Carryover Funds Utilized	Local Share (Excluding Toll Credit)	Toll Credit Amount	Net Project Cost	PROGRAM OF PROJECTS DOC YR	PROGRAMMED DATE OR AMENDMENT #
	<b>Capital Total</b>								

**PART IV. Vehicle Replacement Information**

State Contract     Local Purchase     Piggyback     Other    Explain: \_\_\_\_\_

Vehicle Description							
Type	Number of Passengers	Fuel Type	Length	VIN. #	In Service Date	Current/End Mileage	Disposition Date


**INSTRUCTIONS**

**PART I – Operating Assistance**

- Do not list previously approved projects (i.e. projects listed in a prior grant).
- Funding split: 44.67% Local Share and 55.33% Federal Share.
- Third Party Contract Requirement – all third party contracts must contain federal clauses required under FTA Circular 4220.1E and approved by the State prior to bid release. .
- Net project cost does not include ineligible cost (i.e. farebox, other revenues, etc.).

**PART II – Capital (Vehicles, Construction, Preventive Maintenance and Planning)**

- **All** vehicles procured with Section 5311 program funds must be ADA accessible regardless of service type (fixed route or demand-response service).
- Capital projects must contain a full description of project: A PRELIMINARY ENVIRONMENTAL SURVEY (PES) is required for Capital projects other than vehicle procurement.(i.e. facility or shelter - include specifics, planning studies, preventative maintenance). The PES does not satisfy the requirements for environmental review and approval. When the agency prepares the documentation for a categorical exclusion, the Environmental Justice Analysis must be included.
- Funding split: 11.47% Local Share and 88.53% Federal Share.
- Procurement Contract Requirement – all documents used for procuring capital projects must contain federal clauses required under FTA Circular 4220.1E and approved by DRMT prior to bid release.

**PART III. Section 5311 FLEXIBLE FUNDS [i.e. CMAQ, STP, or Federalized STIP\*] if applicable:**

- Request for transfer will be applied for directly through the District - Local Assistance District Engineer, and Headquarters' Division of Local Assistance. Division of Rail & Mass Transportation (DRMT) will receive a confirmation once the transfer is completed.
- Funding split: 11.47% Local Share and 88.53% Federal Share. CMAQ may be funded up to 100% at the discretion of the Regional Planning Agency/MPO.

**PART IV. Vehicle Replacement**

- For each vehicle identified as replacement and/or expansion of fleet in sections II and/or III the following information is required: type (van, bus, trolley, type 1, 2, 3, 4, etc), vehicle identification number (VIN #), vehicle length (i.e. 35 ft.), passenger capacity, fuel type, in service date, current/end mileage, disposition date, and procurement type (i.e. State contract, local procurement, piggyback, etc).

**FEDERAL FISCAL YEAR 2016: All Flexible (CMAQ) CAPITAL funded projects** - a complete 5311 application is required at the time a POP is submitted. **POP and application should be submitted by April 15, 2016.** Part II of the application (Regional Certifications and Assurances) must be complete (i.e. signature, specific project programming information).



## Memorandum

**To:** Board of Directors  
**From:** Virginia Murillo, Assistant Transportation Planner  
**Meeting Date:** March 23, 2016  
**Subject:** **Monterey-Salinas Transit Intercity Bus Grant Application**

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### **RECOMMENDED ACTION:**

1. **ADOPT** Resolution 2016-06 authorizing federal funding for Monterey-Salinas Transit under the Federal Transit Administration Section 5311(f) Intercity Bus Program through the California Department of Transportation; and
2. **AUTHORIZE** the Executive Director to sign and submit regional agency certifications and assurances.

### **SUMMARY:**

The Federal Transit Administration Section 5311(f) Intercity Bus Transportation program provides capital and operating assistance for public transit services with rural to urban connections on the state's intercity bus routes. The Transportation Agency is required to authorize Monterey-Salinas Transit's grant application, which will provide operating funding to continue service connecting Fort Hunter Liggett with Salinas, Soledad with Paso Robles, and continued service between King City and San Jose. The grant application will also support new service from Fort Hunter Liggett to Templeton.

### **FINANCIAL IMPACT:**

There is no financial impact to the Transportation Agency associated with this action.

This action will allow Monterey-Salinas Transit to secure up to \$1,266,275 in federal intercity bus grant funding to continue and expand service to South Monterey County. The Association of Monterey Bay Area Governments has included this project in the Metropolitan Transportation Improvement Program for the Monterey Bay Area, which makes the project eligible to receive federal funding.

### **DISCUSSION:**

Caltrans administers the Federal Transit Administration Section 5311(f) Intercity Bus Transportation program, which provides capital and operating assistance for public transit

services with rural to urban connections on the state’s intercity bus routes. Monterey-Salinas Transit is proposing to apply for Federal Transit Administration Section 5311(f) program funding to continue operation of Monterey-Salinas Transit Lines 82 (Fort Hunter Liggett to Salinas), Line 84 (Soledad to Paso Robles), and Line 86 (King City to San Jose Airport). Monterey-Salinas Transit is also applying for new Category 1 operating assistance funding new service between Fort Hunter Liggett and Templeton, and for Category 2 bus purchase and Category 3 transit infrastructure funds to support the new service and for other Section 5311 (f) funded routes. The applications are summarized below:

<b>Continued Operating Assistance Funding</b>			
1.	MST Lines 82: Salinas – Fort Hunter Liggett	\$180,000	
2.	MST Line 84: Soledad – Paso Robles	\$216,000	
3.	MST Line 86: King City – San Jose Airport	\$192,000	
	<b>Subtotal</b>	\$588,000	
<b>New Funding</b>			
1.	Line 86: King City-San Jose		
	Category 1: Operating Assistance	\$300,000	
	Category 2: Bus Purchase/Bus Related	\$300,000	
	Category 3: Transit Infrastructure	\$78,275	
	<b>Subtotal</b>	\$678,275	
<b>Total</b>			<b>\$1,266,275</b>

The Transportation Agency is required to authorize the grant applications. In addition, the Transportation Agency must sign certifications that state Monterey-Salinas Transit is able to fund and implement the service. The required authorizing resolution and certifications for the grant application are included as attachments.

Approved by:   
 Debra L. Hale, Executive Director

Date signed: March 10, 2016

Consent Agenda

Counsel Review: N/A

Finance Review: N/A

Attachments:

1. Resolution 2016-06: Federal Transit Administration Section 5311(f) Authorization
2. Regional Agency Certifications

**RESOLUTION NO. 2016-06  
OF THE  
TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC)**

**AUTHORIZING FEDERAL FUNDING UNDER THE FEDERAL TRANSIT  
ADMINISTRATION SECTION 5311 (f) PROGRAM (49 U.S.C. SECTION 5311 (f))  
WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION**

**WHEREAS**, the U.S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration to support capital and operating assistance projects for non-urbanized public transportation systems under Section 5311 (f) Intercity Bus Program of the Federal Transit Act; and

**WHEREAS**, the California Department of Transportation (Department) has been designated by the Governor of the State of California to administer Section 5311 (f) Intercity Bus Program grants for public transportation projects; and

**WHEREAS**, Monterey-Salinas Transit (MST) desires to apply for said financial assistance, including operating and capital funding support for service between Fort Hunter Liggett and Salinas, Soledad and Paso Robles, King City and San Jose with stops in Gonzales, Soledad, Greenfield, King City and connections to the intercity bus network; and

**WHEREAS**, MST is the Consolidated Transportation Services Agency for Monterey County and has, to the maximum extent feasible, coordinated with other transportation providers and users in the region including social service agencies capable of purchasing service, and

**WHEREAS**, the Transportation Improvement Program has been amended to include continued funding for operation of MST Line 82, 84, and 86 service to South Monterey County;

**WHEREAS**, subsequent to award of the project, the Transportation Improvement Plan will be amended to include funding for new MST Line 85 service between Fort Hunter Liggett and Templeton that includes a bus purchase and transit infrastructure funds to support the new service; and

**WHEREAS**, MST has committed to provide some combination of state, local, or private funding sources for the required local share.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. The Transportation Agency for Monterey County does hereby authorize the programming of Federal Transit Administration Section 5311(f) Intercity Bus Program funds to Monterey-Salinas Transit in one or more of the following categories:

<b>Continued Operating Assistance Funding</b>			
1.	MST Line 82: Salinas – Fort Hunter Liggett	\$180,000	
2.	MST Line 84: Soledad – Paso Robles	\$216,000	
3.	MST Line 86: King City – San Jose Airport	\$192,000	
	<b>Subtotal</b>	<b>\$588,000</b>	
<b>New Funding</b>			
1.	Line 86: King City-San Jose		
	Category 1: Operating Assistance	\$300,000	
	Category 2: Bus Purchase/Bus Related	\$300,000	
	Category 3: Transit Infrastructure	\$78,275	
	<b>Subtotal</b>		
<b>Total</b>			<b>\$1,266,275</b>

2. That Debra L. Hale, Executive Director is authorized to execute and file Certifications and Assurances of the Regional Agency, and
3. That Debra L. Hale, Executive Director is authorized to provide additional information as the Department may require in connection with the Program of Projects for the Section 5311 (f) projects.

**PASSED AND ADOPTED** by the Transportation Agency for Monterey County, State of California this 23<sup>rd</sup> day of March by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

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**FERNANDO ARMENTA, CHAIR**  
**TRANSPORTATION AGENCY FOR MONTEREY COUNTY**

**ATTEST:**

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**DEBRA L. HALE, EXECUTIVE DIRECTOR**  
**TRANSPORTATION AGENCY FOR MONTEREY COUNTY**



**REGIONAL TRANSPORTATION PLANNING AGENCY  
 CERTIFICATIONS AND ASSURANCES  
 STATE OF CALIFORNIA  
 FY2016-17 FTA SECTION 5311(f) INTERCITY BUS PROGRAM**

**Project: Monterey-Salinas Transit Line 82 (Fort Hunter Liggett – Salinas)**

1. The transportation planning agency (TPA) has approved, by resolution, the programming of Section 5311(f) Intercity Bus Program funds in one or more of the following categories:

Category 1: Operating Assistance	\$ 180,000
Category 2: Bus Purchase/Bus Related Equipment	\$
Category 3: Transit Infrastructure	\$
Category 4: Planning and Marketing Studies	\$
Total	\$ 180,000

2. Subsequent to award of the project, the Transportation Improvement Plan (TIP) will be amended to include this project.  Yes       No
3. A combination of state, local, or private funding sources have been or will be committed to provide the required local share.  Yes       No
4. The applicant has, or will have sufficient funds to complete this project as designated in Parts IV (Description) and V (Budget), having the vehicles and/or equipment to do so.  
 Yes       No
5. The applicant has coordinated with other transportation providers and users in the region, including social service agencies capable of purchasing service.  Yes       No

Certifying Representative:

By signing below, I have read and acknowledge that my agency is in compliance with certifications and assurances as stated above.

*(Please Print)*

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*(Blue Ink)*

**REGIONAL TRANSPORTATION PLANNING AGENCY  
 CERTIFICATIONS AND ASSURANCES  
 STATE OF CALIFORNIA  
 FY2016-17 FTA SECTION 5311(f) INTERCITY BUS PROGRAM**

**Project: Monterey-Salinas Transit Line 84 (Soledad – Paso Robles)**

1. The transportation planning agency (TPA) has approved, by resolution, the programming of Section 5311(f) Intercity Bus Program funds in one or more of the following categories:

Category 1: Operating Assistance	\$ 216,000
Category 2: Bus Purchase/Bus Related Equipment	\$
Category 3: Transit Infrastructure	\$
Category 4: Planning and Marketing Studies	\$
Total	\$ 216,000

2. Subsequent to award of the project, the Transportation Improvement Plan (TIP) will be amended to include this project.  Yes       No
3. A combination of state, local, or private funding sources have been or will be committed to provide the required local share.  Yes       No
4. The applicant has, or will have sufficient funds to complete this project as designated in Parts IV (Description) and V (Budget), having the vehicles and/or equipment to do so.  
 Yes       No
5. The applicant has coordinated with other transportation providers and users in the region, including social service agencies capable of purchasing service.  Yes       No

Certifying Representative:

By signing below, I have read and acknowledge that my agency is in compliance with certifications and assurances as stated above.

*(Please Print)*

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*(Blue Ink)*

**REGIONAL TRANSPORTATION PLANNING AGENCY  
 CERTIFICATIONS AND ASSURANCES  
 STATE OF CALIFORNIA  
 FY2016-17 FTA SECTION 5311(f) INTERCITY BUS PROGRAM**

**Project: Monterey-Salinas Transit Line 86 (King City – San Jose Airport)**

1. The transportation planning agency (TPA) has approved, by resolution, the programming of Section 5311(f) Intercity Bus Program funds in one or more of the following categories:

Category 1: Operating Assistance	\$ 192,000
Category 2: Bus Purchase/Bus Related Equipment	\$
Category 3: Transit Infrastructure	\$
Category 4: Planning and Marketing Studies	\$
<b>Total</b>	<b>\$ 192,000</b>

- 2. Subsequent to award of the project, the Transportation Improvement Plan (TIP) will be amended to include this project.  Yes       No
- 3. A combination of state, local, or private funding sources have been or will be committed to provide the required local share.  Yes       No
- 4. The applicant has, or will have sufficient funds to complete this project as designated in Parts IV (Description) and V (Budget), having the vehicles and/or equipment to do so.  
 Yes       No
- 5. The applicant has coordinated with other transportation providers and users in the region, including social service agencies capable of purchasing service.  Yes       No

Certifying Representative:

By signing below, I have read and acknowledge that my agency is in compliance with certifications and assurances as stated above.

*(Please Print)*

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*(Blue Ink)*

**REGIONAL TRANSPORTATION PLANNING AGENCY  
 CERTIFICATIONS AND ASSURANCES  
 STATE OF CALIFORNIA  
 FY2016 FTA SECTION 5311(f) INTERCITY BUS PROGRAM**

**Project: Monterey-Salinas Transit New Line 85 (Fort Hunter Liggett – Templeton)**

1. The transportation planning agency (TPA) has approved, by resolution, the programming of Section 5311(f) Intercity Bus Program funds in one or more of the following categories:

Category 1: Operating Assistance	\$ 300,000
Category 2: Bus Purchase/Bus Related Equipment	\$ 300,000
Category 3: Transit Infrastructure	\$ 78,275
Category 4: Planning and Marketing Studies	\$ 0
Total	\$ 678,275

2. Subsequent to award of the project, the Transportation Improvement Plan (TIP) will be amended to include this project.  Yes       No
3. A combination of state, local, or private funding sources have been or will be committed to provide the required local share.  Yes       No
4. The applicant has, or will have sufficient funds to complete this project as designated in Parts IV (Description) and V (Budget), having the vehicles and/or equipment to do so.  
 Yes       No
5. The applicant has coordinated with other transportation providers and users in the region, including social service agencies capable of purchasing service.  Yes       No

Certifying Representative:

By signing below, I have read and acknowledge that my agency is in compliance with certifications and assurances as stated above.

***(Please Print)***

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**(Blue Ink)**



## Memorandum

**To:** Board of Directors  
**From:** Grant Leonard, Assistant Transportation Planner  
**Meeting Date:** March 23, 2016  
**Subject:** **Bicycle Secure Program**

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### **RECOMMENDED ACTION:**

1. **RECEIVE** 2015 Bicycle Secure Program Annual Report;
2. **APPROVE** funding each 2016 Bicycle Secure Program application, with partial awards to the largest applications, and the ability to adjust awards as funding allows.

### **SUMMARY:**

In 2015, the Agency restarted the Bicycle Secure Program. The 2015 Bicycle Secure Program Annual Report provides an overview the first year of the program. Additionally, the Agency received eleven applications, requesting a total of 55 bike racks, 3 bike lockers, 4 bicycle repair stations, and 5 skateboard racks for 2016 Bicycle Secure Program.

### **FINANCIAL IMPACT:**

The Transportation Agency's FY 2015/16 budget has \$30,000 in Regional Surface Transportation Program funds designated for the Bicycle Secure Program.

### **DISCUSSION:**

In 2014, the Transportation Agency budgeted Regional Surface Transportation Program funding to reinstate the Bicycle Protection Program under the new name "Bicycle Secure Program," and distribute bicycle racks where they may be needed to support bicycling in Monterey County.

The 2015 Bicycle Secure Program Annual Report provides an overview the first year of the program. In 2015, the Bicycle Secure Program provided new parking facilities that can accommodate approximately 150 bicycles and approximately 90 skateboards using the \$30,000 budget. The applications came from schools, businesses, and non-profits from across Monterey County, including locations in King City, Greenfield, Salinas, CSUMB, and Monterey. Additionally the Agency was able to support Salinas High School's efforts to promote student bicycling by installing a new bicycle repair station at the high school, the first such station provided by the Agency. The complete annual report is included as a **Web Attachment**.

In December 2015, the Agency released the call for 2016 Bicycle Secure Program applications.

The Agency received a total of eleven applications during the 2016 application period, from December 2, 2015 to February 4, 2016. The Agency received applications from King City, Greenfield, Soledad, Salinas, CSUMB, Monterey, and Pacific Grove. These applications requested a combined total of 55 bike racks, 3 bike lockers, 4 bicycle repair stations, and 5 skateboard racks to accommodate approximately 180 bicycles and 50 skateboards. The full list of applicants and items requested is included as an **attachment**.

All the 2016 applicants have demonstrated a strong need for bicycle or skateboard parking facilities, as well as the potential for usage. As such, each applicant has demonstrated that they meet the goals and criteria of the program. Agency staff estimates there will not enough funding to provide all the requested racks, lockers, and repair stations once the total cost of equipment, shipping and handling charges are included. The cost of shipping and handling can vary significantly, and is difficult to finalize until award recipients have been selected. Given these considerations, staff recommends approving each application, with partial awards to the three largest applications, and the ability to adjust awards as funding allows.

Once the applications have been approved by the Board of Directors, staff will purchase the racks, lockers, and repair stations in April, and oversee the installation process through May. All racks, lockers, and the repair station are to be installed within one month of receipt by the applicant, unless other arrangements have been made with Agency staff.

Approved by:   
Debra L. Hale, Executive Director

Date signed: March 8, 2016

Regular Agenda

Counsel Review: NA  
Finance/Admin Review: Yes

Attachment: 2016 Bicycle Secure Program Application Summaries

Web Attachment: 2015 Bicycle Secure Program Annual Report

## Attachment 1 Bicycle Secure Program Application Summaries

Applicant	City	Items	Bike Spaces	Skateboard Spaces	Repair Stations
King City Golf Course	King City	1 angled rack	8	0	0
King City, Forden Park	King City	3 angled racks	24	0	0
South Monterey County UHSD - Potola Butler High School	King City	1 skateboard rack	0	10	0
South Monterey County UHSD - Greenfield High School	Greenfeild	4 angled racks, 2 skateboard racks	20	20	0
Gabilan Conservation Camp	Soledad	2 bike racks 1 repair station	10		1
Alisal High School	Salinas	2 Skate Racks 4 Bike Racks 1 Repair Station	24	20	1
CSUMB	CSUMB	25 varsity docks 2 repair stations	50		2
City of Monterey, Lighthouse Avenue	Monterey	10 circular U-racks, 1 angled rack	24	0	0
City of Monterey, Bonifacio Plaza	Monterey	1 angled rack	4	0	0
Pacific Grove	Pacific Grove	3 Sub-Surface Inverted U 1 rail mounted quad	8	0	0
Asilomar Conference Grounds	Pacific Grove	3 bike lockers, #302	6	0	0
<b>Total</b>			<b>178</b>	<b>50</b>	<b>4</b>



## **Bicycle Secure Program**

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### **2015 Bicycle Secure Program**

### **Annual Report**



**Washington Middle School in Salinas**

**Prepared by**

**The Transportation Agency for Monterey County**

<http://www.tamcmonterey.org>

## **Program Overview**

### **Background**

Starting in 2002 and continuing through 2012, the Transportation Agency administered the Bicycle Protection Program with grant funds from the Monterey Bay Unified Air Pollution Control District. As part of the program, the Agency worked with several vendors to offer a limited selection of bicycle racks and lockers, which were purchased and distributed based on applications submitted to the Agency and the amount of grant funding available.

The Agency reinstated the program in January 2015 with the new name “Bicycle Secure Program.” In addition to the name change, the program is now funded through Regional Surface Transportation Program, and has been expanded to include bicycle repair stations, skateboard racks, and funding for artistic bicycle racks.

### **Purpose**

Encouraging bicycling for personal transportation is a major goal of the Transportation Agency for Monterey County. Access to secure and conveniently located bicycle parking supports individuals who choose to bicycle for everyday trips, like to work, school, shopping, or leisure. Alternately, the lack of available bicycle parking and the possibility of theft are strong deterrents to bicycle use. Providing secure parking and repair stations supports the growing number of people who choose to bicycle for economic, health, and environmental reasons. .

The Bicycle Secure Program helps private businesses, local jurisdictions, school districts, and other public agencies in Monterey County acquire bicycle parking racks and repair stations to serve their employees, patrons and students. The program provides free parking facilities and repair stations and offers assistance to identify the appropriate location and orientation of the rack or repair station for installation. It is the responsibility of the business or agency to install the facility securely in a safe and convenient location, and maintain the facility.

### **Program Budget**

The Agency has an annual budget of \$30,000 for the Bicycle Secure Program over a three year period from fiscal year 2014-15 through fiscal year 2016-17.

## **2015 Program Summary**

### **Overview of Applications**

The Agency received a total of eleven applications during the 2015 application period, from January 28 to March 5, 2015. Applications came from across Monterey County, including King City, Greenfield, Salinas, California State University Monterey Bay (CSUMB), and Monterey.

The Agency received applications for each type of assistance offered through the program. Of the applications, there was one request for a bicycle repair station, one request for funding assistance for an artistic bicycle rack, one request for bicycle lockers, and eight applications requesting either bicycle or skateboard racks or a combination of both.

Combined, the applied for bicycle parking facilities can accommodate approximately 150 bicycles and the skateboard facilities can accommodate approximately 90 skateboards.

All the applicants demonstrated a strong need for bicycle or skateboard parking facilities at their locations, as well as the potential for usage at the applicants' locations. As such, each applicant met the goals and criteria of the program.

### **Budget Limitations**

Although each application meets the program goals and criteria, there was not enough funding to provide all the requested racks, lockers, and repair station. As a result, Agency staff worked with the Agency's Bicycle and Pedestrian Advisory Committee to ensure an equitable distribution of the funds to each applicant. With the guidance of the Bicycle and Pedestrian Advisory Committee, the Agency was able to fully fund the majority of applications, while providing partial awards of the two largest applications, Hartnell College and California State University Monterey Bay.

### **Support of Artistic Racks**

One area that proved difficult to implement was the support for artistic racks. The Agency received only one application for support, and because the support is on a reimbursement basis, the Agency could not quickly facilitate the construction of the artistic rack. The result was a delay in the construction and subsequent installation of the artistic rack.

Going forward, the Agency will need to consider ways to facilitate development of its support for artistic rack, including potential partnerships with other programs, such as the Arts Council for Monterey County.

## Program Success

The 2015 Bicycle Secure Program successfully increased the amount of bicycle and skateboard parking in Monterey County, and the Agency support Salinas High School’s efforts to promote student bicycling by installing a new bicycle repair station at the high school, the first such station provided by the Agency.

A complete summary of the 2015 Bicycle Secure Program recipients is listed in Table 1. Photos of the installed equipment and artistic rack are included as Attachment 1.

