

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

**July 21, 2011 2:00 P.M.**

**FINAL MINUTES**

**MEMBERS PRESENT:**

Chair De La Cruz, Director Boch, Director Botelho, Director Gomez and Vice Chair Emerson

**STAFF PRESENT:**

Deputy County Counsel, Shirley Murphy; Transportation Planning Manager, Mary Gilbert;  
Transportation Planner, Veronica Lezama; Secretary, Monica Gomez

**OTHERS PRESENT:**

Richard Rosales, Brandy Rider, Deb Larson, Steve Price, Caltrans District 5

**CALL TO ORDER:**

Due to the Board of Supervisors Budget Hearings, Chair De La Cruz called the meeting to order at 2:00 P.M. and adjourned to July 21, 2011 at 3:00 P.M. at the Board of Supervisors Chambers.

Chair De La Cruz called the meeting to order at 3:01 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 discussions of possible reorganization of our Regional Transportation Planning Agencies and how they work with AMBAG are ongoing throughout the region. Staff will provide an update on these discussions at a future COG meeting.

Ms. Gilbert reported that staff continues to work with the City and County on the truck route issue in San Benito County. Ms. Gilbert mentioned that Senator Cannella's office is proposing potential legislation that may help with truck limits and size limits on County roads. Staff will provide an update at the next COG meeting.

Ms. Gilbert was pleased to announce that Executive Director, Lisa Rheinheimer had her baby the night before.

The COG Board sent their regards to Ms. Rheinheimer and new baby.

**E. CALTRANS DISTRICT 5 REPORT – Krumholz**

Brandy Rider reported on behalf of Director Krumholz.

Ms. Rider reported that the State Budget passed June 28<sup>th</sup>; as a result, there is no longer an issue with awarding any potential projects.

Ms. Rider noted that the Highway 156 Lighting project at Buena Vista Road was awarded July 5, 2011. In addition, the Highway 101/San Juan Road Interchange project was added to the projects in development list, as requested by the Board.

As a follow up to Director Emerson’s concern about the Highway 25 curb in front of Safeway, Ms. Rider stated that Caltrans completed an investigation and found that a marker was not placed as per the original design plans. Caltrans made a work order to resolve the issue.

Ms. Rider stated that Caltrans has implemented a statewide “Move Over” campaign. This is in response to a recent law that was passed that states that drivers should move over out of the lane as safely as possible for flashing yellow lights. This is in response to the three deaths in Southern California of Caltrans workers.

**F. BOARD OF DIRECTORS REPORTS: None**

**CONSENT AGENDA:**

1. **APPROVE** Council of Governments Draft Meeting Minutes Dated June 16, 2011 – Gomez
2. **RECEIVE** Minutes from Council of Governments Technical Advisory Committee Meeting Dated May 5, 2011 – Gomez
3. **APPROVE** Council of Governments Transaction Report (Financial Claims) Dated June 2011 – Postigo
4. **RECEIVE** Construction Projects Report – Caltrans District 5
5. **2011 Unmet Transit Needs Report** – Gilbert
  - a. **RECEIVE** 2011 Unmet Transit Needs Report.
  - b. **ADOPT** Resolution 11-08 Concerning Unmet Public Transportation Needs Funding Implementation of the Program for Fiscal year 2011/2012
6. **RECEIVE** Council of San Benito County Governments 2011 Triennial Performance Audit Recommendations Implementation Plan – Gilbert
7. **APPROVE** Addendum “C” to Lease for Office Space with Hidalgo, Inc. for the Last Two Years of Lease Agreement – Postigo

Ms. Gilbert asked to pull Item 5 from the Consent Agenda.

*Upon a motion duly made by Director Botelho, and seconded by Director Emerson, the Director’s unanimously approved Items 1- 4, 6, and 7 from the Consent agenda.*

Chair De La Cruz announced that the Board would move Item 9 up on the agenda and then convene the ALUC agenda due to the scheduled Public Hearing at 3:00 p.m. The Board will then reconvene the COG Agenda.

**REGULAR AGENDA**

**TRANSPORTATION ITEMS:**

9. State Route 156 Improvement Project Design Modifications – Gilbert/Rosales
  - a. **RECEIVE** Report from Caltrans District 5
  - b. **ADOPT** Resolution 11-09, Supporting Potential New Project Design Concepts

Ms. Gilbert introduced Project Manager, Richard Rosales, who provided a Power-Point presentation on the feasibility of incorporating the proposed new design concepts into the project design.

