

**SAN BENITO COUNTY
COUNCIL OF GOVERNMENTS
REGULAR MEETING**

August 18, 2011 2:00 P.M.

FINAL MINUTES

MEMBERS PRESENT:

Chair De La Cruz, Director Boch, Director Botelho, Director Gomez and Alternate Director Valdivia

STAFF PRESENT:

Deputy County Counsel, Shirley Murphy; Transportation Planning Manager, Mary Gilbert; Administrative Services Specialist, Kathy Postigo; Secretary, Monica Gomez

OTHERS PRESENT:

Aileen Loe, Caltrans District 5

CALL TO ORDER:

Chair De La Cruz called the meeting to order at 2:01 P.M.

A. PLEDGE OF ALLEGIANCE

B. CERTIFICATE OF POSTING

Upon a motion duly made by Director Gomez, and seconded by Director Botelho, the Director's unanimously approved the Certificate of Posting.

C. PUBLIC COMMENT: None

D. EXECUTIVE DIRECTOR'S REPORT – Rheinheimer/Gilbert

Ms. Gilbert reported that the issue of possible separation from AMBAG would be deferred to the September COG meeting.

Ms. Gilbert reported good news that COG should be receiving funds through the FTA for replacement transit vehicles.

E. CALTRANS DISTRICT 5 REPORT – Krumholz

Aileen Loe reported on behalf of Director Krumholz. Ms. Loe provided a review of Caltrans Project Update Report.

Ms. Loe mentioned that the Prunedale Improvement Project is underway and reminded drivers to move over and slow down for workers in the project area. This is in response to the three fatalities of Caltrans workers that occurred while on the job.

Director Botelho mentioned that he attended a meeting along with COG staff and Caltrans District Director, Richard Krumholz regarding the Highway 156 Improvement Project. There was discussion

about different ideas to consider for the project, such as the possibility of a roundabout. Director Botelho requested that the Board receive a report at the next meeting from Caltrans Engineers regarding the feasibility of the items that were discussed.

Ms. Loe stated that it was not definite on when the report would be ready for the Board; however, she mentioned that the proposals that were discussed are still compatible with the CEQA document which allows them to continue to evaluate the proposals.

F. BOARD OF DIRECTORS REPORTS:

Director Botelho reported that he attended the AMBAG meeting last week. AMBAG has started working on revising the population economic development projections for the region. Director Botelho stated that AMBAG is also holding discussions on whether or not they should exist as an agency. They are considering whether some of the transportation programs could be directed to agencies such as TAMC, and COG. AMBAG should be providing a report at their September meeting.

Chair De La Cruz directed staff to provide a staff report on the impact that the West Palm Gates Apartments will have on traffic at the intersection of Westside Blvd. and Central Ave. Chair De La Cruz suggested that the apartments may possibly warrant a four way stop at that intersection.

Chair De La Cruz directed staff to put together an Ad-Hoc Transit Committee to come up with ideas to increase ridership. Chair De La Cruz appointed himself and Director Emerson to the Committee.

Director Valdivia stated that she wanted to make staff aware of a safety issue and unsafe stop across from the Health Foundation. She witnessed riders having a difficult time crossing the street to get to the bus.

CONSENT AGENDA:

1. **APPROVE** Council of Governments Draft Meeting Minutes Dated July 21, 2011 – Gomez
2. **RECEIVE** Minutes from Council of Governments Technical Advisory Committee Meeting Dated July 7, 2011 – Gomez
3. **APPROVE** Council of Governments Transaction Report (Financial Claims) Dated June 30, 2011 – July 2011 – Postigo
4. **RECEIVE** Construction Projects Report – Caltrans District 5
5. **Contribution to California Statewide Local Streets and Roads Needs Assessment** – Gilbert
 - a. **APPROVE** Allocation of Regional Surface Transportation Program Funding to Fund a Proportionate Share of the Statewide Local Streets and Roads Needs Assessment
 - b. **AUTHORIZE** Chairperson to Sign Letter of Concurrence to Caltrans Resolution 11-08 Concerning Unmet Public Transportation Needs Funding Implementation of the Program for Fiscal year 2011/2012

Chair De La Cruz pulled Item 4 from the Consent Agenda to allow public comment.

Upon a motion duly made by Director Gomez, and seconded by Director Botelho, the Director's approved Items 1- 3, and 5 from the Consent agenda, with an abstention from Director Valdivia on Item 1.

PUBLIC COMMENT:

Item 4

Marvin Jones

Mr. Jones inquired about the Highway 156 project and whether the flood plains were covered in the EIR document.

Ms. Gilbert stated that the hydrology issue was addressed in the Supplemental EIR document.

