



**MINUTES**

**SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS**

**Thursday, April 21, 2005**

**Board of Supervisor Hearing Room  
105 East Anapamu Street, 4<sup>th</sup> Floor  
Santa Barbara, CA**

**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, Councilman, City of Santa Barbara; Marty Mariscal, Councilmember, City of Santa Maria; Brian Baca, Councilmember, City of Solvang

**Members Absent:** None.

**Ex Officio Members Present:** Rich Krumholtz, Caltrans District 5 Representative.

**Staff Members Present:** Jim Kemp, Executive Director; Michael Powers, Deputy Director of Planning; Stephen VanDenburgh, Deputy Director of Programming; Kent Epperson, TDM Administrator; Gregg Hart, Public Information/Government Affairs; Ruth Garcia, Transportation Planner; Jonathan Whitt, Traffic Solutions Marketing Coordinator; Cathy Muneio, Executive Secretary/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 8:33 a.m. to A) discuss with legal counsel pending litigation with Pierce, Estrada and Our Children’s Earth Foundation v. SBCAG and Munoz v. Sacramento Area Council of Governments and B) discuss Executive Director performance evaluation and employment agreement.

**4. CONVENE IN OPEN SESSION**

When the Board reconvened in open session at 9:23 a.m., County Counsel, Kevin Ready reported that there was no reportable action taken during closed session.

5. **APPROVAL OF MINUTES FOR THE MARCH 11 BOARD WORKSHOP AND MARCH 17 BOARD MEETING**

Supervisor Carbajal moved approval of the minutes for March 11 and March 17, 2005 as presented. The motion was seconded by Councilmember Baca and carried unanimously.

6. **PUBLIC COMMENT**

Adam Garcia informed the board about The Sustainability Project and notified them of event dates.

Joe Rye, Transit Manager from the City of Santa Maria, thanked the SBCAG Board for their support and SBCAG staff members Ruth Garcia and Scott Spaulding, Santa Barbara County staff Matt Dobberteen, City of Lompoc staff, Richard Fernbaugh, for helping to complete the Intercommunity Transit Service project. He reported the launch date for the service which has been named *The Breeze* would be May 9<sup>th</sup> and that the Board would be receiving an invitation to a dedication ceremony planned following the May SBCAG board meeting in Santa Maria.

Scott Wenz with CAB said he was concerned that the SBCAG board was falling under more political influence. He also spoke of his opposition to the Milpas roundabout and the MTD bus programs.

Marc Chytilo expressed appreciation to the SBCAG staff for the Intercommunity Transit Service Project.

7. **APPROVAL OF CONSENT CALENDAR**

Dan Milstein, representing SBCAN, asked to speak to Item 7B, Work Element 3631, in the Overall Work Program for 2005-06. He said he was in support of a North County Regional Transit Plan and informed the board of a FlexBRT system that has been initiated in Orlando, Florida to improve the efficiency and flexibility of public transit by moving from fixed routes and schedules to a flexible transit system. He was requesting that the board consider a feasibility study to look into this type of system.

Stephen VanDenburgh reported several changes to Item 7D, FTIP Amendment No. 7. He stated that the staff report should have included a road rehabilitation project to be consistent with what was in the resolution and the San Jose Creek project should have been deleted.

Supervisor Gray moved approval of the consent calendar as amended. The motion was seconded by Councilmember Secord and carried unanimously.

8. **UNMET TRANSIT NEEDS**

Ruth Garcia presented the staff report. She explained that SBCAG had completed a very extensive unmet needs process that included two public hearings, and according to state statute only one public hearing was required. Ms. Garcia said that the request from the farmworkers to provide transportation to the fields was found not to be a viable option due to the condition of the roadways and the unsafe stops. Even though staff has recommended this wasn't an unmet transit need that is reasonable to meet, staff was working with the County of Santa Barbara on the potential for using vanpools to address the need for this service. Ms. Garcia stated that there was a recommendation in the staff report that a review of SBCAG unmet transit needs definition and criteria be conducted prior to next year's annual transit needs process.

