

MINUTES

SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

Thursday, January 16, 2003

**Board of Supervisor Hearing Room
511 East Lakeside Parkway
Santa Maria, CA**

1. **Call to Order and Roll Call:**

Members Present: Naomi Schwartz, Supervisor, First District; Susan Rose, Supervisor, Second District (SBCAG Vice-Chair); Gail Marshall, Supervisor, Third District; Joni Gray, Supervisor, Fourth District; Joe Centeno, Supervisor, Fifth District; Victoria Pointer, Mayor, City of Buellton; Richard Weinberg, Mayor, City of Carpinteria; Jack Hawxhurst, Mayor, City of Goleta; Dick DeWees, Mayor, City of Lompoc; Gregg Hart, Councilmember, City of Santa Barbara (arrived at 8:38 a.m.); Larry Lavagnino, Mayor, City of Santa Maria (SBCAG Chair); David Smyser, Councilmember, City of Solvang; Gregg Albright, Caltrans District 5.

Members Absent: Sam Arca, Mayor, City of Guadalupe.

Staff Members Present: Jim Kemp, Executive Director; Michael Powers, Deputy Director of Planning; Ruth Garcia, Transportation Planner; Debbie Barber, Public Information/Government Affairs Coordinator; Cathy Muneio, Executive Secretary; Kevin E. Ready, Sr., Senior Deputy County Counsel.

2. **Pledge of Allegiance**

Chair Lavagnino called for the pledge of allegiance.

3. **Recess to Closed Session**

There were no items scheduled for closed session.

4. **Reconvene in Open Session**

5. **Approval of Minutes: December 19, 2002**

Supervisor Schwartz moved approval of the minutes of December 19, 2002. The motion was seconded by Mayor DeWees and carried with Supervisors Rose and Centeno abstaining.

6. **Public Comment**

Chair Lavagnino welcomed the new Fifth District Supervisor, Joe Centeno to the SBCAG Board.

7. **Approval of Consent Calendar:**

Mayor Weinberg asked why the cost of land was so high for the right of way acquisitions under Item 7C, the Route 101/154 (North) Interchange.

Mr. Kemp explained that the cost was not just for the acquisition or the capital costs but also for the surveying and mapping that will be required for recording the deeds for the property. He added that the cost is based on a property appraisal.

Supervisor Marshall moved approval of the consent calendar. The motion was seconded by Supervisor Gray and carried unanimously.

Councilmember Hart arrived at 8:38 a.m.

8. **CalTrans District Director's Report:**

Gregg Albright reviewed the Caltrans report with the Board.

Chair Lavagnino thanked Caltrans for keeping the lights on at Main Street during their construction.

Supervisor Schwartz said that she appreciated the status report made by Rob Miller relative to the Highway 101 Operational Improvements. The deadline for receiving public comments was January 15th. She said that the public had expressed concern about the proposed closure of the southbound onramp at Cabrillo/Hot Springs during the workshop on the Highway 101 operational improvements.

Supervisor Gray asked about if anything could be done to alleviate the traffic congestion at the area where the west bound traffic comes off of Highway 135 onto Hwy near the Vandenberg Air Force Base. She said that between 4:00 p.m. and 6:00 p.m. it backs up and you have to wait for the signals to turn about five times.

Mr. Albright said he would check into this.

Since there was a time certain at 10:00 a.m. for Item 9 – Unmet Transit Needs Hearing, Chair Lavagnino stated that the Board would return to that item but in the interim take additional items under consideration.

10. **Resolution of Appreciation**

Vice Chair Rose presented a resolution of appreciation to Councilmember Russ Hicks for his many years of dedicated service on the SBCAG Board.

Councilmember Hicks thanked the Board and staff. He expressed appreciation for the relationship that SBCAG has developed with Caltrans. He also recommended that every project be promoted to show the public the need to continue Measure D.

Chair Lavagnino expressed his appreciation to Councilmember Hicks as a member of the SBCAG Board.

