

SAN JOAQUIN COUNCIL OF GOVERNMENTS
BOARD OF DIRECTORS
SJCOG Conference Room
555 E. Weber Avenue
Stockton, CA 95202

October 26, 2017

REGULAR BOARD MEETING AT 4:00 P.M.

MINUTES

1. The Board meeting was called to order at 4:00 p.m. by Chair Miller.

Roll Call:

Board Members Present:

Councilmember Dresser, Lathrop; Supervisor Elliott, SJC; Vice Mayor Holman, Stockton; Councilwoman Lofthus, Stockton; Supervisor Miller, SJC; Councilmember Morowit, Manteca; Councilmember Murken, Escalon; Mayor Rickman, Tracy; Mayor Tubbs, Stockton; Supervisor Winn, SJC; Councilmember Zuber, Ripon.

Ex-Officio Members Present:

Gary Giovanetti, SJRTD; Jes Pedda, Caltrans.

Board Members Absent:

Mayor DeBrum, Manteca; Mayor Kuehne, Lodi.

Ex-Officio Members Absent:

Victor Mow, Port of Stockton.

Staff Members Present:

Andrew Chesley, Executive Director; Steve Dial, Deputy Executive Director/CFO; Diane Nguyen, Deputy Director; Vikram Sharma, Information Services Manager; Steve Mayo, Project Manager; Yvette Davis, Senior Regional Planner; Kim Anderson, Senior Regional Planner; Ryan Niblock, Senior Regional Planner; Rob Cunningham, Senior Regional Planner; Melody Lin, Assistant Regional Planner; Kari McNickle, Associate Program Specialist; Christine Corrales, Assistant Regional Planner; Travis Yokoyama, Associate Regional Planner; Kelly Bagley, Accounting Assistant II; Teresa Garcia, Planning Technician; Rosemary Romero, Planning Technician; Katy Castro, Administrative Clerk II; Rosie Gutierrez, Office Administrator; Melissa Ablang, Administrative Clerk II; Stephanie Maynard, Administrative Analyst; Rod Attebery, Counsel.

2. **Recognitions/Presentations:**

A. Update on Non-Emergency Medical Transportation Service

Andrew Chesley stated the SJCOG Board of Directors adopted an unmet, reasonable to meet, need for NEMT service and directed staff to come back to the Board in October or November with a report on how the service would be provided. SJRTD has agreed to take this on and has developed further information on questions raised by the Board regarding scope of services for NEMT service. Mr. Chesley thanked Donna DeMartino and her staff for taking ownership and for the work they have done.

Donna DeMartino thanked the Board for accommodating her schedule to address the Board. Ms. DeMartino said she and her staff are excited to work with COG and come up with a plan that would work. Ms. DeMartino presented a Power Point presentation and stated this all started because of the Stanislaus County existing service which has Bay Area service via StaRT Medivan. Ms. DeMartino discussed the San Joaquin RTD proposal and the comparison between Stanislaus existing service and San Joaquin proposal. Ms. DeMartino stated staff is already reaching out to health care providers and human services agencies to gauge the demand for additional transportation services and will be establishing a database. In regard to the short term RTD, will bring an item back to the Board for approval in order to move forward. If approved, RTD will launch the program immediately. In regard to cost, RTD will charge \$50 per trip at that the beginning of the program and at the end of one year a financial reconciliation and review will be conducted with COG staff. A recommendation for continuation will be up to COG staff and the Board.

Board member Winn thanked Donna DeMartino and her staff and for developing the pilot program and for considering other transportation needs.

Chair Miller stated the presentation was impressive, thanked Donna DeMartino and said she had addressed the questions and comments from Board.

Board member Dresser asked about a link or plan to expand to Stanislaus. Ms. DeMartino stated RTD will be open to a reverse trip and will work on that.

Dr. Armando Valerio addressed the Board and said he appreciates the foresight and moving forward with this process. Thank you on behalf of the 5c's. Dr. Valerio thanked Donna DeMartino for her presentation on the NEMT service.

Kelly Mraz on behalf of the 5C's stated they were refunded by Lucille Packard, specifically because of this project. Lucille Packard suggested they may write a white paper on this project on how SJCOG and SJRTD has done an excellent job looking at options and coming up with solutions. Ms. Mraz thanked the Board in moving this project forward for the residents.

****Mayor Tubbs joined the meeting before the next presentation.**

B. Braille/Tactile Maps for Transit Services in San Joaquin County

Andrew Chesley introduced Joni Bauer, from Community Center for the Blind to discuss this item. Ms. Bauer stated this project has been in the making for two years and spoke briefly about how she learned about the tactile maps for transit services and the pen that reads braille. Ms. Bauer shared this project with RTD and not only was RTD interested, the City of Lodi, Manteca, and Tracy were also interested. Ms. Bauer said they partnered with Lighthouse for the Blind in SF who manufacture the talking maps. Ms. Bauer shared a video showing an example of the tactile maps of the Manteca transit station and how the pen reads the book in braille. Ms. Bauer said she is very grateful to RTD, it's a wonderful teaching tool. Ms. Bauer stated there will be maps at each of the transit stations, so teachers for visually impaired and other orientation and mobility specialists of San Joaquin County will have access. Ms. Bauer thanked the Board for their time.

