



MINUTES

SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

Thursday, December 16, 2004

Board of Supervisors Hearing Room
105 East Anapamu Street, 4th Floor
Santa Barbara, CA

1. CALL TO ORDER AND ROLL CALL

Members Present: Naomi Schwartz, Supervisor, First District (SBCAG Chair); Gail Marshall, Supervisor, Third District; Joni Gray, Supervisor, Fourth District; Joe Centeno, Supervisor, Fifth District; Russ Hicks, Councilmember, City of Buellton; Donna Jordan, Councilmember, City of Carpinteria; Jack Hawxhurst, Councilmember, City of Goleta; Lupe Alvarez, Mayor, City of Guadalupe; Dan Secord, Councilmember, City of Santa Barbara; Marty Mariscal, Councilmember, City of Santa Maria; David Smyser, Mayor, City of Solvang; Rich Krumholz, Caltrans District 5 Representative (Ex-Officio member).

Members Absent: Susan Rose, Supervisor, Second District; Dick DeWees, Mayor, City of Lompoc (SBCAG Vice-Chair)

Staff Members Present: Jim Kemp, Executive Director; Michael Powers, Deputy Director of Planning; Stephen VanDenburgh, Deputy Director of Programs; Kent Epperson, TDM Coordinator; Gregg Hart, Public Information/Government Affairs Coordinator; Kim Gillian, Accounting Officer; John Asuncion, Transportation Planner; Ruth Garcia, Transportation Planner; Cathy Muneio, Board Clerk; Kevin Ready, Deputy County Counsel.

2. PLEDGE OF ALLEGIANCE

Chair Schwartz called for the pledge of allegiance.

3. RECESS TO CLOSED SESSION

No closed session items.

4. RECONVENE IN OPEN SESSION

5. APPROVAL OF MINUTES

September 29, 2004

Supervisor Marshall moved approval of the September 29, 2004 minutes. The motion was seconded by Councilmember Mariscal and carried with Mayors Alvarez and Hicks, and Councilmembers Jordan and Secord abstaining and Mayor Smyser absent.

October 20, 2004

Supervisor Marshall moved approval of the October 20, 2005 minutes. The motion was seconded by Councilmember Secord and carried with Supervisor Gray, Mayor Alvarez and Councilmember Hicks abstaining and Mayor Smyser absent.

Mayor Smyser arrived.

6. PUBLIC COMMENT

Barry Siegel requested that the following month's agenda include an item on ITS projects that could be implemented on 101 in the Milpas area.

Mr. Kemp responded that a board presentation was at a previous meeting by Caltrans, but that this was a good discussion item. He said that Caltrans could respond to Mr. Siegel's specific points and requested that Caltrans include this item in its Director's Report at the next SBCAG board meeting.

Mr. Ready, County Counsel, said that it had been determined that there may be additional members of SBCAG staff and consultants who may need to complete a Conflict of Interest form. He said he would be bringing a new Conflict of Interest Code to the Board in January for approval. He also noted that County Counsel was planning to conduct a training session on the Brown Act for new board members.

7. CONSENT CALENDAR

Supervisor Schwartz asked Mr. Kemp to review each consent calendar item with the Board.

A. 101/MILPAS TO CABRILLO-HOT SPRINGS PROJECT

Mr. Kemp explained that this was an agreement with Caltrans pertaining to the Highway 101/Milpas to Cabrillo-Hot Springs improvement project that would define the roles and responsibilities of SBCAG and Caltrans during the right of way phase of the project.

B. LOCAL TRANSPORTATION SALES TAX MEASURES

Mr. Kemp said this was an informational report relative to the results of the sales tax measures for ten counties in California that were on the November 2nd ballot. He said that seven of the measures passed that required a 2/3 vote, and that two of them were brand new measures.

Councilmember Mariscal said he was encouraged that these measures passed and said that a program was needed to get the word out and begin efforts to renew Measure D.

Mr. Kemp said he agreed but there was the issue of the county split coming up on the June 2006 election that could be divisive and harmful to the sales tax renewal effort. He said that he was planning to hold a board workshop in late January or early February to discuss getting those efforts underway.