Mayor DeWees requested that the comments be limited to new information and three minutes since two public hearings had already been held to receive testimony.

There was a discussion about whether an unsigned letter by Mr. Chytilo should be admitted into the record.

Mr. Chytilo provided the board with a signed copy of the letter in question. Mr. Chytilo stated he was speaking on behalf of the organization "Our Children's Earth" and that the Transit Needs Assessment had failed to properly characterize the population of farmworkers or the number of farmworkers that would require transit service. He said according to a proposal presented by Mr. Dockerty, a 48 percent fare box ratio was estimated and that according to those ratios it met the requirement of an unmet transit need that is reasonable to meet. He said it might be appropriate to receive testimony and continue the action until the following board meeting. Mr. Chytilo requested that \$260,000 in transit funds from the state be allocated by SBCAG for implementation of a farmworker transit program.

Chair DeWees asked why this had not come before the board at the previous hearings.

Mr. Chytilo said that he had just received this information and that this information was relevant to the process.

Supervisor Carbajal asked Mr. Chytilo if he had sat down with staff and discussed the roads and bus stops.

Mr. Chytilo said he had not had an opportunity to do so since the information was developed the previous week. He said he had asked Mr. Dockerty to review the information to see if these were real issues and his reply was that these issues could be overcome.

Mr. Dockerty of Americanstar said he had an updated proposal that he would like to review with the Board which included a loop service. He said that laws for school buses were similar to farm worker bus requirements. He described the use of flag stops to address the lack of formal bus stops serving strawberry fields. He indicated he believed there was sufficient demand for this type of service which he could provide.

Supervisor Centeno asked if this route was designed for farms.

Mr. Dockerty said it could be open to the general public and that the bus could be flagged down by riders.

Mayor DeWees asked how Mr. Dockerty had identified the number of farmworkers. He replied that his observations of the strawberry fields near Santa Maria indicated about 3200 workers.

Councilmember Mariscal asked Mr. Dockerty if school buses need seatbelts. He said that California will be requiring school buses to have seat belts next year. He asked for clarification on the number of stops the buses would be making.

Mr. Dockerty responded about there would be about five stops per bus with pickups in the morning near their homes.

Councilmember Mariscal stated that there would need to be five stops on Telephone Road alone. He said that there was approximately 4-5 miles of road and asked Mr. Dockerty how he would determine where the stops would be.

Mr. Dockerty said he would find out on a daily basis since most of the workers would know daily where they would need to report.

Councilmember Mariscal asked Mr. Dockerty if he was aware that the farmworkers did not want to walk more than 5-10 minutes.

Mr. Dockerty said that farmers would probably have contractors that would meet the buses at the road.

Councilmember Mariscal said he was confirming that what Mr. Dockerty was saying was based on assumptions that the service would run three hours in the morning and three hours in the afternoon. He said according to COAST's survey 51.7 percent of farmworkers work at 2-3 farms per day and asked how they would get to the other farms.

Mr. Dockerty stated there was a midday run proposed.

Councilmember Mariscal asked Mr. Dockerty if he had any discussions with Cliff Chambers. He said that this information was being presented as a viable service but that these were assumptions made by Mr. Dockerty.

Supervisor Carbajal said he was interested in learning the process SBCAG uses for determining an unmet need.

Supervisor Centeno said that if this item were continued then the proposals brought before the board could be clearly examined.

Councilmember Mariscal said that what Mr. Chytilo had done was to ignore staff's recommendation. He said that SBCAG was looking at establishing a much more flexible vanpool service for the farmworkers. He said that it was determined a fixed route service was not a viable service and he wouldn't support a continuance of the item to next month.

Jessica Sheeter with COAST, commented that she was happy to see several improvements from the prior unmet transit needs process and that this was due to additional public input but that transit funds were still being diverted to roads despite farmworker's need for transit service. She stated that she did not agree with SBCAG's definition of "unmet needs". Ms Sheeter said she did support the possibility of a vanpool program, but that there were other possibilities to explore such as the SMAT circulator and requested a that a little more creativity be used to allow farmworkers to receive TDA funding.

