

JOINT METING OF THE BOARD OF DIRECTORS
FOR THE SAN JOAQUIN COUNCIL OF GOVERNMENTS
AND SJCOG, INC.
555 E. Weber Avenue
Stockton, CA 95202
Board Conference Room

CLOSED SESSION at 4:00 P.M.
REGULAR BOARD MEETING

February 22, 2018

MINUTES

1. The Board Meeting Closed Session was called to order at 4:08 p.m.by Chair Miller.

ROLL CALL:

Board Members Present:

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

Ex-Officio Members Present:

Ken Baxter, Caltrans; Gary Giovanetti, SJRTD; Victor Mow, Port of Stockton.

Board Members Absent:

Mayor Laugero, Escalon; Mayor Tubbs, Stockton.

Ex-Officio Members Absent:

None.

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; Nicole Gorham, Public Information Officer; Kim Anderson, Senior Regional Planner; Yvette Davis, Senior Regional Planner; Ryan Niblock, Senior Regional Planner; Rob Cunningham, Senior Regional Planner; David Ripperda, Associate Regional Planner; Christine Corrales, Associate Regional Planner; Kelly Bagley, Accounting Assistant II; Rosemary Romero, Administrative Technician; Summer Anderson, Assistant Regional Planner; Rosie Gutierrez, Office Administrator; Katy Castro, Administrative Clerk II; Rod Attebery, Counsel.

2. **CLOSED SESSION:**

- A. Public Employee Performance Evaluation Pursuant to Government Code Section 54957: Executive Director
- B. Conference with Labor Negotiator Pursuant to Government Codes Section 54957.6:

Agency Designated Representative: Board Kathy Miller/Rod Attebery
Unrepresented Employee: Executive Director

Chair Miller commenced the Regular Board meeting at 5:00 p.m.

Rod Attebery reported no action was taken on either items.

3. **RECOGNITIONS/PRESENTATIONS:**

A. *SJCOG* – Recognize Michael Ballot, Outgoing Citizens Advisory Committee
Sierra Club Representative

B.

Andrew Chesley announced Michael Ballot was on the Citizens Advisory Committee for 11 years and instrumental in the passage of the Measure K Renewal.

Chair Miller presented a Golden K award to Michael Ballot in recognition of his outstanding service and dedication to the San Joaquin Region on the Citizens Advisory Committee and RTP/SCS Advisory Committee.

Michael Ballot said it's been a pleasure working with staff and transportation issues and thanked the Board and staff.

4. **PUBLIC COMMENTS:**

None.

5. **CONSENT CALENDAR ITEMS:**

A. *SJCOG* - MINUTES: December 14, 2017

B. *SJCOG* - Monthly Financial Report & Transportation Authority Monthly Investment Report

C. *SJCOG* – City of Manteca FY 2017-18 Transportation Development Act Claim

D. *SJCOG* – Update of Unmet Transit Needs Definitions

E. *SJCOG* – Delegation of Authority to Executive Committee for 2018 Regional Transportation Plan/Sustainable Communities Strategy Public Hearing(s)

F. *SJCOG* - Fiscal Year 2017-18 State Transit Assistance Claim from the San Joaquin Regional Transit District

G. *SJCOG* – Citizens Advisory Committee Membership Appointment

H. *SJCOG, Inc.* – Southwinds Middle Road Church Project, Burrowing Owl Buffer Reduction

I. *SJCOG, Inc.* – White Slough Project, Burrowing Owl Buffer reduction

J. *SJCOG, Inc.* – South Lathrop Specific Plan Project, Participation and Buffer Establishment

K. *SJCOG, Inc.* – Holly Sugar Warehouse Project, Plan Participation and Habitat Classification Change

L. *SJCOG, Inc.* - Oakwood Trails Project, Plan Participation & GGS/WPT Buffer Reduction

Andrew Chesley informed the Board in their blue folder there is an attachment to item 5D that was not included in the original mailing, however it was emailed and he apologized for the error.

It was moved/seconded (DeBrum/Zuber) to approve the consent calendar items. Motion passed unanimously (11/0) by roll call.

6. **ACTION ITEMS:**

- A. SJCOG, Inc. – Public Hearing for Destinations Anywhere Hieb Preserve Dedication
Steve Mayo informed the Board this is a public hearing for this property.

