

**SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS**

**Thursday, March 16, 2006**

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

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

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

**Members Absent:** Susan Rose, Supervisor, Second District; Joni Gray, Supervisor, Fourth District.

**Staff Members Present:** Jim Kemp, Executive Director; Michael Powers, Deputy Director of Planning; Kent Epperson, TDM Program Administrator; Fred Luna, Transportation Engineer; Gregg Hart, Public Information/Government Affairs Coordinator; Cathy Muneio, Board Clerk; Kevin E. Ready, Sr., Senior Deputy County Counsel.

**2. PLEDGE OF ALLEGIANCE**

Chair Centeno called for the pledge of allegiance.

**3. RECESS TO CLOSED SESSION**

Board recessed to closed session at 8:35 a.m.

**4. RECONVENE IN OPEN SESSION AND REPORT FROM CLOSED SESSION**

When the board reconvened at 8:45 a.m. County Counsel Kevin Ready reported that the board provided direction to staff but no reportable action was taken by the board.

**5. APPROVAL OF MINUTES**

Mayor Wallis moved approval of the minutes of February 16, 2006 as presented. The motion was seconded by Mayor Alvarez and carried unanimously.

**6. PUBLIC COMMENT**

There were no comments made by the public.

**7. APPROVAL OF CONSENT CALENDAR**

Supervisor Carbajal moved approval of the consent calendar. The motion was seconded by Councilmember Skytt and carried unanimously.

**8. CLEAN AIR EXPRESS MEASURE D EXPENDITURE PLAN AMENDMENT**

Kent Epperson presented the staff report.

Mr. Kemp said that this item was on the February agenda for discussion and at that time Mayor Wallis requested information on how this request might affect other Measure D projects.

Mayor DeWees said his concern was relative to the four Lompoc buses that were purchased with federal funds and whether or not the title could be transferred by the city of Lompoc on those buses and whether any penalties would be involved. He said he would need an assurance from the federal government before he would move forward on these bus transfers.

Supervisor Carbajal asked when SBCAG might find out about the status of the \$3.1 million dollars that SBCAG was supposed to receive from the state for the Ortega Hill Auxiliary Lane project that was funded out of Measure D.

Mr. Kemp responded that the \$3.1 million dollars had to be backfilled because the state was facing a budget crisis but the board approved allocating those funds out of Measure D to move forward with the project but the \$3.1 million dollars still remained available for programming.

Supervisor Carbajal said he would support staff's recommendation but wanted to know in light of the Measure D discussion, if the cities of Lompoc and Santa Maria and the county of Santa Barbara should use more of those resources such as TDA funds for transit.

Supervisor Centeno requested that transit riders be informed far in advance of upcoming rate increases.

Kent Epperson responded that it was an FTA requirement to have a public hearing process to approve any fare increases.

Supervisor Centeno asked how much time was allotted for public hearings prior to approving rate increases.

Mr. Epperson responded that there would be a public input process a month prior to bringing the item to the board for a public hearing and adoption by the Board.

Councilmember Jordan asked about Table 3 in the staff report. She wanted to know if MTD received an apportionment of their own or if their funding came from the individual jurisdictions on the south coast.

Mr. Kemp said that under the Transportation Development Act, MTD receives direct apportionments for funds in the south coast area.

Councilmember Jordan asked why there was only one agency named as receiving TDA funds in the north county.

Mr. Kemp responded that SMOOTH was designated as a consolidated transportation service agency and was entitled to receive five percent.

Supervisor Centeno said the board discussed locating permanent funding for the Clean Air Express and suggested considering forming a North County Regional Transit District to operate the transit programs in the north county.

Supervisor Centeno said that he did not want to condition his vote on making sure that those jurisdictions spend all their TDA funds on transit, and said he would suggest that Lompoc, Santa Maria or the County of Santa Barbara need to determine that themselves.

Mayor DeWees said that the increase in commuting to the South Coast was a result of the lack of housing in the South Coast and suggested that perhaps some of the South Coast TDA funds could be reallocated to the north county.

Mayor Wallis said that there were eleven routes from Santa Maria to Santa Barbara and Goleta and this was a good use of Regional Measure D funds.