11. **Overall Work Program**

Michael Powers presented the staff report. He explained that the addition of the Highway 101 Implementation Plan to address long range solutions on the Hwy 101 corridor was one of SBCAG's highest priorities and warranted a separate work element. Mr. Powers stated that the RFP had been sent to potential consultants for solicitation of services. He noted that SBCAG was looking into obtaining funding for this work, and that SBCAG was working independently to secure funding through grant programs. He said that there would be a better understanding of what would be necessary once the consultant had been selected.

Mr. Powers also noted that there were changes in the work element for the SR 246/Central/Purisima Travel Forecast due to concerns with the availability of funds. He said that he would start meeting with respective agencies in late May/June and that the work would be completed during the next fiscal year.

Mr. Powers said that the third change that was being recommended to the OWP was for the Inter-Regional Partnership for Jobs/Housing Balance.

Supervisor Gray asked for clarification on the changes associated with the Hwy 246 work element.

Mr. Powers noted that the changes were due to the need to obtain additional background information, and that this would delay the work by several months.

Supervisor Gray requested that she be kept informed on the status of this project. She asked what work had pushed the project back.

Mr. Powers responded that the unanticipated work on the Hwy 101 Implementation Plan had affected many work priorities.

Supervisor Schwartz moved to approve Resolution 03-02 to amend the 2002-03 Overall Work Program. The motion was seconded by Mayor Weinberg and carried unanimously.

12. **Route 101/Stowell Road and Donovan Road Interchanges**

Mr. Kemp presented the staff report. He explained that this was a project that had been funded through the local sales tax measure and that both projects were completed under a single contract. In September 2002 the Board had authorized a contract with MNS Engineers for construction management. He stated that the work completed by MNS exceeded the scope of services in the contract and this resulted in an increase in costs. He explained the reasons the extra services were needed.

Mr. Kemp noted that substandard work and quality control problems associated with one of the subcontractors required an increase in MNS's inspection and oversight efforts. Mr. Luna explained that when preparing bridge falsework the subcontractor had to brace the structure and that they had used concrete fasteners to brace into the concrete. He stated that several of those fasteners were not installed properly which would breach the integrity of the bridge construction and result in safety concerns. Construction was temporarily halted until a solution could be identified.

Mayor Weinberg asked why Granite Construction did not have to pay for this as the main contractor.

Mr. Luna explained that Granite Construction did incur extra oversight costs of their subcontractor as a result of an agreement to “resume work” negotiated between SBCAG and Granite. He said that they could have decided to use a different subcontractor to do the work but that would have incurred additional time and it was thought it was best to move forward. Mr. Kemp added that SBCAG contracted with MNS for construction management services—not Granite.

Mayor DeWees asked who had made the decision to go ahead with the work.

Mr. Kemp said that he took responsibility because if they had to pull the construction managers off site then costs could easily overrun additional costs as a result of the delays that would occur.

Mayor DeWees said that it was the SBCAG Board’s responsibility to authorize overruns such as these and that it should have come before the Board as the body that administers the public funds.

Mayor Lavagnino asked if it was the Board’s consensus to bring this type of item to the Board in the future prior to making a decision.

Supervisor Centeno said that what the Board was talking about was change orders and that this might preclude staff from coming to the Board. He noted that this was a safety issue. He asked if there was a discussion with the construction manager when this occurred.

Mr. Kemp said there was and he did agree with the comment that the Board should be kept informed on potential increases in project costs. He said that part of the reason for the delay was that they were not certain what the additional costs for MNS effort would be and that the figure presented to the Board was a cost that was negotiated to eliminate the costs that were not justified.

Supervisor Centeno asked if staff had met with Granite to discuss that subcontractor.

Mr. Luna said that there was a meeting with Granite when the breach occurred with the understanding that Granite would meet with the subcontractor.

Supervisor Centeno said that Granite Construction should have suffered the burden.

