



**Santa Cruz County  
Regional Transportation Commission**

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**AGENDA**

**Thursday, February 03, 2022  
9:00 a.m.**

**REMOTE MEETING**

**Community TV Zoom**

**Web: <https://us02web.zoom.us/j/88417962384>**

**Dial-in: +1 669 900 6833**

**Webinar ID: 884 1796 2384**

*Accessibility: See last page for details.*

*En Español: Para servicios de traducción al español, dirijase a la última página.*

*Agendas Online: Click below to receive notification via e-mail.*

*[sccrtc.org/about/esubscriptions/](https://sccrtc.org/about/esubscriptions/)*

**COMMISSION MEMBERSHIP**

Caltrans (ex-officio)

City of Capitola

City of Santa Cruz

City of Scotts Valley

City of Watsonville

County of Santa Cruz

County of Santa Cruz

County of Santa Cruz

County of Santa Cruz

County of Santa Cruz

Santa Cruz Metropolitan Transit District

Santa Cruz Metropolitan Transit District

Santa Cruz Metropolitan Transit District

Tim Gubbins

Jacques Bertrand

Sandy Brown

Randy Johnson

Eduardo Montesino

Greg Caput

Ryan Coonerty

Zach Friend

Manu Koenig

Bruce McPherson

Kristen Petersen

Alta Northcutt

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, it may not take action on items that are not on the agenda.*

*Speakers are requested to state their name clearly so that it 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.*

### **MINUTES**

4. Accept draft minutes of the January 11, 2022 Elderly & Disabled Transportation Advisory Committee special meeting
5. Approve draft minutes of the January 13, 2022 Regional Transportation Commission meeting
6. Accept draft minutes of the January 20, 2022 Interagency Technical Advisory Committee meeting

### **POLICY ITEMS**

*No consent items*

**PROJECTS and PLANNING ITEMS**

7. Approve authorizing the Executive Director to amend the cooperative agreement with Caltrans to increase funding for completion of a Highway 9/San Lorenzo Valley (SLV) Complete Streets Project Initiation Document (**Resolution**)
8. Approve authorizing the Executive Director to enter into a Master Agreement with Caltrans to administer grant funding for the Pajaro River Bridge Rehabilitation Project (**Resolution**)

**BUDGET AND EXPENDITURES ITEMS**

9. Approve amending the Fiscal Year (FY) 2021-22 Budget and Work Program (**Resolution**)
10. Accept status report on Transportation Development Act (TDA) revenues
11. Accept status report on Measure D revenues

**ADMINISTRATION ITEMS**

12. Approve authorizing the Executive Director to amend the contract for technical support services with User Friendly Computing (**Resolution**)
13. Adopt Assembly Bill 361 Findings for Virtual and Hybrid Meetings

**INFORMATION/OTHER ITEMS**

14. Accept monthly meeting schedule
15. Accept correspondence log
16. Accept letters from RTC committees and staff to other agencies - *none*
17. Accept information items - *none*

**REGULAR AGENDA**

18. Commissioner reports – oral reports
19. Director’s Report – oral report  
(*Guy Preston, Executive Director*)
20. Caltrans report
  - a. Santa Cruz County project updates

21. Watsonville to Santa Cruz Multimodal Corridor Program Update  
*(Sarah Christensen, Senior Transportation Engineer)*
  - a. Staff report
  - b. Project Fact Sheets
  - c. Highway 1 Bay/Porter to State Park Aesthetic Outreach Flyer  
*[Posted to the website by 01/31/2022 at 5pm]*
22. Informational Report on the Potential Preservation of the Santa Cruz Branch Rail Line by Railbanking including Future Potential Adverse Abandonment Actions for Heavy Freight Rail Only & Termination of the ACL Agreement  
*(Guy Preston, Executive Director)*
  - a. Staff report
  - b. Roaring Camp's Letter to RTC on June 28, 2020
  - c. Roaring Camp's Letter to RTC on March 18, 2021
  - d. SCBRL Easement Map
23. Ballot Measure Regarding Rail and Trail  
*(Luis Mendez, Deputy Director)*
  - a. Staff report
  - b. Report from Chair Brown and Commissioners Montesino and Rotkin recommending an advisory measure for the June 2022 ballot with draft proposed ballot texts as Exhibit A
24. Next meetings

The next RTC meeting is scheduled for Thursday, March 03, 2022 at 9:00 a.m. See [agenda](#) for location.

The next Transportation Policy Workshop meeting is scheduled for Thursday, February 17, 2022 at 9:00 a.m. See agenda for location.

### **HOW TO REACH US**

Santa Cruz County Regional Transportation Commission  
1101 Pacific Avenue, Suite 250 Santa Cruz, CA 95060  
phone: (831) 460-3200 / email: [info@sccrtc.org](mailto:info@sccrtc.org)

### **LIVE BROADCASTS**

Note: Due to technical difficulties, Community Television of Santa Cruz will be unable to broadcast the RTC meeting live. The meeting will be recorded and can be viewed later at [www.communitytv.org](http://www.communitytv.org). For questions, call (831) 425-8848.

**AGENDA PACKETS**

Complete agenda packets and all documents relating to items on the open session are posted online at <https://sccrtc.org> at least 72 hours prior to the meeting. Sign up for E-News updates at [sccrtc.org/about/esubscriptions/](https://sccrtc.org/about/esubscriptions/)

**COMMENTS FROM THE PUBLIC**

Items on the agenda: Written comments received by 9:00 a.m. on Wednesday before the meeting will be posted to the RTC website by 2:00 p.m. that same afternoon to allow time for Commissioner review. The opportunity to make oral comments is offered prior to the discussion period of each item.

Items not on the agenda: Written comments on topics within the RTC's jurisdiction, but not on the agenda, that are received during the monthly correspondence period will be posted to a public document. The correspondence period cut-off is 12:00 p.m. on the second Monday prior to the RTC meeting. A link to that document is provided in the Correspondence Log of that month's meeting. The opportunity to make oral comments to the Commission on such topics is offered during Oral Communications.

**COVID-19 REMOTE MEETING UPDATE**

On September 16, 2021, Governor Newsom signed AB 361 into law, which allows the RTC to hold virtual and/or hybrid meetings so long as the RTC makes findings that the state of emergency continues to directly impact its ability to meet safely in person. Information needed to log into the virtual meeting is listed on the first page of the meeting's agenda. Download the Zoom app: <https://zoom.us/download>.

**ACCESSIBILITY**

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 persons affected, please attend the meeting smoke and scent-free.

**SERVICIOS DE TRADUCCIÓN/ TRANSLATION SERVICES**

*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 call (831) 460-3200 at least three days in advance to make advance arrangements.*

**TITLE VI NOTICE TO BENEFICIARIES**

*The RTC operates its programs and services without regard to race, color and national origin in accordance with Title VI of the Civil Rights Act. Any person believing to have been aggrieved by the RTC under Title VI may file a complaint by contacting the RTC at (831) 460-3200 or 1101 Pacific Avenue, Suite 250, Santa Cruz, CA 95060 or online at [www.sccrtc.org](http://www.sccrtc.org). A complaint may also be filed directly with the Federal Transit Administration to the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590.*

**AVISO A BENEFICIARIOS SOBRE EL TITULO VI**

*La RTC conduce sus programas y otorga sus servicios sin considerar raza, color u origen nacional de acuerdo al Titulo VI del Acta Sobre los Derechos Civiles. Cualquier persona que cree haber sido ofendida por la RTC bajo el Titulo VI puede entregar queja con la RTC comunicándose al (831) 460-3200 o 1101 Pacific Avenue, Suite 250, Santa Cruz, CA 95060 o en línea al [www.sccrtc.org](http://www.sccrtc.org). También se puede quejar directamente con la Administración Federal de Transporte en la Oficina de Derechos Civiles, Atención: Coordinador del Programa Titulo VI, East Building, 5th Floor-TCR, 1200 New Jersey Avenue, SE, Washington, DC 20590.*



**Santa Cruz County Regional Transportation Commission's  
Elderly & Disabled Transportation Advisory Committee**

*(Also serves as the Social Service Transportation Advisory Council)*

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**Draft MINUTES**

**1:30pm - 3:30pm**

**Special Meeting**

**Tuesday, January 1, 2022**

**NOTE: Meeting was held as teleconference**

**1. Roll call**

The meeting was called to order at 1:34 p.m.

***Members present:***

Patty Talbot, Social Services Provider — Seniors  
Tara Ireland, Social Service Provider-Persons of Limited Means  
Lisa Berkowitz, CTSA (Community Bridges)  
Jesus Bojorquez, CTSA (Lift Line)  
Eileen Wagley, SCMTD (Metro)  
Michael Pisano, Potential transit User (60+)  
Caroline Lamb, Potential Transit User (Disabled)  
Janet Edwards, 1st District  
Veronica Elsea, 3rd District

***Unexcused absences:***

Alex Weske, Social Service Provider – Disabled  
Paul Elerick, 2<sup>nd</sup> District  
Martha Rubbo, 4<sup>th</sup> District

***RTC staff present:***

Amanda Marino, Transportation Planner  
Amy Naranjo, Transportation Planner

***Others present:***

Becky Steinbruner, Cabrillo Host Lions Club

**2. Introductions**

**3. Oral communications**

Committee member Janet Edwards provided information on redistricting in Santa Cruz County and reminded the committee of opportunities to provide input on the Soquel Drive Buffered Bike Lane Congestion Mitigation Project. More information can be found by visiting: <https://www.soqueldrivebufferedproject.com/>

Committee Member Michael Pisano expressed interest in creating a more bikeable and walkable community in Santa Cruz County.

Becky Steinbruner, member of the public, representing the Cabrillo Host Lions Club communicated the Cabrillo Host Lion's Club's interest in future collaboration with the E&D TAC supporting projects that address pedestrian hazards for individuals who are visually impaired. Ms. Steinbruner identified three areas in Santa Cruz County that are hazardous to visually impaired pedestrians.

4. Additions or deletions to consent and regular agendas - none

### **CONSENT AGENDA**

5. Approved minutes from November 16, 2021
6. Received RTC Meeting Highlights
7. Received 2022 E&D TAC Meeting Schedule
8. Received Information Items
  - a. FTA Section 5310 Program Fact Sheet
  - b. Caltrans Complete Streets Director's Policy

*A motion (Edwards/Berkowitz) was made to approve the consent agenda. The motion passed with members Patty Talbot, Tara Ireland, Lisa Berkowitz, Jesus Bojorquez, Michael Pisano, Caroline Lamb, Janet Edwards, and Veronica Elsea voting in favor with abstentions from Tara Ireland and Eileen Wagley.*

### **REGULAR AGENDA**

9. Received Program Updates
  - a. Volunteer Center

Tara Ireland informed the committee of the increase of seniors that continue to participate in the grocery shopper program.



b. Community Bridges

Jesus Bojorquez updated the committee on the continuation of the program to provide transportation for seniors to grocery stores, restaurants, and Covid-19 booster shots.

c. Santa Cruz Metro

Eileen Wagley announced that Metro is experiencing personnel and administrative changes due to the departure of Alex Clifford announced at Metro's last regular Board of Director's meeting that he will retire from his position as CEO/GM of the Santa Cruz Metropolitan Transit District in January 2022. Metro will have in place an interim CEO/GM until a permanent CEO/GM is appointed by the Board. Metro also has many job openings, more information can be found: <http://www.scmttd.com/en/agency-info/metro-employment>

d. SCCRTC

RTC Transportation Planner Amanda Marino provided an update on the Regional Transportation Improvement Program (RTIP) discretionary funds that includes using the remaining balance available for school safety and access projects - the Highway 9/SLV schools and Ecology Action Safe Routes to Schools projects.

Ms. Marino informed the committee that when conditions allow the RTC will conduct hybrid meetings and will provide Covid-19 findings at the RTC meetings to abide by AB 361 where the governor's executive orders suspend several provisions of the Brown Act to ensure that the work of government agencies could continue with virtual meetings to reduce the risk of spreading Covid-19.

e. Pedestrian Ad-Hoc Subcommittee

i. Pedestrian Hazard Report

ii. Letter to the City of Santa Cruz Public Works Department

Chair Veronica Elsea informed the committee of the continuation of reviewing the pedestrian hazard report process. Ms. Elsea also reminded the committee of the E&D TAC's request for the City of Santa Cruz to attend the February meeting to provide an update on the new regional bike share program and the need to upgrade the Rapid Flashing Beacons to be accessible.

## 10. Release of Draft 2045 Regional Transportation Plan

RTC Transportation Planner Amy Naranjo presented to the committee and solicited input on the Draft 2045 Regional Transportation Plan (RTP) including the policy, financial, and action elements. The three main components include draft goals, policies, targets, complete list of projects, and the fiscally constrained project list. The E&D TAC provided comments that consist of; including the term “functional” to pedestrian facilities, additional information on the Pedestrian Safety Workgroup and the Pedestrian Ad-hoc Subcommittee, reference the loss of accessible taxi service. Additional RTP comments can be sent to [2045rtp@sccrtc.org](mailto:2045rtp@sccrtc.org) and EIR comments to [hadamson@ambag.org](mailto:hadamson@ambag.org) by January 31<sup>st</sup>, 2022.

*No action taken.*

Meeting adjourned at approximately 2:45 pm.

The next E&D TAC meeting is scheduled for Tuesday, February 8<sup>th</sup>, 2022 at 1:30 p.m. NOTE: Teleconference may be necessary due to COVID-19.

Respectfully submitted, Amanda Marino, Staff



**Santa Cruz County  
Regional Transportation Commission**

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**Draft MINUTES**

**Thursday, January 13, 2022  
9:00 a.m.**

**NOTE: Teleconference  
Community TV Zoom**

**Web: <https://us02web.zoom.us/j/85771172425>**

**Dial-in: +1 669 900 6833**

**Webinar ID: 857 7117 2425**

**1. Roll call.**

The meeting was called to order at 9:00 a.m.

**Members present:**

Sandy Brown	Larry Pageler (Alt)
Kristen Petersen	Andy Schiffrin (Alt)
Randy Johnson	Robert Quinn (Alt)
Greg Caput	Felipe Hernandez (Alt)
Manu Koenig	Alta Northcutt
Eduardo Montesino	Bruce McPherson
Mike Rotkin	Tim Gubbins (Caltrans Ex-Officio)
Jacques Bertrand	

**Staff present:**

Guy Preston	Tracy New
Luis Mendez	Sarah Christensen
Yesenia Parra	Brianna Goodman
Shannon Munz	Amy Naranjo
Krista Corwin	Rachel Moriconi
Grace Blakeslee	Steven Mattas (RTC Counsel)
Cindy Convisser	

2. Oral communications.

Received public comment from:

Jack Brown  
Barry Scott  
Bud Colligan  
Buzz Anderson

3. Additions or deletions to consent and regular agendas.

A replacement page for item 7 and a handout for item 18 were posted to the website.

**CONSENT AGENDA**

Commissioner Rotkin motioned, and Commissioner Alternate Schiffrin seconded the motion to approve the consent agenda and the motion passed unanimously with Commissioners Bertrand, Brown, Johnson, Caput, Montesino, Koenig, McPherson, Petersen, Northcutt, Rotkin, and Commissioner Alternates Schiffrin and Quinn voting "aye."

Received public comment from:

Brian Peoples, Trail Now  
David Van Brink  
Todd Marco, NRG

**MINUTES**

4. Approved draft minutes of the December 02, 2021 Regional Transportation Commission meeting
5. Accepted draft minutes of the December 13, 2021 Bicycle Advisory Committee meeting
6. Accepted draft minutes of the December 16, 2021 Interagency Technical Advisory Committee meeting
7. Approved draft minutes of the January 03, 2022 Regional Transportation Commission special meeting

**POLICY ITEMS**

*No consent items.*

**PROJECTS and PLANNING ITEMS**

8. Approved authorizing the Executive Director to amend the cooperative agreement with Caltrans for the construction component of the Highway 1 Auxiliary Lanes and Bus on Shoulder Project between 41<sup>st</sup> Avenue to Soquel Drive interchanges (**Resolution 29-22**)
9. Approved authorizing the Executive Director to enter into agreements with Capra Environmental Services for a 2-month pilot project utilizing goats to control vegetation overgrowth along the Santa Cruz Branch Rail corridor (**Resolution 30-22**)

#### **BUDGET AND EXPENDITURES ITEMS**

10. Accepted status report on Transportation Development Act (TDA) revenues
11. Accepted status report on Measure D revenues

#### **ADMINISTRATION ITEMS**

12. Adopted Assembly Bill 361 Findings for Virtual and Hybrid Meetings

#### **INFORMATION/OTHER ITEMS**

13. Accepted monthly meeting schedule.
14. Accepted correspondence log.
15. Accepted letters from RTC committees and staff to other agencies -*none*
16. Accepted information items. - *none*

#### **REGULAR AGENDA**

17. Commissioner reports

Commissioner Rotkin requested to put an item on the next RTC agenda to consider placing an advisory measure on the June 2022 ballot concerning the future of rail and trail on the Santa Cruz Branch Rail Line.

RTC Counsel Steve Mattas communicated procedures for the commission to place an item on the agenda for the next meeting.

## 18. Director's Report

Executive Director Guy Preston delivered the director's report.

Commissioners expressed appreciation for the upcoming repairs to Storm Damage Site 7, the railroad bridge over Highway 1 in Aptos; and securing the Coastal Commission approval for the Monterey Bay Scenic Sanctuary Trail (MBSST) Segment 5 in the North Coast.

Received public comment from:  
Brian Peoples, Trail Now

## 19. Caltrans report

Caltrans District 5 Director Tim Gubbins echoed sentiments for the Excellence in Transportation Award for the rail trail segment 7; the state budget focuses on increasing alternative modes of transportation, safety improvements, electric vehicles and charging stations; renewed funding for the Clean California Program.

Received public comment from:  
A community member who wished to remain anonymous

In response to concerns raised by a member of the public regarding suspected illegal activities occurring on Caltrans property, Mr. Gubbins has received the communication and will coordinate with Supervisor McPherson's office to discuss the matter further.

Commissioners discussed: appreciation for litter clean-up in South County and planned landscape improvements; repairs to fences damaged by cutting/trespassing.

20. **PUBLIC HEARING 9:30 a.m.:** Draft 2045 Santa Cruz County Regional Transportation Plan (RTP)

Transportation Planner Amy Naranjo delivered the staff report.

Chair Brown opened the public hearing at 9:51 a.m.

Received public comment from:

Brian Peoples, Trail Now

Mark Mesiti-Miller, Friends of the Rail and Trail

Rebecca Downing

Todd Marco, Nicene Rio Gateway

Lani Faulkner, Equity Transit

Sally Arnold

Barry Scott

Dianne D.

Jack Brown

Ryan Sarnataro

Sean Shrum

Chair Brown closed the public hearing at 10:15 a.m.

Ms. Naranjo, Executive Director Guy Preston, and Deputy Director Luis Mendez responded to questions from commissioners regarding the “constrained” and “unconstrained” vocabulary in reference to project funding; how projects can be moved from the unconstrained list to the constrained list.

In response to a Commissioner’s question, Senior Transportation Planner Grace Blakeslee confirmed that staff is adding a long-term project at Davenport Beach and will consider its effect in the final EIR.

Commissioners discussed: freight transportation; use of data to guide decision-making; the impact of a commuter train on Highway 1 congestion.

In response to a Commissioner’s question, Ms. Naranjo explained how project costs are calculated.

21. **San Lorenzo Valley (SLV) Schools Complex Circulation Project**  
**Memorandum of Understanding (MOU) with Local and State Agencies**

Transportation Planner Brianna Goodman delivered the staff report.

Commissioners communicated that cooperative planning is essential between Caltrans, the San Lorenzo Valley Unified School District, METRO, Santa Cruz County Public Works, and the RTC.

Received public comment from:  
Bryan Largay

Commissioner Alternate Schiffrin moved and Commissioner Rotkin seconded the motion to approve the staff recommendation to authorize the Executive Director to sign a Memorandum of Understanding with local and state agencies responsible for coordinating delivery of the San Lorenzo Valley (SLV) Schools Complex Circulation and Access Project.

The motion passed unanimously with Commissioner Bertrand, Brown, Johnson, Montesino, Hernandez, Koenig, McPherson, Petersen, Rotkin, and Commissioner Alternates Schiffrin, Quinn, and Pageler voting "aye."

22. Construction Contract Award – Phase 1 Coastal Erosion Repair at Manresa along the Santa Cruz Branch Rail Corridor

Senior Transportation Engineer Sarah Christensen delivered the staff report.

Commissioners communicated that this project is an example of maintenance work which must be performed regardless of the ultimate use of the Santa Cruz Branch Rail Corridor.

Ms. Christensen and Executive Director Preston responded to questions from a commissioner regarding the causes of erosion at the Manresa site (drainage, foot traffic, and natural shoreline erosion) and expected life of the facility. Director Preston clarified that the cost of maintaining this section of the rail line is higher due to the requirement to accommodate freight loads.

Commissioners discussed: the need for preventative maintenance on the Santa Cruz Branch Rail Line to keep costs under control; pedestrian access to Manresa state beach; retaining wall versus plantings to help with erosion; writing a letter to the Surfrider organization as a follow-up to the construction project.

Received public comment from:  
Brian Peoples  
David Van Brink  
Barry Scott

Commissioner Alternate Schiffrin motioned and Commissioner Rotkin seconded the motion to approve the staff recommendation to accept the bid for construction of the Phase 1 Coastal erosion repair near Manresa State Beach along the Santa Cruz Branch Rail Line and authorizing the Executive Director to execute a construction contract to the lowest responsible bidder, Cal West Construction, Inc. with a contract allotment of \$697,510 (**Resolution 31-22**).



The motion passed unanimously with Commissioners Bertrand, Brown, Johnson, Montesino, Koenig, McPherson, Petersen, Rotkin, and Commissioner Alternates Hernandez, Schifffrin, Quinn, and Pageler voting "aye."

## 23. Review of items to be discussed in closed session

RTC Counsel Steve Mattas communicated that the Commission would be going into closed session to discuss anticipated litigation and that there is a possibility of a report-out of actions taken during closed session and the Commission would report that action on this Zoom in open session.

Upon request from a Commissioner, Mr. Mattas communicated that the closed session item allows the Commission to discuss options related to the potential of an adverse abandonment action involving the Felton line.

### Received public comment from:

Brian Peoples, Trail Now

Trink Praxel

Lani Faulkner, Equity Transit

Judy Gittelsohn

Sally Arnold

David Van Brink

Barry Scott

Todd Marco

Bryn Young

Ryan Sarnataro

Bud Colligan

Commissioners discussed: desire for transparency around RTC policy-related actions; any decision on abandonment will be made in open session; need for public discourse and public participation; rationale for discussing legal matters in closed session; addressing rumors that have arisen regarding the closed session item; the RTC will make sure that information not related to closed session discussions is available to the public; importance of Commissioners maintaining confidentiality in regards to closed session items; commitment of the Chair to do the public's business in public.

The Commission left open session at 11:45 a.m.

## **CLOSED SESSION**

**Closed session began at 11:50 a.m.**

24. Conference with Legal Counsel – Anticipated Litigation (Pursuant to Government Code Section 54956.9(d)(4))

Initiation of Litigation: One Case

## **OPEN SESSION**

The Commission reconvened in open session at 2:00 p.m.

RTC Counsel Steve Mattas reported that on a 10-2 vote, the Commission directed staff to place an open session and a closed session item on the agenda at the next meeting. The open session item would involve the consideration of issues associated with the potential adverse abandonment action. The closed session direction was provided to the staff to report back with the appropriate closed session information. The Commission also requested that staff provide certain information prior to that meeting and that information will be included both where relevant in the staff report for the open session and as appropriate in any closed session confidential information.

The meeting adjourned at 2:01 p.m.

25. Next meetings

The next RTC meeting is scheduled for Thursday, February 03, 2022 at 9:00 a.m. by Zoom teleconference.

The next Transportation Policy Workshop meeting is scheduled for Thursday, February 17, 2021 at 9:00 a.m. by Zoom teleconference.

Respectfully Submitted,

Yesenia Parra  
Administrative Services Officer

Attendees:

(408) \*\*\*-5370

Barry Scott

Ben Vernazza

BobFi

Brian

Brian (Trail Now)

Brian Largay

Bryn Young

Bud Colligan

Buzz Anderson

Cheryl Childs - Mark Thomas

Davidvb <3 Public transit

Doug Hessing

Equity Transit

Gus Alfaro, Caltrans

Heather Adamson, AMBAG

Howard Cohen

Jack Brown - YES Greenway!

Jamie Sehorn, Analyst

Jeanette Guire RC RR

Jim MacKenzie

Johanna Lighthill

John Ballard

Joni Steele

Judy Gittelsohn

Kieran Kelly

Kota

Mark Mesiti-Miller

Matt Farrell

Melissa Hartman

Michael Pisano

Murray Fontes

Nadene Thorne

Nancy Yellin

Paul Peterson

Rebecca Downing

Riley Gerbrandt

Ron Nancy

Ryan Sarnataro

Sally for Rail and Trail

Shane Mckeithen

Sean Shrum

Steve Wiesner

Tim Brattan

Todd Marco (NRG)

Trink Praxel

Will Mayall



**Santa Cruz County Regional Transportation Commission  
Interagency Technical Advisory Committee (ITAC)**

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**DRAFT MINUTES**

Thursday, January 20, 2022 1:30 p.m.  
Teleconference

*Due to precautions associated with COVID-19 (coronavirus), the meeting was held by videoconference, consistent with state laws and orders allowing legislative bodies to hold Brown Act meetings via teleconference.*

**ITAC Members Present**

Kailash Mozumder (Chair)	Capitola Public Works and Planning Proxy
Josh Spangrud	Santa Cruz Public Works
Nathan Nguyen	Santa Cruz Planning Proxy
Chris Lamm	Scotts Valley Public Works
Murray Fontes	Watsonville Public Works
Justin Meek	Watsonville Community Development
Steve Wiesner	County of Santa Cruz Public Works
Paul Hierling	Association of Monterey Bay Area Governments
Gus Alfaro	Caltrans District 5
Pete Rasmussen	Santa Cruz Metropolitan Transit District
Teresa Buika (Vice Chair)	University of California at Santa Cruz (UCSC)

**RTC Staff Present**

Rachel Moriconi, Amy Naranjo, Guy Preston, Sarah Christensen, Brianna Goodman

**Others Present**

Casey Carlson (Alternate), County of Santa Cruz Public Works  
Athena Cheung (Alternate), Scotts Valley Public Works  
Doug Hessing, Chelsey Moore, Chris Bjornstad, Caltrans District 5  
Members of Public: Michael Pisano, Terry, Careen, Joni Steele

1. **Call to Order:** Chair Kailash Mozumder called the meeting to order at 1:33 p.m.
2. **Introductions:** Introductions were made. All attendees participated by teleconference.
3. **Oral Communications:** None.
4. **Additions, deletions, or changes to consent and regular agendas:** None.

## CONSENT AGENDA

5. **Approved Minutes of the December 16, 2021 ITAC meeting**
6. **Received January 2022 RTC Meeting Highlights**
7. **Received Active Transportation Program (ATP) January 20, 2022 Workshop Notice**

*Committee members present unanimously approved a motion (Fontes/Buika) approving the consent agenda, with Wiesner, Mozumder, Lamm, Spangrud, Nguyen, Fontes, Rasmussen, Hierling, Buika, and Alfaro voting "yes" by roll call vote. (Meek was not present at time of vote)*

## REGULAR AGENDA

8. **Status of transportation projects, programs, studies, and planning documents**

ITAC members provided updates on projects, programs, studies and planning efforts.

Santa Cruz – Nathan Nguyen reported that the City of Santa Cruz plans to go to bid for the RTC-funded Chestnut Street rehabilitation project in February. They plan to award a contract and start construction of Phase 2 of Segment 7 of the Rail Trail in late Spring/early summer 2022. Josh Spangrud reported that construction continues on the Highway 1/9 intersection and that the City is still working on final right-of-way and permits for the Murray Street Bridge project, with construction possibly starting mid-2022.

County of Santa Cruz Public Works – Steve Wiesner reported that there were 12 sites damaged by the December 13 storm event in addition to Two Bar Road which is close to finished and Lodge Road where construction is beginning now. The Soquel Drive congested corridors project met 60–65% design, with two outreach meetings on January 12 and January 20. The County expects to start construction of the 2022 Measure D road repair program in early summer. The County is designing a multimillion-dollar roadway reconstruction project on Buena Vista Drive, funded in part by franchise fees from the landfill; the bid will be released this summer. 2017 storm damage repairs continue. The County opened bids in December and there are upcoming projects in the Valencia/Trout Gulch area. Mr. Wiesner introduced Casey Carlson, Civil Engineer, the new alternate on RTC ITAC.

*1:40pm Member Justin Meek joined the meeting.*

AMBAG – Paul Hierling reported that AMBAG is wrapping up the Environmental Impact Report (EIR) for the Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS), which are on track for adoption in June 2022. The AMBAG board accepted the Regional Housing Needs Assessment (RHNA) Methodology and is expected to adopt the Final 2023–2031 RHNA Plan between August and October 2022.

UCSC – Teresa Buika reported that most classes are expected to be in-person starting February 1, with the exception of large classes.

Watsonville Public Works - Murray Fontes reported that the City's Airport Blvd. pavement project is done. The Lincoln Street pedestrian safety project is waiting on the supply chain for lights and iron; as a result installed grates were run over and need to be replaced. The week of February 20<sup>th</sup> is Engineers Week and to celebrate, the city is hosting its annual Egg Drop on February 23, 3:30–5:00 p.m.; registration is open to all ages at 3:00 p.m. the same day.

City of Capitola – Kailash Mozumder reported that the 41<sup>st</sup> Avenue adaptive signal project is underway, with signals expected to go live in March. Preliminary work on the roadway resurfacing project is underway in conjunction with the County.

RTC – Amy Naranjo reported that the Regional Transportation Plan (RTP) is out for public review. She requested that agencies inform her of any updates to the project list or cost estimates, including the cost of on-going maintenance and system preservation needs.

Sarah Christensen reported the final rail line 2017 storm damage repair is underway; repair of the damaged overpass railing over Highway 1 in Aptos requires overnight northbound and southbound closures. The RTC will be conducting outreach for the State Park-Bay/Porter project's Capitola Ave. overcrossing aesthetic treatments through February 23. She also reported that the RTC has hired Brian Zamora as a Jr. Transportation Engineer and Riley Gerbrandt as an Associate Transportation Engineer, who will be focused on Santa Cruz Branch Rail Line projects.

Ms. Buika suggested that the Highway 1 Soquel – 41st Ave Auxiliary Lane project construction and public outreach be coordinated with the City of Santa Cruz Murray St. Bridge. Josh Spangrud noted that there will be significant outreach before Murray St. construction starts.

Mr. Fontes asked about media releases regarding Roaring Camp and RTC and rail line abandonment. Staff agreed to provide information at the next ITAC meeting.

METRO and Scotts Valley representatives indicated they had no new updates.

## **9. Caltrans Updates, Announcements and**

Gus Alfaro announced a new “Go Safely California” safety campaign to run over the next 3 years ([www.gosafelyca.org](http://www.gosafelyca.org)); February 1st is the deadline to submit local Clean CA grant applications; and highlighted the Santa Cruz and San Benito County Rumble Strip and Striping Project scheduled to start construction this summer on Highways 1, 9, 17, and 129.

Gus Alfaro and Doug Hessing presented design information on the Highway 9 – San Lorenzo River Creek and Kings Creek Bridge Replacements. Mr. Hessing responded to questions about shoulder width and the decision not to include separate pedestrian facilities, citing that it was a compromise from 6-foot sidewalks and 4-foot shoulder, the 8-foot shoulder is standard for a highway such as this, community and other departmental feedback, that there is no sidewalk approaching or leaving the bridge, and to provide access to all modes of pedestrian travel. Mr. Alfaro said they are considering “Share the Road” signage and additional buffered striping for pedestrians. Plans and specifications are expected to be ready by June 30, with some schedule risks and permitting still needed.

## **10. 2022 Legislative Program**

Rachel Moriconi provided an overview of the Draft 2022 Legislative Program, noting key legislative issues this year will include implementation of the federal Infrastructure Investment and Jobs Act (IIJA), state budget funding proposal, and Brown Act modifications. She requested ITAC members review the draft program and provide comments by Feb. 11, 2022.

Teresa Buika emphasized the need for federal and state electric vehicle fleet funding and policies to include universities and colleges. She also requested that the RTC advocate for changes to the FTA’s Section 5310 Program to allow hybrid and electric paratransit vehicles to qualify for the program.

- 11. Next meeting.** The next meeting of the ITAC is scheduled for 1:30 p.m. on February 17, 2022. ITAC meetings may be cancelled if there are no action items to be considered by the committee.

**Adjournment:** Chair Mozumder adjourned the meeting at 2:22 p.m.

*Minutes prepared by Cindy Convisser, Administrative Assistant & Rachel Moriconi, Transportation Planner*

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**AGENDA:** February 3, 2022

**TO:** Regional Transportation Commission

**FROM:** Brianna Goodman, Transportation Planner

**RE:** Highway 9 Complete Streets Project Initiation Document (PID)  
Amendment to Cooperative Agreement with Caltrans

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## **RECOMMENDATIONS**

Staff recommends that the Regional Transportation Commission adopt a resolution (Attachment 1) to authorize the Executive Director to amend the Cooperative Agreement with Caltrans to increase funding \$30,000 for completion of a Highway 9/San Lorenzo Valley (SLV) Complete Streets Project Initiation Document (PID), for a total not to exceed amount of \$180,000.

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## **BACKGROUND**

The Santa Cruz County Regional Transportation Commission (RTC) worked with the San Lorenzo Valley community, the County, Caltrans and other stakeholders to prepare the Highway 9 San Lorenzo Valley Complete Streets Corridor Plan (SLV Plan), which identified and prioritized projects along the corridor, focusing on the section of Highway 9 that connects the towns of Felton, Ben Lomond, Brookdale and Boulder Creek, including parallel and connecting streets, roadways and paths. The SLV Plan was accepted by the Commission on June 27, 2019.

Also, in June 2019, the RTC programmed \$250,000 of Measure D-SLV/Highway 9 Corridor funding for preliminary scope and engineering documents for near term projects. The purpose of the funding was to initiate projects, create programming documents, and to prepare grant applications for priority projects identified in the SLV Plan.

The project initiation document (PID) phase is the first formal Caltrans project phase in developing a solution for a specific transportation problem, and occurs prior to the environmental phase of a project. The PID phase follows the system and regional planning process, which in this case was the SLV Plan. The outcome of the project initiation process is a PID that establishes a well-defined purpose-and-need statement, and a proposed project scope tied to a reliable cost estimate and schedule for subsequent



phases of environmental, final design, and construction. A PID is required for any major project on the State Highway System and is a requirement to receive future funding allocations from the California Transportation Commission (CTC) for projects.

## DISCUSSION

Caltrans has been preparing such a PID identifying multimodal improvements in the SLV Plan that Caltrans would support along Highway 9. This PID will provide conceptual design and cost estimates for the range of priorities identified along Highway 9 from Henry Cowell State Park in Felton to north of Boulder Creek. Caltrans initially requested \$150,000 of funding from the RTC to cover their staff and administrative costs associated with preparing the PID.

However, due to the expansive nature of the PID scope, covering all proposed project ideas in the SLV Plan along nearly 12 miles of Highway 9, Caltrans communicated that scope modifications were necessary to produce a usable final product. The PID will identify six projects, with each segment developed as an independent PID project meeting environmental requirements of independent utility and logical termini that could be funded and constructed independently, as funding becomes available. The six segments are defined as follows:

1. Felton: Henry Cowell State Park to Graham Hill Rd, Caltrans Postmile (PM) 4.0 to 6.46
2. Schools: Graham Hill Rd to Glen Arbor N, PM 6.46 to 8.12
3. Ben Lomond: Highland Park to Jacobson Ln, PM 8.49 to 10.06
4. Brookdale: Western Dr to Irwin Wy, PM 11.12 to 12.18
5. Boulder Creek: River St to Bear Creek Rd, PM 12.45 to 13.24
6. North of Boulder Creek: Pleasant Way to Pool Dr, PM 15.08 to 15.42

A draft amendment to the Cooperative Agreement is included as Attachment 2 which proposes to modify both the scope and the funding summary for the PID due to the complexity of preparing a PID document that includes 6 projects. The PID is scheduled to be complete in April of 2022 pending approval of the amendment to the Cooperative Agreement.

