

## MINUTES

### SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

Thursday, November 17, 2005

Board of Supervisors Hearing Room  
511 E. Lakeside Parkway  
Santa Maria, CA

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#### 1. CALL TO ORDER AND ROLL CALL:

**Members Present:** Salud Carbajal, Supervisor, First District; Susan Rose, Supervisor, Second District; Brooks Firestone, Supervisor, Third District; Joni Gray, Supervisor, Fourth District; Joe Centeno (SBCAG Vice-Chair), Supervisor, Fifth District; Russ Hicks, Mayor, City of Buellton; Donna Jordan, Councilmember, City of Carpinteria; Jonny Wallis, Councilmember, City of Goleta; Lupe Alvarez, Mayor, City of Guadalupe; Dick DeWees (SBCAG Chair), Mayor, City of Lompoc; Marty Blum, Mayor, City of Santa Barbara; Marty Mariscal, Councilmember, City of Santa Maria; Ed Skytt, Mayor, City of Solvang, Rich Krumholz, Caltrans District 5 Representative.

**Members Absent:** None.

**Staff Members Present:** Jim Kemp, Executive Director; Michael Powers, Deputy Director of Planning; Stephen VanDenburgh, Deputy Director of Programming; Gregg Hart, Public Information/Government Affairs Coordinator; Fred Luna, Fluor Enterprises, Inc.; Cathy Muneio, Board Clerk; Kevin E. Ready, Sr., Senior Deputy County Counsel.

#### 2. PLEDGE OF ALLEGIANCE

Chair DeWees called for the pledge of allegiance.

#### 3. RECESS TO CLOSED SESSION

The Board went into closed session at 8:32 a.m.

#### 4. CONVENE IN OPEN SESSION

When the Board reconvened at 9:40 a.m. Counsel Ready reported that the case of Pierce v. SBCAG was discussed and that there was no reportable action.

#### 5. APPROVAL OF MINUTES: October 20, 2005

Supervisor Centeno moved approval of the minutes of October 20, 2005 as presented. The motion was seconded by Mayor Blum and carried with Mayor Skytt abstaining.

**6. PUBLIC COMMENT**

There were no comments from the public.

**7. APPROVAL OF CONSENT CALENDAR**

Supervisor Firestone moved to approve the consent calendar. The motion was seconded by Mayor Alvarez and carried unanimously.

**8. 101 SANTA MARIA SIX LANE WIDENING PROJECT CONTRACT AWARD**

Steve VanDenburgh gave a brief introduction to this item and then turned it over to Rich Krumholz of Caltrans.

Mr. Krumholz said that Caltrans lobbied very hard with the California Transportation Commission director to persuade them to award a contract to the sole bidder. He said he was informed that the contract would need to be re-advertised and re-bid and not awarded to the single bidder. He explained that the biggest problem was that only a single bid was received and that the bid was 39 percent over the engineer's estimate. Mr. Krumholz said that there were several items that would need to be updated before re-advertising in January and awarding the contract in the spring.

Mayor DeWees thanked Caltrans District 5 for lobbying for SBCAG. He asked what would happen in the spring if the prices were as high or higher.

Mr. Krumholz responded that might be the case and said it was difficult to speculate on construction costs.

Supervisor Centeno asked how this project could be marketed to receive more bids. He said he was surprised that Granite Construction did not submit a bid.

Mr. Krumholz said that contractors had indicated to them that the timing wasn't right.

Councilmember Mariscal asked if there was any evaluation completed on why there was only a single bid. He asked if the decision not to award the bid was based only one bidder or the amount of the bid.

Mr. Krumholz said that similar projects were given an allocation but the main factor was the magnitude of the project.

Councilmember Mariscal said that this was a procedural thing and wondered if anyone had analyzed how the bid went out.

Mr. Krumholz responded that the bid went out like any other project and that nothing was unusual about how it was advertised.

Mayor Blum said that no money had been allocated by the CTC for a long period of time and she asked what this meant for the operational improvements or the 101 in Motion estimates.

Mr. Krumholz replied that would be speculative.

Mr. VanDenburgh said that staff's recommendation was that the \$4.94 million dollars the board authorized last month to pay for the bid coming in above the engineer's estimate remain on the table in case this funding was needed to award the project after the re-advertisement.

