

MINUTES

SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

Thursday, September 18, 2003

Board of Supervisors 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 (arrived at 8:50 a.m.); Victoria Pointer, Mayor, City of Buellton; Richard Weinberg, Mayor, City of Carpinteria; Jack Hawxhurst, Mayor, City of Goleta; Sam Arca, Mayor, City of Guadalupe; Dick DeWees, Mayor, City of Lompoc; Gregg Hart, Councilmember, City of Santa Barbara; Larry Lavagnino, Mayor (SBCAG Chair), City of Santa Maria; David Smyser, Councilmember, City of Solvang; Gregg Albright, Caltrans District 5 (Ex-officio member).

Members Absent: None

Staff Members Present: Jim Kemp, Executive Director; Michael Powers, Deputy Director of Planning; Stephen VanDenburgh, Deputy Director of Programs; Debbie Barber, Public Information Officer; Cathy Muneio, Executive Secretary; Kevin E. Ready, Sr., Senior Deputy County Counsel.

2. **Pledge of Allegiance**

Mayor Lavagnino led the pledge of allegiance.

3. **Recess to Closed Session:**

No closed session was held.

4. **Convene in Open Session**

Chairman Lavagnino announced that the Highway 101 Implementation Plan that was originally scheduled for the afternoon retreat agenda was on the regular agenda, item 9.

5. **Approval of Minutes: August 21, 2003**

Supervisor Rose requested a correction be made to the August minutes changing her sentence on Page 10 to read "She asked Mr. Kemp to talk to each of the Board members to gather their

issues of concern prior to the Board retreat.” Mayor Arca moved to approve the minutes as amended. The motion was seconded by Mayor DeWees and carried unanimously.

6. **Public Comment**

There were no comments made by the public.

7. **Approval of Consent Calendar:**

Supervisor Gray said she had questions on Items 7B and 7D. Mayor Weinberg asked to speak to Item 7A.

A. Call Box Service Contracts

Mayor Weinberg reminded everyone of the small number of phone calls received each month.

Mr. Kemp explained that the usage of the call box was down due to increased usage of cell phones but that there was an environmental justice issue to provide call boxes for those who don't have cell phones. He stated that the call box system received special funding for the capital replacement project and that a portion of vehicle registration fees pays for maintenance of the call boxes, and that these revenues cannot be used for any other purpose.

B. Los Carneros Bridge Project

Supervisor Gray asked if the \$688,000 was forfeited because the City of Goleta decided not to move ahead at this time with the project. She asked Mr. Kemp to explain this to the Board.

Mr. Kemp explained that this project was programmed in part from STIP funds. Other funding was to come from a federal bridge program and local sources. The STIP funding was allocated by the CTC to the project while the project was under the County's administration, which then established the deadline award of a construction contract of August 24, 2003. If the contract for the construction of the project was not awarded by August 24th, which it was not, then these funds would revert back to the state. He said that a special meeting was held in June by the Goleta City Council to re-evaluate an earlier decision to defer the work on the project. The vote at the special meeting was 2-2 so their earlier decision to stop work on the project was upheld. The project was originally sponsored by the County of Santa Barbara but was inherited by the City of Goleta when Goleta incorporated. Goleta then assumed the responsibility for carrying out the project as the lead agency and for meeting the previously established funding deadline. He stated that SBCAG staff had attended the City Council meeting to offer its assistance to Goleta in moving forward with the project. He stated that he informed the Council that the local matching funds for the project could be reduced to \$300,000 using additional funding that SBCAG had determined was due to Goleta. Mr. Kemp said that the Council had a number of concerns about the project in deciding not to move forward with it, including the design of the project, its compatibility with bicyclists, and the likelihood that additional federal bridge funding would be awarded to the project to lower its match.

Supervisor Gray asked when the deadline was set and when the SBCAG Board was made aware of this deadline. She asked when SBCAG enters into an agreement similar to this one if there was a way to guard against the local jurisdiction not changing their mind about moving ahead with a project.