Chair Miller thanked Ms. Bauer for sharing her presentation and for her service.

3. **Public Comments:**

Bill Goodwin reported on the Manteca City Council meeting he attended months ago where COG staff made a presentation on the interchange of Austin Road. Mr. Goodwin is opposed to having Austin Road rebuilt without an interchange.

4. **Consent Calendar Items:**

- A. MINUTES: September 28, 2017
- B. SJCOG Monthly Financial Report & Transportation Authority Monthly Investment Report
- C. I-205 Freeway Service Patrol Contract Award - Davis
- D. FY 16/17 Regional Transit District's Revised State Transit Assistance Claim
- E. Award Contracts for the Affordable Housing Sustainable Communities (AHSC) Technical Assistance Program
- F. Measure K Strategic Plan Amendment for the San Joaquin Regional Rail Commission
- G. FY 2016-17 Overall Work Program (OWP) Amendment #2

Andrew Chesley informed the Board members item 4C be pulled for more discussion and recommended voting on the rest of the consent calendar items separately.

Board member Elliott asked about the MK funds being used to pay for RTIF shortages. Steve Dial explained RTIF is a component of the MK program, and staff needs to move some of the administrative portion of MK into that work element. Board member Elliott asked if there is anything significant on these shortages or overages. Mr. Dial said it is not unusual and this is a typical action because work elements cannot be overspent at the end of the year so staff goes back and does minor clean-up.

It was moved/seconded (Zuber/Holman) to approve the consent calendar items excluding item 4C. Motion passed unanimously (11/0) by a roll call vote.

Board member Rickman excused himself from item 4C discussion due to a conflict.

Steve Dial gave a brief background on item 4C, and stated the Executive Committee members voted unanimously to recommend Stanislaus Towing. The staff report explains the reasoning behind the selection, process and recommendation. Staff recommended Stanislaus Towing be awarded the contract up to three and a half years beginning January 1, 2018.

Andrea Olivarez from Mike's Towing Service stated she is speaking on behalf of Meyers Towing Service who was unable to attend the meeting. Ms. Olivarez stated Meyers has several questions regarding the RFP process. Andrea Olivarez on behalf of Myers asked about the SJCOG process for protesting the bid process and also asked about the document request made by Myers and SJCOGs response.

General Counsel Rod Attebery addressed the Board and said, after the Executive Committee meeting, Meyers Towing Service made a public document request. The Public Act Records gives the agency ten days to respond to the requester. The documents however were provided yesterday electronically within the ten-day request.

Counsel indicated that both Mike's Towing and Meyers Towing hired legal counsel and Mr. Attebery said he has been in contact with counsel who indicated that she would not be attending the meeting to object. Mr. Attebery responded to the protest procedure question and indicated that the hearing and public comment period before the Executive Committee, at which both parties were present and spoke on the record, as well as the current Board Meeting and comment period is the opportunity to object to Board action and upon approval by the Board the next step for Meyer's and Mike's to pursue further claim would be to file the appropriate lawsuit.

It was moved/seconded (Zuber/Murken) to authorize the Executive Director to negotiate and execute a contract with Stanislaus Towing to provide FSP service from January 1, 2017 – June 30, 2017 with the option of annually administratively renewing contingent upon funding and satisfactory performance for three years (2019/20) not-to-exceed \$425,000 per year. Motion passed unanimously (10/0) by a roll call vote.

5. San Joaquin Council of Governments Items for Discussion/Action:

A. Regional Transportation Plan/Sustainable Communities Strategy

Kim Anderson presented a Power Point and stated the overall goal is to make sure staff understood the on-going dialogue from the COG Board. Ms. Anderson reviewed the purpose of the RTP, public input, schedule and next steps. Ms. Anderson spoke about each scenario and stated scenario 2a was favored by most participants, followed by scenario 1, scenario 2b and scenario 3. Ms. Anderson stated this item was presented at the Executive Committee meeting and they noted that the public supported 2a, however Ms. Anderson stated a formal recommendation will not be presented until November. Ms. Anderson emphasized staff is looking for the Board to support the foundational assumptions that would give staff the ability to move forward and to do final technical modeling.

Ms. Anderson answered Board member's questions regarding metrics, dollars invested by transportation mode, and the outreach by specific groups.

Board member Winn commented on the future of transportation mode and stated we need to be addressing those futuristic endeavors.