Mr. Rosales stated that after completing the study, Caltrans staff concluded that the roundabout at Bixby Road is feasible, however, Caltrans did not recommend it be constructed at this time because they were not proposed to put in an intersection at the location and there is not enough traffic on County roads to dictate a roundabout or traffic signal at the Bixby Road location. Caltrans recommended having the signal at Union Road in lieu of a roundabout. Caltrans will report back to the Board after reviewing the potential median width reduction.

Director Botelho inquired about what traffic model was used to obtain the data.

Mr. Rosales stated that Caltrans used the 2005 AMBAG Model and supplemented it with physical counts.

There was discussion about the amount of traffic currently going across the expressway and the projected traffic for the year 2030.

Director Botelho proposed having a parallel project at the Alameda.

Mr. Rosales stated that the roundabout at the Alameda was discussed at a previous meeting, however Caltrans noted that construction of a roundabout at the Alameda could not be considered for this project because it is outside the limits of the scope of the environmental document.

Director Botelho stated that there is discussion of Highway 152 realignment in the year 2030 and if it comes to pass it will have a huge impact on Highway 156. Director Botelho stated that the Board is making a decision today on roundabouts, but they don't have the full picture of future planning.

Mr. Rosales stated that they did complete a System Analysis Study in 2008 which included the construction of a possible Highway 152 realignment and they came up with the Highway 156 project as a whole would still be needed.

Director Boch noted that the City of San Juan Bautista endorsed the new concept regarding roundabouts.

Mr. Rosales thanked the City of San Juan Bautista and the City of Hollister for the letters and Resolutions which will all be utilized in the decision making process.

There was discussion about converting the existing highway to an access road with a bike path.

Mr. Rosales stated that Caltrans would work with County Public Works on whether Caltrans would bring the road to a state of good repair at an estimated cost of \$1million or would Public Works take the \$1million and complete their own improvements. Another option would be to discuss the County signing off on the plans.

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

Chair De La Cruz concurred with Director Botelho's recommendation and will take it into consideration.

**PUBLIC COMMENT:**

**Scott Fuller**

**San Juan Oaks Golf Club**

Mr. Fuller thanked Caltrans for reviewing other options. Mr. Fuller stated that the private engineer came up with the design of a 20 ft median barrier, but the overall savings of farmland from the private proposal

vs. Caltrans proposal is close to 50 acres because Caltrans can't deal with the historic structure that would be moved privately. By moving the structure privately, it allows the new road to come very close to the existing road which turns into the access road and bike path. The private proposal's footprint is 112 ft narrower from the length of Breen Road to Union Road, than Caltrans' proposal. The savings of 50 acres times \$30,000 is \$1.5 million, vs. just looking at the Caltrans barrier median reduction of \$200,000 savings. Mr. Fuller stated that the reduction of a median affects the need for control at the intersection, and a roundabout would work at that intersection to allow the farm traffic to get across the road safely and to allow the refuge that is needed. Mr. Fuller stated that in the future Bixby Road is where San Juan Oaks Golf Club's secondary traffic will come out. This will be a fairly significant amount of traffic well before the year 2030. Mr. Fuller stated that San Juan Oaks is privately paying to do further review done. Lastly, Mr. Fuller urged the Board to adopt these concepts and mentioned that the City of Hollister, City of San Juan Bautista, and San Benito County have already done so.

Chair De La Cruz closed public comment.

Director Gomez inquired if Caltrans had taken into consideration the 20 ft median barrier instead of the 30 ft median barrier, as well as bringing the road closer to the frontage road like the private engineer had proposed.

Mr. Rosales stated that Caltrans was seeking an advisory exception to the design standards from 46 ft to 30 ft. and moving the road closer to the frontage road has not been part of Caltrans discussions, it is being discussed privately.

Director Emerson inquired if any analysis had been done to measure an increase in efficiency or a decrease in efficiency for roundabouts with a 30 ft median.

Mr. Rosales stated the 30 ft median creates a much smaller refuge for agriculture trucks on the traversing side of the County road. Caltrans will have to research further. Mr. Rosales noted that Caltrans is not precluding an option for a roundabout at Bixby Road and they may review using the 30ft median option as well.

