

AGENDA: June 6, 2019

TO: Regional Transportation Commission
FROM: Guy Preston, Executive Director
RE: Director’s Report

THIS ITEM FOR INFORMATION ONLY

Resignation of Brooke Miller as RTC Legal Counsel

Brooke Miller, Assistant County Counsel, announced last month that she would be leaving the Office of County Counsel for a position in San Diego. Brooke has been RTC’s lead attorney for the past 5 years. Although I have only worked with Brooke for 6-months, I have a great appreciation for her knowledge and expertise in serving RTC. I have been working with Brooke to prioritize her limited time working with County Counsel on a plan to cover RTC’s legal needs. Brooke’s last day is June 11th.

Request for Proposals for Legal Services

RTC has been using the legal services from the County of Santa Cruz, since its inception. Earlier this year, County Counsel, Dana McRae, and I met to discuss RTC’s needs and the County’s resources.

Although County Counsel has provided excellent services, the workload associated with RTC’s legal needs has grown with the increases in responsibilities and complexities associated with both owning a rail line and becoming a self-help county. RTC’s use of County’s limited legal resources has become more challenging for the County. Additionally, there are potential legal issues between the County and RTC, which could result in conflicts of interest when sharing legal counsel. For those reasons, County Counsel has advised RTC to obtain outside legal services for future legal needs.

County Counsel has worked with RTC to prepare a Request for Proposals (RFP) for a full-service legal firm. The following is the proposed schedule for the procurement of a legal services firm:

June 7, 2019	Issue RFP
July 8, 2019	Proposals due from Consultants
July 8 - 10, 2019	Panel review and ranks proposals
July 15 & 16, 2019	Interview Top Ranked Consultants
August 1, 2019	Recommended consultant for approval to the RTC Board
August 9, 2019	Consultant Notice to Proceed

Due to the very tight schedule, I expect challenges in scheduling. I will be reaching out to Commissioners to seek interest and availability in being part of the evaluation committee.

Status of Rail Line Storm Damage Contracts

Staff has been working hard to deliver the 2017 storm damage contracts to construction this season. There had been considerable progress on the development of plans, specifications and permits, but the start of construction is subject to receipt of permits and following all permit conditions.

At our last board meeting, the Commission authorized, and I have subsequently started entering into contracts for a construction management firm to assist in the final packaging of the Phase 1 construction contracts, which included 5 of the 8 storm damage projects, including the washout near Harkin's Slough. Services include procurement and management of a construction contract with a qualified low bid contractor.

Although the Phase 1 contracts are still expected to be advertised this summer, the receipt of final permits, the contract award date and the necessary lead time to start construction may not allow for construction at the washout near Harkin's Slough this season. If this is the case, I will likely recommend that RTC award a contract this year, but any field work, subject to permit conditioned work window restrictions, may need to be suspended until next season. Work at sites not subject to work window restrictions is expected to proceed, as construction contracts are approved for award. I will continue to update the Commission on the delivery of all storm damage contracts on the rail line.

Monterey Bay Sanctuary Scenic Trail (MBSST)

The Santa Cruz City Council will have a public hearing on an appeal of the Planning Commission's approval of the Initial Study / Mitigated Negative Declaration for Phase II of Segment 7 of the MBSST at 11:00 am on June 11, 2019.

The grand opening ceremony for the Segment 8 San Lorenzo River trestle bridge project was held on Wednesday, May 22, 2019. The 10' wide cantilevered bicycle and pedestrian path has been open now for over two weeks. This project was implemented by the City of Santa Cruz, utilizing multiple fund sources, including Measure D.

Scott's Creek Lagoon and Marsh Restoration Project

Last month, the RTC received notice that it has been awarded a \$237,690 grant from the California Department of Fish and Wildlife (CDFW) for the Scotts Creek Lagoon and Marsh Restoration Project, one of 38 statewide projects selected to receive funding for multi-benefit ecosystem restoration projects under CDFW's Proposition 1 and Proposition 68 grant programs.

The Scott's Creek project will develop a restoration design that includes a modern transportation corridor for Highway 1 which will allow for the ecological condition and dynamism of the Scotts Creek lagoon, marsh, and dune system while also planning for

climate change resiliency. RTC staff will be collaborating with Caltrans District 5 and the Resource Conservation District on this project. The grant will continue the critical work of this project team and federal and state resource agencies that has been developed to-date for the Scott Creek Lagoon and Marsh Restoration project.

Rail Line Alternatives Analysis and 2019 Rail-Volution Conference

Staff is working on finalizing a draft Request for Proposals (RFP) and Scope of Work (SOW) for a planned alternative's analysis for high-capacity public transit on the Santa Cruz Branch Rail Line. RTC and METRO staff is scheduled to bring the SOW for the alternative's analysis to the RTC and METRO boards for input at their board meetings on June 27th and June 28th, respectively. Work is expected to commence in September 2019 and be completed in early 2021.

The 2019 Rail-Volution conference will be held on September 8-11th in Vancouver, British Columbia. The theme of this year's conference is "Building Livable Communities with Transit". There will be over 75 thought and discussion provoking workshops, ranging from cutting policy overviews to practical hands-on strategies. Last year, RTC sent two staff members to this conference in Pittsburg. This year, I plan to attend this conference with Ginger Dykaar, who is leading the RTC's efforts on the alternative's analysis. The conference topics and schedule coincide well with that of the alternative's analysis, and I expect the conference to be beneficial for RTC's staff working on the study.

Triennial Performance Audit

Every three years the RTC goes through a triennial performance audit as required by the Transportation Development Act. The RTC hired the firm Michael Bake International and Derek Wong is the lead auditor. As part of the audit, the hired auditor reaches out to Commissioners for input on the audit. The audit work will be starting soon so do not be surprised, if you hear from the auditor.

Internal Staffing Changes

Last month I announced that I appointed Tommy Travers, Transportation Planning Tech to a provisional planner position to temporarily fill the RTC's vacant planner position. To temporarily fill Tommy's Planning Tech position, RTC recruited and has hired a provisional planning technician, Jason Thompson effective June 17, 2019.

Jason graduated in 2016 from Cal Poly with a Bachelor of Science Degree in Forestry and Natural Resource Management. He has experience working with utility companies, many of which cross the Santa Cruz Branch Rail Line. He has also served as a consulting arborist with Davey Resource Group.

Earlier this month, RTC brought an engineering intern, Brian Zamora, on board. Brian is studying for an Associate degree in Civil Engineering at Cabrillo College with plans to transfer to a 4-year University.