	<b>Grant Awardee</b>	<b>City</b>	<b>Items Received</b>
<b>1</b>	Kasey's Fitness	King City	2 Inverted U-racks
<b>2</b>	Holy Trinity Church	Greenfield	3 Triple Rail Inverted U-racks
<b>3</b>	Hartnell College	Salinas	4 Bike Lockers
<b>4</b>	Mount Toro High School	Salinas	1 Angled Four-Bike Rack and 1 Ten-Skateboard Rack
<b>5</b>	Everett Alvarez High School	Salinas	6 Angled Four-Bike Rack and 4 Ten-Skateboard Racks
<b>6</b>	Washington Middle School	Salinas	4 Ten-Skateboard Racks
<b>7</b>	Salinas High School	Salinas	1 Repair Station
<b>8</b>	CSUMB	Marina/Seaside	30 Varsity Bike Docks (two bicycle per dock)
<b>9</b>	CHS Safe Place	Monterey	1 Angled Four-Bike Rack and 1 Ten-Skateboard Rack
<b>10</b>	787 Munras Ave (Office Building)	Monterey	1 Straight-in Four-Bike Rack
<b>11</b>	Old Town Salinas	Salinas	Art Rack Funding

**Table 1** Summary of 2015 Bicycle Secure Program Awards

## Next Steps

The Agency has one outstanding installation remaining from the 2015 Bicycle Secure Program. Although the artistic bike rack was successfully built, the original location for its installation is no longer available. The agency has not been billed for the cost of building the artistic rack, and reimbursement for costs will not happened until the rack is installed. Going forward, the Agency will continue to work with the artist to ensure the rack is successfully installed.

On December 2, 2015, the Agency released the call for 2016 Bicycle Secure Program applications. Following the model of the 2015 cycle, the Agency will work with the 2016 applicants and the Bicycle and Pedestrian Committee to ensure another successful year for the Bicycle Secure Program.

**Attachment 1: Photos of 2015 Program Awardees**



**Figure 1 787 Munras Avenue**



**Figure 2 CSUMB Library**





Figure 3 CSUMB Science Building



Figure 4 CSUMB Sports Fields



**Figure 5 Everett Alvarez High School Bike and Skateboard Racks**





**Figure 6 Everett Alvarez High School Bike Racks**



**Figure 7 Mount Toro High School Skateboard Rack**



Figure 8 Mount Toro High School Bike Rack



Figure 9 Hartnell College Art Building





**Figure 10 Hartnell College Gym**



**Figure 11 Hartnell College East Campus**



**Figure 12 Salinas High School Bicycle Repair Station**



**Figure 13 Salinas High School Repair Station with Bike Racks**



**Figure 14 Washington Middle School Skateboard Racks**





**Figure 15 Artistic Rack**



# Memorandum

**To:** Board of Directors  
**From:** Christina Watson, Principal Transportation Planner  
**Meeting Date:** March 23, 2016  
**Subject:** State Legislative Update

## RECOMMENDED ACTION

**RECEIVE** state legislative update and **ADOPT** positions on bills of interest to the Agency.

## SUMMARY

The bill list has been updated with new bills introduced in 2016 as well as two-year bills, including special session bills still under consideration. The Executive Committee received an update and discussed the list on March 2 and recommends Board adoption of the positions as indicated.

## FINANCIAL IMPACT

Assembly Bill 2730 has the potential to raise several million dollars that would be allocated to state highway projects in Monterey County, instead of being paid to the state's General Fund.

## DISCUSSION

Two bills were introduced for TAMC's legislative priorities by the February 19 bill introduction deadline:

- **AB 2730 (Alejo): Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties (web attachments 1 and 2).**

The Prunedale Bypass right-of-way was acquired with state transportation funding back in the 1970's. 353 acres had been retained by Caltrans for potential habitat mitigation for future transportation projects; however, Caltrans has reviewed each of the 145 parcels and has determined that the Bypass land has limited habitat preservation value. As a result, the property will soon be on the state list for sale as excess property. Without any change to state law, the proceeds from the sale of this excess property, as with all other highway projects, will accrue to the state General Fund.

This bill would require the net proceeds from the sale of the excess properties from the Prunedale Bypass to be reserved in the State Highway Account for programming and allocation by the California Transportation Commission, with the concurrence of TAMC, to other transportation projects in Monterey County. This funding would not offset any other funds that

TAMC would receive in the State Transportation Improvement Program or from other state sources.

This legislation is modeled on similar bills signed into law for the disposal of excess property in the Highway 238 corridor in Alameda County and the I-710 corridor in Los Angeles County. The net result of this legislation could be millions of dollars for state highway projects in Monterey County. The value of the right-of-way is not currently known and Caltrans has indicated that it is not able to conduct a formal or informal appraisal. In order to determine how much money is at stake in this legislation, staff will be investigating the ability to conduct an informal appraisal of the property and will make a proposal to the TAMC Board in the near future.

- **SB 1197 (Cannella) Intercity rail corridors: extensions (web attachment 3).**

TAMC is interested in extending the Capitol Corridor train south from San Jose to serve Salinas and points in between. The Coast Rail Coordinating Council is interested in extending the Pacific Surfliner north, as the planned Coast Daylight service, to the San Francisco Bay Area. Existing law, however, defines the boundaries of the three intercity rail corridors (Capitol Corridor, Pacific Surfliner, and San Joaquin), and any extension of service beyond these boundaries requires a change in state law.

This bill would authorize the amendment of the respective agreements between the relevant joint powers board and Caltrans allow the provision of intercity rail service beyond the defined boundaries of the corridor. To extend service, the bill would require the oversight joint powers agency to recommend and justify the proposed extension in its adopted business, and then secure the approval of the Secretary of Transportation. This bill will therefore bring the extension of Capitol Corridor train service to Salinas and the Coast Daylight service one step closer to implementation, while keeping such service extensions at the discretion of the both the joint powers board and the State Transportation Agency.

**Attached** is the updated list of transportation legislation pending from last year, and introduced this year, as of March 3. Of key interest are several bills that propose raising state transportation revenues to address the revenue shortfall. A handful of measures also propose changes to the “disadvantaged communities” definition or allocation of cap and trade funding. Bills are expected to go to hearings starting in late March or early April. **Web Attachment 4** is the Agency’s adopted 2016 legislative program.

Approved by:



Debra L. Hale, Executive Director

Date signed: March 8, 2016

Consent Agenda

Counsel Approval: N/A

Finance Approval: N/A

Attachment: TAMC Bill List as of March 3, 2016

Web Attachments:

1. AB 2730 (Alejo): Prunedale Bypass right-of-way funds
2. Map of Prunedale Bypass properties owned by Caltrans
3. SB 1197 (Cannella): Intercity rail service governance
4. Final TAMC State Legislative Program, adopted January 27, 2016

**TAMC Bill List  
March 3, 2016**

**Assembly bills**

**AB 1364 (Linder) California Transportation Commission**

**Introduced:** 2/27/2015

**Status:** 2/4/2016-Referred to Coms. on T. & H. and G.O.

**Summary:** Removes the California Transportation Commission (CTC) from the California Transportation Agency (CalSTA) and re-establishes the CTC as an independent entity within state government.

**Priority:** N/A - CTC

**Position:** SUPPORT

**AB 1550 (Gomez) Greenhouse gases: investment plan: disadvantaged communities**

**Introduced:** 1/4/2016

**Status:** 2/1/2016-Referred to Com. on NAT. RES.

**Summary:** The California Global Warming Solutions Act of 2006 provides that the allocation of a minimum of 10% Greenhouse Gas Reduction Fund moneys go to projects located in disadvantaged communities and a minimum of 25% to projects that provide benefits to disadvantaged communities. This bill instead requires the investment plan to allocate a minimum of 25% to projects located within disadvantaged communities and a separate and additional 25% to projects that benefit low-income households.

**Priority:** 7S. Support redefinition of “disadvantaged communities” in the Greenhouse Gas Reduction Fund (i.e., “cap and trade”) grant program guidelines to better reflect economic and rural area considerations, and seek funding from the program for regional priority projects.

**Position:** Watch

**AB 1555 (Gomez) Greenhouse Gas Reduction Fund**

**Introduced:** 1/4/2016

**Status:** 1/5/2016-From printer. May be heard in committee February 4.

**Summary:** States the intent of the Legislature to enact future legislation that would appropriate \$1.7 billion from the Greenhouse Gas Reduction Fund for the 2015-16 fiscal year that would be allocated to different entities in amounts to be determined in the future legislation for purposes including low carbon transportation and infrastructure, clean energy communities, and community climate improvements, wetland and watershed restoration, and carbon sequestration.

**Priority:** N/A: Cap and Trade funding allocation

**Position:** Watch

**AB 1569 (Steinorth) California Environmental Quality Act: exemption: existing transportation infrastructure**

**Introduced:** 1/4/2016

**Status:** 2/1/2016-Referred to Coms. on NAT. RES. and TRANS.

**Summary:** Exempts from the provisions of CEQA a project, or the issuance of a permit for a project, that consists of the inspection, maintenance, repair, rehabilitation, replacement, or removal of, or the addition of an auxiliary lane or bikeway to, existing transportation infrastructure that meets certain requirements.

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**Priority: 4S.** Work with partner agencies to reach agreement on proposals for California Environmental Quality Act (CEQA) reform, while retaining environmental protections.

**Position: Watch**

**AB 1591 (Frazier) Transportation funding**

**Introduced:** 1/6/2016

**Status:** 2/1/2016-Referred to Coms. on TRANS. and REV. & TAX..

**Summary:** Establishes the Road Maintenance and Rehabilitation program at \$4.57 billion annually, repays outstanding transportation loans at \$879million (one-time payment), increases funding to Trade Corridors Improvement Fund (TCIF) at \$1.24 billion annually, increases funding to transit and Intercity Rail Capital program at \$200 million annually, revises the calculation of variable gas tax, and prohibits weight fees from being used for bond debt service or General Fund loans.

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position: SUPPORT**

**AB 1746 (Stone, Mark) Transit buses**

**Introduced:** 2/2/2016

**Status:** 2/18/2016-Referred to Com. on TRANS.

**Summary:** Add 6 transit districts to the program allowing the operation of transit buses on the shoulder of a segment of a state highway designated under the program within the areas served, to be jointly determined by the districts, Caltrans, and the CHP.

**Priority: 13S:** transit bus on shoulder

**Position: Watch**

**AB 1815 (Alejo) California Global Warming Solutions Act of 2006: disadvantaged communities**

**Introduced:** 2/8/2016

**Status:** 2/25/2016-Referred to Com. on NAT. RES.

**Summary:** Existing law requires the California Environmental Protection Agency (CalEPA) to identify disadvantaged communities and requires the Department of Finance (DOF), in consultation with the state Air Resources Board (ARB) and any other relevant state agency, to develop a 3-year investment plan for the Greenhouse Gas Reduction Fund. Existing law requires the 3-year investment plan to allocate a minimum of 25% of the available moneys in the fund to projects that provide benefits to disadvantaged communities. This bill requires the ARB to prepare and post on its website a report on the projects funded to benefit disadvantaged communities.

**Priority: 7S.** Support redefinition of “disadvantaged communities” in the Greenhouse Gas Reduction Fund (i.e., “cap and trade”) grant program guidelines to better reflect economic and rural area considerations, and seek funding from the program for regional priority projects.

**Position: Watch**

**AB 1818 (Melendez) Transportation funds**

**Introduced:** 2/8/2016

**Status:** 2/9/2016-From printer. May be heard in committee March 10.

**Summary:** Existing law establishes a policy for expenditure of certain state and federal funds available to the state for transportation purposes. Under this policy, Caltrans and the CTC are

required to develop a fund estimate of available funds for purposes of adopting the state transportation improvement program, which is a listing of capital improvement projects. (Spot bill.)

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position: Watch**

**AB 1833 (Linder) Transportation projects: environmental mitigation**

**Introduced:** 2/9/2016

**Status:** 2/10/2016-From printer. May be heard in committee March 11.

**Summary:** Creates the Advanced Mitigation Program in Caltrans to implement environmental mitigation measures in advance of future transportation projects.

**Priority: 4S.** Work with partner agencies to reach agreement on proposals for California Environmental Quality Act (CEQA) reform, while retaining environmental protections.

**Position: Watch**

**AB 1886 (McCarty) California Environmental Quality Act: transit priority projects**

**Introduced:** 2/11/2016

**Status:** 2/25/2016-Referred to Com. on NAT. RES.

**Summary:** CEQA exempts from its requirements transit priority projects meeting certain requirements, including the requirement that the project be within 1/2 mile of a major transit stop or high-quality transit corridor included in a regional transportation plan. CEQA specifies that a project is considered to be within 1/2 mile of a major transit stop or high-quality transit corridor if, among other things, all parcels within the project have no more than 25% of their area farther than 1/2 mile from the stop or corridor. This bill increases that percentage to 50%.

**Priority: 4S.** Work with partner agencies to reach agreement on proposals for California Environmental Quality Act (CEQA) reform, while retaining environmental protections.

**Position: Watch**

**AB 1910 (Harper) Transportation: advisory question: election**

**Introduced:** 2/11/2016

**Status:** 2/25/2016-Referred to Coms. on TRANS. and E. & R.

**Summary:** Calls a special election to be consolidated with the November 8, 2016, statewide general election. Requires the Secretary of State to submit to the voters at the November 8, 2016, consolidated election an advisory question asking whether the Legislature should "disproportionately target low-income and middle class families with a regressive tax increase on gasoline and annual vehicle registrations to fund road maintenance and rehabilitation, rather than ending the diversion of existing transportation tax revenues for nontransportation purposes, investing surplus state revenue in transportation infrastructure, repaying funds borrowed from transportation accounts, prioritizing roads over high-speed rail, and eliminating waste at the Department of Transportation."

**Priority: 6S.** Support efforts to develop alternative funding sources to offset the reduction in gas tax revenues and ensure that any pay-by-the-mile funding is equitably assessed and distributed.

**Position: Watch**

**AB 1919 (Quirk) Local transportation authorities: bonds**

**Introduced:** 2/11/2016

**Status:** 2/25/2016-Referred to Com. on TRANS.

**Summary:** The Local Transportation Authority and Improvement Act provides for the creation in any county of a local transportation authority and authorizes the imposition of a retail transactions and use tax by ordinance, subject to approval of the ordinance by 2/3 of the voters. Current law requires the bond proceeds to be placed in the treasury of the local transportation authority and to be used for allowable transportation purposes, except that accrued interest and premiums received on the sale of the bonds are required to be placed in a fund to be used for the payment of bond debt service. This bill instead provides for accrued interest and premiums received on the sale of the bonds to be placed in the treasury of the local transportation authority to be used for allowable transportation purposes.

**Priority:** 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position:** Watch

**AB 2014 (Melendez) Freeway Service Patrol Act: workload study**

**Introduced:** 2/16/2016

**Status:** 2/29/2016-Referred to Com. on TRANS.

**Summary:** Requires CHP, in coordination with Caltrans and in consultation with regional and local entities, to complete a workload study to assess resource needs to supervise existing and expanded freeway service patrols identified by regional and local entities.

**Priority:** N/A – Freeway Service Patrol

**Position:** Watch

**AB 2090 (Alejo) Low Carbon Transit Operations Program**

**Introduced:** 2/17/2016

**Status:** 2/29/2016-Referred to Com. on TRANS.

**Summary:** Current law continuously appropriates specified portions of the annual proceeds in the Greenhouse Gas Reduction Fund to various programs, including 5% for the Low Carbon Transit Operations Program (LCTOP), which provides operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities. This bill authorizes moneys appropriated to the program to be expended to support the operation of existing bus or rail service if the governing board of the requesting transit agency declares a fiscal emergency and other criteria are met, thereby expanding the scope of an existing continuous appropriation.

**Priority:** 2S. Encourage the state to increase investments in passenger rail and bus transit projects and seek funding for Monterey County projects.

**Position:** Watch

**AB 2293 (Garcia, Cristina) Greenhouse Gas Reduction Fund: 3-year investment plan: technical assistance program**

**Introduced:** 2/18/2016

**Status:** 2/19/2016-From printer. May be heard in committee March 20.

**Summary:** Requires the ARB to establish a technical assistance program, upon an appropriation of moneys from the Greenhouse Gas Reduction Fund, to assist small disadvantaged communities in



applying for moneys from programs using moneys from the fund. Requires Caltrans to include in the 3-year investment plan an allocation to the ARB for that technical assistance program.

**Priority: 7S.** Support redefinition of “disadvantaged communities” in the Greenhouse Gas Reduction Fund (i.e., “cap and trade”) grant program guidelines to better reflect economic and rural area considerations, and seek funding from the program for regional priority projects.

**Position: Watch**

#### **AB 2332 (Garcia, Eduardo) Transportation**

**Introduced:** 2/18/2016

**Status:** 2/19/2016-From printer. May be heard in committee March 20.

**Summary:** Requires the CTC to establish a process whereby Caltrans and local agencies receiving funding for highway capital improvements from the State Highway Operation and Protection Program or the State Transportation Improvement Program prioritize projects that provide meaningful benefits to the mobility and safety needs of disadvantaged community residents.

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position: Watch**

#### **AB 2343 (Garcia, Cristina) Greenhouse Gas Reduction Fund: 3-year investment plan: disadvantaged communities**

**Introduced:** 2/18/2016

**Status:** 2/19/2016-From printer. May be heard in committee March 20.

**Summary:** Current law requires the CalEPA to identify disadvantaged communities and requires the DOF, in consultation with the ARB and any other relevant state agency, to develop a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Current law requires the 3-year investment plan to allocate a minimum of 10% of the available moneys in the fund to projects located within disadvantaged communities. This bill requires a minimum of 10% of the moneys in fund to be allocated to projects located in a city of an unspecified population within a disadvantaged community.

**Priority: 7S.** Support redefinition of “disadvantaged communities” in the Greenhouse Gas Reduction Fund (i.e., “cap and trade”) grant program guidelines to better reflect economic and rural area considerations, and seek funding from the program for regional priority projects.

**Position: Watch**

#### **AB 2355 (Dababneh) Intercity rail services: mitigation**

**Introduced:** 2/18/2016

**Status:** From printer. May be heard in committee March 20.

**Summary:** Requires Caltrans to develop a program for the reasonable mitigation of noise and vibration levels in residential neighborhoods along railroad lines where Caltrans contracts for state-funded intercity rail passenger service. Requires Caltrans to determine what constitutes a reasonable level of mitigation. Provides that funding for the mitigation program shall be made available from funds appropriated by the Legislature for this purpose.

**Priority: N/A – intercity rail**

**Position: Watch**

**AB 2360 (Alejo) School buses: passing violations: automated video enforcement**

**Introduced:** 2/18/2016

**Status:** 2/19/2016-From printer. May be heard in committee March 20.

**Summary:** Authorizes a school district to install and operate an automated schoolbus video enforcement system, for the purpose of enforcing the law which requires a vehicle to stop immediately before passing the schoolbus and to not proceed past the schoolbus until the flashing red light signal and stop signal arm cease operation.

**Priority:** N/A – school transportation

**Position:** Watch

**AB 2374 (Chiu) Construction Manager/General Contractor method: regional transportation agencies: ramps**

**Introduced:** 2/18/2016

**Status:** 2/19/2016-From printer. May be heard in committee March 20.

**Summary:** Current law authorizes regional transportation agencies to use the Construction Manager/ General Contractor (CM/GC) project delivery method to design and construct certain expressways that are not on the state highway system if: (1) the expressways are developed in accordance with an expenditure plan approved by voters, (2) there is an evaluation of the traditional design-bid-build method of construction and of the CM/GC method, and (3) the board of the regional transportation agency adopts the method in a public meeting. This bill authorizes regional transportation agencies to use this authority on ramps not on the state highway system.

**Priority:** 5S. Support efforts to extend and expand Public Private Partnership authority, public tolling authority, and design-build authority, expand mode eligibility, and allow for regional control of such projects.

**Position:** Watch

**AB 2398 (Chau) Transportation: private funding**

**Introduced:** 2/18/2016

**Status:** 2/19/2016-From printer. May be heard in committee March 20.

**Summary:** Spot bill relating to private funding for transportation projects.

**Priority:** 5S. Support efforts to extend and expand Public Private Partnership authority, public tolling authority, and design-build authority, expand mode eligibility, and allow for regional control of such projects.

**Position:** Watch

**AB 2411 (Frazier) Transportation revenues**

**Introduced:** 2/19/2016

**Status:** 2/22/2016-Read first time.

**Summary:** Deletes the transfer of miscellaneous revenues to the Transportation Debt Service Fund, thereby eliminating the offsetting transfer to the General Fund for debt service on general obligation transportation bonds issued pursuant to Proposition 116 of 1990.

**Priority:** 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position:** Watch

**AB 2452 (Quirk) California Environmental Quality Act: judicial remedies: emissions of greenhouse gases**

**Introduced:** 2/19/2016

**Status:** 2/22/2016-Read first time.

**Summary:** CEQA authorizes a court, in an action or proceeding brought challenging the decision of a public agency on the ground of noncompliance with CEQA, to enter an order to suspend any specific project activity if the court finds that the activity will prejudice the consideration and implementation of particular mitigation measures or alternatives to the project. This bill, in an action or proceeding under CEQA, prohibits a court from staying or enjoining transportation infrastructure projects based solely on the project's potential emissions of greenhouse gases.

**Priority:** 4S. Work with partner agencies to reach agreement on proposals for California Environmental Quality Act (CEQA) reform, while retaining environmental protections.

**Position:** Watch

**AB 2509 (Ting) Operation of bicycles: speed**

**Introduced:** 2/19/2016

**Status:** 2/22/2016-Read first time.

**Summary:** Current law requires a person operating a bicycle upon a roadway at a speed less than the normal speed of traffic moving in the same direction at that time to ride as close as practicable to the right-hand curb or edge of the roadway except in specified situations. This bill requires a person operating a bicycle to ride as close as is either safe or practicable to the curb or roadway edge. The bill expands the exceptions to riding as close as safe or practicable to the right-hand curb or roadway edge to include, among others, when riding in class I, class II, or class IV bikeways.

**Priority:** 3S. Support legislation that promotes transit-oriented development, complete streets, and active transportation projects.

**Position:** Watch

**AB 2542 (Gatto) City streets and highways**

**Introduced:** 2/19/2016

**Status:** 2/22/2016-Read first time.

**Summary:** Current law authorizes the legislative body of a city to do any and all things necessary to lay out, acquire, and construct any section or portion of any street or highway within its jurisdiction as a freeway and to make any current street or highway a freeway. (Spot bill)

**Priority:** N/A pending more information

**Position:** Watch

**AB 2693 (Dababneh) Transportation funds**

**Introduced:** 2/19/2016

**Status:** 2/22/2016-Read first time.

**Summary:** Current law requires funds in the State Highway Account to be programmed, budgeted, and expended to maximize the use of federal funds and according to a specified sequence of priorities. Current law requires Caltrans to provide certain information to the Legislature to substantiate Caltrans's proposed capital outlay support budget. (Spot bill)

**Priority:** N/A pending more information

**Position:** Watch

**AB 2708 (Daly) Department of Transportation: construction inspection services**

**Introduced:** 2/19/2016

**Status:** 2/22/2016-Read first time.

**Summary:** Current law, until January 1, 2024, requires Caltrans to perform construction inspection services for certain design-build projects on or interfacing with the state highway system and to retain the authority to stop the contractor's operation wholly or in part and take appropriate action when public safety and convenience are jeopardized on those projects. (Spot bill)

**Priority: 5S.** Support efforts to extend and expand Public Private Partnership authority, public tolling authority, and design-build authority, expand mode eligibility, and allow for regional control of such projects.

**Position: Watch**

**AB 2730 (Alejo) Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties.**

**Introduced:** 2/19/2016

**Status:** 2/19/2016-Introduced. To print.

**Summary:** Classifies certain properties acquired by Caltrans for a replacement alignment for US 101 in the County of Monterey, known as the former Prunedale Bypass, and no longer required by Caltrans for the alternative improvements undertaken by it in place of the bypass, known as the Prunedale Improvement Project, as excess property, and requires Caltrans to expeditiously dispose of those excess properties. Requires the net proceeds from the sale of the excess properties to be reserved in the State Highway Account for programming and allocation by the CTC, with the concurrence of TAMC, to other transportation projects in that county. Exempts these funds from the distribution formulas otherwise applicable to transportation capital improvement funds.

