



## MINUTES

### SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

Thursday, June 16, 2005

Board of Supervisors Hearing Room  
105 East Anapamu Street  
Santa Barbara, 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; Dan Secord, Councilmember, City of Santa Barbara; Marty Mariscal, Councilmember, City of Santa Maria; Brian Baca, Councilmember, City of Solvang, Pat Mickelson, Caltrans District 5 Representative.

**Members Absent:** None

**Staff Members Present:** Jim Kemp, Executive Director; Michael Powers, Deputy Director of Planning; Bob Perkins, Administrative Services Officer; Kent Epperson, TDM Program Administrator; Gregg Hart, Public Information/Government Affairs Coordinator; John Asuncion, Transportation Planner; Jonathan Whitt, Traffic Solutions Marketing Coordinator; 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 recessed to closed session at 9:37 a.m. to discuss with legal counsel pending litigation with Pierce, Estrada and Our Children's Earth Foundation and pending litigation with Santa Barbara Airbus.

#### 4. CONVENE IN OPEN SESSION

When the board reconvened in open session at 10:38 a.m., County Counsel, Kevin Ready reported that no action had been taken on pending litigation with Pierce, Estrada and Our Children's Earth Foundation, and that the Munoz vs. SBCAG lawsuit was dismissed.

**5. APPROVAL OF MINUTES: May 19, 2005**

Supervisor Centeno moved approval of the Minutes of May 19, 2005 as presented. The motion was seconded by Councilmember Mariscal, and carried with Mayor Alvarez abstaining.

**6. PUBLIC COMMENT**

Supervisor Firestone requested that a presentation be scheduled for the July board meeting to discuss alternative fuels and their future impact on automobile usage.

Richard Quandt stated that traffic congestion on Hwy 101 between Santa Barbara and Ventura was not due just to commuters. He said that he travels on that corridor during the weekends and the congestion is just as bad if not worse, and that the only way to alleviate the problem would be to widen the freeway from two to three lanes.

Faith Sprader, a UCSB student, said she supported Measure D and requested that SBCAG continue to find support for Measure D. She also expressed that she would like to become involved in the renewal process. Ms. Sprader stated it would be sad if the highway needs weren't met due to the failure of a tax measure.

**7. APPROVAL OF CONSENT CALENDAR**

Mr. Kemp requested that Item 7C and 7D be pulled from the consent calendar.

Mayor Hicks moved approval of Item 7A, 7B and 7E on the consent calendar. The motion was seconded by Councilmember Secord and carried unanimously.

**C. 2004 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM**

Mr. Kemp stated there was missing information in the staff report for Item 7C that Councilmember Wallis would like added.

Councilmember Wallis said one of the three requests that were noted in the letter from the City of Goleta was omitted from the staff report. She requested adding the shifting of funds from FY 2006/07 for Ekwill/Fowler to the FY 2007/08.

Mr. Kemp stated the resolution attached to the staff report had the correct information.

Councilmember Baca moved to adopt a resolution approving Amendment #10 to the 2004 Federal Transportation Improvement Program, including Federal Transit Administration (FTA) Non-Urbanized Area Section 5311 Funding and FTA 5307 and Transportation Development Act (TDA) funding for FY. The motion was seconded by Supervisor Firestone and carried unanimously.

**D. MEASURE D ALLOCATIONS**

Mr. Kemp explained that each jurisdiction was required to hold a hearing and adopt a program of projects each year identifying how the local share of Measure D funds would be expended during the next five year period. He said that the city of Guadalupe had not yet done so but was planning to do so on June 28<sup>th</sup>. Mr. Kemp said in the absence of the Program of Projects for the city of Guadalupe, disbursement of Measure D funds to the city will need to be withheld until the Program of Projects is adopted and approved by the SBCAG board. He said that this would come back to the SBCAG Board in July for approval.

Supervisor Gray moved to adopt a resolution allocating an estimated \$29,332,544 in Measure D revenues for FY 2005-2006, to authorize the Executive Director to execute a contract with Easy Lift for the expenditure of \$66,816 in Measure D Regional Paratransit funds for FY 2005-2006 and to direct staff to withhold disbursement of allocations to Guadalupe until a program of projects is adopted by the City and approved by the SBCAG Board. The motion was seconded by Supervisor Centeno and carried unanimously.

**8. MEASURE D PROGRAM OF PROJECTS**

John Asuncion presented the staff report. He explained that all of the jurisdictions had approved their Program of Projects except for Guadalupe, which was expecting approval in late June.

Councilmember Mariscal expressed concern that the projected population figures didn't state that the city of Santa Maria would have a larger population than Santa Barbara by 2009/2010.

There was discussion about where the population figures came from. There was also concern that these numbers were two years old.

Mr. Perkins explained that the new calculation method approved by the board uses the latest available population figures (January 2004) when apportionments are made, and an adjustment (plus or minus) is then applied based on a recalculation of the prior year population figures (January 2003), which the Department of Finance has recently revised and reclassified from estimates to final figures.

