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County of Santa Cruz

BOARD OF SUPERVISORS

701 OCEAN STREET, SUITE 500, SANTA CRUZ, CA 95060-4069

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JANET K. BEAUTZ
FIRST DISTRICTELLEN PIRIE
SECOND DISTRICTMARDI WORMHOUDT
THIRD DISTRICTTONY CAMPOS
FOURTH DISTRICTJEFF ALMQUIST
FIFTH DISTRICT

AGENDA: 4/24/01

April 17, 2001

BOARD OF SUPERVISORS
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: SENATE BILL 465

Dear Members of the Board:

Senate Bill 465, introduced by Senator Bruce McPherson, would add Section 67941 to the Government Code, relating to the Santa Cruz County Regional Transportation Commission, to revise the Commission's powers, as follows:

1. To permit the Commission to exercise the power of eminent domain, as specified;
2. To grant the Commission power to preserve, acquire, construct, improve, and oversee multi-modal transportation projects and services on rail rights-of-way within Santa Cruz County to facilitate recreational, commuter, intercity, and intercounty travel; and
3. To provide the Commission with the authority to contract for any services to accomplish its purposes.

These provisions are critical to the success of the acquisition of rail road rights-of-way in Santa Cruz County and are worthy of Board support. In addition, at the April 5, 2001, meeting of the Transportation Commission, the Commission voted to request that Senator McPherson amend Senate Bill 465 to add two members to the Commission, resulting in a seat on the Commission for each member of the Board of Supervisors and a representative of each of the four cities. The Commission has requested that our Board take a position in support of both the existing provisions of SB 465 and the addition of two Commission seats.

BOARD OF SUPERVISORS
April 17, 2001
Page 2

In order to indicate our Board's support, I recommend that the Board take the following actions:

1. Adopt the attached resolution supporting the passage of Senate Bill 465 and urging amendments which would increase the membership of the Commission by two seats.
2. Direct the Clerk of the Board to distribute the resolution as indicated.
3. Direct the County Administrative Officer to place the Bill in our legislative tracking system.

Sincerely,



TONY CAMPOS, Chairman
Board of Supervisors

TC:ted
Attachments

cc: Senator Bruce McPherson
Assembly Member Fred Keeley
Assembly Member Simon Salinas
Santa Cruz County Regional Transportation Commission

2508A6

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO.

On the motion of Supervisor
duly seconded by Supervisor
the following resolution is adopted

RESOLUTION SUPPORTING SENATE BILL 465 AND
URGING AMENDMENTS TO INCREASE THE SIZE OF THE
COMMISSION BY TWO ADDITIONAL SEATS

WHEREAS, Senator Bruce McPherson has introduced Senate Bill 465 into the California State Senate; and

WHEREAS, Senate Bill 465 would add Section 67941 to the Government Code, relating to the Santa Cruz County Regional Transportation Commission to revise the Commission's powers, as follows:

1. To permit the Commission to exercise the power of eminent domain, as specified;
2. To grant the Commission power to preserve, acquire, construct, improve, and oversee multi-modal transportation projects and services on rail rights-of-way within Santa Cruz County to facilitate recreational, commuter, intercity, and intercounty travel; and
3. To provide the Commission with the authority to contract for any services to accomplish its purposes; and

WHEREAS, these provisions are critical to the success of the acquisition of rail road rights-of-way in Santa Cruz County; and

WHEREAS, the Commission's existing membership provisions provide for a seat on the Commission for four of the five members of the Board of Supervisors and three of the four city councils; and

WHEREAS, the Santa Cruz County Board of Supervisors supports amendments to Senate Bill 465 which would authorize the addition of two more seats, resulting in a seat on the Commission for each member of the Board of Supervisors and a representative of each of the four cities; and

WHEREAS, representation by each of the five Supervisorial Districts and each of the County's four cities is critical to ensuring full representation for all areas of the Santa Cruz County community.

RESOLUTION SUPPORTING SENATE BILL 465 AND URGING AMENDMENTS TO INCREASE THE SIZE OF THE COMMISSION BY TWO ADDITIONAL SEATS
Page 2

NOW, THEREFORE, BE IT RESOLVED that the Santa Cruz County Board of Supervisors hereby supports the passage of Senate Bill 465, with amendments to increase the size of the Commission by two members, and urges its passage.