**9. 101/ORTEGA HILL AUXILIARY LANE PROJECT CONTRACT AWARD**

Mr. VanDenburgh presented the staff report. He said that the STIP funds would pay Caltrans' share of the project for contract administration and that 100 percent of the capital costs would be paid by Measure D. He said that this project was put out to bid and four bids were received. He said that as Caltrans was reviewing the bids, the low bidder contacted them and indicated that they had made significant errors in their bid and request relief from their bid. Caltrans reviewed the request from the contractor and it was found that there were errors so the low bidder was allowed to withdraw the bid. He said that Caltrans has recommended that the contract be awarded to the second lowest bidder. Mr. VanDenburgh indicated that the board has the option of requesting that Caltrans re-bid the project in the hopes that the contractor comes in with a lower bid or the board could fund the difference with Measure D funds and recommend that Caltrans award the contract. He said that by awarding the contract it would require an addition \$2.1 million in Measure D funds above what had been previously committed. He added that with the additional costs would be able to be funded from the Measure D ending balance which is projected to be approximately \$5 million in 2010 when Measure D expires.

Mr. Krumholz said he recommended that the Board approve staff's recommendation rather than advertising the bid again or downsizing the project.

Councilmember Mariscal expressed concern that the Santa Maria six lane project might require use of a portion of the Measure D ending balance and asked if Caltrans could guarantee funding would be available if the project was re-bid.

Mr. Kemp explained that Ortega Hill was being funded out of the Measure D funds and money for Santa Maria would be coming out of STIP funds. If, as a result of re-bidding the Santa Maria six-lane, the lowest bid comes in higher Caltrans will need to cover the additional cost out of STIP funds.

Supervisor Carbajal said he supported the Santa Maria six lane widening project but that the Ortega Hill project did not have the single bidder issue. He said a delay of this project could cause an increase in costs and said he hoped that SBCAG would move forward with staff's recommendation.

Scott Wenz with Cars are Basic said he was opposed to this project because he considered the bike paths recreational and Measure D funds should not be used for that purpose.

Supervisor Firestone explained that the primary purpose for the project was to add an auxiliary lane on 101.

Councilmember Jordan said that this was a small project that would cost a large sum of money but the Board needed to be reminded that they were trying to renew Measure D. She noted that one of the sore points from the original Measure D was that none of the projects that were completed had to do with freeway congestion relief on the south coast and it might be important for the public to know that widening 101 has started prior to the next election.

Mr. VanDenburgh said that part of the recommendation would be to include that the cooperative agreement with Caltrans be revised to reflect an increase in Measure D funds from \$3.1 to

\$5.232 million and incorporated into the final action if the Board chooses to authorize additional funds.

Supervisor Carbajal moved to approve an allocation increase in Measure D funds if requested by Caltrans and to authorize a revised cooperative agreement with Caltrans. The motion was seconded by Councilmember Jordan and carried unanimously.

**10. 2006 STATE TRANSPORTATION IMPROVEMENT PROGRAM**

Mr. VanDenburgh presented the staff report.

Supervisor Firestone said that he had some concerns about the cost of the EIR for the widening of Hwy 101.

Mr. Kemp replied that the widening of 101 south was a \$400 million project which was ten times larger than any other project that had been completed in the county, and explained that each component was expensive.

Scott Wenz urged the board not to continue to approve bike lanes that do not increase capacity just for political reasons.

Mr. Nybo, a member (and Chairman) of TTAC, said that one of the best sources of money they receive for his jurisdiction is RSTP funds that can be used for many various projects. He said that the staff report indicated that TTAC supported using RSTP for all local projects that would be removed from the STIP when TTAC actually said that only local road rehab projects should receive priority for RSTP funding. He said even though they were not going to be funded through the STIP that they were the city's highest priorities. He noted that bike paths should not be considered for RSTP funds.

Councilmember Jordan asked about projects 34-39.

Mr. VanDenburgh said these projects were active current projects and were moving forward.

Councilmember Jordan said that these were major routes to school for kids walking and that she did not want them to be thought of as a recreational bike path.

Councilmember Wallis expressed concern about receiving the information from staff too late.

Councilmember Mariscal said that Mr. Nybo's point was that just because a project was removed from the STIP did not mean it would be funded with RSTP funds. He said they move over to another group of projects and as they come up that is when it is determined when and if they will get funded.