**Staff recommends that the Regional Transportation Commission adopt a resolution (Attachment 1) authorizing the Executive Director to execute an amendment to the Cooperative Agreement with Caltrans to increase funding \$30,000 for a total not to exceed amount of \$180,000 for completion of the Highway 9/San Lorenzo**

**Valley (SLV) Complete Streets Project Initiation Document (PID)  
subject to final negotiations and legal approval as to form.**

**FISCAL IMPACT**

There are no new fiscal impacts as a result of this proposed amendment to the Cooperative Agreement. In October 2021, the RTC programmed an additional \$30,000 of SLV/Highway 9 Corridor Measure D funds, increasing the total programmed amount to \$180,000 for the Highway 9 Complete Streets Project Initiation Document (PID).

The FY21/22 RTC and Measure D budgets include \$98,100 for contribution to other agencies, in this case Caltrans to complete the PID, reflecting the additional \$30,000 Measure D funds programmed by the RTC in October 2021.

**SUMMARY**

The Highway 9 Complete Streets PID document is the next necessary step in implementing the improvements identified by the community in the SLV Plan. Due to the expansive nature of the PID scope, it became necessary to scope six independent projects meeting environmental requirements of independent utility and logical termini to better prepare for future funding opportunities, which resulted in an increase in project cost. Staff recommends that the RTC authorize the Executive Director to execute an amendment to the Cooperative Agreement with Caltrans to fund the completion of a Highway 9/San Lorenzo Valley (SLV) Complete Streets Project Initiation Document (PID) to add an additional \$30,000 in Measure D funds, for a total not to exceed amount of \$180,000.

**Attachments:**

1. Resolution
2. Draft Amendment to the Cooperative Agreement

**RESOLUTION NO. \_\_\_\_\_**

Adopted by the Santa Cruz County Regional Transportation Commission  
on the date of February 3, 2022  
on the motion of Commissioner  
duly seconded by Commissioner

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO NEGOTIATE  
AND EXECUTE AN AMENDMENT TO THE COOPERATIVE AGREEMENT WITH  
CALTRANS FOR THE PREPARATION OF A COMPLETE STREETS PROJECT  
INITIATION DOCUMENT FOR THE HIGHWAY 9/SLV CORRIDOR TO ADD AN  
ADDITIONAL \$30,000 IN MEASURE D FUNDS, FOR A TOTAL NOT TO EXCEED  
AMOUNT OF \$180,000

WHEREAS, to address immense transportation needs and severe  
transportation funding shortfalls, Santa Cruz County voters approved Measure  
D in November 2016 by over a 2/3 majority;

WHEREAS, the RTC is the agency responsible for delivering and  
distributing funds for regional and other projects in the voter-approved  
Measure D Expenditure Plan including Highway Corridors, Active  
Transportation (Coastal Rail Trail), Rail Corridor, San Lorenzo Valley Highway  
9 Corridor Improvements, and the Highway 17 Wildlife Crossing;

WHEREAS, the RTC worked with the community to prepare a complete  
streets corridor plan for Highway 9 and connecting county roads through San  
Lorenzo Valley (SLV) that identifies, prioritizes, and will facilitate  
implementation of some of the most critical and cost effective transportation  
projects in the corridor;

WHEREAS, on the state highway system, a Project Initiation Document  
(PID) is necessary for project implementation, to develop a project scope tied  
to a reliable cost estimate and schedule;

WHEREAS, a PID is required for any major project on the State Highway  
System, and is a requirement to receive future funding allocations from the  
California Transportation Commission (CTC) for projects;

WHEREAS, Caltrans has agreed to prepare a PID for complete streets  
elements to provide conceptual design and cost estimates for the range of  
priorities identified along Highway 9 from Henry Cowell State Park in Felton to  
north of Boulder Creek;

WHEREAS, in June of 2019 the RTC programmed a total of \$250,000 of  
the Measure D-SLV/Highway 9 Corridor funding for preliminary scope and

engineering documents for near term projects with the purpose of initiating projects, creating programming documents, and for preparing grant applications for priority projects identified in the SLV Complete Streets Plan;

WHEREAS, use of Measure D funds for a project initiation document (PID) is consistent with the Measure D Ordinance and Expenditure Plan and Highway 9/SLV Corridor Plan; and

WHEREAS, due to the expansive nature of the PID scope, it became necessary to divide it into six independent projects meeting environmental requirements of independent utility and logical termini, with accompanying increase in project cost;

THEREFORE, BE IT RESOLVED BY THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION THAT:

The Executive Director is authorized to negotiate and execute an amendment to the Cooperative Agreements with Caltrans for the preparation of the Highway 9 Complete Streets Project Initiation Document (PID) to add an additional \$30,000 in Measure D Highway 9/San Lorenzo Valley Corridor funds, bringing the total Measure D contribution to \$180,000 subject to final negotiations and legal counsel review as to form.

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSTAIN: COMMISSIONERS

ABSENT: COMMISSIONERS

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Sandy Brown, Chair

ATTEST:

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Guy Preston, Secretary

*Distribution: RTC Fiscal, RTC Programming, and Caltrans*

**COOPERATIVE AGREEMENT COVER SHEET**

Funding Summary Amendment – Funding Summary No. 02

Agreement Amendment No. 0352 A1

**Work Description**

DEVELOPING A PROJECT INITIATION DOCUMENT TO CONSTRUCT OPERATIONAL IMPROVEMENTS AND COMPLETE STREETS ELEMENTS FROM HENRY COWELL REDWOOD STATE PARK (SCR 4.0) TO POOL DRIVE (SCR 15.42)

**Contact Information**

**CALTRANS**

Doug Hessing, Project Manager

50 Higuera St.

San Luis Obispo, CA 93401

Office Phone: 805-549-3386

Email: [doug.hessing@dot.ca.gov](mailto:doug.hessing@dot.ca.gov)

**SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION**

Brianna Goodman, Transportation Planner

1101 Pacific Avenue, Suite 250

Santa Cruz, CA 95060

Office Phone: (831) 460-3200

1. AGREEMENT, PARTIES agree to abide by the STIP guidelines that require the PARTIES to apportion the project cost increases and savings in the same proportion as the current programmed ratio of funds that are not strictly a one-time only grant. In the alternate, PARTIES may be able to apportion cost increases and savings according to a cost sharing arrangement between the PARTIES that is approved by the CTC.

**Invoicing and Payment**

2. PARTIES will invoice for funds where the SPENDING SUMMARY shows that one PARTY provides funds for use by another PARTY. PARTIES will pay invoices within forty-five (45) calendar days of receipt of invoice when not paying with Electronic Funds Transfer (EFT). When paying with EFT, SCCRTC will pay invoices within five (5) calendar days of receipt of invoice.
3. If SCCRTC has received EFT certification from CALTRANS then SCCRTC will use the EFT mechanism and follow all EFT procedures to pay all invoices issued from CALTRANS.

When a PARTY is reimbursed for actual cost, invoices will be submitted each month for the prior month's expenditures. After all PROJECT COMPONENT WORK is complete, PARTIES will submit a final accounting of all PROJECT COMPONENT costs. Based on the final accounting, PARTIES will invoice or refund as necessary to satisfy the financial commitments of this AGREEMENT.

**Project Initiation Document (PID)**

8. CALTRANS will invoice SCCRTC for a \$25,000 initial deposit after execution of this AGREEMENT and forty-five (45) working days prior to the commencement of PID expenditures. This deposit represents two (2) months' estimated costs.

Thereafter, CALTRANS will invoice and SCCRTC will reimburse for actual costs incurred and paid.

**Signatures**

PARTIES are authorized to enter into this AGREEMENT and have delegated to the undersigned the authority to execute this AGREEMENT on behalf of the respective agencies and hereby covenants to have followed all the necessary legal requirements to validly execute this AGREEMENT. By signing below, the PARTIES each expressly agree to execute this AGREEMENT electronically.

The PARTIES acknowledge that executed copies of this AGREEMENT may be exchanged by facsimile or email, and that such copies shall be deemed to be effective as originals.

**STATE OF CALIFORNIA  
DEPARTMENT OF  
TRANSPORTATION**

**SANTA CRUZ COUNTY REGIONAL  
TRANSPORTATION COMMISSION**

\_\_\_\_\_  
Timothy M. Gubbins  
District Director

\_\_\_\_\_  
Guy Preston  
Executive Director

Date: \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
Cheryl Berry  
District Resource Manager

Attest:

\_\_\_\_\_  
Sarah Christensen  
Engineer

\_\_\_\_\_  
Gina Schumacher  
HQ Accounting

Approved as to form and procedure:

\_\_\_\_\_  
Steve Mattas  
RTC Counsel

**AGENDA:** February 3, 2022

**TO:** Regional Transportation Commission  
**FROM:** Tommy Travers, Transportation Planner  
**RE:** Grant funding master agreement for the Pajaro River Bridge Rehabilitation Project

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## **RECOMMENDATIONS**

Staff recommends that the Regional Transportation Commission (RTC) adopt a Resolution ([Attachment 1](#)) authorizing the Executive Director to enter into a Master Agreement with Caltrans to administer grant funding for the Pajaro River Bridge Rehabilitation Project.

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## **BACKGROUND**

In July 2018, the RTC entered into an Administration, Coordination and Licensing (ACL) Agreement with St. Paul and Pacific Railroad (SPPR) a company of Progressive Rail which designates SPPR as the railroad operator of the Santa Cruz Branch Rail Line. Section 5 of the ACL agreement with SPPR requires that the Commission complete initial repairs to the freight easement property. Initial repairs include repair of storm damage, maintenance of drainage facilities (such as culverts and drainage ditches), bridge repairs, and slope embankment repairs. The Pajaro River Bridge connects the track portion of the Branch Line in Watsonville to the main line in Pajaro, providing freight customers access to the national rail network. Freight service in Watsonville is anticipated to increase in early 2022 and see growth through the life of the bridge.

As part of railroad bridge inspections that took place in 2018-2019, railroad structural engineering consultant RailPros, Inc. documented work needed to repair the Pajaro River Bridge structure and to prevent future outages in service or reduction of load capacity. RTC entered into a contract with STV, Inc. in December 2019 with a scope of work that includes preparation of Plans, Specifications and Engineers Estimates (PS&E) package for the rehabilitation. In August 2021, RTC adopted PS&E for the project.

## **DISCUSSION**

The work identified during the design phase will bring the bridge to a state of good repair and extend its usable life. The engineers estimate for the construction of the project is \$570,000.



In January 2021, RTC staff was awarded a grant from the California Transportation Commission (CTC) Short Line Railroad Improvement Program in the amount of \$285,000 to help fund construction of this repair, using Measure D rail funds and lease revenues as a match. In August 2021, the CTC approved allocation of the grant funds for the project, requiring that the RTC enter into a master agreement with Caltrans, which administers the funds for the CTC.

**Staff recommends the Commission adopt a resolution (Attachment 1) authorizing the Executive Director to enter into a Master Agreement with Caltrans to administer the Short Line Railroad Improvement Program grant funding for construction of the Pajaro River Bridge Rehabilitation Project.**

The construction contract will be advertised in winter 2022 with completion expected in early 2023. Staff will return to the Commission at a future meeting to request authorization to award the construction contract.

### **FISCAL IMPACT**

There are no new fiscal impacts associated with entering into this master agreement. This Project is funded by the CTC's Short Line Railroad Improvement Program (50%), Measure D Rail category (20%), and railroad corridor lease and license revenues (30%). The FY21/22 Rail Infrastructure Repair budget and Measure D 5-year plan for the Rail category provided sufficient funding for the project's construction, construction support, and design services during construction efforts, pending the result of construction bids.

### **SUMMARY**

Staff recommends that the RTC authorize the Executive Director to enter into a master agreement with Caltrans to administer grant funding for the Pajaro River Bridge Rehabilitation Project.

### **ATTACHMENTS**

1. Resolution  
Exhibit A: Draft Master Agreement

## **RESOLUTION NO.**

Adopted by the Santa Cruz County Regional Transportation Commission  
on the date of February 3, 2022  
on the motion of Commissioner  
duly seconded by Commissioner

### **A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A MASTER AGREEMENT WITH CALTRANS FOR THE GRANT FUNDING FOR THE PAJARO RIVER BRIDGE REHABILITATION PROJECT ON THE SANTA CRUZ BRANCH RAIL LINE**

WHEREAS, the Regional Transportation Commission (RTC) purchased the Santa Cruz Branch Rail Line (Branch Line) in October 2012;

WHEREAS; in July of 2018 the Commission entered into an Administration, Coordination and Licensing (ACL) Agreement with St. Paul and Pacific Railroad (SPPR) a company of Progressive Rail which designates SPPR as the railroad operator, with Section 5 of the ACL agreement requiring that the Commission complete initial repairs to the freight easement property;

WHEREAS, Commission hired STV, Inc. to prepare the Plans, Specifications, and Engineer's Estimate (PS&E) and Commission adopted the PS&E at its August 2021 meeting;

WHEREAS; in December of 2020 the RTC was awarded a grant from the California Transportation Commission (CTC) for \$285,000 from the Short Line Railroad Improvement Program to fund construction of the repair;

WHEREAS; in August of 2021 the CTC approved allocation of the grant funds for the project, requiring that the RTC enter into a Master Agreement with Caltrans, which administers the funds for the CTC;

**THEREFORE, BE IT RESOLVED BY THE SANTA CRUZ COUNTY REGIONAL  
TRANSPORTATION COMMISSION THAT:**

The Executive Director is authorized to enter into a Master Agreement with Caltrans for administration of the Short Line Railroad Improvement Program grant funding for the Pajaro River Bridge Rehabilitation Project on the Santa Cruz Branch Rail Line.

**EXHIBIT A: Master Agreement (SCCRTC – Caltrans) for the Pajaro River Bridge  
Rehabilitation Project**

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSTAIN: COMMISSIONERS

ATTEST:

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Sandy Brown, Chair

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Guy Preston, Secretary

Distribution: RTC Fiscal, RTC and Consultant Project Managers

## C O N T R A C T

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\*Pages 1 and 2 consist of Form STD 213, Standard Agreement

## Introduction and Recitals

THIS CONTRACT (“Contract”) is entered into between the State of California, acting by and through its Department of Transportation (“State”), and Santa Cruz County Regional Transportation Commission (Commission) (collectively the “Parties”) and expresses the mutual agreement of the Parties regarding the terms that will allow State and Commission to construct capital improvements to the Pajaro River Bridge Rehabilitation (Project) located on the Santa Cruz Branch Line spanning Santa Cruz and Monterey Counties, California. The Project is further defined in Exhibit A, “Statement of Work (Project Components/Tasks).” Funding for the Project is provided pursuant to California Transportation Commission (CTC) Resolution SRP-21-01, dated August 19, 2021.

WHEREAS, on June 27, 2019, the Governor signed Senate Bill (SB) 87, creating the Short-Line Infrastructure Improvement Act of 2019, which directed the CTC to establish a competitive funding program to allocate funds for short-line railroad projects such as railroad reconstruction, maintenance, upgrade, or replacement; and,

WHEREAS, on June 24, 2020, the CTC adopted the Short-Line Railroad Improvement Program Guidelines, and in turn issued a call for projects for the Short-Line Railroad Improvement Program; and,

WHEREAS, Commission is an autonomous regional transportation planning agency created by State in 1972 with its principal office at 1101 Pacific Ave Ste. 250, Santa Cruz, California 95060; and,

WHEREAS, Commission purchased the Santa Cruz Branch Rail Line, an active short line freight railroad that traverses through Santa Cruz County; and,

WHEREAS, the Saint Paul & Pacific Railroad (SPP) currently operates freight service between Mileposts 0.4 and 3.0 on the Santa Cruz Branch Rail Line; and,

WHEREAS, State has the responsibility for preparing the California Freight Mobility Plan, the California Sustainable Freight Action Plan, and the California State Rail Plan, which include projects to improve the movement of goods, including regional and interregional freight rail services; and,

WHEREAS, completion of the Project will ensure continuous operation of freight rail on the Santa Cruz Branch Rail Line, allow for expected increase in rail freight, and reduce truck traffic and emissions on local streets and highways.

NOW THEREFORE, State and Commission agree that:

This Contract is entered into between State and Commission on Form STD 213, *Standard Agreement*, included as Pages 1 and 2 of this contract.

## **Article I – Project Description**

1.1 The Project, described as the Pajaro River Bridge Rehabilitation, includes rehabilitation of the 23-span structure with a total length of 575.5 feet, consisting of timber trestle approach spans and five center steel through girder spans located at Milepost 1.06 on the Santa Cruz Branch Rail Line between the community of Pajaro in Monterey County and the City of Watsonville in Santa Cruz County, California.

1.2 The following exhibits are incorporated by reference and made a part of this Contract:

1.2.1 Exhibit A, “Statement of Work (Project Components/Tasks);”

1.2.2 Exhibit B, “Project Location Map;”

1.2.3 Exhibit C, “Project Budget;”

1.2.4 Exhibit D, “Project Schedule;”

1.2.5 Exhibit E, “Public Benefits”

## **Article II – Funding, Construction, and Maintenance of Project**

2.1 The total estimated cost to construct the Project (exclusive of any costs for State to administer this Contract as set forth in Section 5.8 below) is \$570,000.00 (Five Hundred Seventy Thousand Dollars). State has provided Short Line Railroad Improvement Program funds in the amount of \$285,000.00 (Two Hundred Eighty-Five Thousand Dollars), representing 50% (Fifty per cent) of the total cost of construction, for the public purpose of benefiting rail freight service. Commission shall fund the matching 50% (Fifty percent) of the total estimated cost of construction, as reflected in Exhibit C, “Project Budget.”

2.2 Commission and State shall work together in good faith to complete the Project as contemplated in this Contract and in accordance with the Project Schedule as set forth in Exhibit D. Commission and State shall establish periodic meetings and/or telephone calls for coordinating issues related to the construction of the Project. Each Party shall designate a representative (or representatives) for such meetings and/or telephone calls and the representatives shall establish a schedule for joint meetings and bring such other individuals to such meetings as they deem appropriate to expedite the resolution of any issues that may arise. The purpose of these coordination meetings is, among other things, to work together to resolve issues and coordinate timelines and milestones in accordance with the then current Project schedule. State shall document all such project status meetings. The participants at such meetings shall have no authority to amend the terms of this Contract or the Parties respective rights and obligations which requires a formal amendment.

2.3 Commission is responsible for construction engineering or arranging same, including, but not limited to, construction management, inspection, construction surveying, laboratory and field testing, preparation and processing of field reports, records, estimates, and final reports. All work and submittals shall be completed in accordance with the applicable Commission standards or AREMA guidelines, whichever may be higher. Work submittals must contain the information required to comply with a state audit.

2.4 Commission will be responsible pursuant to this Contract to achieve the Public Benefits described in Exhibit E upon completion of the Project as described in Exhibit A. These benefits shall not expire for any Project segment with the termination of this Contract, but shall remain vested in State. Commission shall perform all necessary Project maintenance during and subsequent to the completion of the Project to ensure that the Project continues to generate the Public Benefits for no less than 25 (twenty-five) years, the estimated useful life of said improvements, subject to and in accordance with the terms of the “Public Benefits” set forth in Exhibit E.

2.5 State shall designate a project manager to monitor the Project and inspect the work performed by Commission under this Contract. Commission shall also designate one or more project managers to coordinate Commission’s activities under this Contract. Each Party shall notify the other in writing of their designated project manager(s) or of any change in their respective designated project manager(s).

2.6 State’s project manager and all State employees entering Commission property shall either be accompanied by a Commission representative or execute both a Commission Right of Entry Agreement and a Saint Paul and Pacific Railroad (SPP) Right of Entry Agreement, and shall observe all applicable Commission and SPP safety rules, regulations, and standards, including those requiring use of protective eyewear and clothing. Commission shall provide a written copy of applicable safety rules to State’s project manager.

2.7 Commission shall seek and receive all required permits and approvals necessary to perform Project work, if any. The cost of permit applications is included in the Project cost or it was paid for during Project engineering. Permits and approvals are defined as all approvals legally required by any public agency that has jurisdictional authority or responsibility over regulating or permitting Project work. The Parties shall jointly agree upon which permits are considered legally required for Project. In the event that any public agency claims jurisdictional authority or responsibility over regulating or permitting Project work and asserts a need to issue one or more unanticipated permits, the Parties shall work jointly to resolve the issuance of said permit. Should the Parties jointly agree that said permit is required, State shall, at its sole discretion, either provide additional funding where necessary as integral to the Project, or meet with Commission to modify Project so that no additional State funding shall be required. If either State or Commission determines that a condition of a permit or approval is unreasonable or cost prohibitive, the condition shall be reviewed by the Parties to determine options acceptable to both parties and if no option is acceptable to both Parties then either Party may terminate this Contract.

2.8 State and Commission have complied with the requirements of the California Environmental Quality Act (CEQA) as they apply to funding decisions for the Project.

2.9 Commission shall comply with all environmental laws applicable to Commission’s construction of the Project. Nothing in this Contract shall be deemed a waiver of the preemptive effect of any federal or state law.

2.10 Commission agrees to insert in all subcontracts for work on the Project clauses requiring such subcontractor to pay its workers working on the Project to be paid not less than the general prevailing wage rate as predetermined by the California Director of Industrial Relations to the extent required in California Labor Code Section 1720-1815. State shall provide

along with its Notice to Proceed the applicable prevailing wage determinations for the Project or a link to where such determinations may be found. The foregoing requirement shall not apply to any work performed by employees of Commission or of SPP or its successor, which is governed by the Railway Labor Act.

2.11 This Contract is subject to any additional regulations, restrictions, limitations, conditions, or any statute enacted by the United States Government, the California Legislature or the California Treasurer that may affect the provisions, terms, or funding of this Contract in any manner instituted prior to completion of the Project. If any such additional regulations, restrictions, limitations, conditions or statute adversely affects Commission then Commission may terminate this Contract by written notice to State.

### **Article III – Period of Performance/Contract Execution**

3.1 This Contract shall be effective on the Date of Last Signature (Effective Date) and shall terminate on December 31, 2023 (unless extended by supplemental contract or amendment) provided, however, that termination shall not release any party from specific continuing obligations incurred hereunder prior to termination.

3.2 This contract shall be executed in two (2) counterparts and distributed with one (1) copy to Commission and one (1) copy to State.

### **Article IV – No Right to Goods or Services**

The Project will consist of improvements to Commission's rail network that will become a permanent part of Commission's working capital. State will not receive and will not be entitled to any specific goods or services from the respective Commission or its affiliates in return for any payments by State to Commission in connection with this Contract.

### **Article V – Costs and Payment Provisions**

5.1 State agrees to provide funds and will pay reimbursable costs for the Project based upon allowable costs described in this Contract to the extent applicable to Commission not to exceed the total State Cost amount shown in Exhibit C in addition to salvage contributions authorized pursuant to this Contract. Allowable costs for the Project will include applicable sales and use taxes and additives including, for example, the cost of vehicles, machinery, tools, supervision, clerical, union Contract lodging and rents and applicable payroll related associated costs. Commission agrees to charge for meals, lodging, and car rental rates according to State's travel guidelines, as provided at [California Code of Regulations, Administrative Code Title 2, Sections 599.615 through 599.638.1](#); Department of Human Resources ([CalHR](#)) [PML 2013-043](#), [PML 2015-041](#), and [PML 2016-020](#) and as applicable to the Project.

5.2 Commission shall submit to State, monthly in arrears, an invoice that has been signed by Commission's Project Manager for actual funds expended for Project work. State shall remit payment of invoices to Commission within forty-five (45) days of receipt, minus credit received for salvage. Any unquestioned allowable invoice amounts remaining unpaid after forty-five (45) days shall have become overdue and State shall be liable to pay interest pursuant to the California Prompt Payment Act. The interest rate shall be at the rate of one (1) percent above the rate accrued on June 30 of the prior year by the Pooled Money Investment Account, not to exceed a rate of fifteen (15) percent (California Government Code



927.6(b)). Commission shall submit a detailed invoice to the State for interest charges on unpaid amounts. Allowable invoice amounts for Project costs shall be determined pursuant to the provisions of Article II.

5.3 Commission and its subcontractors shall establish and/or maintain an accounting system and records that properly accumulate and segregate incurred Project costs. Commission and its subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for payment of invoices.

5.4 It is expected that Commission has performed appropriate risk management analysis and included appropriate contingencies in Project estimate. Subject to the terms of this Contract, Commission will fund all Project costs including cost overruns in excess of the funds provided by State as set forth in Section 2.1.

5.5 The Parties recognize that the actual cost of the Project may vary from the amount obligated under this Contract, and intend that State's obligation hereunder is reasonable to cover such; provided, however, that the State shall in no event be required to pay amounts in excess of the amount established in Article V, Paragraph 5.1, and herein above. The Parties further recognize that Commission cannot fully and completely ascertain the actual cost of the Project until the Project is completed.

5.6 Following completion of the Project, Commission shall determine the actual final allowable cost of the Project and provide a final billing to State. Commission shall be responsible for preparing a final Project expenditure report and submitting it to State within one hundred eighty (180) days of Project completion. The report shall identify the itemized costs incurred on the Project and the sources of funds.

5.7 Commission may, at its sole discretion, select material and vendors following established policy of Commission relative to bidding and procurement for non-contract reimbursed Project work. Reimbursable costs for material (excluding appropriate overhead additives) will be valued as follows: New stock material will be valued at Commission inventory price; second hand material will be valued at fifty (50) percent of new Commission inventory price; shop manufactured material will be valued at Commission inventory price; and non-stock material will be valued at invoice price. Working stock (including, but not limited to non-stock field material) not properly identifiable in one of the above categories will be valued at fair market value as determined by Commission. Material will be included on invoice when received or otherwise assigned to the Project. In each case, "inventory price" above, shall mean that price carried on Commission's books for all material of that character used for work on Project and all other work of a similar nature performed by Commission in that regional area.

5.8 The Parties acknowledge and agree that State's costs associated with administering this Contract are not included in the Project Budget. Such costs for State to administer this Contract will come from sources other than the Project Budget.

## **Article VI – Indemnity**

6.1 Indemnification by Commission. Except as provided in Section 6.2, Commission shall indemnify, defend, and hold harmless the State and its boards, officers, agents,

employees, contractors, assigns, and successors in interest from and against all fines, claims, lawsuits, judgments, awards, liabilities, losses, damages, and expenses, including but not limited to attorney fees (both in-house and outside counsel) and costs (including all actual litigation costs incurred by the indemnified party, including but not limited to costs of experts and consultants) (collectively “Claims”) for injury or death to all persons, including a State’s employees and representatives, and for loss or damage to property belonging to any person or entity, including the Parties, to the extent caused by any negligent acts or omissions or intentional misconduct of Commission or others acting in its behalf in connection with construction or operation activities related to the Project. Commission shall also indemnify and hold State harmless from and against Commission’s misuse of State funds, Project generated income or interest, and other fiscal acts or omissions of Commission.

6.2 Choice of Counsel. When defending another Party against Claims, the indemnitor shall retain counsel reasonably satisfactory to the indemnitee in the indemnitee’s discretion. An indemnitor shall not settle any Claims in a manner that would impose any expense, penalty, obligation, or limitation on an indemnitee without the indemnitee’s prior written consent. The indemnitee shall have the right, but not the obligation, to defend any Claim. An indemnitee’s election to defend shall not affect an indemnitor’s obligation to indemnify and hold harmless the indemnitee from and against all Claims to the extent set forth in this Contract.

## **Article VII – Record Retention/Audit**

7.1 Commission shall maintain for a period not less than three (3) years from the date of the final acceptance of the Project and shall require its contractors and subcontractors to maintain for a period not less than three years from the date of the final acceptance of the Project, each of the following:

7.1.1. Adequate books, records, and supporting documents to verify the amounts and uses of all disbursements of funds in conjunction with the Project;

7.1.2. Records sufficient to identify the application of funding, together with supporting documentation, including, without limitation, paid invoices; and

7.1.3. All other records necessary to disclose the amount and disposition of funding hereunder, including the following: (a) the nature of such expenditures; (b) the total cost of each undertaking for which funds were disbursed hereunder; (c) the amount, if any, of funds supplied by other sources for the construction of the Project; and (d) any other books, records, and documents reasonably necessary to maintain a complete verification of Commission’s obligations hereunder.

7.2 If any litigation or claim involving this Contract has been filed before the expiration of the three-year period described in Section 7.1 or any audit permitted hereunder has commenced before the expiration of the three-year period described in Section 7.1, Commission shall maintain the records required by Section 7.1: (1) in the case of any litigation or claim, until completion of the action and resolution of all issues which arise from it, or until the end of such three-year period, whichever is later; and (2) in the case of any audit, until completion of the audit or until the end of such three-year period, whichever is later. Except as may be required by

court order or in the context of litigation, in no case do the terms of this Contract require Commission to maintain records longer than six years after payment of the final invoice.

7.3 The records and materials described in Section 7.1 will be available for review and audit by the State or its agents or designee, during normal business hours and upon at least seven (7) days advance written notice. Upon reasonable notice, the State likewise will have authority to interview any knowledgeable officer or employee of Commission or any of its contractors or subcontractors regarding transactions related to funding for the Project. Commission will reasonably cooperate with any audit conducted by the State and will provide full access to all relevant materials. Nothing herein is meant to be or will be interpreted to be a waiver of any protection against disclosure of records or communication otherwise provided by law, including, without limitation, protection provided by attorney-client privilege or the attorney work-product doctrine. Documentation is subject to disclosure in compliance with the California Public Records Act, but Commission privileged or proprietary information can be redacted to remove it from disclosure. The State and Commission will work together cooperatively to determine the adequacy of the documentation for these purposes.

7.4 In the event of an audit, the State will provide the preliminary audit, findings, and recommendations to Commission. Commission will review the preliminary audit findings and recommendations, and provide written comments within sixty (60) days of receipt. Any audit dispute not resolved by the Parties is subject to dispute resolution as described in Article XII.

7.5 Any costs for which Commission received reimbursement under this Contract that are determined by subsequent audit to be unallowable under the terms of this Contract are subject to repayment by Commission to State.

## **Article VIII – Title**

8.1 Title to material purchased by Commission for installation or use in connection with the Project and paid for by State shall be vested in State until said material is installed or used. Title to all improvements made under the Project, including materials after installation, shall be vested in Commission, subject to the provisions of this Article VIII.

8.2 Commission shall contract for the disposal of all materials removed in the course of the work, excluding grade crossing signal materials, which shall be handled in the method described below. Within three (3) months of removal, the State shall receive credit for the net salvage value (all applicable credits less any cost incurred for removal and/or disposal of materials) for all removed materials. Commission shall require the subcontractor responsible for disposing of material to provide the following information, which shall be retained by Commission in accordance with the record retention requirements of this Contract: a) a list of the items and quantities being disposed, including the approximate mile post location where the materials were removed; b) the identification of any value associated with each item and the basis for determining such value; c) a specification of any costs associated with removal of each item; and d) a specification of any costs for the disposal of each item. The information listed above must accompany any subcontractor request for payment to Commission for disposed material. The information listed above shall be part of the subcontractor's Accounting Records and must be retained by the subcontractor in compliance with the Record Retention requirements in Article VII. If, as part of the Work, any grade crossing signals are replaced, Commission shall

notify State of the replacement, identifying types and quantities of replaced signal material, and State shall take possession of the replaced signals within thirty (30) days of such notice. If State does not take possession of the replaced signals within said 30-day period, Commission may dispose of, or reuse, the signals at its discretion with no adjustment to the State.

8.3 Commission agrees to notify State if any Project component, which shall include but not be limited to property, equipment, or infrastructure, is not used for the Project for the duration of its useful life.

## **Article IX – Change in Terms**

9.1 No change in or modification of this Contract shall be effective unless made in writing, dated, and executed by duly authorized representatives of the Parties hereto.

9.2 The failure of Commission to perform, in whole or in part, any of the obligations of Commission under this Contract, by reason of the occurrence of acts of terrorism, riots, insurrection or war, strikes or lockouts by third parties providing labor, material or services under contract to a party, delays caused by another party to this Contract, third-party litigation or court order, derailments, wrecks or freight embargoes, inability to procure critical materials, unforeseen delays in obtaining any required permits or approvals, lack of issuance of a Notice to Proceed for State Funding Purposes by the date construction is contemplated to commence, unforeseen physical conditions, environmental conditions including cultural, archaeological, paleontological, or other protected resources or catastrophic Commission emergencies anywhere within the Commission rail system, and earthquake, fire, flood, explosion, disaster, tornado or other phenomena of nature beyond the power of a party reasonably able to foresee or to make preparation in defense against, or any other cause beyond the reasonable control of Commission (hereinafter referred to as “Force Majeure Occurrence”) shall be excused for all purposes, including time performance; provided, that Commission shall promptly begin work when the Force Majeure Occurrence abates and complete the work. However, if the Force Majeure Occurrence has delayed work or increased costs so that Project scope of work cannot be completed as specified in this Contract, for the cost or in the time or manner specified in the exhibits, Commission need not proceed with completion of work until the Parties have amended the Project or this Contract in ways necessary to complete the work hereunder in order to enable the Project scope of work to be completed in the revised manner, for the revised amount and/or in compliance with the revised schedule. In the event of a claimed Force Majeure Occurrence, Commission shall promptly notify and consult with State as to how to proceed pursuant to the provisions of this Contract under the circumstances presented by the Force Majeure Occurrence.

## **Article X - Nondiscrimination**

10.1 With respect to Commission’s construction of the Project, Commission and its subcontractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over forty [40]), marital status, and denial of family care leave. Commission and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (California Government Code, Section 12900 et seq.) and applicable regulations

promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0 *et seq.*). The applicable regulations of the Fair Employment and Housing Commission implementing California Government Code, Section 12990, set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this Contract by reference and made a part hereof as if set forth in full with respect to Commission's construction of the Project. Commission and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other contract.

10.2 Commission shall include the nondiscrimination and compliance provisions of this clause, as well as any additional Commission nondiscrimination policies, in all subcontracts to perform work under this Contract.

## **Article XI - Termination**

11.1 State may terminate this Contract upon a finding that Commission is not in compliance with the terms of this Contract if Commission does not correct such default as set forth below in Article XIII.

11.2 State must pay invoices in accordance with Article V. Commission may commence termination of this Contract upon State's non-payment of any undisputed Commission invoices after one hundred twenty (120) days. Termination shall be by written notice specifying the reason for termination and giving State thirty (30) days to make payment. Should State not make payment on or before 30 days of Commission's written notification of termination, then and in that event this Contract shall be terminated.

11.3 In the event Contract is terminated by State or by the mutual agreement of the Parties, or by Commission as provided for under Article II, Paragraph 2.7, or this Article XI, State shall pay Commission for work performed after the Notice to Proceed for State Funding Purposes up to the point of down scoping or termination, including the cost to dispose of material on hand, less any applicable credits; and any cost incurred to restore the site to a reasonably safe and usable condition. State shall also pay Commission all properly invoiced allowable costs associated with services provided by contractors to Commission for Project work that was either completed or obligated and not capable of being halted when Project was terminated. The total of all State payments due Commission, including termination or down scoping costs, shall not exceed the express available State funding limits as described in Exhibit C, "Project Budget." Prior to termination by State or by the mutual agreement of the Parties, or by Commission as provided for under Article II, Paragraph 2.7, or this Article XI, State and Commission agree to negotiate in good faith to determine if the Project can be modified based on work performed to date to generate some portion of the performance guarantees contemplated by the Project. If the Parties agree to such modifications then the Parties may amend this Contract to so reflect such modifications to the Project and the anticipated Public Benefits described in Exhibit E.

