

RAIL PROGRAM

- 3.5.1** Received the final budget for the partial acquisition of 21 Happ Place.
- 3.5.2** Received update on activities related to management and development of TAMC's Fort Ord property along Highway 1 and authorized participation in Fort Ord Reuse Authority's building demolition.
- 3.5.3** Board member Delgado pulled the item for discussion.

M/S Delgado/Parker/
Substitute motion to delay action on the easement until after state approvals of the project were in hand. Motion failed 4 – 12, with Board members Adams, Delgado, Kerr and Parker voting yes; all others voting no.

M/S/C **LeBarre/Phillips**

Original motion passed 15 – 1. Noes: Delgado

Regarding California American Water Company Pipeline Easements:

- 1. Adopted a Resolution determining that the approval of an Easement Purchase Agreement and an Operations Plan and Agreement with California American Water Company for the installation and operation of a water pipeline as part of the Monterey Peninsula Water Supply Program is contained within the scope of the Final EIR/EIS for the Monterey Peninsula Water Supply Project (SCH# 2006101004), and TAMC has reviewed and understood the conditions of that document and has determined that no new environmental analysis is required;**
- 2. Approved the Easement Purchase Agreement and Operations Plan and Agreement with California American Water Company regarding a permanent easement and a series of temporary construction easements to install a water pipeline in the TAMC Monterey Branch Line rail right-of-way;**
- 3. Authorized the Executive Director to execute deeds granting a permanent easement and temporary construction easements in favor of California American Water Company to install a water pipeline in the TAMC Monterey Branch Line rail right-of-way;**
- 4. Approved design exceptions to American Railway Engineering and Maintenance-of-Way Association standards requested by California American Water Company; and**
- 5. Authorized the Executive Director to take such other further actions as may be necessary to fulfill the intent of the of the easements including approvals of future modifications or amendments that do not significantly alter the scope of work, or change the approved easement terms or amounts of compensation, subject to approval by Agency Counsel.**

Rich Deal, Principal Transportation Engineer, reported that the recommended action will approve California American Water's purchase from TAMC of a 20'-25' wide permanent easement in the amount of \$693,000, and temporary construction easements to install approximately 50,000 of water pipelines within the Monterey Branch Line rail right-of way.

Mr. Deal provided answers to several questions from Board member Delgado. No permanent structures can be built on top of the proposed easement, but surfaces (e.g. paths, busway) can be improved. The permanent easement is not available until the pipeline is built. The appraisal does not consider transit-oriented development as the highest and best use since it is a transportation corridor that cannot accommodate permanent structures. In response to a question from Board member Hawthorne, Mr. Deal noted that the pipeline easement does not extend into Sand City. Ian Crooks, California American Water, noted the need for timely approval of the easement in order to maintain the timeframe for construction of the desalination facility.

Public comment:

Sam Teal, Monterey County Hospitality Association; Kevin Dayton, Monterey Peninsula Chamber of Commerce; Jerry Edelen, former mayor of Del Rey Oaks; Paul Bruno, Monterey Peninsula Engineering; and, Eric Tynan, Castroville Community Services District all expressed support for the recommended action, stating the need to provide a sustainable and reliable water supply and water-dependent jobs.

After extensive discussion, Board member LeBarre moved the staff recommendation; seconded by Board Member Phillips. Board member Delgado made a substitute motion, seconded by Board member Parker, to delay action on the easement request until state approvals for the project are in hand. The substitute motion failed 4 – 12, with Board members Adams, Delgado, Kerr and Parker voting in favor. The Board approved the original motion in favor of the staff recommendation 15 – 1 with Board member Delgado voting no.

REGIONAL DEVELOPMENT IMPACT FEE

3.6.1 No items this month.

COMMITTEE MINUTES

3.7.1 Accepted draft minutes from Transportation Agency committees:

- Executive Committee – August 7, 2019
- Bicycle and Pedestrian Committee – August 7, 2019
- Technical Advisory Committee – No meeting
- Rail Policy Committee – August 5, 2019
- Excellent Transportation Oversight Committee (xTOC) – July 16, 2019

3.7.2 Received Transportation Agency for Monterey County correspondence for August 2019.