

High Desert Corridor
Joint Powers Authority

September 28, 2016

Meeting Materials

Item 2

Approval of Minutes of June 1, 2016

**HIGH DESERT CORRIDOR JOINT POWERS AUTHORITY
BOARD OF DIRECTORS MEETING**

Wednesday, June 1, 2016

1:30 p.m.

**San Bernardino County Government Center
385 North Arrowhead Avenue
Citrus Room, Fifth Floor
San Bernardino, CA 92415**

	Directors Present	Robert Lovingood , Supervisor, San Bernardino County First District (Chairman); Ryan McEachron , City of Victorville; Dave Perry , Deputy to Supervisor Michael D. Antonovich, Los Angeles County Supervisor; James Ledford , City of Palmdale; Fred S. “Scott” Nassif , Town of Apple Valley.
	Alternates Present	Michael Cano , Alternate to Supervisor Antonovich, Los Angeles County Supervisor (Vice Chairman); Steven Hofbauer , City of Palmdale
	Directors Absent	Michael Antonovich , Supervisor, Los Angeles County Fifth District (Vice Chairman); Richard Kerr , City of Adelanto; Raj Malhi , City of Lancaster.
1.	Call to Order	Chairman Robert Lovingood called the meeting to order at 1:35 p.m.
2.	Approval of Minutes <u>Recommended Action:</u> <u>Approve Minutes of</u> <u>February 4, 2016</u>	On motion of Director McEachron, seconded by Director Cano, the Board approved the February 4, 2016 minutes by unanimous vote of all members present, with Director Ledford absent.
3.	Announcements	None
4.	Report on the Final HDC EIS/R Final document for State and Federal FHWA and FRA environmental clearance for rights of way for Highway, Passenger Rail Connector, Bikeway and future Green Corridor	Ron Kosinski, Caltrans District 7, Deputy District Director of Environmental Planning, stated that approval of the High Desert Corridor final environmental document is imminent, with the goal of June 20 or sooner. They have completed responses to public and agency comments; EIS/R, National Environmental Policy Act (NEPA) document, federal cooperating agencies have reviewed the administrative draft and their comments have been included in the final document. A Jurisdictional Delineation (JD form) for biological resources has been reviewed and approved by U.S. Army Corps of Engineers, with concurrence from the U.S. Environmental Protection Agency (EPA), and the biological opinion and mitigation measures have been approved by the California and U.S. Department of Fish and Wildlife Services; Programmatic agreement on cultural resources has been approved by the State Advisory Council on Historic Preservation; Federal Highway Administration (FHWA) has given issuance of the Air Quality Conformity approval and the legal review is complete. When they got delegation to act on behalf of the FHWA, they agreed to a mandated 5-step final review process, of which they are currently on Step 4. People in Sacramento independently reviewed everything they did to make sure there are no inconsistencies and that they are in agreement with the decisions that have been made. He reiterated that they are expecting to have final approval by June 20, and then will distribute copies.