11.4 Should (i) conditions of permits or approvals under Article II, Paragraph 2.8, or (ii) unforeseen underground conditions, or (iii) unanticipated cultural, archaeological, paleontological, or other protected resources are discovered during construction, cause the revised estimated cost of the Project to exceed the total amount shown in Exhibit C, "Project Budget," and should the Parties not be able to determine options acceptable to both parties that



will keep costs within the total amount shown in Exhibit C, "Project Budget," then the Contract may be terminated by Commission. If the parties are unable to agree on options acceptable to both parties and Commission is unwilling to pay the additional costs, then State may terminate the Contract. Unforeseen underground conditions shall be defined as sub-surface conditions within the Project limits that are newly discovered in spite of Commission's due diligence investigation of geotechnical conditions and that vary from actual field conditions discovered and predicted during pre-construction. Commission's failure to exercise accepted geotechnical investigation methods in developing the Project shall not be a valid cause to exercise Commission's termination provisions under this paragraph.

11.5 If down scoping or termination of Project renders the Project ineffective, then the State agrees to pay Commission to remove, at Commission's sole discretion, all or portions of the improvements and return those track, signal, grading, drainage, grade crossings, grade separations, and fencing improvements to their original state.

## **Article XII – Dispute Resolution**

In the event of a dispute between Parties arising under the terms of this Contract, the Parties shall first attempt to resolve the dispute through direct discussions. If the Parties are unable to resolve the dispute informally, they shall participate in mediation. Either Party may initiate mediation at any time prior to resolution of a dispute by sending a written request for mediation to the other Party. The Parties shall jointly select a mediator. If they cannot all agree on a mediator, the mediator will be selected randomly from between the Parties' preferred choices. The Parties shall share equally in the cost of mediation. The Parties shall participate in mediation in good faith. Absent agreement among the Parties or a court order, neither a dispute nor the mediation process shall relieve the Parties from continuing with construction of the Project or complying with the terms of this Contract. By participating in mediation, the Parties will not waive any rights, causes of action, or defenses that may otherwise exist. No opinions or conclusions expressed by a mediator will be binding upon either Party. A Party may not file a civil complaint arising under this Contract until the conclusion of the mediation process or forty-five (45) days after such Party first presents a written request for mediation related to the dispute in question, whichever comes first.

## **Article XIII – Default and Remedies**

The Parties acknowledge that in the event of a default or breach of any of the terms of this Contract, damages may not be an adequate remedy, and the non-defaulting Party may seek the entry of decrees for specific performance in favor of such party. A defaulting Party shall have thirty (30) days to cure any default following receipt of written notice from another Party. If such cure can reasonably be expected to take more than 30 days, the defaulting Party shall be deemed to have effectuated a cure if it commences such cure within 30 days of notice and proceeds to complete all activities necessary and does in fact complete such cure using due diligence; provided, however, this sentence shall not apply to the payment of any fees or expenses pursuant to this Contract. The Parties agree that their remedies under this Contract shall be limited to actual direct damages and specific performance and specifically exclude consequential, exemplary, or punitive damages. Nonpayment of any fees or expenses pursuant to this Contract that continues beyond the cure period will be processed in accordance with the Prompt Payment Act. Notwithstanding the foregoing, if a bona fide dispute exists with respect

to the amount of any fee or expense, the Party obligated to pay such fee or expense shall pay the undisputed portion thereof at the time and in the manner required, and such Party shall not be deemed to be in default with respect to the nonpayment of the disputed portion of such fee or expense until such time as the dispute has been resolved, at which time the additional amount (if any) which is to be paid by such Party will be promptly paid in accordance with the Prompt Payment Act.

#### **Article XIV –Labor**

Commission hereby states, under penalty of perjury, that no more than one final unappealable finding of contempt of court by a Federal court has been issued against Commission within the immediately preceding two (2)-year period because of Commission's failure to comply with an order of a Federal court that orders Commission to comply with an order of the National Labor Relations Board.

#### **Article XV – Drug-Free Workplace Certification**

15.1 Commission complies with the Drug Free Workplace Act of 1990

15.2 Commission shall include the compliance provisions of the Drug Free Workplace Act of 1990 in all subcontracts to perform work under this Contract.

#### **Article XVI – Miscellaneous**

16.1 Governing Law. Except on subjects preempted by Federal law, this Contract shall be governed by and construed in accordance with the laws of the State of California.

16.2. Headings. The Article headings in this Contract are for convenience only and shall not be used for any purpose in the interpretation of this Contract.

16.3 Severability. If any clause or provision of this Contract is illegal, invalid, or unenforceable under applicable present or future laws, then it is the intention of the Parties that the remainder of the Contract will not be affected but shall remain in full force and effect.

16.4 Relationship of the Parties. Each Party is and shall at all times be and remain independent from the other Party and shall not be deemed an agent or fiduciary of the other Party. Nothing contained herein shall have the effect of creating a trust, joint venture, or partnership between the Parties. No Party has any right or power to obligate or bind the other Party in any manner whatsoever.

16.5 Assignment. This Contract shall be binding upon and inure to the benefit of each of the Parties and to their respective transferees, successors, and assigns. Neither Party may assign its rights or obligations under this Contract to a third party without the written consent of the other Party, except where assignment occurs as a result of a sale or transfer of all or substantially all of such Party's assets pursuant to merger, sale, consolidation, combination, or order or decree of governmental authority.

16.6 No Third Party Beneficiaries. Except to the extent certain indemnities may expressly favor either party's contractors as set forth hereinabove, enforcement of the terms

of this Contract is reserved to the Parties, and nothing contained in this Contract provides any claim or right of action for enforcement to any other party.

16.7 Conflicts. To the extent that the provision of this Contract conflict with any other agreement between the Parties with respect to the Project, the provisions of this Contract shall control.

16.8 Reporting. Commission shall work with State in good faith to provide all applicable information to State in support of State's reporting requirements for Quarterly and Final Delivery Reports to the California Transportation Commission. State shall give notice of such reporting requirements to Commission as soon as possible and practicable.

16.9 Completion Certification. Upon Project completion, Commission shall certify, in writing, that *the Pajaro River Bridge Rehabilitation Project is complete and was executed in accordance with the provisions contained in Contract Number 75A0550 between Commission and the State of California, effective between Date of Last Signature and December 31, 2023.*

## Article XVII - Notices

Any notice required by this Contract shall be in writing and directed to the representatives of the Parties identified herein by personal delivery, courier service, or deposit with the United States Postal Service, first class postage prepaid:

Commission: Santa Cruz County Regional Transportation Commission  
Guy Preston  
Executive Director  
1101 Pacific Avenue Ste. 250  
Santa Cruz, CA 95060

State: California Department of Transportation  
Chief, Division of Rail  
and Mass Transportation  
1120 N Street, Room 3400, MS-74 PO Box 942874, MS-74  
Sacramento, CA 95814 Sacramento, CA 94274-0001

Approved as to Form and Procedure

By: \_\_\_\_\_  
Attorney,  
California Department of Transportation

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Attorney, SCCRTC

Date: \_\_\_\_\_



## **Exhibit A**

### **Statement of Work (Project Components/Tasks)**

The Project will construct repairs to the existing 23-span Pajaro River Bridge located at milepost 1.06 of the Santa Cruz Branch rail line

- Repairs to the substructure and superstructure of approx. 180-foot open deck timber trestle segment A
- Repairs to the superstructure of approx. 300-foot steel through plate girder bridge segment B
- Repairs to the substructure and superstructure of approx. 91-foot open deck timber trestle segment C

**Exhibit B**  
**Project Location Map**



**Exhibit C**  
**Project Budget\***

<b>Component</b>	<b>Private Fund Cost</b>	<b>Other Fund Cost</b>	<b>State Cost (SLRR Fund)</b>
Construction Capital and Support	171,000.00	114,000.00	285,000.00

\*Total Project Budget: \$570,000

**Exhibit D  
Project Schedule**

<b>Project Milestone</b>	<b>Date</b>
Circulate Draft Environmental Document	CE – 06/15/18
Draft Project Report	N/A
End Environmental Phase (PA&ED Milestone)	N/A
Begin Design (PS&E) Phase	01/01/20
End Design Phase (Ready to List for Advertisement Milestone)	09/01/21
Begin Right of Way Phase	N/A
End Right of Way Phase (Right of Way Certification Milestone)	N/A
Begin Construction Phase (Contract Award Milestone)	04/01/22
End Construction Phase (Construction Contract Acceptance Milestone)	04/30/23
Begin Closeout Phase	05/01/23
End Closeout Phase (Closeout Report)	12/31/23

## **Exhibit E**

### **Public Benefits**

The project will result in the following benefits:

- Continued freight service utilizing recent short line and private spur improvements for a 25-year useable life;
- Capacity to accommodate an expected increase in goods movement based upon customer interest and private facility improvements, reaching approximately 300 annual rail cars in late 2021 and 1,200 in 2041;
- Continued and potential to increase reduction in truck traffic on highways and local streets, resulting in safer roads and reduced emissions;
- Potential future passenger service, consistent with the California State Rail Plan.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

**CALIFORNIA CIVIL RIGHTS LAWS CERTIFICATION**

ADM-0076 (NEW 01/2019)

ATTACHMENT \_\_\_\_\_  
IFB Number \_\_\_\_\_**CALIFORNIA CIVIL RIGHTS LAWS CERTIFICATION**

**Instructions:** Complete as applicable, and submit with bid, proposal, contract, or amendment when the total contract value is one hundred thousand dollars (\$100,000) or more.

Pursuant to Public Contract Code section 2010, if a bidder or proposer executes, renews, or amends a contract one hundred thousand dollars (\$100,000) or more on or after January 1, 2017, the bidder or proposer hereby certifies, under the penalty of perjury, compliance with the following:

1. **CALIFORNIA CIVIL RIGHTS LAWS:** For contracts one hundred thousand dollars (\$100,000) or more executed, renewed, or amended after January 1, 2017, the contractor certifies compliance with the Unruh Civil Rights Act (Section 51 of the Civil Code) and the Fair Employment and Housing Act (Section 12960 of the Government Code); and
2. **EMPLOYER DISCRIMINATORY POLICIES:** For contracts one hundred thousand dollars (\$100,000) or more executed, renewed, or amended after January 1, 2017, if a Contractor has an internal policy against a sovereign nation or peoples recognized by the United States government, the Contractor certifies that such policies are not used in violation of the Unruh Civil Rights Act (Section 51 of the Civil Code) or the Fair Employment and Housing Act (Section 12960 of the Government Code).

**CERTIFICATION**

I, the official named below, certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

FEDERAL ID NUMBER (OR N/A)

PROPOSER/BIDDER FIRM NAME (PRINTED)

BY (AUTHORIZED SIGNATURE)

PRINTED NAME AND TITLE OF PERSON SIGNING

DATE EXECUTED/SIGNED

EXECUTED/SIGNED IN THE COUNTY AND STATE OF



STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

**DARFUR CONTRACTING ACT CERTIFICATION**

ADM-0077 (REV 05/2020)

**Darfur Contracting Act Certification****Instructions:** Complete, as applicable, and submit with bid.

Public Contract Code Sections 10475-10481 applies to any company that currently or within the previous three years has had business activities or other operations outside of the United States. For such a company to bid on or submit a proposal for a State of California contract, the company must certify that it is either a) not a scrutinized company; or b) a scrutinized company that has been granted permission by the Department of General Services ("DGS") to submit a proposal.

**OPTION #1 - CERTIFICATION**

If your company has not, within the previous three years, had any business activities or other operations outside of the United States, complete and sign this section and submit with bid package.

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that a) the prospective proposer/bidder named below has not, within the previous three years, had any business activities or other operations outside of the United States; and b) I am duly authorized to legally bind the prospective proposer/bidder named below. This certification is made under the laws of the State of California.

Company/Vendor Name (Printed)	Federal ID Number
-------------------------------	-------------------

By (Authorized Signature)

Printed Name and Title of Person Signing

**OPTION #2 - CERTIFICATION**

If your company, within the previous three years, has had business activities or other operations outside of the United States, in order to be eligible to submit a bid or proposal, please insert your company name and Federal ID Number and complete the certification below.

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that a) the prospective proposer/bidder named below is not a scrutinized company per Public Contract Code Section 10476; and b) I am duly authorized to legally bind the prospective proposer/bidder named below. This certification is made under the laws of the State of California.

Company/Vendor Name (Printed)	Federal ID Number
-------------------------------	-------------------

By (Authorized Signature)

Printed Name and Title of Person Signing

Date Executed	Executed in the County and State of
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**OPTION #3 - WRITTEN PERMISSION FROM DGS**

Pursuant to Public Contract Code Section 10477(b), the Director of the DGS may permit a scrutinized company, on a case-by-case basis, to bid on or submit a proposal for a contract with a state agency for goods or services, if it is in the best interests of the state. If you are a scrutinized company that has obtained written permission from the DGS to submit a bid or proposal, complete the information below.

We are a scrutinized company as defined in Public Contract Code Section 10476, but we have received written permission from the DGS to submit a bid or proposal pursuant to Public Contract Code Section 10477(b). **A copy of the written permission from DGS is included with our bid or proposal.**

Company/Vendor Name (Printed)	Federal ID Number
-------------------------------	-------------------

By (Authorized Signature)

Printed Name and Title of Person Signing

Date Executed	Executed in the County and State of
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ADA Notice For individuals with sensory disabilities, this document is available in alternate formats. For alternate format information, contact the Forms Management Unit at (916)

**AGENDA:** February 3, 2022

**TO:** Regional Transportation Commission (RTC)  
**FROM:** Tracy New, Director of Finance and Budget  
**RE:** Amendments to the Fiscal Year (FY) 2021-22 RTC Budget & Work Program and Measure D Budget

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**RECOMMENDATIONS**

Staff recommends that the Regional Transportation Commission (RTC):

1. Approve the attached resolution (Attachment 1) authorizing the following:
    - a. The RTC's FY2021-22 budget and work program as shown on Exhibit A to Attachment 1.
    - b. The Measure D FY2021-22 budget as shown on Exhibit B to Attachment 1.
    - c. Amending the Measure D 5-year Active Transportation plan to program \$146,000 additional funds as shown on Exhibit C to Attachment 1.
    - d. The Executive Director to establish a second bank account with Santa Cruz County Bank on behalf of the RTC for payroll and transfer \$13,950 to pre-fund the employer sponsored Flexible Spending Account (FSA) account.
  2. Accept the December 2021 California Forecast for FY2021-22 and FY2022-23 (Attachment 2) and FY2021-22 Q1 Measure D Sales Tax Update (Attachment 3) from HdL Companies; and
  3. Accept the revised Measure D revenue forecast for FY2021-22 through FY2026-27 provided by HdL Companies (Attachment 4).
- 

**BACKGROUND**

On April 1, 2021, the RTC adopted a FY2021-22 Budget and Work Program that was based on revenue estimates for Transportation Development Act



(TDA) revenue, a ¼ cent general sales tax collected statewide; Measure D revenue, a countywide ½ cent transaction and use tax; and revenue allocation estimates for the FY2021-22.

In October 2021, the RTC amended the budget and work program to incorporate prior year-end balances, new projects or funds, updated estimates, and other necessary changes.

Due to work trends and revised revenue projections, it is currently necessary to consider amendments to the RTC's FY2021-22 budget and work program.

## **DISCUSSION**

At the beginning of each fiscal year the budget that is approved includes estimates for the work that is anticipated to be done. Usually, adjustments need to be made due to work trends. Therefore, a number of adjustments are included in this budget amendment as a result of more or less work than was estimated for various projects and planning efforts. Adjustments proposed include reallocation of staff time in the planning budget, additional work on Segment 5 of the Monterey Bay Sanctuary Scenic Trail Network (MBSST) on the North Coast, and revised Measure D Sales Tax revenue.

### **RTC Budget (Exhibit A)**

#### Administration

The Measure D ordinance allocates revenues to the RTC for administering the ordinance; the updated revenue projections increase this allocation and are reflected in the RTC's Administration budget. The Measure D allocation for salaries and benefits is limited to 1% of revenues. The overhead/indirect costs are calculated and reimbursed in an amount equal to our approved Indirect Cost Allocation Plan (ICAP) rate which is in addition to the salaries and benefit allocation and not limited to 1% of revenues.

#### Planning Budget

Due to work trends and work completed during the fiscal year, a reallocation of funds is proposed to increase staff time for the Highway and Roadway Planning work element and decrease the Regional Transportation Plan work element. There is no fiscal impact to the budget or additional funding needed to complete the work.

#### Monterey Bay Sanctuary Scenic Trail - Segment 5 North Coast

The proposed budget and Measure D 5-year Plan amendments reflect an increase in staff time for project management, grant applications, public outreach and on-site visits with partnering agencies, as well as additional soil investigation work.

### **Measure D Budget (Exhibit B)**

Hinderliter de Llamas (HdL) provides the RTC with Measure D revenue projections. The December 2021 Consensus Forecast (Attachment 2) was used to develop budget estimates based on local results, as well as statewide and national economic outlooks. The forecast assumes businesses may slow operations, but remain open during the recent Omicron surge.

The proposed budget amendment reflects HdL's revised FY2021-22 revenue projection of \$26,407,819, a 12.2% increase from their previous estimate of \$23,577,383, and a 7% increase from FY2020-21 actual revenues of \$24,675,262. In future years, HdL's analysis of economic trends forecasts a 1.8% to 2.6% per year increase in sales tax revenues through FY2026-27 (Attachment 4).

The proposed Measure D budget reflects an increase in revenues; distributions to the investment categories as required by the ordinance expenditure plan; an increase in expenditures for work on the Segment 5 North Coast project; and amendment to the Active Transportation 5-year Active Transportation plan (Exhibit C).

### **Establishing Account for Flexible Spending Arrangements (FSA)**

The RTC budget includes the cost of staff salaries and benefits. The RTC offers employer sponsored benefits as part of a cafeteria plan, section 125 plan for tax advantage benefits including Flexible Spending Arrangements (FSA) for health and dependent care expenses. These benefits are established by the RTC as the employer and administered by a third party, Health Equity, to ensure the plan qualifies under the Internal Revenue Code. The FSAs are funded through voluntary salary reduction agreements with the employee and deposited into a trust account held for the specific purpose and benefit of the employees' FSAs. This special fund is 76639 currently held with the County of Santa Cruz Treasury. The process of reimbursement to the employee is through the claims process.

As of 2022, the RTC's Health Flexible Spending Arrangement will provide participants with a Debit card allowing participants to pay qualified expenses directly to a provider. The third-party administrator will continue to verify the expenses are qualified under the plan. The county treasury does not allow for electronic funds transfer or the use of debit cards. The new procedure requires that the RTC establish a separate bank account with Santa Cruz County Bank on behalf of the RTC to be used for payroll and the payroll deductions in trust for employee benefits.

The health FSA must be pre-funded with \$13,950, this is the total amount elected by staff in 2022. Deductions from employee payroll will replenish the fund each pay period and the account will be reconciled to ensure each

deduction is a qualified transaction on a monthly basis. Pre-funding the FSA account is required due to eligibility of benefits prior to the employee contributing the amount elected.

At the beginning of each calendar year when staff makes their election, the RTC may need to transfer additional funds. Staff further recommends that the RTC authorize the Executive Director to make the necessary deposits to cover the elections for FSA every January 1st.

If approved, the RTC will have two bank accounts with Santa Cruz County Bank. The new bank account will be used for payroll purposes with Paylocity, our online payroll provider, paying employees and tax liabilities using electronic transfers (EFTs). The account originally established for payroll will be converted for the FSA accounts. Staff conferred with the independent auditor and will continue to use the implemented internal controls to guard the funds.

**Staff recommends that the RTC:**

**Approve the FY2021-22 RTC budget and work program as shown on Exhibit A of Attachment 1; the FY2021-22 Measure D budget as shown in Exhibit B of Attachment 1; and the Measure D 5-year Active Transportation program as shown in Exhibit C of Attachment 1.**

**Authorize the Executive Director to establish a second bank account with Santa Cruz County Bank on behalf of the RTC for payroll and transfer \$13,950 to pre-fund the employer sponsored Flexible Spending Account (FSA) account Attachment 1.**

**Accept the December 2021 California Forecast for FY2021-22 and FY2022-23 (Attachment 2); FY2021-22 Q1 Measure D Sales Tax Update (Attachment 3); and revised Measure D revenue forecast for FY 2021-22 through FY 2026-27 (Attachment 4).**

## **FISCAL IMPACT**

The proposed RTC budget amendment (Exhibit A) includes a total increase in expenditures of \$200,061 including:

- \$54,061 increase for staff time GL Key 721750 Administration
- \$146,000 increase for staff time and project costs for the MBSST/Coastal Rail Trail Segment 5 North Coast GL Key 722281

The proposed Measure D budget amendment (Exhibit B) includes a total increase of \$2,976,436 in revenues and expenditures including:

- \$2,830,436 increase in Measure D revenues GL Key 729000
- Distributions to investment categories in accordance with the ordinance:
  - \$54,061 Admin & Implementation GL Key 729100
  - \$832,912 Neighborhood GL Key 729200
  - \$694,094 Highway Corridors GL Key 729300
  - \$555,275 Transit/Paratransit GL Key 729400
  - \$471,984 Active Transportation GL Key 729500
  - \$222,110 Rail Corridor GL Key 729600
- \$146,000 total increase in Measure D programming and expenditures for the Active Transportation program for staff time and project costs MBSST/Coastal Rail Trail Segment 5 North Coast GL Key 729500.

## **SUMMARY**

Due to work trends and revised revenue estimates, it is necessary to consider amendments to the FY 2021-22 budget and work program.

Staff recommends that that the RTC approve the proposed amended FY2021-22 RTC budget and work program per Exhibit A of Attachment 1, the proposed amended FY2021-22 Measure D budget per Exhibit B of Attachment 1, and amend the Measure D Rail Trail program per Exhibit C of Attachment 1.

### Attachments:

1. Resolution authorizing:
  - Exhibit A: SCCRTC FY2021-22 Budget and Work Program as amended
  - Exhibit B: Measure D FY2021-22 Budget
  - Exhibit C: Measure D 5-year Active Transportation program of projects as amended
2. December 2021 FY2021-22 and FY2022-23 California Forecast from HdL Companies
3. FY2021-22 Q1 Measure D Sales Tax Update from HdL Companies
4. Measure D revenue forecast for FY 2021-22 through FY2026-27 provided by HdL Companies

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## **ATTACHMENT 1**

### **RESOLUTION NO.**

Adopted by the Santa Cruz County Regional Transportation Commission  
on the date of February 3, 2022  
on the motion of Commissioner  
duly seconded by Commissioner Alternate

A RESOLUTION AMENDING THE FY2021-22 BUDGET AND WORK PROGRAM  
FOR THE REGIONAL TRANSPORTATION COMMISSION, AMENDING THE  
FY2021-22 MEASURE D BUDGET, AMENDING THE MEASURE D 5 YEAR PLAN  
FOR THE RAIL TRAIL PROGRAM, AND AUTHORIZING THE EXECUTIVE  
DIRECTOR TO ESTABLISH AND PRE-FUND A BANK ACCOUNT FOR THE  
FLEXIBLE SPENDING ARRANGEMENT PLAN

WHEREAS, the Santa Cruz County Regional Transportation Commission  
(RTC) adopts and periodically amends a budget and work program for each  
fiscal year to guide its expenses and work;

BE IT RESOLVED BY THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION  
COMMISSION:

1. The FY2021-22 Budget and Work Program for the Santa Cruz County Regional Transportation Commission (RTC) are hereby amended as shown in Exhibit A;
2. The FY2021-22 Measure D Budget is hereby amended as shown in Exhibit B;
3. The Measure D 5 year Program of Projects for the Rail Trail category is hereby amended, as shown in Exhibit C; and
4. The Executive Director to establish a second bank account with Santa Cruz County Bank on behalf of the RTC for payroll and transfer \$13,950 to pre-fund the employer sponsored Flexible Spending Account (FSA) account.

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSTAIN: COMMISSIONERS

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Sandy Brown, Chair

ATTEST:

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Guy Preston, Secretary

Attachments: Exhibit A - SCCRTC FY2021-22 Budget and Work Program as amended

Exhibit B – Measure D FY2021-22 Budget as amended

Exhibit C – Measure D 5-year program of projects for Rail Trail Category as amended

Distribution: RTC Fiscal



Budget Summary by Purpose, Program or Project (with allocated labor and overhead)  
 Fiscal Year FY2021/22  
 Proposed As of February 3, 2022

Object		MBSST		DIFF	Admin		DIFF	Total		DIFF
		12/2/2021	2/3/2022		12/2/2021	2/3/2022		12/2/2021	2/3/2022	
Revenues										
TDA Revenue	40172	-	-		630,526	630,526	-	1,362,799	1,362,799	-
Measure D	40186	9,532,358	9,678,358	146,000	673,003	727,064	54,061	21,742,266	21,942,327	200,061
RSTP Exchange/STBG	40761	300,000	300,000	-	-	-	-	773,663	773,663	-
Other revenue	42384	338,720	338,720	-	-	-	-	2,338,720	2,338,720	-
Total Revenues		10,171,078	10,317,078	146,000	1,303,529	1,357,590	54,061	26,217,448	26,417,509	200,061
Salaries, Benefits & Overhead										
Allocated Labor Costs	51070	325,598	386,331	60,733	443,457	471,761	28,304	2,118,352	2,207,389	89,037
Allocated Overhead	62354	296,294	351,561	55,267	403,546	429,303	25,757	1,927,700	2,008,724	81,024
Total Salaries, Benefits & Overhead		621,892	737,892	116,000	847,003	901,064	54,061	4,046,052	4,216,113	170,061
Services & Supplies										
Telephone & Mobile Device	61221	-	-	-	10,000	10,000	-	15,980	15,980	-
Office Equipment	61312	-	-	-	5,000	5,000	-	5,000	5,000	-
Liability Insurance	61535	-	-	-	76,726	76,726	-	114,948	114,948	-
Office Equip Repair/Maint	61725	-	-	-	7,500	7,500	-	7,500	7,500	-
Repairs & Maintenance	61845	1,206,000	1,206,000	-	12,000	12,000	-	1,218,000	1,218,000	-
Membership	62020	-	-	-	20,000	20,000	-	20,600	20,600	-
Duplicating	62214	-	-	-	6,000	6,000	-	6,000	6,000	-
Computer Software	62219	-	-	-	53,100	53,100	-	53,100	53,100	-
Postage	62221	-	-	-	5,500	5,500	-	6,500	6,500	-
General Supplies & Expenses	62223	-	-	-	37,000	37,000	-	45,000	45,000	-
Accounting & Audit	62301	-	-	-	67,000	67,000	-	67,000	67,000	-
County Mainframe/Intranet	62325	-	-	-	6,000	6,000	-	6,000	6,000	-
Commissioners' Stipend	62327	-	-	-	10,000	10,000	-	10,000	10,000	-
Design and Eng Consult	62340	2,495,278	2,495,278	-	-	-	-	2,595,278	2,595,278	-
Legal Fees	62359	146,000	146,000	-	40,000	40,000	-	277,225	277,225	-
Professional & Special Serv	62381	1,298,908	1,328,908	30,000	298,730	298,730	-	10,139,561	10,169,561	30,000
Office Rent	62610	-	-	-	130,393	130,393	-	130,393	130,393	-
Adv & Promo Materials	62801	-	-	-	6,000	6,000	-	26,000	26,000	-
Contingency/Special Exp	62856	2,153,000	2,153,000	-	21,000	21,000	-	3,658,458	3,658,458	-
Transp/Travel/Educ	62914	-	-	-	45,000	45,000	-	50,000	50,000	-
Vehicle Maint, Rentals & Serv	62920	-	-	-	4,000	4,000	-	4,000	4,000	-
Utilities	63070	-	-	-	1,000	1,000	-	2,200	2,200	-
Funds to City of Santa Cruz	75204	2,100,000	2,100,000	-	-	-	-	2,100,000	2,100,000	-
Funds to City of Watsonville	75206	150,000	150,000	-	-	-	-	150,000	150,000	-
Buildings and Improvements	86110	-	-	-	126,362	126,362	-	126,362	126,362	-
Mobile Equipment	86209	-	-	-	55,000	55,000	-	55,000	55,000	-
Office Equipment	86210	-	-	-	80,000	80,000	-	80,000	80,000	-
Total Services & Supplies		9,549,186	9,579,186	30,000	1,123,311	1,123,311	-	20,970,105	21,000,105	30,000
Total Expenditures:		10,171,078	10,317,078	146,000	1,970,314	2,024,375	54,061	25,016,157	25,216,218	200,061
Excess of Revenues over Expenditures:		-	-	-	(666,785)	(666,785)	-	1,201,291	1,201,291	-
*Beginning Fund Balance (estimate):		30,000	30,000	-	1,224,003	1,224,003	-	1,254,003	1,254,003	-
Ending Fund Balance (estimate):		155,000	155,000	-	557,218	557,218	-	2,455,294	2,455,294	-

\* Does not include operating reserve and cash flow reserve targets, see fund balances and reserve table

1	Administration		FY2021/22	FY2021/22		
2	RTC and Measure D		Approved	Proposed	Difference	Note
3		Object	12/2/2021	2/3/2022		
4	TDA Revenue	40172	630,526	630,526	-	
5	Measure D	40186	673,003	727,064	54,061	Updated HdL Projections
6	Total Revenues		1,303,529	1,357,590	54,061	
7	<u>Salaries, Benefits &amp; Overhead</u>					
8	<u>TDA Administration</u>					
9	Allocated Labor Costs	51070	125,654	125,654	-	
10	Allocated Overhead	62354	114,346	114,346	-	
11	Meas D Admin Labor	51070	317,803	346,107	28,304	Updated HdL Projections - 1% allocation for Admin salaries & benefits per ordinance
12	Meas D Admin Overhead	62354	289,200	314,957	25,757	
13	Total Salaries, Benefits & Overhead		847,003	901,064	54,061	
14	<u>Services &amp; Supplies</u>					
15	Telephone & Mobile Device	61221	10,000	10,000	-	
16	Office Equipment	61312	5,000	5,000	-	
17	Liability Insurance	61535	76,726	76,726	-	
18	Office Equip Repair/Maint	61725	7,500	7,500	-	
19	Repairs & Maintenance	61845	12,000	12,000	-	
20	Membership	62020	20,000	20,000	-	
21	Duplicating	62214	6,000	6,000	-	
22	Computer Software	62219	53,100	53,100	-	
23	Postage	62221	5,500	5,500	-	
24	General Supplies & Expenses	62223	37,000	37,000	-	
25	Accounting & Audit	62301	67,000	67,000	-	
26	County Mainframe/Intranet	62325	6,000	6,000	-	
27	Commissioners' Stipend	62327	10,000	10,000	-	
28	Legal Fees	62359	40,000	40,000	-	
29	Professional & Special Serv	62381	298,730	298,730	-	
30	Office Rent	62610	130,393	130,393	-	
31	Adv & Promo Materials	62801	6,000	6,000	-	
32	Contingency/Special Exp	62856	21,000	21,000	-	
33	Transp/Travel/Educ	62914	45,000	45,000	-	
34	Vehicle Maint, Rentals & Serv	62920	4,000	4,000	-	
35	Utilities	63070	1,000	1,000	-	
36	Buildings and Improvements	86110	126,362	126,362	-	
37	Mobile Equipment	86209	55,000	55,000	-	
38	Office Equipment	86210	80,000	80,000	-	
39	Total Services & Supplies		1,123,311	1,123,311	-	
40						
41	Total Expenditures		1,970,314	2,024,375	54,061	
42						
43	To/(From) reserves:		(666,785)	(666,785)	(0)	



1 Planning		FY2021/22	FY2021/22		
2		Approved	Proposed	Difference	Note
3	Object	12/2/21	2/3/22		
4	<u>Revenues</u>				
5	TDA Planning	40172	732,273	732,273	-
6	Measure D	40186	1,379,114	1,379,114	-
7	RSTP Exchange	40761	175,000	175,000	-
8	STIP for Planning (PPM)	40770	144,579	144,579	-
9	Rural Planning Assistance (RPA)	40786	421,250	421,250	-
10	Sust Transp Planning Grant CDFW	40786	75,000	75,000	-
11	Sust Transp Planning Grant WCB	40786	75,448	75,448	-
12	Land Trust Grant	42384	2,000,000	2,000,000	-
13	Total Revenues		5,002,664	5,002,664	-
14					
15	<u>Salaries, Benefits &amp; Overhead by Program</u>				
16	Regional Planning Coordination		140,000	140,000	-
17	Work Program		35,000	35,000	-
18	Public Information		45,000	45,000	-
19	Bicycle/Pedestrian Planning		70,000	70,000	-
20	Specialized Transportation		75,000	75,000	-
21	Regional Transp Plan for MTP		300,000	280,000	(20,000)
22	Transp Improv Program (TIP)		200,000	200,000	-
23	Highway & Roadway Planning		80,000	100,000	20,000
24	Highway 17 Wildlife Crossing		15,000	15,000	-
25	Scotts Creek Marsh Restor		15,000	15,000	-
26	Reg Conserv Invest Strategy (RCIS)		28,654	28,654	-
27	Allocated Labor Costs	51070	525,473	525,473	-
28	Allocated Overhead (indirect costs)	62354	478,181	478,181	-
29	<i>Subtotal Staff and Overhead</i>		1,003,654	1,003,654	-

Re-allocation of staff time due to work trends
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30	Planning Continued		FY2021/22	FY2021/22		
31			Approved	Proposed	Difference	Note
32		Object	12/2/21	2/3/22		
33	<u>Services &amp; Supplies</u>					
34	Passthrough Programs					
35	Bike To Work Prog (Ecology Action)	62381	60,000	60,000	-	
36	Bike & Ped Safety (CTSC)	62381	130,000	130,000	-	
37	Ecology Action - Bike Smart and Walk :	62381	25,000	25,000	-	
38	Ecology Action - Bike Challenge +	62381	100,000	100,000	-	
39	Project Paseo (Bike SC County)	62381	50,000	50,000	-	
40	<u>Professional Services (contracts)</u>				-	
41	Legislative Assistant	62381	44,600	44,600	-	
42	Eng and Other Tech Consultants	62381	21,750	21,750	-	
43	AMBAG for RTP/MTP	75230	30,000	30,000	-	
44	Scotts Creek Marsh Restoration Grant	62381	75,000	75,000	-	
45	RCIS Consultant	62381	60,476	60,476	-	
46	<u>RTC Work Element Related Items</u>					
47	Traffic Monitoring services	62381	12,000	12,000	-	
48	Printing Documents and Pub Info Mater	62381	12,500	12,500	-	
49	Transfer to Rail/Trail Authority	75233	110,000	110,000	-	
50	Subtotal Services & Supplies		731,326	731,326	-	
51	<u>Other</u>					
52	Highway 17 Wildlife Crossing Construction to Caltrans		3,350,333	3,350,333	-	
53						
54	Total Expenditures		<u>5,085,313</u>	<u>5,085,313</u>	-	
55						
56	To/(From) Reserves:		(82,649)	(82,649)	-	

1	Active Transportation		FY2021/22	FY2021/22		
2			Approved	Proposed	Difference	Note
3		Object	12/2/21	2/3/22		
4	Revenues					
5	Measure D	40186	9,532,358	9,678,358	146,000	Additional funds for work on Segment 5
6	RSTP Exchange	40761	300,000	300,000	-	
7	Land Trust of SCC for Seg 5	42384	338,720	338,720	-	
8	Total Revenues		10,171,078	10,317,078	146,000	
9	Expenditures					
10	Allocated Labor Costs	51070	325,598	386,331	60,733	
11	Allocated Overhead (indirect costs)	62354	296,294	351,561	55,267	
12	Total Salaries, Benefits & Overhead		621,892	737,892	116,000	Additional staffcosts for work on Segment 5
13	Services and Supplies					
14						
15	<u>MBSST Network GL Key 722280</u>					
16	General Technical Assistance	62381	95,000	95,000	-	
17	Corridor encroachment & maint	61845	1,051,000	1,051,000	-	
18	Capitola Trestle Interim Trail Analys	62381	50,000	50,000	-	
19	Boundary Survey	62381	180,588	180,588	-	
20						
21	<u>MBSST North Coast Segment 5 GL Key 722281:</u>					
22	Legal Fees	62359	145,000	145,000	-	
23	Environmental Docs and Design	62381	788,720	788,720	-	
24	Tech Asst (envl, survey, EHS, etc.)	62381	115,600	145,600	30,000	Additional soil investigation work for Seg 5
25	Property Acquisitions	62856	78,000	78,000	-	
26	Grant Match	62856	1,950,000	1,950,000	-	
27	Davenport Crosswalk	62856	125,000	125,000	-	
28	Maintenance	61845	100,000	100,000	-	