**Priority: 9S.** Support legislation to transfer funding derived from the sale of excess rights-of-way purchased for the Prunedale Bypass project to priority projects in the region.

**Position: SPONSOR (Letter sent 3/1/16)**

**AB 2742 (Nazarian) Transportation projects: comprehensive development lease agreements**

**Introduced:** 2/19/2016

**Status:** 2/22/2016-Read first time.

**Summary:** Extends public-private partnership authority to January 1, 2030.

**Priority: 5S.** Support efforts to extend and expand Public Private Partnership authority, public tolling authority, and design-build authority, expand mode eligibility, and allow for regional control of such projects.

**Position: SUPPORT**

**AB 2783 (Garcia, Eduardo) Affordable Housing and Sustainable Communities Program**

**Introduced:** 2/19/2016

**Status:** 2/22/2016-Read first time.

**Summary:** Current law requires the Strategic Growth Council (SGC) to develop guidelines and selection criteria for the Affordable Housing and Sustainable Communities Program. This bill requires the SGC to revise the guidelines and selection criteria with respect to density requirements, and to include factors, including energy efficiency, in its greenhouse gas quantification methodology.

**Priority: 7S.** Support redefinition of "disadvantaged communities" in the Greenhouse Gas Reduction Fund (i.e., "cap and trade") grant program guidelines to better reflect economic and rural area considerations, and seek funding from the program for regional priority projects.

**Position: Watch**

**AB 2796 (Low) Active Transportation Program****Introduced:** 2/19/2016**Status:** 2/22/2016-Read first time.

**Summary:** Current law creates the Active Transportation Program (ATP) in Caltrans for the purpose of encouraging increased use of active modes of transportation. Current law requires the CTC to award 50% and 10% of available funds to projects statewide and to projects in small urban and rural regions, respectively, with the remaining 40% of available funds to be awarded to projects by metropolitan planning organizations (MPOs), with the funds available for distribution by each MPO based on its relative population. This bill requires a minimum of 5% of available funds in each of the 3 distribution categories to be awarded for planning and community engagement for active transportation in disadvantaged communities.

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position:** Watch**Assembly bills in the special session****ABX1-1 (Alejo): Transportation funding****Introduced:** 6/23/15**Status:** 6/24/15-From printer

**Summary:** Current law provides for loans of revenues from various transportation funds and accounts to the General Fund, with various repayment dates specified. This bill, with respect to any loans made to the General Fund from specified transportation funds and accounts with a repayment date of January 1, 2019, or later, requires the loans to be repaid by December 31, 2018.

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position:** SUPPORT (Letter sent 6/25/15)**ABX1-2 (Perea): Transportation projects: comprehensive development lease agreements****Introduced:** 6/25/15**Status:** 6/26/15 – From printer

**Summary:** Extends Caltrans authorization to enter into Public-Private Partnerships indefinitely and includes within the definition of “regional transportation agency” the Santa Clara Valley Transportation Authority, thereby authorizing the authority to enter into public-private partnerships under these provisions.

**Priority: 5S.** Support efforts to extend and expand Public Private Partnership authority, public tolling authority, and design-build authority, expand mode eligibility, and allow for regional control of such projects.

**Position:** SUPPORT (Letter sent 7/17/15)**ABX1-3 (Frazier): Transportation funding****Introduced:** 7/9/15**Last Amended:** 9/3/15

**Status:** 9/24/2015-Senators Beall (Co-Chair), Allen, Leyva, Cannella, and Gaines appointed to Conference Committee.

**Summary:** Declares the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to maintain and repair highways, local roads, bridges, and other critical infrastructure

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position: Watch** (spot bill)

**ABX1-4 (Frazier): Transportation funding**

**Introduced:** 7/9/15

**Status:** 9/3/15-Referred to Com. on RLS.

**Summary:** Declares the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to improve the state's key trade corridors and support efforts by local governments to repair and improve local transportation infrastructure.

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position: Watch** (spot bill)

**ABX1-6 (Hernández, Roger) Affordable Housing and Sustainable Communities Program**

**Introduced:** 7/16/15

**Status:** 7/17/15-From printer.

**Summary:** Requires 20% of moneys available for allocation under the Affordable Housing and Sustainable Communities Cap and Trade Program to be allocated to eligible projects in rural areas.

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position: SUPPORT (Letter sent 9/9/15)**

**ABX1-7 (Nazarian) Public transit: funding**

**Introduced:** 7/16/15

**Status:** 7/17/15-From printer.

**Summary:** Appropriates 20% of Greenhouse Gas Reduction Fund (Cap and Trade) annual proceeds to the Transit and Intercity Rail Capital Program (TIRCP), and 10% of those annual proceeds to the LCTOP.

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position: SUPPORT (Letter sent 9/9/15)**

**ABX1 8 (Chiu) Diesel sales and use tax.**

**Introduced:** 7/16/15

**Status:** 7/17/15-From printer.

**Summary:** Increases the sales and use tax on diesel fuel from 1.75% to 5.25% and allocates the money by formula to public transit agencies, such as Monterey-Salinas Transit.

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position: SUPPORT (Letter sent 9/9/15)**

**ABX1-19 (Linder) California Transportation Commission**

**Introduced:** 9/1/15

**Status:** From printer

**Summary:** This bill excludes the CTC from CalSTA and establishes it as an entity in the state government.

**Priority:** NA – CTC

**Position:** Watch

**Senate bills**

**SB 247 (Lara): Charter bus transportation: safety improvements**

**Introduced:** 2/18/2015

**Last Amended:** 1/26/2016

**Status:** 1/27/2016-In Assembly. Read first time. Held at Desk.

**Summary:** Requires a charter-party carrier of passengers engaged in charter bus transportation to ensure that the driver of a charter bus provides oral and written instructions to all passengers on the safety equipment and emergency exits on the vehicle prior to the beginning of any trip and that the charter bus is equipped with specified safety equipment. Requires those vehicles manufactured after July 1, 2017, to be equipped with a secondary door for use as an additional emergency exit. Requires Caltrans to adopt, no later than July 1, 2017, standards and criteria for the implementation of these equipment and safety requirements.

**Priority:** N/A – concern that, as written, would apply to intercity buses

**Position:** Watch

**SB 824 (Beall) Low Carbon Transit Operations Program**

**Introduced:** 1/7/2016

**Status:** 1/28/2016-Referred to Com. on T. & H.

**Summary:** Authorizes the ARB to allow a transit agency that does not submit a project for funding under the LCTOP program in a particular fiscal year to retain its funding share for expenditure in a subsequent fiscal year. Allows a transit agency to loan or transfer its funding share in a particular fiscal year to another transit agency, to pool its funding share with those of other transit agencies, or to apply to Caltrans to reassign, to other eligible expenditures under the program, any savings of surplus moneys from an approved and completed expenditure under the program or from an approved expenditure that is no longer a priority. Allows a recipient transit agency to apply to Caltrans for a letter of no prejudice for a capital project or component of a capital project for which Caltrans has authorized a disbursement of funds, and if granted, would allow the transit agency to expend its own moneys and to be eligible for future reimbursement from the program.

**Priority:** 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position:** Watch



**SB 901 (Bates) Transportation projects: Advanced Mitigation Program**

**Introduced:** 1/21/2016

**Status:** 2/4/2016-Referred to Coms. on T. & H. and E.Q.

**Summary:** Creates the Advanced Mitigation Program in Caltrans to implement environmental mitigation measures in advance of future transportation projects. Requires Caltrans to set aside certain amounts of future appropriations for this purpose.

**Priority:** **4S.** Work with partner agencies to reach agreement on proposals for California Environmental Quality Act (CEQA) reform, while retaining environmental protections.

**Position:** **Watch**

**SB 902 (Cannella) Department of Transportation: environmental review process: federal program**

**Introduced:** 1/21/2016

**Status:** 2/4/2016-Referred to Com. on T. & H.

**Summary:** Existing federal law delegates certain responsibilities for environmental review and clearance of transportation projects that would otherwise be the responsibility of the federal government to Caltrans until January 1, 2017. The bill deletes the January 1, 2017, repeal date and thereby extend these provisions indefinitely.

**Priority:** **N/A** – NEPA delegation authority

**Position:** **SUPPORT**

**SB 903 (Nguyen) Transportation funds: loan repayment**

**Introduced:** 1/21/2016

**Status:** 2/4/2016-Referred to Com. on T. & H.

**Summary:** Acknowledges, as of June 30, 2015, \$879,000,000 in outstanding loans of certain transportation revenues, and requires this amount to be repaid by June 30, 2016, to the Traffic Congestion Relief Fund for allocation to the Traffic Congestion Relief Program, the Trade Corridors Improvement Fund, the Public Transportation Account, and the State Highway Account.

**Priority:** **1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position:** **SUPPORT**

**SB 1066 (Beall) Transportation funds: fund estimates**

**Introduced:** 2/16/2016

**Status:** 2/25/2016-Referred to Com. on T. & H.

**Summary:** Current law requires Caltrans to submit to the CTC an estimate of state and federal funds expected to be available for future programming over the 5-year period in each state transportation improvement program, and requires the CTC to adopt a fund estimate in that regard. This bill requires the fund estimates prepared by Caltrans and the CTC to identify and include federal funds derived under the Fixing America's Surface Transportation Act of 2015.

**Priority:** **1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position:** **Watch**

**SB 1141 (Moorlach) State highways: transfer to local agencies: pilot program**

**Introduced:** 2/18/2016

**Status:** 2/19/2016-From printer. May be acted upon on or after March 20.

**Summary:** Requires Caltrans to participate in a pilot program over a 5-year period under which 2 counties, one in northern California and one in southern California, are selected to operate, maintain, and make improvements to all state highways, including freeways, in the affected county. Requires Caltrans, with respect to those counties, for the duration of the pilot program, to convey all of its authority and responsibility over state highways in the county to the county or to a regional transportation agency that has jurisdiction in the county.

**Priority:** N/A - Caltrans

**Position:** Watch

**SB 1197 (Cannella) Intercity rail corridors: extensions**

**Introduced:** 2/18/2016

**Status:** 2/19/2016-From printer. May be acted upon on or after March 20.

**Summary:** Existing law defines the boundaries of 3 state-supported intercity rail corridors, and requires the preparation of an annual business plan for the corridor by each participating joint powers board. This bill authorizes the extension of the affected rail corridor to provide intercity rail service beyond the defined boundaries of the corridor. The bill requires a proposed extension to first be recommended and justified in the business plan adopted by the joint powers board, and then requires the approval of the Secretary of Transportation.

**Priority: 10S:** Support legislation to expand the Capitol Corridor Joint Powers Authority to Salinas, and to expand the Los Angeles-San Diego Rail Corridor Agency (LOSSAN) to San Francisco.

**Position:** SPONSOR

**SB 1320 (Runner) California Transportation Commission**

**Introduced:** 2/19/2016

**Status:** 2/22/2016-From printer. May be acted upon on or after March 23. Read first time.

**Summary:** Excludes the CTC from CalSTA, establish it as an entity in state government, and require it to act in an independent oversight role.

**Priority:** N/A - CTC

**Position:** SUPPORT

**Senate bills in the special session**

**SBX1-1 (Beall): Transportation funding**

**Introduced:** 6/22/15

**Last Amended:** 9/1/15

**Status:** 9/1/15- Read second time and amended. Re-referred to Com. on APPR.

**Summary:** Creates the Road Maintenance and Rehabilitation Program, which increases several taxes and fees to raise roughly \$4.3 billion in new transportation revenues annually, with the funding used to address deferred maintenance on the state highways and local streets and roads and to improve the state's trade corridors. Requires the CTC to adopt performance criteria to ensure efficient use of the funds available for the program. Includes a 5% set-aside for counties that approve a transactions and use tax on or after July 1, 2015. Eliminates the current requirement of the State Board of Equalization to annually modify the gas and diesel taxes, instead requiring the Board to recompute the tax rates based on the California Consumer Price Index.

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position: SUPPORT (Letter sent 6/29/15)**

**SBX1-2 (Huff): Greenhouse Gas Reduction Fund**

**Introduced:** 6/30/15

**Status:** 9/1/15-Senate Transportation and Infrastructure Development Vote - Do pass, but re-refer to the Committee on Appropriations.

**Summary:** Excludes from Greenhouse Gas Reduction Fund allocation the annual proceeds of the fund generated from the transportation fuels sector. Provides instead that those annual proceeds shall be appropriated by the Legislature for transportation infrastructure, including public streets and highways, but excluding high-speed rail.

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position: Watch**

**SBX1-3 (Vidak): Transportation bonds: highway, street, and road projects**

**Introduced:** 7/1/15

**Last Amended:** 8/17/15

**Status:** 9/14/15-Returned to Secretary of Senate

**Summary:** This bill redirects high-speed rail bond proceeds to state freeways and highways, and local streets and roads, upon voter approval.

**Priority: N/A:** California High-Speed Rail project

**Position: Watch**

**SBX1-4 (Beall): Transportation funding**

**Introduced:** 7/7/15

**Last Amended:** 9/4/15

**Status:** 9/24/2015-Senators Beall (Co-Chair), Allen, Leyva, Cannella and Gaines appointed to Conference Committee.

**Summary:** Declares the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to maintain and repair the state's highways, local roads, bridges, and other critical transportation infrastructure.

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position: Watch** (spot bill)

**SBX1-5 (Beall): Transportation funding**

**Introduced:** 7/7/15

**Status:** 9/1/15-In Assembly. Read first time. Held at Desk.

**Summary:** Declares the intent of the Legislature to enact legislation to establish permanent, sustainable sources of transportation funding to improve the state's key trade corridors and support efforts by local governments to repair and improve local transportation infrastructure.

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position: Watch** (spot bill)

**SBX1 7 (Allen) Diesel sales and use tax.**

**Introduced:** 7/16/15

**Last Amended:** 9/3/15

**Status:** 9/3/15- Re-referred to Com. on APPR.

**Summary:** Increases the sales and use tax on diesel fuel from 1.75% to 5.25% and allocates the money by formula to public transit agencies, such as Monterey-Salinas Transit. Restricts expenditures of revenues from the July 1, 2016, increase in the sales and use tax on diesel fuel to transit capital purposes and certain transit services. Requires an existing required audit of transit operator finances to verify that these new revenues have been expended in conformance with these specific restrictions and all other generally applicable requirements and Provides that the increase in the additional sales and use tax on diesel fuel imposed by the bill shall not be considered by the board in its annual modification of the diesel excise tax rate.

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position: SUPPORT (Letter sent 9/9/15)**

**SBX1 8 (Hill) Public transit: funding.**

**Introduced:** 7/16/15

**Status:** 9/2/15- Re-referred to Com. on APPR.

**Summary:** Appropriates 20% of Greenhouse Gas Reduction Fund (Cap and Trade) annual proceeds to the TIRCP, and 10% of those annual proceeds to the LCTOP. This represents a doubling of the current funding level for bus and rail transit from current levels, and comes from the currently “unallocated” share.

**Priority: 1S.** Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position: SUPPORT (Letter sent 9/9/15)**

**SBX1 11 (Berryhill) Environmental quality: transportation infrastructure.**

**Introduced:** 7/16/15

**Last Amended:** 9/4/15

**Status:** 9/4/15- Read second time and amended. Re-referred to Com. on T. & I.D.

**Summary:** CEQA requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA establishes a procedure by which a person may seek judicial review of the decision of the lead agency made pursuant to CEQA.

**Priority: 4S.** Work with partner agencies to reach agreement on proposals for California Environmental Quality Act (CEQA) reform, while retaining environmental protections.

**Position: SUPPORT (Letter sent 9/9/15)**

**SBX1 12 (Runner) California Transportation Commission.**

**Introduced:** 7/16/15

**Last Amended:** 8/20/15

**Status:** 8/20/15-Read second time and amended. Re-referred to Com. on APPR.

**Summary:** Removes the CTC from CalSTA, reestablishes it as an independent entity in state government, and allows it to again act in an independent oversight role.

**Priority:** NA – CTC

**Position:** SUPPORT (Letter sent 9/9/15)

**SBX1 14 (Cannella) Transportation projects: comprehensive development lease agreements.**

**Introduced:** 7/16/15

**Status:** 8/17/15-August 19 set for first hearing canceled at the request of author.

**Summary:** Extends Caltrans' authorization to enter into Public-Private Partnerships by removing the January, 2017 expiration date.

**Priority:** 5S.Support efforts to extend and expand Public Private Partnership authority, public tolling authority, and design-build authority, expand mode eligibility, and allow for regional control of such projects.

**Position:** SUPPORT (Letter sent 9/9/15)

**SCAX 1-1 (Huff): Motor vehicle fees and taxes: restriction on expenditures**

**Introduced:** 6/19/15

**Status:** 9/9/15-From committee: Be adopted and re-refer to Com. on APPR.

**Summary:** Prohibits the Legislature from borrowing revenues from fees and taxes imposed by the state on vehicles and water-borne vessels or their use or operation, and from using those revenues other than as specifically permitted by Article XIX. Provides that none of those revenues may be pledged or used for the payment of principal and interest on bonds or other indebtedness.

**Priority:** 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.

**Position:** SUPPORT (Letter sent 6/29/15)

**ASSEMBLY BILL**

**No. 2730**

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**Introduced by Assembly Member Alejo**

February 19, 2016

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An act to add Section 14528.9 to the Government Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 2730, as introduced, Alejo. Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties.

Existing law provides that the Department of Transportation has full possession and control of the state highway system and associated property. Existing law generally requires proceeds from the sale of excess state highway property to be made available for other highway purposes. Existing law generally provides for the California Transportation Commission to program available funding for transportation capital projects, other than state highway rehabilitation projects, through the state transportation improvement program process, with available funds subject to various fair share distribution formulas. Existing law, in certain cases, requires the commission to instead reallocate funds from canceled state highway projects to other projects within the same county and exempts those funds from the fair share distribution formulas that would otherwise be applicable.

This bill would classify certain properties acquired by the department for a replacement alignment for State Highway Route 101 in the County of Monterey, known as the former Prunedale Bypass, and no longer required by the department for the alternative improvements undertaken by it in place of the bypass, known as the Prunedale Improvement Project, as excess property and would require the department to

expeditiously dispose of those excess properties. The bill would require the net proceeds from the sale of the excess properties to be reserved in the State Highway Account for programming and allocation by the commission, with the concurrence of the Transportation Agency for Monterey County, to other transportation projects in that county. The bill would exempt these funds from the distribution formulas otherwise applicable to transportation capital improvement funds.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 14528.9 is added to the Government  
2 Code, to read:  
3 14528.9. Properties originally acquired by the department for  
4 a replacement alignment for State Highway Route 101 in the  
5 County of Monterey, known as the former Prunedale Bypass, and  
6 no longer required by the department for the alternative  
7 improvements undertaken by it in place of the bypass, known as  
8 the Prunedale Improvement Project, are hereby classified as excess  
9 properties. The department shall expeditiously dispose of these  
10 excess properties. Proceeds from the sale of the excess properties,  
11 less any reimbursements due to the federal government and all  
12 costs incurred in the sale of those excess properties, shall be  
13 reserved in the State Highway Account for programming and  
14 allocation by the commission, with the concurrence of the  
15 Transportation Agency for Monterey County, to other state  
16 highway projects in the State Transportation Improvement Program  
17 in the County of Monterey, or to other transportation projects in  
18 that county consistent with Article XIX of the California  
19 Constitution. Sections 188 and 188.8 of the Streets and Highways  
20 Code do not apply to these proceeds.

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# Prunedale State Property Inventory



**Introduced by Senator Cannella**

(Principal coauthors: Assembly Members Achadjian and Alejo)

(Coauthor: Assembly Member Mark Stone)

February 18, 2016

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An act to add Section 14070.5 to the Government Code, relating to transportation.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1197, as introduced, Cannella. Intercity rail corridors: extensions.

Existing law authorizes the Department of Transportation to contract with Amtrak for intercity rail passenger services and provides funding for these services from the Public Transportation Account. Existing law authorizes the department, subject to approval of the Secretary of Transportation, to enter into an interagency transfer agreement under which a joint powers board assumes responsibility for administering the state-funded intercity rail service in a particular corridor and associated feeder bus services. Existing law defines the boundaries of 3 intercity rail corridors, and requires the preparation of an annual business plan for the corridor by each participating joint powers board.

This bill, at any time after an interagency transfer agreement between the department and a joint powers board has been entered into, would authorize the amendment of the agreement to provide for the extension of the affected rail corridor to provide intercity rail service beyond the defined boundaries of the corridor. The bill would require a proposed extension to first be recommended and justified in the business plan adopted by the joint powers board, and then would require the approval of the Secretary of Transportation.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 14070.5 is added to the Government  
2 Code, to read:  
3 14070.5. At any time after an interagency transfer agreement  
4 between the department and a joint powers board has been entered  
5 into, the agreement may be amended to provide for the extension  
6 of the affected rail corridor to provide intercity rail service beyond  
7 the defined boundaries of a corridor as described in subdivision  
8 (b) of Section 14072, subdivision (c) of Section 14074, or  
9 subdivision (c) of Section 14076. A proposed extension of a rail  
10 corridor shall first be recommended and justified in the business  
11 plan adopted by the joint powers board, and then shall be subject  
12 to the approval of the Secretary of Transportation.

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## FINAL 2016 Legislative Program: State Issues

- 1S. Increase and preserve funding for transportation projects, support the constitutional protection of all transportation funding resources, and preserve regional discretion and priority-setting.
- 2S. Encourage the state to increase investments in passenger rail and bus transit projects and seek funding for Monterey County projects.
- 3S. Support legislation that promotes transit-oriented development, complete streets, and active transportation projects.
- 4S. Work with partner agencies to reach agreement on proposals for California Environmental Quality Act (CEQA) reform, while retaining environmental protections.
- 5S. Support efforts to extend and expand Public Private Partnership authority, public tolling authority, and design-build authority, expand mode eligibility, and allow for regional control of such projects.
- 6S. Support efforts to develop alternative funding sources to offset the reduction in gas tax revenues and ensure that any pay-by-the-mile funding is equitably assessed and distributed.
- 7S. Support redefinition of “disadvantaged communities” in the Greenhouse Gas Reduction Fund (i.e., “cap and trade”) grant program guidelines to better reflect economic and rural area considerations, and seek funding from the program for regional priority projects.
- 8S. Support measures to allow the California Department of Fish and Wildlife to allow Caltrans to adopt appropriate avoidance and mitigation measures to protect the Santa Cruz Long-Toed Salamander from potential impacts of the Highway 156 project.
- 9S. Support legislation to transfer funding derived from the sale of excess rights-of-way purchased for the Prunedale Bypass project to priority projects in the region.
- 10S. Support legislation to expand the Capitol Corridor Joint Powers Authority to Salinas, and to expand the Los Angeles-San Diego Rail Corridor Agency (LOSSAN) to San Francisco.
- 11S. Support funding proposals to enable cities and counties to implement storm water runoff requirements for transportation projects.
- 12S. Support legislation that promotes transparency and access to information on rail transport of hazardous materials.
- 13S. 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.



## Memorandum

**To:** Board of Directors  
**From:** Grant Leonard, Assistant Transportation Planner  
**Meeting Date:** March 23, 2016  
**Subject:** **Draft 2014 Regional Transportation Plan Amendment No. 1**

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### **RECOMMENDED ACTION**

**RELEASE** Draft 2014 Regional Transportation Plan Amendment No. 1 for public review.

### **SUMMARY**

This amendment will modify the 2014 Regional Transportation Plan (RTP) Regionally Significant Projects list to include three additional projects. The draft amendment requires a 30 day public review prior to Board approval.

