

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, July 14, 2010

BOARD ROOM

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

In compliance with the Brown Act and Government Code Section 54957.5, agenda materials distributed 72 hours prior to the meeting, which are public records relating to open session agenda items, will be available for inspection by members of the public prior to the meeting at the Commission office, 4080 Lemon Street, Third Floor, Riverside, CA, and on the Commission's website, www.rctc.org.

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. In addition, the maximum time for public comment for any individual item or topic is thirty (30) 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 – JUNE 9, 2010

6. PUBLIC HEARING – RIVERSIDE COUNTY TRANSIT SERVICES FUNDING ALLOCATION FOR FISCAL YEAR 2010/11

Overview

This item is for the Commission to:

- 1) Conduct a public hearing at the July Commission meeting on the proposed Section 5307 Program of Projects (POP);
- 2) Approve the FY 2010/11 Federal Transit Administration's (FTA) Section 5307 and 5311 POP for Riverside County;
- 3) Approve the FY 2010/11 Local Transportation Fund (LTF) and State Transit Assistance (STA) fund allocations for transit;
- 4) Direct staff to add projects into the Regional Transportation Improvement Plan (RTIP); and
- 5) Adopt Resolution No. 10-025, "*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. CLOSE-OUT AUDIT

Overview

This item is for the Commission to receive and file the *Compliance with Requirements Applicable to the State Transportation Improvement Program (STIP) Planning, Programming and Monitoring (PPM) Program, Project No. PPM 07-6054(044)* report.

8B. FISCAL YEAR 2008/09 TRANSPORTATION DEVELOPMENT ACT AND MEASURE A AUDIT RESULTS

Overview

This item is for the Commission to receive and file the Transportation Development Act (TDA) and Measure A audit results report for the FY 2008/09.

8C. STATE ROUTE 91 TRAFFIC AND REVENUE STUDY SERVICES

Overview

This item is for the Commission to:

- 1) Award Agreement No. 10-31-099-00 to Stantec Consulting Services, Inc. (Stantec) to provide an investment-grade traffic and revenue study for the SR-91 Corridor Improvement Project (SR-91 CIP) for a base amount of \$896,252, plus a contingency amount of \$89,625, for a total not to exceed amount of \$985,877;
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission; and
- 3) Authorize the Executive Director to approve contingency work as may be required for the study.

8D. AMENDMENT TO AGREEMENT FOR ON-CALL STRATEGIC PARTNERSHIP ADVISOR SERVICES WITH KPMG CORPORATE FINANCE, LLC

Overview

This item is for the Commission to:

- 1) Approve Agreement No. 06-66-026-08, Amendment No. 7 to Agreement 06-66-026-00, for toll feasibility and strategic partnership advisor services with KPMG Corporate Finance, LLC (KPMG) for the Interstate 15 Corridor Improvement Project (I-15 CIP) for the amount of \$250,000; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.

8E. 2010 STATE ROUTE 91 IMPLEMENTATION PLAN UPDATE

Overview

This item is for the Commission to receive and file the *2010 State Route 91 Implementation Plan*.

8F. AGREEMENT WITH SOUTHSTAR ENGINEERING & CONSULTING, INC. FOR CONSTRUCTION MANAGEMENT SERVICES AND COOPERATIVE AGREEMENT WITH CALTRANS FOR CONSTRUCTION OF THE INTERSTATE 215 WIDENING PROJECT FROM MURRIETA HOT SPRINGS ROAD TO SCOTT ROAD, NORTH OF THE CITY OF MURRIETA

Overview

This item is for the Commission to:

- 1) Award Agreement No. 10-31-079-00 to Southstar Engineering & Consulting, Inc. (Southstar) to perform construction management (CM) services, materials testing, and construction surveying for the I-215 widening, Murrieta Hot Springs Road to Scott Road project, in the city of Murrieta, for the base amount of \$4,097,564, plus a contingency amount of \$402,436, for a total not to exceed amount of \$4.5 million;
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission;
- 3) Authorize the Executive Director to approve contingency work as may be required for the project;
- 4) Approve the Cooperative Agreement No. 10-31-110-00 with Caltrans for construction of the project; and
- 5) Authorize the Executive Director, pursuant to legal counsel review, to execute the cooperative agreement and future non-funding related amendments to this agreement.

