AGENDA
Thursday, May 17, 2018
9:00 a.m.

NOTE LOCATION THIS MONTH
Santa Cruz City Council Chambers
809 Center Street
Santa Cruz, CA

NOTE
See the last page for details about access for people with disabilities, translation services and meeting broadcasts.

En Español
Para información sobre servicios de traducción al español, diríjase a la última página.

AGENDAS ONLINE
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COMMISSION MEMBERSHIP
Caltrans (ex-officio) Tim Gubbins
City of Capitola Jacques Bertrand
City of Santa Cruz Sandy Brown
City of Scotts Valley Randy Johnson
City of Watsonville Trina Coffman-Gomez
County of Santa Cruz Greg Caput
County of Santa Cruz Ryan Coonerty
County of Santa Cruz Zach Friend
County of Santa Cruz John Leopold
County of Santa Cruz Bruce McPherson
Santa Cruz Metropolitan Transit District Ed Bottorff
Santa Cruz Metropolitan Transit District Cynthia Chase
Santa Cruz Metropolitan Transit District Mike Rotkin

The majority of the Commission constitutes a quorum for the transaction of business.
1. Roll call

2. Oral communications

Any member of the public may address the Commission on any item within the jurisdiction of the Commission that is not already on the agenda. The Commission will listen to all communication, but in compliance with State law, and may not take action on items that are not on the agenda.

Speakers are requested to sign the sign-in sheet and state their name clearly so that their names can be accurately recorded in the minutes of the meeting.

3. Additions or deletions to consent and regular agendas

CONSENT AGENDA

All items appearing on the consent agenda are considered to be minor or non-controversial and will be acted upon in one motion if no member of the RTC or public wishes an item be removed and discussed on the regular agenda. Members of the Commission may raise questions, seek clarification or add directions to consent agenda items without removing the item from the consent agenda as long as no other Commissioner objects to the change.

No consent agenda items this month

REGULAR AGENDA

4. Planning Transit for a Prosperous Santa Cruz County Presentation and Workshop with Jarrett Walker
   (George Dondero, Executive Director)

   a. Staff report

5. Unconditional Commitment Letter per the Ralph M. Brown Act
   (T. Brooke Miller, RTC Legal Counsel)

   a. Staff report
   b. Unconditional commitment letter per the Ralph M. Brown Act
   c. Cease and desist letter dated May 2, 2018

6. Highway 1 41st/ Soquel Auxiliary Lanes Project Delivery Options
   (Sarah Christensen, Senior Transportation Engineer)

   a. Staff report

7. Next meetings

   The next TPW meeting is scheduled for Thursday, August 16, 2018 at 9:00 a.m. at the Watsonville City Council Chambers, 275 Main Street, Watsonville, CA.

   The next RTC meeting is scheduled for Thursday, June 14, 2018 at 9:00 a.m. at the Watsonville City Council Chambers, 275 Main Street, Watsonville, CA.
HOW TO REACH US

Santa Cruz County Regional Transportation Commission
1523 Pacific Avenue, Santa Cruz, CA 95060
phone: (831) 460-3200 / fax: (831) 460-3215

Watsonville Office
275 Main Street, Suite 450, Watsonville. CA 95076
phone: (831) 460-3205
email: info@sccrtc.org / website: www.sccrtc.org

COMMENTS FROM THE PUBLIC

Written comments for items on this agenda that are received at the RTC office in Santa Cruz by noon on the day before this meeting will be distributed to Commissioners at the meeting.

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Agenda packets: Complete agenda packets are available at the RTC office, on the RTC website (www.sccrtc.org), and at all Santa Cruz County public libraries.

For information regarding library locations and hours, please check online at www.santacruzpl.org or www.cityofwatsonville.org/public-library

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HOW TO REQUEST

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The Santa Cruz County Regional Transportation Commission does not discriminate on the basis of disability and no person shall, by reason of a disability, be denied the benefits of its services, programs, or activities. This meeting location is an accessible facility. If you wish to attend this meeting and require special assistance in order to participate, please contact RTC staff at 460-3200 (CRS 800/735-2929) at least three working days in advance of this meeting to make arrangements. People with disabilities may request a copy of the agenda in an alternative format. As a courtesy to those person affected, please attend the meeting smoke and scent-free.
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Si gusta estar presente o participar en esta junta de la Comisión Regional de Transporte del Condado de Santa Cruz y necesita información o servicios de traducción al español por favor llame por lo menos con tres días laborables de anticipo al (831) 460-3200 para hacer los arreglos necesarios. (Spanish language translation is available on an as needed basis.) Please make advance arrangements (at least three days in advance) by calling (831) 460-3200.