Supervisor Gray said that the board had discussed the need to call it something other than Measure D since that may not be the ballot letter assigned to the sales tax renewal measure.

Mr. Kemp said that it was determined that based on the election results in other counties a difference in the measure letter did not have a huge impact on the support level.

Supervisor Schwartz said that the county split would be on the ballot in June 2006 and that the outcome of this would underlie what will be placed before the voters relative to the SBCAG measure.

C. FREEWAY SERVICE PATROL

Mr. Kemp said that the request before the Board was to approve committing the local match funds for the State Freeway Service Patrol grant program for the application that was previously approved by the Board. He said that this was a program that would take on increasing importance as congestion increases on Hwy 101.

Supervisor Centeno asked where the funds would be coming from.

Mr. Kemp said that the funds would come from the call box program that receives funding from the one dollar vehicle registration fee. He said that these funds could only be used for specific purposes, and that this program would be generating a surplus of revenues in the future years. Mr. Kemp said the call box program would remain in place.

Mayor Smyser expressed his concern that this program would take away from the private enterprise towing companies.

Mr. Kemp stated that this was a congestion relief program that would benefit all motorists by removing vehicles and clearing debris from the freeway in a much quicker time frame. Under the FSP program, SBCAG would contract with private towing companies. He explained that these vehicles would just be removed from the freeway and that another source would need to tow them if necessary.

Mr. VanDenburgh explained that the way the program works is that the Freeway Service Patrol removes vehicles that are broken down on the highway and puts them in a place off the freeway in which the vehicle owner would have to call their own towing service. He said the Freeway Service Patrol will fix minor things such as changing a tire or putting a gallon of gas in a vehicle to get the vehicle moving but that major repairs would need to be covered by the individual.

Supervisor Gray said she was very supportive of the program initially but was concerned when Supervisor Schwartz asked the question how many minutes would be saved in congestion and staff didn't know the answer to it. Supervisor Gray expressed concerns about whether the call box program would suffer if the Freeway Service Patrol program were in place. She wanted to make sure that the call boxes would be updated and that they would be made ADA compliant.

Mr. Kemp responded that they were not contemplating eliminating the call box program and had a federal grant to move forward with the call box replacement program to make them ADA compliant. In regards to performance measurements, he said that this program has been proven to work in other areas and he would find out if any performance measurements were taken.

Mr. Krumholz from Caltrans said that Caltrans had written a letter in support of the Freeway Service Patrol. He said the quicker that broken down vehicles can be taken off the freeway the quicker congestion would be relieved.

Supervisor Schwartz said that since the Hwy 101 corridor was very narrow with not much flexibility it might be a very successful program and would be worth a try.

Supervisor Centeno said he was reluctant to take funding from the call box program. He asked if there was a surplus there and if so why. He said that this wasn't a single year of funding but multiple years.

Mr. Kemp explained that there was a surplus from the registration fee that funds the call box system and that these funds could only be used for a motorist aid system such as an FSP, but could not be used for other purposes such as improving roads. He said they could be used to fund the local matching requirement for the state Freeway Service Patrol grant. Mr. Kemp said this would be an ongoing operating cost as would many of the congestion relief projects. He said this program was a small piece to relieve the south coast congestion and would be evaluated over a two year period.

Supervisor Centeno said he was reluctant to support this without a staff report listing performance measures.

Mr. VanDenburgh said that this item needed to be approved at the current meeting or they would not be able to submit the application and be eligible to receive state funding in the upcoming grant cycle.

Councilmember Jordan said she agreed with Supervisor Gray in regards to more specificity but that the timing was perfect for this type of program. She noted that the results of this program would be noticeable since there was currently no other congestion relief project complete.

Mayor Alvarez asked if SBCAG would be assuming liabilities by operating such a program.

Legal Counsel, Kevin Ready said that the contractor would be fully insured and SBCAG would be indemnified in the contract.

Councilmember Secord said that he would reluctantly support the program since other agencies using this program had benefited from it.

Councilmember Hawxhurst said that this program appeared to be extremely cheap compared to all the other fixes that have been investigated for that section of the freeway. He said he would like to know how many minutes this would save a person on the freeway.