Alex Pujo said that progress had been made but what was proposed was not enough. He made a request to have all TDA funds used for transit in Santa Barbara County and that he was available to meet with SBCAG to resolve these issues.

Jesus Estrada, (Jonathan Whitt translating from Spanish to English) representing the farmworkers, requested transportation to the farms where they work. He explained that the jobs at the farms where strawberries are picked last six months and that there are some areas like Betteravia where the farmworkers stay in one place so a bus can park at that spot to service those workers. He requested service be extended to Betteravia and noted that bus stops could be placed on the street.

Ms. Olivera, representing various persons from Santa Maria said she agreed with Jesus Estrada that there was a great need for transportation for farmworkers to the farms.

Mayor Alvarez moved to extend the Unmet Transit Needs agenda item by one month in light of the new information received. The motion was seconded by Councilmember Wallis.

Councilmember Wallis said it was very difficult to receive new information for the Board to consider this late. She said she was in support of the motion but said this should be the last opportunity for comments so that the decision makers could have some time to consider this information.

Counsel Ready said that the reason for the continuation needed to be made clear.

Mayor Alvarez amended the motion to extend the Unmet Transit Needs one month and to not consider any new information received from this point on. Wallis seconded the motion. The motion carried with all members voting yes, except Supervisor Firestone who voted no.

## **9. FTIP AMENDMENT**

Steve VanDenburgh presented the staff report noting that the recommendation for programming CMAQ funds was approved by TTAC.

Supervisor Gray asked why Traffic Solutions was more valuable than the San Jose Creek or Old Town Bike Path projects.

Mr. VanDenburgh stated the primary reason that Traffic Solutions is recommended is that the project is able to obligate funds by June 1<sup>st</sup> and that the other projects were still in a developmental phase and would not be able to meet the June 1<sup>st</sup> deadline. He noted in addition Traffic Solutions had traditionally used CMAQ funding as its funding source but from this point forward CMAQ funds were no longer available to the region and SBCAG needed to identify other funds that could be utilized to pay for ongoing traffic demand reduction programs.

Councilmember Secord asked about a City of Lompoc project that was included in staff's recommendation.

Mr. VanDenburgh explained that Lompoc had a CMAQ project to purchase buses programmed several years ago, but instead of using the CMAQ funds for this project they accidentally used TDA funds to pay for this project. He explained that RSTP funds would backfill for the TDA funds that were used to purchase the bus and that the funds would be used for a project to be identified by Lompoc.

Mr. Kemp clarified that TTAC reviewed this item and concurred that Lompoc had completed the project but had accidentally used TDA funds instead of CMAQ funds. TTAC concluded that Lompoc shouldn't be penalized for their mistake but that the final decision would be made by the SBCAG Board.

Supervisor Carbajal asked since CMAQ funds were no longer available if that was why Traffic Solutions was identified as one of the recipients of those funds. He also inquired about why this process wasn't discussed sooner if timing was an issue.

Mr. VanDenburgh pointed out that SBCAG was notified in January by federal agencies that June 1<sup>st</sup> would be the cutoff point to obtain CMAQ funding and reported that SBCAG was not

made aware of the deadline prior to that time. He noted that staff had been working with local, state and federal agencies to program the remaining funds and that the board was informed of the issue at its March meeting.

Supervisor Carbajal requested a report on Traffic Solutions functions and a plan for keeping the program in place.

Mr. Kemp said he would be happy to bring back to the Board a more detailed explanation of the Traffic Solutions programs. He said that a Traffic Solutions annual report is presented in the fall that identifies all of the Traffic Solution programs, but explained that the program's main function was to help with traffic congestion relief. He said that if CMAQ funds are not going to be available that another funding source would need to be identified to continue the congestion relief projects operated by Traffic Solutions. Mr. Kemp said that he would provide Supervisor Carbajal and other board members with a copy of the annual report that was presented to the board last year.