REGULAR AGENDA

TRANSPORTATION ITEMS:

- 6. RECEIVE** Information on Potential Truck Route Legislation in San Benito County and **AUTHORIZE** Chairperson to Sign Letter of Support – Gilbert

Ms. Gilbert stated that she received recent information from Senator Canella's office regarding the potential for state legislation to temporarily reduce restrictions on truck lengths in the County. Similar legislation, Senate Bill 1237 (Maldonado) was passed in 2006 and allowed for reduced restrictions for trucks in San Luis Obispo County. Senator Canella is currently researching the opportunity to sponsor a trailer bill for similar legislation but it would not be possible prior to Senate recess that will begin September 9. Ms. Gilbert stated that because COG will not meet prior to the September 9 and therefore this item would be brought back to the Board at a later date.

Director Boch inquired about one of the potential legislation conditions that states: *No truck allowed on US 101 (National Network)*.

Ms. Gilbert stated that she would have to do some research and report back to Director Boch.

Director Botelho stated that the problem is not being addressed correctly. The problem is not so much getting to the processing plant, it's that farms and facilities need to be able to load finished product onto the trucks to go cross-country and get the product to the different destinations, such as Safeway stores etc. because these are the trucks that are getting cited by CHP. Director Botelho added that the condition which states: *Length of trip limited to crop point of origin to closest processing facility*, should be removed from the list of conditions all together.

Ms. Gilbert stated that perhaps there was some disconnect with staff regarding the issue and stated that she would look into the issue and meet with Director Botelho to discuss in more detail.

Director Botelho recommended setting up an Ad-Hoc committee to sit in during the negotiation discussions.

ADMINISTRATION AGENDA:

- 7. APPROVE** Budget Adjustment/Transfer #10-11-15 – Postigo

Administrative Services Specialist, Kathy Postigo reported that the FY 2010/2011 preliminary year end shows that there are funds available from the Highway 25 Safety and Operational Enhancements Project to transfer to the Highway 25 Bypass Project. Remaining costs associated with the Highway 25 Bypass Project include settlement judgments and court costs. Measure A is approximately \$910,000 under budget at year end. In the FY 2011/2012 COG budget, an additional \$50,000 is budgeted from Highway 25 Safety into Measure A to cover additional anticipated legal costs.

Staff requested that the Board approve the transfer of \$910,000 to the Highway 25 Bypass Project from the Highway 25 Safety and Operational Enhancement Project.

There was brief discussion regarding whether or not the Board is allowed to transfer funds to the MEA.

PUBLIC COMMENT:

Marvin Jones

Mr. Jones stated the MEA funds were very specific funds to be used on a particular project and the Board may be getting on a "slippery slope" by transferring the funds to another project.

Director Gomez clarified that the funds would be transferred into the MEA fund and not the other way around.

Upon a motion duly made by Director Gomez, and seconded by Director Valdivia, the Directors unanimously approved Item 7.

Addendum to the Agenda

7.1 Dunne Park Collaborative – Gilbert

- a. **APPROVE** COG Participation in the Dunne Park Neighborhood Collaborative
- b. **APPROVE** Letter of Support for the Dunne Park Collaborative Promise Neighborhood Program Planning Grant and **AUTHORIZE** the Chairperson to Sign

Ms. Gilbert stated that a group of community organizations began meeting in a collaborative effort to address issues in the Dunne Park neighborhood related to access to education and improved outcomes for children and families. The Dunne Park Neighborhood Collaborative is seeking support from other organizations to participate in the collaborative and to send letters of support for a Promise Neighborhood Planning Grant.

Ms. Gilbert introduced Lisa Faulkner, Executive Director of First Five San Benito.

Ms. Faulkner provided an overview of the Dunne Park Neighborhood Promise Neighborhood Program Planning Grant. Ms. Faulkner stated that she has presented this collaborative effort to the City and County Boards and has received their support and was asking for the COG Board's support as well.

PUBLIC COMMENT:

Marvin Jones

Mr. Jones stated that the City of Hollister appears to be losing control over Dunne Park and he would not like to see COG get its "hooks" into it and take control of one of the City's "prized jewels".

Board members commented on how this is a great collaborative effort for the community and reminded members of the public that the COG Board would not be taking a lead role in any activities.

Upon a motion duly made by Director Valdivia, and seconded by Director Gomez, the Directors unanimously approved Item 7.1 a. & b.

Upon a motion made by Director Boch, and seconded by Director Valdivia, the Directors voted to adjourn the COG meeting.

ADJOURN TO COG MEETING SEPTEMBER 15, 2011.