

# **RIVERSIDE COUNTY TRANSPORTATION COMMISSION**

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## **AGENDA\***

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

**9:30 a.m.**

**Wednesday, June 13, 2007**

### **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** – *Each individual speaker is limited to speak three (3) continuous minutes or less. The Commission may, either at the direction of the Chair or by majority vote of the Commission, waive this three minute time limitation. Depending on the number of items on the Agenda and the number of speakers, the Chair may, at his/her discretion, reduce the time of each speaker to two (2) continuous minutes. Also, the Commission may terminate public comments if such comments become repetitious. Speakers may not yield their time to others without the consent of the Chair. Any written documents to be distributed or presented to the Commission shall be submitted to the Clerk of the Board. This policy applies to Public Comments and comments on Agenda Items.*

*Under the Brown Act, the Board should not take action on or discuss matters raised during public comment portion of the agenda which are not listed on the agenda. Board members may refer such matters to staff for factual information or to be placed on the subsequent agenda for consideration.*

5. **APPROVAL OF MINUTES – MAY 9, 2007**
6. **PUBLIC HEARING – PROPOSED BUDGET FOR FISCAL YEAR 2007/08**

***Overview***

This item is for the Commission to:

- 1) Receive input on the proposed Budget for FY 2007/08;
  - 2) Close the public hearing to receive input on the proposed Budget for FY 2007/08; and
  - 3) Adopt the proposed Budget for FY 2007/08.
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. **RESOLUTION NO. 08-001, "RESOLUTION OF THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION ESTABLISHING THE COMMISSION'S ANNUAL APPROPRIATIONS LIMIT FOR FISCAL YEAR 2007/08"**

***Overview***

This item is for the Commission to adopt Resolution No. 08-001, "Resolution of the Riverside County Transportation Commission Establishing the Commission's Annual Appropriations Limit for FY 2007/08".

## **8B. REVISIONS TO INTERFUND LOANS POLICY**

### ***Overview***

This item is for the Commission to:

- 1) Approve the revisions to the Interfund Loans Policy to permit interfund loans from 1989 Measure A programs to 2009 Measure A programs;
- 2) Approve a term of the interfund loans from 1989 Measure A to 2009 Measure A programs for a period not to exceed five years (60 months) as permitted by the Interfund Loans Policy; and
- 3) Adopt Resolution No. 07-006, *"Resolution of the Riverside County Transportation Commission Regarding a Revision to the Interfund Loans Policy"*.

## **8C. POST RETIREMENT HEALTH BENEFITS LIABILITY AND FUNDING**

### ***Overview***

This item is for the Commission to:

- 1) Approve a plan to pre-fund the Commission's post retirement health benefits liability at amounts not to exceed \$1.5 million in FY 2006/07 and \$1 million in FY 2007/08;
- 2) Approve a budget amendment for a \$1.5 million increase to fringe benefits expenditures in FY 2006/07;
- 3) Approve a policy to fund 100% of the annual required contributions;
- 4) Adopt Resolution No. 07-005, *"Agreement and Election of Riverside County Transportation Commission to Pre-fund Other Post Employment Benefits through CalPERS"*;
- 5) Authorize the Chair to execute the resolution on behalf of the Commission;
- 6) Designate the Chief Financial Officer and Accounting and Human Resources Manager to request disbursements from the CalPERS pre-funding plan; and
- 7) Authorize the Chair to execute the Delegation of Authority to Request Disbursements on behalf of the Commission.

**8D. QUARTERLY FINANCIAL STATEMENTS**

***Overview***

This item is for the Commission to receive and file the Quarterly Financial Statements for the third quarter ended March 31, 2007.

**8E. QUARTERLY INVESTMENT REPORT**

***Overview***

This item is for the Commission to receive and file the Quarterly Investment Report for the quarter ended March 31, 2007.

**8F. AMENDMENT TO AGREEMENT WITH COMARCO WIRELESS TECHNOLOGIES, INC. FOR DIGITAL UPGRADE OF CALL BOX SYSTEM AND INSTALLATION OF TTY DEVICES**

***Overview***

This item is for the Commission to:

- 1) Approve Agreement No. 05-45-537-01, Amendment No. 1 to Agreement No. 05-45-537, with Comarco Wireless Technologies, Inc., for digital upgrade of the call box system and installation of TTY devices; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.