### **FINANCIAL IMPACT**

There is no impact to the Agency budget associated with this action. Tasks to prepare the plan are included in the adopted Agency budget. All projects that seek state or federal funds must be included in the Regional Transportation Plan.

### **DISCUSSION**

Projects being proposed for state and federal funding must be identified in the Regional Transportation Plan maintained by the Agency, which is updated on a 4-year cycle to satisfy state and federal requirements.

The regional plan is a long-range planning document with a 20 year horizon that serves as a general plan for transportation in Monterey County. The document includes an analysis of countywide transportation needs over the planning period, transportation goals and policies to guide priority-setting, a long-range revenue forecast, and a list of programs and projects that are consistent with the needs, goals and priorities identified in the document. State and federal actions to program funds to projects are based on the adopted regional plan.

A key element of the RTP is the Regionally Significant Projects list, which identifies specific projects within the County, and allows those projects to be eligible for state and federal funding. Occasionally, the project list needs to be amended prior to the regular four year update, in order to incorporate additional projects, thereby making them eligible for more funding opportunities.

Amendment No. 1 will amend the 2014 RTP project list to include three additional projects: the Gonzales Fifth Street Roundabouts, the Fort Ord Recreation Trail and Greenway (FORTAG), and the Carmel Floodplain Restoration and Environmental Enhancement (Carmel FREE). The draft amended project list is included as Attachment 1.

As part of the RTP amendment process, the draft amendment to the project list must be released for a 30 day public review, followed by a public hearing to adopt the amended project list and 2014 RTP Amendment No. 1. Following the release of the draft amended project list, the Agency will hold the required public hearing at its April 27, 2016 Board meeting in order to adopt the amended project list and the 2014 RTP Amendment No. 1.

Approved by:   
Debra L. Hale, Executive Director

Date signed: March 11, 2016

Consent Agenda

Counsel Review: N/A  
Admin/Finance Approval: N/A

Attachment: Draft Amendment to the 2014 Regional Transportation Plan projects list.

Monterey County Regional Transportation Plan Project List - 2014 RTP Amendment No. 1 (March 2016)

**Regionally Significant Projects (Current Year; \$1,000's)**

ID No.	Sponsor	Project Title	Project Description	Total Cost	2020	2035
MON-CT045-MA	Caltrans	<b>SR 1 - Monterey Rd Interchange</b>	Construct new interchange. (PM EB R80.75/R83.27)	\$25,935		\$25,935
MON-CT015-CT	Caltrans	<b>SR 1 - Widening Seaside to Sand City</b>	Construct interchange and related local road improvements in the vicinity Fremont Boulevard.	\$9,000		\$9,000
MON-CT008-UM	County	<b>SR1 Operational Improvements</b>	Constructs one new northbound climbing lane between Rio Road and Carmel Valley Road, modifies intersections and enhances turn movements.	\$3,600	\$3,600	
<b>MON-MYC288-UM</b>	County	<b>SR 1 - Carmel River FREE</b>	Replace a portion of the elevated SR 1 roadway embankment with a 360-foot long causeway. Realignment and re-profiling of the existing highway between the southern end of the existing Carmel River bridge to approximately 740 feet south of the proposed overflow bridge. Construct new southbound left turn lane to serve the Palo Corona regional Park entrance.	\$9,900	\$9,900	
MON-MYC153-UM	County	<b>SR 68 - Corral de Tierra</b>	Install dual left turn lanes on westbound Hwy 68, add a merge lane on southbound Corral de Tierra, add right-turn lane on northbound Corral de Tierra. (EA 05-OH823) (PM 12.8/13.2)	\$2,860	\$2,860	
MON-CT011-CT	Caltrans	<b>SR 68 - Commuter Improvements</b>	Widen existing roadway to 4-lanes between existing 4 lane segment at Toro Park and Corral de Tierra Road (MON-68-4.0/15.0).	\$25,555		\$25,555
MON-MRY027-MY	Monterey	<b>SR 68/SR 1 Interchange Improvements</b>	Construct new roundabout at the interchange of SR 68 and SR 1.	\$6,850	\$6,850	
MON-CT017-CT	Caltrans	<b>SR 68 - (Holman Hwy - access to Community Hospital)</b>	Widen Holman State Route 68 Holman Highway to 4 lanes from Community Hospital of the Monterey Peninsula to State Route 1, make operational improvements at the SR 68 – SR 1 interchange and construct roundabout at hospital entrance. (EA 05-44800) PM 3.8/L4.3	\$26,620		\$26,620
MON-SNS006-SL	Salinas	<b>US 101 - Alvin Drive</b>	Construct overpass/underpass and 4 lane street structure.	\$13,325		\$13,325
MON-CT030-SL	Salinas	<b>US 101 - Salinas Corridor</b>	Widen US 101 to 6 lanes within the existing right of way at locations where feasible.	\$52,000		\$52,000
MON-SNS122-SL	Salinas	<b>US 101 - Sanborn Road/Elvee</b>	Construct offramp and intersection improvements.	\$3,100	\$3,100	
MON-CT044-SL	Salinas	<b>US 101 - Harris Road Interchange</b>	Construct new Interchange on US 101 at Harris Road . PM 83.71	\$57,662		\$57,662
MON-CT031-CT	Caltrans	<b>US 101 - South County Frontage Roads</b>	Construct Frontage Roads from Harris Road to Chualar, then to Soledad. (EA 05-OH330)	\$112,000		\$112,000
<b>MON-GON016-GO</b>	Gonzales	<b>US 101 - Fifth Street Interchange Roundabouts</b>	Construct roundabouts on both sides of the US101/Fifth Street Interchange to improve vehicular flow.	\$7,500		\$7,500
MON-GON015-CT	Caltrans	<b>US 101 - Gloria Road Interchange</b>	Construct interchange improvements at US 101 at Gloria Road	\$39,505		\$39,505
MON-SOL002-SO	Soledad	<b>US 101 - North Interchange</b>	Install new interchange north of US 101 and Front Street.	\$17,490		\$17,490
MON-SOL003-SO	Soledad	<b>US 101 - South Interchange</b>	Install new interchange south of US 101 and Front Street.	\$18,810		\$18,810



ID No.	Sponsor	Project Title	Project Description	Total Cost	2020	2035
MON-GRN008-GR	Greenfield	<b>US 101 - Walnut Avenue Interchange</b>	Relocate and replace existing US 101/Walnut Avenue Interchange and widen to six lanes. (EA 05-OP160) PM 53.4/54.3	\$28,784		\$28,784
MON-KCY006-CK	King City	<b>US 101 - 1st Street Interchange (Lonoak Street I/C)</b>	Extend San Antonio over railroad tracks from Lonoak to US 101/First Street Interchange. (PM R39.77)	\$42,592		\$42,592
MON-CT036-CT	Caltrans	<b>SR 156 - West Corridor (Phase I)</b>	Widen existing highway to 4 lanes and upgrade highway to Freeway status with appropriate interchanges. Interchange modification at US 156 and 101. (EA 05-31600) PM R1.8/T4.8	\$109,000	\$109,000	
MON-CT022-CT	Caltrans	<b>SR156 - West Corridor (Phase II)</b>	Construct interchange modifications at US 101 at State Route 156	\$133,130		\$133,130
MON-MYC147-UM	County	<b>SR 156 - Blackie Road</b>	Construct new road from Castroville Boulevard/SR 156 to Blackie Road	\$18,000		\$18,000
MON-SOL014-SO	Soledad	<b>SR 146 Bypass</b>	Construct to 4 lanes from SR 146 (Metz Road) to Nestles Road. Install Class II bike facility.	\$21,000		\$21,000
MON-SNS050-SL	Salinas	<b>Russell Road Widening</b>	Widen Street from US 101 to San Juan Grade Road.	\$3,078		\$3,078

ID No.	Sponsor	Project Title	Project Description	Total Cost	2020	2035
MON-MAR001-MA	County, Marina, Caltrans	<b>Marina-Salinas Corridor</b>	Widen Davis Rd to 4 lanes from Blanco Rd to Reservation Rd, Construct new 4 lane bridge over the Salinas River, Widen Reservation Rd to 4 lanes from Davis Rd to existing 4 lane section adjacent to East Garrison at Intergarrison Road, Widen Imjin Pkwy to 4 lanes from Reservation Rd to Imjin Rd, construct new Imjin Parkway interchange at SR 1. Include accommodations for bicyclists, pedestrians and transit; consider highquality transit service along corridor.	\$90,508		\$90,508
MON-MRY005-MY	Monterey	<b>Del Monte Corridor</b>	Add eastbound lane from El Estero to Sloat Ave. Intersection improvements to Sloat Ave and Aguajito Ave including addition of left turn lanes and signal operations improvements.	\$30,000		\$30,000
MON-TAMC006-TAMC	TAMC	<b>Fort Ord Regional Trail and Greenway (FORTAG)</b>	The Fort Ord Regional Trail and Greenway Project is a proposed 30-mile regional network of paved recreational trails and greenways connecting communities to open space throughout parts of Marina, California State University Monterey Bay (CSUMB), and Seaside.	\$33,557		\$33,557
MON-MYC181-UM	County	<b>G12 Operational and Capacity Improvements</b>	Operational and capacity improvements, including road widening, turning lanes, signalization and intersection improvements, and bicycle and pedestrian facilities.	\$55,000		\$55,000
MON-MST008-MST	MST	<b>Salinas-Marina Multimodal Corridor</b>	Construct multimodal Bus Rapid Transit Improvements between Salinas and Marina, including a multimodal transit corridor through the former Fort Ord in Marina.	\$60,000		\$60,000
MON-MST011-MST	MST	<b>Salinas Bus Rapid Transit</b>	Construct Bus Rapid Transit improvements along Alisal Street and North Main Street.	\$20,000	\$20,000	
MON-MST015-MST	MST	<b>Transit Capacity for SR 1</b>	Construct improvements to accommodate regional MST bus service on the SR 1 shoulders during peak travel periods.	\$16,000		\$16,000
MON-MST016-MST	MST	<b>South Monterey County Regional Transit Improvements</b>	Increases the frequency of MST Line 23 service between King City and Salinas and constructs improvements along Abbott Street between US 101 and Romie Way in Salinas. Stops in King City, Greenfield, Soledad, Gonzales, Chualar and Salinas.	\$27,500	\$27,500	
MON-TAMC001-TAMC	TAMC	<b>Monterey Branch Line Light Rail</b>	Construct light rail transit service using the existing 16 mile Monterey Branch Line between Monterey and Castroville adjacent to Highway 1. Phase 1 includes reconstruction of tracks, construction of stations, purchase of vehicles and operating costs for service between Monterey and Marina. Phase 2 includes reconstruction of tracks to connect to the planned commuter rail station in Castroville and include operating costs to Castroville and increased frequencies.	\$255,000	\$25,000	\$230,000
MON-TAMC002-TAMC	TAMC	<b>Monterey Branch Line Light Rail - Salinas River Bridge Replacement</b>	Construct new rail bridge on the Monterey Branch Line over the Salinas River.	\$15,000		\$15,000

ID No.	Sponsor	Project Title	Project Description	Total Cost	2020	2035
MON-TAMC003-TAMC	TAMC	<b>Rail Extension to Monterey County</b>	Extends existing rail service from San Jose to Salinas and constructs station improvements in Gilroy, Pajaro, Castroville and Salinas. Kickstart phase to be completed by 2020 will establish stops in Gilroy and Salinas with limited Salinas station improvements.	\$135,710	\$68,025	\$67,685
MON-TAMC004-TAMC	TAMC	<b>Amtrak Coast Daylight Rail Service</b>	Establishes once daily Amtrak intercity rail service between downtown San Francisco and downtown Los Angeles	\$500	\$500	
<b>Subtotal</b>				<b>\$1,526,071</b>	<b>\$276,335</b>	<b>\$1,249,736</b>

ID No.	Sponsor	Project Title	Project Description	Total Cost	2020	2035
<b>Non-Regional Grouped Project Costs (Current Year; \$1,000's)</b>						
<b>Transit</b>						
		Rail and Bus Rapid Transit New Facilities		\$6,086	\$6,086	
		Capital, Rehab & New Facilities		\$164,281	\$48,375	\$115,906
		Operations		\$501,592	\$149,992	\$351,600
		ADA & Mobility Management		\$87,500	\$24,500	\$63,000
		<b>Subtotal</b>		<b>\$759,459</b>	<b>\$228,953</b>	<b>\$530,506</b>
<b>Highways</b>						
		Highway Projects		\$28,674		\$28,674
		Highway Operations, Maintenance and Rehab		\$741,440	\$200,977	\$540,463
		<b>Subtotal</b>		<b>\$770,114</b>	<b>\$200,977</b>	<b>\$569,137</b>
<b>Local Streets &amp; Roads</b>						
		Capital Expansion		\$294,805	\$135,208	\$159,597
		Operations, Maintenance & Rehab		\$270,860	\$96,485	\$174,375
		<b>Subtotal</b>		<b>\$565,665</b>	<b>\$231,693</b>	<b>\$333,972</b>
<b>Active Transportation, Transportation Demand &amp; System Management</b>						
		Active Transportation		\$703,803	\$147,742	\$556,061
		Transportation Demand Management		\$5,250	\$1,500	\$3,750
		Transportation Systems Management		\$1,670	\$435	\$1,235
		<b>Subtotal</b>		<b>\$710,723</b>	<b>\$149,677</b>	<b>\$561,046</b>
<b>Other</b>						
		Airports		\$87,875	\$44,056	\$43,819
		<b>Subtotal</b>		<b>\$87,875</b>	<b>\$44,056</b>	<b>\$43,819</b>
		<b>Total</b>		<b>\$2,893,836</b>	<b>\$855,356</b>	<b>\$2,038,480</b>



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

## Memorandum

**To:** Board of Directors  
**From:** David Delfino, Finance Officer / Analyst  
**Meeting Date:** March 23, 2016  
**Subject:** City of Sand City Regional Surface Transportation Program Fair Share Allocation

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### RECOMMENDED ACTION

**APPROVE** the request by the City of Sand City to reprogram \$116,406.57 in Regional Surface Transportation Program fair share funds to the Hickory Street Improvement project; and

**APPROVE** amending Exhibit A of the local funding agreement to include this project and funding.

### SUMMARY

The Agency has distributed Regional Surface Transportation Program fair share funding by population to the local jurisdictions for a wide range of eligible transportation projects and is available at the discretion of the local jurisdiction for their chosen projects upon approval by the Transportation Agency Board.

### FINANCIAL IMPACT

Regional Surface Transportation Program funds originate from the State Highway Account and are controlled by this Agency. The City of Sand City wants to reprogram \$116,406.57 of RSTP Fair Share funds.

### DISCUSSION

Examples of the types of transportation projects that are eligible for Regional Surface Transportation Program funding include: local street and roadway rehabilitation, bicycle facilities, pedestrian facilities, public transit capital and signal coordination and other safety and operational improvements. The Transportation Agency distributes the “fair

share” component to the cities and County based on population and funding is programmed at the discretion of the local jurisdiction to eligible transportation projects.

The City of Sand City requests that \$116,406.57 of their Regional Surface Transportation Program Fair Share funds be reprogrammed to the Hickory Street Improvement project. The Hickory Street Improvement project requested by the City of Sand City is an eligible project.

Approved by:   
Debra L. Hale, Executive Director

Date Signed: March 9, 2016

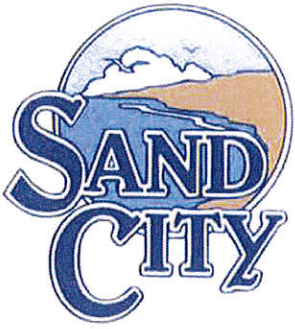
Consent Agenda

Counsel Approval: N/A

Finance Approval: N/A

Attachments:

1. Request for Reprogramming of RSTP Fair Share Funds Letter from City of Sand City
2. City of Sand City’s revised Local Agency Funding Allocation Agreement Exhibit A



February 17, 2016

Transportation Agency for Monterey County  
Attn: Mr. Todd Muck, AICP/Deputy Executive Director  
55b Plaza Circle  
Salinas, CA 93901

Dear Mr. Muck,

The City of Sand City has approximately \$116,000 in funds designated for an overlay on California and Tioga Avenues through the Regional Surface Transportation Program (RSTP).

Over the course of several months, Sand City Council members, the Public Safety Committee, and City staff provided input and direction to the City Engineer regarding priority Capital Improvement Projects (CIP) within the City. It was determined that the first priority is the Hickory Street Improvement project. The engineer's estimate of the construction cost is \$260,039. The City can cover part of the project cost by reprogramming RSTP funds from the overlay of the California and Tioga Avenues project to the Hickory Street Improvement project. The California and Tioga Avenues project has been sitting idle for years, and the Sand City Council feels these funds can be better utilized to help pay for the Hickory Street Improvement project.

Please see attached Hickory Street engineer estimates and concept drawings.

The following items were prioritized:

- Street pavement, curb, gutter, sidewalk, and ADA improvements
- Curb extensions at intersections for traffic calming purposes
- 12-foot travel lanes and on-street parking (perpendicular and parallel)
- Storm drain system improvements and Low Impact Development (LID) and/or water quality improvements
- Aesthetic improvements including bulb-outs
- Preservation of the existing parking along the west side of Hickory Street adjacent to commercial businesses
- Decorative sidewalks

City Hall  
1 Sylvan Park,  
Sand City, CA  
93955

Administration  
(831) 394-3054

Planning  
(831) 394-6700

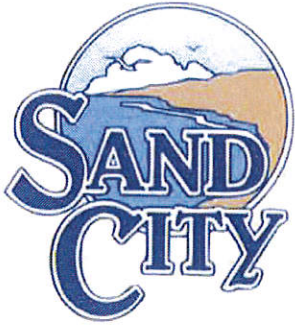
FAX  
(831) 394-2472

Police  
(831) 394-1451

FAX  
(831) 394-1038

Incorporated  
May 31, 1960





The City will utilize the \$116,406.57 (to be exact) of RSTP funds for this project. The balance to fund the Hickory Street Improvement project is designated within the City's 2015-2016 Fiscal Year Budget.

In closing, the City of Sand City requests its fair share funds be moved from the California and Tioga Avenues project to the Hickory Street Improvement project. Please put this request to reprogram the RSTP funds on your next TAMC Board meeting for consideration. The City anticipates using these funds before the end of this fiscal year.

If you should have any questions, please feel free to contact me at any time.

Sincerely,

Todd Bodem  
Sand City Administrator

City Hall  
1 Sylvan Park,  
Sand City, CA  
93955

Administration  
(831) 394-3054

Planning  
(831) 394-6700

FAX  
(831) 394-2472

Police  
(831) 394-1451

FAX  
(831) 394-1038

Incorporated  
May 31, 1960



**Creegan+D'Angelo**  
INFRASTRUCTURE  
ENGINEERS

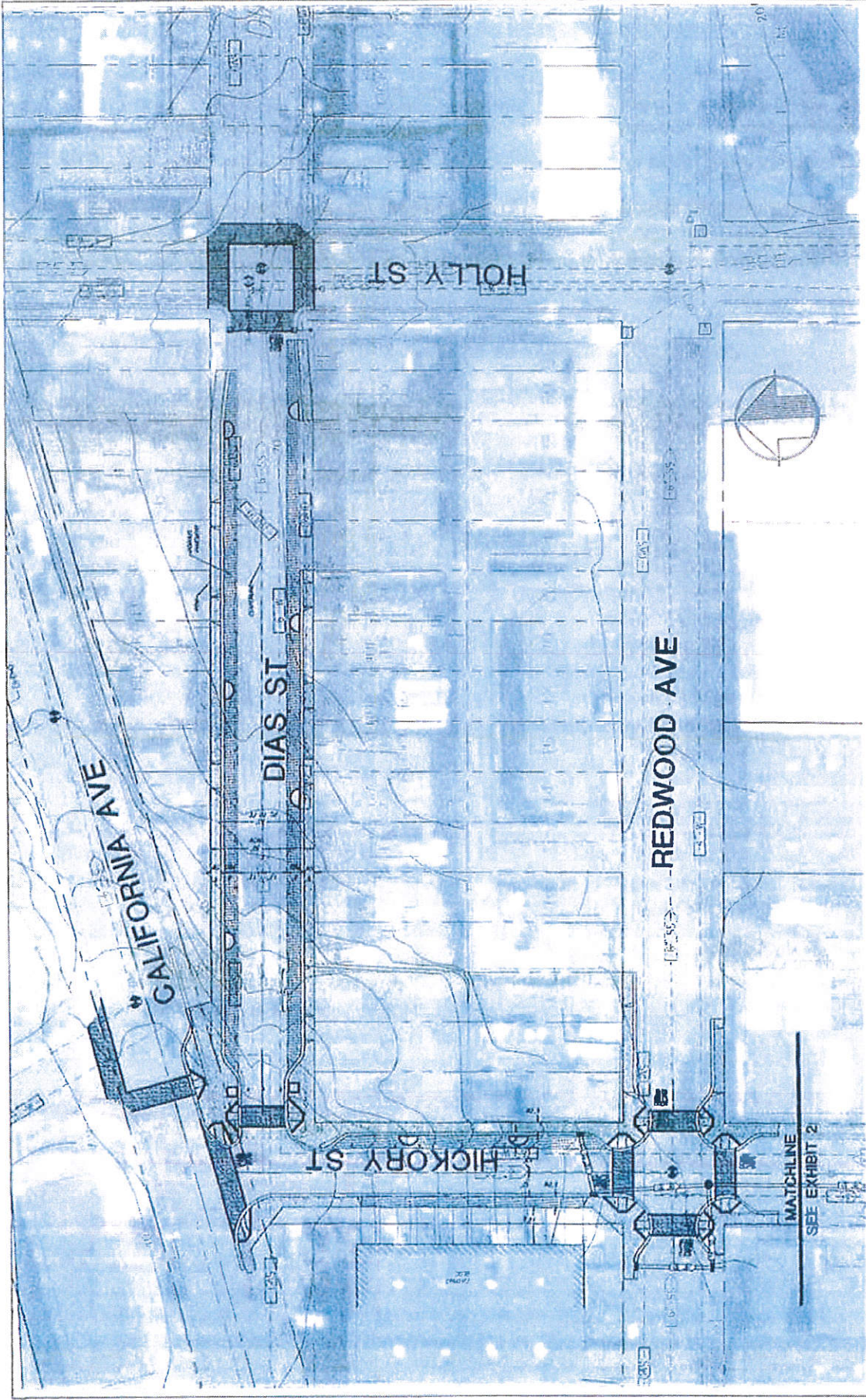
JOB NO: 715001.20  
DATE: December 1, 2015

**CITY OF SAND CITY**  
**HICKORY STREET**  
**STREET IMPROVEMENT PROJECT**  
**CITY OF SAND CITY, MONTEREY COUNTY, CALIFORNIA**