Mr. Kemp indicated that the population figures were used only to estimate each jurisdiction's share of future Measure D funds, not to allocate funds. The estimates are used to prepare a five-year program of Measure D projects. He indicated that staff could provide the board with information on options for developing the estimates for next year's program of projects.

Mr. Demery, County of Santa Barbara Public Works Director, said that Measure D funds were the largest the county had to preserve the roads and if it weren't for Measure D funds the roads would be in very bad shape.

Mayor Hicks moved adoption of a resolution to approve the Measure D Program of Projects for FY 2005/06 through FY 2009/10. Councilmember Secord seconded the motion and the motion carried unanimously.

**9. UNMET TRANSIT NEEDS**

Michael Powers presented the staff report.

Richard Quandt, representing the Growers/Shippers Vegetable Association, said there were many individuals that were disturbed by the way the process was being driven pursuant to a lawsuit brought by Mr. Chytilo, and that policy decisions were being made in closed session rather than with public input. He urged the Board not to be placed in that position. Mr. Quandt said that COAST had not attended any public forums and was not knowledgeable about the workers issues. He said their proposals were not feasible since they didn't understand the workings of agriculture. Mr. Quandt said his fear was that money would be taken away from road maintenance and used elsewhere.

Matt Dobberteen reported that the county of Santa Barbara and the city of Santa Maria, with the assistance of the SBCAG Traffic Solutions Division, were working on a proposal to set aside \$150,000 in TDA funds for a vanpool program for farmworkers that would begin by March 2006.

Alex Pujo said he appreciated the project but said it was necessary to take a closer look at the definition of unmet transit needs. He said that TDA funds were allocated to transit and then once a determination is made that there are no unmet needs that are reasonable to meet the funds can go towards fixing roads.

Mr. Chytilo, representing plaintiffs in litigation with SBCAG, said he appreciated the steps taken so far to look at transportation for farmworkers, but that this was only a first step. Mr. Chytilo said that the lawsuit was filed to insure that the existing law was followed, and that there may be a difference in the interpretation of the laws.

Chair DeWees closed the public comment period.

Supervisor Gray asked what the ridership number was for the new Breeze service.

Joseph Rye, SMAT Transit Manager said the Breeze originally had 125 riders per day during the time it was free to ride the service and now ridership had dropped to 110 per day. He said ridership was now starting to increase.

Supervisor Carbajal moved to receive information on the local agency proposal for the farmworker vanpool demonstration project. The motion was seconded by Councilmember Secord and carried unanimously.

Mayor Alvarez moved to adopt a resolution approving the unmet transit needs findings and approve the 2005 Transit Needs Assessment Report as amended. The motion was seconded by Councilmember Secord.

Supervisor Carbajal said he would be unable to support the motion. He said he was convinced by COAST advocates that SBCAG's definitions needed to be broadened to meet a larger number of needs, and although the definitions are to be reconsidered he said he was going to dissent.

Councilmember Wallis said that she would support this motion because there was a clear plan of discussing and revisiting the unmet transit needs definitions.

Councilmember Secord said he would support the motion and said that the Unmet Transit Needs staff report which responded to the testimony was very well done.

Supervisor Rose said she had some concerns in the past but that this was acceptable

The motion carried with Supervisor Carbajal opposed and Supervisor Firestone absent.

#### **10. TRANSPORTATION DEVELOPMENT ACT ALLOCATIONS**

Bob Perkins presented the staff report and said that TTAC had reviewed this item.

Supervisor Carbajal asked where the \$150,000 was in the allocation that would be used for the pilot project for the farmworkers.

Mr. Ready responded that the allocations did not show up in this document because the funds come out of the allocations, once approved, from the county of Santa Barbara and city of Santa Maria.

Supervisor Centeno moved to adopt a resolution allocating \$14,180,000 in Local Transportation Funds to eligible claimants for the FY 2005-2996. The motion was seconded by Councilmember Secord and carried with Supervisor Firestone absent.

#### **11. GRAND JURY REPORT**

Mr. Powers presented the staff report. He explained that the Grand Jury had made a finding and recommendation regarding regional transit services and that the Board had approved a North County Transit Plan that would address some of the issues in the report.

Supervisor Gray asked how the ridership on the MTD Valley Express was doing.

Sherrie Fisher, General Manager with SBMTD, said it was doing well and that there was a slight decrease after the first free month, now averaging 20 passengers a day per bus. Ms. Fisher invited the Board to come look at the Clean Air Express and Valley Express buses that were parked in front of the Administration Building.

Supervisor Rose asked what the capacity was for each bus.

Ms. Fisher responded that the bus could carry 55 people and that the service started on March 1<sup>st</sup>.

Councilmember Mariscal asked if the service was an intercommunity service.

Ms. Fisher responded it was not part of the intercommunity service but rather a commuter service that makes four trips in the morning and four returning in the afternoon.

Supervisor Centeno suggested adding the Chair's signature to the response letter to the Grand Jury.

Supervisor Carbajal said he did not think the letter adequately addressed the Grand Jury's finding or concerns.

Mayor DeWees said the report written by the Grand Jury was vague.

Councilmember Secord moved to authorize submittal of a letter responding to the Santa Barbara County Grand Jury Report with the addition of Chair DeWees' signature. The motion was seconded by Supervisor Centeno and carried with Supervisor Carbajal opposed.