Chair Lavagnino said that the Board might want to authorize the amendments with the instruction for staff to meet with Granite and ask that they participate in the costs.

Supervisor Gray said this was similar to the Milpas Roundabout project and expressed concern about the Board being asked to approve added costs after they have already been incurred.

Chair Lavagnino asked that staff try to bring these types of issues to the Board sooner in the negotiation process so that the Board could provide some direction.

Supervisor Schwartz asked how SBCAG approaches liability practices and substandard contractor performance.

Mr. Kemp responded that in SBCAG's agreements with Caltrans SBCAG is obligated to provide the quality assurance for the work of the contractor in order to make sure the project meets state standards.

Supervisor Schwartz asked when there was quality assurance who was the responsible party for assuring that the costs involved for substandard work are met.

Mr. Luna said that SBCAG still retains the ability to withhold payments to Granite. The contract is still open and SBCAG has the flexibility to go back to Granite Construction.

Supervisor Schwartz asked where the link of responsibility was.

Mr. Kemp responded that SBCAG was only obligated to pay for construction costs in the contract and that we were not obligated to pay additional costs for that work.

Supervisor Schwartz noted that the issue was that SBCAG hires a contractor, they in turn select their subcontractors. They have a substandard performance which results in increased monitoring that we are responsible for. She asked who should bare that cost?

Legal Counsel, Kevin Ready stated that there were two legal issues. 1) If a contractor causes damage by their course of conduct in carrying out the contract. The contract is not closed out and 10% is held for contingency. He said the Board could direct staff to make a claim to the general contractor for the amount of quality control that SBCAG had to hire out. He stated that traditionally this was difficult to get reimbursed for and that you would have to go into a dispute review board if a decision was made to do so. Those types of claims have to show that there was absolute damage done. 2) He explained that Granite Construction's response would be that they had extra costs due to this also as a result of their requirement to remedy the situation through their additional quality control. They would argue that they are not responsible for discretionary work for quality control that SBCAG directed MNS to perform. He said that Granite would argue that they completed the job right after remedying the situation and they were not responsible for the work.

Mayor Weinberg requested that future contracts name the general contractor as the responsible party for the subcontractors.

Councilmember Smyser stated that the issue for staff was making the bridge safe. He said that he did not hear what Granite Construction did when they saw that the sub-contractor was doing substandard work. He said that SBCAG has a responsibility to insure that the project is safe and that Granite also has that same responsibility. Granite had the choice to remove the sub-contractor and replace them and Granite should share in a portion of the responsibility.

Gregg Albright said that what the Board was facing was a common issue and that discretionary decisions needed to be made. Even though the hand that was dealt was not a good one it was necessary to move forward based upon that hand. If there seems to be a pattern of concern then this needs to be watched but everyone involved has a responsibility. Mr. Albright recommended that his construction staff put together a presentation to explain this to the board since contract administration was a very difficult topic. Mr. Albright commented that the Board was directing staff in the proper way to continue negotiations with Granite. He said discretionary decisions sometimes change the rules and his staff could help to explain this.

Mr. Kemp emphasized that SBCAG's approach in negotiating a contract for services is always conservative, and if the costs are looked at with a more generous assumption then it would hamper the controlling of control costs. He explained that costs rendered for construction management services were still within the target amount.

Chair Lavagnino said that he would accept Mr. Albright's offer to make a presentation.

A motion was made by Supervisor Marshall to authorize the Chair to execute Amendment No. 4 to the agreement with MNS Engineers for additional costs for construction management services at a cost of \$163,989 and to approve an appropriation increase of \$165,000 in the FY 02-03 LTA Capital Projects Budget. The motion was seconded by Supervisor Gray and carried unanimously.

13. **SBMTD Electric Bus Procurement Status Report**

Mr. Kemp presented the staff report.