**ENGINEER'S ESTIMATE OF PROBABLE CONSTRUCTION COST**

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	PROJECT MOBILIZATION / DEMOBILIZATION	1	LS	\$12,500.00	\$12,500
2	AC GRIND	9831	SF	\$1.50	\$14,746
3	REMOVE TOP 6" MAX.(E) AC & AB, RECOMPACT IN PLACE AND SHAPE	9831	SF	\$2.00	\$19,662
4	ASPHALT CONCRETE	277	TON	\$110.00	\$30,470
5	POROUS CONCRETE	1281	SF	\$20.00	\$25,622
6	CONCRETE CURB AND GUTTER	821	LF	\$22.00	\$18,053
7	CONCRETE SIDEWALK (4.5' WIDE x 4" THICK)	3854	SF	\$6.00	\$23,124
8	CONCRETE DRIVEWAY (6" THICK)	440	SF	\$10.00	\$4,400
9	CONCRETE CURB RAMP - CASE "A"	11	EA	\$2,500.00	\$27,500
10	SAWCUT AND REMOVE (E) AC (6' WIDE)	254	LF	\$5.00	\$1,270
11	18" RCP STORM DRAIN (CLASS IV)	298	LF	\$50.00	\$14,900
12	48" STORM DRAIN MANHOLE WITH COVER	2	EA	\$8,000.00	\$16,000
13	STORM DRAIN CATCH BASIN	4	EA	\$3,000.00	\$12,000
14	ADJUST (E) MANHOLE TO FG	1	EA	\$800.00	\$800
15	ADJUST (E) WATER VALVE TO FG	2	EA	\$800.00	\$1,600
16	ADJUST (E) WATER METER TO FG	2	EA	\$800.00	\$1,600
17	ADJUST (E) CLEANOUT TO FG	1	EA	\$800.00	\$800
18	STRIPING - CROSSWALK THERMOPLASTIC	453	LF	\$4.00	\$1,810
19	TEXTURED ASPHALT PAVEMENT - CROSSWALKS	2019	SF	\$4.00	\$8,077
20	PLANTERS	2	EA	\$1,000.00	\$2,000
	SUBTOTAL				\$236,934
	CONSTRUCTION CONTINGENCY	10%			\$23,693
	TOTAL				\$260,628





STREET IMPROVEMENTS  
HICKORY STREET & DIAS STREET  
EXHIBIT 1

1

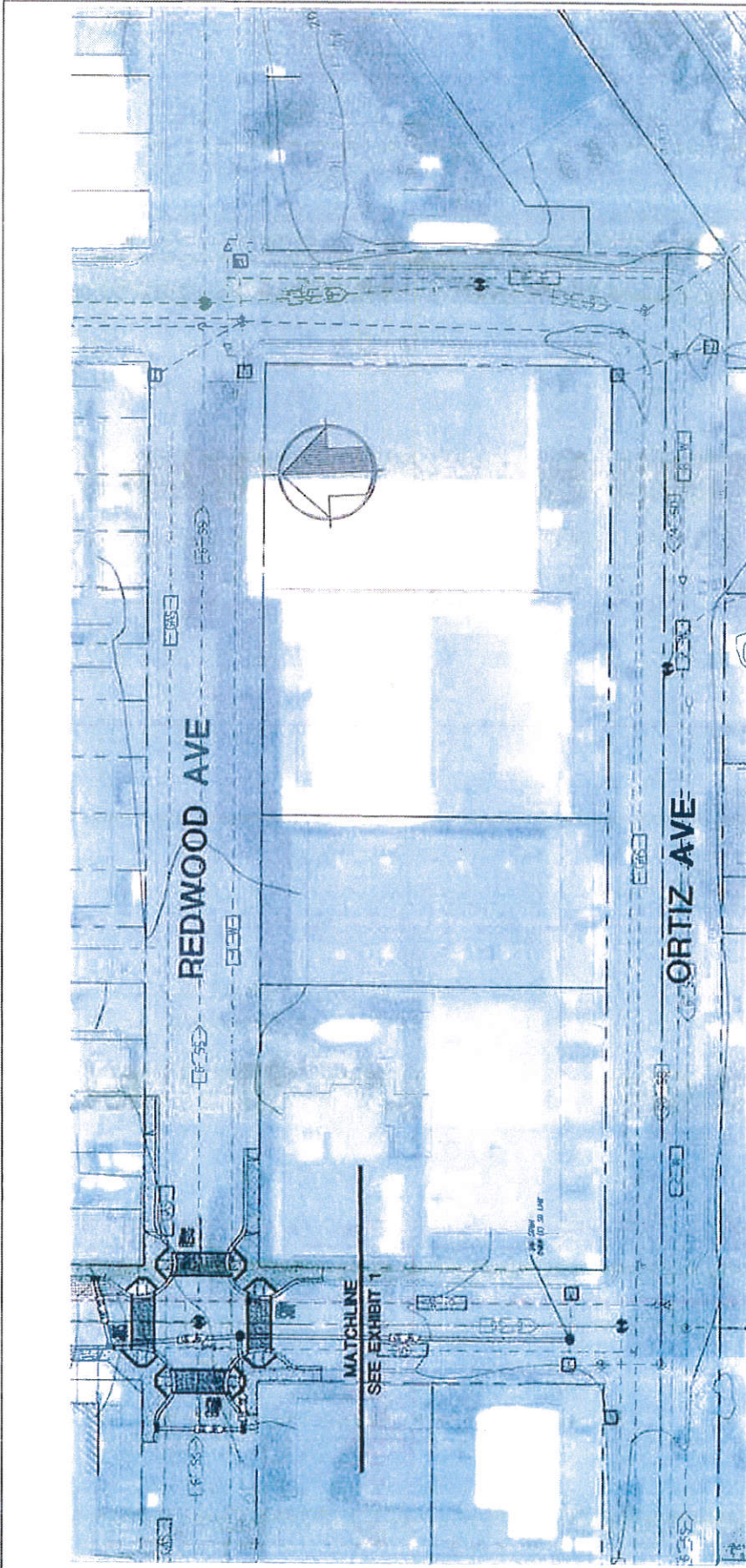
C3  
Craig & Angela  
Civil Engineers

2000 Main Street, Suite 100  
San Francisco, CA 94102  
Phone: 415.774.4444  
www.craigandangela.com

GRAPHIC SCALE  
1" = 20'-0"

MATCHLINE  
SEE EXHIBIT 2





**CD**  
 Chicago & D'Angelo  
 CONSULTING ENGINEERS  
 200 North LaSalle Street  
 14th Floor  
 Chicago, IL 60601  
 www.cdandangelo.com

PROJECT: 10407-20

STREET IMPROVEMENTS  
 HICKORY STREET & DIAS STREET

EXHIBIT

2

DATE: 6/21/20

**Transportation Agency for Monterey County**  
**Local Agency Funding Allocation Agreement**  
 Exhibit A

**City of Sand**

Agency	Board Approval Date	Fund Expiration Date	Type	Project	Budget	Paid	Balance Outstanding
Sand	3/26/2014	3/26/2017	RSTP Fair Share	Hickory Street Improvemetrn Project	\$ 116,407	\$ -	\$ 116,407
					\$ 116,407	\$ -	\$ 116,407

Last Revised: 3/23/2016

Approved by: \_\_\_\_\_  
 Debra L. Hale, Executive Director



## CITY OF PACIFIC GROVE

CITY MANAGERS OFFICE

City Hall, 300 Forest Ave

Pacific Grove, CA 93950

Telephone: (831)648-3106

March 3, 2016

Debra L. Hale  
Executive Director  
Transportation Agency of Monterey County (TAMC)  
55 B Plaza Circle  
Salinas, CA 93901-2902

Attn: Michael Zeller, Principal Transportation Planner

**RE: Request for RSTP Fair Share Allocation for Holman Highway 68 Roundabout**

Dear Ms. Hale:

The City of Pacific Grove requests that TAMC allocate \$100,000 of RSTP fair share funds for the Holman Highway 68 Roundabout project. The project is to relieve congestion at the busy intersection of Holman Highway 68 and 17 Mile Drive near the entrance to Pebble Beach and the Community Hospital.

Please let me know if you need any additional information or have any questions.

Sincerely,



Ben Harvey  
City Manager

**Transportation Agency for Monterey County**  
**Local Agency Funding Allocation Agreement**  
 Exhibit A

**City of Pacific Grove**

Agency	Board Approval Date	Fund Expiration Date	Type	Project	Budget	Paid	Balance Outstanding
Pacific Grove	3/26/2014	3/26/2017	RSTP Fair Share	Lighthouse Av, Eardley-Fountain, rehab	\$ 459,000	\$ 437,135	\$ 21,866
Pacific Grove	3/26/2014	3/26/2017	RSTP Fair Share	Citywide Maintenance	\$ 131,093	\$ 92,150	\$ 38,943
<b>Pacific Grove</b>	<b>3/26/2014</b>	<b>3/26/2017</b>	<b>RSTP Fair Share</b>	<b>Holman Highway 68 Roundabout - Construction</b>	<b>\$ 100,000</b>	<b>\$ -</b>	<b>\$ 100,000</b>
Pacific Grove	3/26/2014	3/26/2017	RSTP Fair Share	2014 Fair Share Reserve	\$ 105,144	\$ -	\$ 105,144
					<b>\$ 795,237</b>	<b>\$ 529,284</b>	<b>\$ 265,953</b>

Last Revised: 3/23/2016

Approved by: \_\_\_\_\_  
 Debra L. Hale, Executive Director





TRANSPORTATION AGENCY FOR MONTEREY COUNTY

## Memorandum

**To:** Board of Directors  
**From:** David Delfino, Finance Officer / Analyst  
**Meeting Date:** March 23, 2016  
**Subject:** **City of Pacific Grove Regional Surface Transportation Program  
Fair Share Allocation**

---

### **RECOMMENDED ACTION**

**APPROVE** the request by the City of Pacific Grove to allocate \$100,000.00 in Regional Surface Transportation Program fair share funds to the Holman Highway 68 Roundabout Project; and

**APPROVE** amending Exhibit A of the local funding agreement to include this project and funding.

### **SUMMARY**

The Agency has distributed Regional Surface Transportation Program fair share funding by population to the local jurisdictions for a wide range of eligible transportation projects and is available at the discretion of the local jurisdiction for their chosen projects upon approval by the Transportation Agency Board.

### **FINANCIAL IMPACT**

Regional Surface Transportation Program funds originate from the State Highway Account and are controlled by this Agency. The City of Pacific Grove requests to allocate \$100,000.00 of their RSTP Fair Share funds.

### **DISCUSSION**

Examples of the types of transportation projects that are eligible for Regional Surface Transportation Program funding include: local street and roadway rehabilitation, bicycle facilities, pedestrian facilities, public transit capital and signal coordination and other safety and operational improvements. The Transportation Agency distributes the “fair share” component to the cities and County based on population and funding is programmed at the discretion of the local jurisdiction to eligible transportation projects.

The City of Pacific Grove requests that \$100,000.00 of their Regional Surface Transportation Program Fair Share funds be allocated to the Holman Highway 68 Roundabout Project. The Project will construct a roundabout at the intersection for HWY 68 (Holman Highway) and the northbound ramps of Highway/Pebble Beach entrance. The Holman Highway 68 Roundabout Project requested by the City of Pacific Grove is an eligible project.

Approved by:   
Debra L. Hale, Executive Director

Date Signed: March 9, 2016

Consent Agenda

Counsel Approval: N/A

Finance Approval: N/A

Attachments:

1. Request to allocate of RSTP Fair Share Funds Letter from City of Pacific Grove
2. City of Pacific Grove's revised Local Agency Funding Allocation Agreement Exhibit A



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

## Memorandum

**To:** Board of Directors  
**From:** David Delfino, Finance Officer / Analyst  
**Meeting Date:** March 23, 2016  
**Subject:** County of Monterey Regional Surface Transportation Program  
Fair Share Allocation

---

### RECOMMENDED ACTION

**APPROVE** the request by the County of Monterey to allocate \$68,000.00 in Regional Surface Transportation Program fair share funds to the Holman Highway 68 Roundabout Project; and

**APPROVE** amending Exhibit A of the local funding agreement to include this project and funding.

### SUMMARY

The Agency has distributed Regional Surface Transportation Program fair share funding by population to the local jurisdictions for a wide range of eligible transportation projects and is available at the discretion of the local jurisdiction for their chosen projects upon approval by the Transportation Agency Board.

### FINANCIAL IMPACT

Regional Surface Transportation Program funds originate from the State Highway Account and are controlled by this Agency. The County of Monterey requests to allocate \$68,000.00 of their RSTP Fair Share funds.

### DISCUSSION

Examples of the types of transportation projects that are eligible for Regional Surface Transportation Program funding include: local street and roadway rehabilitation, bicycle facilities, pedestrian facilities, public transit capital and signal coordination and other safety and operational improvements. The Transportation Agency distributes the “fair share” component to the cities and County based on population and funding is programmed at the discretion of the local jurisdiction to eligible transportation projects.

The County of Monterey requests that \$68,000.00 of their Regional Surface Transportation Program Fair Share funds be allocated to the Holman Highway 68 Roundabout Project. The Project will construct a roundabout at the intersection for HWY 68 (Holman Highway) and the northbound ramps of Highway/Pebble Beach entrance. The Holman Highway 68 Roundabout Project requested by the County of Monterey is an eligible project.

Approved by:   
Debra L. Hale, Executive Director

Date Signed: March 11, 2016

Consent Agenda

Counsel Approval: N/A

Finance Approval: N/A

Attachments:

1. Request to allocate of RSTP Fair Share Funds Letter from County of Monterey
2. County of Monterey's revised Local Agency Funding Allocation Agreement Exhibit A

# MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY



Carl P. Holm, AICP, Director  
John Guertin, Acting Deputy Director  
Daniel Dobrilovic, Acting Building Official  
Mike Novo, AICP, Director of Planning  
Benny J. Young, Interim Director of Public Works & Facilities

168 W. Alisal Street, 2<sup>nd</sup> Floor  
Salinas, California 93901  
(831)755-4800  
[www.co.monterey.ca.us/rma](http://www.co.monterey.ca.us/rma)

March 9, 2016

Debra L. Hale,  
Executive Director  
Transportation Agency of Monterey County (TAMC)  
55 B Plaza Circle  
Salinas, CA 93901-2902

Attn: Michael Zeller, Principal Transportation Planner

**RE: Request for RSTP Fair Share Allocation for Holman Highway Roundabout Project**

Dear Ms. Hale:

The County of Monterey requests that TAMC allocate \$68,000 of RSTP fair share funds for the Holman Highway Roundabout Project. The Project will construct a roundabout at the intersection of Hwy 68 (Holman Highway) and the northbound ramps of Highway/Pebble Beach entrance.

Please let me know if you need any additional information or have any questions. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Benny J. Young', is written over a horizontal line.

Benny J. Young  
Interim Director of Public Works

cc: Carl P. Holm, RMA Director  
John Guertin, Acting Asst. RMA Director

**Transportation Agency for Monterey County**  
**Local Agency Funding Allocation Agreement**  
 Exhibit A

**County of Monterey**

Agency	Board Approval Date	Fund Expiration Date	Type	Project	Budget	Paid	Balance Outstanding
County	1/22/2014	1/22/2017	TLC	Rico Street Sidewalk Improvements Project	\$ 100,000	\$ 69,174.30	\$ 30,826
County	3/26/2014	3/26/2017	RSTP Fair Share	2014 Fair Share Reserve	\$ 331,667	\$ -	\$ 331,667
County	8/27/2014	8/27/2017	RSTP Fair Share	Unincorporated Monterey County Roadway Striping Project	\$ 930,000	\$ 712,185	\$ 217,815
County	8/27/2014	8/27/2017	RSTP Competitive	SR68/Corral de Tierra Intersection Improvement Project	\$ 49,417	\$ -	\$ 49,417
County	8/27/2014	8/27/2017	RDIF	SR68/Corral de Tierra Intersection Improvement Project	\$ 312,205	\$ -	\$ 312,205
County	8/27/2014	6/30/2020	RSTP Competitive	Holman Highway 68 Roundabout (cannot be claimed until FY 2017/18)	\$ 1,329,671	\$ -	\$ 1,329,671
County	9/24/2014	9/24/2017	TDA 2%	Castroville Railroad Crossing Bicycle Project	\$ 953,192	\$ 396,708	\$ 556,484
County	9/24/2014	9/24/2017	TDA 2%	Monterey Bay Sanctuary Scenic Trail	\$ 219,930	\$ 200,407	\$ 19,523
County	8/27/2014	8/27/2017	TDA 2%	Moss Landing segment of the Monterey Bay Sanctuary Scenic Trail	\$ 57,051	\$ -	\$ 57,051
<b>County</b>	<b>3/23/2016</b>	<b>3/23/2019</b>	<b>RSTP Fair Share</b>	<b>Holman Highway 68 Roundabout</b>	<b>\$ 68,000</b>	<b>\$ -</b>	<b>\$ 68,000</b>
County	6/24/2015	6/23/2018	RSTP Reserve	Rio Road Repaving and Class II Bike Lanes	\$ 55,000	\$ -	\$ 55,000
County	6/24/2015	6/23/2018	TAMC Undesignated Reserve	Highway 156 Vehicle Speed Signs	\$ 40,000	\$ -	\$ 40,000
					<b>\$ 4,446,133</b>	<b>\$ 1,378,474</b>	<b>\$ 3,067,659</b>

Last Revised: **3/23/2016**

Approved by: \_\_\_\_\_  
 Debra L. Hale, Executive Director



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

## Memorandum

**To:** Board of Directors  
**From:** Hank Myers, Senior Transportation Planning Engineer  
**Meeting Date:** March 23, 2016  
**Subject:** Request for Proposals for Cal Am Pipeline Easement Appraisal

---

### RECOMMENDED ACTION

1. **APPROVE** the scope of work for the Request for Proposals for right-of-way appraisal services and legal and negotiation assistance for the proposed Cal Am pipeline easements; and
2. **AUTHORIZE** staff to release the Request for Proposals and return to the Board of Directors with a recommendation for approval of the consultant contract, including final scope of work.

### SUMMARY

Agency staff has been in discussions with California American Water (Cal Am) for proposed water pipeline easements along portions of the Agency-owned Monterey Branch line rail corridor. An independent appraisal is necessary in order to assure that fair market value is paid for use of the right-of-way. The Agency will also require legal assistance in determining the structure of the agreements and in negotiating with Cal Am.

### FINANCIAL IMPACT

The Transportation Agency will be compensated for the property used on the Monterey Branch Line right-of-way at fair market value. These funds will be used to maintain the right-of-way and contribute to the development, operations and maintenance of future transit service in the corridor. The Agency will need an independent appraisal to confirm the fair market value compensation for the easements as well as legal and negotiation assistance. The appraisal, legal services, and negotiation assistance are expected to cost about \$62,000 and would be funded by the current Monterey Branch Line lease revenues. The Agency expects to negotiate repayment from Cal Am of the additional costs to TAMC associated with the granting of the easements (such as the cost for appraisal reports, review of survey legal descriptions, independent inspection of construction, and staff administrative time).

### DISCUSSION

Cal Am has been finalizing the details for the construction of the Monterey Peninsula Water Supply Project. The project includes a new desalination plant in Marina with transmission pipelines to Seaside, Monterey, Pacific Grove and Castroville. Cal Am proposes to install the transmission pipelines in an alignment that would require easements within portions of the




TAMC rail right-of-way. Information from Cal Am indicates that the pipelines would run approximately 9.1 miles from Lightfighter Boulevard in Seaside to Merritt Street in Castroville (see overview maps). It is anticipated that the project will include underground installation of a 42-inch feed line to the desalination plant, a 36-inch transmission line to the Monterey Peninsula, and a 12-inch return pipeline to Castroville.

Cal Am has indicated that it will require a 20 foot wide permanent easement (single pipeline) and a 25 foot wide permanent easement (2 or 3 pipelines) over different portions of TAMC property. The permanent easements would be non-exclusive, but would include proximity requirements to protect the waterline from possible contamination from other utilities. During construction, Cal Am would also require a 50 foot wide temporary construction easement for a two year period and a TAMC construction encroachment permit. Any agreements will include requirements to protect TAMC interests in the development of planned light rail and potential interim transit projects within the Monterey Branch Line right-of-way. Agreements will also include Cal Am formal operations plan for rights and permissions to operate and maintain the pipelines.

Conditions of the State Proposition 116 Bond funding used to purchase the Monterey Branch Line require the easements be priced at fair market value. The Agency will need an independent appraisal to confirm the fair market value compensation for the easements as well as legal and negotiation assistance. Prior appraisals have been completed over the last few years based on a variety of methodologies. Before the appraisal process can proceed, Cal Am will need to provide detailed legal descriptions of the extent of the proposed easements within the TAMC right-of-way for use in the preparation of an independent appraisal and subsequent determination of fair market value.

Staff anticipates further meetings with Cal Am to work through the appraisal process, including appropriate methodologies, agreements, review and final approval by the Rail Policy Committee and by the TAMC Board. The process of valuing and granting the pipeline easement is expected to take 8 to 10 months from now until the consideration of the final documents by the TAMC Board. Cal Am has targeted completion of the CEQA process and finalizing the acquisition of easements by late 2016 or early 2017, with construction to follow in the second half of 2017.

On March 7, 2016 the Rail Policy Committee received an update on the Cal Am proposal for obtaining easements for the water supply pipeline and recommended that the TAMC Board authorize the release of a Request for Proposals for right-of-way appraisal services and legal and negotiation assistance for the proposed easements.

