



INYO COUNTY LOCAL TRANSPORTATION COMMISSION

P.O. DRAWER Q
INDEPENDENCE, CA 93526
PHONE: (760) 878-0201
FAX: (760) 878-2001



Clint Quilter, Executive Director

MINUTES

INYO COUNTY LOCAL TRANSPORTATION COMMISSION

**Inyo County Board of Supervisors' Chambers
224 N. Edwards St., Independence, CA 93526**

October 19, 2016

9:00 a.m. Pat Gardner called the meeting to order.

ITEM NO. 1 Roll Call

Commissioners Present:

Pat Gardner, City of Bishop
Doug Thompson, County of Inyo
Bob Kimball, City of Bishop
Jim Ellis, City of Bishop
Dan Totheroh, County of Inyo
Matt Kingsley, County of Inyo
Ryan Dermody, (Caltrans District 9 non-voting Ex-Officio member)

Others Present:

Mark Heckman, Caltrans
Jill Batchelder, ESTA
Dave Grah, City of Bishop
Sonja Velarde, Bishop Paiute Tribe
Denise Hayden, Secretary
Clint Quilter, Executive Director
Courtney Smith, Staff

ITEM NO. 2: Public Comment

None

ACTION ITEMS

ITEM NO. 3: Secretary of the Local Transportation Commission – Request approval of the minutes of the meeting of June 15, 2016.

Motion to approve the minutes made by Bob Kimball and seconded by Jim Ellis. Motion carried: 4-0 with Dan Totheroh and Matt Kinglsey abstaining.

ITEM NO. 4: Request Commission approve Resolution 2016-16 allocating \$55,000 in Local Transportation Funds Bicycle & Pedestrian set aside to the City of Bishop for the Right of Way component of the Seibu to School Combined Use Path project.

The City of Bishop is requesting \$55,000 in Transportation Development Act bicycle and pedestrian set aside funds for the Seibu to School combined use path to complete right of way acquisition for the project. This is the second allocation request the LTC has received for these funds. As of the end of FY 2015-2016, the Bicycle & Pedestrian fund set aside fund is at \$109,767. Your Commission has approved one allocation to the City of Big Pine Town to Tract bicycle route pavement markings and signage in the amount of \$11,746. If this allocation request is approved and the City was to expend all of the funds, the account balance would be \$42,930. There is \$480,000 in funds programmed in the STIP for the construction of the project in FY 2017-2018. This is a challenging project and it would be a shame for the project to stall out and not be completed because of inaction by LADWP. There is a chance that the expenditure of these funds will not be successful. Staff recommends that the Commission approve Resolution 2016-16.

Dave Grah, City of Bishop, stated that the Seibu to School Path goes from the City/Reservation boundary to Keough Street. It would be constructed on City and DWP property. The project was first programmed in 2008 and the City has not been able to get DWP to tentatively agree to the project. The need for the project comes up in transportation meetings time and time again. The Active Transportation Plan and other planning documents have identified this as a high priority project. The idea of the project is to get pedestrians off of the Highway (SR 168 or W. Line Street) and to provide a direct link between the reservation and town. Another goal of the project is to keep adults from crossing the school grounds. This project is supported by the schools. DWP was concerned about it crossing over Diaz Lane. Some Tribal members were initially against the project because they didn't want the City to build on the reservation. The City of Bishop limited the project scope to where the Bishop portion will end at the City/Reservation boundary. The tribe is also planning on building a path that this will join into. The tribal project has been funded with Federal monies. There is \$480,000 programmed in the STIP in FY 2017-2018. We are ready to go we just need right-of way. DWP still has a problem with this project. The City could attempt to obtain this property by virtue of eminent domain but they would rather use negotiations. Without the right-of-way this project will not get constructed. We have estimates up to \$55,000 for eminent domain and it could be less. This effort will continue through the next 9 months before construction can begin.

Dan Totheroh asked if the Tribe was also eligible for these Federal funds. There was not a representative from the tribe at this point in the meeting but it is Dave Grahs' understanding that the Bishop Tribe has funds available but they differ from the funds that the City is using.

Matt Kingsely asked what the DWP issues were. Dave explained that they don't like the idea and that they had operational concerns. James Yannota with DWP said that it might promote additional trespassing on DWP property. Dave said that there currently is some confusion as to which way to travel. He believes the completion of the project would limit use to one route. Dave explained that the DWP land where the path is proposed is grazing land and that the City of Bishop will construct fencing to keep the cattle out of the path.

Jim Ellis asked if this project does not get funded if these funds have to be returned to the Feds. Courtney said he believes that the City of Bishop has 3 years to complete the construction phase once the California Transportation Commission allocates the funding. If the funds are not used they go into the Inyo LTC share balance for the next STIP cycle. Dave Grah asked if these funds could be transferred to another project. Courtney said that it might be possible if done in a different year than when the funds are programmed but it is not a given. Jim Ellis asked about obtaining further information from DWP. Dave Grah explained his understanding of the stance that DWP has taken.