#### **12. FY 2005-06 SBCAG BUDGET**

Mr. Kemp said that during discussion of the draft budget at the May meeting the Board requested staff to respond to specific information on three proposed salary adjustments and COLA comparisons with other agencies.

Mr. Kemp explained that the increase was based on the CPI index for the Los Angeles area, which was between three and three and one-half percent. Mr. Kemp said he had compared the COLA increase with other local agencies but that these comparisons were difficult to make because the COLA's were often part of the labor union collective bargaining agreements and

sometimes included multiple years. He said the other local agencies staff contacted had received a COLA increase for 2005/06 of between two and six percent and he believed that three percent was an appropriate and reasonable amount. He also noted that there were sufficient funds identified in the budget to cover the recommended COLA.

Mr. Ready said that at the previous meeting a question was asked whether a discussion on a cost of living adjustment should be done in closed session. He said that you could only discuss in closed session COLAs that have to do with labor negotiations and in the case of SBCAG the employees were not represented.

Supervisor Firestone questioned why audit fees were half of what they were previously although other office expenses were up. Mr. Kemp said he would look into that.

Supervisor Centeno said he would support a two percent COLA, which was what the county of Santa Barbara would be receiving.

Supervisor Centeno said he had trouble with the language being used with respect to Measure D and requested that SBCAG insure that this was not in conflict with the law.

Mr. Ready said he understood Supervisor Centeno's concerns. He said that there were very valid legislative functions related to placing a Measure D renewal on the ballot that the Board could commit to and use funds for such as the development of an expenditure plan.

Supervisor Centeno requested that the language be very definitive.

Mr. Kemp indicated that staff would change the wording for that item. He said that this language was being used for legislative purposes for the development of the expenditure plan and ballot measure for the extension of Measure D.

Supervisor Centeno moved to adopt a resolution approving a salary increase of four salary ranges, representing a cost-of-living adjustment of 2 percent to be effective June 20, 2005, and approve the revised SBCAG Position Classification Chart. The motion carried with Councilmembers Baca and Wallis abstaining.

Supervisor Gray moved to adopt a resolution approving the FY 2005-06 Comprehensive Budget as amended for the Santa Barbara County Association of Governments. The motion was seconded by Supervisor Rose and carried unanimously.

### **13. JOINT MEETING WITH SAN LUIS OBISPO COUNCIL OF GOVERNMENTS**

Mr. Kemp said that he was in the process of setting up a meeting between SLOCOG and SBCAG and that staff had suggested an evening meeting but SLOCOG preferred a midday meeting. He said he had several possible agenda items but requested that the board members propose agenda items that they would like to discuss at that meeting and he would work with the Executive Committee on this.

### **14. EASY LIFT TRANSPORTATION**

Mr. Kemp introduced Bob Westwick from Easy Lift.

Mr. Westwick said he would be quick and would come back to give the Board a presentation when there was more time. He said Easy Lift started in 1979 as a project of the Easter Seal Society to assist elderly and frail individuals. He said that this service relies on Measure D for about 25 percent of its budget. Mr. Westwick said in the first year they did 90 rides and this year it was up to 24,000 rides and that were able to meet 100 percent of their demand. He complimented SBMTD and Sherrie Fisher for the cooperative relationship that has been established between the transit agencies.

Supervisor Gray asked how many vehicles East Lift had.

Mr. Westwick responded there were 15 vehicles.

**15. ROUTE 1 OPERATIONAL IMPROVEMENT PROJECT**

Mr. Kemp said that this could be deferred to the following month due to the time constraint.

**COMMITTEE REPORTS**

None.

**EXECUTIVE DIRECTOR'S REPORT**

Mr. Kemp said that there were copies in the board packet of a public opinion survey completed by the Economic Community Project that provided some interesting results about the attitude and opinions of residents on the south coast. Mr. Kemp said that to pass, Measure D would require a 2/3 vote requirement and that a poll would be conducted throughout the entire county to see whether the widening of Hwy 101 and implementing a commuter rail system was favored. The results from the ECP poll were encouraging because more than 2/3 supported Measure D extension.

Councilmember Mariscal asked why the question of whether someone would ride a bus more frequently for free was asked.

Mr. Kemp said it was to test what factors induce someone to ride transit. He said it showed that people were not extremely sensitive to the cost but rate convenience as more important.

Councilmember Mariscal said he was concerned that it might plant a seed about free transit.

Mr. Kemp mentioned that Traffic Solutions and MTD were staffing tables downstairs in the administration building today to introduce regional transit services that are available to the county staff to inform that there are commuting options. He said that the Traffic Solutions staff could also provide information on matching potential carpooling partners.

**CALTRANS DISTRICT DIRECTOR'S REPORT**

Pat Mickelson presented the report. She also reported on the Hwy 144 Sycamore Canyon mudslide and the closure of the Castillo/Hwy 101 under-crossing for lengthy periods in order to fix drainage problems.

**COMMUNICATIONS**

None.

**ADJOURNMENT**

The meeting was adjourned at 12:15 p.m.