29	Active Transportation Continued		FY2021/22	FY2021/22		
30			Approved	Proposed	Difference	Note
31		Object	12/2/21	2/3/22		
32	<u>MBSST City of Santa Cruz Segments 7, 8 &amp; 9 GL Key 722282:</u>					
33	Tech Asst (envl, survey, EHS, etc.)	62381	30,000	30,000	-	
34	Seg 7 Constr Phase 1&2 to SC City	75204	2,100,000	2,100,000	-	
35	Ongoing Maintenance	61845	45,000	45,000	-	
36						
37	<u>MBSST County of Santa Cruz Segments 10 &amp; 11 GL Key 722280:</u>					
38	Prelim Eng & enviro clearance	62340	2,495,278	2,495,278	-	
39	Professional & Special Services	62381	25,000	25,000	-	
40						
41	<u>MBSST City of Watsonville Segement 18 GL Key 722283:</u>					
42	Legal Fees	62359	1,000	1,000	-	
43	Tech Asst (envl, survey, EHS, etc.)	62381	9,000	9,000	-	
44	Seg 18 Constr - to City of Wats	75206	150,000	150,000	-	
45	Ongoing Maintenance	61845	10,000	10,000	-	
46						
47	<u>MBSST City of Capitola City Hall to Monterey Ave GL Key 722284:</u>					
48	Legal Fees	62359	-	-	-	
49	Tech Asst (envl, survey, EHS, etc.)	62381	5,000	5,000	-	
50	Subtotal Services & Supplies		9,549,186	9,579,186	30,000	
51						
52	Total Expenditures		10,171,078	10,317,078	146,000	
53	Excess of Revenues over Expenditures:		-	-	-	



Measure D Revenue and Distributions to Investment Category

Fiscal Year FY2021/22

Proposed As of February 3, 2022

		Measure D		DIFF
GL KEY 729000 Object		12/2/2021	2/3/2022	
Revenues				
Measure D	40186	23,577,383	26,407,819	2,830,436
Interest	40430	250	250	-
Total Revenues		23,577,633	26,408,069	2,830,436
Admin and Impl Alloc	75381	673,003	727,064	54,061
Distributions to Investment Categories per Ordinance				
Neighborhood 30%*	75382	6,871,314	7,704,226	832,912
Highway Corridors 25%	75383	5,726,095	6,420,189	694,094
Transit/Paratransit 20%	75384	4,580,876	5,136,151	555,275
Active Transp 17%	75385	3,893,745	4,365,728	471,984
Rail Corridor 8%	75386	1,832,350	2,054,460	222,110
Total Distributions		23,577,383	26,407,819	2,830,436

\*Includes Highways 9 & 17



Measure D Regional Funding Program and Project Budget Summary  
Administration and Implementation by RTC - Proposed Budget  
Fiscal Year FY2021/22  
Proposed As of February 3, 2022

Object		Admin & Impl GL Key 729100		DIFF	Highway Corridor GL Key 729300		DIFF	Active Transportation GL Key 729500		DIFF	Rail Corridor GL Key 729600		DIFF	Total		DIFF
		12/2/2021	2/3/2022		12/2/2021	2/3/2022		12/2/2021	2/3/2022		12/2/2021	2/3/2022		12/2/2021	2/3/2022	
Revenues																
Measure D	40186	673,003	727,064	54,061	5,726,095	6,420,189	694,094	3,893,745	4,365,728	471,984	1,832,350	2,054,460	222,110	6,899,098	7,647,253	748,155
Interest	40430	5,000	5,000	-	100,000	100,000	-	20,000	20,000	-	-	-	-	34,000	34,000	-
Operating Transfer In	40462	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Revenue	42386	-	-	-	-	-	-	-	-	-	1,503,318	1,503,318	-	1,978,293	1,978,293	-
Total Revenues		678,003	732,064	54,061	5,826,095	6,520,189	694,094	3,913,745	4,385,728	471,984	3,335,668	3,557,778	222,110	6,933,098	7,681,253	748,155
Salaries, Benefits & Overhead																
Allocated Labor Costs	51070	317,803	346,107	28,304	305,459	305,459	-	328,717	389,450	60,733	252,302	252,302	-	958,685	1,047,723	89,037
Allocated Overhead	62354	289,200	314,957	25,757	277,968	277,968	-	299,133	354,400	55,267	229,594	229,594	-	872,404	953,428	81,024
Total Salaries, Benefits & Overhead		607,003	661,064	54,061	583,427	583,427	-	627,850	743,850	116,000	481,896	481,896	-	1,831,089	2,001,150	170,061
Services & Supplies																
Repairs & Maintenance	61845	-	-	-	-	-	-	1,206,000	1,206,000	-	-	-	-	1,206,000	1,206,000	-
General Supplies & Expenses	62223	25,000	25,000	-	4,000	4,000	-	-	-	-	-	-	-	25,000	25,000	-
Accounting & Audit	62301	1,000	1,000	-	-	-	-	-	-	-	-	-	-	1,000	1,000	-
Design and Eng Consult	62340	-	-	-	-	-	-	25,000	25,000	-	-	-	-	25,000	25,000	-
Legal Fees	62359	-	-	-	51,000	51,000	-	145,000	145,000	-	25,000	25,000	-	179,225	179,225	-
Professional & Special Services	62381	40,000	40,000	-	5,694,535	5,694,535	-	636,188	666,188	30,000	1,112,000	1,112,000	-	1,788,188	1,818,188	30,000
Contingency/Special Exp	62856	-	-	-	905,000	905,000	-	78,000	78,000	-	150,000	150,000	-	228,000	228,000	-
Funds to City of Santa Cruz	75204	-	-	-	-	-	-	2,100,000	2,100,000	-	-	-	-	2,100,000	2,100,000	-
Funds to City of Watsonville	75206	-	-	-	-	-	-	150,000	150,000	-	-	-	-	150,000	150,000	-
Contribution to Other Agency	75230	-	-	-	-	-	-	-	-	-	-	-	-	1,448,433	1,448,433	-
Funds to SC County	75303	-	-	-	-	-	-	2,495,278	2,495,278	-	-	-	-	2,495,278	2,495,278	-
Construction	86110	-	-	-	-	-	-	-	-	-	723,500	723,500	-	723,500	723,500	-
Intra-Fund Transfer/Program Loan	95046	-	-	-	474,975	474,975	-	2,075,000	2,075,000	-	-	-	-	2,075,000	2,075,000	-
Total Services & Supplies		66,000	66,000	-	7,358,101	7,358,101	-	8,910,466	8,940,466	30,000	2,010,500	2,010,500	-	12,444,624	12,474,624	30,000
Total Expenditures:		673,003	727,064	54,061	7,941,528	7,941,528	-	9,538,316	9,684,316	146,000	2,492,396	2,492,396	-	14,275,713	14,475,774	200,061
Excess of Revenues over Expenditures:		5,000	5,000	-	(2,115,433)	(1,421,339)	694,094	(5,624,571)	(5,298,588)	325,984	843,272	1,065,382	222,110	(7,342,615)	(6,794,522)	548,094
Beginning Fund Balance (estimate):		775,842	775,842	-	16,263,254	16,263,254	-	9,417,353	9,417,353	-	963,034	963,034	-	27,419,483	27,419,483	-
Ending Fund Balance (estimate):		780,842	780,842	-	14,147,821	14,841,915	694,094	3,792,782	4,118,765	325,984	1,806,306	2,028,416	222,110	20,076,868	20,624,961	548,094

1	Measure D Fiduciary Deposit Fund		FY2021/22	FY2021/22			
2			Approved	Proposed	Difference	Difference %	Note
3	GL Key 729000	Object	12/2/21	2/3/22			
4	<u>Revenues Received from CDTFA</u>						
5	Measure D	40186	23,577,383	26,407,819	2,830,436	12.00%	Updated HdL projections are 7% higher than FY2020-21 actuals and 12% higher than projections adopted in October 2021.
6	Interest	40430	250	250	-	0.00%	
7	Total Revenues		23,577,633	26,408,069	2,830,436	12.00%	
8							
9	Admin and Impl Alloc	75381	673,003	727,064	54,061	8.03%	
10							
11	<u>Distributions to Investment Categories per Ordinance</u>						
12	Neighborhood 30%*	75382	6,871,314	7,704,226	832,912	12.12%	
13	Highway Corridors 25%	75383	5,726,095	6,420,189	694,094	12.12%	
14	Transit/Paratransit 20%	75384	4,580,876	5,136,151	555,275	12.12%	
15	Active Transp 17%	75385	3,893,745	4,365,728	471,984	12.12%	
16	Rail Corridor 8%	75386	1,832,350	2,054,460	222,110	12.12%	
17	Total Distributions		22,904,380	25,680,755	2,776,375	12.12%	
18							
20	To/(From Reserves):		250	250	(0.00)		
24	Ending Fund Balance (estimate):		250	250	(0.00)		
21							
22	*Includes Highways 9 & 17						

Note: Revenues are net of CDTFA fees. We do not expect interest income to be earned in the general fund, all revenues will be distributed to investment categories as soon as practicable. There is a small discrepancy in the formula rounding reflected in the distributions to investment categories.

1	Measure D		FY2021/22	FY2021/22		
2	Administration & Implementation		Approved	Proposed	Difference	Note
3		Object	12/2/21	2/3/22		
4	Measure D	40186	673,003	727,064	54,061	Updated HdL Projections
5	Interest	40430	5,000	5,000	-	
6		Total Revenues	678,003	732,064	54,061	
7						
8	Salaries, Benefits & Overhead					
9	Admin Labor Costs	51070	235,774	264,078	28,304	
10	Impl Labor Costs	51070	82,029	82,029	-	
11	Overhead (indirect)	62354	289,200	314,957	25,757	
12	Total Salaries, Benefits & Overhead		607,003	661,064	54,061	Additional staff time to administer ordinance
13						
14	Services & Supplies					
15	General Supplies & Expenses	62223	25,000	25,000	-	
16	Accounting & Audit	62301	1,000	1,000	-	
18	Professional & Special Services	62381	40,000	40,000	-	
20	Total Services & Supplies		66,000	66,000	-	
21						
22	Excess of Revenues over Expenditures:		673,003	727,064	54,061	
23						
24	Ending Fund Balance (estimate):		5,000	5,000	(0)	



1	Measure D		FY2021/22	FY2021/22		
2	Neighborhood Fund		Approved	Proposed	Difference	Note
3		Object	12/2/21	2/3/22		
4	Measure D Funds	40186	6,871,314	7,704,226	832,912	Updated HdL Projection
5	Interest	40430	1,000	1,000	-	
6	Total Revenues		6,872,314	7,705,226	832,912	
7						
8	Direct Allocations:					
9	Highway 9 Corr Improv	62856	333,333	333,333	-	2021/22 %'s
10	Highway 17 Wildlife Cross	62888	166,667	166,667	-	% updated every FY
11	City of Capitola	75203	324,157	366,534	42,377	5.087758%
12	City of Santa Cruz	75204	1,436,280	1,624,043	187,763	22.542923%
13	City of Scotts Valley	75205	309,811	350,313	40,501	4.862598%
14	City of Watsonville	75206	981,682	1,110,016	128,334	15.407848%
15	County of Santa Cruz	75303	3,319,383	3,753,321	433,938	52.098873%
16	Total Direct Allocations		6,871,314	7,704,226	832,912	
17						1.000000
18	To/(From) Reserves:		1,000	1,000	0	
19						

Note:

As stated in Measure D, funds will be distributed at least quarterly to cities and the County of Santa Cruz based on their proportional share of the countywide population (29%), lane miles of roadway (39%) and the site where the measure revenue from the transactions and use tax is generated (32%). Population, road mile and tax site generation will be updated each year based on the latest available data. Site of tax revenue generation is estimated from existing T&U taxes in the county. Each year after the RTC obtains the data specific to this T&U tax adjustments will be made based on actual data fo site of tax revenue generation.

1	Meas D Highway Corridors		FY2021/22	FY2021/22		
2			Approved	Proposed	Difference	Note
3		Object	12/2/21	2/3/22		
4	Measure D	40186	5,726,095	6,420,189	694,094	Updated HdL Projections
5	Interest	40430	100,000	100,000	-	
6	Operating Transfers In	40462	-			
7		Total Revenues	5,826,095	6,520,189	694,094	
8						
9	Salaries, Benefits & Overhead					
10	Allocated Labor Costs	51070	305,459	305,459	-	
11	Allocated Overhead	62354	277,968	277,968	-	
12		Total Salaries, Benefits & Overhead	583,427	583,427	-	
13						
14	Services & Supplies					
15	Subscriptions	62222	2,000	2,000	-	
16	General Supplies & Expenses	62223	4,000	4,000	-	
17	Design and Eng Consult	62340	-	-	-	
18	Legal Fees	62359	51,000	51,000	-	
19	Professional & Special Services	62381	5,694,535	5,694,535	-	
20	Contingency/Special Exp	62856	905,000	905,000	-	
21	Towing	62893	175,591	175,591	-	
22	Transportation/Travel/Education	62914	1,000	1,000	-	
23	CHP Operations	75280	50,000	50,000	-	
24	Program Loan to Highway 17	95046	474,975	474,975	-	
25		Total Services & Supplies	7,358,101	7,358,101	-	
26						
27		Excess of Revenues over Expenditures:	(2,115,433)	(1,421,339)	694,094	
28						
29		Beginning Fund Balance (estimate):	16,263,254	16,263,254	-	
30		Ending Fund Balance (estimate):	14,147,821	14,841,915	694,094	

1	Meas D Transit		FY2021/22	FY2021/22		
2			Approved	Proposed	Difference	Note
3		Object	12/2/21	2/3/22		
4	Measure D	40186	4,580,876	5,136,151	555,275	Updated HdL Projections
5	Interest	40430	1,200	1,200	-	
6		Total Revenues	4,582,076	5,137,351	555,275	
7						
8	<u>Direct Allocation to Service Providers:</u>					
9	Santa Cruz Metro	75302	3,664,701	4,108,921	444,220	
10	Community Bridges	75365	916,175	1,027,230	111,055	
11		Total Distributions	4,580,876	5,136,151	555,275	
12						
13	Unappropriated Revenues:		1,200	1,200	-	

1	Measure D		FY2021/22	FY2021/22		
2	Active Transportation		Approved	Proposed	Difference	Note
3	GL Key 729500	Object	12/2/21	2/3/22		
4	Revenues					
5	Measure D	40186	3,893,745	4,365,728	471,984	Updated HdL Projections
6	Interest	40430	20,000	20,000	-	
7	Total Revenues		3,913,745	4,385,728	471,984	
8	Expenditures					
9	<u>MBSST Corridor and RCIS</u>					
10	Allocated Labor Costs	51070	328,717	389,450	60,733	
11	Allocated Overhead (indirect)	62354	299,133	354,400	55,267	
12	Total Salaries, Benefits & Overhead		627,850	743,850	116,000	Additional staffcosts for work on Segment 5
13	Services and Supplies:					
14	Corridor encroach & maint	61845	1,051,000	1,051,000	-	
15	General Tech Assist	62381	95,000	95,000	-	
16	Capitola Trestle Interim Trail A	62381	50,000	50,000	-	
17	Boundary Survey & Encroachm	62381	180,588	180,588	-	
18	Subtotal Services & Supplies		1,376,588	1,376,588	-	
19	<u>MBSST North Coast Segment 5:</u>					
20	Maintenance	61845	100,000	100,000	-	
21	Grant Match		2,075,000	2,075,000	-	
22	Legal Fees	62359	145,000	145,000	-	
23	Property Acquisitions	62856	78,000	78,000	-	
24	Tech Asst (envl, surv, EHS, etc	62381	265,600	295,600	30,000	Additional soil investigation work for Seg 5
25	Subtotal Services & Supplies		2,663,600	2,693,600	30,000	
26	<u>MBSST City of Santa Cruz Segments 7, 8 &amp; 9:</u>					
27	Ongoing Maintenance	61845	45,000	45,000	-	
28	Tech Asst (envl, surv, EHS, etc	62381	30,000	30,000	-	
29	Seg 7 Phase 1&2 to SC City	75204	2,100,000	2,100,000	-	
30	Subtotal Services & Supplies		2,175,000	2,175,000	-	
31	Measure D		FY2021/22	FY2021/22		

32	Active Transportation Continued		Approved	Proposed	Difference	Note
32	Object		12/2/21	2/3/22		
33	<u>MBSST County of Santa Cruz Segments 10 &amp; 11</u>					
34	Prelim Eng & enviro clearance	62340	25,000	25,000	-	
35	Env Review and Design to SCC	75303	2,495,278	2,495,278	-	
36	Subtotal Services & Supplies		2,520,278	2,520,278	-	
37	<u>MBSST City of Watsonville Segement 18:</u>					
39	Tech Asst (envl, surv, EHS, etc	62381	10,000	10,000	-	
40	Ongoing Maintenance	61845	10,000	10,000	-	
41	Seg 18 Constr - to City of Wat	75206	150,000	150,000	-	
41	Subtotal Services & Supplies		170,000	170,000	-	
42						
43	<u>MBSST City of Capitola City Hall to Monterey Ave:</u>					
45	Tech Asst (envl, surv, EHS, etc	62381	5,000	5,000	-	
46	Subtotal Services & Supplies		5,000	5,000	-	
47						
48	Total Salaries, Benefits & Overhead		627,850	743,850	116,000	
49	Subtotal Services & Supplies		8,910,466	8,940,466	30,000	
50						
51	Total Expenditures		9,538,316	9,684,316	146,000	
52						
53	To/(From) Reserve Funds		(5,624,571)	(5,298,588)	325,984	

1	Meas D Rail Corridor		FY2021/22	FY2021/22		
2			Approved	Proposed	Difference	Note
3		Object	12/2/21	2/3/22		
4	Measure D	40186	1,832,350	2,054,460	222,110	Updated HdL Projections
5	Interest	40430	-	-	-	
6	Other-FEMA Reimbursement	42384	1,503,318	1,503,318	-	
7	Total Revenues		3,335,668	3,557,778	222,110	
8						
9	<u>Salaries, Benefits &amp; Overhead</u>					
10	Allocated Labor Costs	51070	252,302	252,302	-	
11	Allocated Overhead	62354	229,594	229,594	-	
12	Total Salaries, Benefits & Overhead		481,896	481,896	-	
13						
14	<u>Services &amp; Supplies</u>					
15	Repairs & Maintenance	61845	-	-	-	
16	Legal Fees	62359	25,000	25,000	-	
17	Professional & Special Services	62381	1,112,000	1,112,000	-	
18	Contingency/Special Exp	62856	150,000	150,000	-	
19	Construction	86110	723,500	723,500	-	
20	Total Services & Supplies		2,010,500	2,010,500	-	
21						
22			2,492,396	2,492,396	-	
23						
24	To/(From) Reserves:		843,272	1,065,382	-	

**Measure D: 5-Year Program of Projects (FY21/22-25/26)**Proposed 2/3/22*Previously updated 6/6/19, 12/5/19, 5/7/20, 6/29/20, 9/3/20, 5/6/21, 6/3/21, 8/5/21, 10/7/21.***Category: Active Transportation/MBSSST-Rail Trail (17% of Measure D Revenues)**

						Planned <sup>1</sup>					Total Measure D	2/3/22 Update
	Rail Trail Project/Program	Description	Schedule	Prior Years Spent	FY20/21 - estimated actuals <sup>2</sup>	FY21/22	FY22/23	FY23/24	FY24/25	FY25/26		
1	North Coast Segment 5	EIR & design consultants, legal, Environmental Health Services & ROW; RTC project mgmt, oversight, outreach and technical assistance	Duration of project delivery	\$1,467,599	\$951,201	<b>\$734,600</b>	\$50,000	\$0	\$0	\$0	<b>\$3,203,400</b>	Adds \$116k for staff oversight, and \$30k funds for technical assistance. Previously \$3,057,400.
1A	North Coast Segment 5: trail maintenance and operations	Ongoing maintenance of sections of trail once constructed. Includes restriping, sweeping, vegetation management, mitigations, and periodic repaving.	Once constructed	\$0	\$0	\$100,000	\$125,000	\$125,000	\$125,000	\$125,000	<b>\$600,000</b>	
1B	North Coast Seg 5: Trail construction and reserve to match grants	Funds to serve as match to grant application(s). Includes \$125k for Davenport Crosswalk.	Pending other funds- construction ready spring 2022	\$0	\$0	\$2,075,000	\$875,000	\$875,000	\$0	\$0	<b>\$3,825,000</b>	
2	Segment 7: Natural Bridges to Bay/California (Phase I), Bay/Californiat to Wharf (Phase II), City of Santa Cruz (SC) lead	Allocation to City of Santa Cruz for Segment 7 rail trail	Phase I: 2020; Phase II: start 2022	\$0	\$0	\$2,100,000	\$0	\$0	\$0	\$0	<b>\$2,100,000</b>	
2A	Segment 7: Oversight and technical assistance	RTC project management, oversight, outreach and technical assistance (consultants, legal, Environmental Health Services & ROW)	Duration of project delivery	\$173,769	\$43,375	\$40,000	\$35,000	\$0	\$0	\$0	<b>\$292,144</b>	
3	Seg 8: San Lorenzo River trestle widening, City of Santa Cruz	Allocation to City of SC for widening of existing walkway on the existing railroad bridge over San Lorenzo River near Boardwalk	Completed June 2019	\$500,000	\$0	\$0	\$0	\$0	\$0	\$0	<b>\$500,000</b>	
3A	Segment 8: Oversight and technical assistance	RTC project management, oversight, outreach and technical assistance (consultants, legal, Environmental Health Services & ROW)	done	\$7,149	\$0	\$0	\$0	\$0	\$0	\$0	<b>\$7,149</b>	
4	Seg 8/9: SC Wharf to 17th Ave., City of SC lead (partnership with County)	Allocation to City of SC: \$2M set aside to serve as match for construction grants. Joint project with County.	Est. 2023	\$0	\$0	\$0	-->	\$2,000,000	\$0	\$0	<b>\$2,000,000</b>	
4A	Segment 8/9: Oversight and technical assistance	RTC project management, oversight, outreach and technical assistance (consultants, legal, Environmental Health Services & ROW)	Duration of project delivery	\$13,140	\$16,797	\$48,685	\$40,000	\$40,000	\$26,860	\$0	<b>\$185,481</b>	
5	Trail maintenance and operations in Santa Cruz	Ongoing maintenance. Includes restriping, sweeping, vegetation management, mitigations, and periodic repaving.	ongoing	\$0	\$0	\$45,000	\$60,000	\$60,000	\$60,000	\$60,000	<b>\$285,000</b>	

	Rail Trail Project/Program	Description	Schedule	Prior Years Spent	FY20/21 - estimated actuals <sup>2</sup>	FY21/22	FY22/23	FY23/24	FY24/25	FY25/26	Total Measure D	2/3/22 Update
6	Segment 10-11: Segment 10 (17th-47th/Jade St. park), Seg 11 (Monterey to St. Park Dr)	Allocation to County DPW for planning, environmental review, design, and right of way. County led project.	PA/ED started 2020	\$0	\$254,722	\$2,495,278	\$1,250,000	\$0	\$0	\$0	\$4,000,000	
6A	Segment 10-11 Oversight and technical assistance	RTC project mgmt, oversight, outreach and technical assistance (consultants, legal, Environmental Health Services & ROW)	Duration of project delivery	\$28,591	\$28,492	\$55,000	\$55,000	\$55,000	\$55,000	\$35,000	\$312,083	
6B	Capitola Trestle Railroad Bridge Interim Trail analysis	Analysis of feasibility for building a trail on the bridge through Capitola Village and over Soquel Creek.	Expect to complete in FY21/22	\$0	\$0	\$50,000					\$50,000	
7	Segment 18: Ohlone to slough trail (Phase I), Remainder Lee to Walker (Phase II), City of Watsonville lead	Allocation to City of Watsonville for trail construction.	Ph. 1 completed 2021; est. Phase 2 start FY22/23	\$0	\$0	\$150,000	\$933,333	\$933,333	\$933,333	\$0	\$2,950,000	
7A	Segment 18: Oversight and technical assistance	RTC project management, oversight, outreach and technical assistance (consultants, legal, Environmental Health Services & ROW)	Duration of project delivery	\$85,215	\$19,245	\$20,000	\$14,000	\$10,425	\$10,000	\$0	\$158,885	
8	Trail maintenance and operations in Watsonville	Ongoing maintenance. Includes restriping, sweeping, vegetation management, mitigations, and periodic repaving.	ongoing	\$0	\$0	\$10,000	\$11,000	\$11,000	\$11,000	\$11,000	\$54,000	
9	Capitola Trail: City Hall to Monterey Ave	RTC project management, oversight, outreach and technical assistance (consultants, legal, Environmental Health Services & ROW)	Construction timing TBD	\$1,087	\$707	\$13,207	\$0	\$0	\$0	\$0	\$15,000	
10	Santa Cruz County Regional Conservation Investment Strategy - Grant match	Match to Wildlife Conservation Board grant for early mitigation planning for transportation projects.	FY19/20-FY21/22	\$5,533	\$5,849	\$5,958	\$0	\$0	\$0	\$0	\$17,340	
11	Ongoing oversight, coordination, and assistance, including on development of future trail sections	Includes RTC staff and consultants work related to overall trail planning, surveys, soil investigations, Environmental Health (EHS), legal, stakeholder coordination, response to public comments, and development of future projects/grant applications	ongoing	\$648,986	\$262,804	\$245,000	\$220,000	\$220,000	\$220,000	\$220,000	\$2,036,791	
12	Corridor encroachments & maintenance	Ongoing corridor maintenance, including vegetation, tree removal, trash, graffiti, drainage, encroachments, storm damage repairs outside of what is required for railroad operations. <u>Includes RTC staff time and contracts.</u>	ongoing	\$390,685	\$806,237	\$1,496,588	\$994,550	\$605,800	\$605,000	\$605,000	\$5,503,861	
Estimated 5-Year Measure D Expenditures				\$3,321,755	\$2,389,428	\$9,684,316	\$4,662,883	\$4,935,558	\$2,046,193	\$1,056,000	\$28,096,134	

1- Funds may be shifted between years based on actual expenditures/use rates when sufficient cash capacity exists.

2- FY20/21 actuals and carryover to FY21/22+ to be adjusted based on audited actuals. Shown here are preliminary estimates.



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# CALIFORNIA FORECAST

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**Overview:** Common economic influences across the following tax generating groups include ongoing COVID pandemic impacts such as supply chain disruptions, manufacturing slowdowns and employment shortages. Further, our forecast incorporates higher labor and raw material costs along with inflationary pressures that drive taxable goods prices upward now and through the next fiscal year.

2021/22 | 2022/23

**Autos/Transportation**

7.7% | 4.1%

A strong demand dynamic boosted the cost of new cars by 10% and used cars by 26%. Consumers with money traded up, buying more expensive luxury brands. The higher per vehicle amounts more than offset the reported 13% third quarter drop in U.S. manufacturer new vehicle volumes. It is quite a contrast to a 15.6% jump in overall taxable receipts. Available inventory, while still expected to be constrained through 2022, is loosening slightly. Tax revenue from this category should exceed its long-term trend rate of growth in the year ahead.

**Building/Construction**

5.4% | 0.5%

Lumber prices slumped between late May and August but shot up again in September due to commodity availability issues. Retailers are trying to absorb these costs as contractors are already passing along these surges to project owners. Prices should remain high through mid-2022. Third quarter construction values reported a 14% drop. Fourth quarter permit activity shows office development is picking up while Bay Area construction starts are growing. Prior wildfire damage is being addressed by short-term repairs and recent heavy rains should intensify demand for needed materials. This forecast retains a 2022 flattening of tax generation followed by moderate growth thereafter.

**Business/Industry**

10.9% | 3.5%

Fulfillment centers heavily influenced third quarter growth through online sales and the continued shift of taxes from countywide pools to agencies with these in-state facilities. Medical/biotech increased by purchases of medical equipment, pharmaceuticals and investment in research and development. Business-to-business witnessed big gains as companies adapted to new ways of doing work. The state still struggles with pandemic-related challenges such as raw material and qualified worker shortages, but new orders and increased production pushed industrial-related receipts higher by 12%. In totality, this group is hitting pre-pandemic tax levels.

**Food/Drugs**

1.7% | 2.0%

Results from the third quarter noted a modest 1% improvement. Cannabis firms declined slightly. Consumers are increasingly savvy about how to shop for groceries and medicine as many turned to app-based solutions. This trend should continue for the foreseeable future. Investment in digitized solutions, low-cost delivery options and inventory optimization could help merchants try to hold the bottom line, offsetting price pressures brought about by greater employee compensation outlays and markedly greater cost of goods.

2021/22 | 2022/23

**Fuel/Service Stations**

30.3% | 2.0%

Demand for all fuels is much higher than one year ago. The average price of a gallon of gas reached a record level of \$4.75 per gallon as of November 2021. Diesel and jet fuel rates are reaching peak levels. More people are hitting the road to work, shop and take vacations. HdL is not anticipating a significant negative impact on the future consumption of fuel. As a result of these positive factors, strong, short-term gains are projected over the next three quarters, specifically, 50% in 4Q21, 20% in 1Q22, and 7% in 2Q22 followed by long-term annual escalations of 2%.

**General Consumer Goods**

11.5% | 1.8%

Retailers throughout California are reporting strong sales figures into the second half of 2021. Concerns related to COVID case rates do not seem to be impacting consumer's ability and willingness to spend at retail establishments. Short-term expectations remain elevated, driven by higher customer charges and solid household fundamentals. The outlook for place-of-sale transactions should be subdued as behavior and technology shift more to e-commerce. Merchandise price points begin to affect demand in 2022. The cost of taxable goods is expected to rise faster than sales. Tax receipts could revert to the conventional growth rates of 1-2%.

**Restaurants/Hotels**

32.9% | 5.2%

When measured against 2019's same period, 2021 third quarter overall collections rose 0.5%. Increased menu prices, the resumption of inbound international tourists and an uptick in business travel will keep the growth rate high for 2021/22. Recent results from hotels and entertainment venues demonstrate consumer desire to travel and spend more. Quick-service and casual dining establishments are the dominant tax-producing segments, and this won't change anytime soon. Looking ahead, rates of growth will likely vary significantly by region.

**State and County Pools**

4.6% | 6.5%

2021 year-to-date collections reflected that 42% came from marketplace facilitators and general retailers, another third from business-industry companies and 11% from vehicle acquisitions (primarily private-party sales processed through the DMV). These ratios should not alter much going forward and are inclusive of taxes reallocated to fulfillment centers. Aligned with recent national trends, the rate of e-commerce growth has slowed. Sellers of all kinds have boosted prices to address economic challenges. Forecasts going forward will capture percentage gains that pattern historical trends.

Proposition 172 projections vary from statewide Bradley-Burns calculations due to the state's utilization of differing collection periods in its allocations to counties. HdL forecasts a statewide increase of 12.3% for Fiscal Year 2021/22 and 3.1% for 2022/2023.



2021/22 | 2022/23



## U.S. Real GDP Growth

3.0% | 2.0%

The real U.S. GDP growth rate in the 3rd quarter came in at 2.1% (seasonally adjusted annualized). In a normal year, this would be applauded as a solid growth trend. In the wake of the pandemic recession, these metrics have disappointed some economists and analysts – and set off calls to continue, or at least slow the reduction of, various Federal government stimulus programs. These reactions are based on a simplistic vision of what an economic “recovery” is. When considered more fully, it’s clear that not only has the U.S. economy recovered from the effects of the pandemic but looks like it’s becoming dangerously overheated. Beacon believes it is time to withdraw public stimulative efforts to prevent more harm than good to the next economic expansion. After the snap back from the depths of the recession, GDP growth will normalize over the next two years.



## CA Residential Building Permits

120,665 | 125,170

As of October 2021, there was 1.8 months’ worth of housing inventory available on the market in California. Inventory refers to the number of months it would take for all the current homes for sale on the market to sell. A healthy housing market usually has approximately six months of inventory. In the year prior to the pandemic, there was more than 3.5 months of housing inventory in the state. The pandemic has exposed and accelerated pre-existing housing supply constraints which can only be solved by more supply or a weaker consumer.



## CA Median Existing Home Price

\$662,170 | \$680,881

In the third quarter of 2021, the median home price in California was up 17% compared to one year earlier. With mortgage rates at historic lows, coupled with healthy consumers, limited housing inventories have led to a surge in prices. In the short-term, the only relief from higher home prices could come from higher interest rates. In the longer-term, more supply is the key to relieving upward pressure on prices in the state.

2021/22 | 2022/23



## U.S. Unemployment Rate

4.3% | 3.9%

The nation added 210,000 jobs in November as the unemployment rate fell to 4.2%. This figure is elevated compared to pre-pandemic levels but is low by historical standards. The real problem in today’s labor market is the 3-million-person decrease in the U.S. labor force, which has occurred over the last eighteen months. While unemployment typically rises in a downturn, the labor force does not typically decline. The current contraction has been driven primarily by retiring baby boomers. Record job openings indicate that there are ample opportunities for workers, and that labor shortages are the fundamental constraint on employment expansion.



## CA Unemployment Rate

6.0% | 5.2%

The elevated unemployment rate is one of the most striking features of California’s recovery. In October 2021, the state’s unemployment rate stood at 7.3%, compared to 4.6% nationally. Prior to the pandemic, the state’s unemployment rate was 4.1%. The difference between the state and the nation is chiefly due to the jobs recovery that has occurred since the depths of the pandemic fallout. Early in the pandemic, some speculated that California’s safeguards against the pandemic, such as constraints on business activity, which were stricter than in other states, accounted for the state’s relatively severe job losses. However, capacity limits and distancing requirements have been removed for months. Currently, labor supply issues are the biggest constraint on employment expansion.



## CA Total Nonfarm Employment Growth

-2.1% | -0.5%

While California added jobs at a healthy rate in 2021, as of November 2021, there were 825,800 fewer people employed in the state than in pre-pandemic February 2020. Total nonfarm employment in California has contracted 4.7% since that time compared to a 2.6% drop nationally. The state’s labor force, defined as the population of workers who hold a job plus those looking for work, is still 414,700 workers lower than the pre-pandemic peak. While rising wages should draw workers back into the labor force, challenges including slow housing supply growth and recent constraints on international migration, pose difficulties to labor force expansion in the state.



Scan to view the HdL Consensus Forecast 3Q21 webinar recording.





# HdL<sup>®</sup> Companies

888.861.0220 | [solutions@hdlcompanies.com](mailto:solutions@hdlcompanies.com) | [hdlcompanies.com](http://hdlcompanies.com)

## HdL Companies

714.879.5000 | [solutions@hdlcompanies.com](mailto:solutions@hdlcompanies.com) | [hdlcompanies.com](http://hdlcompanies.com)

California's allocation data trails actual sales activity by three to six months. HdL compensates for the lack of current information by reviewing the latest reports, statistics and perspectives from fifty or more economists, analysts and trade associations to reach a consensus on probable trends for coming quarters. The forecast is used to help project revenues based on statewide formulas and for reference in tailoring sales tax estimates appropriate to each client's specific demographics, tax base and regional trends.

## Beacon Economics LLC

310.571.3399 | [BeaconEcon.com](http://BeaconEcon.com)

Beacon Economics has proven to be one of the most thorough and accurate economic research/analytical forecasting firms in the country. Their evaluation of the key drivers impacting local economies and tax revenues provides additional perspective to HdL's quarterly consensus updates. The collaboration and sharing of information between Beacon and HdL helps both companies enhance the accuracy of the work that they perform for their respective clients.