Chair Miller opened the public hearing.

Mr. Mayo announced this is the second public hearing for this property and said this is a Land-in-lieu dedication project. The potential preserve is adjacent to existing SJCOG, Inc. preserves in the Central Zone area, also shown in attachment 1 of the staff report.

There were no public comments received, the public hearing was closed.

- B. SJCOG, Inc. – Public Hearing for Brooks Preserve Acquisition
Steve Mayo informed the Board this is a public hearing for this property.

Chair Miller opened the public hearing.

Mr. Mayo announced this is the second public hearing for this property and said in attachment 1 of the staff report shows the location of the property.

There were no public comments received, the public hearing was closed.

- C. SJCOG, Inc. – Public Hearing for Bettencourt Wing Levee Preserve Acquisition
Steve Mayo informed the Board this is a public hearing for this property.

Chair Miller opened the public hearing.

Mr. Mayo announced this is the second public hearing for this property and stated it is a 150-acre property and staff will be acquiring 140 acres and the cost is \$6,000 per acre. The location of the property is shown in attachment 1 of the staff report.

There were no public comments received, the public hearing was closed.

- D. SJCOG, Inc. - Public Hearing for Manteca Hays Road Preserve Acquisition
Steve Mayo informed the Board this is a public hearing for this property and it is an easement acquisition and dedication in Manteca.

Chair Miller opened the public hearing.

Mr. Mayo stated staff is looking at approximately 412 acres on the property and cost is \$5,000 per acre for the easement acquisition. The location of the property is shown in attachment 1 of the staff report.

There were no public comments received, the public hearing was closed.

****Councilmember Kuehne left the meeting**

E. SJCOG – Measure K Renewal Bike/Pedestrian/Safe Routes to School and Smart Growth Incentive Program Programming Recommendations

David Ripperda presented a Power Point and briefly gave an update on the background. Mr. Ripperda stated the Scoring Committee met to score the applications and developed a programming recommendation. Mr. Ripperda stated that SJCOG staff sent out a memo describing the Scoring Committee recommendations, however staff received feedback that the memo was a little hard to understand, so staff prepared attachment Figure A outlining the exact steps of the process the Scoring Committee undertook.

Subsequently, after receiving feedback from San Joaquin County staff and numerous other parties COG staff created a revised Scoring Committee recommendation. Mr. Ripperda described the revised staff recommendations presented at the TAC meeting, which included lowering the score cut-off line for the Small Projects from Jurisdictions under 200,000 from 85 points to 78 points for the target amount. Mr. Ripperda explained this action would not affect adopted SJCOG Board policy because no such threshold was established in the policy and doing so would help fulfill the original intent of promoting geographic equity in the program while resolving the perception of inconsistency through the recommendation of the City of Tracy's Tracy Boulevard Sidewalks Project, which had received a score of 78.5 points. As a result, two projects were recommended for funding by COG staff; City of Ripon Lower Stanislaus River Multi-Use Trail and Escalon Rectangular Rapid Flashing Beacons totaling \$574,979 in funding, which would be subtracted from the City of Stockton's Pacific Avenue Complete Streets Corridor Study and Safe Routes to School Sidewalk Network Completion Project.

Mr. Ripperda stated after a robust discussion, the TAC voted to amend the staff recommendation with a change to utilize the entire \$615,959 un-programmed amount in the Smart Growth Incentive Program for the City of Stockton's Pacific Avenue Complete Streets Corridor Study and Safe Routes to School Sidewalk Network Completion Project and leave no un-programmed balance in the Smart Growth Program. This recommendation is supported by SJCOG staff.

There was a lengthy discussion among Board members expressing their concerns with the scoring committee process, guidelines, consultants, funds carried over to the next funding cycle, the original intent, and lack of consistency. Specific items of concern were:

- Consistency in applying minimal scoring,
- Changing of rules in the process,
- Meeting the spirit from small cities/small projects set aside,
- Holding programming from small cities/small projects to be programmed to the next time,
- And using it for consultant technical assistance.