**8G. APPROVAL OF FUNDING AGREEMENT BETWEEN THE DEPARTMENT OF CALIFORNIA HIGHWAY PATROL AND RIVERSIDE COUNTY TRANSPORTATION COMMISSION**

***Overview***

This item is for the Commission to:

- 1) Approve Agreement No. 07-45-137-00 with the Department of California Highway Patrol (CHP) to provide overtime supervision and operation of a Freeway Service Patrol (FSP) program in Riverside County; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.

**8H. PROPOSED METROLINK BUDGET FOR FISCAL YEAR 2007/08**

***Overview***

This item is for the Commission to:

- 1) Adopt the preliminary Metrolink Operating and Capital Budget for FY 2007/08; and
- 2) Allocate the Commission's funding commitment to the Southern California Regional Rail Authority (SCRRA or Metrolink) in an amount not to exceed \$7,792,261 comprised of \$6,339,600 in Local Transportation Fund (LTF) funds for train operations and maintenance-of-way and \$1,452,661 for capital projects to be funded by FTA Section 5307 funds.

**8I. CITY OF COACHELLA DILLON ROAD/AVENUE 48 GRADE SEPARATION, CALIFORNIA PUBLIC UTILITIES COMMISSION SECTION 190 10% LOCAL MATCH REQUEST**

***Overview***

This item is for the Commission to:

- 1) Transfer \$500,000 of uncommitted Surface Transportation Program (STP) funds to the Rail Program to facilitate the award of funding for the Dillon Road/Avenue 48 grade separation project; and
- 2) Allocate \$500,000 in available Rail Local Transportation Fund (LTF) funds to provide a non-federal match to the city of Coachella for the Dillon Road/Avenue 48 grade separation project.

**8J. AWARD AN EXCLUSIVE NEGOTIATING AGREEMENT FOR JOINT DEVELOPMENT AT THE RIVERSIDE-DOWNTOWN METROLINK STATION TO ALAN MRUVKA COMPANY DBA BLUE SQUARE DEVELOPMENT GROUP**

***Overview***

This item is for the Commission to:

- 1) Award Exclusive Negotiating Agreement (ENA) No. 07-67-154-00 for joint development at the Riverside-Downtown Metrolink Station to Alan Mruvka Company dba Blue Square Development Group; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.

**8K. AMENDMENT TO AGREEMENT WITH INLAND VAULT AND SECURITY FOR MAINTENANCE OF THE CLOSED CIRCUIT TELEVISION SECURITY SYSTEMS AT METROLINK STATIONS**

***Overview***

This item is for the Commission to:

- 1) Approve Agreement No. 04-25-962-03, Amendment No. 3 to Agreement No. 04-25-962, for closed circuit television (CCTV) security systems maintenance services, to amend the term and rates of the agreement with Inland Vault and Security;
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.

**8L. AMENDMENT TO AGREEMENT WITH JEFFERSON TRANSITIONAL PROGRAMS FOR A THREE-MONTH EXTENSION AND ADDITIONAL CLEANING SERVICES AT THE RIVERSIDE-DOWNTOWN EASTSIDE PARKING LOT**

***Overview***

This item is for the Commission to:

- 1) Approve Agreement No. 03-25-004-03, Amendment No. 3 to Agreement No. 03-25-004, with Jefferson Transitional Programs for cleaning and grounds maintenance services for the Commission-owned Metrolink stations to include services for the new Riverside-Downtown Eastside parking lot for an amount not to exceed \$30,000;
- 2) Approve an extension of the agreement through September 30, 2007; and
- 3) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.

**8M. COMMUTER RAIL PROGRAM UPDATE**

***Overview***

This item is for the Commission to receive and file an update on the Commuter Rail Program.

**8N. CITY OF BEAUMONT TRANSIT AND TRANSPORTATION AUDITS**

***Overview***

This item is for the Commission to receive and file the Transportation Development Act (TDA) and Measure A audit results reports for the three fiscal years ended June 30, 2006.

