

Agenda Item: 3.7.1

FINAL MINUTES

**TRANSPORTATION AGENCY FOR MONTEREY COUNTY
EXECUTIVE COMMITTEE MEETING**

*Members are: Frank Sollecito. (Chair),
Lou Calcagno (1st Vice Chair), Steve Villegas (2nd Vice Chair),
Dave Potter (Past Chair), Simón Salinas (County representative),
Sue Kleber (City representative)*

Wednesday, August 5, 2009

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

Transportation Agency Conference Room
55-B Plaza Circle, Salinas

1. **CALL TO ORDER:** Chair Sollecito called the meeting to order at 9:01 a.m. Board members present: Calcagno, Kleber, Potter, Sollecito, Villegas and alternate Dunham for Salinas. Staff present: Bachman, Goel, Muck, Rodriguez, and Watson. Others present: Carl Sedoryk, MST and Paul Schlesinger, Alcalde & Fay, via phone.
2. **PUBLIC COMMENTS:** None.
3. **CONSENT AGENDA**

On a motion by Board member Potter and second by Board member Kleber the committee voted 5 – 0 to approve the consent items as follows:

- 3.1 Approved enclosed minutes from the Executive Committee meeting of June 3, 2009. – Rodriguez
- 3.2 Regarding JEA & Associates Contract Amendment #4 – State Lobbyist Services, recommended that the Agency Board:
 1. Approve the contract amendment #4 with JEA & Associates to continue to provide professional advice and services relating to the Agency's interests in federal, state and local government, for a monthly retainer amount of \$3,000;
 2. Authorize the Executive Director to execute the contract amendment and changes to the contract if such changes do not increase the Agency's net cost, subject to approval by Agency Counsel;
 3. Authorize the Executive Director to sign extensions to the agreement for two (2) one-year terms beyond June 30, 2010, on the same terms and conditions in the original agreement; and
 4. Authorize the use of no more than \$3,000 per month from planning funding for the contract.

Vice Chair Calcagno expressed concerns regarding the monthly expenses and asked for specific estimates for the amount of expenses to be included in the Board report. Board member Potter noted Mr. Arriaga's legislative work provides a return on the Agency's investment.

- 3.3** Regarding Alcalde & Fay Contract Amendment #8 – Federal Lobbyist Services, recommended that the Agency Board:
- 1.** Approve the contract amendment #8 with Alcalde & Fay to continue to provide federal lobbyist services not to exceed the amount of \$66,000;
 - 2.** Authorize the Executive Director to execute the contract amendment and changes to the contract if such changes do not increase the Agency's net cost, subject to approval by Agency Counsel;
 - 3.** Authorize the Executive Director to sign extensions to the agreement for two (2) one-year terms beyond June 30, 2010, on the same terms and conditions in the original agreement; and
 - 4.** Authorize the use of no more than \$76,000 per year from planning funding for future annual extensions.

Board member alternate Dunham noted a typo in the report and requested it be fixed for the Board report.

- 3.4** Recommended that Board of Directors approve evaluation form, procedure, and timeline for completing annual evaluation for Executive Director and Counsel.
- 3.5** Recommended that the Board approve minor revisions to Agency Bylaws.

END OF CONSENT

4. RECEIVED federal legislative update.

Paul Schlesinger, Agency legislative consultant, gave an update via telephone on the federal legislative activities. He reported that the House is in recess and the Senate will be taking recess soon. This is a busy year for transportation. Mr. Schlesinger noted that the six-year transportation authorization bill appears stalled due to difficulty in raising revenues. The Senate is moving toward with an 18-month extension of the current law. An extension of existing law means programs would be funded at existing levels. He also reported that Congress is currently working on the Fiscal Year 2010 transportation appropriations bill. He noted that Congressman Farr included funding for the Monterey Bay Sanctuary Scenic Trail in the House version of the appropriations bill.

5. APPROVED staff recommendation to the Board of Directors to allow the Transportation for Livable Communities Transit-Oriented Development incentive grant for the City of Marina to lapse.

On a motion by Board member Potter and second by Board member Villegas, the committee voted 6 – 0 to approve staff recommendation to the Board of Directors to allow the Transportation for Livable Communities Transit-Oriented Development incentive grant for the City of Marina to lapse.

