

# **RIVERSIDE COUNTY TRANSPORTATION COMMISSION**

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## **AGENDA\***

*\*Actions may be taken on any item listed on the agenda*

**10:00 a.m.**

**Wednesday, July 12, 2006**

### **BOARD ROOM**

**County of Riverside Administrative Center  
4080 Lemon Street, First Floor, Riverside**

*In compliance with the Americans with Disabilities Act and Government Code Section 54954.2, if special assistance is needed to participate in a Commission meeting, please contact the Clerk of the Board at (951) 787-7141. Notification of at least 48 hours prior to meeting time will assist staff in assuring that reasonable arrangements can be made to provide accessibility at the meeting.*

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. PUBLIC COMMENTS (Items not listed on the agenda)**
- 5. APPROVAL OF MINUTES – [JUNE 14, 2006](#)**
- 6. [PUBLIC HEARING – FISCAL YEAR 2006/07 ALLOCATION OF FUNDING FOR RIVERSIDE COUNTY TRANSIT SERVICES](#)**

### ***Overview***

This item is for the Commission to:

- 1) Conduct a public hearing at the July 12, 2006 Commission meeting on the proposed Program of Projects;
- 2) Approve the FY 2006/07 Federal Transit Administration's (FTA) Section 5307 and 5311 Program of Projects for Riverside County;
- 3) Direct staff to add projects into the Regional Transportation Improvement Plan;
- 4) Approve the FY 2006/07 Local Transportation Fund (LTF) and State Transit Assistance (STA) fund allocations for transit as shown in Attachment 2; and
- 5) Adopt Resolution No. 06-016, *"Resolution of the Riverside County Transportation Commission to Allocate State Transit Assistance Funds"*.

7. **ADDITIONS/REVISIONS** *(The Commission may add an item to the Agenda after making a finding that there is a need to take immediate action on the item and that the item came to the attention of the Commission subsequent to the posting of the agenda. An action adding an item to the agenda requires 2/3 vote of the Commission. If there are less than 2/3 of the Commission members present, adding an item to the agenda requires a unanimous vote. Added items will be placed for discussion at the end of the agenda.)*
8. **CONSENT CALENDAR** - *All matters on the Consent Calendar will be approved in a single motion unless a Commissioner(s) requests separate action on specific item(s). Items pulled from the Consent Calendar will be placed for discussion at the end of the agenda.*

**8A. FEDERAL TRANSIT ADMINISTRATION DISADVANTAGED BUSINESS ENTERPRISE PROGRAM AND PROPOSED GOAL FOR FEDERAL FISCAL YEAR 2006/07**

***Overview***

This item is for the Commission to:

- 1) Adopt 2.90% as its Annual Federal Transit Administration (FTA) Disadvantaged Business Enterprise (DBE) Goal for Federal FY 2006/07 from October 1, 2006 to September 30, 2007;
- 2) Adopt Resolution No. 06-018, "*Resolution Of The Riverside County Transportation Commission Adopting Its Federal Fiscal Year 2006/07 Disadvantaged Business Enterprise Program and Goal (49 CFR Part 26) as Applies to Funding Received Directly from the Federal Transit Administration*"; and
- 3) Submit the FFY 2006/07 FTA DBE Program and Annual Goal to the FTA.

**8B. HARASSMENT-FREE WORKPLACE POLICY, VIOLENCE IN THE WORKPLACE POLICY, DRUG-FREE WORKPLACE POLICY, EQUAL OPPORTUNITY POLICY, AND ELECTRONIC COMMUNICATIONS POLICY**

***Overview***

This item is for the Commission to receive and file the revised Harassment-Free Workplace Policy, Violence in the Workplace Policy, Drug-Free Workplace Policy, Equal Opportunity Policy, and Electronic Communications Policy.

**8C. AMENDMENT TO AGREEMENT FOR FINANCIAL ADVISORY SERVICES**

***Overview***

This item is for the Commission to:

- 1) Approve Agreement No. 04-19-029-01, Amendment No. 1 to Agreement No. 04-19-029, with Fieldman, Rolapp & Associates (Fieldman) to amend the term and rates of the agreement for financial advisory services; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.

**8D. FISCAL YEAR 2007/11 MEASURE A FIVE-YEAR CAPITAL IMPROVEMENT PLANS FOR LOCAL STREETS AND ROADS**

***Overview***

This item is for the Commission to approve the FY 2007/11 Measure A Five-Year Capital Improvement Plans (CIP) for Local Streets and Roads as submitted.

**8E. FISCAL YEAR 2005/06 MEASURE A CAPITAL IMPROVEMENT PLAN FOR LOCAL STREETS AND ROADS FOR THE CITY OF CORONA**

***Overview***

This item is for the Commission to approve the amendment to the FY 2005/06 Measure A Capital Improvement Plan (CIP) for Local Streets and Roads for the city of Corona as submitted.