Councilmember Mariscal said he agreed with Mayor Wallis and that the North County Transit Plan would be looking at transit in the north county for the next 30 years. He said that Mayor DeWees' comments were shared by many residents. He said that the city of Santa Maria was planning to have a number of meetings for the North County Transit Plan held at time frames that are conducive to the public's schedules.

Mayor Wallis moved to approve an amendment to the Measure D Expenditure Plan allocating \$500,000 of Regional Measure D funds to be used for the Clean Air Express capital and operating budget shortfall. Councilmember Mariscal seconded the motion. The motion carried unanimously.

## **9. ROUTE 154 OPERATIONAL IMPROVEMENTS**

Fred Luna presented the staff report.

It was noted that the date was incorrectly stated on the agenda and instead of 2006 it should read 2008.

Mr. Luna presented data on types of collisions occurring on Route 154 and how the previous Group I improvements has led to a reduction in most severe types of collisions. Supervisor Firestone asked if the number of hit objects was unusually high and asked what hit objects included. Mr. Luna indicated that the category "hit objects" included fixed objects off the roadway such as signs, trees, and utility poles.

Counsel Ready said that he believed that "hit objects" also included things on the roadway such as debris and rocks.

Cheryl Willis, Caltrans 5 Interim Director, added that the category likely included guardrails, sign posts, etc.

Supervisor Centeno suggested doing an analysis of the hit objects list.

Mr. Luna resumed the presentation by emphasizing that the focus of the data is those accident types that typically result in the most severe damages such as the broadside and head-on collisions and that these rates have been significantly reduced since the the Group I improvements were completed.

Councilmember Mariscal asked whether consideration had been made in the westbound lanes onto Hwy 154 from Paradise Road to allow RVs space to accelerate before merging into traffic.

Mr. Luna stated the project team had conceptually looked at an acceleration lane in the westbound direction at the request of the US Forest Service, but that it proved to be environmentally and cost prohibitive. The improvement was also not directly addressing the collision analysis that had been conducted at the intersection. Mr. Luna also added that the project included a median acceleration lane for RV's merging onto eastbound Route 154, which was not shown in the presentation.

Councilmember Skytt expressed his concern over urbanizing the Hwy 154 area at Baseline and Edison by placing a four-way stop sign in the road considering the speed at which cars travel on that highway.

Mr. Kemp suggested completing the Measure D item and then Caltrans can report on the Hwy 154 issues.

Supervisor Firestone asked if the 6.0 million dollars was the construction cost amount.

Mr. Luna responded that the figure for construction should be \$5.0 million as was shown in the list of overall improvements based on staff's recommendation.

Councilmember Mariscal said that \$7.33 million was allocated for Rt. 154.

Mr. Luna responded that the \$7.33 million figure was an estimate of all remaining project costs including final design and engineering, utility and right of way work, construction administration and construction.

Mr. Kemp said that the projects shown just included construction cost and that it was very typical to spend 20-30 percent on the engineering, design and other costs on highway projects due to their complexity.

Supervisor Centeno asked if the \$5 million construction cost included the usual contingency amount.

Mr. Luna responded that it did.

Mayor Alvarez asked if RBF Consulting had worked for the county before and if they were a local firm.

Mr. Luna responded that the main office was located in Walnut Creek but they were using local sub-contractors.

Supervisor Firestone moved to authorize the Chair to execute Amendment No. 3 to the agreement with RBF Consulting for environmental services at a not-to-exceed cost of \$222,964 and extend the termination date of the agreement through December 31, 2008, and to authorize the Chair to execute a new master agreement for final design services and design support during construction with RBF Consulting at a cost not-to-exceed \$1,084,919.

Councilmember Jordan said she understood that the planning costs and not construction costs were what was before the board and asked if this would return to the board when it was time to approve the construction costs.

Mr. Luna responded that the board would need to take action on awarding a construction contract after the bids have been received.

Councilmember Jordan said she was concerned about the Measure D balance and said that certain projects have come in much higher than the engineer's estimate. She said there were some extremely important projects underway such as the Milpas/Hot Springs project and if Measure D were not renewed the Board would need to find the funds to make sure this project is completed.

Supervisor Firestone said he did not like spending funds on pre-construction costs if there wasn't a guarantee there would be funding available to complete the project.