Mr. Thompson with MTD presented the proposed changes in the procurement of buses that were programmed in the 2002 FTIP. He explained that no additional funding would be required and that the service would remain the same. He explained that the air quality in the proposed changes would be an improvement from the existing MTD fleet and explained the reasons for the changes in the projects included revised state standards, advances in battery and diesel bus technology, increased costs, and availability of production hybrid-electric buses.

Supervisor Schwartz expressed concern about the decrease in hybrid-electric buses and the increase in diesel bus emissions. She also expressed reservations about proposed service changes.

Mr. Gleason said that the change that was being recommended was the purchase of 15 diesel buses and 8 hybrid buses totaling 23 buses. This would be two less buses than the original request. He explained that MTD was taking four of the buses they currently own and retrofitting them to be used as backups.

Supervisor Schwartz said she was not clear on the on the number of people that would be served. She asked what additional capacity was being built into the proposed plan.

Mr. Gleason responded that all service objectives would be met as stated before and that over time there would be an increased fleet over what was projected. Mr. Gleasons said that MTD was ahead of schedule in some respects.

Councilmember Hart asked if the reduction in buses would extend the headways that were proposed in the city of Santa Barbara and whether people will have to wait longer for service.

Mr. Gleason responded yes there would be an increase in bus headways.

Mayor Hawxhurst expressed concern over the lack of service in Goleta Oldtown. He requested that the Goleta Oldtown/UCSB/IV/Camino Real Shuttle be open for change and said that the County was the original partner for this plan.

Mr. Gleason said that the shuttle service was not yet started and that these issues would be worked out with the City of Goleta as well as the County.

Supervisor Rose stated that headways were important and asked if this changed the plans for Hollister Avenue.

Mr. Gleason responded that the headways were 15 minutes along Hollister between Hwy 217 and Camino Real and that service along this corridor had already been extended.

Councilmember Smyser said that the original project was to purchase 25 hybrid buses that would replace 20 diesel buses and that the new proposal was to order 15 clean diesels and 8 hybrids. He asked if the process evolved more slowly down to 8 hybrids since they were not currently available for service in California and if there were any hybrids running in California.

Mr. Gleason responded that there were very few hybrid-electric buses being used in revenue service in California.

Councilmember Smyser asked when the hybrid electric buses would be available for purchase. He also asked if the new diesel buses would be compatible with the hybrid engines.

Mr. Gleason responded that hybrid electrics will be available when CARB tests and certifies the buses. He also indicated that the diesel bus platforms would be compatible with hybrid electric engines.

Councilmember Smyser stated that the concern he had with clean diesel was that it presently meets the standards, but what would be the lifespan for clean diesels with regards to air quality.

Mayor Pointer asked what the lifespan was for a battery for the electric hybrid buses and asked how the battery would be disposed.

Mr. Gleason responded that these batteries have a lifespan of 3 to 6 years and are using a capacitor to supplement the battery and that lead is the most recyclable material in the U.S. He said he would return the batteries to the manufacturer once they were no longer useable.

Chair Lavagnino asked that this item be continued until after the time certain item.

9. **Unmet Transit Needs**

Ruth Garcia presented the staff report.

Chair Lavagnino opened the item up for public comment.

Kathy Azevedo discussed the need for later service hours and bus service on Sundays for those who use the SMAT system transit to get to work for those who work in retail establishments. Ms. Azevedo also discussed the need for additional bus stops and an updated and re-written schedule that is user friendly.

Anna Bass discussed that the commuters that would like to give comment were most likely at work during the hours that they could comment. Ms. Bass expressed concern relative to traffic congestion and safety issues on Highway 1 (between Lompoc and the junction with Highway 101). Ms. Bass also read correspondence from David Pierce regarding the use of rail service for commuter traffic between Lompoc and the South Coast and the need for bus/rail connections. He also advocated for revisions to the Amtrak schedule.

Corrinne Bernstein requested Sunday bus service in Santa Maria. She said there was a demand for such service and that a nominal program could be put into place for this type of service. Ms. Bernstein also stated that Saturday ridership on the SMAT system had increased.