Councilmember Hawxhurst moved to approve an application for State Freeway Service Patrol grant program funds for the fiscal year 2005/06 using the Service Authority for Freeway Emergencies (SAFE) call box revenues for the required local match. Supervisor Gray seconded the motion.

Supervisor Marshall requested that when staff brings back the proposal that staff have an outline on measuring the success of the program.

Mayor Smyser said it did not seem that being held up by a broken down vehicle was the issue of congestion on the south coast. He said that most drivers have some type of self insurance for towing. He wondered if the two truck companies would charge twice.

Mr. Kemp explained that the contract would prohibit the tow trucks from taking individual cars to any place other than designated drop off zones and that this was not a service that would take the vehicle to a repair service . He said the whole program is about getting vehicles cleared off the freeway as quickly as possible to reduce congestion.

The motion carried 8-3 with Supervisor Centeno, Mayor Smyser and Mayor Alvarez opposed.

D. MEASURE D HIGHWAY PROGRAM

Mr. Kemp explained that this agreement with Fluor Enterprises was to manage the Highway 154 operational improvements and a number of other projects in the FTIP.

Supervisor Gray asked if these funds were in place of obtaining a contractor.

Mr. Ready said that these funds could be used for a ballot measure but not for campaigning. Once the measure is headed for the ballot then we need private entities to campaign for us.

Councilmember Mariscal said that Supervisor Elect Carbajal suggested this be called a program, not a campaign. He also asked if the twenty percent reduction in the fee was due to less work that would be completed.

Mr. Kemp said this was largely due to the number of hours required from Fluor.

E. ADMINISTRATIVE ASSISTANT POSITION SPECIFICATION

Mr. Kemp explained that the Board had authorized the addition of this position in its FY 2004/05 budget. He said the request was for the Board to approve the position specification.

F. MID-YEAR BUDGET ADJUSTMENTS

Mr. Kemp said he was requesting that the Board authorize a budget transfer since federal funds earmarked for 101 in Motion last year were hung up and they were unable to get contract authority. Mr. Kemp said a contractor was working for SBCAG who was currently billing for costs.

Supervisor Schwartz asked what would happen when the funds do come in.

Mr. Kemp said he was working with Congressman Capps staff to revise the scope of the earmark project to allow SBCAG to use these funds in the future for 101 in Motion projects. He said that this was a federal grant in the 2003/04 appropriations budget and that there would eventually be a grant agreement obtained.

Supervisor Marshall moved to approve the remainder of the consent calendar. The motion was seconded by Councilmember Secord. Supervisor Centeno requested that staff bring back to the Board an update of Item 7C. The motion carried unanimously.

8. CALTRANS DISTRICT DIRECTOR'S REPORT

Rich Krumholz presented the Caltrans District Director's report. He reported the projects for resurfacing north of Goleta, the inside shoulder widening south of Santa Maria and the removal of diseased Eucalyptus trees were completed. He also reported that work that the work on Las Positas Road was done and had now moved to Cliff Drive and would be suspended on December 24th and December 31st.

Supervisor Marshall asked how far south the Gaviota the 101 median K Rail project would go.

Mr. Krumholz said it would extend south approximately 6/10 of a mile.

Supervisor Marshall asked him to confirm this and send her an e-mail.

9. RESOLUTIONS OF APPRECIATION

- A. Mr. Kemp said it was a tradition of the board to present the outgoing board members with resolutions recognizing their service.

Supervisor Schwartz said that the work of SBCAG was fascinating and somewhat confusing and that staff had done a remarkable job of making it more understandable. She noted that there would be many challenges in the future and thanked SBCAG staff. She also thanked her colleagues that were leaving.

Supervisor Gray moved to adopt the resolutions of appreciation. The motion was seconded by Councilmember Secord and carried unanimously.

Supervisor Schwartz presented a resolution of appreciation to Dick Weinberg.

Mr. Weinberg said he was proud to be a member of the 2004 graduating class and that he had spent eight wonderful years on the board. He thanked the SBCAG staff.

Supervisor Schwartz presented a resolution of appreciation to Bill Traylor. She said that Mr. Traylor had served on the SBCAG board two different times and thanked him for his many years of service.