Matt Kingsley stated that it seems like some discussion is needed from City Council as to why DWP is stonewalling the project and he understands how difficult it is. He said that there is something called "friendly Eminent Domain" and he would hate to see us have to use this method. He would like to see the funds go directly to a pedestrian or bicycle project and not toward lawyer's fees. He would like to see further dialogue with DWP.

Dave speculated that eminent domain may work better for DWP because it involves less staff time. He would like to hear more from DWP on this subject. We should invite DWP to an LTC meeting as well. Action does need to happen in the next three months so that we don't lose this funding.

Doug Thompson mentioned that this project always seems to come back to DWP. Perhaps we should go above the local DWP officials.

Dave Grah explained the proposed path around the schools over to the reservation. He stated that there has already been \$30,000 of TEA Exchange Funds used for the Design component of this project; \$90,000 also was used for the environmental phase of the project.

Dan Totheroh asked about the amount of proposed traffic that could use this path if it was to be completed. Dave Grah explained that there seems to be quite a demand for a non-motorized path in this area. Jim Ellis noted that there are adults crossing the school grounds during the day that has become a safety concern.

Pat Gardner asked Sonja Velarde of the Bishop Paiute Tribe Public Works Department to address the Tribe's plans for the construct their portion of the path. Sonja Velarde said that she is filling in for Peter Bernasconi and she stated that it will be 4" of class II base with a polymer coating. They have advertised the bids and have accepted a bid. They have chosen a contractor and they are hoping to have construction complete in January. They are doing their side of the project. They have two sources of funding grants to help pay for the project.

Ryan Dermody from Caltrans stated that it might help if we wrote a letter to DWP in support of the project and to let them know that the Tribe is finishing their portion of the project. Matt Kingsley asked Ryan Dermody if he thinks that a letter sent by the LTC should state that the City of Bishop is considering eminent domain. It was decided that this would not be included in the initial letter. There was some discussion as to who the letter should be sent to at DWP.

Matt Kingsley is okay with the money supporting this project. He does think that it is a bit ridiculous to spend \$55,000 on legal fees to gain a small portion of property. Dave Grah stated that it could be up to \$55,000 and may not take all of the funds

Motion to approve Resolution 2016-16 and for staff to submit a letter to LADWP was made by Dan Totheroh and seconded by Doug Thompson. Motion carried 6-0.

DISCUSSION ITEMS

ITEM NO. 5: Receive the fourth quarter invoice of Rural Planning Assistance funds in Fiscal Year 2015-2016.

Courtney Smith explained that 100% of Rural Planning Assistance funds were expended in the 2015/2016 fiscal year. Also included in the staff report for reference is a summary of expenditures for Planning, Programming & Monitoring (PPM) funds and Transportation Development Act administrative set aside funds. No amendments to the Overall Work Program are required at this point in FY 2016-2017.

INFORMATIONAL ITEMS

ITEM NO. 6: ESTA Report

Quarterly Progress Report - Jill Batchelder reported that ESTA had a busy summer season with 19,500 riders. The fares were up 19% for this summer season over last year. The number of passengers in wheelchairs was also up 17%. The efficiency standards; we have met the standards in all routes except for Tecopa and Lone Pine Dial-a-Ride which are lifeline services. Compared to last year, these routes are up 8%. Bishop Dian-A-Ride shows the ridership down just a bit from last year.

ITEM NO. 7: Tribal Report

Sonya Velarde of the Bishop Paiute Tribe Public Works Department informed the Commission that the Tribe is currently flying a job for a Part Time Transportation Planner. The position is currently funded for 2.5 years.

The Tribe partnered with UC Berkeley to complete a transportation safety assessment of the roads on the Bishop Reservation. This includes several roads that are part of the County's maintained mileage system. The assessment should be released in the next couple months. The Tribe will share this report with its local transportation partners.

ITEM NO. 8: Caltrans Report

Quarterly Progress Report - Ryan Dermody started by providing some good news. It appears that two Lone Pine sidewalk ADA projects on both sides of US 395 from Teya Road to Inyo Street have been funded through an ADA program. Note that construction will probably not occur on these projects until 2022.

Another sidewalk project in Lone Pine has been approved between Begole Street and Lubkin Avenue. Caltrans also intends to install pedestrian activated flashers at Crocker Street in Big Pine and also install a pedestrian actuated signal at E. Elm Street and US 395 in Bishop. These projects are data driven.

Matt Kingsley asked if Caltrans has looked into flashing speeding beacons at the north end of Lone Pine to slow down traffic. Ryan said that he would consult with Caltrans traffic operations staff about that need.

Caltrans Transportation Plan 2040 - Mark Heckman gave a brief overview of this planning effort. This is a statewide infrastructure plan that looks out for 25 years and is updated every 5 years. The plan prioritizes multi modal projects, safety projects, and livable community projects. The plan also aims to improve freight efficiency.

District 9 has embarked on a district wide freight efficiency study. They would like to have a representative of the Inyo County Local Transportation Commission on a steering committee. This will serve as an addendum to the 2006 freight study. The study starts in February 2017.