Approved by:   
Debra L. Hale, Executive Director

Date signed: March 14, 2016




Consent Agenda

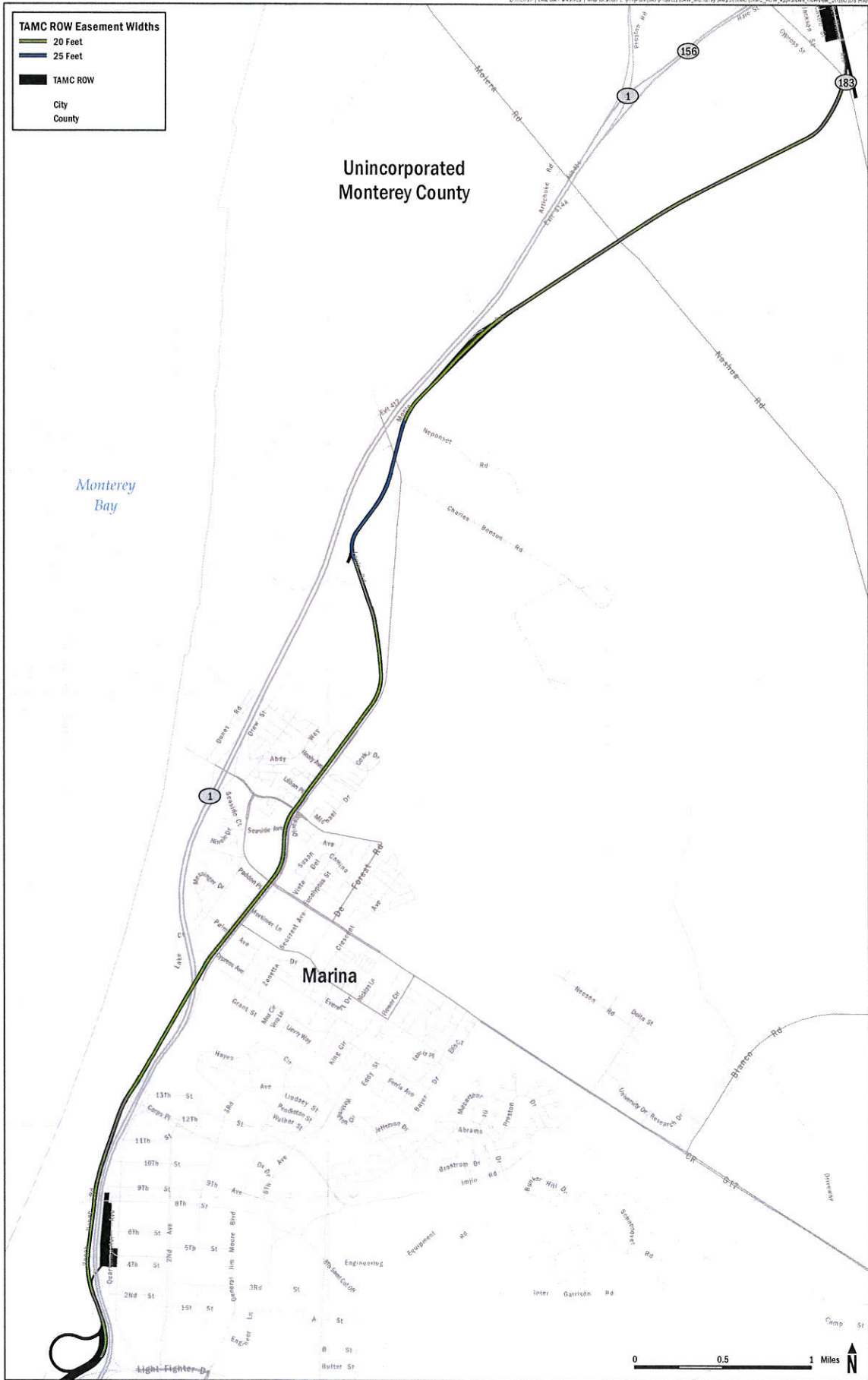
Counsel Approval: Yes

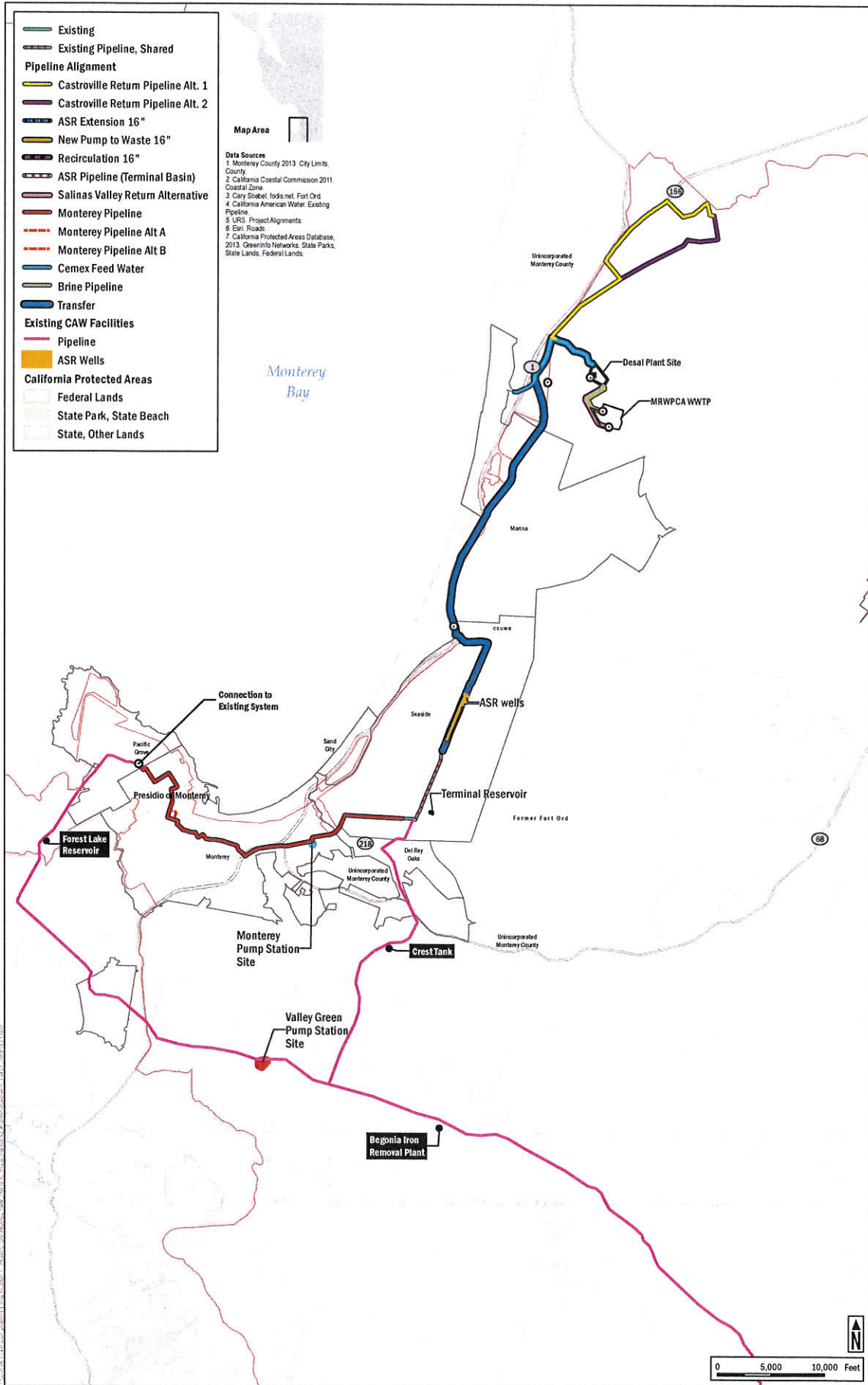
Finance Approval: Pending

- Attachments: 1) Overview Maps  
2) Scope of Work

**TAMC ROW Easement Widths**

-  20 Feet
-  25 Feet
-  TAMC ROW
- City
- County





## DRAFT

### SCOPE OF WORK

#### Background:

The Transportation Agency for Monterey County (TAMC) has been in discussions with California American Water (Cal Am) for water pipeline easements along the TAMC Monterey Branch line rail corridor. An independent appraisal is necessary in order to assure that fair market value is paid for use of the right-of-way. The Agency will also require legal assistance in determining the structure of the agreements and in negotiating with Cal Am.

Cal Am has been finalizing the details for the construction of the Monterey Peninsula Water Supply Project. The Project includes a new desalination plant north of the city of Marina with transmission pipelines to Seaside, Monterey, Pacific Grove and Castroville. Cal Am proposes to install the transmission pipelines in a new easement within the TAMC rail right-of-way. The pipelines would run approximately 9.1 miles from Lightfighter Boulevard in Seaside to Merritt Street in Castroville. The Project will include underground installation of a 42 inch feed line to the desalination plant, a 36 inch transmission line to the Monterey Peninsula, and a 12 inch return pipeline to Castroville.

The Project will require a 20 foot wide permanent easement (single pipeline) and a 25 foot wide permanent easement (2 or 3 pipelines). The permanent easements would be non-exclusive, but would include proximity requirements to protect the waterline from possible contamination from other utilities. During construction, the Project would also require a 50 foot wide temporary construction easement for a two year period and a TAMC construction encroachment permit. Agreements will include requirements to protect TAMC interests in the development of planned light rail and potential interim transit projects within the Monterey Branch Line right-of-way. Conditions of the State Proposition 116 Bond funding used to purchase the Monterey Branch Line require the easements be priced at fair market value. Agreements will also include Cal Am formal operations plan for rights and permissions to operate and maintain the pipelines.

The Agency will need an independent appraisal to confirm the fair market value compensation for the easements as well as legal and negotiation assistance. Prior appraisals have been completed over the last few years based on a variety of methodologies. Before the appraisal process can proceed, Cal Am will need to provide detailed legal descriptions of the extent of the proposed easements within the TAMC right-of-way for use in the preparation of an independent appraisal and subsequent determination of fair market value. Staff anticipates further meetings with Cal Am to work through the appraisal process, including appropriate methodologies, agreements, review and final consideration by the Rail Policy Committee and by the TAMC Board. The process of valuing and granting the pipeline easement is expected to take 8 to 10 months from now until the consideration of the final documents by the TAMC Board. Cal Am has targeted completion of the CEQA process and finalizing the acquisition of easements by late 2016 or early 2017, with construction to follow in the second half of 2017.

## DRAFT

The Agency is seeking to award a contract (Tasks 1-3) to a consultant team to provide legal services, negotiation assistance, and prepare legal documents in accordance with this scope of work. It is expected that the legal firm will be lead consultant in the process. A sub-consultant will also be required to perform an Independent Appraisal in order to determine fair market value for use of the right-of-way.

Consultants should provide an expanded scope of work based on the minimum scope of work listed below for legal services, negotiation services, and appraisal services required to conduct this work, including a proposed schedule of activities.

### TASKS:

**The scope of work for the RFP should include but is not limited to:**

1. LEGAL SERVICES (Lead Consultant).
  - a. Providing legal advice in preparing easement agreement.
  - b. Preparing legal agreement for land transaction.
  - c. Providing legal assistance to include requirements to protect TAMC interests in the development of planned light rail and potential interim transit projects within the Monterey Branch Line right-of-way.
  - d. Providing legal assistance in review of formal Operations Plan for Cal Am rights and permissions to operate and maintain the pipelines.
2. NEGOTIATION SERVICES (Lead Consultant & Sub-Consultant)
  - a. Providing assistance in negotiations with Cal Am.
3. APPRAISAL SERVICES (Sub-consultant)
  - a. Collecting all necessary data for the appraisal process.
  - b. Reviewing detailed legal descriptions of the extent of the proposed easements within the TAMC right-of-way (provided by Cal Am) and using this information in the development of the appraisal and determination of fair market value.
  - c. Reviewing prior appraisals on the TAMC rail corridor that have been completed over the last few years based on a variety of methodologies (available from TAMC).

## DRAFT

- d. Preparing an Independent Appraisal for the fair market value for the waterline easements within the TAMC rail right-of-way for the Monterey Peninsula Water Supply Project.
- e. Evaluating appropriate pricing methodology and valuation methods to be utilized for the proposed easements and recommending which method should be utilized by the Agency.
- f. Evaluating the appropriate type of land agreement (permanent easement, renewable lease, license, etc.).
- g. Coordinating with TAMC on details regarding the Agency plans for usage of the Monterey Branch line rail corridor (Future Light Rail, Bus Rapid Transit, Interim Bus way, Adjacent Transit Oriented Development, etc.) in light of the proposed easements.



TRANSPORTATION AGENCY FOR MONTEREY COUNTY

## Memorandum

**To:** Board of Directors  
**From:** Michael Zeller, Principal Transportation Planner  
**Meeting Date:** March 23, 2016  
**Subject:** 17 Station Place Lost Rent Agreement

---

### RECOMMENDED ACTION

1. **AUTHORIZE** the Executive Director to execute a lost rent agreement with Elaine Molinari, as Trustee of the Elaine M. Molinari Revocable Trust, in an amount not-to-exceed \$67,200, to cover potential lost rent at 17 Station Place, Salinas, CA while acquisition negotiations proceed;
2. **APPROVE** the use of lease revenue reserves budgeted to this purpose;
3. **AUTHORIZE** the Executive Director to make administrative changes to the agreement if such changes do not increase the Agency's net cost, subject to approval by Agency counsel.

### SUMMARY

The Transportation Agency is seeking to acquire the hotel property at 17 Station Place in Salinas to construct upgrades of the Salinas station for the Capitol Corridor Rail Extension project. Approval of this agreement is a pre-cursor to beginning negotiations and compensates the owner for units that are or may become vacant prior to acquisition.

### FINANCIAL IMPACT

This agreement requires the owner to maintain vacancy of five units at a combined rate of \$1,200 per month. Additionally, \$400 per unit per month would be due if any of the eleven rented units vacate during the 1-year term of the agreement. The not-to-exceed amount would be \$52,800 funded by lease revenues from Agency-owned properties.

### DISCUSSION

The Transportation Agency for Monterey County is proposing to extend passenger rail service from Santa Clara County south to Salinas. The project would function as an extension of existing state-sponsored Capitol Corridor intercity passenger rail service. The service is scheduled to start in 2018 with two round trips, expanding to up to six round trips as demand warrants.



The Salinas Rail Extension Kick Start project, which focuses on improvements to the Salinas Rail Station, requires acquisition of 11 parcels, and it is critical that all the acquisition and relocations proceed according to all applicable state and federal laws. To this end, the Agency's real estate acquisition consultant, Overland, Pacific & Cutler, and special legal counsel, Meyers Nave, have been negotiating the purchase of 17 Station Place in Salinas. The building is a single room occupancy long-term stay hotel, owned by the Elaine M. Molinari Revocable Trust.

Of the sixteen rentable units, eleven are currently occupied and the renters are eligible for federally-mandated relocation assistance from the Transportation Agency after the property is acquired. However, prior to entering negotiations for the sale of the property, the owner requested that a lost-rent agreement be established (**Attachment 1**). This agreement would compensate the property owner for maintaining the vacancy of the five currently unrented units, and for any units that become vacant during the property acquisition process.


The benefit to the Transportation Agency of such an agreement is that paying to keep the existing five vacant units unrented is less expensive than potential relocation costs if the owner were to rent them during the acquisition. The Transportation Agency would then be legally required to cover certain relocation expenses for these newly rented units. It is staffs' understanding that the property owner has interested applicants for the units, and in essence, the Transportation Agency would rent them instead for the duration of the acquisition process. This is an allowable, reimbursable cost from the State.

The term of the agreement is one year and not-to-exceed amount is \$67,200. The cost of the agreement if it were to last the full term would break down as follows:

- 5 units @ \$1,200 / month for duration of agreement (12 months): \$14,400
- 11 units @ \$400 / month per unit, if any become vacant: \$52,800

While those are the terms of the agreement, it is unlikely that the acquisition will take a year or that all of the currently occupied units would become vacant. All of the appraisal work on the property has been completed by both the Transportation Agency and the property owner, and the Agency has established just compensation and delivered an offer letter. The Agency's special legal counsel has advised that our real estate agent should move expeditiously to reach agreement on the sale at an estimated 45 days. If the process is not moving forward, there are provisions in the agreement for the Agency to terminate and cease lost-rent payments.

***Staff is requesting that the Board approve the lost-rent agreement with the Elaine M. Molinari Revocable Trust.***

Approved by:   
Debra L. Hale, Executive Director

Date Signed: March 9, 2016

Consent Agenda

Counsel Approval: Yes  
Finance Approval: Yes

Attachment: 17 Station Place Lost Rent Agreement

**LOST RENT AGREEMENT FOR THE  
PROPOSED SALINAS RAIL EXTENSION PROJECT**

**THIS AGREEMENT ("Agreement") is made and entered into this first day of March, 2016, between Transportation Agency for Monterey County ("TAMC") and Elaine Molinari, as Trustee of the Elaine M. Molinari Revocable Trust under declaration September 19, 2001 ("OWNER").**

**1. OWNERSHIP**

OWNER hereby declares that she is the fee title owner of that certain real property within the proposed SALINAS RAIL EXTENSION PROJECT ("Project") commonly known as 17 Station Place, Salinas, CA and more specifically described in **Exhibit A** attached hereto and incorporated herein by reference ("Subject Property").

**2. VACANCY**

Nothing in this Agreement constitutes a representation, commitment or agreement that TAMC will acquire the Subject Property. TAMC is proceeding with its plans to construct its Project. TAMC has made an offer to OWNER to acquire the entire Subject Property for its Project and hopes to negotiate a fair and just settlement of just compensation for the Subject Property. If a settlement is reached or TAMC determines that it needs to acquire the Subject Property, TAMC would need to relocate OWNER's tenants on a timely basis prior to final acquisition and possession of the property by TAMC. OWNER desires to be protected against loss of rental income for units that become vacant during the term of this Agreement and TAMC is desirous of paying to OWNER the amount of such rents. In consideration of TAMC's agreement to compensate OWNER for any lost rent incurred as a result of units that become vacant after January 28, 2016, OWNER hereby agrees that any units which were occupied on January 28, 2016 and become vacant after January 28, 2016, OWNER shall not rent, lease, or otherwise permit the occupancy of said units.

Currently there are five vacant units (Units Nos. 5, 7, 9, 12 and 15) ("Vacant Units"), OWNER agrees to provide history of occupancy and proof that Units 5, 9 and 12 are habitable and TAMC agrees to pay OWNER \$400 per month for each of these 3 units (\$1,200/mth). OWNER agrees not to rent, lease or otherwise permit occupancy of the Vacant Units, except as described in paragraph 4 below.

**3. TERM**

The term of this Agreement shall expire one year from the date of execution by TAMC unless sooner terminated as set forth in paragraph 7 below. If the Agreement expires pursuant to this paragraph 3, (i.e., one year passes without the Agreement being terminated as set forth in paragraph 7 below) TAMC shall within 10 days of said expiration date pay OWNER \$800 per unit that became vacant after January 28, 2016 in addition to the rent owed for the last month of the Agreement. Said payment of \$800.00 represents a reasonable rent-up time for the units that became vacant during the term of this Agreement.

**4. LOST RENT PAYMENT PERIOD**

Within two weeks after a tenant vacates the premises (or within two weeks after date of this Agreement if a tenant vacates unit between January 28, 2016, and date of Agreement) during the term of this Agreement and thereafter by the third day of each month, TAMC shall pay OWNER the amount of lost rent per month or a portion thereof for the Subject Property based on the information required in paragraph 5 below. The lost rent shall be calculated from the date any tenant vacates the Subject Property until TAMC takes title to or possession of the Subject Property, or until this Agreement is terminated as set forth in paragraph 7 below.

The \$400 per month to be paid by TAMC for Units 5, 9 and 12 shall begin to accrue on the date of this Agreement, regardless of when a history of occupancy and proof of habitability is provided by OWNER to TAMC. Once a history of occupancy and proof of habitability is provided by OWNER to TAMC, determination of habitability shall be made forthwith. Upon a determination that Unit 5, 9 or 12 is habitable payment for said unit(s) from the date of this Agreement shall be made forthwith and on the third of each month thereafter. If it is determined that Unit 5, 9 or 12 is not habitable and TAMC declines to pay \$400 for said unit(s), notwithstanding any other provisions in the Agreement, OWNER is permitted to re-lease said unit(s) without any liability to TAMC.

**5. RENTAL AGREEMENT AND TENANT LIST**

Upon execution of this Agreement by both parties, OWNER shall provide TAMC with one or more of the following to verify current or most recent rental amount and contact information:

- A. A copy of the current or most recent rental agreements for the Subject Property for each of the occupied units; or
- B. A current and accurate list of tenants including names and address, length of tenancy, rental amount, rental terms, rental unit, and phone number of 6 or more tenants. Such other documentation satisfactory to TAMC which allows for a determination of the amount of the current or prior rent per month.

**7. TERMINATION**

This Agreement shall terminate upon TAMC obtaining title to or possession of the Subject Property. In addition, TAMC may terminate this Agreement by providing thirty (30) days advance written notice to OWNER if any of the following occur:

- A. If escrow is unable to close in the time specified in the escrow documents due to fault of OWNER.
- B. If OWNER takes legal or other action preventing TAMC from obtaining possession by an Order of Possession;
- C. If TAMC determines not to acquire the Subject Property and it has paid OWNER the equivalent of 2 months' rent on each unit that became vacant during the term of this

Agreement. The calculation of the first month shall commence on the date the thirty (30) day notice is given and the assumed monthly rent is \$400.00; or

- D. TAMC determines that the Subject Property is destroyed or rendered uninhabitable, sold or OWNER otherwise loses title or possession of the Subject Property.

This Agreement shall also terminate upon Breach:

A. **Failure to Pay.** If the TAMC fails to pay when due any amount owing under this Agreement and that failure continues for ten (10) Business Days, the OWNER may terminate this Agreement, with immediate effect, by giving written Notice to TAMC.

B. **Any Other Breach.** If OWNER or TAMC (i) commits any material breach or material default in the performance of any obligation under this Agreement (other than the TAMC's obligation to pay money), and (ii) the breach or default continues for a period of ten (10) Business Days after the other party delivers Notice to it reasonably detailing the breach or default, then the other party may terminate this Agreement, with immediate effect, by giving written Notice to the first party.

#### 8. POSSESSION & NON-INTERFERENCE

TAMC shall have no right under this Agreement to possession or occupancy of the Subject Property. However, OWNER shall provide one TAMC representative, on one day in March 2016 that is convenient for OWNER and TAMC, access to inspect units 5, 9 and 12. This is the only occasion TAMC or its representative is permitted to enter any building on the Subject Property. Scheduling of this inspection of units 5, 9 and 12 shall be done via email to counsel notwithstanding paragraph 11 below. OWNER also agrees not to interfere with TAMC's efforts to contact tenants. TAMC agrees to act reasonably in its efforts to contact tenants and respect tenants privacy. OWNER shall also provide to TAMC, at the time of execution of this Agreement, OWNER's social security number.

#### 9. LIABILITY

OWNER shall take all action necessary to prevent access to vacant units within the Property by unauthorized users. OWNER agrees that TAMC shall have no liability for any loss, damage, or injury of any kind or character occurring to any person or property related to the occupancy or vacancy of any portion of the Subject Property under this Agreement. OWNER shall at all times maintain general liability insurance coverage for the Property.

If OWNER re-lets, rents, leases or otherwise permits the occupancy of units in the building on the Subject Property, except as described in paragraph 4 above relating to Units 5, 9 and 12, OWNER shall pay TAMC costs related to enforcement of the Agreement including, without limitation, expenses, court costs, reasonable attorney's fees, unlawful detainer, relocation payments, and any rents or payments received in violation of the terms of the Agreement.

10. **AUDIT AND INSPECTION**

OWNER agrees to permit TAMC to inspect the related records of OWNER pertaining to determination of the amount of the lost rent payments under this Agreement. Further, OWNER agrees to maintain data, documents, reports, records, contracts and supporting materials related to this Agreement for at least three years after the Agreement expires or is terminated, whichever event is later.

11. **COMMUNICATIONS**

Any communications required during the administration of this Agreement, including notice of termination, shall be in writing and either personally delivered or sent via U.S. Mail first class or certified, postage prepaid to the respective party as follows:

TAMC: Debra L. Hale  
55B Plaza Circle  
Salinas, California 93901

OWNER: Elaine Molinari  
P.O. Box 30010  
Cromberg, CA 96103  
Phone:

Unless otherwise provided in the communication, the effective date of the written communication shall be the date of such mailing. Any party who desires to change its address for notice may do so by giving written notice as set forth herein.

12. **AMBIGUITIES**

The parties have each carefully reviewed this Agreement and have agreed to each term of this Agreement. No ambiguity shall be presumed to be construed against either party.

The Agreement will be interpreted under California law and any action to enforce the Agreement must be filed in Monterey County Superior Court. The prevailing party shall be entitled to all costs, attorney and expert fees and any relocation costs incurred.

13. **INTENT**

It is not the intent of the Agreement, nor shall OWNER have any obligation, to evict or terminate the tenancy of any person otherwise lawfully in possession of the property.

14. **ENTIRE AGREEMENT**

The Agreement and any payment by TAMC shall not constitute an admission of any legal obligation, question of fact, value of property, value of rental payments or value of income. This Agreement embodies the entire agreement of the parties in relation to the scope herein described, and no other understanding whether verbal, written or otherwise exists between the parties. The

terms and existence of this Agreement is inadmissible at a trial on the issue of just compensation and will not be referred to or considered by any witness or the trier of fact at a trial on the issue of just compensation.

The Agreement can be amended only through writing signed by all parties.

**IN WITNESS WHEREOF**, the parties hereto have entered into this Agreement as of the date first written above and the date first written above is considered the date of this Agreement.