Kathy Cook with the Vocation Training Center (VTC) reported that VTC serves 350 adults with developmental and/or mental health impairments. These clients need public transportation to get to work around the North County that includes Santa Maria, Buellton, Lompoc and Vandenberg Air Force Base.

Ms. Cook said that VTC is expecting an increase of 100 new clients in the near future due to the reorganization of the Department of Rehabilitation. Ms Cook said that the SMAT demand response service has been good. She said that the SMAT fixed route system need additional time for patrons using wheelchairs to board and depart from the bus and that additional wheelchair space and need on the buses.

Ms. Cook stated that the SMAT system needs more transfer points since there are so many disabled people at one place at one time that they are stigmatized, and requested that there be Sunday and evening bus service in Santa Maria. She also advocated for better bus service to Hancock College.

David Fortson with SBCAN requested that all TDA monies be spent for transit in the North County. He discussed the transit surveys that were developed and distributed to the North County residents by SBCAN and COAST. He discussed the need for development of transit in response to traffic congestion issues and the needs of the transit dependent. Mr. Fortson also discussed a value judgment in policy decisions and looking at regional planning in regards to the dependence on single occupancy vehicles. He requested that the Board provide both moral and financial support for the creation of a viable intercommunity transit service.

Mr. Fortson said that SBCAN would be present at the South Coast Unmet Needs Public Hearing and would provide video testimony at that meeting.

Maria Guzman (whose comments were spoken in Spanish and were interpreted by Alex Pujo) said that she had gathered signatures from Guadalupe, Santa Maria and Orcutt residents and that if she had more times she would have gathered more signatures. She said that there is a need to provide service for the transit dependent and those needing health care.

Renee Hoskinson, Community Partners in Caring (CPC), discussed the transportation needs for seniors, disabled and low income individuals in the North County. She said that after all other needs are exhausted that CPC assists those with transportation needs. Ms. Hoskinson mentioned that some of those needs were transportation to the UCLA Medical Center and for individuals living in remote areas such as Cuyama the need for transportation for cancer treatment.

Janice Keller, Santa Barbara Public Defenders Office, said that there was a need by the clients of the Public Defenders office for transportation to court appearances, probation appointments, court mandated programs, and work. She said that due to the location of the courts it was difficult for many of the clients to meet all of their appointments and requirements of the justice system and that this causes additional costs to the system for follow-up, court process, warrants, and potential future arrests and incarceration. Ms. Keller said that it would cost less to transport clients to the programs than for additional programs and court locations. She referenced the need for adults in Lompoc to get to court ordered programs in Santa Maria.

Dean Palius, Santa Ynez Valley People Helping People (SYVPHP), said that he had previously participated in transit planning with NCTAC to respond to the transportation needs of SYVPHP clients. He said that his clients' needs included transportation to public health services, social services, the courts, and work. Mr. Palius mentioned that the Community Accountability Project survey done in the Santa Ynez Valley indicated that 40 percent of those surveyed indicated a transportation need. He stated that approximately 120 clients have expressed a need for transportation between the Santa Ynez Valley and Lompoc and Santa Maria.

Brent Parker discussed the need for improved transit service to the Allan Hancock College in Santa Maria due to poor scheduling, route locations and poor connections. Mr. Parker said that service connections and scheduling to the Transit Center and Orcutt were inadequate for the students at the College.

Patrick Prate discussed transit service in Guadalupe and connecting service issues to Santa Maria. He said that there was a need for Sunday service, later service hours and better coordination between the Guadalupe Flyer and SMAT to allow for connections and transfers that would meet the needs of the transit users. Mr. Prate said that schedules and routes should relate to mobility needs and that all individuals do not work 9 a.m. to 5 p.m. He requested service between the Betteravia Center and the Mariann Medical Center.