State Route 178 Transportation Concept Report - Mark Heckman gave an overview of the recently completed Transportation Concept Report (TCR) for SR 178. The TCR is concerned mainly with SR 178 in Kern County though it includes a stretch from Jubilee Pass in Death Valley to Shoshone. There is a large unconstructed portion of the road that is partly in Kern and partly in Inyo County. It travels east from Trona through China Lake and Death Valley National Park.

Matt Kingsley asked what it would take to remove the unconstructed portion. Ryan Dermody said that if the County is interested in this, it should pursue it through legislation.

Dan Totheroh asked what the construction activity is north of Independence in a borrow pit. Mark Heckman said that ongoing work is the reclamation of a material site. Caltrans special use permit for this site expires at the end of the year. This is a three week project that aims to re-contour, reclaim, revegetate, and reduce dust.

ITEM NO. 9: City of Bishop Report

David Grah opened that the City of Bishop has started work on the environmental component of the Spruce/Yaney/Hanby sidewalk project and will be holding public meetings in the near future. Also, the City of Bishop is about 50% complete with a municipal drainage plan.

ITEM NO. 10: Executive Director's Report

Inyo County Quarterly Progress Report – Courtney Smith reported that West Bishop reconstruction (STIP) – will go to construction in Spring 2017. On Whitney Portal Road (FLAP) – Construction should be complete this week and project set to enter into closeout phase. South Lake Road (FLAP) – Project in initial part of design phase, construction currently planned in 2020. The County is still seeking funds to program the match component for the construction phase. Dehy Park (STIP TE) – construction will start this month. Ed Powers Bike Lanes (STIP TE) – project in closeout phase. Bridge projects – next project slated to go to construction is bridge replacement on Bell Access Road (Oak Creek) which is slated for construction in Spring 2017. South County fog lines and rumble strip project (HSIP) – design component underway and construction tentatively scheduled for 2018.

Proposed State Transportation Funding Legislation - Senate Bill SB 1 (Frazier) is now being considered in Committee. This is a comprehensive funding bill that aims to place new life in the STIP and provide local road funds via several funding sources including revenues attributable to a \$0.17 per gallon increase in the motor vehicle fuel (gasoline) tax imposed by the bill with an inflation adjustment, an increase of \$38 in the annual vehicle registration fee with an inflation adjustment, a new \$165 annual vehicle registration fee applicable to zero-emission motor vehicles. This bill requires a 2/3 majority to pass. There is some indication that the Speaker will bring the legislation forward for a vote during the lame duck session. The draft bill and a summary are provided for information.

Pavement Management Program Update - On September 6th, the Board of Supervisors approved a contract with NCE for Pavement Management services to provide updated Pavement condition Index information on all County and City maintained roads through 2022. The program will monitor 1/3 of the system annually with complete updates coming every three years.

Senate Bill 1345 Berryhill - On August 17th, Governor Brown signed Senate Bill 1345. This bill extends the AB 628 legislation until January 1, 2020. The pilot program that allows the County of Inyo to designate combined use routes up to ten miles in length. The County currently has three combined-use routes open. It is anticipated that four additional routes in the Bishop area will open in the next month. LADWP signed a letter of permission for the County to start the four combined-use routes that have a start point at a County campground on LADWP lands. LADWP will consider granting one-year extension to the combined use routes based on the yearly monitoring reports that will be submitted to LADWP.

State Park Grant - The County received a partial grant award for the NEPA review of County maintained roads that cross Inyo National Forest land that are proposed for combined –use. The County declined to accept the grant due to time constraints and uncertainties for future funding. The County will apply for additional funding from State Parks for this project in the upcoming grant cycle.

Freeman Gulch Segment 1 Construction Advancement - Caltrans has submitted an advancement of the construction component request to proceed for consideration by the California Transportation Commission at their October 19-20 meeting. The Regional Transportation Improvement Program (RTIP) submitted by your Commission requested construction be programmed in FY 2016-2017, though the CTC when it adopted the State Transportation Improvement Program (STIP) pushed out

the programming to FY 2019-2020. There was an opportunity to fund about \$75 million of construction ready projects. LTC staff contacted CTC staff to see if this allocation request would be approved and if the LTC would need to send a representative. CTC staff indicated that they would recommend approval of the allocation request and that they would contact the LTC if there was an issue. We have not heard from CTC staff and hope that this MOU project can be delivered early.

ITEM NO. 11: Reports from all members of the Inyo County LTC

None

CORRESPONDENCE

- Comment letter sent by LTC staff on the *2016 Draft California Regional Transportation Planning Agency (RTPA) Regional Transportation Plan Guidelines*
- Low Carbon Transit Operations Program Corrective Active Plan for the Lone Pine Express fixed route
- July 2016 letter from County to State Parks declining partial grant award on NEPA grant

ADJOURNMENT

Pat Gardner adjourned the meeting at 10:12 a.m. The next LTC meeting is scheduled to be held on November 16, 2016 in the City of Bishop Council Chambers.

Attest:

Clint Quilter
Executive Director

By: Denise Hayden, Secretary