		<p>Scott Nasiff asked how long the EIS/R is good for pending the start of construction. Mr. Kosinski stated it is good for three years. If construction is not started, the project will have to be recertified. This is a relatively brief process (1-2 months) before starting the three year clock again. When asked if there was a limit on how many times a project can be recertified, Mr. Konsinski replied that it can be done as many times as needed, as long as there are no major changes to the project or surrounding environment.</p> <p>Director Cano acknowledged that the Record of Decision (ROD) is an important step and asked what is the timeframe or steps to acquire the ROD after the release of the final EIS. Mr. Konsinski replied that once the final document is approved and distributed, under CEQA, they will file the Notice of Determination, which starts the statute of limitations on that. Ron stated once that is done, the agencies have 30-45 days to give final comments. The comments are addressed and then the Record of Decision can be issued. The Federal Highway Administration (FHWA) will need a financial plan before they issue a Record of Decision. There is also a possibility the FRA might want to issue their own ROD just on the rail element. These processes can run concurrently, and there can be one ROD for both FHWA and FRA or separate ones, depending on what direction they give. Mr. Cano stated that the JPA might need to consult to find the most efficient means of procuring the decisions from both instead of getting one from FHWA and then waiting for FRA to complete theirs. Mr. Konsinski stated that they generally run parallel and in the past they have issued one ROD for both agencies.</p> <p><i>(Note: Director Ledford arrived at 1:45 p.m.)</i></p>
5.	<p>Report of the Rail Ridership and Revenue Study</p> <p>The JPA is managing an investment grade study by Steer Davies Gleave to project ridership and revenue from users of the HDC passenger rail tracks. P3 connector tracks in the HDC right-of-way would create an interstate connection between Las Vegas and the future CHSRA stations in California. The study is examining the ridership/revenue between Las Vegas and stations in Anaheim, LA Union Station, Burbank Airport, Palmdale and Victorville – to Las Vegas to Northern California stations.</p>	<p>Chairman Lovingood called on Neil Peterson, Transportation Solutions, to report on the Rail Ridership and Revenue Study <i>(PowerPoint on file)</i>.</p> <p>During the presentation regarding the cooperating institutional partners (PowerPoint Slide 7), Laurie Hunter stated the JPA should have an asterisk next to it to be noted as one of the agencies participating in the funding for the \$900k ridership and revenue study.</p> <p>Director Ledford asked if ridership numbers would help a P3 project, possibly for Palmdale to Burbank or to Los Angeles. Mr. Peterson said yes, if they can show that there is certain demand already coming into Palmdale, it's not a projection anymore, it's reality. Mr. Peterson stated it is conceivable that with the environmental work already completed to date and the possibility of a P3 financed project, this project could move forward faster than the CHSRA project and be in place even before the extension to San Jose going north. Director Cano commented that was the feedback he received from the CHSRA, that Metro had a rough estimate of the P3 potential ridership, and the CHSRA indicated that they need investment grade data to be taken seriously and incorporate it into a business plan. Hopefully with this level of quality data, it can change the dynamics.</p>