Mr. Kemp said he understood there was some discomfort but this was intended to familiarize the board with the STIP cycle. As a policy issue they are trying to decide whether to delete the projects in the STIP as TTAC recommended. He said that this could be reviewed at the December and January board meetings.

Mayor DeWees said he preferred to look at this at the beginning of next year.

Supervisor Firestone said he would like more information explaining the cost of the EIR for the 101 widening.

Rich Krumholz with Caltrans said the EIR would be expensive since it includes a lot of engineering and preliminary design work. He said that Caltrans was working hard to develop a PSR by February that would list the cost for the environmental document and preliminary engineering.

Supervisor Firestone moved to agendaize in the future a report on the costs for the EIR for the Highway 101 widening south. Supervisor Centeno seconded the motion and the motion carried unanimously.

A ten minute break was requested at 11:55 a.m.

**11. MEASURE D RENEWAL EXPENDITURE PLAN**

Mr. Kemp presented the staff report.

Supervisor Rose expressed concern about whether the cost projections used in the plan were accurate in light of recent construction cost increases.

Mr. Kemp said that there was concern that costs may be higher than revenues which could not continue to be sustained. He said that Measure D revenues have historically grown by about 3-5% per year. Mr. Kemp said that there was a proposal in the staff report that was developed by staff working with the Expenditure Plan committee.

Supervisor Carbajal asked whether funding was accurate and recommended reviewing the costs that were projected.

Mr. Kemp said that one of the projects that polled well was the implementation of commuter rail from Ventura to Goleta. Commuter rail was expected to cost approximately \$226 million dollars for capital and operating costs. He said rail operating costs could not be funded out of the STIP but could be funded from a local revenue source. He said that the staff report outlined what the proposal was for a commuter rail pilot program and that they were proposing funding for Phase I and Phase II in the Measure D expenditure plan. They would also need to secure an agreement with Ventura County. Mr. Kemp said that Caltrans would be locating the sidings and that they would need to have a time slot that would make this commuter friendly.

Supervisor Gray asked if the cost to use the Union Pacific tracks was included in the costs.

Supervisor Firestone asked how many riders they estimated.

Mr. Kemp responded that it was estimated there would be about 1,800 boardings per day in 2030 assuming three trains per day.

Supervisor Firestone asked what the train commuter subsidy amount was for each rider.

Mr. Kemp said he would provide the Board with those figures, but to remember that the primary purpose was to take commuters off of Hwy 101 because just widening the freeway would not solve the entire problem.

Councilmember Wallis said that when staff returns with the subsidy figure for the train it should also include the amount of subsidy for widening the freeway.

Councilmember Jordan requested an explanation of projects in the RTIP and Measure D renewal.

Mr. Kemp stated that a determination would need to be made on which projects would stay in the Measure D renewal, but that it would most likely be projects that would help with the renewal of Measure D. Other projects could be funded from the RTIP or other sources.

Councilmember Jordan asked how these projects would be prioritized.

Mr. Kemp responded that it was a policy decision on which projects would get funded in the Measure D Expenditure Plan using guiding principles. Some of the guiding principles include the necessity of the project, whether or not the project will generate a yes vote, and whether the project is financially feasible.

Councilmember Jordan asked how it would be determined which projects were more important not considering that a particular jurisdiction wants a portion of this money.

Mr. Kemp said the list was narrowed down by the expenditure plan committee to the projects that were considered necessary.

Chair DeWees asked for public comment.

Greg Gandrud with Fix 101.org asked if a bond would be issued if Measure D is renewed for a 30 year period. He said that his understanding was that the annual operating cost for rail was expected to cost about six million dollars with two million dollars in revenues expected from riders. He said that the action the Board took last month by approving the 101 in Motion sent out a conflicting message and he did not believe any consensus was reached. Mr. Gandrud said that rail was not cost effective and that the Ventura County Transportation Commission said that cost estimates would end up being double what was being proposed. He urged that the Board put a separate measure on the ballot for rail.

Mr. Kemp said that it is likely that bonding would be done to help complete projects in the expenditure plan more quickly. This was done for the existing Measure D. He noted that debt service costs for the bonds are paid from the sales tax revenues.

Alex Pujo representing COAST said that SBCAG had taken the lead to create a combined platform that most people could agree with. He said that Measure D was a sales tax and not a gas tax and needs to benefit all needs. He said that COAST opposes the 70/30 split.