Mr. Kemp stated that the problem with this project was that a decision was made to request that the funds be allocated by the state. Normally, if there is going to be a delay, this is recognized before the allocation is made, which allows SBCAG to reprogram the funds to a later year. In this instance, a decision was made to have the funds allocated when the County was responsible for the project. In addition, the County requested that the original deadline be extended six months. An extension can be requested only once. These decisions were made prior to the City of Goleta being involved.

Kevin Ready, County Counsel, said that this was a matter of SBCAG responding to state and federal regulations and it was not a contract between SBCAG and member agencies.

Supervisor Rose said that the Board was notified in June that there was a problem and she requested that the Board be notified earlier when there is a problem.

Mr. Kemp said that the Goleta City Council decision had taken the SBCAG staff by surprise also and that all indications were that the project was moving forward.

Supervisor Schwartz said that the bulk of the funding was coming from bridge replacement funds and asked if there were any seismic concerns relative to this overpass.

Mr. Kemp said that there was some reactive aggregate in the bridge structure and that this has shortened its useful life. He indicated that he was not aware of any immediate seismic issues, but that eventually the bridge will have to be replaced or weight limits may have to be posted.

D. STIP Monitoring

Supervisor Gray said she would like an explanation on the Union Valley Parkway project.

Mr. Kemp referred this item to Mr. Bruce Nybo with the City of Santa Maria Public Works Department.

Mr. Nybo explained that the project had been planned for a long time. On August 27th there was a joint meeting between Santa Barbara County, SBCAG, Caltrans and Consultants that was necessitated by a Federal Highway Administration determination that there was not independent utility for the parkway improvements that Santa Maria was the lead agency for, or the interchange project that Caltrans was lead agency for, so the projects could not be studied through separate environmental reports. Since it is FHWA that is funding the improvements, the City of Santa Maria and Caltrans had to conform to those requirements. Both NEPA and CEQA environmental documents had to be combined, as well as the parkway and interchange environmental documents. The City of Santa Maria volunteered to be the lead agency to combine the documents. He said that an administrative draft environmental document will be circulated among staff

in October or November of this year and out for public review following that. The entire environmental process should be completed by summer 2004 and the project should be in construction by 2005. Once the design and construction phases are started they will become separate projects.

Kevin Ready explained that under the state California Environmental Quality Act (CEQA) the environmental studies needed to be completed under one project and that one of the tools used to decide if this project is separate from another project is whether it can stand by itself without requiring that the other one would need to be completed.

A motion was made by Mayor Arca to approve the consent agenda. The motion was seconded by Mayor Weinberg and carried unanimously.

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

Mr. Albright stated the construction report was correct as written. He said that Caltrans was facing cash flow and staffing issues. The State Department of Finance is asking each department to submit a 12% reduction plan and implications. He said that layoffs will be a likely scenario and that staffing shortages will require Caltrans to stop work on certain projects. Mr. Albright said he would be coming to SBCAG to establish priority projects and that safety projects receive the highest priority and uncapitalized projects will be at the bottom of the list. Mr. Albright said that the Department of Finance will provide a final allocation plan by October 15th.

Supervisor Schwartz thanked Mr. Albright for his report. She stated that the California Transportation Commission (CTC) sets the priorities yet the SBCAG Board has never felt the ability to enter into discussion with members of the CTC about its needs and how they set priorities.

Mr. Albright stated there is a lot of frustration with the CTC and that one of the things that Caltrans has promoted is prioritizing and maintaining the decision. He stated that other RTPAs have spent more time talking to individual commissioners.

Supervisor Schwartz stated that most Board members don't know who the Commissioner's are.

Supervisor Gray stated that Supervisor Schwartz has been asking about this for the last six years and that it might be good to set up a committee to deal with the CTC.

Mayor Pointer asked if Caltrans would be able to take the word "the" out of Avenue of the Flags signs at the 101 southbound exit lanes in Buellton.

Mr. Albright responded that he check into this.

Mayor Weinberg stated that some of the people in Carpinteria have been saying thank you for the overlay on the freeway and shoulders which has widened the feel of the freeway. He also stated that the lights have been off at the Linden interchange coming off the freeway for over a month. He asked Mr. Albright for some help in getting these lights working.

Mr. Albright responded that he would look into this.