**TRANSPORTATION AGENCY FOR  
MONTEREY COUNTY:**

By: \_\_\_\_\_  
Debra L. Hale, Executive Director

**OWNER:**

By: Elaine M. Molinari  
Elaine Molinari, Trustee

**APPROVED AS TO FORM:**

**TURNER LAW**

Date: 3/4/2016

By: AT  
Andy Turner  
Attorney for Elaine Molinari, Trustee

**MEYERS, NAVE, RIBACK, SILVER  
& WILSON**

Date: 3/4/2016

By: Brenda Aguilar-Guerrero  
Brenda Aguilar-Guerrero  
Attorney for Transportation Agency for  
Monterey County

2618015.2

# EXHIBIT A



**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**APN NO. 002-171-007**

**(Commonly referred to as 17 Station Place, Salinas, CA)**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SALINAS, COUNTY OF MONTEREY, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

That portion of Lots J and K, in Block 24, as said Lots and Block are shown and designated on that certain map entitled, "Map of Salinas City, Monterey County, California" (commonly known as the Sherwood-Hellman Map) refiled January 14, 1869 in Volume 1, Maps of "Cities and Towns", at Page 36, Records of Monterey County, California, described as follows:

Beginning at a 1/2" diameter iron pipe standing in the westerly line of Natividad Street from which a 1" steel bar standing at the intersection of said street line with the northerly line of West Market Street bears along said street line S. 24° 37' W., 215.4 feet, said 1/2" diameter iron pipe being at the southeast corner of that certain 0.2676 acre tract of land described in Trustee's Deed from Coast Counties Land Title Company, a corporation to Steve Inglin, et ux., recorded May 27, 1949 in Volume 1141, Page 541, Official Records of said county; thence running parallel to said northerly line of West Market Street and along the southerly boundary of said 0.2676 acre tract of land,

(1) N. 65° 25-1/2' W., 200.98 feet to a 1/4" diameter iron pipe, top 18" underground, at a fence corner at the southwesterly corner of said 0.2676 acre tract of land in the line between said Lot J and Lot M in said Block 24; thence along the line common to said Lots J and M and along the line common to said Lot K and Lot L,

(2) S. 24° 35-3/4' W., 85.4 feet to a 1" diameter iron pipe, top 6" underground, standing at the northwest corner of Lot 12 in said Block 24; thence along the northerly line of said Lot 12,

(3) S. 65° 25-1/2' E., 50.0 feet to the northeast corner of said Lot 12, from which corner a 1" diameter steel bar bears N. 87° 24' E., 0.22 feet, said northeasterly corner of Lot 12 being in the westerly boundary of that certain piece or parcel of land described in Deed to Victor L. Molinari, et ux., recorded October 19, 1944 in Volume 843, Page 348, Official Records of said county; thence along the westerly boundary of said piece or parcel of land,

(4) N. 24° 35-3/4' E., 35.4 feet to a 1" diameter steel bar, top 10" underground, standing at the northwest corner of said parcel of land; thence along the northerly boundary thereof,

(5) S. 65° 25-1/2' E., 150.96 feet to a 1" diameter steel bar standing at the northeast corner of said parcel of land in said westerly line of Natividad Street; thence along said westerly street line,

(6) N. 24° 37' E., 50.0 feet to the point of beginning.

**And as shown on the Record of Survey Map filed June 19, 1957 in Volume 5 of Surveys, Page 121, Monterey County Records.**

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

**EXECUTIVE COMMITTEE MEETING**

*Members are: Fernando Armenta (Chair),  
Alejandro Chavez (1<sup>st</sup> Vice Chair), Dave Potter (2<sup>nd</sup> Vice Chair),  
Kimbley Craig (Past Chair),  
John Phillips (County representative), Robert Huitt (City representative)*

**Wednesday, March 2, 2016**

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

Transportation Agency Conference Room  
55-B Plaza Circle, Salinas

1. **CALL TO ORDER:** Chair Armenta called the meeting to order at 9:00 a.m. Committee members present: Armenta, Chavez, Craig, Huitt, Phillips and Potter. Staff present: Muck, Rodriguez, Watson and Wright. Others present: Agency Counsel Reimann, John Arriaga, JEA & Associates and Terry Feinberg, Moxxy Marketing.
2. **PUBLIC COMMENTS:** None.

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3. **CONSENT AGENDA:**  
On a motion by Committee Member Huitt and seconded by Committee Member Craig the committee voted 6– 0 to approve the consent agenda.  
Approved minutes from the Executive Committee meeting of February 3, 2016.

**END OF CONSENT**

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4. On a motion by Committee Member Potter and seconded by Committee Member Craig the committee voted 6– 0 to receive report regarding state legislative update and recommended that the Board adopt positions on bills of interest to the Agency.

John Arriaga, JEA & Associates, highlighted the transportation bills of interest to the Agency. He noted that most of the bills are recommended for a “watch” position until more is understood about their impacts. He reported that TAMC is sponsoring two bills this year: Assembly Bill 2730, introduced by Assembly Member Alejo, would keep income from the sale of excess properties originally acquired for the Prunedale Bypass in Monterey County. Mr. Arriaga noted that now is the time to get letters of support, before the hearings begin in late March. Committee Chair Armenta asked that a map of the parcels be provided at a future meeting. Ms. Watson noted that staff would be bringing a proposal for a contract to evaluate the value and zoning of each parcel to a future meeting. Mr. Arriaga reported that Senate Bill 1197, introduced by Senator Cannella and co-authored by Assembly Members Achadjian, Alejo, and Stone, allows for the extension of rail services such as the Coast Daylight or the Salinas Rail extension project.

5. The Committee discussed the direction for the Transportation Agency’s 2016 Annual Report and recommended staff provides the total cost for printing and mail distribution for the current and proposed annual reports. Theresa Wright reported that the Monterey County Weekly has proposed producing a six page English and Spanish 2016 annual report for \$37,500. She noted that the Agency currently pays \$57,000 for the annual report plus postage to send to Monterey County residents. Committee member Craig expressed that she likes the quality of the 2015 annual report, and feels that the paper insert from the Monterey County Weekly is poor. Committee member Potter commented that he thinks both reports are nice and we should do both. Staff will provide the requested information at the next Executive Committee meeting.

6. The Committee received a report on the draft agenda for TAMC Board meeting of March 23, 2016:

Deputy Executive Director Muck highlighted the draft TAMC Board agenda for March 23, 2016. He reported the Board would be asked to adopt the final regional project to be included in the Transportation Safety & Investment Plan and release the plan to the cities and county for adoption; approve the Policies & Project Descriptions for the Transportation Safety & Investment; and authorize the release of the Policies & Project Descriptions for the Transportation Safety & Investment Plan. The Board will receive an update on the SR 68 Scenic Highway Plan. On the consent agenda the Board will receive state legislative update and asked to adopt positions on bills of interest to the Agency.

7. **ADJOURNMENT**

Chair Armenta adjourned the meeting at 11:24 a.m.

  
Elouise Rodriguez, Senior Administrative Assistant

TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC)  
**RAIL POLICY COMMITTEE MEETING**  
*DRAFT Minutes of March 7, 2016*  
 Transportation Agency for Monterey County  
 55-B Plaza Circle, Salinas

	FEB 15	MAR 15	APR 15	MAY 15	JUNE 15	AUG 15	SEP 15	NOV 15	JAN 16	FEB 16	MAR 16
F. Armenta, Dist. 1 (J. Martinez)	<b>C</b>	P(A)	<b>C</b>	P	P	<b>C</b>	P	P	P	P(A)	P(A)
J. Phillips, Dist. 2 (J. Stratton)	<b>A</b>	P(A)	<b>A</b>	P(A)	P(A)	<b>A</b>	P(A)	P(A)	P(A)	P(A)	P(A)
J. Parker, Dist. 4 (K. Markey)	<b>N</b>	P(A)	<b>N</b>	E	P(A)	<b>N</b>	P(A)	P(A)	P(A)	P(A)	P(A)
D. Potter, Dist. 5, Chair ( <del>K. Lee</del> , J. Mohammadi)	<b>C</b>	P	<b>C</b>	P	P	<b>C</b>	P(A)	P	P(A)	P	P
B. Delgado, Marina (F. O'Connell)	<b>E</b>	P(A)	<b>E</b>	P	-	<b>E</b>	-	P	P	-	P
E. Smith, Monterey (R. Deal)	<b>L</b>	P	<b>L</b>	E	P	<b>L</b>	-	P	E	P	P
K. Craig, Salinas, Vice Chair ( <del>R. Russell</del> , J. Serrano)	<b>L</b>	E	<b>L</b>	P	P	<b>L</b>	P	P(A)	P	-	P(A)
T. Bodem, Sand City (L. Gomez)	<b>E</b>	-	<b>E</b>	P	-	<b>E</b>	P	P	E	-	-
R. Rubio, Seaside (I. Oglesby)	<b>D</b>	P	<b>D</b>	P	E	<b>D</b>	P	P	P	P	P
A. Chavez, Soledad (F. Ledesma)		P		P	E		P	P	P	P	P
M. Twomey, AMBAG (H. Adamson)		-		-	P(A)		-	-	P(A)	-	P(A)
O. Monroy-Ochoa, Caltrans District 5		-		-	-		-	-	E	-	-
C. Sedoryk, MST ( <del>H. Harvath</del> , L. Rheinheimer)		P(A)		P(A)	-		P(A)	P(A)	P(A)	P(A)	-
B. Sabo, Airport (R. Searle)		-		-	-		-	-	-	-	-
<b>STAFF</b>											
D. Hale, Exec. Director		E		P	E		P	P	P	P	E
T. Muck, Deputy Exec. Director		P		P	P		P	P	P	P	P
C. Watson, Principal Transp. Planner		P		P	P		P	P	P	P	P
A. Green, Transp. Planner		P		E	-		-	-	-	-	-
M. Zeller, Principal Transp. Planner		P		P	E		P	E	P	P	P
H. Myers, Sr. Transp. Engineer		P		-	-		-	P	-	-	P
V. Murillo, Asst. Transp. Planner		P		P	P		P	P	P	P	P
<b>E – Excused</b> <b>VC – Video Conference</b> <b>P(A) – Alternate</b> <b>TC – Teleconference</b>											

1. **QUORUM CHECK AND CALL TO ORDER**

Chair Potter called the meeting to order at 3:00 p.m. A quorum was established.

**OTHERS PRESENT**

Ian Crooks	Cal-Am	Craig Smith	AECOM
Chris Flescher	California Rail Advocacy	MacGregor Eddy	Salinas Californian
Scott Ottmar	City of Seaside		

2. **PUBLIC COMMENTS**

None

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3. **CONSENT AGENDA**

M/S/C Rubio/Smith/unanimous

3.1 Approved minutes of the February 1, 2016 Rail Policy Committee meeting.

**END OF CONSENT AGENDA**

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4. **MONTEREY BRANCH LINE – CAL AM PIPELINE EASEMENTS**

M/S/C Markey/Rubio/unanimous

Hank Myers, Senior Transportation Planning Engineer, reported that Transportation Agency staff has been in discussions with California American Water (Cal Am) for water pipeline easements along the Agency-owned Monterey branch line rail corridor. The proposed easements will require approximately 20-25 feet along 9.1 miles of Monterey branch line rail corridor right-of-way. Mr. Myers reported that a fair market value appraisal is required pursuant to Proposition 116 prior to issuing easements or leasing the rail right-of-way. Mr. Myers noted that the process of valuing and granting the pipeline easement is expected to take 8 to 10 months.

Craig Smith, AECOM, noted that Cal Am will likely include a cost sharing agreement in the escrow to reimburse the Agency for costs associated with the easements.

Committee Alternate Markey asked if the planned short and long term uses of the rail right-of-way were taken into account when Cal Am put together the proposal. Mr. Myers said that Cal Am's proposed designs for the easement would not interfere with a future busway or light rail, as the pipeline would be deep enough underground and strong enough to survive construction and operations above, and located such that maintenance would be compatible with transit operations.

Committee Member Delgado asked about liability for future repairs. Mr. Myers said that this would be built into the liability section of the easement agreement. Mr. Delgado also asked if the easement would lead to restrictions in terms of where future stations are built. Craig Smith, AECOM, said that Cal Am's pipeline designs take Monterey branch line plans into account. Mr. Myers noted that the pipeline would not get in the way of a new alignment of stations, and that pipeline facilities would need to be relocated if they were in conflict with the TAMC branch Line project.

Committee Alternate Stratton asked if the easement would be in perpetuity, or if the value would be reappraised. Mr. Myers noted that generally pipeline agreements are for permanent easements, but some utilities will accept reevaluations at periodic intervals. Chair Potter noted that this would be a policy question for the Committee, and that the Committee should weigh the pros and cons of a onetime lump sum payment versus ongoing reevaluation of payments. Committee Member Rubio noted that the appraiser must know what type of easement could be used.

Chair Potter expressed concern about having exclusivity for the easement, as allowing room for other utilities, such as fiber optic cable, could be a productive use for the rail line right-of-way.

Committee Member Smith asked if Cal Am would be negotiating with other jurisdictions for this easement, and asked about how far underground the pipeline would have to be. Ian Crooks, Cal Am, noted that Cal Am would obtain permits from the necessary jurisdictions and that the pipeline would be designed according to national and state standards.

## **5. SALINAS RAIL EXTENSION PROJECT UPDATE**

The Committee received an update on the Salinas Rail Extension project.

Christina Watson, Principal Transportation Planner, reported that Agency staff attended the Capitol Corridor Joint Powers Authority Board meeting in Suisun City on February 17. The discussion points included a paradigm shift governing the previous priority of expansion from seven to eleven round trips between Oakland and San Jose, and implications for the Salinas extension. Capitol Corridor is re-evaluating their service expansion to San Jose and Oakland due to challenges with Union Pacific. Ms. Watson noted that the challenge is getting two existing San Jose trains to extend to Salinas. Ms. Watson reported that staff will be meeting with the Capitol Corridor and the California State Transportation Agency to figure out how to extend service to Salinas.

Ms. Watson reported that staff and Agency consultants met with Caltrain staff to review the designs for the Santa Clara County stations, which include Tamien, Morgan Hill and Gilroy.

Ms. Watson reported that staff met with Caltrans regarding the 2018 statewide draft Rail Plan that includes three scenarios focused on intercity, commuter, and high speed rail network integration, timed transfers and transfer hub stations.

Michael Zeller, Principal Transportation Planner, reported that negotiations with multiple property owners at the Salinas station are progressing. Staff will bring a lost rent agreement to the Board on March 23.

Committee Alternate Markey asked if Capitol Corridor has the train equipment for the expansion. Ms. Watson said that Capitol Corridor does not have these trains, but that the Agency would support the Capitol Corridor in their efforts with the state to acquire the trains.

Committee Alternate Serrano thanked Ms. Watson for the work on the Salinas Extension project and asked about the ridership impact of the new Capitol Corridor scenarios. Ms. Watson said that if the new scenario does not accommodate commuters, then the initial low ridership will make it difficult to expand service in the future.



Chair Potter encouraged Committee members and staff to reach out to Capitol Corridor Board members to advocate for the Salinas Extension.

**6. COAST DAYLIGHT UPDATE**

The Committee received an update on the status of the planned Coast Daylight train service between San Francisco and Los Angeles.

Ms. Watson reported that the Coast Daylight project is an extension of the existing Pacific Surfliner and calls for one daily round trip on the existing Union Pacific-owned tracks between downtown San Francisco and downtown San Diego, to complement the existing Amtrak Coast Starlight service. The Coast Daylight project is headed up by the Coast Rail Coordinating Council, chaired by Supervisor Potter.

Ms. Watson reported that the draft federal environmental review for the full buildout of the Salinas rail extension and the Coast Daylight is expected to be released for public comment in November 2016, with the goal of completing the document by March 2017.

Ms. Watson reported that the Amtrak study for the Coast Daylight does not show a net cost difference between having the train stop in San Jose instead of San Francisco. Ms. Watson reported that the Coast Rail Coordinating Council met on February 26 in San Luis Obispo and decided to pursue service to San Jose. Chair Potter noted that he supports this approach because getting into San Francisco is more challenging. Ms. Watson reported that the next steps are to finalize the Amtrak study and work with Caltrain regarding a layover facility.

Committee Member Smith asked about the negotiation process with Union Pacific. Ms. Watson noted that state law now allows access payments to host railroads, which facilitates the process for emerging corridors like the Salinas Rail extension and the Coast Daylight. Ms. Watson also noted that the California State Transportation Agency is currently negotiating a statewide access agreement with Union Pacific.

Committee Member Rubio asked if Union Pacific would be open to this sort of negotiation. Chair Potter noted that access payments might be a better option for working with Union Pacific, as they do not want to sell their right-of-way completely.

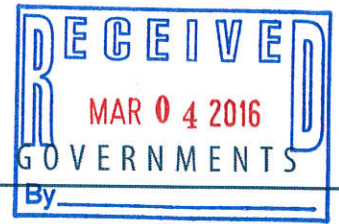
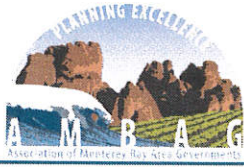
MacGregor Eddy, Salinas Californian, asked if the Elkhorn Slough rail crossing is a concern. Chair Potter noted that transporting toxic materials is a concern. Ms. Watson said that the trains that go through the Elkhorn Slough now travel at very slow speeds if the tracks are inundated, or they wait for the tide to go out. She noted that realignment of that rail corridor would be a very expensive option.

**7. ANNOUNCEMENTS AND/OR COMMENTS FROM COMMITTEE MEMBERS**

Committee Member Rubio thanked Ms. Watson for doing a great job keeping track of changes in the Agency's rail projects.

**8. ADJOURN**

Chair Potter adjourned the meeting at 4:00 p.m.



March 2, 2016

Assembly Member Luis Alejo  
P.O. Box 942849  
Sacramento, CA 94249-0030

**Re: Support for AB 2730 (Alejo): Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties**

Dear Assembly Member Alejo:

On behalf of the Association of Monterey Bay Area Governments (AMBAG), I write in support of Assembly Bill (AB) 2730: Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties (as introduced, February 19, 2016). This bill will transfer the proceeds of the sale of the former Prunedale Bypass right-of-way parcels of land to the Transportation Agency for Monterey County for use on future transportation projects in Monterey County. **AMBAG supports this bill.**

Over many years, TAMC, the County of Monterey and Caltrans assembled the transportation funds to buy 145 parcels (353 acres) of land for the US 101 Prunedale Bypass project. The project was unable to be constructed, and TAMC and Caltrans instead focused on safety improvements on US 101, known as the Prunedale Improvement Project. Caltrans has the authority to sell the unused land, and under current law, the revenues from the sale of bypass land would go into the state general fund – not back to transportation and not back to Monterey County.

AB 2730 would require the revenues from the sale of the Prunedale Bypass parcels to come back to TAMC, to be used for other highway improvement projects in Monterey County. AB 2730 would ensure that millions of transportation dollars would come back to the local highway system for improvements that would benefit Monterey County's regional economic drivers: agriculture and tourism. This bill would help TAMC and Caltrans to make much-needed and long-deferred highway improvements.

Thank you very much for your authorship of this important bill and for supporting efforts to improve transportation in California.

Sincerely,

Maura F. Twomey  
Executive Director

cc: Hon. Anthony Cannella, 12th Senate District      Hon. Bill Monning, 17th Senate District  
     Hon. Mark Stone, 29th Assembly District         Debra L. Hale, TAMC



# CITY OF DEL REY OAKS

650 CANYON DEL REY RD. • DEL REY OAKS, CALIFORNIA 93940  
 PHONE (831) 394-8511 • FAX (831) 394-6421

March 1, 2016

Assembly Member Luis Alejo  
 P.O. Box 942849  
 Sacramento, CA 94249-0030

**Re: Support for AB 2730 (Alejo): Department of Transportation: Prunedale Bypass:  
 County of Monterey: disposition of excess properties**

Dear Assembly Member Alejo:

On behalf of the City of Del Rey Oaks, I write in support of Assembly Bill (AB) 2730: Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties (as introduced, February 19, 2016). This bill will transfer the proceeds of the sale of the former Prunedale Bypass right-of-way parcels of land to the Transportation Agency for Monterey County for use on future transportation projects in Monterey County. **The City of Del Rey Oaks supports this bill.**

Over many years, TAMC, the County of Monterey and Caltrans assembled the transportation funds to buy 145 parcels (353 acres) of land for the US 101 Prunedale Bypass project. The project was unable to be constructed, and TAMC and Caltrans instead focused on safety improvements on US 101, known as the Prunedale Improvement Project. Caltrans has the authority to sell the unused land, and under current law, the revenues from the sale of bypass land would go into the state general fund – not back to transportation and not back to Monterey County.

AB 2730 would require the revenues from the sale of the Prunedale Bypass parcels to come back to TAMC, to be used for other highway improvement projects in Monterey County. AB 2730 would ensure that millions of transportation dollars would come back to the local highway system for improvements that would benefit Monterey County's regional economic drivers: agriculture and tourism. This bill would help TAMC and Caltrans to make much-needed and long-deferred highway improvements.

Thank you very much for your authorship of this important bill and for supporting efforts to improve transportation in California.

Sincerely,

Jerry B. Edelen  
 Mayor

cc: Hon. Anthony Cannella, 12th Senate District Hon. Bill Monning, 17th Senate District  
 Hon. Mark Stone, 29th Assembly District Debra L. Hale, TAMC



## *City of Greenfield*

PO Box 127 / 599 El Camino Real  
Greenfield, CA 93927  
☎ 831-674-5591 📠 831-674-3149  
[www.ci.greenfield.ca.us](http://www.ci.greenfield.ca.us)

March 2, 2016

Assembly Member Luis Alejo  
P.O. Box 942849  
Sacramento, CA 94249-0030

**Re: Support for AB 2730 (Alejo): Department of Transportation: Prunedale Bypass: County of Monterey: Disposition of Excess Properties**

Dear Assembly Member Alejo:

On behalf of the City of Greenfield, I write in support of Assembly Bill (AB) 2730: Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties (as introduced, February 19, 2016). This bill will transfer the proceeds of the sale of the former Prunedale Bypass right-of-way parcels of land to the Transportation Agency for Monterey County for use on future transportation projects in Monterey County. **The City of Greenfield supports this bill.**

Over many years, TAMC, the County of Monterey and Caltrans assembled the transportation funds to buy 145 parcels (353 acres) of land for the US 101 Prunedale Bypass project. The project was unable to be constructed, and TAMC and Caltrans instead focused on safety improvements on US 101, known as the Prunedale Improvement Project. Caltrans has the authority to sell the unused land, and under current law, the revenues from the sale of bypass land would go into the state general fund – not back to transportation and not back to Monterey County.

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Thank you very much for your authorship of this important bill and for supporting efforts to improve transportation in California.

Sincerely,

John Huerta, Jr.  
Mayor

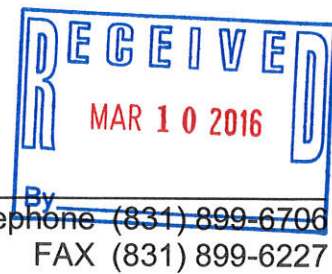
cc: Hon. Anthony Cannella, 12th Senate District  
Hon. Bill Monning, 17th Senate District  
Hon. Mark Stone, 29th Assembly District  
Debra L. Hale, TAMC





**OFFICE OF THE MAYOR**

440 Harcourt Avenue  
Seaside, CA 93955



Telephone (831) 899-6706  
FAX (831) 899-6227

March 2, 2016

Assembly Member Luis Alejo  
P.O. Box 942849  
Sacramento, CA 94249-0030

Via email to: [Tony.Madrigal@asm.ca.gov](mailto:Tony.Madrigal@asm.ca.gov)

**Re: Support for AB 2730 (Alejo): Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties**

Dear Assembly Member Alejo:

On behalf of the City of Seaside, I write in support of Assembly Bill (AB) 2730: Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties (as introduced, February 19, 2016). This bill will transfer the proceeds of the sale of the former Prunedale Bypass right-of-way parcels of land to the Transportation Agency for Monterey County for use on future transportation projects in Monterey County. **The City of Seaside supports this bill.**

Over many years, TAMC, the County of Monterey and Caltrans assembled the transportation funds to buy 145 parcels (353 acres) of land for the US 101 Prunedale Bypass project. The project was unable to be constructed, and TAMC and Caltrans instead focused on safety improvements on US 101, known as the Prunedale Improvement Project. Caltrans has the authority to sell the unused land, and under current law, the revenues from the sale of bypass land would go into the state general fund – not back to transportation and not back to Monterey County.

AB 2730 would require the revenues from the sale of the Prunedale Bypass parcels to come back to TAMC, to be used for other highway improvement projects in Monterey County. AB 2730 would ensure that millions of transportation dollars would come back to the local highway system for improvements that would benefit Monterey County's regional economic drivers: agriculture and tourism. This bill would help TAMC and Caltrans to make much-needed and long-deferred highway improvements.