Mr. Traylor said he had enjoyed his time as an SBCAG board member.

Supervisor Schwartz presented a resolution of appreciation to Supervisor Marshall noting her extraordinary service. She said that Supervisor Marshall had been a member of the SBCAG board for eight years looking out for the transportation needs of the county. Supervisor Schwartz noted that the Third District was a very complex district reaching from the Lompoc Valley to western Goleta to Isla Vista.

Supervisor Marshall thanked the SBCAG staff because without the excellence in staff the board's job would be much more difficult. She noted that one of the many challenges the new board would have in the future was to bring more light to the public on SBCAG functions.

Supervisor Gray presented a resolution of appreciation to Supervisor Schwartz. Supervisor Gray said that Supervisor Schwartz had an incredible ability to look at something and ask the right question. She said it takes years to learn to do this. She thanked her for all that she had done for the County of Santa Barbara and mentioned that the county has named a building after Supervisor Schwartz.

Supervisor Schwartz thanked the SBCAG staff, Caltrans and the MTD staff. She recognized two other members that would be leaving, Councilmember Hawxhurst and Mayor Smyser. She said they brought important voices to the table and wished them the best.

- B. Mr. Kemp recognized Kim Gillian, the first SBCAG Accounting Officer, who was leaving after ten years. He said she had done a tremendous job for this position and that she would be missed and was a very valuable member of the staff.

Kim Gillian thanked SBCAG for the opportunity to work there over the last decade.

Supervisor Schwartz added her appreciation to all of the public works directors noting that their work was critical to their decision making.

10. METROPOLITAN TRANSPORTATION PLAN

Mr. Powers explained that this was a limited update of the plan that was determined was needed by the Federal agencies due to air quality conformity requirements.

Mr. Kemp explained that the action before the board was to hold a public hearing and then bring it back the following month for adoption. He said that this was the remedy for the conformity lapse. He said when the plan is approved the lapse would no longer exist and projects in the plan and FTIP would be able to move forward.

Supervisor Schwartz opened the hearing.

Supervisor Centeno asked the number of other counties that had lapsed.

Mr. Powers noted that SACOG was the only one he was aware of.

Supervisor Centeno asked that staff allow sufficient time to make sure this type of lapse doesn't happen again. He said he was concerned about the Santa Maria six-lane project.

Supervisor Marshall stated that she would be abstaining on the MTP draft. She said she had concern about the expensive four lane highway project on Hwy 246 from Lompoc to Buellton. She stated there were other areas in greater need and stated she felt that safety improvements on Hwy 154 might lead to four lanes. She said she thought better activity for Hwy 154 would be for the Highway Patrol to enhance safety.

Since there were no public comments the Board hearing was closed.

Councilmember Mariscal said he agreed with Supervisor Centeno. He suggested that the software that is needed be looked into more closely in the future so that a potential project does not become at risk.

11. FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM

Supervisor Schwartz opened the public hearing to receive comments on the Draft Final 2004 Federal Transportation Improvement Program.

There being no public comments the hearing was closed.

12. CLEAN AIR PLAN

Mr. Powers said that there was a close relationship between SBCAG and APCD and the action was related to transportation measures that exist with the MOU between the two agencies. He explained that staff was working with APCD and an advisory committee in reference to the Control Measures in the Clean Air Plan. The recommendation was to approve the Transportation Control Measures for the Clean Air Plan.

Supervisor Schwartz opened the public hearing.

There being no public comment the public hearing was closed.

Supervisor Marshall asked if concerns expressed in a letter by Marc Chytilo had been addressed.

Mr. Powers responded that Mr. Chytilo was concerned that the TCM's proposed by SBCAG did not go far enough in regulating mobile sources and the technical analysis was insufficient. Mr. Powers responded that the modeling Mr. Chytilo requested was unavailable and that some of Mr. Chytilo's recommended programs were already being implemented by the Traffic Solutions Office of SBCAG or being evaluated as part of the 101 in Motion program. He concluded that some concerns had been discussed with the community and the APCD Community Advisory Committee in the Clean Air Planning process.

Supervisor Schwartz said that in the correspondence Mr. Chytilo had reiterated that there was a need for an Emission Reduction Plan.