Alex Pujo, Coalition for Sustainable Transportation (COAST), discussed his concerns about transportation policies and system improvements. He suggested greater outreach to include surveys, flyers, radio advertisements and newspaper articles. Mr. Pujo said that COAST would continue with outreach activities and provide additional testimony at the South Coast public hearing. He said there was a need for more frequent service, earlier and later service hours, public transportation opportunities between Lompoc, Buellton and the Santa Ynez Valley. He also mentioned his concern about the cost and scheduling of transfers between the Guadalupe Flyer and the SMAT System.

Jeanne Sparks, COAST, discussed the surveys developed and distributed by COAST to the transit users in Guadalupe, Lompoc and Santa Maria. Ms. Sparks said that there was a need for more frequent service, earlier and later service hours, service on Saturdays and Sundays, and intercommunity service. She also shared her concern about the cost of transfers between the Guadalupe Flyer and SMAT since these users were the least able to afford the extra costs. She proposed that Community Partners in Caring be funded and recommended a broader survey of transit needs.

Barry Stotts, Community Access Network, discussed his participation in NCTAC and the progress that had been made in regard to transit issues in the North County. He cited increased and meaningful participation by a diverse group of individuals and social service agencies. He also pointed out that NCTAC lacks representatives from the city of Guadalupe and the unincorporated area of Cuyama.

Bruce Wilkins briefly discussed the transit needs of the North County for seniors and presented facts by the AARP regarding the need for public transportation by low income individuals, senior citizens and those residing in rural areas.

Chair Lavagnino summarized the testimony, stated the hearing would continue next month. Supervisor Swartz observed that SBCAG was hearing from more people and groups of clients.

Supervisor Centeno asked if transit operators receive copies of this testimony and Ms. Garcia replied affirmatively. Chairman Lavagnino stated that the Board would return to Item 13.

13. **SBMTD Electric Bus Procurement Status Report (cont.)**

Marlene Demery, City Manager for the City of Solvang, requested a substitution to their project in the 2002 FTIP from two vans that use CNG to clean diesel vans. She said that the original application was for alternative fuel but that the CNG fuel in the North County runs hot and burns up engines and there is also no fueling station in Solvang. She indicated that the City would have requested funding for a diesel bus, but that they were told it was not eligible for CMAQ.

Mr. Kemp responded to the request. He said that if there is a change in a project for a CMAQ alternative fuel project or some other change in circumstances then this could be done. The process would be to evaluate the project based on the criteria the Board adopted for scoring CMAQ projects relative to other projects funded at the time they were originally approved. With a different project the score could fall below the lowest project that was previously approved for funding. He explained that the biggest factor of the score was the emission impacts and noted the several things that would not impact the CMAQ score. He noted that the bus replacement project for Solvang would not provide for expanded transit service and that this limits the emission reduction benefits under the CMAQ scoring criteria.

Supervisor Schwartz stated that were some projects that couldn't be funded through CMAQ due to low scores. If changes submitted mid-cycle she asked if those projects that scored too low would be brought back for comparison.

Mr. Kemp explained that the other projects would remain the same score as originally submitted but that the new project would be scored using the same process as the previous projects.

Supervisor Schwartz asked what would happen if the score was too low for funding. She said that there would be equity issues if there were changes to the original CMAQ projects. She asked if all of the projects would be scored along with the new changed project.

Mr. Kemp answered yes.

Supervisor Rose asked why there was a change being requested by MTD.

Mr. Gleason responded that the economics and emissions were better with the clean diesel buses. He said that the change would result in comparable or better emission reductions than hybrids and that hybrids were currently not approved for certification by CARB.

Mr. Tom Murphy said that the hybrid vehicles could be approved on an experimental basis and that ARB is in the process of monitoring its performance to develop standards necessary to certify these buses.

Tom Murphy, APCD, stated that diesel is an incredibly reliable fuel and that clean diesel engines meet the standards that are as clean as CNG. He said that APCD staff still supports the project before the Board.

Mayor DeWees asked why SBCAG would want to pay for buses that don't exist and if the hybrid vehicles are greater polluters than the diesel why would we want to purchase them.