Andrew Chesley stated staff's recommendation is for the Board's approval of project funding as identified in Table 1 and amend the identified projects in the projects into

the MK Strategic Plan and reiterated the recommendation has been unanimously supported by each committee through the review process. Mr. Chesley noted that staff indicated what the procedures would be in the Small Project area and the Board reviewed this in September 2017. And, the Board further set up the rules stating the Scoring Committee would make the recommendation, so he respectfully disagreed in regards to the rules changing. He does, however, understand the optics associated with it. Mr. Chesley stated staff was disappointed there were only requests for \$2.9 million of the \$4 million. Mr. Chesley said staff is committed to working on how to improve that next cycle. Mr. Chesley commented that jurisdictions may need more time to formulate what the projects are, especially smaller jurisdictions and staff is committed to working with member agencies to make that happen. Mr. Chesley announced City of Manteca was successful in all four of their applications submitted and credited Manteca's staff for making that happen. Mr. Chesley said there are a few lessons to learn from this but he feels this is a good solid recommendation. Mr. Chesley stated staff has contacted County Public Works staff and other member agencies staff regarding the State Active Transportation Program this summer, so staff has a chance to take these and be competitive on a statewide level and on the next round for bicycle funding. Staff already has some of the applications online on SJCOG's website. Mr. Chesley said he can provide the packet to board members. Mr. Chesley stated he looks forward to the next cycle and possibly refine the process to be more satisfying for all member agencies.

It was moved/seconded (Zuber/Holman) to adopt SJCOG staff's recommendation shown in Table 1 and amend the identified projects into the Measure K Strategic Plan. Motion passed (9/1) with Supervisor Elliott casting a no vote.

F. SJCOG - FY 2018-19 Local Transportation Fund Revenue Estimate and Apportionment Schedule

Steve Dial presented a PowerPoint and gave a brief background on this item. Mr. Dial stated the new LTF revenue estimate for FY 2018-19 is in the amount of \$33,120,000, which is 3.5% higher than the FY 2017-18 estimate adopted last month. Staff believes the 3.5% increase is continuance with a conservative growth rate that lowers the risk of not meeting revenue target. Mr. Dial reviewed the allocation changes with SJRRC and said in the event there is an increase in the revenue estimate, the 11.5% will apply to the new revenue, like the area apportionments.

Mr. Dial stated in order to reduce the impacts of the additional allocation to SJRRC, COG's planning request has been reduced to 2.9%, transferring an additional \$33,120 into the apportionment pool. Table 1 displays the recommendation for distribution of the revenue estimate. The specific apportionments for each claimant are shown in Table 2 along with a comparison to the revised FY 2017-18 revenue estimate and percentage change.

Boardmember Lofthus pointed out the chart in Table 1 of the staff report has different figures compared to the PowerPoint numbers. Mr. Dial said that is a typo and the amount in Table 1 in the PowerPoint is the correct number and he apologized.

It was moved/seconded (DeBrum/Zuber) to approve R-18-26 adopting the FY 2018-19 Revenue Estimate of \$33,120,000 & FY 2018-19 Apportionment schedule identified in Table 1 and 2. Motion passed (10/0) by voice vote.

**Supervisor Elliott left the meeting.

G. *SJCOG – Draft FY 18-19 Overall Work Program (OWP)*

Steve Dial presented a PowerPoint and stated the OWP is a management tool identifying the tasks and products that staff will undertake to deliver during FY 2018-19. The OWP also identifies the funding sources and staff resources necessary to complete the overall work program. The draft OWP identifies \$9,346,683.18 in revenue for SJCOG operations in FY 2018-19. It is an increase by approximately \$592,110.18 from the amended FY 2017-18 OWP last month. This is a preliminary estimate of revenues and will likely change between the adoption of the draft OWP this month and the adoption of the final OWP in March.

Councilmember Lofthus asked if the NEMT is part of the OWP. Mr. Dial said yes it would be part of the transportation planning work element.

It was moved/seconded (Zuber/Holman) to adopt the draft FY 2018-19 Overall Work Program for the purpose of submitting to Federal and State Agencies. Motion passed unanimously (9/0) by voice vote.