Councilmember Smyser said that Caltrans crews have been picking up temporary signs set out along highways to announce various activities and asked whether Caltrans could publish in the paper where these signs can be picked up once taken.

Mr. Albright said that this is a behavior change statewide and that there have been a number of issues of encroachments in state right of way that might generate lawsuits. Because of litigation issues he said nothing is allowed to be placed in the state right of way without permits. He said he would look into red tagging the items on a certain date and then notifying the public where they can be found after that time.

Supervisor Centeno stated the condition of the Highway 101 between Refugio Beach and Dos Pueblos stretch of 101 was in poor condition and wanted to know when it would be improved. He asked for the status of the freeway section in front of Waller Park that he mentioned at the August meeting.

Mr. Albright stated that there were delays in funding and Mr. Kemp added that the Caltrans response letter included in the Board packet also responded to the issue.

9. **Highway 101 Implementation Plan**

Mr. Kemp said that this item was to answer the questions and concerns about the 101 Implementation Plan that were raised at the August Board meeting. He said he was asking the Board for direction and changes and stated that no action would be taken at this meeting. Action on the Implementation Plan would be scheduled for the October board meeting.

Mr. Kemp stated that the general areas of agreement he had heard from the Board at the previous meeting including the need to move quickly to complete an action plan for relieving 101 congestion, that there was no single option that would solve the problem, that the capacity of 101 would have to be increased but that other non-capacity options will have to be implemented as part of a long-term congestion plan.

Mr. Kemp stated the issue of capacity increasing and whether that needs to be a mandatory component of the plan was a big issue. He stated that they had met with the Technical Advisory Group and had formulated recommendations on that issue based on the board's discussion from last month.

Mr. Kemp said that there was a question as to whether the Board was asking for widening of the freeway or increasing the ability to move people. He explained that there are a variety of ways that freeway capacity can be expanded and that some methods would require widening the freeway and others would not. He stated that the Implementation Plan will evaluate each of these options for increasing capacity. Chair Lavagnino asked if increasing capacity equaled widening and Mr. Kemp replied that there were other options such as adding lanes in the median area vs. outside.

Supervisor Rose stated that increasing capacity does not necessarily mean widening. She said that she believes the Board wants to increase capacity and that widening seems to have more than one definition.

Mr. Kemp stated that maybe increasing capacity by adding lanes to the current highway was the correct phrase that could create some consensus among Board members.

Mr. Kemp explained the proposed changes in the consultant scope of services outlined under Recommendation B. He indicated that these recommendations were made in response to board comments that the scope of the IP needed to extend to Northern Santa Barbara County and Ventura County. He said that he had discussed these changes with the consultants which were being provided to the Board and that the change in the scope of services would result in no additional costs. Mr. Kemp stated he had placed before the Board a proposal for a long term plan that would lead to an action plan. He stated there would be a partnership through an MOU and that Caltrans and the Federal Government were ready to move ahead.

Supervisor Schwartz said that this was a regional, state and federal corridor and that the Board should be mindful of its responsibility. She said that the Measure D expenditure plan needs to be revised since it only describes San Ysidro south and that the whole corridor should be addressed. She said that assuming the Implementation Plan moves forward, throughout the process a running list of the costs and timelines for every project identified should be provided. She also asked how much Measure D money was available for projects in the congested area.

Mr. Kemp replied there was approximately \$16 million in Measure D funds available.

Mayor Arca said that specific language should be added that states the primary and fundamental goal should be to look at widening and adding of lanes. He asked if capacity enhancement were the only project completed, then how would capacity be affected in the future? He stated the core is to widen the highway as the primary project and utilize the capacity enhancement in addition to widening.

Councilmember Hart asked if a product of this effort would include a rail plan that can be used to request funding from the federal government.

Mr. Kemp said that the funds that were set aside for the rail study were placed in one of the funding sources for the 101 IP. He said that it was not envisioned that a stand alone rail plan study would be created in the IP and that there would be projects that arise out of the plan that could include rail as part of the Implementation Plan.

Councilmember Hart asked if the original funding would have created a stand alone project.