Mr. Murphy stated that the technology for hybrids exists. The SBCAG Board previously approved purchasing 25 hybrids but he stated the revised project was safer. If the project by MTD is approved then they can promptly get bids on these projects.

Chair Lavagnino asked if we were betting on eight hybrids rather than the original twenty-five.

Mr. Kemp explained that the MTD has been approved for congressional earmark for eight hybrid vehicles and that this is money if not used for this specific purpose it would be lost.

Chair Lavagnino asked if this was going to be placed on the next agenda.

Mr. Kemp stated that this was brought before the Board at this meeting to get an idea if the Board was satisfied with this request and that this item would come before the Board at the next meeting as an FTIP amendment agenda item.

Councilmember Smyser asked whether the buses were evaluated by the new emission standards or the older standards.

Mr. Powers explained that the older standard was used to level the playing field.

Councilmember Smyser said his only concern was to follow the legislative intent of what these funds were to be used for. He said he had a difficult time using these funds to purchase buses that would only meet the current standards and not the new standards.

Supervisor Rose asked for a report at the next meeting on the changes in bus numbers and the impact of service levels. She stated that the general impression from the community was that diesel engines cause problems with air quality and that it might be necessary to educate the public.

Mayor Hawxhurst stated that this project would now reduce buses by one third by purchasing fewer buses than originally proposed. He requested information at the next meeting relative to this.

Mayor Weinberg said that MTD needs to replace some of its dirty diesel buses and that there are no buses made today that will meet the new 2004 standards. The only choice is the hybrid or the new diesel. He said that the new diesel was the best when you consider all the factors. He said that hybrid buses have a great potential and that it would be worth the effort to purchase them with federal money and see how they perform.

Supervisor Gray asked whether SBCAG had considered that other jurisdictions may have been eligible for CMAQ funds under clean diesel if they would have applied at that time. She stated it looked as though MTD came in with their original plan and now they would like to change it. She asked what would happen if Lompoc wanted to buy clean diesel buses. She requested that this be part of the discussion at the next meeting.

Mr. Gleason stated that this was a complex project. He said that MTD is going from a fleet in 1997 of 70 buses to a fleet of 105 buses in 2004.

Chair Lavagnino asked what the proposal was next month.

Mr. Kemp stated that he would bring back to the Board an actual FTIP amendment to show what the changes would be in funding and scheduling for the revised project and ask the Board to approve for forwarding to the federal government.

Chair Lavagnino asked whether staff would address the equity issue in addressing whether the project would have been approved if it had come before the Board using the criteria previously used.

Mr. Kemp said he would review all of the projects submitted in the 2002 FTIP and see where they would fall in scoring with the proposed change.

14. **TEA 21 Reauthorization**

Mr. Kemp presented the staff report. He said that the current TEA 21 authorizing highway and transit was due to expire this year and that there were efforts underway to adopt legislation for authorization of a new multi-year federal transportation funding program by Congress and the U.S. Department of Transportation. Mr. Kemp explained that stakeholder groups were in the process of developing position statements and presenting information through congressional hearings. He indicated that staff had submitted four demonstration project funding requests in response to an inquiry by Senator Boxer and described each of the projects. He noted that all four of the projects had been previously approved by the SBCAG Board and that the projects required additional funding.

Supervisor Schwartz requested that Mr. Kemp coordinate this issue with county staff and their legislative advocate since the county is also addressing this issue. She requested a discussion on how this should be handled so that the Board could be a part of the decision making process.

Committee Reports

Supervisor Gray reported that the Coast Rail Coordinating Council would be meeting the following Friday. She requested that this item be placed on the next agenda for a three minute report.

Executive Director Report

Mr. Kemp reported on the Hwy 101 Implementation Plan RFP and the state budget crisis that is affecting the STIP. He noted that certain projects may be delayed due to this.

Communications

None.

Adjournment

The meeting was adjourned at 12:09 p.m.