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RECOMMENDATIONS

Staff recommends that the Regional Transportation Commission (RTC) receive a presentation and engage in discussion with Jarrett Walker.

BACKGROUND

The Santa Cruz County Regional Transportation Commission (RTC) is pleased to launch its Innovators in Transportation Speaker Series. Through this series of educational and informative talks and workshops, commissioners and members of the community will have the opportunity to hear transportation experts from around the country discuss innovations and trends that are shaping the future of transportation in Santa Cruz County and beyond.

DISCUSSION

The first speaker in the series is Jarrett Walker, international consultant in public transportation planning and policy, and author of Human Transit: How Clearer Thinking about Public Transit Can Enrich Our Communities and Our Lives. Mr. Walker will conduct an interactive workshop for the Commission entitled “Planning Transit for a Prosperous Santa Cruz County”.

In order to give the public full benefit of Mr. Walker’s depth of knowledge on public transit, he will make the same presentation on May 16, from 6:30-8:30 p.m. at the Simpkins Family Swim Center, Community Room, 979 17th Ave., Santa Cruz. Whenever possible, future speakers will be scheduled in a similar pattern, providing a public event the evening before the daytime presentation at an RTC meeting or TPW meeting. Complete details on the speaker series will be posted at www.sccrtc.org

Jarrett’s experience includes more than 200 public transit planning projects across North America, Australia and New Zealand, in more than 100 cities. He has worked extensively on the integration of public transit into community planning at all scales, from the design of a small development to the structure of an urban region.
This new speaker series is intended to deepen commissioners’ and the community’s understanding of transportation policy and planning principles. Jarrett Walker’s extensive experience and knowledge in the public transportation sector makes him the ideal speaker to start the series. In his talk, he will describe the framework for how he approaches public transit planning, and how he would apply those principles in Santa Cruz County. You can read more about his book here and visit his website at http://jarrettwalker.com/

The series will continue throughout the year with speakers sharing their expertise on a variety of transportation-related topics, including the evolution of SMART, housing and transit connections, and future transportation trends. Upcoming speakers include: Farhad Mansourian, General Manager of Sonoma-Marin Area Rail Transit; Jeffrey Tumlin, principal and director of strategy at the transportation planning firm Nelson Nygaard; and Becky Steckler, Urbanism Next Program Manager at the Sustainable Cities Initiative, University of Oregon.

The Innovators in Transportation Speaker Series is free and open to the public. For more information on the series and dates for upcoming talks, visit www.sccrtc.org.

**SUMMARY**

Transit consultant Jarrett Walker will conduct an interactive workshop for the Commission entitled “Planning Transit for a Prosperous Santa Cruz County”. 
TO: Regional Transportation Commission (RTC)  
FROM: T. Brooke Miller, RTC Legal Counsel  
RE: Unconditional Commitment Letter per the Ralph M. Brown Act

RECOMMENDATIONS

RTC legal counsel and staff recommend that the Regional Transportation Commission (RTC) approve and authorize the Chair to execute the attached unconditional commitment letter (Attachment 1) per the Ralph M. Brown Act.

BACKGROUND

Because the current rail service operator is not complying with the existing operating agreement, in December 2017, the RTC issued a request for proposals (RFP) for a new rail service operator. In January 2018 the RTC approved engaging in exclusive negotiations with Progressive Rail, Inc. The RTC conducted several closed sessions to instruct its negotiators regarding the terms and conditions of the proposed agreement as authorized by the Ralph M. Brown Act, California Government Code section 54950 et seq. (hereinafter, “Act”), section 54956.8.

Most recently, a closed session pursuant to this section of the Act was scheduled for May 3, 2018, but, as explained by staff on that date, was not held due to there being no further need for RTC to provide direction to its negotiators in closed session regarding the proposed operator agreement. The proposed agreement was made public on May 9, 2018, and is expected to be considered by the RTC in open session on June 14, 2018.