Mr. Kemp responded that it would have, but added that projects that come as a result of the plan can receive any type of funding. He stated that completing a comprehensive rail plan is not required for rail projects to receive funding, but that the rail projects that are recommended in the IP would have to have PSR's completed before STIP funding could be programmed just as any highway project.

Councilmember Hart said that there had previously been a rail plan as a requirement to receive funding. He said that including this in the IP may dilute the whole project.

Supervisor Schwartz said that her understanding was that this would fold the rail plan into the Implementation Plan with rail as a component.

Supervisor Gray asked since there was no longer the original \$200,000 for the rail plan did that remove us from applying for other federal funds.

Mr. Kemp said that with a highway project, and perhaps a rail project that would use STIP funds, each project would require a project study report to be completed.

Councilmember Hart asked if there was a distinction between the previous rail plan and the one that would be included in the IP.

Mr. Powers stated that the rail projects that came out of the IP could be funded through either local, state or federal funding. To do this these projects would require that they be added to the Regional Transportation Plan, but a separate comprehensive rail plan was not required for funding.

Councilmember Hart asked that as an additional element to the IP it should be added that recommendations to the consultant should have the concurrence of the 101 TAG.

Mayor DeWees stated that even after the IP the EIR would need to be paid for. He said that the Board was told at a previous meeting that the study done a decade ago and the alternative study done five or six years ago was dated and not useable. He said he was fearful that money would be spent for the environmental component and that it would become dated.

Mayor DeWees said that he was intrigued with the widening without widening comment. He said that he thought the consensus with the majority of citizens was that widening needs to take place. He said that Caltrans in their staff report said that statewide there is a cash flow problem and cutbacks in personnel and delivery of projects and that the future does not look good for any type of funding. He said that the project should be looked at in two phases. First widening should occur and then the other alternatives should take place in the second phase. Mayor DeWees said that he would like to approve the PSR for widening and start the environmental documents.

Mayor Hawxhurst said that he would like to change the name of the Implementation Plan. He said that he found the policy language acceptable and that he thought that the TAG had spent considerable time with this. He said that alternative transportation modes have been promoted for decades with little success and the word promote should be deleted. He said we do make lots of brochures to promote change and if we are going to discuss alternative transportation modes he would like to make encouraging people to do it part of the process. He stated that what he hopes to do is determine actions for reducing traffic on 101 south and that he would like this to be a 20 year plan.

Councilmember Smyser said that staff had incorporated his comments made at the August meeting. He said that he didn't think the title was as important as the outcome. He said he was concerned with solving safety issues and that the bottleneck on 101 had been the source of a lot of concerns for the fire department, highway patrol and the sheriffs department. Councilmember Smyser said that his concern in massaging the recommendations was that we may not be able to do get the wording the way everyone would like. He wondered whether there should be a subcommittee to come up with alternative words.

Mayor Lavagnino said that it should be stated that widening would be the project and then the study of alternative projects would be concurrent with the widening. He asked relative to the statement of widening without widening if this was a possibility why it hadn't been done sooner.

Mr. Albright said that Caltrans has not evaluated the significance of losing the shoulders and that this study will force Caltrans to study this alternative. He stated that the Board could trust that Caltrans will not do anything that would not be safe.

Mr. Albright said that he has worked with Caltrans District 7, which includes Ventura, to verify that participation by that District would be part of the planning effort. He said that due to staffing cutbacks he would not be able to bring staff to the table by July 2004 and that the IP would enable this project to get done quicker. He said that he was now considering a proposal to take advantage of a consultant that Caltrans has concerning surveys that will help to lower the costs.

Mayor Lavagnino asked if Mr. Albright was still convinced that the IP would save considerable amount of time and money.

Mr. Albright concurred and said he was desperately hoping that the Board would accept this approach. He said this is the strategy that Caltrans, statewide, would like to move towards.

Councilmember Hart stated that what Mr. Albright was saying was that we have to rely more on ourselves and have to be prepared to use local leadership, and that the cautionary note on staff reductions was directly related to this project. He said that Supervisor Schwartz made the case that we need to look at operational improvements, and that it was increasingly clear that timelines would not be met. He said that the existing 101 operational improvements needed to be tackled first.