## **80. CITY OF BEAUMONT TRANSIT SERVICES**

### ***Overview***

This item is for the Commission to:

- 1) Based on approved Short Range Transit Plan (SRTP), allocate \$1,080,000 in Transportation Development Act (TDA) Local Transportation Fund (LTF) operating funds and \$140,000 in State Transit Assistance (STA) capital funds to the city of Beaumont for FY 2006/07;
- 2) Based on approved SRTP, allocate \$951,300 in LTF operating funds and \$11,000 in STA capital funds to the city of Beaumont for FY 2005/06;
- 3) Due to excess operating expenses, allocate \$28,957 in LTF operating funds to the city of Beaumont for FY 2005/06 (balance of required operating funds of \$30,400 to be paid by the city of Beaumont as farebox revenue);
- 4) Due to excess operating expenses, allocate \$350,801 in LTF operating funds to the city of Beaumont for FY 2004/05;
- 5) Due to excess operating expenses, allocate \$14,200 in LTF operating funds to the city of Beaumont for FY 2003/04; and
- 6) Amend the FY 2003/04, 2004/05, 2005/06, and 2006/07 city of Beaumont SRTP to reflect the additional funding.

## **8P. TRIENNIAL PERFORMANCE AUDITS: FISCAL YEARS 2003/04 THROUGH 2005/06**

### ***Overview***

This item is for the Commission to:

- 1) Review and approve the FY 2003/04 through FY 2005/06 Triennial Performance Audits for the cities of Banning, Beaumont, Corona and Riverside Special Services together with Palo Verde Valley Transit Agency (PVVTA), Riverside Transit Agency (RTA) and SunLine Transit Agency (SunLine); and
- 2) Direct staff to seek formal responses from the audited agencies and incorporate the responses in the Short Range Transit Plans (SRTPs).

**8Q. STATUS REPORT: FISCAL YEAR 2006/07 PRODUCTIVITY IMPROVEMENT PROGRAM**

***Overview***

This item is for the Commission to:

- 1) Receive and file the third quarter status report on the FY 2006/07 Productivity Improvement Program (PIP); and
- 2) Direct Commission staff to work with transit operator staff from the city of Banning, city of Beaumont, city of Corona and Palo Verde Valley Transit Agency (PVVTA) to jointly develop an action plan to meet the Commission approved PIP.

**8R. FISCAL YEARS 2007/08 THROUGH FISCAL YEAR 2009/10 SHORT RANGE TRANSIT PLANS**

***Overview***

This item is for the Commission to:

- 1) Review and approve, in concept, the FY 2007/08 through FY 2009/10 Short Range Transit Plans (SRTPs) for the city of Banning, city of Riverside Special Services (RSS), SunLine Transit Agency (SunLine), and the Commission's Regional Commuter Rail Program (Commuter Rail), as presented; and
- 2) Direct Commission staff to obtain additional information from the RTA on its request for a Productivity Improvement Program (PIP) waiver on operating cost per revenue hour. Contingent on compliance with the PIP, review and approve, in concept, Riverside Transit Agency's (RTA) SRTP.

**8S. WESTERN RIVERSIDE MEASURE A SPECIALIZED TRANSIT PROGRAM**

***Overview***

This item is for the Commission to allocate \$9,000 in Western Riverside Measure A Specialized Transit funds to the Partnership to Preserve Independent Living for Seniors and Persons with Disabilities.

**8T. RIVERSIDE TRANSIT AGENCY'S REQUEST TO PRE-FUND RETIREE MEDICAL BENEFITS**

***Overview***

This item is for the Commission to:

- 1) Allocate \$2,668,182 in Local Transportation Fund (LTF) funds to the Riverside Transit Agency (RTA) to pre-fund post retirement medical benefits related to the implementation of Governmental Accounting Standards Board (GASB) Statement 45;
- 2) Reprogram \$5,056,818 in previously allocated, unclaimed operating funds as additional funding for pre-funding the post retirement medical benefits;
- 3) Amend RTA's FY 2006/07 Short Range Transit Plan (SRTP) to reflect the additional funding;
- 4) Amend the Commission's FY 2006/07 Budget to reflect the additional funding; and
- 5) Direct staff to work with RTA on waiving the impact of the incremental costs to the Productivity Improvement Program (PIP) as a result of the pre-funding the GASB 45 actuarial accrued liability.