8G. AGREEMENT WITH THE DEPARTMENT OF CALIFORNIA HIGHWAY PATROL FOR CONSTRUCTION ZONE ENHANCED ENFORCEMENT PROGRAM SERVICES FOR THE STATE ROUTE 74/INTERSTATE 215 INTERCHANGE PROJECT IN THE CITY OF PERRIS AND THE INTERSTATE 215 WIDENING PROJECT FROM MURRIETA HOT SPRINGS ROAD TO SCOTT ROAD, NORTH OF THE CITY OF MURRIETA

Overview

This item is for the Commission to:

- 1) Approve Agreement No. 10-31-113-00 with the Department of California Highway Patrol (CHP) for Construction Zone Enhanced Enforcement Program (COZEEP) traffic control services during construction of the 74/215 interchange project in the city of Perris and the Interstate 215 widening project from Murrieta Hot Springs Road to Scott Road, north of the city of Murrieta, for the amount of \$285,978 plus a contingency amount of \$28,622 to cover potential change orders encountered during construction, for a total not to exceed amount of \$314,600; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreements on behalf of the Commission.

8H. FISCAL YEARS 2011-15 MEASURE A FIVE-YEAR CAPITAL IMPROVEMENT PLANS FOR LOCAL STREETS AND ROADS

Overview

This item is for the Commission to approve the FYs 2011-15 Measure A Five-Year Capital Improvement Plans (CIP) for Local Streets and Roads as submitted.

8I. MEASURE A LOCAL STREETS AND ROADS – MAINTENANCE OF EFFORT BASE YEAR EXTENSION FOR FISCAL YEAR 2010/11 AND THE 2009 MAINTENANCE OF EFFORT GUIDELINES

Overview

This item is for the Commission to:

- 1) Approve using the 1989 Measure A Maintenance of Effort (MOE) base year amount for the FY 2010/11 Measure A Local Streets and Roads MOE certification;
- 2) For cities incorporated in or after 1989, excluding the cities of Menifee and Wildomar, approve using the Proposition 42 MOE amount for the FY 2010/11 Measure A Local Streets and Roads MOE certification; and
- 3) Approve the 2009 Measure A Local Streets and Roads MOE Guidelines.

8J. AGREEMENT WITH HDR ENGINEERING INC. FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE PERRIS VALLEY LINE PROJECT

Overview

This item is for the Commission to:

- 1) Award Agreement No. 10-31-058-00 to HDR Engineering Inc. (HDR), to provide construction management (CM) services for the Perris Valley Line (PVL) project for a base amount of \$15,950,146, plus a contingency amount of \$1.6 million, for a total not to exceed amount of \$17,550,146;
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission;
- 3) Authorize the Executive Director to approve contingency work as may be required for the project; and
- 4) Authorize the Executive Director, pursuant to legal counsel review, to execute related utility and other local agency agreements necessary for the design and construction of the project.

8K. COMMERCIAL ADVERTISING POLICY AND CONTENT GUIDELINES, INCIDENTAL USE POLICY, AND NON-COMMERCIAL FREE SPEECH POLICY

Overview

This item is for the Commission to:

- 1) Adopt a Commercial Advertising Policy and Content Guidelines, and Incidental Use Policy; and
- 2) Adopt Resolution No. 10-011, *"A Resolution of the Riverside County Transportation Commission Adopting a Commercial Advertising Policy and Content Guidelines, an Incidental Use Policy Covering Concession Stands, Merchandising, and Contractor Services for Commission-Owned Facilities and Property and a Revised Non-Commercial Free Speech Permit Policy"*.

8L. FISCAL YEAR 2010/11 AGREEMENTS FOR REGIONAL RIDESHARE SERVICES

Overview

This item is for the Commission to:

- 1) Award Agreement No. 10-41-029-01, Amendment No. 1 to Agreement No. 10-41-029-00, with the San Bernardino Associated Governments (SANBAG) as part of the Commission's continuing bi-county partnership with SANBAG to deliver commuter/employer rideshare services, regional ridematching services, and operation of an Inland Empire 511 system for FY 2010/11;
- 2) Award Agreement No. 07-41-115-02, Amendment No. 2 to Agreement No. 07-41-115-00, with Orange County Transportation Authority (OCTA) and Agreement No. 06-41-082-05, Amendment No. 5 to Agreement No. 06-41-082-00, with the Ventura County Transportation Commission (VCTC) for regional ridematching services; and
- 3) Authorize the Chair, pursuant to legal counsel review, to execute the agreements on behalf of the Commission.

8M. AGREEMENT WITH THE DEPARTMENT OF CALIFORNIA HIGHWAY PATROL FOR OPERATION OF THE CALL BOX SYSTEM

Overview

This item is for the Commission to:

- 1) Approve Agreement No. 10-45-109-00 with the California Highway Patrol (CHP) for the operation of the call box system for a three-year term, and one one-year option to extend the agreement in the amount of \$15,900; and
- 2) Authorize the Chair, pursuant to legal counsel review, to execute the agreement on behalf of the Commission.