**8F. FISCAL YEAR 2006/07 SB 821 BICYCLE AND PEDESTRIAN FACILITIES PROGRAM FUNDING RECOMMENDATIONS**

***Overview***

This item is for the Commission to approve the FY 2006/07 SB 821 Bicycle and Pedestrian Facilities Program recommended funding as shown on the attached schedule.

**8G. AGREEMENT NO. 07-33-007-00 FOR RIVERSIDE-DOWNTOWN METROLINK STATION EAST SIDE PARKING LOT PROJECT**

***Overview***

This item is for the Commission to:

- 1) Award Agreement No. 07-33-007-00 to Hal Hays Construction, Inc. for the construction of the Riverside-Downtown Metrolink Station East Side Parking Lot Project in the amount of \$1,515,404 plus a contingency amount of \$224,596 to cover potential change orders encountered during construction, for a total not to exceed contract authorization of \$1.740 million;
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission; and
- 3) Increase the project budget for Riverside-Downtown Metrolink Station East Side Parking Lot project by \$1.3 million in Measure A funds and \$1.3 million in additional project costs and amend the Commuter Rail Short Range Transit Plan to reflect these changes.

**8H. SOUTHERN CALIFORNIA GOODS MOVEMENT STRATEGY MEMORANDUM OF AGREEMENT**

***Overview***

This item is for the Commission to:

- 1) Approve the Memorandum of Agreement (MOA) No. 07-67-008-00 between the County Transportation Commissions (Los Angeles, Orange, San Bernardino, and Ventura); and
- 2) Authorize the Executive Director, pursuant to legal counsel review, to execute the MOA on behalf of the Commission.

**8I. EXCLUSIVE NEGOTIATING AGREEMENT FOR JOINT DEVELOPMENT AT THE LA SIERRA METROLINK STATION TO BRE PROPERTIES, INC.**

***Overview***

This item is for the Commission to:

- 1) Award an Exclusive Negotiating Agreement (ENA) No. 07-67-004-00 for Joint Development at the La Sierra Metrolink Station to BRE Properties, Inc; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.

**8J. SOLE SOURCE AGREEMENT 07-25-005-00 TO KEYSER MARSTON ASSOCIATES FOR REAL ESTATE FINANCIAL ADVISORY CONSULTANTS FOR THE RIVERSIDE-DOWNTOWN JOINT DEVELOPMENT**

***Overview***

This item is for the Commission to:

- 1) Award Sole Source Agreement No. 07-25-005-00 to Keyser Marston Associates for Consultant Services for the Riverside-Downtown Joint Development Project in an amount not to exceed \$70,500; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.

**8K. AGREEMENT NO. 07-25-006-00 FOR THE INTERSTATE 15 COMMUTER RAIL FEASIBILITY STUDY**

***Overview***

This item is for the Commission to:

- 1) Award Agreement No. 07-25-006-00 to Wilbur Smith and Associates for the I-15 Commuter Rail Feasibility Study in an amount not to exceed \$100,000;
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission; and
- 3) Amend the FY 2006/07 Commuter Rail Short Range Transit Plan to reflect this study.

**8L. COMMUTER RAIL PROGRAM UPDATE**

***Overview***

This item is for the Commission to receive and file the Commuter Rail Program Update as an information item.

**8M. COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION PLAN**

***Overview***

This item is for the Commission to:

- 1) Approve the release of a (RFP) Request for Proposal to develop a Coordinated Public Transit-Human Services Transportation Plan; and
- 2) Direct staff to form a Technical Advisory Committee to guide the development of the plan once the consultant has been selected and approved by the Commission.

**8N. FISCAL YEARS 2003/04, 2004/05 AND 2005/06 RCTC AND TRANSIT OPERATORS' TRIENNIAL PERFORMANCE AUDITS**

***Overview***

This item is for the Commission to:

- 1) Approve staff's request to release a Request for Proposal (RFP) to conduct a performance audit of the Riverside County Transportation Commission's activities and the seven public transit operators providing services in Riverside County; and
- 2) Direct the Chair to appoint an Ad Hoc Committee to select the consultant to conduct the audits.

**80. ANNOUNCEMENT OF GUARANTEED RIDE HOME PROGRAM**

***Overview***

This item is for the Commission to receive and file the announcement of the availability of a RCTC Guaranteed Ride Home Service for ridesharers.

**8P. FISCAL YEAR 2006/07 MEASURE A COMMUTER ASSISTANCE BUSPOOL SUBSIDY FUNDING CONTINUATION REQUESTS**

***Overview***

This item is for the Commission to authorize payment of \$1,645/month per buspool for the period July 1, 2006 to June 30, 2007 to the existing Riverside, Moreno Valley, Corona and Mira Loma buspools.

**8Q. STATE LEGISLATIVE ADVOCACY AGREEMENT**

***Overview***

This item is for the Commission to:

- 1) Approve Agreement No. 07-14-009-00 to Smith, Watts & Company for State Legislative Advocacy Services; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.