DISCUSSION

Legal Background

Section 54956.8 of the Act, as interpreted by the California Attorney General, authorizes closed-session discussion of (1) the amount of consideration the agency will pay or accept in exchange for property rights to be acquired or transferred; (2) the form, manner and timing of how that consideration will be paid; and (3) items that are essential to arriving at the authorized price and payment terms, such that their public disclosure would be tantamount to revealing the information the exception permits to be kept confidential. The exception is not limited to discussion of a particular dollar amount or other consideration; it is interpreted so as to give effect to the underlying purposes of the law, including conservation of scarce public resources through effective negotiation, and to protect a local agency’s bargaining position.
Cease and Desist Letter and Unconditional Commitment

On May 2, 2018, counsel for Santa Cruz County Greenway (“Greenway”) submitted a “cease and desist” letter alleging that the RTC’s previous closed sessions violated the Act, based on its claims that Section 54956.8 does not allow instruction to negotiators regarding a “license” and assertions that, because the Commission’s interest in the agreement is “far ranging”, it believes it is “inconceivable that these discussions were limited to the specific items exempted by the Brown Act.”

Although these assertions are without merit, the Act provides a statutory procedure whereby, in order to avoid unnecessary litigation and without admitting any violation of the Act, an agency may respond with an “unconditional commitment” to cease, desist from, and not repeat the challenged past action within 30 days of receiving a “cease and desist” letter such as that submitted by Greenway. The Act provides that the response shall be substantially in the form attached to this report, and that it shall be approved by the legislative body in open session at a regular or special meeting as a separate item of business, and not on its consent agenda.

The Act further provides that no legal action may be commenced to determine the applicability of the Act to any past action of the legislative body for which the legislative body has provided such an unconditional commitment. If the court determines that the legislative body has provided an unconditional commitment, the action shall be dismissed with prejudice. The Act specifically states that the fact that a legislative body provides an unconditional commitment shall not be construed or admissible as evidence of a violation of the Act. Finally, the Act provides a procedure by which the legislative body may rescind its unconditional commitment.

As the proposed operator agreement with Progressive has been made public and there is no further need for the RTC Board to provide instruction to its negotiators in closed session to preserve the Commission’s bargaining position in negotiations with Progressive, as authorized by Section 54956.8, RTC legal counsel and staff recommend that the RTC approve and authorize the Chair of the RTC to execute the attached unconditional commitment letter (Attachment 1) to protect the Commission from unnecessary litigation.

SUMMARY

Closed sessions to direct RTC negotiators on an agreement with Progressive Rail are no longer necessary; therefore, RTC legal counsel and staff recommend approval and execution of the attached unconditional commitment letter.

Attachments:
1. Unconditional commitment letter per the Ralph M. Brown Act
2. Cease and desist letter dated May 2, 2018
To: Sarah A. Clark  
Attorney  
Schute Mihaly & Weinberger LLP  
396 Hayes Street, San Francisco, CA 94012  
Via mail and e-mail to: Clark@smwlaw.com  

The Santa Cruz County Regional Transportation Commission has received your cease and desist letter dated May 2, 2018, alleging that the following described past action of the legislative body violates the Ralph M. Brown Act:

“[C]onsidering any agreement with Progressive Rail for use of the Santa Cruz Branch Line in closed session”

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the Santa Cruz County Regional Transportation Commission hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action as described above.

The Santa Cruz County Regional Transportation Commission may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as “Rescission of Brown Act Commitment.” You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address or addresses you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, you will have the right to commence legal action pursuant to subdivision (a) of Section 54960 of the Government Code. That notice will be delivered to you by the same means as this commitment, or may be mailed to an address that you have designated in writing.

Sincerely,

____________________________________  
Ed Bottorff  
Chair, Santa Cruz County Regional Transportation Commission
May 2, 2018

Via E-Mail and U.S. Mail

Santa Cruz County Regional Transportation Commission
1523 Pacific Avenue
Santa Cruz, California 95060
E-Mail: info@sccrtc.org

Re: Cease and Desist Letter (Brown Act Violation)

Dear Commissioners:

We submit this letter on behalf of Santa Cruz County Greenway to notify the Santa Cruz County Regional Transportation Commission of violations of the Brown Act. Over the last six months, the Commission has violated the Brown Act by discussing items beyond the price and terms of payment for the purchase, sale, exchange, or lease of real estate in closed session. Gov. Code § 54956.8. Accordingly, Greenway hereby notifies the Commission that the Commission must immediately cease and desist from considering any agreement with Progressive Rail for use of the Santa Cruz Branch Line in closed session, including at the May 3, 2018 Commission meeting.