8N. TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY II TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT PROGRAM

Overview

This item is for the Commission to:

- 1) Authorize staff to apply for Transportation Investment Generating Economic Recovery II (TIGER II) Transportation Infrastructure Finance and Innovation Act (TIFIA) program for the State Route 91 Corridor Improvement Project (SR-91 CIP); and
- 2) Authorize staff to support regionally significant projects nominated for TIGER II by members of the Southern California Consensus Group (SCCG), as appropriate.

8O. STATE AND FEDERAL LEGISLATIVE UPDATE

Overview

This item is for the Commission to:

- 1) Receive and file an update on state and federal Legislation;
- 2) Approve the following bill positions:
 - a) AB 1955 (De La Torre) – OPPOSE;
 - b) H.R. 891 (McGovern) – SUPPORT; and
 - c) S. 322 (Schumer) – SUPPORT.

9. MEASURE A BOND DEBT LIMIT INCREASE

Overview

This item is for the Commission to:

- 1) Adopt Ordinance No. 10-002, *“An Ordinance of the Riverside County Transportation Commission Requesting the County of Riverside to Conduct a Special Election on November 2, 2010, for the Purpose of Submitting to the Electors of Riverside County a Measure Which Would Modify the Commission’s Authorization Limit to Issue Limited Tax Bonds and, if Approved, Would Authorize Such Increase”* to request a measure on the November 2010 ballot to increase the existing Measure A bond limit; and
- 2) Communicate the approval of the ordinance to the Riverside County Board of Supervisors to seek Board action prior to August 6, 2010, to place the item on the November 2, 2010 ballot.

10. DESIGNATION OF A LOCALLY PREFERRED ALTERNATIVE FOR THE STATE ROUTE 91 CORRIDOR IMPROVEMENT PROJECT

Overview

This item is for the Commission to designate Alternative 2, the General Purpose (GP) + Express Lanes alternative, as the Commission’s locally preferred alternative for the State Route 91 Corridor Improvement Project (SR-91 CIP).

11. AUTHORIZATION FOR ISSUANCE OF TOLL REVENUE BONDS TO FINANCE STATE ROUTE 91 CORRIDOR IMPROVEMENT PROJECT COSTS RELATED TO DESIGN-BUILD PHASE

Overview

This item is for the Commission to:

- 1) Adopt Resolution No. 10-026, *"Resolution Authorizing the Issuance and Sale of Not to Exceed \$900,000,000 Aggregate Principal Amount of Riverside County Transportation Commission Toll Revenue Bonds in Two or More Series, the Execution and Delivery of an Indenture, a First Supplemental Indenture, a Second Supplemental Indenture, a Design-Build Agreement and a Cooperative Agreement, and the Taking of All Other Actions Necessary in Connection Therewith"*;
- 2) Approve the form of Indenture between the Commission and U.S. Bank National Association, as Trustee, and authorize the Executive Director to approve and execute the final Indenture;
- 3) Approve the form of First Supplemental Indenture between the Commission and U.S. Bank National Association, as Trustee, and authorize the Executive Director to approve and execute the final First Supplemental Indenture;
- 4) Approve the form of Second Supplemental Indenture between the Commission and U.S. Bank National Association, as Trustee, and authorize the Executive Director to approve and execute the final Second Supplemental Indenture;
- 5) Approve the form of Design-Build Construction Cooperative Agreement (Design-Build Agreement) between the Commission and Caltrans and authorize the Executive Director to approve and execute the final Design-Build Agreement; and
- 6) Approve the form of Cooperative Agreement between the Commission and the Orange County Transportation Authority (OCTA) and authorize the Executive Director to approve and execute the final Cooperative Agreement.

12. ITEM(S) PULLED FROM CONSENT CALENDAR AGENDA

13. COMMISSIONERS / EXECUTIVE DIRECTOR 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.

- Report on the American Public Transportation Association (APTA) Rail Conference 2010, by Commissioners Daryl Busch, Greg Pettis, and Ron Roberts

14. CLOSED SESSION

14A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

| Item | APN(s) | Property Owner(s) |
|-------------|----------------------------|-----------------------------|
| 1 | 455-110-002 455-110-003 | Sam Jr. and Mary K. Boersma |

15. ADJOURNMENT

The next Commission meeting is scheduled to be held at **9:30 a.m., Wednesday, September 8, 2010**, Board Room, County of Riverside Administrative Center, 4080 Lemon Street, First Floor, Riverside, California.