**8U. PALO VERDE VALLEY – FISCAL YEAR 2007/08 UNMET TRANSIT NEEDS HEARING**

***Overview***

This item is for the Commission to:

- 1) Reaffirm the Commission's definition of "Unmet Transit Needs" and "Reasonable to Meet" standards; and
- 2) Make a finding through Resolution No. 07-004, "*Resolution of the Riverside County Transportation Commission Adopting A Finding That There Are No Unmet Transit Needs That Are Reasonable To Meet In The Palo Verde Valley Area*", that based upon a review of the requests for services received through the Unmet Transit Needs Hearing process, review of existing services and proposed improvements to the available services, there are no unmet transit needs which can be reasonably met in the Palo Verde Valley.

**8V. FISCAL YEAR 2007/08 MINIMUM FARE REVENUE RATIO FOR RIVERSIDE TRANSIT AGENCY AND SUNLINE TRANSIT AGENCY**

***Overview***

This item is for the Commission to:

- 1) Reaffirm the methodology used to calculate the required fare box recovery ratio; and
- 2) Approve the FY 2007/08 minimum fare revenue to operating cost ratio of 17.66% for Riverside Transit Agency and 17.77% for SunLine Transit Agency.

**8W. INLAND EMPIRE TRANSPORTATION MANAGEMENT CENTER PROJECT CONGESTION MITIGATION AND AIR QUALITY FUND ALLOCATION**

***Overview***

This item is for the Commission to:

- 1) Approve Agreement No. 07-41-156-00 with the State of California Department of Transportation for the allocation of Congestion Mitigation and Air Quality (CMAQ) funds in the amount of \$6 million dollars for the construction of the Inland Empire Traffic Management Center (TMC) project; and
- 2) Authorize the Executive Director, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.

**8X. STATE ROUTE 91 COMMUTER EXPRESS BUS – ROUTE 794**

***Overview***

This item is for the Commission to approve the funding of SR-91 Commuter Express Bus – Route 794 services using Commuter Assistance Measure A funds for the second year, FY 2007/08 of a two-year demonstration in an amount not to exceed \$151,000.

**8Y. APPROVAL OF MEMORANDUM OF UNDERSTANDING FOR THE FUNDING AND JOINT DEVELOPMENT OF STATE HIGHWAY IMPROVEMENTS BY THE COUNTY OF RIVERSIDE ON STATE ROUTE 86 TO INSTALL A TRAFFIC SIGNAL AT 66<sup>TH</sup> AVENUE**

***Overview***

This item is for the Commission to:

- 1) Approve the Memorandum of Understanding (MOU) No. 07-31-158-00 for the funding reimbursement of state highway improvements by the county of Riverside on SR-86 to install a traffic signal at 66<sup>th</sup> Avenue; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreements on behalf of the Commission.

**8Z. APPROVAL OF MEMORANDUM OF UNDERSTANDING FOR THE FUNDING AND JOINT DEVELOPMENT OF STATE ROUTE 111 IMPROVEMENTS BY COUNTY OF RIVERSIDE AT PIERCE STREET**

***Overview***

This item is for the Commission to:

- 1) Approve the Memorandum of Understanding (MOU) No. 07-31-159-00 for the funding reimbursement of state highway improvements by the county of Riverside to add a left turn lane on SR-111 at Pierce Street; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreements on behalf of the Commission.

**8AA. EXECUTION OF COLLECTION AGREEMENT ON BEHALF OF RIVERSIDE ORANGE CORRIDOR AUTHORITY BETWEEN RIVERSIDE COUNTY TRANSPORTATION COMMISSION AND USDA FOREST SERVICE, CLEVELAND NATIONAL FOREST FOR THE PROPOSED IRVINE-CORONA EXPRESSWAY PROJECT**

***Overview***

This item is for the Commission to:

- 1) Approve Agreement No. 07-65-157-00, on behalf of Riverside Orange Corridor Authority (ROCA), between the Commission and USDA Forest Service, Cleveland National Forest and based on the attached collection agreement for a total not to exceed amount of \$163,568;
- 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.

**8BB. AWARD OF AGREEMENTS TO DAVID EVANS & ASSOCIATES, PROJECT DESIGN CONSULTANTS, AND PSOMAS FOR ON-CALL RIGHT-OF-WAY ENGINEERING AND SURVEYING SERVICES**

***Overview***

This item is for the Commission to:

- 1) Award Agreement No. 07-33-143-00 to David Evans & Associates, Agreement No. 07-33-145-00 to Project Design Consultants, and Agreement No. 07-33-144-00 to Psomas for on-call right-of-way engineering and surveying services; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreements on behalf of the Commission.