Mr. Powers said that Mr. Chytilo was referencing legislation that could enable that and that SBCAG has chosen not to go towards that objective since the plan says that attainment can be met through the current measures.

Councilmember Mariscal moved to approve the Transportation Control Measures in the State Clean Air Plan prepared by APCD. The motion was seconded by Councilmember Secord and carried 10-1 with Councilmember Jordan abstaining.

13. BOARD MEETING SCHEDULES FOR 2005

Mr. Kemp said that he was asking that the Board approve the meeting schedule for next year and it was the Board's practice to alternate board meetings between Santa Maria and Santa Barbara.

Mr. Kemp said that the joint meeting tentatively scheduled with SCAG, VCTC and VCOG for May 12th looked like it would need to be rescheduled due to a conflict with a League of Cities event in Sacramento.

Councilmember Jordan said she had attended the previous joint meeting with SCAG, VCTC and VCOG and that she was overwhelmed by the number of people the SCAG agency represents. She suggested that SBCAG might want to focus on VCTC and VCOG in future joint meetings and have an agenda on some of the smaller issues.

Supervisor Schwartz said she supported that idea and noted that ultimately VCOG and VCTC will play a more important role with SBCAG.

Supervisor Gray moved to approve the meetings as listed on the agenda with the exception of setting the joint meeting date. Councilmember Secord seconded the motion. The motion carried unanimously.

14. ELECTION OF OFFICERS

Councilmember Secord nominated Mayor DeWees to be chair. The motion was seconded by Supervisor Centeno and carried unanimously.

Supervisor Gray nominated Supervisor Centeno to be vice-chair. The motion was seconded by Councilmember Mariscal and carried unanimously.

Mr. Kemp stated that since there were several new board members starting next month, he planned to place the committee appointments on the January agenda.

15. STATE TRANSPORTATION IMPROVEMENT PROGRAM

Mr. VanDenburgh presented this item.

Supervisor Schwartz thanked Mr. VanDenburgh for his excellent presentation.

Mr. Kemp stated that this item was put together with TTAC and the local agency public works directors.

Supervisor Centeno said he would support staff's recommendations and wondered how shortfalls for other projects would be dealt with.

Mr. VanDenburgh said that county staff had indicated that there was a cost increase on the Evans Avenue\Ortega Hill intersection project of approximately \$62,000 and that TTAC was recommending that an additional \$62,000 be taken from RSTP funds to fund the shortfall. He said that it has not been indicated to him that other projects may have a shortfall.

Councilmember Secord moved to approve a STIP amendment request to fund delayed STIP projects using RSTP funds. The motion was seconded by Supervisor Marshall and carried unanimously.

Mayor Smyser asked when funding might be received.

Mr. VanDenburgh said that a vote could be taken in January by the CTC and agencies could start the bidding process soon after that date.

Mayor Smyser said that STIP funds would be moving into the RSTP funds and asked the question if STIP funds were received could these funds backfill the RSTP projects that would not receive funding.

Mr. VanDenburgh said he did not foresee STIP funds coming back to backfill the RSTP program.

Mayor Smyser asked how much of the RSTP funds go towards the jurisdictions.

Mr. VanDenburgh stated that \$1.8 million is apportioned to the local jurisdictions each year and have been reserved for that purpose and that was factored into the recommendation.

The motion carried unanimously.

16. TRAFFIC SOLUTIONS ANNUAL REPORT

Kent Epperson presented the report.

Councilmember Secord asked if the Coastal Express bus service that SBCAG helps run could have a sign on it that Measure D helps pay for the service.

Mr. Epperson said that could be done, but the sign would need to be a magnetic sign that could be removed from the Coastal Express buses, since some of the buses also serve non-Coastal Express VISTA service in Ventura.

Supervisor Schwartz thanked Mr. Epperson for a very comprehensive report. She said it was key that the public be kept informed on what types of programs are available.

Mayor Smyser expressed his concerns about the transit service not being profitable. He also said that the Measure D message on the buses was crucial and should be a major part of the selling feature.

Supervisor Marshall congratulated the Traffic Solutions Division and noted that results were being seen as the result of its programs. She expressed that transit services provide benefits other than profitability.