Board member Dresser asked about the data for disadvantage communities. Ms. Anderson said she does not have the information, however she does have a report and it will be sent by email.

This item was for discussion only; no action was taken.

B. Draft State Transportation Improvement Program Development

Ryan Niblock gave a brief overview on this item with a Power Point. Mr. Niblock stated this is the third month this item has been on the agenda, and the third discussion with standing committees. Mr. Niblock stated in November staff will provide firm funding recommendations and in December present the technical documentation for Board's consideration and submit to CTC for adoption in March 2018. Mr. Niblock reviewed the attached summary of SJCOG staff analysis of potential 2018 RTIP projects. Mr. Niblock

stated, based on the evaluation, the SR 99/120 Interchange and the I-205 Widening projects appear to be the highest priority. Mr. Niblock reported Caltrans released its ITIP recommendations and it did not include funding for any projects in San Joaquin County. Staff is committed to continue working with Caltrans staff on the possibility of receiving SHOPP funding for the SR 99/120 Interchange project.

Board member Rickman asked for clarification on the ITIP funding. Andrew Chesley explained the ITIP funding. Board member Rickman said he understands SR 99/120 will take most of the funds, however in November, will the Board know how much money will go towards that project? Mr. Niblock said yes. Board member Rickman asked if the City of Tracy provides funds, if it would help move this project forward. Mr. Niblock stated any additional funds would make this project attractive, however, staff needs to work with Caltrans to determine how much STIP we can commit to SR 99/120 and I-205 first.

Board members expressed their concerns with the traffic and accidents on I-580 and SR 99/120 projects.

Board member Holman asked if SB 1 affect STIP funding. Mr. Niblock said SB 1 is funding the STIP and if SB 1 is repeal projects will have to be deleted.

Andrew Malik, Tracy Development Services Director, addressed the Board stating Tracy appreciates the importance of SR 99/120 as well as going back to Caltrans for additional funding, however reminded the Board members, when there is an accident on I-205 the I-580 Mt. House Parkway is the diversion to take and cut through Tracy. Mr. Malik stated if there is leveraging of existing funds, Tracy recommends this is taken this into consideration.

Bill Goodwin expressed his concerns with highway 99. Mr. Chesley explained two ways to address the back-up on highway 99. Mr. Goodwin expressed his concerns with the continued widening and moving traffic. Mr. Chesley said the current proposal is for half an interchange of phase one of the 99/120 project and the complete build out will include the interchange at Austin Road and highway 99, however there is an extensive amount of right-of-way and construction cost.

Board member Morowit said he is well aware of the issues and spoke about the safety of highway 99/120 and what Caltrans is proposing to do with Austin Road. Mr. Morowit, speaking to Mr. Goodwin, assured him it's not going on deaf ears and anything that affects Manteca, there will be workshops to give you more information. Manteca will be well represented and you will have plenty of opportunity to speak.

This item was for discussion only; no action was taken.

****Mayor Tubbs exit the meeting before the next discussion item.**

C. Senate Bill 1: Steps to Implement and to Educate

Diane Nguyen explained Senate Bill 1 and stated the bill is for transportation improvements and will invest \$52 billion over the next decade to fix road, freeways and bridges in Communities across California. Staff feels that the public does not have accurate information on SB 1, what the elements are and the benefits it will provide to this county and to the State of California. Staff wants to have solid facts so the general public can make an informed decision on their gas tax revenue. Ms. Nguyen informed the Board there is a SB 1 handout in the blue folder and presented the video staff prepared internally which will also be posted on the SJCOG website. Ms. Nguyen encouraged the Board and member agencies to view the video and share with the local media to help get the accurate information out about SB 1. Ms. Nguyen stated the COG Executive Director will travel and speak to any group on SB 1 to get the information out.

Board member Holman stated he shared this information with his Rotary group and he suggested they get in contact with Andrew Chesley to schedule a presentation.

Chair Miller stated we already know who our partners are in the County and if the same game plan is run as with the MK and MKR there will be great success.

Board member Dresser suggested reaching out to the trucking groups.

Board member Zuber commented on the state taking our money away and he does not recall that SB 1 has stopped that. Mr. Chesley said ACA 5 will be on the ballot in June which provides a constitutional protection over the SB 1 dollars to address that question, and if there is a recall on the gas tax it will be on the November ballot. Mr. Chesley mentioned one of the other comments was that some thought the state had already started collecting the gas tax money.

Board member Rickman commented on the public not trusting Sacramento with the funds. He suggested not only in San Joaquin County, but throughout the state to show in each jurisdiction what exactly is going to be built.

Board member Zuber asked about when we will start receiving the money and what the money is for. Mr. Chesley said he will make sure it is available on the COG website.

This item was for discussion only; no action was taken.