Chair Lavagnino opened the item for public input.

Barry Siegel thanked staff for adding the comments made at the last meeting to the staff report. He stated the first item has to do with the issue of the IP delaying projects. He said he did not see why the operational projects shouldn't proceed. He stated the staff recommendation mandates a widening project even though there is no information that says there is a reduction in congestion. He said that Sheffield to La Cumbre was still going to be congested. He recommended a Steering Committee.

Joe Armandariz, said he was representing the taxpayers who in 1989 gave permission to widen the freeway, and that they were entitled to the Board making informed decisions without wasting additional time. He said that everyone was requesting that the capacity be increased. He stated that Councilman Hart had brought up a good point in that there was no reason that the IP and the rail plan needed to be linked. He stated that the widening could be done now and that he would support spending resources on alternatives if the Board moved forward with the widening.

Mayor Pointer said she was very impressed with Mr. Armandariz's speech. She said that widening without widening was not something that could be done. She said he would like to see another party give the Board alternatives. She said that we need to start digging up the highway and putting in that lane. Mayor Pointer said she wondered why the IP was the best way and said she would entertain a reasonable scenario.

Mr. Kemp said that in listening to some of the comments from the public and Board members it was being implied that moving forward with the IP meant that it meant not moving forward with the widening, but that was incorrect. The Board's intent was that the IP would result in capacity increase on Hwy 101 and would signal the intent to move forward with widening along with other strategies to relieve congestion. In doing the projects separately he said we need to look at a plan for integrating and including projects that could be completed much more quickly.

Mayor Pointer said that if we are trying to gather consensus through the IP it seems to already have been done when it comes to the issue of widening, and that we should deliver what we set out to do.

Mayor DeWees said that when he reads the report it states that widening is an alternative.

Mr. Kemp said that the recommended policy would signal the Board's intent to increase capacity. When this was first brought to the Board it was just an option, but now it seemed that widening would be a required part of the IP.

Supervisor Schwartz reiterated to the Board that consensus begins with the SBCAG Board. Mayor Hawxhurst stated that increasing capacity on the freeway was just postponing the inevitable. Others came to the table with Mayor Pointer's point of view with just widening the freeway. She stated if we close our eyes again the Board will still be here looking for additional solutions. She stated no one knows what widening means to everybody. She said it was not known how many homes and business would have to be taken. She stated if we just widen the freeway it would cost approximately \$400 million unless it is approached the way the IP states. She urged everyone to keep an open mind.

Gregory Grandrud, member of Carpinteria City Council speaking as a private citizen, said the bottleneck needs to be removed to Mussel Shoals. He said that the discussion needs to be confined to adding lanes. He said it would be his recommendation to move forward with the PSR for the widening project.

Camron Bensen said the staff reports a number of alternatives which are outside the jurisdiction of SBCAG. She stated that the agency should focus on only the solutions it has the authority to solve. He recommended that the Board consider changing the Implementation Plan to an Action Plan that would include three separate components (widening the 101, commuter bus, and commuter rail).

David Fortson, a member of SBCAN, stated that the scope of the 101 IP was to address issues. He said he had reservation to staff's Recommendation A. He said that there was no evidence that simple widening will solve congestion problems. He requested that the Board proceed with the proposed recommendation that would include freeway capacity, a rail plan and commuter alternatives. He also recommended the Board look at land use options.

Grant House, a member of COAST, stated that Table 1 looked at funding sources for the Rail Study. He said COAST was in favor of this and that just as with monies allocated for Measure D he requested another bullet be added recommending new Board policy that the IP should include increasing the capacity on Hwy 101 with the addition of commuter rail.

Jonathan McGuire, City of Santa Barbara Planning Commission representing himself, urged that commuter rail be mandated and also urged the Board to add commuter rail as a requirement in the IP.

Dennis Story, with the Citizens Planning Association, stated that developing the IP is a long term strategy and would help in including the public in the process. He said that it was important to know what you're doing before you do it. He said he was encouraged to hear the discussion on rail and asked the Board not to forget the money allocated for rail.