Director Botelho stated that he was discouraged with the discussion. He stated that the 20 ft median and roundabout were suggested for good reason and he would like to continue to work in this direction. He noted that he fully supported Resolution 11-09.

Director Gomez thanked Mr. Rosales and Caltrans staff for their effort on the project. Director Gomez concurred with Director Botelho's concerns with regard to the median barrier.

After continued discussion between Caltrans and the Board, the COG Board directed staff to incorporate the following sentence to the end of Resolution No. 11-09:

*- Whereas the City of Hollister, City of San Juan Bautista, and the San Benito County Board of Supervisors also support the design concept.*

*Upon a motion duly made by Director Botelho, and seconded by Director Emerson, the Directors unanimously adopted Item 9 with the above noted inclusion to Resolution No. 11-09.*

Chair De La Cruz postponed the COG agenda and convened the ALUC agenda due to the scheduled Public Hearing at 3:00 p.m.

Chair De La Cruz reconvened the COG meeting at 4:18 p.m.

**Item 5 from Consent**

Ms. Gilbert pulled item 5 from the Consent agenda to note a correction to Resolution No. 11-08. Staff provided a handout with an updated Resolution No. 11-08 noting the correction in **bold** as follows:

WHEREAS, COG held duly noticed public hearings on the 3<sup>rd</sup> and 17<sup>th</sup> days of March 2011 to determine whether there are any unmet public transportation needs, and all those who attended the public hearings were given the opportunity to hear and be heard regarding all matters **properly** before the COG and COG considered all public testimony ;and

*Upon a motion duly made by Director Botelho, and seconded by Director Gomez, the Directors unanimously Adopted Item 5 as corrected.*

Chair De La Cruz excused himself from the COG meeting due to a prior engagement. Vice-Chair Emerson presided over the rest of the COG meeting.

**8. DISCUSS** Safety Statistics and Planned Improvements to State Route 129 – Gilbert/Caltrans District 5

Ms. Gilbert stated that at its May meeting, the COG Board directed staff to request that Caltrans provide information on planned or proposed improvements on State Route 129 in San Benito and Santa Cruz Counties. The request was initiated in response to safety concerns with State Route 129.

Ms. Gilbert introduced District Traffic Safety Engineer, Deb Larson, from Caltrans District 5, who provided a Power-Point presentation on Caltrans Traffic Safety Program and Highway 129. Ms. Larson reviewed Caltrans Safety Program Objective and Responsibilities as well as recent improvements and improvements currently in process on Highway 129.

Director Botelho expressed appreciation to Caltrans for the improvements on Rogge Lane. He inquired about any improvements being made as you turn onto Chittenden Road since there have been fatalities in the area.

Ms. Larson stated that Caltrans has just completed the project study report and the project is being amended into the State Highway Operation Protection Program and are getting ready to start the environmental process. The project would provide curve realignment west of the railroad underpass. The project would be ready to list June 2014 (target date). In the interim, Caltrans is initiating a project to install flashing beacons on curve warning signs.

Ms. Larson mentioned that there is now a Highway 129 Safety Corridor Task Force in place and the next Task Force meeting is tentatively scheduled for August 18<sup>th</sup>.

COG Board members expressed appreciation to Caltrans for the report and the improvements that are being made on Highway 129. The Board noted their continued support on any improvements needed on this Highway.

**ADMINISTRATION AGENDA:**

**10. APPROVE** Contract with JJACPA, Inc. for Financial Audit for Fiscal Year Ending June 30, 2011 for an Amount not to Exceed \$14,545 – Postigo

Ms. Gilbert reported that In April, the Council of Governments Board authorized staff to issue a Request for Proposals for the financial audit. Staff sent out the Request for Proposals to twenty accounting firms. All the local firms were contacted to inquire if they preformed government audits and were sent an RFP if requested.

Three firms submitted proposals for the financial audit. After evaluating the proposals received, the review panel recommended JJACPA, Inc. as the preferred auditor. The contract is for one year and unless

terminated, automatically renews for three successive one-year periods.

There was no public comment on this item.

*Upon a motion duly made by Director Gomez, and seconded by Director Boch, the Directors unanimously approved Item 10.*

*Upon a motion made by Director Gomez, and seconded by Director Botelho, the Directors voted to adjourn the COG meeting.*

**ADJOURN TO COG MEETING AUGUST 18, 2011.**