6. Airport Land Use Commission: None.

7. Information Items:

A. SJCOG Board Orientation Booklet

Andrew Chesley announced on Saturday is the Board Orientation 8:00 a.m. to 11:00 a.m. and the new booklet was sent electronically and will also be in print form on Saturday.

Board member Elliott commented on the definitions and acronyms and asked about the climate change definition.

8. **SJCOG, INC:**

1. Open Meeting of SJCOG, Inc. /Roll Call: Roll call was called with ten voting members present.
2. Public Comment: None.
3. Consent Calendar: None.

4. **SJCOG, INC. ITEMS FOR DISCUSSION/ACTION:**

- A. Gonsalves Tiago Ranch Preserve Acquisition and Preserve Management Plan
Steve Mayo described the property and stated attachment one and two shows where the property is located.

It was moved/seconded (Zuber/Winn) to (1) approve the conversation easement acquisition and (2) approve the preserve management plan for the preserve site. Motion passed unanimously 10/0 by voice vote.

- B. Larry Alegre Property Preserve Acquisition and Preserve Management Plan
Steve Mayo described the property and stated attachment one and two shows where the property is located.

It was moved/seconded (Holman/Lofthus) to (1) approve the conservation easement acquisition and (2) approve the preserve management plan for the preserve site. Motion passed unanimously 10/0 by voice vote.

- C. Fagundes Property Preserve Acquisition and Preserve Management Plan
Steve Mayo described this property and stated attachment one and two shows where the property is located.

It was moved/seconded (Zuber/Morowit) to (1) approve the conservation easement acquisition and (2) approve the preserve management plan for the preserve site. Motion passed unanimously 10/0 by voice vote.

- D. Lodi White Slough Preserve Dedication and Preserve Management Plan
Steve Mayo described the property and stated attachment one and two shows where the property is located.

Board member Zuber asked about the difference between attachment one and two.

It was moved/seconded (Zuber/Rickman) to (1) approve the conversation easement dedication and (2) approve the preserve management plan for the preserve site. Motion passed unanimously 10/0 by voice vote.

5. **SJCOG, INC. INFORMATIONAL ONLY ITEMS:** None.

*****RECONVENE TO THE SJCOG BOARD MEETING*****

9. **Chair's Report:**

Chair Miller thanked Board members in advance for planning on attending the Board Orientation scheduled for Saturday, October 28, 2017 and thanked COG staff for all their hard work organizing this workshop.

10. **Council Member's Report:** None.

11. **Ex-Officio Member's Report**

A. **San Joaquin Regional Transit District**

Gary Giovanetti announced RTD participated at Family Day at the Park on September 16. Mr. Giovanetti stated RTD will provide a free shopper shuttle between the two malls and Stone Creek during the shopping season. Mr. Giovanetti announced RTD is having a full day on Unmet Transit Needs workshop from 8:00 a.m. to 7:00 p.m. along with food and prizes. Mr. Giovanetti announced, starting in November, RTD will show a welcome to RTD video.

B. **Caltrans, District 10**

Jes Padda reported on the CTC meeting and said the newest Commissioner Paul Van Konyneburg from Modesto was introduced.

Mr. Padda announced in regard to SB 1 Caltrans will schedule workshops to work together to put projects forward and to deliver them. Caltrans has already begun coordinating meetings to ensure we can deliver the projects as efficiently as possible.

Mr. Padda stated FHWA thanked Caltrans for having the lowest inactive obligations in the state. A big thank you for the efforts of Public Works agencies that helped drive down those obligations. Lastly, Caltrans will host Native American Tribes for Native American month on November 7.

C. **Port of Stockton**

No report.

12. **Executive Director's Report**

Andrew Chesley reported on the recently passed AB 758, creating the Tri-Valley Regional Rail Authority. The authority needs to have members appointed from the Cities of Tracy, Stockton, Lathrop and Manteca as well as the Rail Commission and Mt. House community. Mr. Chesley stated he is assuming Supervisor Elliott, who has been representing San Joaquin County, will continue that role and Council member Vargas from City of Tracy will continue to represent Tracy in that role.

Mr. Chesley announced Vik Sharma, COG IT Manager and his wife have delivered twins and today is his first day back to work.

Mr. Chesley asked the Board members to keep good thoughts for Rebecca Calija, COG Manager of Administrative her husband was in a serious accident, she and her family are going through a stressful time.

Mr. Chesley announced Kevin Sheridan recently got married and staff attended his wedding that was held in the foothills, it was a delightful ceremony and happy occasion.

Board member Elliott thanked staff for bringing up AB 758 Tri Valley Regional Rail Authority and mentioned they also intend to set up a technical advisory committee and he urged COG to appoint a staff member.

13. **Adjournment:**

Meeting was adjourned at 6:32 p.m. The next meeting will be held Thursday, November 16, 2017 at 4:00 p.m. SJCOG Conference Room.