Supervisor Carbajal asked if the program had been successful and if the CMAQ funds could be used for a farmworker transportation program.

Mr. Kemp said that the program was successful in terms of reducing traffic congestion and helping individuals find alternative transportation, and that some agency needs to be responsible for coordinating these types of programs on a regional basis.

Supervisor Rose said it wasn't a question of the sustainability of the program but where the funding would be coming from with CMAQ funds going away. She noted that as construction begins on Hwy 101 there will be a large impact to the community.

Mayor Hicks asked if there wasn't a window for new projects.

Mr. Kemp said that the only way a farmworker transportation program could use CMAQ funds would be to prove it would significantly reduce vehicle emissions and the project would need to be obligated by June 1<sup>st</sup> of this year.

Supervisor Centeno stated it would be helpful to receive some historical data on Traffic Solutions to see if they have met their mission.

Councilmember Mariscal asked what funds were transferred to Traffic Solutions at the last meeting.

Mr. Kemp responded that the board approved last month an allocation of Measure D Regional funds to pay for the Clean Air Express. He said that the program could no longer be funded by CMAQ because CMAQ funds can't be used to pay for transit operational costs.

Supervisor Carbajal requested that this be brought back to the board.

Mr. Kemp said he would present information regarding the benefits of the Traffic Solutions program. He noted that all of the projects listed were recommendations of the public works directors.

Supervisor Rose asked how this related to the annual budget process.

Mr. Kemp responded that the draft budget would come to the board next month and the budget would reflect the board's decisions on programming CMAQ funding.

Sherrie Fisher, General Manager for SBMTD, said she was in support of the FTIP amendment and said she was pleased that MTD was able to leave some CMAQ money on the table. She said she was disappointed at not having an open competition for remaining CMAQ funds.

Scott Wenz, member of the public, urged the board to remove the City of Santa Barbara Pershing park project because the city was irresponsible on how it spends its funding, noting the Milpas roundabout and the Shoreline Drive projects.

Bruce Nybo, speaking as Chairman of TTAC, stated that TTAC had been dealing with the CMAQ issue during the last several months. He stated that funds needed to be obligated by June 1<sup>st</sup> and that an FTIP Amendment was necessary prior to this being done. He said there were projects that came up but they couldn't be obligated by June 1<sup>st</sup>.

Mr. Kemp said that in order for the federal government to approve the obligation of funds there needs to be construction plans and environmental documents ready to go.

Greg Grandrud, member of the public, said he would like the board to go in a different direction and improve roadway capacity.

Councilmember Secord said that Mr. Nybo said there would be a problem if this item were continued.

Mr. Kemp said that the board needs to approve a FTIP amendment before funds can be obligated and if the board waits until next month it will leave only two weeks to complete an FTIP amendment and obligate those funds.

Councilmember Secord moved to: A) program FY 04/05 CMAQ apportionment and provide CMAQ obligational authority to the North County Intercommunity Transit Service, Traffic Solutions and Santa Barbara Pershing Park Multi-Purpose Pathway (Preliminary engineering only); B) delete Lompoc's CMAQ bus project and program \$354,000 in RSTP for a replacement project; and C) replace \$175,000 in CMAQ funding for Santa Barbara's Pershing Park Multi-purpose Path project with STIP-TE funds. The motion was seconded by Supervisor Rose. The motion carried unanimously.

Supervisor Centeno requested that the agenda be sent out earlier so that the public works directors could meet to discuss the agenda items.

Mr. Kemp stated that TTAC is SBCAG's advisory committee and that its members include representatives from the public works departments for all the local agencies. Agenda items for the SBCAG board are discussed with public works directors at this meeting prior to the SBCAG Board meeting.

Supervisor Gray said that the board committee that met to look at the reorganization of SBCAG recommended that the public works directors attend the TTAC meetings.

**10. CLEAN AIR EXPRESS OPERATOR CONTRACT**

Kent Epperson said he would provide additional information to the board to explain the role of Traffic Solutions.