Mr. Kemp said that they had negotiated what they believe are the appropriate costs to proceed with the project and that the project scope could be reduced which would reduce the costs involved. He stated that the costs were in line with what is required to prepare a construction package and that a lot of work needs to be completed prior to going out to bid.

Supervisor Centeno requested that staff do all it can do to reduce costs without jeopardizing the project.

Councilmember Mariscal stated that part of the costs include asking the contractors to provide indemnification since the costs are usually passed on to the client. He asked if the contract should include coverage for a reasonable amount of time beyond the completion of the project.

Counsel Ready said he was correct and that providing coverage for the property should not be made on a claim made basis. He noted that in future contracts there will need to be a request for an occurrence form or some sort of provision in the agreement to protect SBCAG against future liability.

The motion was seconded by Mayor Wallis and carried with Councilmember Mariscal's concerns noted.

#### **10. OVERALL WORK PROGRAM**

Mr. Kemp presented the staff report.

Councilmember Jordan said that the work program highlights were not easily apparent in the Overall Work Program and requested that they somehow be highlighted.

Mr. Kemp said this could be done.

Councilmember Mariscal said he liked Work Element 2731 relative to engaging the public in educating them on the impacts of land use and that he did think SBCAG needed to take a role in all levels of the community in addressing the needs of housing available close to the workplace. He also noted that Work Element 1720 needed to be looked at.

Supervisor Carbajal said that this discussion would forever plague the cities and county and that they will be challenged to come up with answers. He said it comes down to the price of land and demand of the area.

In regards to a Regional Blueprint Plan, Supervisor Centeno said his concern was that land use concepts and transit concepts go together at the local level and that with the makeup of the

board he did not foresee this type of discussion happening on a regional level. He said he did not think this item should be placed on the agenda at this time.

Mayor Wallis said that the city of Goleta was preparing its general plan and that if this was looked at on a regional basis, the north county would be telling Goleta to build more houses and the south county would be telling the north county to commit to transit issues.

Supervisor Carbajal said he agreed with Mayor Wallis. He said the state had not given him too much confidence and that the state would need to be more creative in solving transportation and planning issues before taking away authority from local agencies.

Councilmember Mariscal said that the concept of maintaining local control of land use issues was unanimous by the board. He said that SBCAG was in a unique position with information on land use, roads and housing issues and proactively participates in discussions on a local level. He said there needs to be a regional dialogue that doesn't have to do with land use about moving transportation and goods throughout the corridor.

Mayor Blum said she also was in agreement with local control relative to land use but that it might be helpful for each jurisdiction to report what they are doing relative to housing issues that might affect other jurisdictions.

Mayor DeWees urged the board to take a global view when discussing Measure D.

Supervisor Centeno asked for a motion on whether the board wanted to pursue the development of a Regional Blueprint Plan.

Mayor Wallis moved not to approve including the development of a Regional Blueprint Plan in the OWP. The motion was seconded by Supervisor Carbajal and carried unanimously.

The board took a ten minute break at 10:50 a.m. and reconvened at 11:00 a.m.

#### **11. 2006 STATE TRANSPORTATION IMPROVEMENT PROGRAM**

Mr. Kemp presented the staff report.

Councilmember Jordan said that she had attended a CTC meeting in Los Angeles with Mr. Kemp and Mr. VanDenburgh. She said it was convenient since the meeting was held at the Union Station. She said that they had heard the CTC was discouraging any new start projects and that they felt it was important to request the status of the Hwy 101 widening. She said she stressed the importance to the state that it was Santa Barbara County's own freeway and that we need to carry on the momentum to complete this project and that SBCAG was willing to fund this project. She said that with the deletion of some projects from the RTIP she hoped that this would allow for covering the cost of the project.

Mr. Kemp said that they were given five minutes to present testimony and stuck to it tightly and had almost cut off Councilmember Jordan's comments. He said that they were requesting some ITIP money to complete the engineering work for the Hwy 101 Santa Maria River Bridge and were not able to get to that point since they were cut short. He said he would be following through with the CTC staff.

Mr. Kemp mentioned that the CTC would be holding their September meeting in Santa Barbara. He asked the Board to place the dates of September 6 and 7 on their calendars.