# SCCRTC - MEASURE D

## SALES TAX UPDATE

### (JULY - SEPTEMBER) FY2021-22 Q1



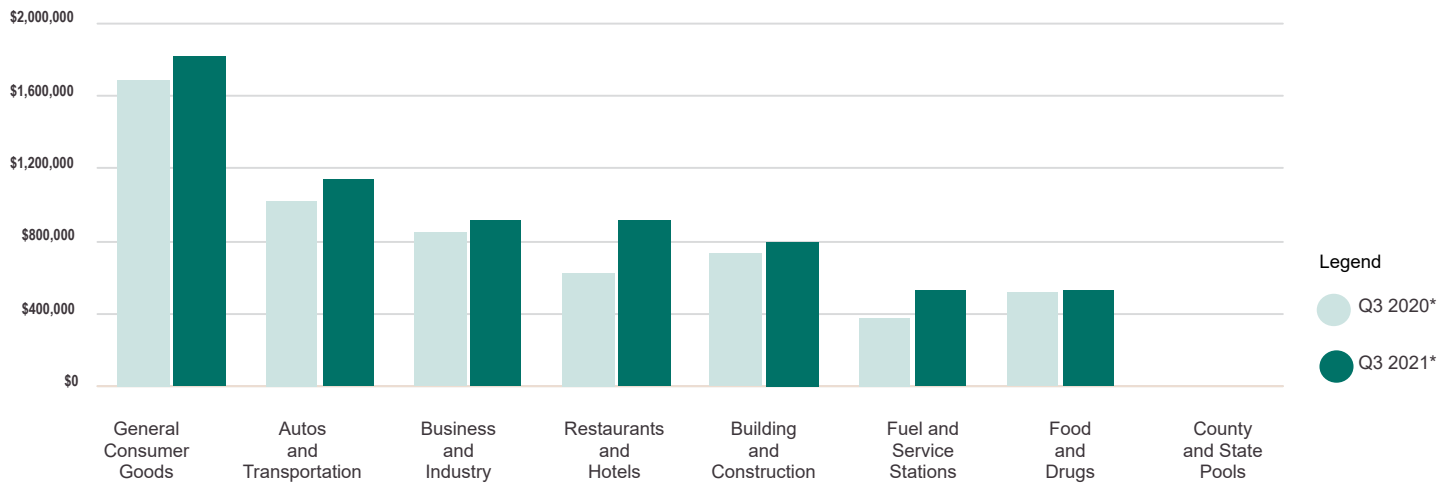
#### SCCRTC MEASURE D

TOTAL: \$ 6,715,760

14.5%  
3Q202118.2%  
STATE

\*Allocation aberrations have been adjusted to reflect sales activity

#### SALES TAX BY MAJOR BUSINESS GROUP



#### SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION - SCCRTC HIGHLIGHTS

The Santa Cruz County Regional Transportation Commission's district tax receipts from July through September were 15% above the third sales period in 2020. After adjusting for late/deferred payments and other reporting adjustments, receipts for the period were up 14.5%. All major sales tax groups posted positive gains.

Third quarter of 2021 continued an overall rebound and high consumer confidence. Once again general consumer goods boomed, especially apparel and department store sales – reflecting a return to in-store shopping as people felt safer with the roll-out of vaccines. Keeping pace with statewide trends, the agency's outlays for

transportation generated an 11.5% gain, as people snapped up remaining new and used car inventories. Home improvement projects and construction activity drove strong building-construction results.

The restaurant-hotel group generated the largest growth at 46.6%, with casual dining and leisure/entertainment roaring back as people once again enjoyed getting out of the house for food and fun. Similarly, service station revenues spiked as the combination of higher gas prices and increased travel propelled receipts back to pre-pandemic levels.

Net of aberrations, taxable sales for all of Santa Cruz County grew 11.7% over the comparable time period; the Central Coast region was up 16.5%.

#### TOP NON-CONFIDENTIAL BUSINESS TYPES

Santa Cruz County Regional Transportation Commission - SCCRTC				HdL State	
Business Type	Q3 '21*	Change		Change	
New Motor Vehicle Dealers	615.2	13.8%	↑	18.9%	↑
Casual Dining	494.8	50.2%	↑	68.4%	↑
Building Materials	489.6	0.7%	↑	5.4%	↑
Service Stations	470.0	36.5%	↑	53.4%	↑
General Merchandise	453.6	2.0%	↑	91.6%	↑
Discount Dept Stores	307.9	11.0%	↑	12.7%	↑
Quick-Service Restaurants	230.7	24.4%	↑	13.5%	↑
Used Automotive Dealers	224.6	11.1%	↑	16.5%	↑
Grocery Stores	212.0	0.5%	↑	-0.2%	↓
Contractors	196.5	28.1%	↑	12.2%	↑

\*Allocation aberrations have been adjusted to reflect sales activity

\*In thousands of dollars



## STATEWIDE RESULTS

Local one cent sales and use tax receipts for sales occurring July through September were 18% higher than the same quarter one year ago after adjusting for accounting anomalies and back payments from previous quarters. These aberrations had been much greater than normal in the last two years as the Governor's Executive Orders allowed businesses to defer some sales tax payments as a supportive measure during the pandemic. This program has now expired, and merchant remittances are more consistent, making cash receipts more reflective of underlying economic activity.

The prior year comparison quarter was the start of the pandemic recovery, and the strong growth enjoyed since continued with the recent results.

Surprisingly, one of the stronger sectors has been restaurants and hotels. Originally forecasted to take an extended amount of time to recover, statewide sales tax generated during the summer months exceeded amounts from pre-pandemic 2019. Even with the availability of indoor and outdoor dining, pent up

demand resulted in long wait times to enjoy local culinary experiences. When combined with increasing restaurant tabs as the cost of food and staff wages surge, sales tax remittances are expected to continue growing. Additionally, while the industry awaits the return of foreign tourism in metropolitan areas, strong domestic travel has helped varied regions around the state especially Southern California and the Central Coast.

Receipts from general consumer goods marked a steady recovery, led by apparel retailers, jewelry, electronic/appliance and specialty outlets. Discount department stores, especially those selling gas, helped exemplify the strength of brick-and-mortar merchants. Gains from the countywide use tax pools however, slowed to 2% compared to the high-water mark last year, which had been boosted by new tax collecting requirements imposed under AB 147 for online retailers. All things considered, when combined with positive economic trends, these are a welcome sign leading up to the holiday shopping period.

Although car dealers had expressed

concerns about inventory shortages due to supply chain disruptions and computer chip shortages earlier in the year, the sale of new and used vehicles posted solid gains regardless. Higher property values and good weather contributed to strong building materials and contractor returns. As commuting workers and travelers returned to the road with increased gas prices, fuel and service stations also experienced a dramatic recovery.

Overall growth is expected to continue through the end of the 2021 calendar year. Possible headwinds into 2022 include: pent up demand for travel and experiences shifting spending away from taxable goods; higher prices for fuel, merchandise and services displacing more of consumer's disposable income; and expected interest rate hikes resulting in more costly financing for automobiles, homes, and consumer loans.

## MAJOR BUSINESS GROUP TRENDS BY COUNTY

Percent Change from 3rd Quarter 2020 \*

	Autos/Tran.	Bldg/Const	Bus/ind.	Food/Drug	Fuel	Cons. Goods	Restaurants
<b>Monterey Co.</b>	14.7%	9.0%	-2.2%	-0.5%	30.5%	30.5%	65.8%
<b>San Benito Co.</b>	-14.1%	-3.5%	19.7%	2.7%	40.4%	11.2%	20.5%
<b>San Luis Obispo Co.</b>	9.7%	16.0%	14.1%	2.4%	42.7%	10.4%	33.2%
<b>Santa Barbara Co.</b>	19.3%	15.0%	11.3%	3.6%	59.6%	22.4%	42.2%
<b>Santa Cruz Co.</b>	-0.2%	5.5%	7.3%	2.0%	42.2%	17.4%	47.0%



# SANTA CRUZ COUNTY MEASURE D

## EXTENDED TRANSACTIONS AND USE TAX BUDGET ESTIMATE

Industry Group	FY 2020-21	FY 2021-22		FY 2022-23		FY 2023-24		FY 2024-25		FY 2025-26		FY 2026-27	
	Actuals	Projection	%	Projection	%	Projection	%	Projection	%	Projection	%	Projection	%
Autos & Transportation	4,412,497	4,480,465	1.5%	4,614,363	3.0%	4,752,794	3.0%	4,847,850	2.0%	4,944,807	2.0%	5,043,703	2.0%
Building & Construction	2,903,123	2,974,948	2.5%	2,953,294	-0.7%	3,071,426	4.0%	3,194,283	4.0%	3,322,054	4.0%	3,488,157	5.0%
Business & Industry	3,446,737	3,629,126	5.3%	3,704,557	2.1%	3,815,694	3.0%	3,930,165	3.0%	4,048,069	3.0%	4,169,512	3.0%
Food & Drugs	2,138,823	2,166,228	1.3%	2,194,267	1.3%	2,238,153	2.0%	2,282,916	2.0%	2,328,574	2.0%	2,375,146	2.0%
Fuel & Service Stations	1,632,436	1,938,126	18.7%	1,947,145	0.5%	1,986,088	2.0%	2,025,810	2.0%	2,066,326	2.0%	2,107,653	2.0%
General Consumer Goods	7,230,801	7,620,366	5.4%	7,734,602	1.5%	7,811,948	1.0%	7,890,068	1.0%	7,968,968	1.0%	8,128,348	2.0%
Restaurants & Hotels	2,763,394	3,500,362	26.7%	3,660,427	4.6%	3,843,448	5.0%	4,035,621	5.0%	4,156,689	3.0%	4,281,390	3.0%
Transfers & Unidentified	330,921	378,305	14.3%	378,305	0.0%	378,305	0.0%	378,305	0.0%	378,305	0.0%	378,305	0.0%
Total	24,858,732	26,687,926	7.4%	27,186,961	1.9%	27,897,856	2.6%	28,585,016	2.5%	29,213,793	2.2%	29,972,212	2.6%
Administration Cost	(183,470)	(280,107)		(312,650)		(320,825)		(328,728)		(335,959)		(344,680)	
Total	24,675,262	26,407,819	7.0%	26,874,311	1.8%	27,577,030	2.6%	28,256,288	2.5%	28,877,835	2.2%	29,627,532	2.6%
With Accrual	24,675,262	26,407,819	7.0%	26,874,311	1.8%	27,577,030	2.6%	28,256,288	2.5%	28,877,835	2.2%	29,627,532	2.6%

\*Estimate is on an accrual basis (allocations for sales through June)

**SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION  
TDA REVENUE REPORT  
FY 2021/2022**

<b>MONTH</b>	<b>FY20 - 21 ACTUAL REVENUE</b>	<b>FY21 - 22 ESTIMATE REVENUE</b>	<b>FY21 - 22 ACTUAL REVENUE</b>	<b>DIFFERENCE</b>	<b>DIFFERENCE AS % OF PROJECTION</b>	<b>CUMULATIVE % OF ACTUAL TO PROJECTION</b>
JULY	1,016,646	954,838	1,180,089	225,250	23.59%	123.59%
AUGUST	748,355	702,858	947,834	244,976	34.85%	128.37%
SEPTEMBER	932,896	876,180	1,008,451	132,271	15.10%	123.78%
OCTOBER	1,164,146	1,093,371	1,242,981	149,609	13.68%	120.73%
NOVEMBER	670,297	629,546	835,454	205,908	32.71%	122.51%
DECEMBER	866,405	813,731	1,015,997	202,266	24.86%	122.88%
JANUARY	898,170	843,565	990,616	147,051	17.43%	122.11%
FEBRUARY	1,074,000	1,008,706				
MARCH	741,758	696,663				
APRIL	891,479	837,281				
MAY	821,015	771,101				
JUNE	908,248	853,031				
<b>TOTAL</b>	<b>10,733,415</b>	<b>10,080,871</b>	<b>7,221,422</b>	<b>1,307,332</b>	<b>12.97%</b>	<b>72%</b>

**Note:**

I:\FISCAL\TDA\MonthlyReceipts\FY2022\[FY2022 TDA Receipts.xlsx]FY2022



**SCCRTC  
TRANSPORTATION TAX REGIONAL TRANSPORTATION FUND (TTRTF) - MEASURE D  
SUMMARY OF REVENUE ALLOCATION BY MONTH  
FY2022 ENDING JUNE 30, 2022**

	KEY/OBJECT	RATE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	O/H ADJUST	JANUARY	TOTAL	YEAR END ADJUSTMENT	ADJUSTED TOTAL
GROSS	729000/40186		2,649,497.47	2,239,834.59	2,210,354.12	2,644,849.94	2,146,060.56	2,139,182.14	0.00	2,060,127.88	16,089,906.70	0.00	16,089,906.70
BOE FEES			-	(53,710.00)	-	-	(53,710.00)	-	-	-	(107,420.00)	-	(107,420.00)
<b>NET</b>			<b>2,649,497.47</b>	<b>2,186,124.59</b>	<b>2,210,354.12</b>	<b>2,644,849.94</b>	<b>2,092,350.56</b>	<b>2,139,182.14</b>	<b>0.00</b>	<b>2,060,127.88</b>	<b>15,982,486.70</b>	<b>0.00</b>	<b>15,982,486.70</b>
<b>ADMINISTRATION &amp; IMPLEMENTATION - 729100/75381</b>													
ADMINISTRATION - SALARIES & BENEFITS		1%	26,494.97	21,861.25	22,103.54	26,448.50	20,923.51	21,391.82	0.00	20,601.28	159,824.87	0.00	159,824.87
O/H ADMIN			24,110.43	19,893.73	20,114.22	24,068.13	26,154.38	26,739.78	0.00	25,751.60	166,832.27	0.00	166,832.27
SALARIES & O/H IMPLEME& OVERSIGHT			13,056.25	6,835.75	6,835.75	6,835.75	13,056.25	6,835.75	0.00	6,835.75	60,291.25	0.00	60,291.25
SERVICES & SUPPLIES			6,666.67	4,944.44	4,944.44	4,944.44	4,944.44	4,944.44	0.00	4,944.44	36,333.33	0.00	36,333.33
<b>Subtotal</b>			<b>70,328.32</b>	<b>53,535.17</b>	<b>53,997.96</b>	<b>62,296.83</b>	<b>65,078.58</b>	<b>59,911.79</b>	<b>0.00</b>	<b>58,133.07</b>	<b>423,281.73</b>	<b>0.00</b>	<b>423,281.73</b>
<b>TO DISTRIBUTE TO INVESTMENT CATEGORIES</b>			<b>2,579,169.15</b>	<b>2,132,589.42</b>	<b>2,156,356.16</b>	<b>2,582,553.11</b>	<b>2,027,271.98</b>	<b>2,079,270.35</b>	<b>-</b>	<b>2,001,994.81</b>	<b>15,559,204.97</b>	<b>-</b>	<b>15,559,204.97</b>
<b>1. NEIGHBORHOOD - 729200/75382</b>		30%	773,750.75	639,776.82	646,906.85	774,765.93	608,181.59	623,781.10	-	600,598.44	4,667,761.49	-	4,667,761.49
SLV SR9		Fixed \$	27,777.78	27,777.78	27,777.78	27,777.78	27,777.78	27,777.78	0.00	27,777.78	194,444.44	0.00	194,444.44
HWY 17 Wildlife		Fixed \$	13,888.89	13,888.89	13,888.89	13,888.89	13,888.89	13,888.89	0.00	13,888.89	97,222.22	0.00	97,222.22
			<b>41,666.67</b>	<b>41,666.67</b>	<b>41,666.67</b>	<b>41,666.67</b>	<b>41,666.67</b>	<b>41,666.67</b>	<b>0.00</b>	<b>41,666.67</b>	<b>291,666.67</b>	<b>0.00</b>	<b>291,666.67</b>
City of Capitola - V100207		5.0878%	37,246.67	30,430.40	30,793.16	37,298.32	28,822.91	29,616.57	-	28,437.10	222,645.12	-	222,645.12
City of Santa Cruz - V110467		22.5429%	165,033.15	134,831.51	136,438.83	165,262.01	127,709.03	131,225.61	-	125,999.56	986,499.70	-	986,499.70
City of Scotts Valley - V102713		4.8626%	35,598.30	29,083.69	29,430.40	35,647.67	27,547.34	28,305.88	-	27,178.60	212,791.89	-	212,791.89
City of Watsonville - V1728		15.4078%	112,798.40	92,155.90	93,254.49	112,954.82	87,287.76	89,691.31	-	86,119.36	674,262.03	-	674,262.03
County of Santa Cruz		52.0989%	381,407.55	311,608.65	315,323.31	381,936.46	295,147.89	303,275.06	-	291,197.16	2,279,896.08	-	2,279,896.08
		100%	<b>732,084.08</b>	<b>598,110.16</b>	<b>605,240.18</b>	<b>733,099.27</b>	<b>566,514.93</b>	<b>582,114.44</b>	<b>0.00</b>	<b>558,931.78</b>	<b>4,376,094.83</b>	<b>0.00</b>	<b>4,376,094.83</b>
<b>2. HWY Corridors - 729300/75383</b>		25%	644,792.29	533,147.35	539,089.04	645,638.28	506,817.99	519,817.59	-	500,498.70	3,889,801.24	-	3,889,801.24
<b>3. TRANSIT/PARATRANSIT - 729400/75384</b>		20%	515,833.83	426,517.88	431,271.23	516,510.62	405,454.40	415,854.07	-	400,398.96	3,111,840.99	-	3,111,840.99
Santa Cruz Metro (SCMTD) 16%		80%	412,667.06	341,214.31	345,016.99	413,208.50	324,363.52	332,683.26	-	320,319.17	2,489,472.80	-	2,489,472.80
Community Bridges - V127587 - 4%		20%	103,166.77	85,303.58	86,254.25	103,302.12	81,090.88	83,170.81	-	80,079.79	622,368.20	-	622,368.20
<b>4. ACTIVE TRANSPORTATION - 729500/75385</b>		17%	438,458.76	362,540.20	366,580.55	439,034.03	344,636.24	353,475.96	-	340,339.12	2,645,064.85	-	2,645,064.85
<b>5. RAIL CORRIDOR - 729600/75386</b>		8%	206,333.53	170,607.15	172,508.49	206,604.25	162,181.76	166,341.63	-	160,159.58	1,244,736.40	-	1,244,736.40
<b>DISTRIBUTED TO INVESTMENT CATEGORIES</b>		100%	<b>2,579,169.15</b>	<b>2,132,589.42</b>	<b>2,156,356.16</b>	<b>2,582,553.11</b>	<b>2,027,271.98</b>	<b>2,079,270.35</b>	<b>-</b>	<b>2,001,994.81</b>	<b>15,559,204.97</b>	<b>-</b>	<b>15,559,204.97</b>
<b>TOTAL ADMIN &amp; IMPEM AND INVESTMENT CATEGORIES</b>			<b>2,649,497.47</b>	<b>2,186,124.59</b>	<b>2,210,354.12</b>	<b>2,644,849.94</b>	<b>2,092,350.56</b>	<b>2,139,182.14</b>	<b>0.00</b>	<b>2,060,127.88</b>	<b>15,982,486.70</b>	<b>0.00</b>	<b>15,982,486.70</b>

I:\FISCAL\Measure D\Distribution To Investment Category\FY2022\FY2022 07 January 2022 Measure D Distribution.xlsx\Summary

**AGENDA:** February 3, 2022

**TO:** Santa Cruz County Regional Transportation Commission

**FROM:** Yesenia Parra, Administrative Services Officer

**RE:** Agreement for Technical Computer Services

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## **RECOMMENDATIONS**

Staff recommends that the Regional Transportation Commission (RTC) approve the attached resolution (Attachment 1) authorizing the Executive Director to amend the contract for technical support services with User Friendly Computing to include an additional \$50,000 to cover services for FY21-2022 and FY22-2023, and to extend the contract term to June 30, 2023 for a total not to exceed \$100, 000.

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## **BACKGROUND**

User Friendly Computing has been serving as the RTC's Technical Computer Service consultant since 2009. User Friendly has provided great service on day-to-day needs as well as on several important projects including the move to Office 365, upgrading existing services, and installation of a new network system in the new RTC office.

## **DISCUSSION**

The RTC does not have an in-house dedicated staff for technical support. The Administrative Services Officer is assigned to assist with minor day-to-day technical needs but a consultant is required for all other RTC technical needs. User Friendly has proven, over the last several years that they have the skills outlined in their contract to continue to provide the technical services needed by the RTC. RTC staff is very satisfied with the technical support.

User Friendly has done an outstanding job in handling emergencies, repairs, maintenance, and installations for the RTC with minimal or no disruption to the RTC activities and staff productivity. User Friendly ensured that the move to remote work was done seamlessly and that staff continues to have the necessary connectivity to work in a continued hybrid mode. User Friendly Computing's rates are comparable to other local vendors. Overall staff is very satisfied with their service; therefore, **Staff recommends that the Commission continue its contract with User Friendly Computing for**

**ongoing technical computer support.**

### **FISCAL IMPACT**

The scope of work to be done and associated cost are consistent with the approved RTC budget for FY21-2022. The budget to be proposed for FY22-2023 is anticipated to include the budget necessary for services associated with maintaining the RTC computer resources functioning as necessary to ensure the continuation of the RTC's work with no or minimal interruptions.

### **SUMMARY**

User Friendly Computing has served as the RTC's Technical Services Consultant for the past several years. Staff is very satisfied with the technical support they have provided, therefore; **staff recommends that the Commission continue its contract with User Friendly Computing for ongoing technical computer support.** The attached resolution (**Attachment 1**) implements this continuation. There are adequate funds in the Commission's FY21-2022 budget and the approved proposed FY22-023 budget for this expense.

#### Attachments:

1. Resolution

RESOLUTION NO.

Adopted by the Santa Cruz County Regional Transportation Commission  
on the date of February 3, 2022  
on the motion of Commissioner  
duly seconded by Commissioner

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE CONTRACT WITH  
USER FRIENDLY COMPUTING FOR NETWORK, COMPUTER, AND HELP DESK SUPPORT  
TO INCREASE THE CONTRACT VALUE BY \$50,000 AND TO EXTEND THE DURATION OF THE  
CONTRACT TO JUNE 30, 2023

WHEREAS the Santa Cruz County Regional Transportation Commission (SCCRTC) entered into a contract on January 10, 2020, with User Friendly Computing to provide network, computer, and help desk support ; and

WHEREAS, the Regional Transportation Commission relies on outside technical and computer support services to maintain and manage its computer system; and,

WHEREAS the current contract amount was for a total of \$50,000 for FY20-2021 and expires on June 30, 2023; and,

WHEREAS, the Santa Cruz County Regional Transportation Commission budgeted funds for ongoing technical and computer support services during FY2022-FY2023 adequately cover the consultant services cost;

BE IT RESOLVED BY THE Santa Cruz COUNTY REGIONAL TRANSPORTATION COMMISSION:

1. The Executive Director is authorized to execute a Contract Amendment with User Friendly Computing to increase the current contract value by \$50,000 for a total amount not to exceed \$100,000;
2. The Executive Director is authorized to extend the current contract to end on June 30, 2023; and
3. The Executive Director is authorized to extend the term of the contract, negotiate, and execute amendments to the agreement provided that the amendments are within the intended scope and within the adopted RTC budget.

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

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Sandy Brown, Chair

ATTEST:

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Guy Preston, Secretary

Distribution: Administrative Services Officer  
User Friendly Computing

**AGENDA:** February 03, 2022

**TO:** Santa Cruz County Regional Transportation Commission  
**FROM:** Luis Pavel Mendez, Deputy Director  
**RE:** Assembly Bill 361 Findings for Virtual and Hybrid Meetings

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## **RECOMMENDATIONS**

Staff recommends that the Regional Transportation Commission (RTC) find that:

1. The RTC has reconsidered the circumstances of the current COVID-19 state of emergency; and
  2. The state of emergency continues to directly impact the ability of the members of the RTC, its committees, its staff and the public to meet safely in person; and
  3. State or local officials continue to impose and recommend measures to promote social distancing; and
  4. Therefore, meetings of the RTC will continue to be held in a hybrid or virtual format via Zoom and meetings of RTC committees will be held virtually via Zoom.
- 

## **BACKGROUND**

In March 2020, due to the COVID-19 pandemic, Governor Newsom declared a state of emergency which remains in effect. The Governor also issued executive orders suspending several provisions of the Brown Act to ensure that the work of government agencies could continue with virtual meetings to reduce the risk of spreading COVID-19. The executive orders suspending the Brown Act provisions expired on September 30, 2021. AB 361 was signed into law and took effect on October 1, 2021, which allows the continuation of virtual meetings as long as the declared state of emergency continues and required findings are made by local agencies.

## **DISCUSSION**

Unfortunately, the COVID-19 pandemic continues; therefore, the RTC has been making the necessary AB361 findings at its meetings since November 2021 to continue to hold virtual meetings. The goal of the RTC is to hold RTC meetings in a hybrid format as long as the COVID-19 situation permits, and

the facilities are available for hybrid meetings. For hybrid meetings a limited number of Commissioners and members of the public may participate in person, as long as the County Board of Supervisors Chambers are available for the meeting. Everyone participating in person must wear a mask. All others will participate via Zoom. The RTC has not yet been able to hold any hybrid meetings. All of the meetings of RTC committees will continue to be virtual meetings via Zoom because conference rooms are not equipped for virtual meetings.

To continue to hold virtual and/or hybrid meetings, the RTC must continue to make findings as required in Section 54953 of the Government Code, added by AB 361, which states:

“(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

- (A) The legislative body has reconsidered the circumstances of the state of emergency.
- (B) Any of the following circumstances exist:
  - (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.
  - (ii) State or local officials continue to impose or recommend measures to promote social distancing.”

**Therefore, staff recommends that the RTC find that RTC has reconsidered the circumstances of the current COVID-19 state of emergency; the state of emergency continues to directly impact the ability of the members of the RTC, its committees, its staff and the public to meet safely in person; and state and local officials continue to impose and recommend measures to promote social distancing; and meetings of the RTC will be hybrid while meetings of committees will be virtual.**

### **30-Day Requirement for AB 361 Findings**

State law requires that findings to continue virtual and/or hybrid meetings be made every 30 days. State law also allows special virtual meetings for the sole purpose of making AB 361 findings to hold virtual and/or hybrid meetings. Therefore, on January 3, 2022, the RTC held a special meeting

solely to make AB361 findings. Commissioners directed staff to send a letter to its legislators asking that this be modified so that such additional special meetings that draw resources from other duties are not required. Staff prepared and sent the letter. RTC staff also had a follow-up virtual meeting with staff of Assembly member Robert Rivas, who authored AB 361. RTC staff learned that the original draft of AB 361 included 60-day requirement for making AB 361 finding but that was reduced to 30 days in negotiations with assembly leadership and committees due to significant concerns that were raised. Therefore, it is very unlikely that the 30-day requirement to make AB 361 findings will change any time soon. Since the bill sunsets in January 2024, as part of any efforts to extend the bill this could be modified.

This means that the RTC will need to hold special meetings specifically to make AB 361 finding as necessary. If the COVID-19 pandemic continues for the remainder of 2022 and the state of emergency remains in place, the RTC would need to hold a special meetings to make AB 361 finding in March, July and September.

### **FISCAL IMPACT**

The costs necessary to hold meetings of the RTC either as regular Brown Act meetings, virtual meetings or hybrid meetings are included in the approved RTC budget. The costs to hold Brown Act and virtual meetings of RTC committees are also included in the RTC budget. No additional fiscal impacts are anticipated for such meetings at this time. For hybrid meetings of RTC committees, it would likely be necessary to equip conference rooms accordingly, which would have additional fiscal impacts.

### **SUMMARY**

Due to the current COVID-19 pandemic, the Governor declared a state of emergency and issued executive orders to allow public agencies to hold meetings virtually. The executive orders allowing virtual meetings expired and AB 361 was signed into law to allow the continuation of virtual and/or hybrid meetings as long as the state of emergency still exists and public agencies make appropriate findings. Staff recommends that the RTC make such findings to allow virtual and/or hybrid meetings of itself and its committees.



**Santa Cruz County Regional Transportation Commission  
THREE MONTH MEETING SCHEDULE**

**February 2022 – April 2022**  
[www.sccrtc.org/meetings/](http://www.sccrtc.org/meetings/)

See agenda for teleconference log-in information. All meetings are subject to cancellation when there are no action items to be considered.

Meeting Date	Meeting Day	Meeting Type	Meeting Time	Meeting Place
02/03/22	Thursday	RTC	9:00 a.m.	<a href="#">Zoom</a>
02/07/22	Monday	Bicycle Advisory Committee [one week earlier due to holiday]	6:00 pm	Zoom
02/08/22	Tuesday	Elderly & Disabled TAC	1:30 pm	Zoom
02/17/22	Thursday	Transportation Policy Workshop	9:00 am	<a href="#">Zoom</a>
02/17/22	Thursday	ITAC	1:30 pm	Zoom
03/03/22	Thursday	RTC	9:00 am	TBD
TBD	TBD	Bicycle Advisory Committee [special meeting]	TBD	Zoom
TBD	TBD	Elderly & Disabled TAC [special meeting]	TBD	Zoom
03/10/22	Thursday	Budget & Administration/Personnel	3:00 pm	Zoom
03/16/22	Thursday	Safe on 17 – TOS	10:00 am	<a href="#">Zoom</a>
03/17/22	Thursday	ITAC	1:30 pm	Zoom
04/07/22	Thursday	RTC	9:00 am	TBD
04/11/22	Monday	Bicycle Advisory Committee	6:00 pm	Zoom
4/12/22	Tuesday	Elderly & Disabled TAC	1:30 pm	Zoom
04/14/22	Thursday	Budget & Administration/Personnel	3:00 pm	Zoom
04/21/22	Thursday	ITAC	1:30 pm	Zoom

➤ Zoom – See agenda for log-in information

TO							From			Link to full comments on topics within RTC's jurisdiction
Date Letter Rec'd/Sent	Type	Incoming/Outgoing	Response	First	Last	Organization	First	Last	Organization	Subject
01/03/22	Contact us from	Incoming	n/a	Amy	Naranjo	SCCRTC	Steve	Wiesner	Santa Cruz County PW	RTP Project Idea: Soquel Dr. Reversible Lane (Flex Lane) Feasibility Study
01/03/22	Email	Incoming	S.Munz 01.03.2022	Shannon	Munz	SCCRTC	Peter	Swartz	Resident	Chanticleer Bike/Ped Overcrossing
01/04/22	Email	Incoming	S.Munz 01.06.2022	Shannon	Munz	SCCRTC	Kim	Gunther	Resident	HWY I, Phase III improvements
01/05/22	Email	Incoming	K.Corwin 1.5.2022	Krista	Corwin	SCCRTC	Trink	Praxel	Resident	Dec '21 minutes
01/05/21	Email	Outgoing	n/a	Interested	Parties	Various	Amanda	Marino	SCCRTC	FW: FTA 5310 Call for Projects
01/05/22	Email	Incoming	Y.Parra 1.20.2022	Yesenia	Parra	SCCRTC	Christine	Otakan	Resident	RTC30SC Request for plans
01/05/22	Letter	Outgoing	n/a	Mark	Stone	CA Assembly	Sandy	Brown	SCCRTC	Teleconference Meetings - Request for Government Code Modification
01/05/22	Letter	Outgoing	n/a	Robert	Rivas	CA Assembly	Sandy	Brown	SCCRTC	Teleconference Meetings - Request for Government Code Modification
01/05/22	Email	Outgoing	n/a	John	Laird	CA Senate	Sandy	Brown	SCCRTC	Teleconference Meetings - Request for Government Code Modification
01/05/22	Letter	Outgoing	n/a	Speaker	Rendon	Capitol Office	Sandy	Brown	SCCRTC	Teleconference Meetings - Request for Government Code Modification
01/05/22	Letter	Outgoing	n/a	Senator Pro Tem	Atkins	Capitol Office	Sandy	Brown	SCCRTC	Teleconference Meetings - Request for Government Code Modification

TO							From			
Date Letter Rec'd/Sent	Type	Incoming/Outgoing	Response	First	Last	Organization	First	Last	Organization	Subject
01/06/22	Email	Incoming	K.Corwin 1.7.2022	Krista	Corwin	SCCRTC	David	Van Brink	Resident	Minor correction to Minutes of Jan 3 meeting
01/08/22	Email	Incoming	K.Corwin 1.10.2022	Krista	Corwin	SCCRTC	Bill	Gray	Resident	What are the geographical boundaries of SC Districts
01/11/22	Email	Incoming	K.Corwin 1.11.2022	Krista	Corwin	SCCRTC	David	Date	Resident	Put an end to the madness, Railbanking
01/11/22	Email	Outgoing	n/a	Interested	Parties	Various	Yesenia	Parra	SCCRTC	Request for Qualifications (RFQ) for Labor Agreement Negotiations
01/11/22	Email	Incoming	K.Corwin 1.11.2022	Krista	Corwin	SCCRTC	Scott	Roseman	Resident	Support for railbanking is sensible regardless of position
01/11/22	Email	Incoming	K.Corwin 1.11.2022	Shannon	Munz	SCCRTC	Peter	Kellison	Resident	Taxpayer oversight committee application
01/11/22	Email	Incoming	K.Corwin 1.11.2022	Krista	Corwin	SCCRTC	Peter	Stanger	Resident	railbank the rail corridor
01/11/22	Email	Incoming	K.Corwin 1.11.2022	Krista	Corwin	SCCRTC	Robert	Stephens	Resident	Rail Banking
01/11/22	Email	Incoming	K.Corwin 1.11.2022	Krista	Corwin	SCCRTC	Jack	Brown	Resident	Please support adverse abandonment, the greenway petition, and railbanking
01/11/22	Email	Incoming	K.Corwin 1.11.2022	Krista	Corwin	SCCRTC	Jonathon	Klinkman	Resident	railbank the rail corridor
01/11/22	Email	Incoming	K.Corwin 1.11.2022	Krista	Corwin	SCCRTC	Geoffrey	Smith	Resident	Please support adverse abandonment, the greenway petition, and railbanking
01/11/22	Email	Incoming	K.Corwin 1.11.2022	Krista	Corwin	SCCRTC	Casey	KirkHart	Resident	Railbanking is a necessary step
01/11/22	Email	Incoming	K.Corwin 1.11.2022	Krista	Corwin	SCCRTC	Bud	Colligan	Resident	Railbanking - the best way to protect county interests
01/11/22	Email	Incoming	K.Corwin 1.24.2022	Brianna	Goodman	SCCRTC	Trisha	Marco	Mark Thomas	RFP 2136 Question
01/13/22	Letter	Incoming	TBD	Guy	Preston	SCCRTC	Piet	Canin	Ecology Action	Request for Transportation Development Act (TDA) funds for bike programming

TO							From			
Date Letter Rec'd/Sent	Type	Incoming/Outgoing	Response	First	Last	Organization	First	Last	Organization	Subject
01/11/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Michael	Parisi	Resident	RTC - Railbanking
01/11/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Joni & Dan	Steele	Resident	PLEASE PLEASE RAILBANK OUR RAILS!!
01/13/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Enda	Brennan	Resident	Rail bank NOW
01/11/22	Letter	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Jim	Weller	Resident	Abandonment and Rail Banking
01/11/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Matthew	Milukas	Resident	Add my support for railbanking
01/11/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Dave Bartoletti	Joel Wheeler	Resident	Message to RTC: I strongly support railbanking!
01/11/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Nick	de Sieyes	Resident	please railbank our rail line!
01/11/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	David	Giannini	Resident	Importance of Railbanking
01/11/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Saladin	Sale	Resident	Adverse Abandonment of Branch Rail Line
01/13/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Caroline	Lamb	Resident	Rail - please don't abandon the rail option
01/11/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Lawrence	Kaplan	Resident	Support for railbanking
01/11/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Keith	Redfield	Resident	Railbanking Santa Cruz Branch Rail Line