Mr. Epperson reported that the Clean Air Express contract was due to expire in August 2005. He stated the previous RFPs sent out were cancelled by the SBCAG Board and that staff had been directed to revise the RFP. He noted that several changes had been made to the new RFP. The previous RFP process did not include a pre-bid meeting. He requested that the board forward any bidders that might call the board to him.

Mr. Epperson said that the scores would be based on evaluation criteria and that this was a qualifications based process and did not necessarily mean the low bidder would be chosen.

Supervisor Centeno requested that some language be placed in the contract that states if the low bidder was not chosen there must be clear evidence stated on why they were not accepted.

Councilmember Secord said he was in support of that recommendation.

Mr. Epperson stated that if the low bidder was not the top candidate there would be an explanation as to the reason.

Jim Kemp stated that the contractor selection would not be based on the low bid, but would be based on the qualifications and experience as well as price. He said that it is in SBCAG's best interest to make sure that qualifications and experience be part of the selection process since an under qualified proposer could submit the lowest price proposal.

Mayor Hicks moved to approve the written procurement selection procedures for the 2005 Clean Air Express Operator Request for Proposals (RFP) and approve the 2005 RFP for release with an amendment for staff to clarify the language. The motion was seconded by Councilmember Secord. The motion carried unanimously.

**11. US 101 OPERATIONAL IMPROVEMENTS MILPAS TO CABRILLO-HOT SPRINGS PROJECT**

Fred Luna presented the staff report.

Supervisor Gray asked why a sound wall was necessary at the zoo.

Rob Miller, with Caltrans, stated that not only was there an animal hospital but also facilities and people that live onsite. The zoo satisfies the federal criteria for a noise sensitive site that qualified for soundwalls.

Mr. Luna said that there was a cost overrun of \$1.2 million dollars due to increasing construction costs and that he would continue to meet with Caltrans to address the shortfall.

Scott Wenz with CAB said that City of Santa Barbara had the worst program. He said roundabouts increased accidents by 200 percent. He said that as Caltrans knows there is a 28 percent increase in accidents every time there is a road that narrows and if Hwy 101 isn't going to be widened to the Rincon then don't bother. He said funneling traffic onto Coast Village Road is to the detriment of people living there.

Councilmember Secord moved to authorize the Chair to execute Amendment No. 1 to the contract with Moffatt & Nichol Engineers by \$820,000 for final design, right of way acquisition, utility, and railroad coordination services on the US 101/Milpas to Cabrillo-Hot Springs project



and approve an appropriation increase of \$300,000 to the LTA Capital Programs budget for FY 04-05.

**12. SAFE CALL BOX PROGRAM**

Mr. Kemp said as the call box authority for maintaining call boxes in Santa Barbara, SBCAG was planning to implement an upgrade to the call box system to make them ADA compliant. The board had previously approved the Yes/No call box system but that disabled advocacy organizations do not agree this type of call box is ADA compliant. He explained that up until recently the TTY call boxes were too expensive to consider but that recently a manufacturer came out with a TTY system that was comparable in price to the Yes/No system. Mr. Kemp said he was recommending that the previous decision to purchase the Yes/No system be voided and that the Board direct staff to proceed with advertising to receive bids for the TTY system.

Supervisor Centeno moved approval to adopt a resolution approving a procurement schedule for upgrading the SAFE highway call box system to digital service and ADA compatibility using "TTY" specifications. The motion was seconded by Councilmember Baca and carried unanimously.

**13. 101 IN MOTION PROJECT**

Bob Bramen, Parsons Brinckerhoff, presented the staff report.

Councilmember Secord stated he would like to understand toll lanes vs. general purpose lanes and that there should be additional discussion with the public regarding this.

Barry Siegel suggested direction be focused on projects that could be completed earlier.

Greg Grandrud, representing Fix101.org, said that he predicted that one million dollars was being lost weekly for loss of productivity due to the Hwy 101 congestion. He said that he was very appreciative that Rep Bill Thomas had received funding to add lanes to Hwy 46 in San Luis Obispo County. Mr. Grandrud said the private sector would be willing to pay the cost to build this freeway.