The intent of the Brown Act is to ensure that the actions of public agencies be taken openly, so that the people “may retain control over the instruments they have created.” Gov. Code § 54950. Accordingly, the Act “requires that the legislative bodies of local agencies . . . hold their meetings open to the public except as expressly authorized by the Act.” Gov. Code §§ 54953, 54962. One such exemption is for real estate negotiations:

Notwithstanding any other provision of this chapter, a legislative body of a local agency may hold a closed session with its negotiator prior to the purchase, sale, exchange, or lease of real property by or for the local agency to grant authority to its negotiator regarding the price and terms of payment for the purchase, sale, exchange, or lease.

The purpose of this exemption is clear: to ensure that government agencies are not disadvantaged in real estate negotiations, the legislature provided a means of shielding information about how much a government agency is willing to pay or accept. See Schwing, Open Meeting Laws § 7.76, 416-418 (1994).

However, as the California Office of the Attorney General concluded in 2011, the exception is narrow. It allows agencies to shield only:

(1) the amount of consideration that the local agency is willing to pay or accept in exchange for the real property rights to be acquired or transferred in the particular transaction; (2) the form, manner, and timing of how that consideration will be paid, and (3) items that are essential to arriving at the authorized price and payment terms, such that their public disclosure would be tantamount to revealing the information that the exception permits to be kept confidential.

10 Ops.Cal.Atty.Gen. 206, at 2 (Attachment 1). It does not permit the agency to discuss other items related to the negotiation in closed session, such as deal points, environmental review, alternatives, and policy considerations. Id; see also Shapiro v. San Diego City Council (2002) 96 Cal.App.4th 904, 917 (rejecting argument that closed session could be used to discuss items “reasonably related” to the real estate negotiation).

The Commission has relied on the real estate negotiation exemption to discuss the proposed operating agreement with Progressive Rail on no less than eight occasions. See Attachments 2 (May 3, 2018 agenda), 3 (April 19, 2018 Agenda), 4 (April 5, 2018 Agenda), 5 (March 15, 2018 Agenda), 6 (March 1, 2018 Agenda), 7 (February 1, 2018 Agenda), 8 (January 18, 2018 Agenda), 9 (November 2, 2017 Agenda). In each instance, the Commission indicated that it would be discussing “price and terms.”

It is inconceivable that these discussions were limited to the specific items exempted by the Brown Act. In its Request for Proposals for a new operator, the Commission indicated it would be entering into a “Administration, Coordination and License Agreement” with a new operator similar to the existing agreement with Iowa Pacific Holdings’ Santa Cruz & Monterey Bay Railway. RFP at 2-3. The existing agreement provides evidence of the scope of potential negotiations between the Commission and Progressive Rail. Yet the agreement has very little to do with real estate negotiations, as defined under the Brown Act. Specifically, the agreement includes terms related to licenses for freight and tourist service, agreements with third-parties, the
current and future condition of the line, abandonment proceedings, and indemnification, insurance, and termination, among other items.

The Brown Act, however, only exempts certain discussions related to the “purchase, sale, exchange, or lease of real property.” Gov. Code § 54956.8. This language plainly does not provide an exemption for negotiations over a license for the Commission’s real property interest in the right of way, or the Commission’s “sale” of license, which is not a real property interest under California law. See Eastman v. Piper (1924) 68 Cal.App.554, 560.

Even if negotiations over a license agreement fell within this exception, the Commission would nevertheless be limited to discussing price and terms of payment for the licenses. But it is clear to the public that the Commission has been discussing far more than these limited terms in its closed sessions. The Commission has agendized this topic on at least eight separate occasions since issuing its letter of default to Iowa Pacific Holdings. The Commission’s interest in this agreement is far-ranging, covering issues such as the expansion of freight service, the development of a new passenger excursion service or regular passenger service, the construction of a bicycle and pedestrian path, and Surface Transportation Board approval. See RFP at 1-3. These topics, while related to the license agreement, are not so intimately connected to the price and terms of payment as to permit discussion of them in closed session. See 10 Ops.Cal.Atty.Gen. 206; Shapiro v. San Diego City Council (2002) 96 Cal.App.4th 904, 917.