## Correspondence Log (01/03/2022-01/24/2022)

RTC 02/03/2022

TO							From			
Date Letter Rec'd/Sent	Type	Incoming/ Outgoing	Response	First	Last	Organization	First	Last	Organization	Subject
01/11/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Bud	Colligan	Resident	Fwd: Railbanking
01/11/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Johanna	Lighthill	Resident	SCBRL Preservation through Railbanking
01/11/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Patrick	Mottram	Resident	Tomorrow's RTC meeting - railbank the rails
01/11/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Lisa	Sheridan	Resident	RTC Commissioners - We need factual integrity
01/11/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Jonathan	Kibrick	Resident	Public Comment to the SCCRTC board regarding the Branch Line
01/11/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Nadene	Thorne	Resident	Railbanking, etc. moving forward
01/11/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Nadene	Thorne	Resident	Railbanking, and letting the RTC do its job!
01/11/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Jim	MacKenzie	Resident	Protect and preserve the SCBRL - don't abandon and railbank it
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Bob	Fifield	Resident	Railbanking makes sense today to accommodate the endless tomorrows
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Carey	Pico	Resident	Toews v. United States, 53 Fed. Cl. 58 (2002): Railbanking and a Trail; \$400M
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Brianna	Goodman	SCCRTC	Brian	Peoples	Trail Now	Comment on item #9 (RTC 1/13/2022)
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Amy	Naranjo	SCCRTC	Brian	Peoples	Trail Now	Comment on item #20 (RTC 1/13/2022)
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Sarah	Christensen	SCCRTC	Brian	Peoples	Trail Now	Comment on item #22 (RTC 1/13/2022)

TO							From			
Date Letter Rec'd/Sent	Type	Incoming/ Outgoing	Response	First	Last	Organization	First	Last	Organization	Subject
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Dwayne	Dawson	Resident	Railbanking request
01/12/22	Email	Incoming	S.Munz 1.20.2022	Shannon	Munz	SCCRTC	Paul	Peterson	Resident	Your zoom and agenda links are not working
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Brad	Angell	Resident	RTC Action: Passenger Rail on Santa Cruz Branch Lin YES, and ASAP
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Jim	MacKenzie	Resident	Do not file for abandonment and railbank SCBRL!
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Iwalani	Faulkner	Equity Transit	Equity Transit regarding 1/13/2022 RTC Meeting, Adverse Abandonment and Allocation of future funds
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Ryan	Sarnataro	Resident	Railbanking comment for tomorrow's packet
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Ann	Kaplan	Resident	support for railbanking
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Steven	Plumb	Dominican Hospital	Railbanking the Santa Cruz County Corridor
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Johanna	Lighthill	Resident	Preservation of the rail corridor
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Rebecca	Downing	Resident	Proceed with railbanking
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Gregory	Becker	Resident	support for railbanking
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Suzi Mahler	Tim Brattan	Resident	support for railbanking
01/12/22	Email	Outgoing	n/a	Interested	Parties	Various	Shannon	Munz	SCCRTC	Overnight Closures of Highway 1 in Aptos to Take Place Next Week for Rail Bridge Repairs
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Lisa	Sheridan	Resident	Comments to RTC Commissioners

## Correspondence Log (01/03/2022-01/24/2022)

RTC 02/03/2022

TO							From			
Date Letter Rec'd/Sent	Type	Incoming/Outgoing	Response	First	Last	Organization	First	Last	Organization	Subject
01/12/22	Email	Incoming	G.Preston 1.18.2022	Guy	Preston	SCCRTC	Doug	Deaver	Aptos SIRS	Request from speaker coordinator regarding 2/16/2022 lunch meeting
01/12/22	Email	Incoming	Will be posted 1/28/2022	Brianna	Goodman	SCCRTC	Trisha	Marco	Mark Thomas	RE: SLV Schools Complex RFP 2136
01/12/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Paul	Roberts	Resident	Rail corridor discussion on Thursday January 13, 2022
01/13/22	Email	Incoming	K.Corwin 1.13.2022 (phone)	Yesenia	Parra	SCCRTC	Anne	.	Resident	Written comment submitted by a member of the public w/accessibility issues (RTC meeting 1/13/2022: Caltrans Update)
01/13/22	Email	Incoming	K.Corwin 1.18.2022	Krista	Corwin	SCCRTC	Shelly	Verba	Central Coast Builders Association	Request for bid results Manresa Coastal Erosion Repair
01/19/22	Letter	Outgoing	n/a	Matt	Barlow	Kimley-Horn	Guy	Preston	SCCRTC	RE: Certified letter from Kimley-Horn dated December 7 regarding unpaid balance - PA/ED Highway 1/State Park - Freedom Aux Lanes and BOS Project
01/13/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Anne	.	Resident	Community TV Down
1/13//22	Email	Incoming	K.Corwin 1.13.2022	Tracy	New	SCCRTC	Lily	Bravo	Primoris ARB, Inc	Requesting a copy of a W-9 from Santa Cruz County Regional Transportation Commission
01/14/22	Email	Incoming		Amy	Naranjo	SCCRTC	Ana Iris	Lopez	Safe Transportation Research and Education Center	Be a Comunidades Activas Y Seguras site!
01/14/22	Email	Incoming	T.New 1.14.2022	Tracy	New	SCCRTC	Lily	Bravo	ARB Industrial Group	Requesting a copy of a W-9 from Santa Cruz County Regional Transportation Commission & supplying additional information
01/13/22	Email	Incoming	K.Corwin 1.13.2022	Krista	Corwin	SCCRTC	Lowell	Hurst	SCCRTC	Re: Report out after the meeting

TO							From			
Date Letter Rec'd/Sent	Type	Incoming/Outgoing	Response	First	Last	Organization	First	Last	Organization	Subject
01/14/22	Email	Incoming	K.Corwin 1.19.2022	Rail	Maintenance	SCCRTC	Patricia	McVeigh	SCCRTC	Using goats
01/14/22	Email	Outgoing	n/a	Interested	Parties	Various	Brianna	Goodman	SCCRTC	Deadline Extended: RFP: Professional Engineering Services - SLV Schools Complex
01/17/22	Email	Incoming		Yesenia	Parra	SCCRTC	Jack	Brown	Resident	Public records request
01/18/22	Email	Incoming	K.Corwin 1.19.2022	Krista	Corwin	SCCRTC	Lucas	Friedman	SCCRTC	I do not support a rail and trail in Santa Cruz County
01/18/22	Email	Incoming	K.Corwin 1.19.2022	Krista	Corwin	SCCRTC	Cheryl	Childs	Mark Thomas	Consultant request form
01/18/22	Email	Incoming	K.Corwin 1.20.2022	Rail	Maintenance	SCCRTC	Brigette	Hernandez	GTS a Kleinfelder Company	Online Railpros Tracking #9967 PG&E Project ID-578G D-1386 84018347
01/18/22	Email	Outgoing	n/a	Interested	Parties	Various	Amanda	Marino	SCCRTC	FW: 5310 Application Workshop Jan 19th
01/18/22	Email	Incoming	n/a	Guy	Preston	SCCRTC	Maria	Manjarrez	Strategies 360	Pallet's Shelter Communities for the Homeless
01/19/22	Email	Incoming	n/a	Krista	Corwin	SCCRTC	n/a	n/a	Greenway	PRESS RELEASE - Environmentalists Announce Support for Greenway
01/19/22	Email	Incoming	K.Corwin 1.19.2022	Krista	Corwin	SCCRTC	John	Neal	Resident	Bike Map Request
01/18/22	Email	Incoming	K.Corwin 1.19.2022	Krista	Corwin	SCCRTC	Lani	Faulkner	Resident	Question about correspondence log procedures



TO							From			
Date Letter Rec'd/Sent	Type	Incoming/Outgoing	Response	First	Last	Organization	First	Last	Organization	Subject
01/19/22	Email	Outgoing	M.Hartman 1.19.2022	Melissa	Hartman	SC Sentinel	Brianna	Goodman	SCCRTC	Correction to 1/17/22 Highway 9 article
01/19/22	Email	Incoming		Tracy	New	SCCRTC	Kim	Namba	Parks, Open Space and Cultural Services	Coastalk Coastal Trail Association Membership
01/19/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Liz	Ruggles	Resident	Re: RTC to Receive Informational Report at the Feb. 3 Commission Meeting
01/19/22	Contact us from	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Adam	Weidenback	Resident	Abandonment of Santa Cruz-Felton Railroad
01/19/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Frank	Rimicci Jr.	Resident	Re: RTC to Receive Informational Report at the Feb. 3 Commission Meeting
01/20/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Vicki	Miller	Resident	Re: RTC to Receive Informational Report at the Feb. 3 Commission Meeting
01/20/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Jacob	Lyman	Resident	Commentary on Santa Cruz rail
01/20/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Bill	Hough	Resident	Don't abandon the Felton Branch Rail Line
01/20/22	Contact us from	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Mary	Offerman	Resident	support for passenger rail
01/20/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Myles	Corcoran	Resident	Roaring Camp branch line abandonment
01/20/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Frank "Ted"	Remde	Resident	Re: RTC to Receive Informational Report at the Feb. 3 Commission Meeting
01/20/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Nicholas	Dixon	Resident	In opposition to forced abandonment of Roaring Camp, Inc rail line

TO							From			
Date Letter Rec'd/Sent	Type	Incoming/ Outgoing	Response	First	Last	Organization	First	Last	Organization	Subject
01/20/22	Contact us from	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Sarah	Ringler	Resident	Do not abandon the Felton Line
01/20/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Paul	Nolan	Resident	I Oppose Felton Branch Line adverse abandonment
01/20/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	H James	Love	Resident	opposition to abandonment
01/20/22	Email	Incoming	M.Rotkin 1.20.22	Krista	Corwin	SCCRTC	Sam	Bahu	Resident	Conflicts of interest
01/20/22	Contact us from	Incoming		Shannon	Munz	SCCRTC	Gina	Bliss	Resident	Questions about SCBRL & railbanking
01/21/22	Contact us from	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Robert	Markstein	Resident	"Abandonment" of Roaring Camp RR line
01/20/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Jade	Herrick	Resident	Please support our local rail and do not force abandonment of the felton rail line (even just freight)
01/20/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Alan	Sinclair	Resident	REJECT the proposal to force abandonment of Felton Branch Rail Line
01/20/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Ken	Marty	West Coast Railroaders Group	Roaring Camp Railroads Adverse Abandonment Proposal
01/21/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Christina	Holmes	Resident	Re: RTC to Receive Informational Report at the Feb. 3 Commission Meeting
01/21/22	Email	Incoming	n/a	Shannon	Munz	SCCRTC	Kim	Gunther	Resident	CC'd on communication to Caltrans Re: HWY I, Phase III improvements
01/21/22	Email	Incoming	K.Corwin 1.24.2022	Krista	Corwin	SCCRTC	D.	Steinbruner	Resident	RTC website

TO							From			
Date Letter Rec'd/Sent	Type	Incoming/Outgoing	Response	First	Last	Organization	First	Last	Organization	Subject
01/21/22	Contact us from	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	D.	Steinbruner	Resident	Possible Felton Branch rail line actions
01/21/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Alex	O'Donnell	Resident	Constituent Mail in Support of Rail
01/21/22	Contact us from	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Brittany	Cole	Resident	Rail and Trail
01/21/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	John & Janice	King	Resident	RTC's Plan of Forced Abandonment
01/21/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	E. Ariel	Young	Resident	do not allow forced abandonment of Railroad lines
01/21/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Holden	Fatheree	Resident	Roaring Camp Railroad - opposition to abandonment
01/21/22	Contact us from	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Gregg	Pullano	Visitor	Don't get rid of a strong economic asset - Roaring Camp Rail Line
01/21/22	Contact us from	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Michael	Laccabue	Resident	Roaring Camp Railroad - opposition to abandonment
01/22/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Joe	Morici	Real estate broker	Please rail bank the existing line
01/22/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Cynthia	Dzendzel	Resident	Railbanking
01/22/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Ron	Compton	Resident	support for railbanking
01/22/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Rick	Avra	Resident	Please approve railbanking

TO							From			
Date Letter Rec'd/Sent	Type	Incoming/ Outgoing	Response	First	Last	Organization	First	Last	Organization	Subject
01/22/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Glenda	Luening	Resident	I support railbanking.
01/22/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Tom	Livingston	Resident	I support railbanking and building the Santa Cruz Coastal Trail NOW
01/22/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Ames	.	Resident	I support railbanking and building the Santa Cruz Coastal Trail NOW
01/22/22	Contact us from	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Adrian	Mongeli	Resident	Save the Freaking Beach Train!!
01/22/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Colleen & Jeff	Strobbe	Resident	Feb 3rd Vote on Railbanking - support
01/22/22	Contact us from	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Jair	Noriega	Resident	Rail issues
01/22/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Ellen	Day	Resident	railbanking - support
01/22/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Kelly	Menehan	Resident	Trail Now!
01/22/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Steve	Ferrari	Resident	Adverse Abandonment of Felton Branch Rail Line for Frieight Service - opposed
01/23/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Becky	Steinbruner	Resident	Please Do Not Railbank the Railway Corridor
01/23/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Phyllis	Wren	Resident	Vote No on Abandoning the Felton Branch Line
01/23/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	William	Martin	Resident	support for railbanking
01/23/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Paul	Braga	Resident	support railbanking

TO							From			
Date Letter Rec'd/Sent	Type	Incoming/Outgoing	Response	First	Last	Organization	First	Last	Organization	Subject
01/23/22	Contact us from	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Tammi	Blake	Resident	The Felton rail line must be preserved for freight use
01/23/22	Contact us from	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Jeffrey	Hill	Resident	Santa Cruz Big Trees Railroad - Roaring Camp
01/23/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Arlene	Vazquez	Resident	Roaring Camp Forced Abandonment
01/23/22	Contact us from	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Cliff	Waters	Resident	Adverse Abandonment of the Roaring Camp Line - opposition
01/23/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Mark	Wegrich	Resident	support for railbanking
01/23/22	Contact us from	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Allen	Weitzel	Resident	Forced abandonment-Felton/Santa Cruz Line
01/23/22	Letter	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Rae	Spencer-Hill	Resident	Re Roaring Camp Dispute, Focuso no Eventual LightRail
01/24/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Andrea	Ratto	Resident	Rail banking - support
01/24/22	Email	Incoming	K.Corwin 1.25.2022	Krista	Corwin	SCCRTC	Saladin	Sale	Resident	Adverse Abandonment - opposition



## PROJECT UPDATE – SANTA CRUZ COUNTY

PREPARED FOR THE FEBRUARY 3, 2022 SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION MEETING

PROJECTS UNDER CONSTRUCTION									
	Project	Location Post Mile (PM)	Description	Construction Timeline	Construction Cost	Funding Source	Project Manager (Resident Engineer)	Contractor	Comments
1.	<b>SCr 9 South Drainage and Erosion Control Improvements (1F920)</b>	From SR 1 and 9 to slightly north of Glen Arbor Road (PM 0.0/8.5)	Upgrade drainage systems and stabilize slopes	Winter 2021/22	\$2 million	SHOPP	Doug Hessing	Disney Construction Inc.	Contract awarded and approved to Disney Construction Inc, March 4, 2021
2.	<b>Highway 1/ Highway 17 Ramp Safety Improvements (1H060)</b>	From the Fishhook to Pasatiempo overcrossing (PM 16.7)	Construct ramp safety improvements	Contract Awarded	\$5.8 million	SHOPP	Heidi Borders	Teichert Construction	Project has been awarded to Teichert Construction and is in construction. CCA Target 8/1/22.
3.	<b>Highway 17 Wildlife Habitat Crossing (1G260)</b>	From Laurel Road to just north of Laurel Road (PM 9.442-9.692)	Construct wildlife undercrossing	Winter 2022	\$6.448 million	SHOPP	Aaron Henkel	Granite Rock Construction	Project has been awarded to Granite Rock Construction and is in construction. Construction has been suspended until Feb 2022.



# PROJECT UPDATE – SANTA CRUZ COUNTY

PREPARED FOR THE FEBRUARY 3, 2022 SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION MEETING

## PROJECTS UNDER CONSTRUCTION (Cont'd.)

	Project	Location Post Mile (PM)	Description	Construction Timeline	Construction Cost	Funding Source	Project Manager (Resident Engineer)	Contractor	Comments
4.	<b>TMS Detection Repair</b> (1H990)	Various locations throughout District 5 along SRs 1, 17, 68, 156, 101 (PM Various)	Replace failed TMS Detection	Summer 2020/Winter 2021	\$4.9 million	SHOPP SB-1	Nick Heisdorf	Traffic Loops Crackfilling, Inc.	Project in construction. Contract is suspended until early spring due to supply shortage and conflict with another project. Work is 95% complete.
5.	<b>Highway 129/ Lakeview Road Intersection Improvements</b> (1G990)	Near Watsonville, at Lakeview Road (PM 1.4)	Construct roundabout and improve street lighting	Winter 2021	\$4.5 million	SHOPP	Luis Duazo	Dreambuilder Construction	<b>Major construction is complete. The Roundabout was open to traffic during the first week of Jan. 2022. Contractor is finishing punchlist items.</b>
6.	<b>Highway 9 Hairpin Tieback</b> (1K130)	Near Boulder Creek about 1.1 miles south of the SR 236/9 Junction (PM 19.97)	Soldier Pile Tieback Retaining Wall	Winter 2021/22	\$2.6 million	SHOPP	Doug Hessing	Gordon N. Ball, Inc.	The construction contract was awarded to GORDON N. BALL, INC. One-way traffic control in place.
7.	<b>Highway 1 Soquel Creek Scour Protection</b> (1H480)	In Capitola at Soquel Creek Bridge (PM 13.3)	Bridge preventative maintenance – Place scour protection	Summer 2022	\$1.4 million	SHOPP	Heidi Borders	Construction	CON Allocation on January CTC Agenda
8.	<b>Highway 1 Davenport Culvert Replacement</b> (0J200)	Near Davenport and south of Waddell Creek Bridge (PM 31.9/35.7)	Replace culverts	Winter 2021/22	\$7.4 million	SHOPP SB-1	Heidi Borders	Construction	<b>Bids opened 1/20/22</b>



# PROJECT UPDATE – SANTA CRUZ COUNTY

PREPARED FOR THE FEBRUARY 3, 2022 SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION MEETING

PROJECTS UNDER CONSTRUCTION (Cont'd.)									
9.	Project	Location Post Mile (PM)	Description	Construction Timeline	Construction Cost	Funding Source	Project Manager (Resident Engineer)	Contractor	Comments
	Extend Side Hill Viaduct  (05-1K060)	In Santa Cruz County near Brookdale 0.3 mile south of Western Avenue (PM 10.80/10.8)	Construct viaduct wall extension, restore roadway and facilities, place Water Polution Control BMPs	2022	\$1.9 million	SHOPP SB-1	Doug Hessing (PD)	GORDON N. BALL, INC.	One Way Traffic Control
	10.	Santa Cruz & San Benito Rumble Strip & Striping Safety Project  (1M330)	Various-multi-county locations.  In Sta. Cruz, the project includes Highways 1, 9, 17, 129	Update Striping and Install Edgeline and Center Rumble Strips at Various Locations	Spring/ Summer 2022	\$4.7 million	SHOPP Safety Collision Reductio n	Terry Thompson (J.W.)	Construction





# PROJECT UPDATE – SANTA CRUZ COUNTY

PREPARED FOR THE FEBRUARY 3, 2022 SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION MEETING

PROJECTS IN DEVELOPMENT									
	Project	Location Post Mile (PM)	Description	Construction Timeline	Estimated Construction Cost	Funding Source	Project Manager	Phase	Comments
11.	<b>Highway 9 PM 1.0 and 4.0 Viaduct  (1K120)</b>	Near SCr north of Vernon Street  (PM 1/1)	Construct side- hill viaduct restore roadway and facilities, place Water Pollution Control BMPs, erosion control	Fall 2022	\$9.9 million	SHOPP	Doug Hessing	PS&E	Route 9 will require long term closure during construction.
12.	<b>SCr 9 Upper Drainage and Erosion Control Improvements  (1G950)</b>	In Boulder Creek from Holiday Lane to just south of Ben Lomond to the SR 236/9 Junction  (PM 8.5/25.5)	Upgrade drainage and erosion control	Spring 2023	\$5.4 million	SHOPP	Nick Heisdorf	PS&E	The project is in the Design and Right of Way phase. Design 95% plans for review February 2022.



# PROJECT UPDATE – SANTA CRUZ COUNTY

PREPARED FOR THE FEBRUARY 3, 2022 SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION MEETING

	Project	Location Post Mile (PM)	Description	Construction Timeline	Estimated Construction Cost	Funding Source	Project Manager	Phase	Comments
13.	<b>Highway 9 San Lorenzo River Bridge and Kings Creek Bridge Replacement  (1H470)</b>	Near Boulder Creek, at San Lorenzo River Bridge and at Kings Creek Bridge  (PM 13.6/15.5)	Replace bridges	2023-2025	\$12 million	SHOPP SB-1	Doug Hessing	PS&E	The project is in the Design and Right of Way phase.
14.	<b>Highway 152 Corralitos Creek ADA  (05- 1F620)</b>	Near Watsonville, East of Beverly Drive to Holohan / College Road (PM1.9 to R2.0)	Construct Accessible Pathway	Winter 2022/23	\$3.4 million	SHOPP	Nick Heisdorf	PS&E	Project is in the Design and Right of Way phase. Design 95% plans for review January 2022. On watch list for possible USACE 408 permit.
15.	<b>Highway 236 Heartwood Hill Wall  (1M450)</b>	Near Boulder Creek (PM 5.4)	Restore Embankment with a Retaining Wall	2023	\$1.8 million	SHOPP	Doug Hessing	PS&E	The project is in the Design and Right of Way Phase.



# PROJECT UPDATE – SANTA CRUZ COUNTY

PREPARED FOR THE FEBRUARY 3, 2022 SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION MEETING

	Project	Location Post Mile (PM)	Description	Construction Timeline	Estimated Construction Cost	Funding Source	Project Manager	Phase	Comments
16.	<b>Felton Safety Improvements (1M400)</b>	On Route 9 in Santa Cruz County between Kirby St. and San Lorenzo Valley High School (PM 6.3/7.2)	Construct Accessible Pedestrian Path	2024/25	\$8 million	SHOPP Safety	Doug Hessing (P.D.)	PA&ED	Survey work and environmental studies are in progress.
17.	<b>Highway 129 Paving, Sign Panels, Lighting, TMS Improvement (1J830)</b>	Near Watsonville for SR129/1 separation to Salsipuedes Creek Bridge (PM 0/0.56)	Pavement Preservation, Lighting, Sign Panel Replacement and TMS Elements improvements	2024/25	\$8 million	SHOPP	Nick Heisdorf	PA&ED	Complete streets additions are being included. environmental studies and design surveys are in progress. PS&E scheduled to begin February 2022.
18.	<b>Highway 1 Roadside Safety (1J960)</b>	0.5 mile north of Larkin Valley Rd. U.C. (San Andreas Rd) to Laguna Rd (North) (8.20/26.00)	Drainage System Restoration; paving at 40 ramps; Install Lighting at Interchanges and Install Count Stations	2024/25	\$15.5 million	SHOPP	Heidi Borders	PA&ED	
19.	<b>Santa Cruz Route 1 CAPM (1M110)</b>	In and near Santa Cruz from .06 miles south of Route 9 Junction to .09 miles north of the Mission St intersection. (PM 17.5/20.2)	Grinding/ paving 2.7 miles of pavement, upgrading up to 89 curb ramps, guard rail upgrade, sign panel upgrade, loop detector replacement.	2026	\$8.9 million	SHOPP	Nick Heisdorf	PID	Environmental to perform “spring” studies in 2022.



# PROJECT UPDATE – SANTA CRUZ COUNTY

PREPARED FOR THE FEBRUARY 3, 2022 SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION MEETING

20.	<b>Highway 17 Install High Friction Surface Treatment (HFST)  (1M730)</b>	In Santa Cruz County near Santa Cruz at various locations from 0.2 miles south of Scotts Valley Overcrossing to 1.6 miles south of Summit Road Separation.	Safety Construction includes HFST between the left/right edges of the travel way and cold plane removal of Open Grade Asphalt Concrete (OGAC) and replacement with Hot Mix Asphalt	Winter 2022/ Spring 2023	\$6.5 million	SHOPP	Heidi Borders	PS&E/RW	
21.	<b>Highway 9 North CAPM  (1K900)</b>	In Santa Cruz County from 0.4 miles south of Saratoga Toll Rd to the Santa Cruz/San Mateo County line  (PM 18.89/27.09)	Preserve CAPM Strategies including but not limited to digouts, profile grinding, overlay, placing shoulder backing and dike. Reconstruct guardrail, rehabilitate or replace 6 culvert and replace 67 sign panels	2026	\$6.3 million	SHOPP	Doug Hessing	PID	Project is anticipated to be programmed in the 2022 SHOPP to start PA&ED phase.
22.	<b>Highway 152 Watsonville Rehab/CAPM (05-1P110)</b>	Santa Cruz County on Route 152 from Jct Route 1 to 0.5 Mile East of Carlton Rd.  (PM 0.31/4.14)	Preserve pavement, rehabilitate or replace Salsipuedes Creek Bridge, replace culverts, rehabilitate traffic signals, upgrade curb ramps, reconstruct guardrail, replace sign panels, and complete streets	2029	\$25 million	SHOPP	Heidi Borders	PID	



## PROJECT UPDATE – SANTA CRUZ COUNTY

PREPARED FOR THE FEBRUARY 3, 2022 SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION MEETING

### ACRONYMS USED IN THIS REPORT:

<b>ADA</b>	Americans with Disabilities Act	<b>SHOPP</b>	State Highway Operation and Protection Program
<b>CEQA</b>	California Environmental Quality Act	<b>SR</b>	State Route
<b>CMAQ</b>	Congestion Mitigation Air Quality	<b>STIP</b>	State Transportation Improvement Program
<b>CMIA</b>	Corridor Mobility Improvement Account	<b>TMS</b>	Traffic Management System
<b>CTC</b>	California Transportation Commission		
<b>ED</b>	Environmental Document		
<b>EIR</b>	Environmental Impact Report		
<b>PA&amp;ED</b>	Project Approval and Environmental Document		
<b>PM</b>	Post Mile		
<b>PS&amp;E</b>	Plans, Specifications, and Estimates		
<b>RW</b>	Right of Way		
<b>SB1</b>	Senate Bill 1, the Road Repair and Accountability Act of 2017		
<b>SCL</b>	Santa Clara County Line		

**AGENDA:** February 3, 2022

**TO:** Regional Transportation Commission

**FROM:** Sarah Christensen, P.E.

**RE:** Watsonville to Santa Cruz Multimodal Corridor Program Update

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## **RECOMMENDATIONS**

Staff recommends that the Regional Transportation Commission receive an update on the Watsonville to Santa Cruz Multimodal Corridor Program.

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## **BACKGROUND**

The Watsonville to Santa Cruz Multimodal Corridor Program (WSC-MCP) was developed following the completion of the RTC's Unified Corridor Investment Study (UCS) in 2019 which identified innovative projects along three main north to south routes through Santa Cruz County – Highway 1, Soquel Avenue/Soquel Drive/Freedom Boulevard, and the Santa Cruz Branch Line (SCBL) that will address vital transportation needs of the community. The UCS acts as the RTC's Multimodal Corridor Plan, making projects along the 3 routes eligible for Senate Bill 1 (SB1) competitive funds, including the Solutions to Congested Corridor Program (SCCP) and Local Partnership Program (LPP).

The SCCP is a statewide competitive program that makes \$250M available annually to projects that implement transportation, environmental, and community access improvements to reduce congestion. Projects that perform well under specific performance metrics are competitive, and regional agencies must have an adopted Multimodal Corridor Plan to be eligible for these funds, which can only be used on Construction. The LPP is also a statewide competitive program that makes \$100M available annually to jurisdictions with voter approved taxes dedicated solely to transportation improvements. Measure D passed in 2016 which makes Santa Cruz County eligible to receive LPP funds.

In 2019, the County of Santa Cruz initiated the Soquel Drive Buffered Bike Lane & Congestion Mitigation Project to improve multimodal travel along 5.6 miles of Soquel Drive between La Fonda Avenue in Santa Cruz and State Park Drive in Aptos. In 2020 the County committed \$5.8M in matching funds

and reached an agreement with RTC to include the project in RTC's SB1 cycle 2 grant application to fully fund construction of the project.

In 2019, the RTC programmed \$4.9M Regional Transportation Improvement Program (RTIP) funds (generated from the State Transportation Improvement Program [STIP]) and \$1.6M in federal Highway Improvement Program (HIP) to partially fund the first two Highway 1 multi-modal projects. On February 6, 2020, the Commission adopted the Measure D Strategic Implementation Plan (SIP) which included a delivery strategy for the Highway 1 projects. In May of 2020 the RTC programmed an additional \$10M of Measure D-Highway 1 Category funds as additional match for the RTC's anticipated cycle 2 grant applications.

In 2020, staff prepared SB1 SCCP and LPP grant applications to fully fund a transformative package of multimodal projects including the first two Highway 1 multi-modal projects and the first Soquel Drive multi-modal project. In December of 2020, the California Transportation Commission (CTC) awarded \$107.2M to the RTC to fully fund construction of the three projects.

## **DISCUSSION**

The cycle 2 WSC-MCP project includes two projects along Highway 1 and one project along Soquel Drive, shown in Figure 1. The RTC is the sponsor agency for the cycle 2 projects in coordination with Caltrans, Santa Cruz Metro, and the County of Santa Cruz. Project Fact Sheets are included as Attachment 1.



**Figure 1 - WSC-MCP Cycle 2 Project**

## Highway 1 Projects – Update

The fully funded Cycle 2 Highway 1 projects propose to construct:

- Three sets of auxiliary lanes (Soquel to 41<sup>st</sup>, Bay/Porter to Park, and Park to State Park);
- A bus on shoulder (BOS) hybrid facility between the Morrissey and State Park interchanges;
- Bicycle and pedestrian overcrossing bridges at Chanticleer Avenue and Mar Vista Drive;
- Replacement of the Capitola Avenue local roadway overcrossing, with bicycle and pedestrian improvements; and,
- Soundwalls and retaining walls.

The total length of improvements along Highway 1 totals 5.75 miles of the total 7.5 mile-long Aux Lane / BOS facility. The RTC served as the implementing agency for the preconstruction components (environmental, design and right-of-way) of the two projects. Caltrans will implement the construction component of the projects.

The first Highway 1 project between 41<sup>st</sup> Avenue and Soquel Avenue/Drive interchanges, which includes the bicycle and pedestrian overcrossing at Chanticleer Avenue, completed design in 2021 and is scheduled to begin construction in 2022. The second Highway 1 project between the Bay/Porter and State Park Drive interchanges, which includes the bicycle and pedestrian overcrossing at Mar Vista Drive and the replacement of the Capitola Avenue



overcrossing, is scheduled to complete design in late 2022 and begin construction in 2023.

### **Highway 1 Projects – Outreach**

The Project Development Team (PDT) is soliciting community and stakeholder input on the aesthetic features of the Highway 1 Aux Lane and BOS Project between Bay/Porter and State Park interchanges. The PDT is proposing a community identifier bridge for the City of Capitola at the new Capitola Avenue local roadway overcrossing. Other visual features of the project include the bicycle and pedestrian overcrossing at Mar Vista Drive, soundwalls, retaining walls, barriers, hardscape paving, and landscape planting palette. A video was prepared (both in English and Spanish) to show the potential aesthetic treatment options for the project, with a survey included for community members to vote for their preferred features. More information can be found in the announcement included as [Attachment 2](#).

### **Soquel Drive Project – Update**

The fully funded Soquel Drive project includes 5 miles of roadway, bicycle and pedestrian improvements between La Fonda Drive (near Harbor High School) to State Park Drive. Project features include:

- A cape seal of the existing pavement
- Upgrades to 23 signals with adaptive signal control and transit priority;
- Buffered/protected green bike lanes;
- Green bike boxes at intersections to facilitate left turn movements.
- Sidewalk gap closures and upgrades;
- 94 ADA curb ramps at intersections;
- 70 crosswalk upgrades; and,
- 10 new mid-block crosswalks with rapid flashing beacons.

The County of Santa Cruz is the implementing agency for the 5-mile long Soquel Drive project. This project has reached the 95% final design milestone and is scheduled to begin construction in 2023.

### **Soquel Drive Project – Outreach**

Two virtual community workshops took place in January of 2022 with over 50 community members in attendance at each workshop. The purpose of the community workshops was to provide a project overview, solicit input on the design, and answer community member's questions about the project. The County plans another round of community workshops later this year prior to construction.

The RTC's Bicycle Advisory Committee (BAC), Elderly & Disabled Technical Advisory Committee (E&DTAC) and Interagency Technical Advisory Committee (ITAC) have and will continue to be engaged through the implementation of these projects.

### **Next Steps**

Staff is preparing to submit competitive grant applications for the next cycle of SB1 SCCP and LPP funds. The cycle 3 project will include the third and remaining Highway 1 Aux Lane and BOS project between State Park Drive and Freedom Boulevard to complete the 7.5 mile facility, with two sets of Aux Lanes. The project includes the 1.25 mile Segment 12 of the Coastal Rail Trail along the SCBL, between State Park Drive and Rio del Mar Boulevard, two bridge crossings over Highway 1, and two bridge crossings over Soquel Drive, Aptos Creek and Valencia Creek.

County staff is in the process of scoping their multi-modal cycle 3 project along Soquel Drive between State Park Drive and Freedom Boulevard, which will continue multimodal improvements south and is again partnering with the RTC to include these improvements in the RTC's cycle 3 application. RTC staff is also working with Santa Cruz Metro to include zero-emission buses and transit stop improvements in Watsonville in the application, to enhance regional commuter routes use of the new bus on shoulder facility. Caltrans District 5 has expressed interest in partnering with the RTC on the cycle 3 application. Staff worked with Caltrans District 5 to nominate the cycle 3 project to Caltrans Headquarters for consideration.

The California Transportation Commission (CTC) plans to issue the cycle 3 call for projects in June of 2022, with applications due later this year. Staff plans to return to the Commission with focused updates on RTC's proposed cycle 3 project application, which may include consideration of Measure D financing to provide necessary funding to complete pre-construction work and provide a sufficient local match for a competitive grant application. Staff will return to the Commission with recommendations for programming of matching funds needed prior to June 2022.

### **FISCAL IMPACT**

There are no new fiscal impacts associated with receiving an update on the Watsonville to Santa Cruz Multimodal Corridor Program. Staff will continue to develop the program of projects and return to the Commission with a recommendation for programming of funds for the Cycle 3 project, including discussions about potential financing, at a future meeting.

## **SUMMARY**

An update on the Watsonville to Santa Cruz Multimodal Corridor Program was provided to the Commission which includes two projects along Highway 1 and one project along Soquel Drive. Staff is preparing to submit competitive grant applications for the next cycle of SB1 SCCP and LPP funds and will return to the Commission with recommendations for programming of matching funds needed prior to June 2022.

### Attachments:

1. Project Fact Sheets
2. Highway 1 Bay/Porter to State Park Aesthetic Outreach Flyer  
*[Posted to the RTC website by 01/31/2022 at 5:00 p.m.]*

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## PROJECT FACT SHEET

Updated July 2021

## Highway Corridor: Highway 1 Aux Lanes, BOS (41st Avenue to Soquel Drive), and Chanticleer Bicycle/Pedestrian Overcrossing

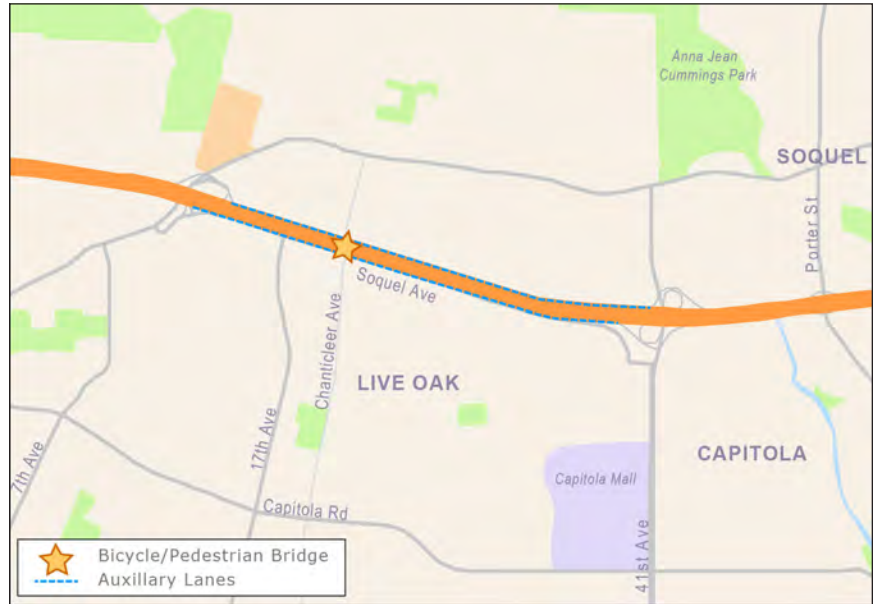
### Project Description

The project will construct northbound and southbound auxiliary lanes and bus-on-shoulder improvements between the 41st Avenue and Soquel Avenue/Drive interchanges, and construct a new bicycle and pedestrian overcrossing at Chanticleer Avenue. Historically, this section of Highway 1 has been the busiest in the county, serving over 100,000 vehicles a day, providing access to the primary regional commercial/retail activity centers on 41st Avenue and regional medical facilities located on Soquel Drive. The auxiliary lanes will connect the on-ramps with the next off-ramp, thereby extending the weaving and merging distance between the ramps, improving traffic operations, and reducing cut-through traffic diverting to local streets and neighborhoods.