Scott Wenz said that Hwy 101 should be widened immediately and that the Santa Barbara County Sheriff and Firefighters Association supported this project.

Councilmember Mariscal stated that Santa Barbara County has an obligation to the state of California since Highway 101 was a thoroughfare. He said he agreed with Councilmember Secord that there should be dialogue about HOV and HOT lanes. He said he didn't know if it is a good idea to have the taxpayer pay for the road and then charge them to drive on it. Councilmember Mariscal said he was concerned that operational improvements don't come back to haunt the Board in the future. He also was concerned about the health impact of sitting on the freeway.

Councilmember Wallis asked staff to comment to the public speakers suggestion on completing the projects that could be done sooner.

Mr. Kemp said that part of the process that was being taken with 101 in Motion was to identify actions that could be completed earlier but in today's funding environment this would be a challenge.

Councilmember Wallis said she thought this was really important and the reality was that the construction phase was significantly into the future and that any of the alternatives that could be done now to alleviate some of the problems would help.

Supervisor Centeno asked what the timeline was for the improvements.

Rich Krumholz with Caltrans said that when they were developing a widening project in 1990 the project was not delivered due to a lot of opposition from the community. He said Mr. Albright feels that a grassroots consensus building process is necessary so this doesn't fail again. He said the designers would be meeting with the consultant today with the expectation that some widening of the highway will come out of the process. He stated one element common to all four packages was the ITS systems. He said they were able to kick start the project by installing five CCTV cameras in the Goleta 101 corridor. The poles were installed three years ago. The cameras are in the vicinity from Turnpike Road to Glen Annie but have not been connected yet.

Supervisor Centeno asked how long it would take to get a six-lane freeway in once there was funding.

Mr. Krumholz said if there were completed environmental documents and funding available it would take about ten years to construct.

Supervisor Rose asked how SBCAG was doing with regards to keeping the public informed of the ITS process.

Councilmember Jordan said that from the perspective of one of the cities that SBCAG will find that there is support for the widening but the problem will be in the details.

Supervisor Centeno asked that Mr. Krumholz convey to Gregg Albright his appreciation for the response to his questions regarding Hwy 166 near Cuyama.

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

Mr. Kemp announced that there was a new on-line carpool match list program that was recently launched by Traffic Solutions. The system allows commuters to use the internet to find potential carpooling partners.

Mr. Kemp informed the Board that May 18<sup>th</sup> is Bike to Work Day. He informed them also about Traffic Solutions Team Bike Challenge during the month of June. The program allows teams to be formed that can earn credits by using bicycles for utilitarian trips. He said the website could be used to log bike trips for each team.

Mr. Kemp said that last month the Board authorized staff to move forward with a RFP for Measure D renewal efforts. He said that a week from Monday that they would be interviewing a short list of consultants who had submitted proposals.

Mr. Kemp announced that Russ Hicks, who was appointed by SBCAG to serve as its representative to CALCOG was voted to be Second Vice-President of the CALCOG Delegates.

**CALTRANS DISTRICT DIRECTOR'S REPORT**

Mr. Krumholz mentioned that the Castillo Street ramps were being worked on and the southbound ramp would be closed next week. Mr. Krumholz asked Pat Mickelson to explain a new program with Caltrans.

Ms. Mickelson stated there was a new program called the Gateway Demonstration Program that allows for the enhancement of entrances to local communities that are located on state highways. She said there is no state funding for this program and that the local jurisdictions have the responsibility of applying for a gateway monument sign. She said the applications need to be to Caltrans by December 31, 2006. She said they allow two years to have a monument sign in place. She said the Program Manager was Dennis Reeves and if there were any questions to contact him. She said if any Boardmembers thought their jurisdiction would be interested there was a PowerPoint presentation available.

**COMMITTEE REPORTS**

None

**COMMUNICATIONS**

The communications were included in the board packet.

**ADJOURN**

The meeting was adjourned at 12:43 p.m.