<p>6.</p>	<p>HDC Tolling Study Status Report on the car/truck/vehicle tolling study, funded and managed by Metro, to be used for P3 planning in conjunction with the JPA managed rail study. The study will estimate tolling revenue between 100th Street East in Palmdale and US 395 in Adelanto.</p>	<p>Mr. Isidro Panuco, Metro Highway Program, stated that they are in the early stages of this study, but he gave a high level overview of where they are to date and the path going forward. Mr. Panuco indicated that they will be doing a Level II (not investment grade) traffic and revenue study. Some of the items they will be looking at are traffic counts along the I-5, speed and travel times from 100th Street in Palmdale to I-395, and they will be working with all the different stake holders to do data collection to advance this project.</p> <p>Mr. Panuco reported that they recently had a kick-off meeting with the consultant, CDM Smith. He said they will also be reaching out to various parties in the next 2-3 weeks to get everyone on board. Their contract is for 10 months, but they anticipate the tolling and revenue study to take 9 months. He stated that they will be doing data collection for the next month or two and then go from there.</p> <p>Laurie Hunter asked if they are using the numbers in the new EIS that project the traffic volumes. Mr. Panuco replied that the Southern California Association of Governments (SCAG) has updated their 2016 Regional Transportation Plan (RTP), so they will be using the most updated information for this study.</p> <p>Director Cano asked Mr. Panuco if he could give a sense of how they are going to deal with truck movement vs. commuter car movement. He stated that one of the original concepts was the potential to divert trucks from the congested Southland basin, both Los Angeles and San Bernardino counties, to be able to move them more quickly and with less pollution, and be able to charge a toll for that. Mr. Panuco replied that they have been working with L.A. County and San Bernardino County, as well as SCAG and all the other parties involved to analyze all the corridors along the proposed toll facility to see what existing conditions are, what future projected conditions are, and the different types of vehicles travelling along this corridor; all these things will be taken into consideration as they move forward with the study and provide recommendations.</p> <p>Director Cano asked if the study would look at a phasing approach to the project, e.g. two lanes in each direction as opposed to the full build out. Mr. Panuco said they will look at best access points and egress locations to see where they can get the most revenue and give a potential outline of what the corridor can look like if it becomes a toll facility.</p> <p>Director Lovingood said it seemed the timeframe for this study doubled from 5 to 10 months, and asked if there's any chance it will be done sooner. Mr. Panuco stated that the existing contract is for 10 months, the study will take 9, but if it is possible to complete it sooner, they would be happy to do so. Director Cano asked if they can incorporate a point in the process to give an update or a preliminary look at the numbers. Mr. Panuco said they will provide preliminary findings to the stakeholders before the draft report goes out.</p> <p>Laurie Hunter commented that InfraConsult did a tolling study for that middle segment in 2012, and that he may be able to show how their study compares with InfraConsult's report with SCAG's last numbers. Mr. Panuco said they will incorporate all existing, past and ongoing studies into this traffic and revenue study.</p>
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7.	<p>The Los Angeles County PBM (Potential Ballot Measure) for a new half-cent sales tax on the November Ballot, including funds for HDC</p>	<p>Mark Dierking, Metro Community Relations Manager, gave a brief, high overview presentation of the ballot measure to institute a half-cent sales tax for transportation in Los Angeles County. Mr. Dierking stated that they just concluded 11 public outreach meetings and found there was a high level of support (72%) across the County. He stated that they received a lot of input and themes of what people would like to see in the project, like support for a quarter-cent extension for state of good repair. They also found that highway projects are popular in the North County. For this project, there is \$270 million in the measure for the High Desert Corridor, earmarked for right of way acquisition for the L.A. County portion of the project and \$1.8 billion in the distant future. Metro will consider placing the ballot measure on by their Board on June 20. The formal comment period is closed, but there's still an opportunity for the HDCJPA Board members, as elected officials, to comment to Metro's Board. This is a policy decision, so as elected officials, they can have a lot of input on how the measure is formed.</p> <p>Director Cano asked if Mr. Dierking would describe the process for input if there are items or elements to the Potential Ballot Measure (PBM) that the JPA would like to comment on. Mark stated it is still fluid. Chief Executive Officer Phil Washington and staff are working on tweaks to the plan as it moves forward. Mark recommended that they contact Metro Board members to let them know what tweaks the JPA would like to suggest and to do so quickly as it moves forward to go to the ballot on June 20.</p> <p>Director Ledford asked if there is language restricting the rail component to the median only. Mr. Dierking stated that he was not aware of any. Laurie Hunter said the initial language had several restrictions that may hamper the flexibility needed for the private sector to put the most reasonable business plan forward. She stated the ballot measure should be specific and expenditure of the \$270 million should be left to the future P3 team to determine within the right-of-way to determine the best business plan. Mark stated the process for putting together a ballot measure is complex. He recommends if they have specific issues to write a letter as a panel or delegate authority to the Executive Director to negotiate changes.</p> <p>Laurie stated there is also in the current measure language, a match of \$100 million that needs to be put in for the right-of-way until the \$270 million would be released, and maybe that would be something we would want to visit in our letter. Mr. Dierking reiterated to put their comments in writing or otherwise make them known to their Board.</p> <p>Director Cano commented that one of the positive changes CEO Washington made was the concept of extending the measure beyond the 40-year window to 45 or 50, and providing opportunities for the Board to see what happens if they are able to add an extra 10 years; not necessarily adding new projects, but be able to use the extra capacity on the back end of the measure to create financing mechanisms or potential to move forward some key mega-projects. Mr. Cano stated that it would be in the JPA's interest and recommended that this Board support the 50-year plan. There was further discussion to make other recommendations, and to seek clarification and make technical corrections to issues raised earlier by Director Ledford and Ms. Hunter.</p>
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8.	<p>Budget Update</p> <p><u>Recommended Action:</u> <u>Adopt the High Desert Corridor JPA Fiscal Year 2016-17 Recommended Budget</u></p>	<p>Gerry Newcombe, JPA Administrator, presented the High Desert Corridor 2016-17 Recommended Budget. He noted a correction that should be made under the FY 2015-16 adopted budget, there was revenue from L.A. Metro in the amount of \$165,000, and the \$835,000 shown in FY 2016-17 Recommended Budget is actually from L.A. County Department of Public Works, not L.A. Metro. He noted that some of the \$835,000 is used for the Staff Coordinator position, but the majority is for uncommitted professional services, so this Board can make decisions for the future use of this money on continued analysis and studies, but he commented that they are not making any particular decisions for these funds today. Some money also goes to usual costs for annual audit, legal services and insurance, and those amounts are remaining consistent.</p> <p>On motion by Director McEachron, seconded by Director Ledford, the High Desert Corridor 2016-17 Budget was approved, with the noted correction, by a unanimous vote of all members present.</p> <p>Director Cano commented Supervisor Antonovich was able to secure \$1 million from L.A. County (\$250,000 for four consecutive years) to provide seed money where possible for whatever we may need and to have flexibility during next fiscal year.</p>
9.	<p>\$800,000 Federal Earmark</p> <p><u>Recommended Action:</u> <u>Provide Direction to Staff Regarding \$800,000 Federal Earmark Obtained in 2010</u></p>	<p>Mr. Newcombe gave the background on the \$800,000 earmark that was transferred to the JPA from the City of Victorville in 2010. It was the JPA's intention to pass it on to Metro or Caltrans to use for the EIS/R, but that never happened, so the earmark still sits. The FHWA is giving local agencies across the country the opportunity to repurpose earmarks. Mr. Newcombe presented two options. Option #1: Leave the earmark where it is as Federal dollars under the JPA's control, or Option #2: Accept an offer from the San Bernardino Associated Governments (SANBAG) to swap the \$800,000 in Federal funds for \$800,000 in Major Local Highway Program (MLHP) funds, which are State funds that have fewer restrictions. Mr. Newcombe stated the staff recommendation would be the second option (see attachment).</p> <p>On motion by Director McEachron, seconded by Director Ledford, the JPA approved Option #2, by a unanimous vote of all members present, to transfer the \$800,000 Federal earmark to SANBAG to be applied to the US 395 widening project, and for the JPA to accept \$800,000 in Major Local Highway Program (MLHP) from SANBAG; and to formally adjust the previous item on budget update to reflect this.</p>
10.	<p>Public Comment</p>	<p>There was no Public Comment, but Chairman Lovingood took this time for member comments.</p> <p>Chairman Lovingood thanked everyone for their presentations today. He stated that as they celebrate the completion of the I-15/I-215 Devore Interchange, and with the growth that is projected, these types of projects will continue, and it is key to get this (HDC) project on the map.</p>