The bicycle/pedestrian overcrossing at Chanticleer Avenue provides an alternative route for bicyclists and pedestrians currently using the Soquel or 41st interchanges to cross over Highway 1. The overcrossing will be lighted, 12- to 14-foot wide, and will incorporate aesthetic treatments consistent with the visual character of the corridor and the adjacent community.

### Unified Corridor Investment Study

Recognizing the need to address both existing transportation problems and future needs of Santa Cruz County, a Unified Corridor Investment Study (UCS) was undertaken to consider transportation options between Santa Cruz and Watsonville along three of the most important north to south transportation routes in the County, including the Highway 1 corridor. The study provides a rigorous analysis of how various groups of projects or scenarios advance the transportation goals of Santa Cruz County.



### Project Highlights

- ▶ Improves traffic operations on Highway 1
- ▶ Improves bicycle and pedestrian connectivity to regional destinations and transit by providing a dedicated crossing for active transportation users at Chanticleer Avenue
- ▶ Adds infrastructure for buses to travel in the auxiliary lanes between interchanges and on the outside shoulder through interchanges
- ▶ Measure D funds are being used to accelerate the project development process
- ▶ Construction expected to begin in late 2021

### Project Delivery Strategy

The RTC is leading the delivery of this project. Measure D-Highway Corridor funds and other RTC discretionary funds were used to complete the work necessary to ready the project for construction, and as a match for SB1 construction grants. This project has environmental clearance and has received funds from Cycle 2 of the SB1 Solutions to Congested Corridors Program and Local Partnership Program competitive funds.



# PROJECT FACT SHEET

Updated July 2021

## Highway Corridor: Highway 1 Aux Lanes, BOS (41st Avenue to Soquel Drive), and Chanticleer Bicycle/Pedestrian Overcrossing

### Project Funding

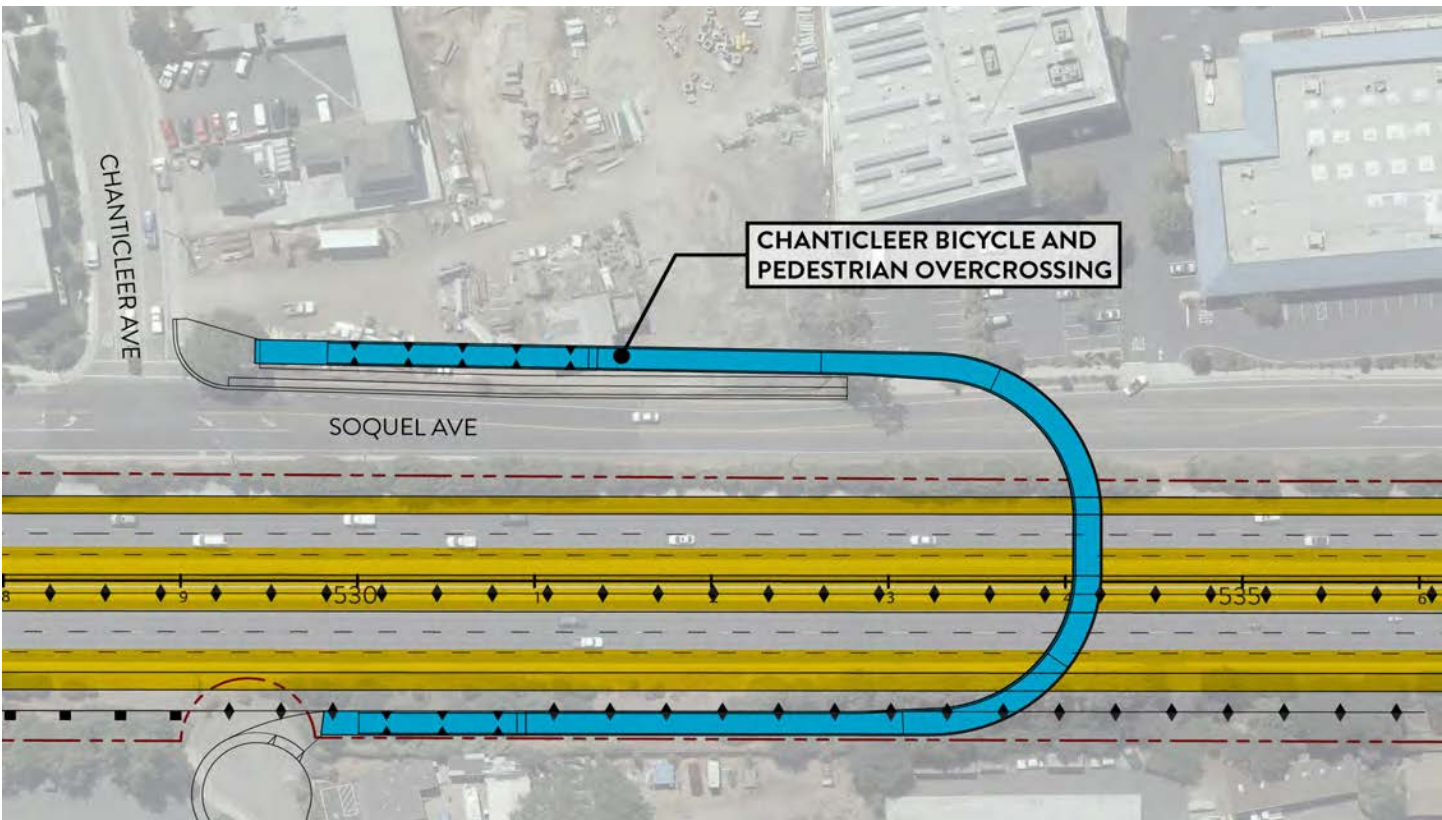
Estimated Project Cost	\$	38.6M
Funding Sources		
Measure D (Highway)	\$	3.3M
Other Secured*	\$	35.3M

\*Includes STIP, SB1 (SCCP and LPP programs) and HIP funds.



### Project Status/Schedule

The Unified Corridor Investment Study was completed in 2019. The Environmental Impact Report was certified in 2019. The final design phase is complete. The project is expected to go to construction in late 2022 and complete construction in 2024.







## PROJECT FACT SHEET

Updated July 2021

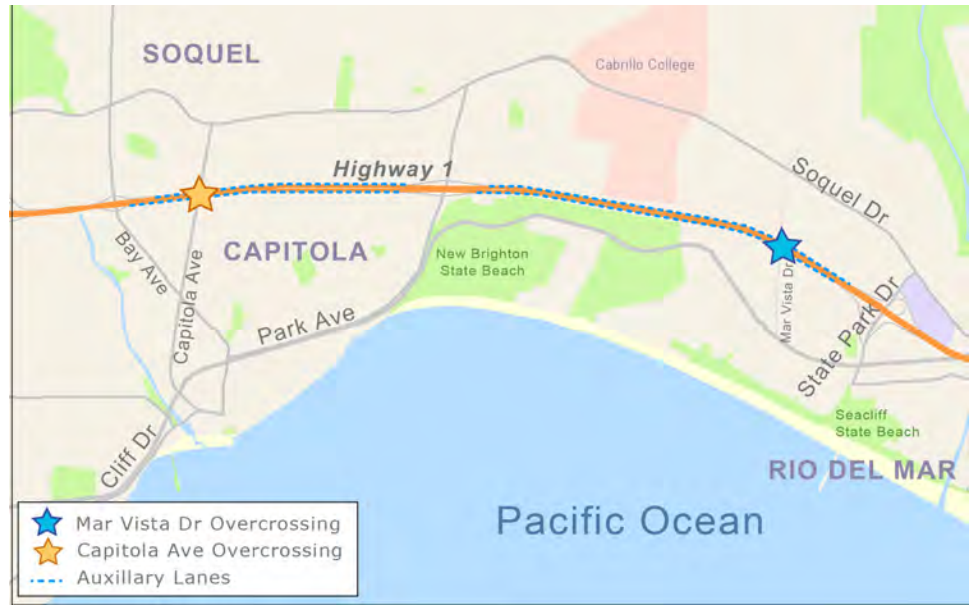
# Highway Corridor: Highway 1 Aux Lanes, BOS (Bay Avenue/Porter Street to State Park Drive), and Mar Vista Bicycle/Pedestrian Overcrossing

## Project Description

The project will construct northbound and southbound auxiliary lanes and bus-on-shoulder improvements between the Bay Avenue/Porter Street and State Park Drive interchanges and replace the existing Capitola Avenue local roadway overcrossing. This section of Highway 1 is one of the busiest in the county, providing access to the City of Capitola, Soquel and Aptos villages, and Cabrillo College. The auxiliary lanes will connect the on-ramps with the next off-ramp, thereby extending the weaving and merging distance between the ramps, improving traffic operations, and reducing cut-through traffic diverting to local streets and neighborhoods.

The new Capitola Avenue overcrossing will include enhanced bicycle and pedestrian facilities to improve connectivity for bicyclists and pedestrians between Soquel Drive to the north and the future Coastal Rail Trail to the south. The overcrossing, soundwalls, and retaining walls will incorporate aesthetic treatments consistent with the visual character of the corridor and the adjacent community.

The project also includes a new bicycle and pedestrian overcrossing (POC) at Mar Vista Drive to provide a safe link between schools, the beach, residential neighborhoods and retail centers on each side of Highway 1. This POC was one of three bicycle and pedestrian overcrossings identified in the Highway 1 Corridor Investment



## Project Highlights

- ▶ Improves traffic and safety operations on Highway 1
- ▶ Reduces cut-through traffic diverting to local streets and neighborhoods by adding auxiliary lanes between Bay Avenue/Porter Street and State Park Drive
- ▶ Improves bicycle and pedestrian connectivity to regional destinations and transit by providing enhanced bicycle and pedestrian facilities for active transportation users at Capitola Avenue
- ▶ Adds infrastructure for buses to travel in the auxiliary lanes between interchanges and on the outside shoulder through interchanges
- ▶ Improves bicycle and pedestrian connectivity to regional destinations and transit by providing a dedicated crossing for active transportation users
- ▶ Connects neighborhoods, schools, parks/beaches and commercial centers

## Project Delivery Strategy

The RTC is leading the delivery of this project. Measure D-Highway Corridor funds and other RTC discretionary funds are being used to complete the work necessary to ready the project for construction. RTC was successful in securing Cycle 2 SB1 Solutions to Congested Corridors and Local Partnership Program competitive funds in 2020, which fully funds construction of this project.



# PROJECT FACT SHEET

Updated July 2021

## Highway Corridor: Highway 1 Aux Lanes, BOS (Bay Avenue/Porter Street to State Park Drive), and Mar Vista Bicycle/Pedestrian Overcrossing

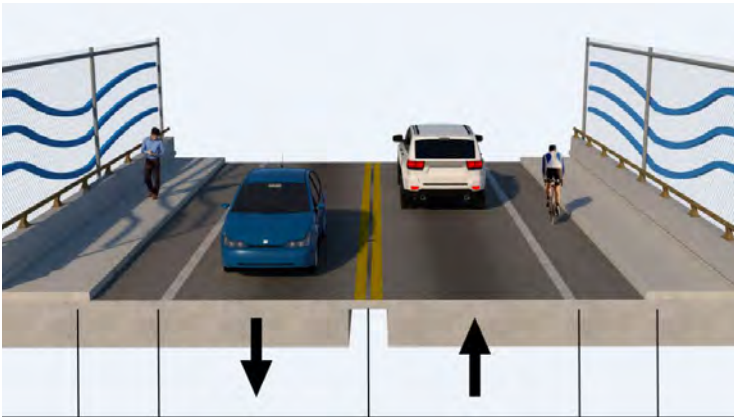
### Project Funding

Estimated Total Cost	\$	94.2M
Funding Sources		
Measure D (Highway)	\$	17.9M
Other Secured*	\$	76.3M

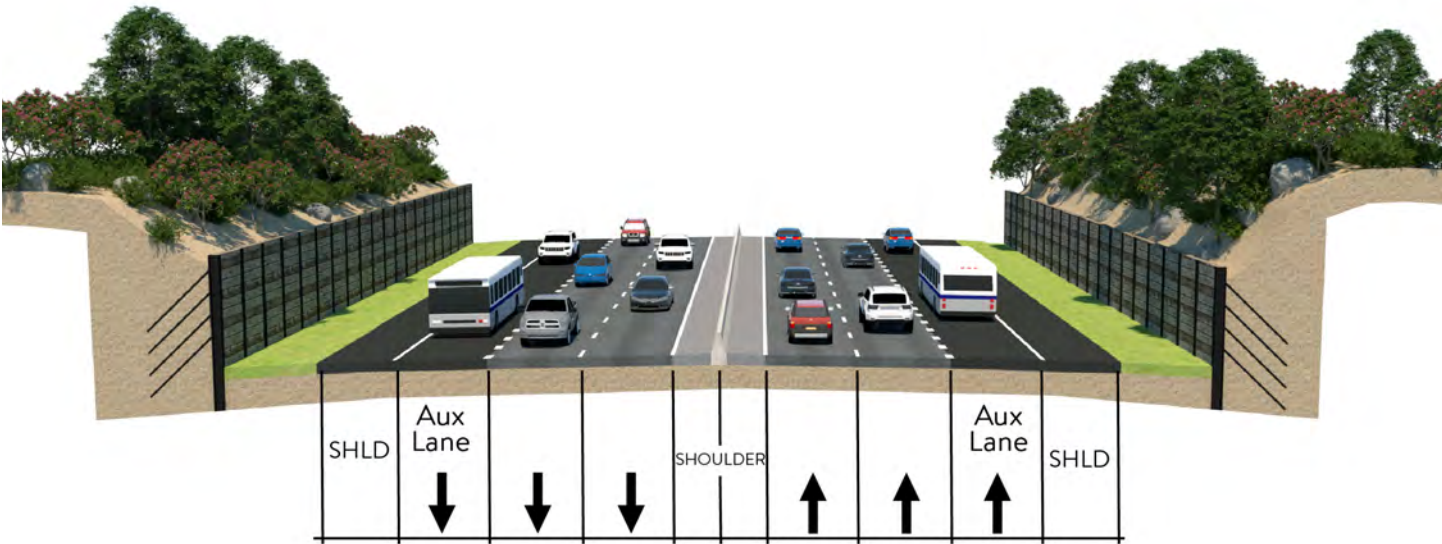
\*Includes STIP and SB1 (SCCP and LPP programs) funds.

### Project Status/Schedule

Environmental review was completed in 2021. Final design is underway and expected to be completed in 2022. The project is expected to be construction-ready at the end of 2022.



Preliminary rendering of Capitola Avenue Overcrossing



Preliminary rendering of auxiliary lanes



# SOQUEL DRIVE

## Buffered Bike Lane & Congestion Mitigation Project



*A more walkable, bikeable, transit-friendly, and less congested Soquel Drive coming soon!*



### OVERVIEW

Commuters escaping the congestion on Highway 1 often cut through on Soquel Drive. With operational improvements to Highway 1 in process, the improvements currently planned for 5.6 miles of the busiest segment of Soquel Ave/Drive from La Fonda Ave to State Park Drive will reduce congestion, enhance safety for bicyclists and pedestrians, and improve travel time reliability for bus riders and motorists.

[soqueldrivebufferedproject.com](http://soqueldrivebufferedproject.com)

**5+**

MILES OF  
PAVEMENT  
RESURFACING

**.5**

MILES OF  
SIDEWALK GAPS  
REPLACED WITH  
CONTINUOUS  
NEW SIDEWALKS

**10**

MIDBLOCK  
CROSSINGS  
WITH  
FLASHING  
BEACONS

**10+**

MILES OF  
CONTINUOUS  
PROTECTED  
OR BUFFERED  
BIKE LANES

**17**

IMPROVED  
DRIVEWAY  
AND SIDEWALK  
STREET  
CONNECTION

**22**

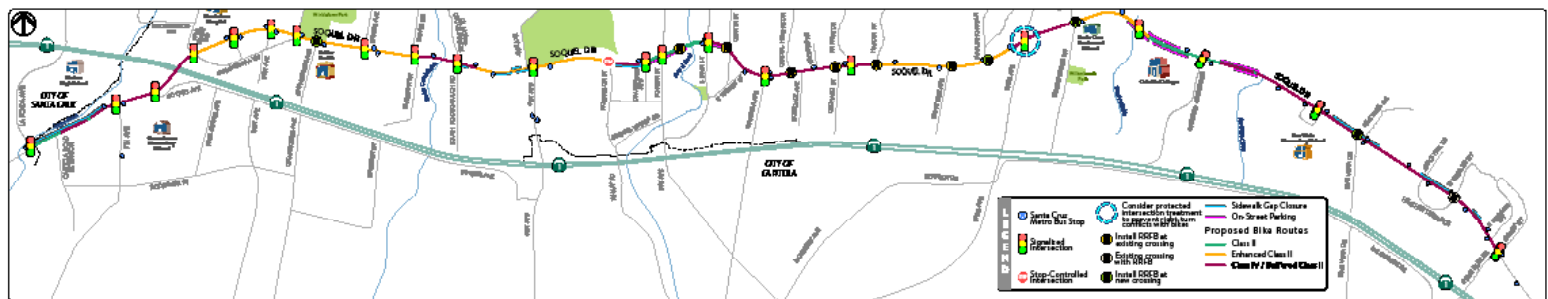
IMPROVED  
INTERSECTIONS WITH  
ADAPTIVE TRAFFIC  
SIGNALS AND TRANSIT  
SIGNAL PRIORITY

**96**

CROSSWALK  
UPGRADES

**100**

UPDATES  
TO ADA  
ACCESSIBLE  
RAMPS



### BENEFITS

This project is a key component of the Watsonville-Santa Cruz Multimodal Corridor Program (WSC-MCP) which provides a coordinated approach to improving north-south travel through Santa Cruz county. Goals for the corridor improvements include:

- Enhance safety for all travelers
- Improve transit travel times
- Encourage bicycling, walking and the use of public transit
- Reduce emissions including greenhouse gases
- Reduce congestion for cars and trucks
- Improve access for emergency services
- Promote sustainable economic growth
- Improve access to housing, jobs, schools and healthcare
- Promote sustainable development and livable communities

### FUNDING

Construction funding is provided by the Solutions for Congested Corridors Program (SCCP), Regional Surface Transportation Program - Exchange (RSTPX), Senate Bill 1 (SB 1) and local funding. The delivery of the project will be led by the County of Santa Cruz Department of Public Works with the Santa Cruz County Regional Transportation Commission (SCCRTC) as a key stakeholder which is part of the SCCRTC Watsonville-Santa Cruz Multimodal Corridor Program (WSC-MCP).

**21-11**

Amanda Rotella

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**AGENDA:** February 3, 2022

**TO:** Santa Cruz County Regional Transportation Commission

**FROM:** Guy Preston, Executive Director

**RE:** Informational Report on the Potential Preservation of the Santa Cruz Branch Rail Line by Railbanking including Future Potential Adverse Abandonment Actions for Heavy Freight Rail Only & Termination of the ACL Agreement

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## **RECOMMENDATION**

Staff recommends that the Santa Cruz County Regional Transportation Commission (RTC) consider this informational item, take public comment and advise Staff of any additional questions or information requests the Commission may have regarding the potential for preservation of the Santa Cruz Branch Rail Line (SCBRL) by railbanking, including potentially filing adverse abandonment actions for heavy freight rail only on the Santa Cruz Branch Rail Line and the Felton Branch Line, and allowing for the termination of the Administrative, Coordination and License (ACL) Agreement with Saint Paul and Pacific Railway (SPPR). As this is an informational item only, there is no Commission action anticipated as part of this item.

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## **BACKGROUND**

On September 2, 2021, staff provided the Commission with an informational [report](#) (See Item #20) on preservation of the Santa Cruz Branch Rail Line (SCBRL).

The report discussed four uses of the corridor including:

- Freight Rail
- Recreational Passenger Rail
- Commuter Passenger Rail
- Multi-Use Bicycle and Pedestrian Trail (Coastal Rail Trail)

The September report provided background information on our freight operator, Saint Paul and Pacific Railroad (SPPR) notifications to RTC of its intent to terminate the Administration, Coordination and License (ACL) Agreement and abandon freight rail service on the SCBRL. The Commission discussed three approaches to preservation of the SCBRL:

- Continued Freight and Recreational Rail Service
- A Public Private Partnership (P3)
- Railbanking

### **Negotiations with Roaring Camp Railroads**

SPPR reached out to Roaring Camp as a potential operator and successor to the ACL Agreement. On June 28, 2020, Roaring Camp provided a letter (Attachment 1) to RTC expressing an interest in operating freight on the line, but listing terms in the ACL Agreement, which provided them cause for concern, including that "...we not be saddled with a significant maintenance obligation, particularly for catastrophic events, on a line that has modest prospects for generating substantial revenue."

During 2021, RTC completed repairs on the SCBRL for Phase I (MP 0.0-MP 7.0) of the ACL Agreement at a cost of approximately \$4.5 Million and estimated that the cost of completing the remaining "initial" repairs for Phase II (MP 7.0-31.58) of ACL Agreement would be between \$48.7 Million - \$63.7 Million.

RTC staff had subsequent discussions with Roaring Camp regarding the cost of maintaining the line and potentially assigning the ACL Agreement to them. In each of those meetings, Roaring Camp was unwilling to assume maintenance responsibilities on the SCBRL. They stated that they concur with SPPR in that the ACL Agreement "creates too large of a burden on the operator". RTC subsequently discussed the option of railbanking the SCBRL in lieu of continuing freight rail on the SCBRL, with both SPPR and Roaring Camp. On March 18, 2021, Roaring Camp provided a letter (Attachment 2) stating they would oppose railbanking heavy freight on the SCBRL.

On November 4, 2021, staff provided the Commission with a [report](#) (see Item #19) on an unsolicited proposal by Roaring Camp and TIG/m to negotiate a public private partnership (P3) with the RTC to continue and expand freight and recreational rail service under a public private partnership (P3) arrangement. The proposal required RTC to perform the \$48.7-\$63.7 Million in "initial" repairs and that Roaring Camp would only be responsible for normal wear and tear, specifying that "structural damage that is not normal wear and tear, such as Acts of God, or pre-existing conditions" shall be funded by RTC, thus proposing that RTC's financial responsibility for costly repairs needed for heavy freight service on the SCBRL increase to an even greater degree than some may contend exists in the existing ACL Agreement. Staff did not recommend entering such an

arrangement with Roaring Camp and TIG/m, and the Commission took no action.

### **Railbanking Framework and Applicability to the Regional Transportation Program, including the Coastal Rail Trail**

In recognizing the important interest in maintaining the nation's network of railroad rights-of-way, the federal government incorporated provisions into the National Trails System Act ("Rails to Trails Act"), which are designed to prevent an interest in a railroad right-of-way from reverting under state law to an underlying fee owner when the right-of-way is held for use as a trail after a railroad discontinues service, and the trail sponsor agrees that the right-of-way will be held for future reactivation of freight rail service. The Rails to Trails Act provides an alternative to completely abandoning a railroad right-of-way by allowing a railroad to negotiate a trail use agreement with a prospective trail operator, while preserving the rail right-of-way for potential future freight re-activation.

In order to preserve a railroad right-of-way under the Rails to Trails Act, parties utilize a mechanism called "Railbanking." Railbanking is a voluntary process whereby a freight railroad company and a trail agency enter into an agreement to use a rail corridor that has been approved for abandonment as a trail (or some other use, including commuter rail with trail) until some future time when the railroad might need the corridor again for freight rail service. Railbanking is specifically designed to address the common situation where, as is the case with the SCBRL, a rail corridor is held under several different ownership types along its length. These ownership differences are largely irrelevant while a corridor is in active railroad use and used only for railroad purposes. However, once a railroad decides to abandon a corridor, these ownership distinctions become important. Upon complete abandonment, under the law of some states (including California), a railroad may lose any rights to possess or transfer parcels of land within the corridor to which it merely held as an easement and whose use is limited to railroad purposes. Upon complete abandonment of railroad operations, even though the corridor may appear unchanged, it may no longer exist as a continuous right-of-way, and the fee owners of the underlying land regain full rights to the affected pieces of the corridor. Railbanking a corridor precludes complete abandonment, and railbanking preserves the railroad's right to transfer all forms of ownership, including easements, to a trail group, which could be the RTC. Railbanking also permits an expanded use of the corridor, including the development of a trail and other potential uses.

RTC holds a mix of fee and easement ownership interests in the SCBRL. RTC has more limited usage rights in the portions of the SCBRL where it only

holds easements for railroad purpose (Attachment 3). RTC is potentially subject to taking claims if RTC attempts to utilize those portions of the SCBRL in a manner that expands the stated purpose for those easements. Railbanking is a method for constructing active use trails within existing freight easements that have these types of ownership constraints. Railbanking does not require (or preclude) that the rail be removed, but it would allow the RTC to construct a trail in any configuration without needing to obtain additional property rights to build a trail within a railway easement.

After railbanking, any property owner claims that allege that the trail is not permitted in the railroad easement would be directed to the Federal Government, which has a process for addressing their financial claims. Railbanking thereby provides protections to the RTC from potential financial liability associated with building an active transportation trail along rail easements, in any configuration. Note that the Sonoma Marin Area Rail Transportation (SMART) did not railbank freight and built a trail adjacent to their commuter rail project. SMART was recently sued by adjacent property owners for inverse condemnation.

If RTC were to railbank a portion of the line, RTC would be responsible for preserving the railbanked right-of-way for future re-activation of freight rail. Preservation efforts allow for a trail, but one is not required. RTC could leave the rails in place, reconfigure the rail for rail and trail, and continue planning for future passenger rail service. RTC could choose to continue some freight service on the line while the line is railbanked, but it would not be required to do so. Railbanking increases local control of the corridor to make these decisions.

Railbanking would eliminate the need to contract with a freight operator and commuter rail and a trail could be prioritized over freight improvements. RTC would no longer need to contract with a freight operator and could terminate the ACL Agreement with SPPR, as requested by SPPR. Termination of the ACL Agreement would terminate the effectiveness of the provisions relevant to potential Phase II repairs north of MP 7.0. Note: RTC has completed the Phase I repairs representing the southernmost 7 miles of the line, including the 2017 storm damage related washouts and emergency repair to the trestle at MP 4.87 near Gallighan Slough.

RTC has also been working on the Phase II repairs. The repairs necessary to complete Phase II of the track include 25 of the 37 railroad bridges, 3 drainage cross culverts, at least 2 grade crossings, repairs to coastal erosion near Manresa State Beach, track repairs, and a significant capital maintenance effort along the 9 mile stretch of the north coast from MP 22 to MP 31. Staff prepared planning-level cost estimates of these necessary

repairs amount to \$33.7 Million (2021\$), excluding the Capitola Trestle. The replacement of the 150-foot-single span wrought iron bridge (MP 15.89c) over Soquel Creek is not recommended for freight loading, and the timber trestles of the Capitola Trestle warrant a complete rehabilitation at a minimum. The Capitola Trestle work alone represents another \$15 Million - \$30 Million of expenses. The ACL Agreement does not impose an absolute requirement on RTC to make the "initial" repairs noted above. Instead, the relevant language in Section 5.1 of the ACL Agreement states that if RTC does not make improvements to the section of the track north of MP 7 and through MP 31.39, SPPR's obligation to provide transportation service (i.e. excursion train service as distinguished from mass transit or commuter service) is extended accordingly. It is possible that RTC might not be able to fund and complete the repairs prior to the expiration of the ACL Agreement in 2028.

The Measure D expenditure plan provides 8% of revenue (approximately \$2 Million annually) for Rail Corridor infrastructure preservation and analysis of options, representing RTC's only dedicated funding source for the preservation of the rail corridor. RTC staff has pursued grant funding for short line freight operations and continues to seek ways to leverage additional State and Federal government funds for repairs. RTC was successful on one grant application to leverage local funds to pay for repairs of the Pajaro railroad bridge in Watsonville (See Item #8 on today's agenda), where there is freight traffic, but there are limited opportunities for future freight rail grants on a line with no freight service beyond Watsonville.

At this time staff believes that abandonment of the freight easement in association with termination of the ACL Agreement (at least as it applies north of Watsonville or MP 3.0) and railbanking will facilitate RTC's ability to deliver a trail in conjunction with other regional priority projects specified in the RTC's Regional Transportation Plan (RTP). These actions would:

- 1) eliminate ownership constraints related SCCRTC's use of railroad easements for a trail;
- 2) eliminate, for the duration of railbanking, the need to complete expensive repairs on the SCBL that would be necessary for freight rail service, deferring the need to divert discretionary funds from other projects or implement a new dedicated local funding source to pay for the repairs;
- 3) preserve the rail corridor in a manner that would provide local control and flexibility on decision making, until such time that RTC or another

freight operator desired to and could finance the resumption of freight rail service; and,

- 4) provide an avenue for the current rail operator to exit the ACL Agreement and would avoid the need for SCCRTC to find another entity to assume the ACL Agreement over the portion of the line that is railbanked.

However, there are a number of other factors that the Commission should consider in determining whether and how to pursue railbanking on the SCBRL. These issues include:

- i. that the process for railbanking would require the filing with the Surface Transportation Board of an application or request for exemption for authority to abandon (referred to herein for simplicity as a "Notice of Abandonment");
- ii. that SPPR continues to hold the freight easement on the SCBRL and has chosen not to follow through with filing their Notice of Abandonment even though SPPR still desires to terminate the ACL Agreement and extinguish their ownership of the freight easement;
- iii. the Felton Line is also a freight rail line, and railbanking the SCBRL would effectively leave Roaring Camp's potential freight operations as a stranded segment (i.e. not connected to the interstate freight system); and,
- iv. Roaring Camp has voiced opposition to railbanking the RTC owned SCBRL.

## **Railbanking Process**

An applicant submitting a request for abandonment authority to the STB must file an Environmental Report on the proposed action. This report is distinct to the abandonment process and notwithstanding the name of the report it is substantively different from either a standard NEPA or CEQA environmental analysis report. The report would include consultation with other agencies regarding the proposed action's environmental effects. Railway counsel does not believe that there would necessarily be any environmental objections that could/would be raised by any of the applicable agencies from the abandonment/cessation of the (non-existent) freight service. In addition to the Environmental Report, an applicant for abandonment authority must also file an Historic Report on the proposed

actions. The Historic Report is to be combined with the Environmental Report where, as here, one is required. Following the submission of the Environmental and Historic Report, the STB's Office of Economic Analysis ("OEA") will generally prepare an Environmental Assessment.

Along with the reports, a Notice of Abandonment would need to be filed with the STB. SPPR, as the holder of the freight easement, is the entity that would typically file the Notice of Abandonment. Subsequent to its initial indications, SPPR has indicated that it would not file the Notice of Abandonment considering Roaring Camp's objections. Alternatively, RTC can file for Adverse Abandonment (see section below). In either case, RTC would want to request a railbanking order (a "notice of interim trail use (NITU)"), which is required to be submitted to the STB no more than 30-days after an application for an abandonment is filed with the STB, if there was action to move forward with abandonment proceedings.

Once a Notice of Abandonment has been filed, other potential railway operators, including Roaring Camp, could then make an Offer of Financial Assistance ("OFA") to try to prevent abandonment or railbanking. An OFA would include the obligations to purchase the rail line at net liquidation value, and to assume the Freight Easement, the associated common carrier responsibilities, and the maintenance of the line. Due to the significant cost of work needed to restore freight on the line and no freight activity north of Watsonville, a viable OFA seems unlikely. The ability to generate revenue from recreational rail would not be considered in an OFA. In addition, any railroad making an OFA would also likely need to secure an ACL Agreement with RTC if it wants RTC's assistance with the management of the right of way. Based on previous discussions with Roaring Camp, it does not appear likely that Roaring Camp and RTC would be able to mutually agree on terms for a new ACL Agreement as Roaring Camp has not been willing to assume the necessary repair and maintenance costs that are necessary to allow heavy freight service along the entire SCBRL.

If an OFA was not viable, Roaring Camp could still object to the abandonment of the SCBRL, as the Felton Line is technically a freight rail line, and an abandonment action would leave the Felton Line "stranded" (disconnected from the interstate freight network). This objection would likely necessitate a determination on whether freight service should also be abandoned on the Felton Line, before the STB might rule on the abandonment of the SCBRL.

Assuming the STB determines that both lines can be abandoned for heavy freight and considers the NITU for the SCBRL, then the RTC and the owner of the freight easement will have a period (initially a year) to negotiate a

railbanking agreement, but the timeline could be shorter if an agreement is reached. Under the NITU and the railbanking agreement, RTC could become the interim trail manager for the railbanked section of the SCBRL. RTC would need to assume financial liability to maintain the right-of-way and would have certain responsibilities to manage the property in a manner that does not preclude future potential reactivation of freight rail service. Once railbanked, RTC could construct a trail with or without the tracks being left on the property or some sort of transit service.

### **Adverse Abandonment**

If an agreement with Roaring Camp and SPPR cannot be reached, it appears that RTC's only method of railbanking the SCBRL would be to file for adverse abandonment. Adverse abandonment is a process when a person or entity that does not own the freight easement files a request with the STB to order to force the abandonment of freight services on a rail line. This process is typically initiated when there is no active freight service on a line (as is the case with the SCBRL past MP 3.0) and when the requesting party desires to have the freight line taken out of service so that the railroad right of way can be used for purposes other than freight service including railbanking.

The STB leans towards preserving rail service when there is a railroad that is making legitimate attempts to continue or restart freight operations and there is at least some reasonable chance for future freight rail service. However, it is generally not enough for the railroad operator or the potential shipper to simply say they have an intent to ship freight by rail over the line. Thus, the absence of freight service on the line even before the SCBRL went out of service will be relevant to the STB's determination. Also, often when adverse abandonment is sought, the tracks are inoperable and costly to repair which makes it easier to make the necessary findings that service is unlikely to be restored.

### **Addressing Roaring Camp Objections**

For RTC to be able to railbank the SCBRL, Roaring Camp's objections must be addressed. It remains preferable to reach an agreement with Roaring Camp, before taking any action(s) with the STB. RTC has offered Roaring Camp a long-term lease of the portion of the SCBRL that Roaring Camp uses to ensure that they can continue to run their recreational service to the Boardwalk. RTC staff has also discussed the possibility with Roaring Camp of expanding recreational service to Davenport. Finally, RTC has discussed potential financial considerations to move Roaring Camp's railroad equipment by truck. These considerations should allow Roaring Camp to continue and possibly expand their core recreational rail business, including



service to the Boardwalk on the SCBRL. Beyond Roaring Camp's opposition to railbanking the RTC owned SCBRL, RTC has no interest in the Felton line and is not proposing that Roaring Camp stop serving the Boardwalk with their successful Beach Train, subject to RTC and Roaring Camp reaching agreement on a new agreement on mutually agreeable terms.