Accordingly, pursuant to Government Code section 54960.2(a), Greenway hereby notifies the Commission that it must immediately cease and desist from holding closed sessions to discuss the proposed operating agreement with Progressive Rail. The Commission may respond to this letter within 30 days, providing to Greenway its unconditional commitment to cease, desist from, and not repeat the violation described here. Id. § 54960.2(b). We believe the best way for the Commission to establish this unconditional commitment is for it to release any recordings or minutes of prior closed sessions relating to the operating agreement with Progressive Rail. If it does not make this unconditional commitment, Greenway will consider taking legal action to establish the Commission’s past violations of the Brown Act and to seek declaratory or injunctive relief to prevent future such violations of the Brown Act, costs and reasonable attorneys’ fees, and any other available relief. See Gov. Code §§ 54960(a)-(c); 54960.5.
Please do not hesitate to contact me should you wish to discuss this matter further.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

Sara A. Clark

cc: T. Brooke Miller (via Pamela Iriguchi, Pamela.Iriguchi@santacruzcounty.us)
    Gail McNulty (gail.mcnulty@sccgreenway.org)
AGENDA: May 17, 2018

TO: Regional Transportation Commission

FROM: Sarah Christensen, Senior Transportation Engineer

RE: Highway 1 41st/Soquel Auxiliary Lanes Project Delivery Options

RECOMMENDATIONS

Staff recommends that the Regional Transportation Commission (RTC):

1. Approve being the implementing agency for the Plans, Specifications and Estimate (PS&E) phase (otherwise known as the design phase) for the Highway 1 41st/Soquel Auxiliary Lanes Project with Caltrans responsible for oversight and a portion of the design package; and

2. Authorize the Executive Director to enter into negotiations with Caltrans for a cooperative agreement outlining the responsibilities of the RTC and Caltrans District 5 for the PS&E phase of the 41st/Soquel Auxiliary Lanes Project.

BACKGROUND

The RTC and Caltrans have both taken turns in the lead role for the delivery of projects along Highway 1 in Santa Cruz County. In 2008, the Highways 1 and 17 Merge Lanes project, led by Caltrans, completed construction with many lessons learned, including two cost increases of about $5M each and a legal settlement of about $700,000. This led to the RTC taking the lead in the subsequent project, the Highway 1 Soquel/Morrissey Auxiliary Lanes project, which completed construction in 2014. For the Soquel/Morrissey Auxiliary Lanes Project, the RTC hired a consultant to prepare the design plans, specifications, and engineer’s estimate (PS&E) package. Caltrans provided oversight and lead the right-of-way portion of the project. The RTC also took the lead on the advertising, awarding, and administration of the project construction, and hired a consultant to manage the construction on behalf of the RTC. The RTC was faced with a claim that concluded in a settlement of $875,000 with the construction contractor.

In 2016, the voters of Santa Cruz County passed Measure D which allocates 25% of the revenue for highway projects. This includes funding for auxiliary lanes on Highway 1 from 41st Avenue to Soquel Drive and from Bay/Porter to State Park Drive plus bicycle and pedestrian overcrossings at Chanticleer Avenue and Mar Vista Drive. The passing of Measure D makes Santa Cruz a self-help county, which allows the RTC to leverage local funds to advance projects and attract additional funding. The state or federal funds are allocated competitively, with project readiness being the primary factor in awarding of the funds. RTC staff has identified multiple potential sources of funds for the Highway 1 41st/Soquel Auxiliary Lanes project.
Project which includes the bicycle and pedestrian overcrossing at Chanticleer Avenue.

Environmental clearance of the Tier II Highway 1 41st/Soquel Auxiliary Lanes Project is expected to be achieved at the end of 2018. In order to take advantage of the benefits of being a self-help county, RTC staff recommends leveraging Measure D funds to advance the PS&E phase of this project in order to achieve project readiness to attract funding from state and federal sources.

**DISCUSSION**

There are three possible approaches to the delivery of the PS&E phase of the Highway 1 41st/Soquel Auxiliary Lanes Project:

- The RTC leads the preparation of the design package by hiring a consultant.
- Caltrans District 5 staff prepares the design package in-house.
- A hybrid approach with the RTC as the lead, and Caltrans preparing a portion of the design package.

Based on past experience, recent communications with Caltrans and the RTC’s position as a self-help county to advance design and attract other funds, the hybrid approach is preferable.