Mark Bradley said that the 101 in Motion study indicated that commuter rail might be the most effective way to reduce freeway congestion and that he was happy to see this included as one of the expenditures. He said the regional funding of 30 percent did not leave a lot of funds to work with and would not pass with that percentage.

Mayor Hicks said the issue was regional vs. local. He said the city managers would be meeting the following day to review the plan. He noted that there was a definite difference between the needs of the North County and South Coast when determining which projects were necessary but that the plan would need to have a balance of both.

Supervisor Carbajal said that there was some ambivalence expressed by VCTC relative to rail but said he was more encouraged than that. He said that as vice-chair of the South Coast Subregional Planning Committee he would like to push discussions on rail forward.

Mayor Blum said she couldn't agree more and everyone should keep in mind that the survey showed Measure D would fail without commuter rail.

Mayor DeWees said that the expenditure plan had a fair distribution and he was in favor of the 70/30 split. He explained that some of the projects would need to be phased in and the broader picture should be looked at which might entail some compromise.

Mayor Skytt said that the county was going to have to explain to the public what Measure D has provided for in the past and said he would be extremely upset if Measure D is not renewed.

Councilmember Jordan said that Measure D was a tremendous success and did not believe that the people would want to give up on maintaining their roads. She said that when the South Coast Subregional Planning Committee met with VCTC it was surprising to hear how successful the Coastal Express was. She asked if it would be a possibility to double or triple the transit services rather than using rail. She also suggested that consideration be given to increasing funding from Measure D.

Councilmember Mariscal asked what the rationalization was for how existing Measure D funds were allocated based on population.

Mr. Kemp responded that this was a policy decision that was made before Measure D was placed on the ballot in 1989 after many difficult discussions. Other factors for distributing the local share were discussed including project funding needs, road mileage and sales tax revenue generation. It was ultimately decided to be based on population. He noted that more sales tax revenues are currently generated in the south county than in the north county.

Mayor DeWees said that where the funds are spent is not an indication of where people live.

Councilmember Mariscal said that the city of Santa Maria was firmly behind the 70/30 split and that those decisions are guided by their population as time goes by.

Supervisor Firestone said the debate will be less on roads and more on rail and asked if there was any way to separate the road portion from the rail portion on the renewal of Measure D.

Supervisor Carbajal said the concept being raised was worth discussing.

Mayor Alvarez said that his city could not afford to lose any funds. He said that the City Managers would be meeting the following day and possibly they could come up with some answers.

Mayor Skytt suggested that the regional split could be done differently.

Councilmember Wallis stated that the amount the local jurisdictions received was critical to their roads. She said the polling and survey can be looked at in various ways and she said that the board needs to be aware of the local jurisdictions. She suggested that the South Coast Subregional Committee needs to examine this issue.

Councilmember Mariscal suggested looking at other funding sources for transit systems and that maybe it was time to start discussing the addition of one-quarter cent sales tax. He suggested not making it about only rail but transit systems in general.

Supervisor Centeno said he would like to know how commuter rail would enhance the flow on Hwy 101.

#### **COMMITTEE REPORTS**

None.

#### **EXECUTIVE DIRECTOR'S REPORT**

Mr. Kemp said in light of the unresolved funding issues for the Measure D expenditure plan, completion of the Action Plan and final report for the 101 in Motion project until the expenditure plan is ready to go.

Mr. Kemp reported that the Coastal Express was doing well and that ridership was up twenty percent on the Clean Air Express totaling almost 700 passengers per day. He said that the City of Santa Barbara had a CAE promotion for downtown workers. If people who work downtown contact Traffic Solutions they would receive a free monthly pass.

Mr. Kemp said that there may be some CMAQ phase out funding available over the next three years as a result of efforts by SBCAG and the Association of Monterey Bay Area Governments.

Mr. Kemp said that he would be bringing to the Board next month a letter urging the governor and legislature to dedicate and insure that Proposition 42 revenues are used with the will of the voters.

#### **CALTRANS DISTRICT DIRECTOR'S REPORT**

Mr. Krumholz presented the District Director's report. In addition to the report he said that Highway 1 was now open.

#### **COMMUNICATIONS**

None.

#### **ADJOURN**

The meeting was adjourned at 12:42 p.m.