		<p>Director McEachron announced that Chairman Lovingood was voted in today as the new President of SANBAG and expressed his congratulations.</p> <p>Ms. Hunter indicated that Michael Cano will be leaving his position with Los Angeles County soon and will no longer be on the High Desert Corridor JPA Board. She continued that he was instrumental in the formation the High Desert Corridor JPA in 2006 and thanked him for his vision and service throughout the years. She presented Mr. Cano with a commemorative golden shovel and assured him that he would be invited to the groundbreaking of the High Desert Corridor in the future.</p> <p>Mr. Cano stated he will be going over to Metro to head the Goods Movement Division. He stated that there will be a lot of opportunities there, and hopes many of them will lead him to the County and this project, and also assist in addressing many of the goods movement issues in the region. Mr. Cano introduced Dave Perry who was just appointed as the new Director replacing Norm Hickling. Mr. Perry has a lot of experience in the Santa Clarita Valley with this project and with High Speed Rail.</p> <p>He also expressed his thanks and gratitude to Chairman Lovingood for his leadership of the JPA, providing regional focus and breaking down jurisdictional barriers for this project. He also thanked Director Ledford for his support from the Day 1, as well as Laurie Hunter for her tireless efforts and work regarding the High Desert Corridor project.</p>
11.	Adjourn	There being no further business, the meeting is adjourned at 2:32 p.m.