**8R. STATE AND FEDERAL LEGISLATIVE UPDATE**

***Overview***

This item is for the Commission to:

- 1) Adopt the following bill position:  
AB 1699 (Frommer, D-Glendale) – OPPOSE UNLESS AMENDED (Change in Position); and
- 2) Receive and file the State and Legislative Update as an information item.

**8S. AMENDMENT TO ESCROW NO. 25123194MA, BETWEEN THE COMMUNITY FACILITIES DISTRICT NO. 88-8 OF THE COUNTY OF RIVERSIDE AND THE COMMISSION**

***Overview***

This item is for the Commission to:

- 1) Approve an Amendment to the Inducement, Escrow and Workout Agreement by and between the Communities Facilities District No. 88-8 of the County of Riverside ("A" Street - North) and the Commission; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission; and
- 3) Approve Amended Escrow Instructions between the Communities Facilities District No. 88-8 of the County of Riverside and the Commission; and
- 4) Authorize the Chair, pursuant to legal counsel review, to execute said Instructions; and
- 5) Approve that the Tax Protocol Agreement by and between the County of Riverside and the Commission be ratified.

**9. AGREEMENT NO. 07-31-010-00 TO PREPARE PLANS, SPECIFICATIONS, AND COST ESTIMATE FOR THE CONSTRUCTION OF HIGHWAY IMPROVEMENTS CONSISTING OF TWO NEW HIGH OCCUPANCY VEHICLE LANE STRUCTURES AT THE 60/215 EAST JUNCTION BETWEEN BOX SPRINGS ROAD OVER-CROSSING AND DAY STREET UNDER-CROSSING**

***Overview***

This item is for the Commission to:

- 1) Approve the selection process and consider the award of a contract to the highest ranked consultant to perform final engineering services and prepare Plans, Specifications, and Cost Estimate (PS&E) for construction of highway improvements at the 60/215 East Junction Interchange, contingent upon obligation of the funds with Caltrans;
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission; and
- 3) Authorize the Executive Director or his designee to approve contingency work as may be required for the project.

## 10. INTEREST RATE SWAP

### ***Overview***

This item is for the Commission to:

- 1) Approve the Riverside County Transportation Commission Swap Policy and revisions to the Debt Management Policy;
- 2) Adopt Resolution No. 06-014, *"A Resolution of the Riverside County Transportation Commission Regarding the Swap Policy and Revised Debt Management Policy"*;
- 3) Direct staff to develop and issue a solicitation for a request for proposals for one or more variable-to-fixed interest rate forward starting swap transactions related to a total notional amount of \$185,000,000;
- 4) Approve Agreement No. 07-19-011-00 with Fieldman Rolapp Financial Services, LLC to provide swap advisory services;
- 5) Approve Agreement No. 05-19-510-01, Amendment No. 1 to Agreement No. 05-19-510, with Orrick, Herrington, & Sutcliffe LLP to amend the scope of services and related compensation related to legal services related to the execution of a swap transaction;
- 6) Authorize the Chair, pursuant to legal counsel review, to execute the agreements on behalf of the Commission;
- 7) Adopt Resolution No. 06-015, *"A Resolution of the Riverside County Transportation Commission Authorizing the Execution of a Swap"*; and,
- 8) Authorize the Executive Director, pursuant to bond counsel review, to execute the swap transaction documents, including the International Swap and Derivatives Association, Inc. (ISDA) Master Agreement (Local Currency-Single Jurisdiction) (Copyright 1992), as amended by a Schedule and Credit Support Annex, with the successful counterparties.

## 11. WESTERN RIVERSIDE COUNTY FREEWAY STRATEGIC PLAN

### ***Overview***

This item is for the Commission to discuss with possible action/direction.

## 12. ITEMS PULLED FROM CONSENT CALENDAR AGENDA

### 13. COMMISSIONERS / EXECUTIVE DIRECTOR'S REPORT

#### *Overview*

This item provides the opportunity for the Commissioners and the Executive Director to report on attended meetings/conferences and any other items related to Commission activities.

- [Written Report on APTA 2006 Rail Conference from Commissioners Ron Roberts and Frank West \(attached\)](#)
- Briefing on Devore 2 Project by Caltrans

### 14. CLOSED SESSION ITEMS

#### **A. CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION**

Pursuant to Subdivision (a) of Government Code Section 54956.9

- AAA Case No. 72 199 01006 04 VMD
- JAMS Case No. 1220032805

#### **B. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION**

Pursuant to Subdivision (b) of Government Code Section 54956.9

#### **C. CONFERENCE WITH LEGAL COUNSEL: ANTICIPATED LITIGATION**

Pursuant to Subdivision (c) of Government Code Section 54956.9

#### **D. CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Pursuant to Government Code Section 54956.8

Negotiating Parties: RCTC – Executive Director or Designee

Property Owners - See List of Property Owners

### 15. ADJOURNMENT

The next Commission meeting is scheduled to be held at **3:00 p.m., Thursday, September 14, 2006**, Embassy Suites Hotel La Quinta, 50-777 Santa Rosa Plaza, La Quinta, CA 92253.