**Hybrid Approach**

There are parts of the project that are appropriate for the RTC and Caltrans each to lead. For instance, it makes sense to have RTC be in charge of the public outreach portion of the project because of our local presence and ability to successfully inform the community on project activities. The RTC also has the ability to advance the design phase of the project using Measure D funds in anticipation of the environmental clearance, which puts the project in a better position to secure competitive funds. Caltrans can be in charge of acquiring the necessary right of way for the project because Caltrans is the owner/operator of the facility and will be the owner of the property acquired.

A benefit of having the RTC and Caltrans working together to prepare the design in a hybrid approach is accountability and quality control. Because the RTC and Caltrans will each be working on parts of the package, each entity will be reviewing and cooperating with the other to coordinate design details and ensure a quality package is put together. Having a strong quality control plan for the project that both the RTC and Caltrans adhere to will reduce the claim liability on the project.

**Availability of Caltrans Resources**

Caltrans is currently faced with hiring 2,000 employees to meet the demand of the transportation improvements in the works following the passing of Senate Bill 1 (SB1) in 2017. At a recent meeting in April between RTC and Caltrans District 5 staff, Caltrans indicated that they may have an available design squad out of their
Fresno office to prepare the design package in-house starting in early 2019 if the RTC prefers that Caltrans take the lead on the PS&E phase of the project.

**Programming of Funds**

Currently there are State Transportation Improvement Program (STIP) funds programmed for the design phase of project in fiscal year 18/19. The STIP funds cannot be allocated by the California Transportation Commission (CTC) for the design phase of the project until environmental clearance is achieved, which is expected to be at the end of 2018 with the CTC allocation of the STIP funds occurring in January of 2019. As discussed at the May RTC meeting regarding the Measure D 5-year plan update for the Highway Program, RTC staff proposes to add Measure D funds for preconstruction of the Highway 1 41st/Soquel Auxiliary Lanes Project, which can be used in FY 18/19 prior to environmental clearance. This will allow the RTC to advance the design phase (gaining about 6 to 8 months) before the environmental clearance and have the project ready for construction and to secure other funds sooner.

**Ability to Attract Other (non-Measure D) Funds**

The Highway 1 41st/Soquel Auxiliary Lanes Project which includes the Chanticleer Avenue pedestrian and bicycle overcrossing can attract a number of funding sources, including SB1 Congested Corridors and Active Transportation funds. Once the design phase is initiated, the RTC staff may decide to split the project elements into separate projects depending on the availability of funds. For instance, the design can be split into multiple packages to separate the auxiliary lanes improvements from the pedestrian and bicycle overcrossing improvements in order to optimize the competitiveness of each of those project’s elements.

Staff believes that this project would be competitive for SB1 Solutions for Congested Corridors Program funds, which includes $250M of funds annually across California. In order to be eligible for Congested Corridor funds, the following should be considered:

- A Comprehensive Corridor Plan must be in place, which is an integrated multimodal plan of a corridor. The Unified Corridor Study would qualify as this document for improvements along Highway 1, Soquel Drive, and the rail corridor.
- Local match is not required, however funding leverage is desirable. Consideration will be given to projects that leverage funding from private, federal, state, local or regional sources that are discretionary funds. The Measure D 5 year plan includes funds for construction.
- Congested Corridor funds would only be available for the construction component of the project.
- Projects that have collaboration between local agencies and Caltrans that are jointly nominated by multiple entities will be given higher consideration.

Staff believes that the Chanticleer Avenue Bicycle and Pedestrian overcrossing would be competitive for Active Transportation Program funds, which includes
$100M of funds annually across California. Projects that include infrastructure improvements that meet one or more Active Transportation program goals are eligible, with construction readiness being highly considered. Therefore, staff recommends that the RTC approve being the lead agency for the design of the Highway 1 41st/Soquel Auxiliary Lanes Project with Caltrans responsible for oversight and a portion of the design package, and authorize the Executive Director to enter into negotiations for a Cooperative Agreement with Caltrans District 5 to that effect.

SUMMARY

Based on past experiences, availability of resources, and the ability to attract funds, the RTC staff recommends the RTC take the lead on the PS&E phase of the Highway 1 41st/Soquel Auxiliary Lanes Project, with Caltrans being generally responsible for oversight and a portion of the design package.