Mr. Albright said the comment that there was fear there wouldn't be resources to move forward in a timely manner was not a problem. With federal reauthorization Caltrans is expected to be able to move forward. He said that Caltrans does have a gap that could be filled with the IP. He said that he feels that many public officials were being driven by strong constituent support and that they need to establish the difference between majority support vs. consensus. He said that there could be a majority support but does not mean the project can be done. He said they would measure success on the mobility of people. He stated it was implied that you have to add more lanes for more cars. He stated that Caltrans stands committed to not continue a pattern of adding capacity alone and that they need consensus.

Mayor Lavagnino stated the 101 widening should be the project with the other alternatives studied concurrently. He stated by proceed with the plan we are saying that we recognize the widening has to happen, but we are also at the same time going to look at other alternatives so we can deliver widening and other projects that are feasible at the same time.

Mr. Albright said that all the alternatives should be looked at with the same level of scrutiny and that his preconception was that widening will be an element that will be part of the mix.

Mayor Weinberg stated that if it was decided to widen 101 tomorrow it could not be done until you get a PSR, EIR, NEPA/CEQA, and the only way you could do this is by studying all of the alternatives. Caltrans has said they don't have the people to do these projects. SBCAG does have the people and we only need to come up with another \$400,000 and work on the congestion relief plan can begin. The IP is doing exactly what was discussed.

Mayor Arca said it was important to stay focused on planning for future years and that widening needed to be a fundamental component of the process.

Supervisor Centeno said everyone was in agreement there was a bottleneck on the 101 in South Santa Barbara County and Ventura and asked what a possible solution could be.

Mr. Albright said that with reference to the Ventura area additional lanes could be added or figure out a more efficient way and reduce the demand or increase capacity.

Supervisor Schwartz reminded the Board that there were auxiliary lanes north and south that had already been approved as part of the 101 operational improvements but these were partially funded projects.

Supervisor Centeno asked why there was no north county representation on the TAG since regional issues were being discussed.

Mr. Kemp said that TAG has been meeting as south coast representatives and that the north county staff representatives had been invited to the last TAG meeting.

Mayor DeWees stated it was because of politics that the 101 has not been improved to date and although there may not be agreement on everything there is agreement that improvements should be made to Hwy 101.

Councilmember Smyser stated part of the situation is that there needs to be a good contract to establish trust. He said that a good IP should result in widening the lanes and looking at the other alternatives and said it would be a shame not to come to some consensus. He proposed the following substitute language be added to the language in Recommendation A: *The*

Implementation Plan shall result in a project that will provide additional lanes and concurrently other capacity alternatives that may result in other projects to reduce congestion on Highway 101. The plan will also provide concurrently for the designation and release of Measure D funds for approved operational improvements.

Supervisor Marshall said that Mr. Smyser had raised the point she had wanted to raise. She said that his language adds the 101 operational improvements. She said she also agrees with Mayor Arca that we should plan for the next 40-50 years. She said that Mr. Albright has stated over and over again that if we move forward with widening the 101 without the IP then it could take 15 years to complete it.

Supervisor Gray asked that TTAC be included in the recommendation and that she agreed with Supervisor Schwartz that the Board should be given a running list of costs and projects. She also said she supported Councilman Hart's request to start funding the operational improvements.

Mr. Kemp said that he would come up with some ideas on how to move forward on the operational improvements using Measure D funds. He said that the lack of funding in the State Highway Account will prevent the 101 operational improvements from progressing and that Measure D funds could be used to keep them on schedule and to help with known funding shortfalls. .

10. Airport Influence Areas

Mr. Powers presented the staff report.

A motion was made by Mayor Weinberg, seconded by Mayor Dewees, and carried with Mayor Hawxhurst opposed to approve the Airport Influence Area boundaries for airports in the Santa Barbara County and to adopt Notice of Exemption finding that there were no possible significant effects pursuant to Section 4.4 of SBCAG's adopted CEQA guidelines.

11. South Coast Transit Priorities Project

This item was continued due to lack of time.

12. Traffic Solutions Annual Report

This item was continued.

Adjournment

The regular business meeting was recessed at 12:15 p.m. to the Board retreat at the Radisson Hotel in Santa Maria immediately following this meeting.