**8CC. AWARD OF AGREEMENTS TO EPIC LAND SOLUTIONS, REAL ESTATE CONSULTING & SERVICES, AND OVERLAND PACIFIC & CUTLER FOR ON-CALL PROPERTY MANAGEMENT SERVICES**

***Overview***

This item is for the Commission to:

- 1) Award Agreement No. 07-33-151-00 to Epic Land Solutions, Agreement No. 07-33-153-00 to Real Estate Consulting & Services, and Agreement No. 07-33-152-00 to Overland Pacific & Cutler for on-call property management services; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreements on behalf of the Commission.

**8DD. AWARD AGREEMENT TO BRYAN A. STIRRAT & ASSOCIATES, LEIGHTON CONSULTING, NINYO & MOORE GEOTECHNICAL, BUREAU VERITAS NA, AND TETRA TECH FOR ON-CALL RIGHT-OF-WAY PHASE I AND PHASE II ENVIRONMENTAL ASSESSMENT SERVICES**

***Overview***

This item is for the Commission to:

- 1) Award Agreement No. 07-31-146-00 to Bryan A. Stirrat & Associates, Agreement No. 07-31-147-00 to Leighton Consulting, Agreement No. 07-31-148-00 to Ninyo & Moore Geotechnical, Agreement No. 07-31-149-00 to Bureau Veritas NA, and Agreement No. 07-31-150-00 to Tetra Tech to perform on-call right-of-way Phase I and Phase II environmental assessment services; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreements on behalf of the Commission.

**8EE. APPROVE A MEMORANDUM OF UNDERSTANDING WITH METROPOLITAN WATER DISTRICT FOR THE CONSTRUCTION OF THE PERRIS VALLEY PIPELINE AND THE PROVISION OF A SUBSTITUTE EASEMENT**

***Overview***

This item is for the Commission to:

- 1) Approve Memorandum of Understanding (MOU) No. 07-33-155-00 with Metropolitan Water District (MWD) for the construction of the Perris Valley Pipeline in the San Jacinto Branch Line rail right-of-way and for provision of a substitute easement; and
- 2) Authorize the Chair, pursuant to legal counsel (Adorno, Yoss, Alvarado, & Smith) review, to execute the MOU on behalf of the Commission.

**9. COUNTYWIDE (COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS/RIVERSIDE COUNTY TRANSPORTATION COMMISSION) ALAMEDA CORRIDOR EAST GRADE SEPARATION PRELIMINARY ENGINEERING GRANTS FOR THE TRADE CORRIDOR IMPROVEMENT FUND**

***Overview***

This item is for the Commission to authorize the development of a countywide (CVAG/RCTC) \$20 million grants for Alameda Corridor East (ACE) grade separation preliminary engineering projects to support submittal of applications for Proposition 1B Trade Corridor Improvement Fund (TCIF) funding in 2008.

**10. COMMISSION'S TRIENNIAL PERFORMANCE AUDIT: FISCAL YEARS 2003/04 THROUGH 2005/06**

***Overview***

This item is for the Commission to review and approve the FY 2003/04 through FY 2005/06 Triennial Performance Audit for the Commission.

**11. STATE AND FEDERAL LEGISLATIVE UPDATE**

***Overview***

This item is for the Commission to:

- 1) Approve the following bill positions:  
SB 375 (Steinberg, D-Sacramento) – OPPOSE  
SB 748 (Corbett, D-San Leandro) – OPPOSE UNLESS AMENDED  
AB 1351 (Levine, D-Van Nuys) – SUPPORT; and
- 2) Receive and file the State and Federal Legislative update as an information item.

**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.

**14. CLOSED SESSION ITEMS**

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

- Pursuant to Subdivision (a) of Government Code Section 54956.9 (a)
- Case Nos. RSC 393352, RSC 386642 and RIC 352391

**15. ADJOURNMENT**

The next Commission meeting is scheduled to be held at **9:30 a.m., Wednesday, July 11, 2007**, Board Room, County of Riverside Administrative Center, 4080 Lemon Street, Riverside.