Although RTC could file for adverse abandonment and railbanking of the RTC owned SCBRL, allowing Roaring Camp's objections to be settled as part of those proceedings, adverse abandonment and railbanking the SCBRL could be a long process due to Roaring Camp's objections. Another potential approach would be for RTC to file for adverse abandonment of heavy freight only on the Felton Branch Line, as an initial step to railbanking the SCBRL. A determination of abandonment of freight on the Felton line would be based on whether there are realistic expectations for profitable freight service on that line. Note that the STB does not regulate recreational rail and the RTC would only be seeking to gain clarification as to whether the Felton line's current freight status can be used to stop railbanking of the SCBRL. This action could potentially provide the resolution of the stranded line argument, in advance and separate of potential subsequent actions to abandon and railbank the SCBRL and terminate the ACL Agreement.

In either case, an Environmental and Historic Report would ultimately need to be prepared, so it may be more straight forward and timely to address the Felton Line separately. Based on there not being any freight on the rail line and an assumption that Roaring Camp would not remove their rail facilities or change the recreational use of the line, the Environmental and Historic Report would likely not show any adverse environmental effects by removing federal protections of non-existing freight and the proceeding could potentially occur in advance of any future potential attempt to abandon and railbank the SCBRL.

Whether and if RTC chooses to file for adverse abandonment of the SCBRL or the Felton line, the disposition of freight on the Felton line needs to be addressed. Even if adverse abandonment of heavy freight is approved, Roaring Camp could continue their recreational service to the Boardwalk, under their existing trackage agreement or a new agreement with RTC. That said, it would still be preferable to negotiate an agreement with Roaring Camp avoiding any adverse abandonment action. If the STB denies the abandonment of freight of the Felton Branch Line, railbanking of the SCBRL become much less likely or possible.

### **Cost of Abandonment and Railbanking**

As estimated by legal counsel, the costs associated with the filing of an adverse abandonment action include the filing fee for an adverse abandonment application (\$27,000), the filing fee for the petition for waivers (\$2,200), the attorney's fees to prepare the combined environmental and historic report (\$5,000-\$7,500), and preliminary attorney's fees for preparation of the adverse abandonment application (\$25,000-\$30,000). The total estimated cost of filing an adverse abandonment application totals \$59,200-\$66,700 per action. As RTC is a governmental agency, some or all the filing fees may be waived by the STB. As with other litigation, if the railroad were to vigorously oppose the application, there would likely be additional attorneys' fees incurred by railway counsel that are difficult to estimate but would add additional costs.

As mentioned earlier, the Measure D-expenditure, approved by 2/3 of Santa Cruz County voters, provides 8% of for Rail Corridor infrastructure preservation and analysis of its future potential use to better serve Santa Cruz County residents and visitors. The Measure Revenues do not include funding for any new train/rail service. Since railbanking is a method of preserving the rail corridor, it would be possible to consider using Measure D funds (or potentially other RTC Discretionary funding) for the expenses associated with railbanking the corridor.

There have been questions as to whether RTC would need to pay back any of the funds used to purchase the rail line and make improvements in order to railbank the SCBRL. California voter approved Proposition 116 funds and STIP funds were used to purchase the line. RTC accepted State funds with conditions that: (1) RTC be responsible or initiating recreational passenger rail service, (2) RTC be responsible for hazardous waste clean-up, (3) RTC be responsible for continuing freight rail service for as long as would be required by the STB, and (4) in the case where RTC ceases to utilize the Branch Line for the original purpose as approved by the Commission, RTC commits to reimburse the State the greater of either the amount allocated or the then present fair market value as determined by the State.

RTC has met Condition 1 with continued Roaring Camp service and the Christmas train service initiated by Iowa Pacific, SPPR's predecessor. RTC continues to monitor hazardous waste on the Corridor and provide any necessary clean up, as required by the County Department of Environmental Health Services (EHS). RTC has continued freight service on the SCBRL and if the STB were to approve either abandonment or railbanking of the SCBRL, STB will have determined that providing freight service will at least temporarily no longer be required. Finally, since railbanking provides for preserving the corridor for future freight rail service, RTC would not be considering an action to stop using the rail line for its intended purpose.

## **Railbanking Agreement**

As mentioned earlier, in order to railbank the SCBRL, RTC would need to ultimately negotiate a railbanking agreement with the freight operator. The ACL Agreement requires that upon termination of the ACL Agreement, SPPR shall cooperate with the transfer or abandonment of Freight Service as requested by the Commission. The ACL Agreement includes provisions to provide for railbanking, in lieu of complete abandonment. The step of transferring the freight easement to RTC would allow RTC to negotiate the railbanking agreement on RTC's own terms and have prioritization for any future potential request to re-activate freight on the SCBRL.

There are few requirements in the Rails to Trails Act or the STB regulation for the railbanking agreement. When the holder of the residual freight reactivation rights (the "residual operator") and the trail sponsor enter into the railbanking agreement they must jointly notify the STB that an agreement has been reached, and certify to the STB that the agreement requires the trail sponsor to assume full responsibility for (1) managing the right-of-way, (2) any legal liability arising out of the transfer or use of the right-of-way (unless the user is immune from liability in which case it need only indemnify the railroad against any potential liability), and (3) the payment of any and all taxes that may be levied or assessed against the right-of-way. (The railbanking agreement does not get filed with the STB).

There are no other formal requirements for a railbanking agreement. However, the residual operator and the trail sponsor are free to negotiate and include other contractual obligations in the railbanking agreement, including the notice to be given to reactivate rail service, the amount that would need to be paid to the trail sponsor for improvements and repairs made to the property, whether trail improvements need to be left in place (so long as they would not interfere with the reactivation of freight rail service), and what obligations, if any, the trail sponsor would have to maintain the property including leaving or removing the tracks on the property (and for what period of time).

Since a railbanking order requires that the right-of-way be preserved for future re-activation of heavy freight rail, it is implicit that any potentially removed tracks will need to be replaced by the freight railroad upon a federal re-activation order. However, the agreement could also be negotiated with provisions to allow for re-construction of the right-of-way for commuter rail service, prior to any subsequent potential re-activation of heavy freight, including timing and whether trail improvements could be left in place.

## **Taking No Action**

RTC can choose to leave the ACL Agreement in place until its termination date of July 15, 2028, whether it is able to fund and complete the anticipated initial freight and recreational rail repairs specified in the ACL Agreement, or not. However, RTC and its partners are actively developing three project level EIRs for the Coastal Rail Trail: Segments 8-9, Segments 10-11, and Segment 12 (Segment 12 is included in the Highway 1 EIR between State Park Drive and Freedom Boulevard). The timely disposition of freight rail on the SCBRL is important in understanding key aspects of the Coastal Rail Trail design and whether additional property rights will need to be acquired. RTC and its partners plan to aggressively seek funding for these three trail projects in 2022 and understanding whether railbanking is feasible is needed to estimate the cost and feasibility of building a trail along the rail right-of-way in any configuration.

As discussed earlier, initial investigations have determined that there are multiple locations where RTC only owns an easement for railroad purposes and additional property rights will be needed to build a trail in any configuration, if the SCBRL is not railbanked. In order to build a trail, legal counsel has advised that additional property rights should be secured to avoid potential inverse condemnation actions, by property owners, such as those experienced by SMART. Inverse condemnation is the illegal taking of right-of-way and can result in substantial damage payments, including the property owner's legal fees.

If RTC is unable to negotiate additional property rights with the underlying property owners of railroad easements, RTC could use the powers of eminent domain to acquire those rights; however, such actions will require a two-thirds vote of both the Commission and the local jurisdiction where the property is located (City Councils or County Boards of Supervisors). If RTC is unsuccessful in obtaining those rights, then a trail, in any configuration, across those railroad easements will become infeasible.

There are other project features that are also affected on the coastal rail trail, including sections of track that will need to be moved to fit a trail, whether fencing should be placed between the rail and the trail, and whether some major infrastructure improvements might be able to be deferred to control cost and position projects to be more competitive for grant funding.

If the RTC continues with the status quo until the ACL Agreement expires in 2028, the same circumstances that exist today will likely continue to exist. Upon termination of the ACL Agreement, SPPR will need to cooperate with the transfer or abandonment of Freight Service as requested by the

Commission. However, RTC's ability to railbank could still be stopped by the opposition of a potential stranded line and the dispute regarding funding repairs for heavy freight service will remain unresolved.

Attachments:

- (1) Roaring Camp's Letter to RTC on June 28, 2020
- (2) Roaring Camp's Letter to RTC on March 18, 2021
- (3) SCBRL Easement Map



June 28, 2020

Mr. Luis Pavel Mendez  
Deputy Director  
Santa Cruz County Regional Transportation Commission  
1523 Pacific Avenue  
Santa Cruz, CA 95060

Dear Luis:

Recently, Progressive Rail reached out to us regarding the potential change as operator on the Santa Cruz Branch Line. They informed us they are looking to assign the agreement to another operator and encouraged us to contact you. As you know, the Santa Cruz, Big Trees & Pacific Railroad, a subsidiary of Roaring Camp, has always had an interest in operating over the line. We are the only local railroad company that has operated in Santa Cruz County for over 57 years, making us a landmark. This gives Roaring Camp a strong advantage over many other operators. For instance we have a long established marketing program and our brand is strong, we have a large facility in Felton, our employees are locals, and being part of the community means we understand Santa Cruz better than outsiders. This gives us a competitive cost advantage over a new entry into the market.

We have consulted with our legal counsel and reviewed the existing Administration, Coordination and License Agreement (Agreement) to see if we would be willing to assume the obligations outlined in that document. Let me state from the outset that we are a local, family-owned business and cannot place ourselves in a position where we are exposed to a potentially unlimited financial obligation to maintain and repair a right-of-way that, over the past few years, has required substantial efforts to get ready for service. Nevertheless, we find this opportunity very exciting and we look forward to discussing it further with you.

We have prepared a list of the terms in the Agreement that cause us concern and which we would want to discuss with you as we explore the possibility of assuming the Agreement from Progressive Rail. This list is not exhaustive, and we may have additional questions as we become more familiar with the Agreement, but here are our principal concerns:

1. The obligations for maintenance are particularly not clear, especially with regard to potentially significant repairs. Under the Agreement, the Commission is obligated to maintain the segment north of MP 7.0, for the first three years following the grant of the license, which period ends on March 15, 2022.

At that point, according to Section 5.1, the Commission "shall have no further obligation to maintain or repair the Freight Easement Property or Railroad Facilities." It then becomes the 'Railway's' obligation to maintain and repair the line, pursuant to Section 5.2. Should it fail to perform needed repairs, however, the Commission may undertake them and bill the Railway for the actual cost, with that obligation secured by a \$160,000 performance bond. Putting aside our concerns with how such an arrangement may work in practice given that the parties may differ as to when repairs are needed, we are confused by how the other provisions of Section 5.2 operate. Subsection 5.2.4, which seeks to limit the maintenance and repair obligation by specifying the failure to take some actions (such as tie replacement and other upgrades) as not being sufficient to trigger a default, is of particular import. This becomes even more confusing when the language of Subsection 5.5.3 is considered, which places certain repairs in a category that is more elective for the Railway, but with the limitation that the Railway must seek funding or place the segment of the line out of service, as may be mutually agreed by the parties. We anticipate that the Commission, which is obviously much more familiar with these terms, could explain these in a way that will address our concern that we not be saddled with a significant maintenance obligation, particularly for catastrophic events, on a line that has modest prospects for generating substantial revenue.

2. A second, and related issue, is the subject of abandonment. Based on the language in 5.5.3, the need for significant repairs could trigger an action to "suspend or abandon" service over all or a portion of the line, which would require mutual agreement. This provision does not specifically mention the formal abandonment procedure overseen by the federal Surface Transportation Board, which is addressed in Section 8.3. Of great concern is the potential application of the liquidated damages provision in Section 8.5. Taken together, Sections 5 and 8 appear to create a means for the Railway to avoid significant financial responsibilities in the event a catastrophic event disrupts the ability to operate the line. We would appreciate a frank discussion of the expectations of the Commission with regard to these issues, and perhaps some clarifications to these provisions to provide us with some comfort as to the scope of the potential financial obligation. This discussion should consider the likely scenario for the filing of an abandonment over part of this line, as well as the Commission's obligations to the California Transportation Commission.

3. We also have questions regarding the timing of certain obligations under the Agreement. Given the completion of the Unified Corridor Investment Study and the issuance of the license to Progressive to provide "Transportation Service," the deadlines in Section 2 become operative. We note that the deadline for submitting the "detailed plan describing the proposed Transportation Service" has been extended pursuant to the First Amendment to the Agreement, but that the other deadlines, such as the performance obligations in Section 2.4.1.3, have not. If we were to assume Progressive's role, given our late arrival on the scene, we would need more time to develop and implement a plan for operations.

4. One of the advantages that we have in the availability of our existing railroad maintenance facilities in Felton. The language in Section 6.3 requires the Commission to consent to the use of any facility outside of the Freight Easement. We would require that our use of that facility be approved as a part of any assumption arrangement.

5. We will need some time to develop a budget for the potential costs of maintenance and operations and the potential revenues from operations to determine the feasibility of taking over the Agreement.

6. The language regarding potential third-party operators is a bit complicated. We would want to discuss with the Commission its expectations for such operators, as they could complicate our ability to plan and operate service.

Roaring Camp has lent our services several times over the years to the various operators because we have a shared vision for the success of the corridor. Our philosophy has always been a strong commitment to helping whenever we can on the Santa Cruz Branch Line. As operator of the Santa Cruz Branch Line we believe we could help the SCCRTC create a viable option that can help bridge present operations with future goals.

We appreciate your consideration and would be available to meet and discuss these options at your convenience.

Best regards,

Melani Clark  
CEO, Roaring Camp Inc.



## ATTACHMENT 2



March 18, 2021

Mr. Guy Preston  
Executive Director  
Santa Cruz County Regional Transportation Commission  
1523 Pacific Ave.  
Santa Cruz, CA 95060

Dear Guy:

I wanted to thank you, Luis and Steve for taking the time out of your busy schedules to speak with us Wednesday. We certainly share your concerns regarding the Santa Cruz Branch Line and believe there could be real potential in collaborating on railroad projects and other operations. Your update on the line was very informative and helps us to understand the issues you're dealing with in regards to the railroad bridges. We just completed our annual engineering report and subsequent list of repairs for our bridges in accordance with FRA CFR Part 237 program. We certainly understand the challenges that inspections bring both financially and logistically and are happy to discuss avenues and solutions we've taken.

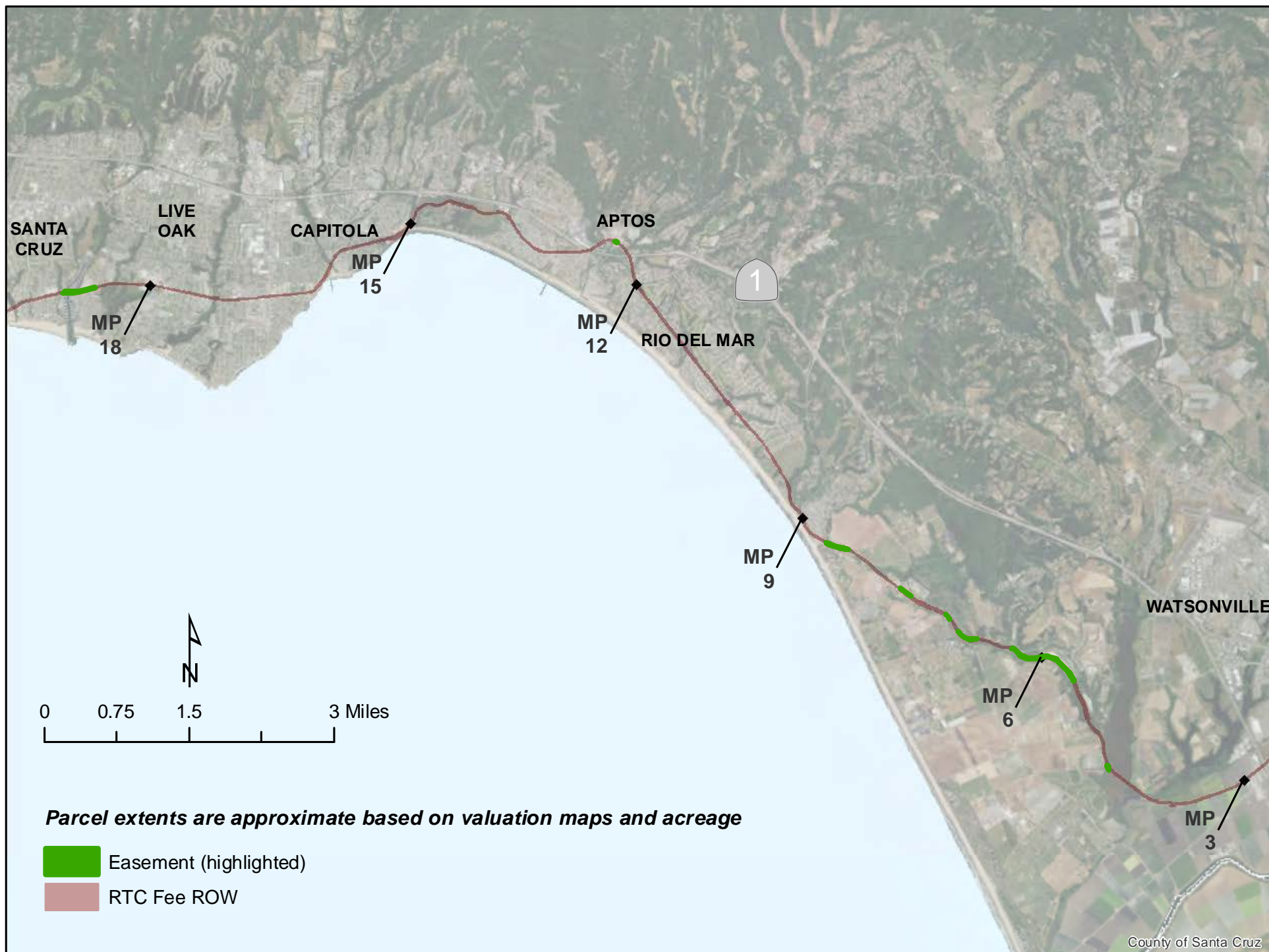
As stated in our meeting, we are not in support of railbanking. This has led to our discussion with Progressive in regards to the handling of freight service between MP 0 – MP 7. We feel our partnership could help bridge a gap between the RTC and Progressive so that freight can be served in accordance with STB requirements. Progressive has expressed the opinion that the ACL should be amended because the current agreement creates too large of a burden on the operator. As you know we have concurred in this opinion and would like to request a discussion on the few items of concern. We hope you will consider our request as we feel future negotiations may become difficult.

We also encourage you to continue communications with TIG/m whom we view as a potential partner for the transportation service requirement of the ACL. They shared that their initial offer was just one possible scenario and that they can offer a much more modest approach that would include track remediation, rolling stock, new stations and an O&M facility, none of which would require public sector funding. TIG/m can solve the issues of service operation, EIR's, etc., given the chance. Clean air, battery and hydrogen fuel propelled, 20 hours of operation on a single charge, TIG/m truly offers a environmentally friendly, cost-effective answer to smaller regional rail transportation. Roaring Camp is offering our support and services to assist in TIG/m's success on the corridor.

During our meeting, you expressed concern about the long-term future. Roaring Camp shares concerns about the future too, our business depends on it. We look to partner with state-of-the-art transportation services like TIG/m, we look to freight service on our Felton Branch Line and we look to what we can bring to the table however it fits best on the Santa Cruz Branch Line. We support the rail with trail and think it is an asset to all those living and visiting Santa Cruz County. We hope the efforts of Mark Stone, Sam Farr and so many others who worked hard for a multi-use corridor will be proud of the decisions made by you during your tenure at the RTC.

Best regards,

Melani Clark  
CEO, Roaring Camp Railroads



**AGENDA:** February 3, 2022

**TO:** Santa Cruz County Regional Transportation Commission (RTC)  
**FROM:** Luis Pavel Mendez, Deputy Director  
**RE:** Ballot Measure Regarding Rail and Trail

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## **RECOMMENDATION**

Consider the recommendation from Chair Brown and Commissioners Montesino and Rotkin to place an advisory measure on the June 2022 ballot concerning the future of rail service and construction of a bicycle and pedestrian trail in the Santa Cruz Branch Rail Line right-of-way (Attachment 1).

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## **BACKGROUND**

At the RTC's January 13, 2022 meeting, Commissioner Rotkin requested to put an item on the February 2022 RTC meeting agenda to consider placing an advisory measure on the June 2022 ballot concerning the future of rail and trail uses on the Santa Cruz Branch Rail Line (Rail Line). Subsequently Commissioner Rotkin sent a report (Attachment 1) to staff with a recommendation from him, Commissioner Montesino and Chair Brown recommending that the RTC place such an advisory measure on the June 2022 ballot and draft language for the proposed ballot measure (Attachment 1 Exhibit A).

For many years the Regional Transportation Commission (RTC) and the community have evaluated and discussed a range of options for utilizing the Santa Cruz Branch Rail Line (SCBRL). The community was successful in including \$11 million in Proposition 116 of 1990 for rail projects in Santa Cruz County. Following completion of a Major Transportation Investment Study (MTIS) in 1998, the RTC initiated negotiations with Union Pacific (UP) to purchase the Rail Line to preserve for future transportation uses including: commuter rail, recreation rail, freight rail, and a multi-use bicycle and pedestrian trail. In 2012, using Proposition 116 funds, the RTC purchased the SCBRL from UP and entered into an agreement with a rail operator who continued freight rail service and initiated recreational rail service. Since purchasing the corridor, the RTC completed the Monterey Bay Sanctuary Scenic Trail Network (MBSST) Master Plan, Rail Transit Feasibility Study, the Unified Corridor Investment Study (UCIS), and Transit Corridor

Alternatives Analysis (TCAA). Each of these planning efforts included extensive public outreach, including surveys, focus groups, workshops, open houses, public hearings, and other methods to solicit input from the community. In 2016, more than 2/3rds of Santa Cruz County voters approved Measure D, which designates 8% of tax revenues to preserve railroad infrastructure and conduct analysis of potential use to better serve Santa Cruz County residents and visitors. Projects include analysis (including environmental and economic analysis) to answer important community questions about possible future transit and other transportation uses through an open public process; and maintaining and repairing the publicly owned Santa Cruz Branch Line. Revenues are not permitted for use on any new train/rail service.

## **DISCUSSION**

There is not universal agreement in Santa Cruz County on the best use of the SCBRL. Some board and community members have suggested placing a measure on the ballot to determine voter support for transit or other rail uses or a trail-only on the rail corridor.

Things to consider:

- Deadlines: The deadline for a district (RTC) or the County Board of Supervisors to place a measure on the June 7, 2022 ballot is 5:00 pm on March 11, 2022.
  - March 18, 2022:
    - Deadline for filing arguments for or against local ballot measures
    - Deadline for filing analyses of local ballot measures.
  - April 8, 2022: First day for County Elections Department to mail ballots to military and overseas voters
  - May 9, 2022: First day to mail ballots to vote-by-mail voters
  - May 23, 2022: Last day to register to vote in the June 2022 election
- Items required to place a measure on the countywide ballot:
  - Resolution: a) The RTC would need to submit a "Resolution Requesting Consolidation of Election and Ordering of Such Election" along with the "Notice to County Clerk of Measure Submitted to the Voters." OR b) the County Board of Supervisors can submit a "Resolution Requesting Consolidation of Election and Ordering of Such Election."
  - Measure Text: This is the full text of the measure, which County Elections would include in the Voter Information Guides. It would require legal review. Commissioner Rotkin submitted draft

proposed text for the potential measure (Attachment 1 Exhibit A).

- 75-Word Ballot Question: Submit a ballot questions of no more than 75 words, followed by the words "YES" and "NO."
- Election Cost: Election costs are estimated per registered voter. County Elections estimates that the cost per voter for a county-wide measure on the June Primary ballot would be in the \$3-\$6 range. County Elections estimates that the November General election cost per voter will be in the \$2.50-\$4 range. There are currently 169,669 registered voters in the County. That number is expected to increase prior to the election. If the measure is placed on the ballot by the RTC, the cost could be as high as \$1 million. If placed on the ballot by the Board of Supervisors, the cost is absorbed by the County. Because this proposed advisory measure would help to answer questions associated with usage of the Santa Cruz Branch Rail Line, Measure D funds could potentially be used to cover the cost.
- Public Outreach: Typically if a jurisdiction places a measure on the ballot they also conduct public outreach and prepare materials for public distribution regarding the measure.
- Polling and Ballot Question: Many agencies conduct surveys of likely voters when developing a ballot question and public information.

Staff does not have a recommendation on whether or not to place a measure on the ballot. Notably, advisory measures which are not tied to new revenue mechanisms are not common; voters represent only a portion of transportation system users; planning related to implementing transit and/or a trail in the railroad corridor is complex and would be challenging to summarize into a measure. Past polling indicated that neither a trail-only nor rail-only measure would garner super-majority support. In addition, transportation agencies such as the RTC do not tend to place advisory measures on the ballot and due to the way that state law is written, it is not absolutely clear that the RTC can place an advisory measure on the ballot.

**Staff recommends that the RTC consider the recommendation from Chair Brown and Commissioners Montesino and Rotkin to place an advisory measure on the June 2022 ballot concerning the future of rail service and construction of a bicycle and pedestrian trail on the Santa Cruz Branch Rail Line right-of-way (Attachment 1).**

## **FINANCIAL IMPACT**

If the RTC decides to place a measure on the June 2022 ballot, the RTC may need to budget up to \$1 million (170,000 voters times \$3 to \$6 per voter) to cover the cost of the election. Staff would recommend that the RTC also budget funds for legal review of ballot text, to conduct public outreach and ensure factual information is available to voters.

## **SUMMARY**

The deadline to place a measure on the June 2022 primary ballot is March 11, 2022. A number of steps are necessary, including the production of the ballot measure language, and the cost for the election could be up to \$1 million. Staff recommends that the RTC consider the attached recommendation (Attachment 1) for a potential advisory measure on the June 2022 ballot.

### Attachments:

1. Report from Chair Brown and Commissioners Montesino and Rotkin recommending an advisory measure for the June 2022 ballot with draft proposed ballot text as Exhibit A

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## **ATTACHMENT 1**

**AGENDA:** February 3, 2022

**TO:** Regional Transportation Commission  
**FROM:** Chair Brown and Commissioners Montesino and Rotkin  
**RE:** Proposed Advisory Ballot Measure in Support of Public Transit and a pedestrian/bicycle Trail on the Rail Corridor

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### **RECOMMENDATION**

That the Regional Transportation Commission approve placing an advisory measure on the June 2022 countywide ballot in support of public transit and a pedestrian/bicycle trail on the Santa Cruz County Rail Corridor.

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### **BACKGROUND**

As you know, the Commission has been considering the future of the rail corridor since it was originally purchased. A number of studies have been completed and the Master Rail Trail Plan has been unanimously adopted and its implementation is ongoing. There has been a great deal of public interest in the issue of the corridor and its use is highly controversial.

Commissioners are aware that Greenway has circulated an initiative petition, which is likely to be on the June ballot, concerning the use of the rail corridor in the County. The initiative would amend that County's General Plan to incorporate the Greenway proposal. The initiative would not apply to the Commission or substantially impact or necessarily guide any of our decisions.

### **DISCUSSION**

In our view, the proposed Greenway initiative is fundamentally confusing and contradictory.

- The initiative defines the greenway as follows: *“As used in this General Plan, “Greenway” shall mean a trail between the San Lorenzo Bridge in the City of Santa Cruz and Lee Road in the City of Watsonville for commuting, active transportation, and recreation by pedestrians, bicycles, wheelchairs, e-bikes, skateboards, and personal e-mobility that **includes two lanes of wheeled traffic on a paved path, a divider, and a separate walkway for pedestrians, with a shoulder on both sides.**”*
- *Given the width of the rail corridor, the only way to build a trail meeting these specifications would be to remove the railroad tracks.*
- *While the initiative states that the Greenway would be an interim use, it deletes every reference to rail service, rail planning, and rail line maintenance from the General Plan.*

On the one hand, then, the definition of the Greenway and removal of language supporting rail service from the General Plan would, if it guided Commission actions, effectively make future public transit along the corridor impossible.

On the other hand, the initiative indicates that the Greenway would be an interim use and that future public transit is possible.

Voters, then, could cast their ballots in favor of the initiative thinking that they were supporting future public transit, like rail service, on the line. Or, to the contrary, they could think that they were supporting the permanent removal of the tracks. The initiative, then, would not be a good guide for future Commission decisions as to the general public’s attitude regarding the future of the rail corridor.

We think it is unfortunate if the only ballot measure seeking to determine the public’s views regarding the corridor’s future is as unclear as it is and potentially subject to a campaign based on unclear and confusing information.

As the findings in the attached advisory ballot measure elaborate, the Commission has spent many years considering and studying potential options for the future of the rail line. The Unified Investment Corridor Study



and TCAA both supported public transit on the rail line, and the adopted Master Rail Trail Plan would implement a trail along the rail line to the extent possible. These are current Commission policies based on previous Commission decisions but, unfortunately, we now seem very divided as to how to proceed.

Many citizens from even diverging points of view, have urged the Commission to go to the public and ask them what they want for the corridor. We agree that it is important and would be worthwhile to question the public now to see if they support these previous Commission decisions. A majority Yes vote on the measure will indicate a public desire for the Commission to stay the course. A majority No vote will send a message that the Commission needs to consider an alternative approach.

The proposed measure if approved, will not undermine the Commission's commitment to the current rail trail projects. It provides an option for interim use of portions of the track as a trail only. However, it supports such an option only with a firm and binding commitment that any tracks removed would be replaced or relocated when public transit on the corridor is financially feasible.

## **FISCAL IMPACT**

There may be costs associated with the Commission approved of the placement of the proposed measure on the ballot, but they are not known at this time.

## **SUMMARY**

The proposed advisory ballot measure asks County voters if they support public transit and the pedestrian/bicycle trail along the rail corridor. If a majority of the public want to remove the tracks from the corridor for a trail only, they should vote No. If they want to preserve the option of public transit on the corridor when it becomes financially feasible, they should vote Yes. The advisory ballot measure gives the voters a clear choice and we recommend that the Commission approve its placement on the June 2022 ballot.

## **EXHIBITS**

### **A. Draft Advisory Ballot Measure**

## EXHIBIT A

### ADVISORY MEASURE IN SUPPORT OF PUBLIC TRANSIT AND A PEDESTRIAN/BICYCLE TRAIL ALONG THE SANTA CRUZ COUNTY RAIL CORRIDOR

The people of the county of Santa Cruz do ordain as follows:

SECTION 1. TITLE. The title of this measure shall be "ADVISORY MEASURE IN SUPPORT OF PUBLIC TRANSIT AND A PEDESTRIAN/BICYCLE TRAIL ALONG THE SANTA CRUZ COUNTY RAIL CORRIDOR."

#### SECTION 2. PURPOSES.

Purposes of the measure are as follows:

1. To express the support of the citizens of the County of Santa Cruz for retaining the option of public transit along the County's rail corridor.
2. To express the support of the citizens of the County of Santa Cruz for the construction of a pedestrian/bicycle trail along the railroad tracks to the maximum extent feasible.
3. To encourage the Santa Cruz County Regional Transportation Commission to carry out the purposes and policies of this measure consistent with its powers under Government Code Section 6741 "to preserve, acquire, construct, improve, and oversee multimodal transportation projects and services on rail rights-of-ways within Santa Cruz County in any manner that facilitates recreational, commuter, intercity, and intercounty travel."

#### SECTION 3. FINDINGS.

It is hereby found and determined as follows:

1. History of Rail Service. Santa Cruz County has a long history of passenger rail service beginning near the start of the 20<sup>th</sup> Century.
2. Importance of the Santa Cruz County Rail Corridor for Public Transportation. Santa Cruz County has a very limited number of transportation routes in and out of the County – Highway 1, Highway 17, the Soquel Drive corridor and the Rail corridor. In the event of a severe natural disaster, the rail corridor could play a critical role as an evacuation route and for transporting supplies and equipment.
3. Funding the Acquisition of the Rail Corridor. The State of California provided approximately \$11 million for the acquisition of the rail corridor based on a commitment by the Santa Cruz Regional Transportation Commission to provide passenger rail service in the County.
4. Rail Trail Master Plan Approval. The Santa Cruz County Regional Transportation Commission adopted the Master Rail Trail Plan for a pedestrian/bicycle trail along the rail corridor adjacent to the railroad tracks. All four cities and the County approved this Plan.
5. Implementation of the Rail Trail Master Plan. As of January 2022, three segments of the Master Plan have been constructed, one segment has been approved and funded, one segment has been funded and is near final approval, and five segments are in the design and environmental review process.
6. The Unified Corridor Study Supported Public Transit and an Adjacent Trail along the Rail Corridor. The Santa Cruz County Regional Transportation Commission approved the findings in the Unified Corridor Investment Study that public transit and an adjacent trail was the preferred alternative for the rail corridor.
7. The Alternatives Analysis for the Rail Corridor Recommended Rail as the Preferred Alternative. The Transit Corridor Alternatives Analysis (TCAA) conducted by the Santa Cruz County Regional Transportation Commission and funded by Caltrans analyzed a significant number of options for use of the Rail Corridor, including a trail only alternative, and recommended passenger rail service as the preferred alternative, which the Commission accepted.

8. Current Funding Sources Inadequate for Rail Service. At this time, there is not sufficient funding to initiate passenger rail service. However, some funding exists and future federal and state funding programs could become available.
9. State Rail Plan Supports Rail Service in Santa Cruz. The recently approved State Rail Plan includes passenger rail service on the Santa Cruz branch line.
10. The Transportation Agency of Monterey County (TAMC) Actively Supports Passenger Rail Service. TAMC has initiated and supported a number of efforts to expand passenger rail service in Monterey County and has offered to coordinate and cooperate with the Santa Cruz County Regional Transportation Commission in implementing passenger rail service in Santa Cruz.
11. Measure D Includes Rail and Trail Commitments. Measure D approved by County voters in 2016 included significant sales tax revenue to preserve and improve the existing rail line as well as to implement the Rail Trail Master Plan. Measure D would not have passed without the support of the advocates for passenger rail service.
12. Positive Climate Change Impacts of Rail and Trail Along the Corridor. Passenger rail service and the adjacent trail will reduce the number of automobile trips and thereby reduce greenhouse gas emissions in the County.

SECTION 4. POLICIES. It is hereby determined that in order to support public transit and the pedestrian/bicycle trail along the Santa Cruz County rail corridor, the following policies should guide the decisions of the Santa Cruz County Regional Transportation Commission:

- a. Public Transit on Rail Corridor. It should be the policy of the Santa Cruz County Regional Transportation Commission to continue to support the preservation of the rail line for public transit and to preserve the railroad tracks for future public transit use.
- b. Rail Trail Along the Corridor. It should be the policy of the Santa Cruz County Regional Transportation Commission to continue to

implement the adopted Rail Trail Master Plan and to provide the pedestrian/bicycle path adjacent to the rail line to the maximum extent feasible.

c. Pursuit of Funding for Passenger Rail Service and the Rail Trail. It should be the policy of the Santa Cruz County Regional Transportation Commission to direct its staff to aggressively seek funding to upgrade the rail line, implement passenger service, and carryout the Rail Trail Master Plan.

d. Continued Implementation of the Rail Trail Master Plan. It should be the policy of the Santa Cruz County Regional Transportation Commission that the temporary removal of railroad tracks for the construction of the pedestrian/bicycle trail may only be approved under the following conditions:

1. The length of tracks removed on a temporary basis shall be minimized to the maximum extent feasible based on cost, available right of way, and environmental impacts.

2. Tracks will only be removed on a temporary basis after a binding agreement has been adopted by the Santa Cruz Regional Transportation Commission to replace or relocate a portion or all of the tracks as soon as it is financially feasible.

3. Santa Cruz County Transportation Commission staff shall be directed to seek all potentially available funding as part of the implementation of trail segments in order to avoid the need to remove tracks from the rail line.

SECTION 6. SEVERABILITY. If any portion of this ordinance is hereafter determined to be invalid, all remaining portions of this ordinance shall remain in full force and effect, and to this extent, the provisions of this ordinance are severable.

SECTION 7. EFFECTIVE DATE. This measure shall take effect as provided by Section 9217 of the Elections Code of the State of California.