Thank you very much for your authorship of this important bill and for supporting efforts to improve transportation in California.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph Rubio".

Ralph Rubio  
Mayor

Cc: Hon. Anthony Cannella, 12th  
Hon. Mark Stone, 29th Assembly District  
Senate District Hon. Bill Monning, 17th Senate District  
Debra L. Hale, TAMC

# MST

MONTEREY-SALINAS TRANSIT

**TRANSIT DISTRICT MEMBERS:**

*City of Carmel-by-the-Sea • City of Del Rey Oaks • City of Gonzales • City of Greenfield  
City of King • City of Marina • City of Monterey • City of Pacific Grove • City of Salinas  
City of Sand City • City of Seaside • City of Soledad • County of Monterey*

March 9, 2016

Via email to: [Tony.Madrigal@asm.ca.gov](mailto:Tony.Madrigal@asm.ca.gov)

Assembly Member Luis Alejo  
P.O. Box 942849  
Sacramento, CA 94249-0030

**RE: Support for AB 2730 (Alejo): Department of Transportation: Prunedale Bypass:  
County of Monterey: disposition of excess properties**

Dear Assembly Member Alejo:

On behalf of the Monterey-Salinas Transit District (MST), I write in support of Assembly Bill (AB) 2730: Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties (as introduced, February 19, 2016). This bill will transfer the proceeds of the sale of the former Prunedale Bypass right-of-way parcels of land to the Transportation Agency for Monterey County for use on future transportation projects in Monterey County. **Monterey-Salinas Transit supports this bill.**

Over many years, TAMC, the County of Monterey and Caltrans assembled the transportation funds to buy 145 parcels (353 acres) of land for the US 101 Prunedale Bypass project. The project was unable to be constructed, and TAMC and Caltrans instead focused on safety improvements on US 101, known as the Prunedale Improvement Project. Caltrans has the authority to sell the unused land, and under current law, the revenues from the sale of bypass land would go into the state general fund – not back to transportation and not back to Monterey County.

AB 2730 would require the revenues from the sale of the Prunedale Bypass parcels to come back to TAMC to be used for other highway improvement projects in Monterey County. AB 2730 would ensure that millions of transportation dollars would come back to the local highway system for improvements that would benefit Monterey County's regional economic

**Letter to Hon. L. Alejo**  
**March 10, 2016**  
**Page 2 of 2**

drivers: agriculture and tourism. This bill would help TAMC and Caltrans to make much-needed and long-deferred highway improvements.

Thank you very much for your authorship of this important bill and for supporting efforts to improve transportation in California.

Sincerely,



Hunter Harvath, AICP  
Assistant General Manager  
Finance & Administration

cc: Hon. Anthony Cannella, 12th Senate District  
Hon. Bill Monning, 17th Senate District  
Hon. Mark Stone, 29th Assembly District  
Debra L. Hale, TAMC





March 1, 2016

Assembly Member Luis Alejo  
P.O. Box 942849  
Sacramento, CA 94249-0030

Via email to: [Tony.Madrigal@asm.ca.gov](mailto:Tony.Madrigal@asm.ca.gov)

**Re: Support for AB 2730 (Alejo): Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties**

Dear Assembly Member Alejo:

On behalf of the Transportation Agency for Monterey County (TAMC), I write in support of Assembly Bill (AB) 2730: Department of Transportation: Prunedale Bypass: County of Monterey: disposition of excess properties (as introduced, February 19, 2016). This bill will transfer the proceeds of the sale of the former Prunedale Bypass right-of-way parcels of land to the Transportation Agency for Monterey County for use on future transportation projects in Monterey County. **The Transportation Agency for Monterey County thanks you for authoring this bill.**

Over many years, TAMC, the County of Monterey and Caltrans assembled the transportation funds to buy 145 parcels (353 acres) of land for the US 101 Prunedale Bypass project. The project was unable to be constructed, and TAMC and Caltrans instead focused on safety improvements on US 101, known as the Prunedale Improvement Project. Caltrans has the authority to sell the unused land, and under current law, the revenues from the sale of bypass land would go into the state general fund – not back to transportation and not back to Monterey County.

AB 2730 would require the revenues from the sale of the Prunedale Bypass parcels to come back to TAMC, to be used for other highway improvement projects in Monterey County. AB 2730 would ensure that millions of transportation dollars would come back to the local highway system for improvements that would benefit Monterey County's regional economic drivers: agriculture and tourism. The mission of TAMC is to develop and maintain a multimodal transportation system that enhances mobility, safety, access, environment quality and economic activities in Monterey County. This bill would help TAMC and Caltrans to make much-needed and long-deferred highway improvements.

Thank you very much for your authorship of this important bill and for supporting efforts to improve transportation in California. If you have any questions, please feel free to contact

Christina Watson of my staff at (831) 775-4406 or [christina@tamcmonterey.org](mailto:christina@tamcmonterey.org), or our Sacramento legislative analyst, John Arriaga, at (916) 669-1340 or [jea@jeaandassociates.com](mailto:jea@jeaandassociates.com).

Sincerely,



*for* Debra L. Hale  
Executive Director

cc: Hon. Anthony Cannella, 12th Senate District  
Hon. Bill Monning, 17th Senate District  
Hon. Mark Stone, 29th Assembly District



March 10, 2016

The Honorable Anthony Cannella  
12th Senate District  
State Capitol, Room 5082  
Sacramento, CA 95814  
*Via U.S. Mail and E-mail to Tyler.Munzing@sen.ca.gov*

**RE: Support for SB 1197 (Cannella): Intercity Rail Corridors: Extensions**

Dear Senator Cannella:

On behalf of the City of Salinas, I am writing in support of Senate Bill (SB) 1197: Intercity Rail Corridors: Extensions (as introduced, February 18, 2016). This bill would authorize the extension of intercity passenger rail service beyond the currently defined boundaries of the corridor, subject to inclusion in and approval of the relevant joint powers board's business plan. **The City of Salinas supports this bill.**

This bill would enable two emerging passenger rail projects planned for California's Central Coast to be operated by existing joint powers boards. The City of Salinas and the Transportation Agency for Monterey County (TAMC) have long advocated for an extension of passenger rail service from San Jose to Salinas. SB 1197 would allow the Capitol Corridor to extend south of San Jose, which will provide an alternative to the highly congested US 101 corridor to access jobs, education, and health care in Silicon Valley and the San Francisco Bay Area.

Since 1992, the Coast Rail Coordinating Council, a coalition of coastal county transportation and planning agencies, has advocated for the Coast Daylight service as an extension of passenger rail service north of San Luis Obispo to San Jose/San Francisco. SB 1197 would allow the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Corridor to extend north of San Luis Obispo, to close a gap in passenger rail service along the California coast.

Thank you very much for your authorship of this important bill and for supporting efforts to improve transportation in California.

Sincerely,

Joe Gunter  
Mayor

March 10, 2016  
The Honorable Anthony Cannella  
Page 2

cc: The Honorable Bill Monning, 17th Senate District, State Capitol, Room 313, Sacramento, CA 95814  
The Honorable Luis Alejo, 30th Assembly District, State Capitol, Post Office Box 942849, Sacramento, CA 94249-0030  
The Honorable Mark Stone, 29th Assembly District, State Capitol, Post Office Box 942849, Sacramento, CA 94249-0029  
Debra L. Hale, Transportation Agency for Monterey County, 55-B Plaza Circle, Salinas, CA 93901





March 3, 2016

The Honorable Anthony Cannella  
12th Senate District  
State Capitol, Room 5082  
Sacramento, CA 95814

Via email to: [Tyler.Munzing@sen.ca.gov](mailto:Tyler.Munzing@sen.ca.gov)

**Re: Support for SB 1197 (Cannella): Intercity rail corridors: extensions**

Dear Senator Cannella:

On behalf of the Transportation Agency for Monterey County (TAMC), I am writing in support of Senate Bill (SB) 1197: Intercity rail corridors: extensions (as introduced, February 18, 2016). This bill would authorize the extension of intercity passenger rail service beyond the currently defined boundaries of the corridor, subject to inclusion in and approval of the relevant joint powers board's business plan. **The Transportation Agency for Monterey County thanks you for authoring this bill.**

The mission of TAMC is to develop and maintain a multimodal transportation system that enhances mobility, safety, access, environment quality and economic activities in Monterey County. This bill would enable two emerging passenger rail projects planned for Monterey County to be operated by existing joint powers boards. TAMC has long advocated for an extension of passenger rail service from San Jose to Salinas. SB 1197 would allow Capitol Corridor to extend south of San Jose, which will provide an alternative to the highly congested US 101 corridor to access to jobs, education, and health care in Silicon Valley and the San Francisco Bay Area.

Since 1992, the Coast Rail Coordinating Council, a coalition of coastal county transportation and planning agencies, has advocated for the Coast Daylight service as an extension of passenger rail service north of San Luis Obispo to San Jose/San Francisco. SB 1197 would allow the Los Angeles-San Diego-San Luis Obispo (LOSSAN) Rail Corridor to extend north of San Luis Obispo, to close a gap in passenger rail service along the California coast.

Thank you very much for your authorship of this important bill and for supporting efforts to improve transportation in California. If you have any questions, please feel free to contact Christina Watson of my staff at (831) 775-4406 or [christina@tamcmonterey.org](mailto:christina@tamcmonterey.org), or our Sacramento legislative analyst, John Arriaga, at (916) 669-1340 or [jea@jeaandassociates.com](mailto:jea@jeaandassociates.com).

Sincerely,

  
Debra L. Hale  
Executive Director

cc: Hon. Bill Monning, 17th Senate District  
Hon. Mark Stone, 29th Assembly District

Hon. Luis Alejo, 30th Assembly District



March 8, 2016

The Honorable Bill Monning  
17th Senate District  
State Capitol, Room 313  
Sacramento, California 95814

Subject: Continuing Transportation Funding Crisis

Dear Honorable Bill Monning,

We are greatly alarmed by the deletion of \$754 million in funding for critical transportation improvements from the State Transportation Improvement Program (STIP). Current law required the California Transportation Commission to revise the Fund Estimate for the STIP due to lower forecasted state gas tax revenues. The revenues are decreasing because of cheaper gas prices along with Californians buying less gas due to fuel efficiency gains.

We urge the Legislature to take action to fund the STIP by restoring the price base excise tax to its former rate before the 2010 “fuel tax swap” and allowing the STIP funding revenue to adjust with inflation. Californians are frustrated with the declining condition of their transportation system and want their leaders in Sacramento to act swiftly to provide funding needed to repair roads and bridges, reduce traffic congestion, expand transportation alternatives and make the system more sustainable.

The Transportation Agency for Monterey County supports the proposals by the Governor (proposed 2016-17 budget), Assembly Member Frazier (AB 1591), and Senator Beall (SB 1X-1). All propose removing the fuel swap mechanism that has required the downward forecasts and restores the price based excise tax to the 18 cent mark. All three proposals would also allow the excise tax rate to adjust for inflation every three years.

### **What This Funding Cut Means for Monterey County**

The precipitous decline in fuel tax revenues is likely to result in the deletion of \$6.9 million currently programmed in the STIP for projects in Monterey County. The STIP funds intercity rail, highways, and transit capital improvements. These are extremely important projects that have been in development for many years. The projects are also critical to meeting national, state, regional and local goals and priorities—like meeting the state’s climate reduction goals. These projects also help assure safety, reduce congestion, improve local facilities for bicyclists and pedestrians, and these projects create jobs. The following table provides a summary of projects that are proposed to receive funding cuts or delays in our region.

Project Title	Location	STIP Amount	Project Benefits
US 101 South County Freeway Conversion	Salinas Valley	\$5.0 million	This project will construct frontage roads from Soledad to south Salinas. This segment of Route 101 is a 4-lane expressway that includes twelve at-grade intersections and numerous private driveways within the project limits. The segment's lack of controlled access with traffic entering and exiting numerous at-grade intersections, trucks crossing railroad tracks, and slow moving agricultural equipment mixing with high-speed interregional traffic results in congestion and safety concerns.
Highway 156 Improvement Project	North County	\$32.5 million	The State Route 156 Improvement project will construct a new 4-lane freeway between Castroville and the existing 101 interchange in Prunedale. The existing 2-lane facility will be converted to a frontage road. This route is a major regional and interregional thoroughfare used by tourists, commuters, freight shipping vehicles, and residential travelers.
Imjin Road Widening	Marina	\$1.65 million	Imjin Road, provides regional access between the City of Salinas and the Monterey Peninsula, linking commuters with residential areas, places of employment, and educational institutions. This project will widen the route from two to four lanes, improve safety at intersections, and provide multimodal facilities to improve bicycle, pedestrian and transit access.

### How We Got to This Point

The problem is with the structure of transportation funding. The downward revision to the STIP Fund Estimate is due to the estimated decrease to the price-based portion of the State gasoline tax that is currently the only fund source for the STIP. This is a volatile source of funding, since it is subject to adjustments based on fluctuations in the price of gasoline. The rate (established as part of the "fuel tax swap" enacted in 2010) is set annually by the Board of Equalization at a level that generates the same amount of revenue as would have been received if the sales tax on gasoline had remained in effect. The current rate was decreased from 18 cents to 12 cents as of July 1, 2015. Due to the price of gasoline in the past year, the Board of Equalization is expected to reduce the tax further to 10 cents at their next meeting this Spring. As such the CTC adopted a STIP Fund Estimate at their January meeting cutting \$754 million from the program, which reflects the reduction in the price based tax.



If no action is taken by the Legislature, this funding crisis will persist, and place additional Monterey County projects at risk of funding cuts or deletion from the STIP. The following table lists the projects in Monterey County that could be impacted if the Legislature does not act:

Project Title	Location	STIP Amount	Project Benefits
State Route 1 Operational Improvements	Carmel	\$3.0 million	This project will extend the truck climbing lane from Carmel Valley Road to Rio Road. The project will also improve the intersections at Rio Road and Carmel Valley Road to allow for improved bicycle, pedestrian and motor vehicle access.
Highway 68 Corral de Tierra	Salinas – Monterey	\$1.7 million	The project will improve safety and traffic flow at the Highway 68 and Corral De Tierra intersection by adding dual left turn lanes from westbound Hwy 68, adding a southbound merge lane and a northbound right turn lane on Corral De Tierra, and adding a fourth leg to the intersection.
Capitol Corridor Extension to Monterey County	Salinas	\$18.865 million	The Capitol Corridor Extension to Monterey County project extends rail service 68 miles from Santa Clara County to Salinas with future stops in Pajaro/Watsonville and Castroville. This project will save \$2.2 million annually in avoided highway accidents; offset \$1.8 million annually in traveler delay; and generate \$3.2 million annually in revenues, with annual ridership of 150,000.
Monterey- Salinas Transit Bus Replacement	County wide	\$2.0 million	Stable transit service is a critical part of the region's Sustainable Communities Strategy. This funding will leverage an additional \$8.0 million of federal funds to purchase over 20 new full-sized buses.

We respectfully request your support to work with fellow Legislators to help identify a timely solution to address this serious issue with transportation funding. Please contact me at (831) 775-0903 if you have any questions or would to discuss further.

Sincerely,



*DLH* Debra L. Hale  
Executive Director

Cc: Members, Senate Transportation and Housing Committee  
Members, Assembly Transportation Committee  
Mr. Bob Alvarado, Chair, California Transportation Commission  
Commissioners, California Transportation Commission  
Mr. Brian Kelly, Secretary, California State Transportation Agency  
Mr. Will Kempton, Executive Director, California Transportation Commission  
Mr. Malcolm Dougherty, Director, California Department of Transportation  
Mr. Bill Higgins, Executive Director, CalCOG  
Mr. Sarkes Khachek, Moderator, Regional Transportation Planning Agencies



March 8, 2016

The Honorable Anthony Cannella  
12th Senate District  
State Capitol, Room 5082  
Sacramento, California 95814

Subject: Continuing Transportation Funding Crisis

Dear Honorable Anthony Cannella,

We are greatly alarmed by the deletion of \$754 million in funding for critical transportation improvements from the State Transportation Improvement Program (STIP). Current law required the California Transportation Commission to revise the Fund Estimate for the STIP due to lower forecasted state gas tax revenues. The revenues are decreasing because of cheaper gas prices along with Californians buying less gas due to fuel efficiency gains.

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### **What This Funding Cut Means for Monterey County**

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We respectfully request your support to work with fellow Legislators to help identify a timely solution to address this serious issue with transportation funding. Please contact me at (831) 775-0903 if you have any questions or would to discuss further.

Sincerely,



*for* Debra L. Hale  
Executive Director

Cc: Members, Senate Transportation and Housing Committee  
Members, Assembly Transportation Committee  
Mr. Bob Alvarado, Chair, California Transportation Commission  
Commissioners, California Transportation Commission  
Mr. Brian Kelly, Secretary, California State Transportation Agency  
Mr. Will Kempton, Executive Director, California Transportation Commission  
Mr. Malcolm Dougherty, Director, California Department of Transportation  
Mr. Bill Higgins, Executive Director, CalCOG  
Mr. Sarkes Khachek, Moderator, Regional Transportation Planning Agencies



March 8, 2016

Assembly Member Luis Alejo  
30th Assembly District  
P.O. Box 942849  
Sacramento, California 94249-0030

Subject: Continuing Transportation Funding Crisis

Dear Honorable Luis Alejo,

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The precipitous decline in fuel tax revenues is likely to result in the deletion of \$6.9 million currently programmed in the STIP for projects in Monterey County. The STIP funds intercity rail, highways, and transit capital improvements. These are extremely important projects that have been in development for many years. The projects are also critical to meeting national, state, regional and local goals and priorities—like meeting the state’s climate reduction goals. These projects also help assure safety, reduce congestion, improve local facilities for bicyclists and pedestrians, and these projects create jobs. The following table provides a summary of projects that are proposed to receive funding cuts or delays in our region.



Project Title	Location	STIP Amount	Project Benefits
US 101 South County Freeway Conversion	Salinas Valley	\$5.0 million	This project will construct frontage roads from Soledad to south Salinas. This segment of Route 101 is a 4-lane expressway that includes twelve at-grade intersections and numerous private driveways within the project limits. The segment's lack of controlled access with traffic entering and exiting numerous at-grade intersections, trucks crossing railroad tracks, and slow moving agricultural equipment mixing with high-speed interregional traffic results in congestion and safety concerns.
Highway 156 Improvement Project	North County	\$32.5 million	The State Route 156 Improvement project will construct a new 4-lane freeway between Castroville and the existing 101 interchange in Prunedale. The existing 2-lane facility will be converted to a frontage road. This route is a major regional and interregional thoroughfare used by tourists, commuters, freight shipping vehicles, and residential travelers.
Imjin Road Widening	Marina	\$1.65 million	Imjin Road, provides regional access between the City of Salinas and the Monterey Peninsula, linking commuters with residential areas, places of employment, and educational institutions. This project will widen the route from two to four lanes, improve safety at intersections, and provide multimodal facilities to improve bicycle, pedestrian and transit access.

### How We Got to This Point

The problem is with the structure of transportation funding. The downward revision to the STIP Fund Estimate is due to the estimated decrease to the price-based portion of the State gasoline tax that is currently the only fund source for the STIP. This is a volatile source of funding, since it is subject to adjustments based on fluctuations in the price of gasoline. The rate (established as part of the "fuel tax swap" enacted in 2010) is set annually by the Board of Equalization at a level that generates the same amount of revenue as would have been received if the sales tax on gasoline had remained in effect. The current rate was decreased from 18 cents to 12 cents as of July 1, 2015. Due to the price of gasoline in the past year, the Board of Equalization is expected to reduce the tax further to 10 cents at their next meeting this Spring. As such the CTC adopted a STIP Fund Estimate at their January meeting cutting \$754 million from the program, which reflects the reduction in the price based tax.

If no action is taken by the Legislature, this funding crisis will persist, and place additional Monterey County projects at risk of funding cuts or deletion from the STIP. The following table lists the projects in Monterey County that could be impacted if the Legislature does not act:

Project Title	Location	STIP Amount	Project Benefits
State Route 1 Operational Improvements	Carmel	\$3.0 million	This project will extend the truck climbing lane from Carmel Valley Road to Rio Road. The project will also improve the intersections at Rio Road and Carmel Valley Road to allow for improved bicycle, pedestrian and motor vehicle access.
Highway 68 Corral de Tierra	Salinas – Monterey	\$1.7 million	The project will improve safety and traffic flow at the Highway 68 and Corral De Tierra intersection by adding dual left turn lanes from westbound Hwy 68, adding a southbound merge lane and a northbound right turn lane on Corral De Tierra, and adding a fourth leg to the intersection.
Capitol Corridor Extension to Monterey County	Salinas	\$18.865 million	The Capitol Corridor Extension to Monterey County project extends rail service 68 miles from Santa Clara County to Salinas with future stops in Pajaro/Watsonville and Castroville. This project will save \$2.2 million annually in avoided highway accidents; offset \$1.8 million annually in traveler delay; and generate \$3.2 million annually in revenues, with annual ridership of 150,000.
Monterey- Salinas Transit Bus Replacement	County wide	\$2.0 million	Stable transit service is a critical part of the region’s Sustainable Communities Strategy. This funding will leverage an additional \$8.0 million of federal funds to purchase over 20 new full-sized buses.

We respectfully request your support to work with fellow Legislators to help identify a timely solution to address this serious issue with transportation funding. Please contact me at (831) 775-0903 if you have any questions or would to discuss further.

Sincerely,

*DLH* Debra L. Hale  
Executive Director

Cc: Members, Senate Transportation and Housing Committee  
Members, Assembly Transportation Committee  
Mr. Bob Alvarado, Chair, California Transportation Commission  
Commissioners, California Transportation Commission  
Mr. Brian Kelly, Secretary, California State Transportation Agency  
Mr. Will Kempton, Executive Director, California Transportation Commission  
Mr. Malcolm Dougherty, Director, California Department of Transportation  
Mr. Bill Higgins, Executive Director, CalCOG  
Mr. Sarkes Khachek, Moderator, Regional Transportation Planning Agencies



March 8, 2016

The Honorable Mark Stone  
29th Assembly District  
P.O. Box 942849  
Sacramento, California 94249-0029

Subject: Continuing Transportation Funding Crisis

Dear Honorable Mark Stone,

We are greatly alarmed by the deletion of \$754 million in funding for critical transportation improvements from the State Transportation Improvement Program (STIP). Current law required the California Transportation Commission to revise the Fund Estimate for the STIP due to lower forecasted state gas tax revenues. The revenues are decreasing because of cheaper gas prices along with Californians buying less gas due to fuel efficiency gains.

We urge the Legislature to take action to fund the STIP by restoring the price base excise tax to its former rate before the 2010 “fuel tax swap” and allowing the STIP funding revenue to adjust with inflation. Californians are frustrated with the declining condition of their transportation system and want their leaders in Sacramento to act swiftly to provide funding needed to repair roads and bridges, reduce traffic congestion, expand transportation alternatives and make the system more sustainable.

The Transportation Agency for Monterey County supports the proposals by the Governor (proposed 2016-17 budget), Assembly Member Frazier (AB 1591), and Senator Beall (SB 1X-1). All propose removing the fuel swap mechanism that has required the downward forecasts and restores the price based excise tax to the 18 cent mark. All three proposals would also allow the excise tax rate to adjust for inflation every three years.

### **What This Funding Cut Means for Monterey County**

The precipitous decline in fuel tax revenues is likely to result in the deletion of \$6.9 million currently programmed in the STIP for projects in Monterey County. The STIP funds intercity rail, highways, and transit capital improvements. These are extremely important projects that have been in development for many years. The projects are also critical to meeting national, state, regional and local goals and priorities—like meeting the state’s climate reduction goals. These projects also help assure safety, reduce congestion, improve local facilities for bicyclists and pedestrians, and these projects create jobs. The following table provides a summary of projects that are proposed to receive funding cuts or delays in our region.



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