7. **DISCUSSION ITEMS:**

A. *SJCOG – One Voice®* Schedule

Nicole Gorham presented this item and stated there are currently 17 elected officials and 46 participants attending the One Voice® trip in Washington, DC. Ms. Gorham announced the deadline to submit project requests is February 26 and project requests will be compiled and presented at the March 22 Board meeting. The Board will be asked to select regional priority projects as well as regionally significant policy priorities that have community-wide benefit and significant to the region. Ms. Gorham announced Emily Bacque Da Silva, from CJ Lake, LLC will be at the March Board meeting to provide a legislative update. Ms. Gorham touched briefly on the hotel accommodations and said if anyone is having issues to contact her. Ms. Gorham announced the pre-trip meeting is scheduled for Thursday, March 29, from 9-11 a.m. and if that date changes participants will be contacted.

Chair Miller suggested moving the meeting time after lunch. Andrew Chesley said that is do-able and staff will look into the time change.

Andrew Chesley discussed the president's proposal and some of the issues that are being raised in congress on a policy level. Mr. Chesley said there is less federal money in this proposal then there was in last year's federal budget. Mr. Chesley stated SJCOG is going to have to take a serious look at what the federal commitment is to federal infrastructure.

8. **INFORMATION ITEMS:**

A. *SJCOG – dibs* Quarterly Activity Report: October – December 2017

B. *SJCOG – 2018 Regional Transportation Plan/Sustainable Communities Strategy*

(RTP/SCS) Schedule Update

These items were for information only; no action was taken.

9. **CHAIR'S REPORT:**

On behalf of the Board, Chair Miller thanked the Ad Hoc Committee and Rod Attebery for all their work, she said every year it is a challenge. Rod Attebery thanked the Board and apologized for not having the Closed Session item on the agenda. Next month it will be on the consent calendar.

10. **COUNCIL MEMBERS' REPORT:**

Boardmember DeBrum announced the City of Manteca will be hosting their 2nd Annual State of the City on Wednesday, February 28 and he invited everyone interested to attend.

11. **EX-OFFICIO COUNCIL MEMBERS' REPORT:**

A. San Joaquin Regional Transit District

Gary Giovanetti announced Rosa Parks Day event is February 3-5, 2018 and RTD honored her by reserving a seat for her on every Commuter, Hopper and City bus in Stockton.

Mr. Giovanetti announced RTD held a Communication Fair at the Downtown Transit Center on February 5, 2018 from 9:00 a.m. to 1:00 p.m.

RTD invited the Board to celebrate the launch of the Midtown Corridor on March 1, 2018 from 4:00 p.m. to 7:00 p.m. at the Children's Museum, the new Midtown Corridor Bus Rapid Transit from Eastland Plaza to DMV.

RTD will be participating in the Chinses New Year's Parade in downtown Stockton on March 4, beginning at 10:00 a.m. this event is free and open to the public.

B. Caltrans, District 10

Ken Baxter reported on the CTC Foundation Forum at the Sacramento Convention and said Tony Seba, author of "Clean Disruption of Energy and Transportation" and co-founder of Rethink X presented a presentation about disruptions in life. Mr. Baxter announced Director Malchcolm last day as the Caltrans Director is the end of February, Laurie Bourbon, who was District 11 Director in San Diego has been appointed Caltrans Director by the Governor as of March 1, 2018.

C. Port of Stockton

Victor Mow stated in partnership with the San Joaquin Valley Air Quality Control District the Port can obtain two zero emission forklifts. These will be built and to address issues regarding air quality.

12. **EXECUTIVE DIRECTOR'S REPORT:**

Andrew Chesley wished Malcolm Dougherty well on his future endeavors, and said he has done an excellent job at Caltrans over the course of 7 years. Mr. Chesley extended his congratulations to Laurie Berman who deserves the promotion as Director of Caltrans.

Mr. Chesley reported on the discussion with Caltrans regarding 99/120 stating it was a very positive meeting and the project is on schedule.

Mr. Chesley announced CJ Lake will be here next month to attend the March Board meeting to give a legislative update. Mr. Chesley announced he will be inviting Paul Van Konyenburg, CTC member from Modesto area in the future, he was very instrumental in the efforts on the sales tax in Stanislaus County.

Mr. Chesley thanked the Board for all their effort tonight regarding this agenda.

13. **ADJOURNMENT:**

The meeting was adjourned at 6:27 p.m. The next meeting will be held Thursday, March 22, 2018 at 4:00 p.m. SJCOG Conference Room.