Councilmember Mariscal commended Traffic Solutions for a great report. He said that the reason commuter buses were necessary was because there weren't houses located where the jobs were. He stated he had talked to one employer with employees in Oxnard and the employer pays for commuting time which puts the employees into overtime pay. He said he was very appreciative of meeting with the other counties to discuss this issue.

Supervisor Gray stated it was an excellent report. She said that it may be interpreted that the numbers shown for the four programs only benefit a small number of commuters.

Mr. Epperson said that other elements of the Traffic Solutions program, such as the marketing efforts, brochures and maps, answering the 963-SAVE line etc...impact many more commuters but that these types of programs were difficult to quantify.

Supervisor Gray suggested thinking about emphasis at the employer level and having the Traffic Solutions employees encourage employers to provide transportation services for their employees.

Mr. Epperson said he was trying to increase exposure of the program to employers. He stated that through SBCAG's FlexWork program there were several large companies that Traffic Solutions was working with to help the employers set up their own telework programs.

Councilmember Jordan said that employers can play a big part in whether or not their employees carpool. She said it would be helpful if councilmembers and supervisors could approach these companies and make suggestions.

Councilmember Hawxhurst stated that the Traffic Solutions program, as well as the road maintenance program, were costing the region a large sum of money to get commuters to the South Coast and attributed this to the large number of jobs and shortage of housing in the South Coast.

Mr. Chytilo acknowledged the outgoing members of the board and in particular Supervisor Schwartz for all of their hard work. He said that there was a large appetite for public transit and that SBCAG needs to face and solve its traffic issues and quality of life issues. Mr. Chytilo said that if SBCAG is getting ten percent then they are doing pretty good. He stated this does involve a subsidy but all public transit systems are subsidized. He said he hoped that the Board would include public transit in the 101 in Motion.

17. LOSSAN STRATEGIC PLAN

Mr. Powers introduced Patrick Merrill, Caltrans Division of Rail, Linda Culp from SANDAG and Richard Dial from the IBI Group who is the Project Manager for LOSSAN.

Using slides, Mr. Dial summarized the background, purpose and schedule for the preparation of the LOSSAN North Strategic Plan. Mr. Dial said he hoped to see the Board at the Stakeholders Meeting following the SBCAG meeting.

COMMITTEE REPORTS

Supervisor Marshall asked Sherrie Fisher, General Manager of the MTD, to come to the podium. She presented her with a gift of King Kong holding an MTD bus and stated that she hoped in the future MTD would have the strength of King Kong to elevate its commission.

Supervisor Gray said the Board Organization Committee had met once and accomplished a great deal. She said the committee would meet one more time and requested this item be placed on the January agenda.

Councilmember Mariscal said he was surprised to find out when he went to the Joint Meeting with the Ventura agencies that SCAG had a 72 member board.

Supervisor Schwartz said it was impressive that there was representation at the joint meeting from Santa Maria to Temecula. She thanked Councilmember Hicks and Councilmember Mariscal for participation on the South Coast Subregional Planning Committee.

EXECUTIVE DIRECTOR'S REPORT

Mr. Kemp reported on Proposition 42, which is revenue from sales tax on gasoline. He said the picture continues to be bleak. He said a press conference was held in Sacramento the previous week and another media event in Los Angeles prior to the budget being finalized. He said he planned to keep involved in this and indicated any board member who was interested in assisting in this was welcome to help.

Supervisor Schwartz stated CSAC has been very involved with this. She said that Supervisor Gray might be in a position to work with CSAC on this.

Supervisor Gray said that she had met with several representatives from Northern California. She said they have pillars sticking up to build bridges but don't have the funding to complete the bridges. She said there is a need for the smaller counties to get together and try to talk with much louder voices.

Councilmember Hawxhurst mentioned the stalled bond measure was expected to generate over a billion dollars to pay back loans for transportation. He said this could only mean more project delays.

COMMUNICATIONS

Supervisor Schwartz thanked the SBCAG staff and Caltrans.

Councilmember Hawxhurst said that with the lack of resources from the state that proceeding with additional housing without transportation will doom us.

ADJOURNMENT

The meeting was adjourned at 11:35 a.m.