## **12. SBCAG EXECUTIVE COMMITTEE**

Mr. Kemp stated that his contract requires an annual review of performance evaluation. He said it was appropriate for the chair to appoint members to an Executive Committee for completing that evaluation. He said this would be subject to the Brown Act and would be publicly noticed but that the performance evaluation would be dealt with in closed session.

Supervisor Centeno appointed Supervisor Gray, Mayor Wallis, Supervisor Carbajal and Councilmember Hicks to serve on the Executive Committee.

## **COMMITTEE REPORTS**

None.

## **EXECUTIVE DIRECTOR'S REPORT**

Mr. Kemp indicated that the groundbreaking ceremony for the Ortega Hill Auxiliary project was held the previous day and was attended by Supervisor Carbajal. The Santa Barbara News Press and media also attended the event. Mr. Kemp said the project was expected to be completed by early next year and was being funded due to the board's approval of using 5.2 million dollars of Measure D funds.

Mr. Kemp said that the Freeway Service Patrol initiated service on March 6<sup>th</sup>. The kickoff ceremony was attended by Assemblyman Nava, Mayor Blum and Capt. Jeff Sgobba of the California Highway Patrol. The service operates during peak service hours on the southern portion of the Hwy 101 corridor to relieve congestion. He noted that the contractor is required to distribute surveys.

Mr. Kemp said that CMAQ funds were scheduled to run out with the apportionments in 2004/05 since Santa Barbara County had reached air quality attainment. Mr. Kemp said he spoke with other CALCOG agencies about a phase out of the program and found out the same situation existed for the Monterey Region. He said that he reached an agreement with the other CALCOG Directors and it was decided that 1.9 million dollars would be made available for a phase out program during FY 06/07 and FY 07/08. Mr. Kemp explained that the Traffic Solutions program had been funded through this funding source also. He said the phase out program would require state legislation and that Caltrans has agreed to include the appropriate language in an omnibus bill that will make changes required by enactment of the federal SAFETEA-LU bill. He noted that a call for projects would be initiated for the CMAQ phase out funding.

Mr. Kemp reminded the board that a board workshop on Measure D renewal was scheduled for April 5, 11:00 am to 5:00 p.m at the Buellton Marriot.

Supervisor Centeno said that the purpose of the workshop meeting was not to get into a real in depth discussion but rather to bring together staff and the consultant so that the consultant could report on the various data collected during the public outreach effort and said he did not plan to have a lot of discussion between the board with respect to firming up the renewal issue but to digest information to discuss at the regular board meeting in April.

Mayor DeWees expressed concern that they would not be having a discussion regarding the board's feeling about what type of report will be able to be delivered.

Supervisor Centeno said that there wouldn't be an in depth discussion.

Mr. Kemp said that SBCAG has been engaged in a public outreach process and has been meeting with a number of stakeholder groups to discuss the renewal of Measure D using the A plus B expenditure plans. He said in addition the board had indicated that they wanted Mr. Tramutola to present his

recommendations as to what he thought was the best plan based on public input. Mr. Kemp said that staff was hopeful that they would receive Board input prior to the April 20 board meeting in order to meet the deadline for adopting an expenditure plan for the November 2006 ballot.

Councilmember Hicks said that the workshop would be a good time to hear from the public.

Supervisor Centeno said that there would be public comment but the primary purpose of the meeting was to convey to the board all of the information accumulated to date.

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

Cheryl Willis, acting District 5 Director introduced herself. She said she would be at Caltrans District 5 for a short period of time. She pointed out that the El Jarro Creek project south of Lompoc should have traffic control lifted some time that week. She said that they were projecting to be placing four lane stop signs at Baseline and Edison in the next several months. She said that Caltrans is cognizant of the concerns and issues relative to the stop signs and will be exploring other alternatives.

Supervisor Centeno asked the status of the Hwy 101 in Santa Maria.

Ms. Willis said she was of the understanding there were some issues with the contract and it had to go back to the CTC for approval. She said that the project has been advertised and was expected to close as of April 18.

#### **COMMUNICATIONS**

None.

#### **ADJOURN**

The meeting was adjourned at 11:32 a.m.