Don Bachman, Deputy Executive Director, reported that the City of Marina has received three extensions of the deadline to receive a building permit for the \$300,000 award granted to the Marina Transit Center project in 2003. The City is now requesting a fourth grant extension, as the project did not meet the current deadline of July 25, 2009. Staff recommends allowing the incentive grant for the City of Marina to lapse for a variety of reasons. First, the integrity of the grant program should be retained. Other jurisdictions, including the City of Salinas and Monterey County, both gave up their grants when project deadlines were not met. Secondly, funding for the Transportation for Livable Communities program originates from the federal Regional Surface Transportation Program. He noted that through the formula fair-share and the competitive project-specific process, the Agency has allocated funds to the member agencies for a variety of transportation improvements and the funds are over programmed. Returned Marina project funds would be available for other projects. Future Regional Surface Transportation Program funds, starting in fiscal year 2010/11, have been pledged as non-state match for the US 101 San Juan Road project, pending grants from other sources, to ensure \$57 million of state discretionary funds stay committed to the project.

Vice Chair Calcagno reported that the Red Barn is a bottleneck to the US 101 corridor and is a major problem for Monterey County.

Carl Sedoryk, MST, reported that this is a City of Marina application project, and noted that MST sponsors and supports Marina's request for another 1-year extension.

Board member Potter noted that given Marina's lack of attendance, he supports staffs recommendation to re-program these funds elsewhere. Chair Sollecito concurred.

6. RECEIVED state budget update.

Don Bachman, Deputy Executive Director, gave an update on the state budget. He reported that the Assembly opposed diverting the local government gas tax funds from the city and county. He noted that \$315 million was taken from school transportation funds to pay for transit bonds. He also noted that \$135 million was borrowed from the state highway account. Mr. Bachman reported that none of the Proposition 42 funds were taken. The state did take RDA funds and property taxes from local governments; the impact on transportation would be on a case-by-case basis. In conclusion, Mr. Bachman noted that there is concern regarding the impact of the budget on the ability to sell bonds to provide cash for projects. Two projects that could be delayed are the Prunedale Improvement Project and the Airport Boulevard interchange project.

7. RECEIVED report on the status of Agency funds in the County of Monterey's Investment Pool.

Rita Goel, Director of Finance & Administration, reported that the County's portfolio included Lehman Brothers and Washington Mutual bonds, which defaulted in September 2008. As of June 30, 2009, these bonds were devalued down and losses were shared among the investment pool participants according to their assets in the pool. She noted that there was a loss of \$601,605 to Agency funds, noting this is less than expected. Accordingly, adjustments will be made to the Agency's accounts for the Regional Surface Transportation Program, TAMC, State Transit Assistance, and Local Transportation Fund. In conclusion, Ms. Goel reported that the County Treasurer, along with other public agencies officials, continues an aggressive effort to recover the defaulted assets. If recovery efforts are successful, the Agency's losses may be reduced at a future date.

8. **RECEIVED** report on draft agenda for TAMC Board meeting of August 26, 2009.

Deputy Executive Director Bachman reviewed the draft agenda. He reported that staff would be asking the Board to approve the Executive Committee's recommendation to allow the Transportation for Livable Communities Transit-Oriented Development incentive grant for the City of Marina to lapse. He noted that the Board would receive an update on Highway 156, the status of Agency funds in the County of Monterey's Investment Pool and the Strategic Expenditure Plan for the Regional Development Impact Fee Program. Mr. Bachman highlighted the consent agenda noting that the Board would be asked to accept State of California Transportation Development Act Compliance and Audit Report for City of King City for fiscal year ending June 30, 2008. He reported that the Board would be asked to approve the scopes of work for the contracts with Parsons Transportation Group, Alcalde & Fay and JEA & Associates. In conclusion, he reported that the Board will be asked to approve consultant work for the purchase of the Powers RV property for the Caltrain Extension project.

9. **ADJOURNMENT:**
Chair Sollecito adjourned the meeting at 10:08 a.m.

Respectfully Submitted,

Elouise Rodriguez, Senior Administrative Assistant