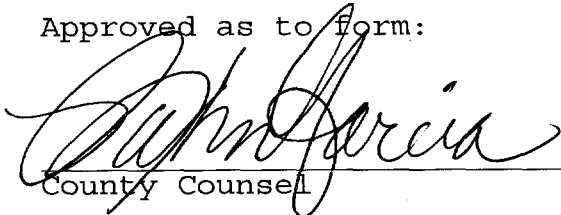
PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this _____ day of _____, 2001, by the following vote:

AYES: SUPERVISORS
NOES: SUPERVISORS
ABSENT: SUPERVISORS

TONY CAMPOS, Chairman
Board of Supervisors

ATTEST: _____
Clerk of said Board

Approved as to form:



County Counsel

DISTRIBUTION: Senator Bruce McPherson
Assembly Member Fred Keeley
Assembly Member Simon Salinas
Santa Cruz County Regional Transportation
Commission
County Counsel

2508A6

INTRODUCED BY Senator McPherson

FEBRUARY 22, 2001

An act to add Section 67941 to the Government Code, relating to regional transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 465, as introduced, McPherson. Santa Cruz County Regional Transportation Commission.

Existing law creates and prescribes the membership and powers of the Santa Cruz County Regional Transportation Commission.

This bill would revise the power of the commission, to permit it to exercise (1) the power of eminent domain, as specified, (2) the power to preserve, acquire, construct, improve, and oversee multimodal transportation projects and services on rail rights-of-ways with Santa Cruz County to facilitate recreational, commuter, intercity, and intercounty travel, and (3) the authority to contract for any services to accomplish its purposes.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 67941 is added to the Government Code, to read:

67941. (a) The commission has the power of eminent domain and the power to preserve, acquire, construct, improve, and oversee multimodal transportation projects and services on rail rights-of-ways within Santa Cruz County in any manner that facilitates recreational, commuter, intercity, and intercounty travel. An action in eminent domain to acquire property or property interests within any incorporated city or within the unincorporated area of the county may not be commenced unless the governing body of the affected city or county has consented by resolution to the acquisition.

b) The commission may contract for any services that accomplish its purposes.

SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION
1523 PACIFIC AVENUE, SANTA CRUZ, CALIFORNIA 95060-3911 (831) 460-3200 FAX (831) 460-3215 OR (831) 471-1290

April 12, 2001

SERVICE AUTHORITY
FOR: FREEWAY
EMERGENCIES
(SAFE)

Supervisor Tony Campos, Chairman
County Board of Supervisors
701 Ocean Street
Santa Cruz, CA 95060

CONGESTION
MANAGEMENT
AGENCY

RE: SB 465

Dear Chairman Campos:

COMMUTE
SOLUTIONS

At the request of the Regional Transportation Commission, Senator Bruce McPherson has introduced SB 465 to add powers to the Regional Transportation Commission in connection with rail road rights-of-way within the Santa Cruz County area.

TRANSPORTATION
POLICY COMMITTEE

At its April 5, 2001 meeting, the Regional Transportation Commission voted unanimously to reaffirm its support for SB 465 and to request that Senator Bruce McPherson add language to SB 465 to add two new members to the Regional Transportation Commission: a fifth member of the Board of Supervisors and the fourth city.

RAIL OVERSIGHT
COMMITTEE

Senator Bruce McPherson's office has informed Commission staff that letters of support for SB 465 would help ensure passage of the bill. Therefore, on behalf of the Regional Transportation Commission, I am requesting that the County Board of Supervisors consider sending a letter of support for SB 465 to Senator Bruce McPherson.

BUDGET &
ADMINISTRATION
PERSONNEL
COMMITTEE

EMERGENCY
TECHNICAL
ADVISORY
COMMITTEE

SB 465 currently contains the following language:

“Sec. 67941. Powers

BICYCLE COMMITTEE

(a) The commission has the power of eminent domain and the power to preserve, acquire, construct, improve, and oversee multimodal transportation projects and services on rail rights of way within Santa Cruz County in any manner that facilitates recreational, commuter, intercity, and intercounty travel. An action in eminent domain to acquire property or property interests within any incorporated city or within the unincorporated area of the county may not be commenced unless the governing body of the affected city of county has consented by resolution to the acquisition.

ELDERLY & DISABLED
TRANSPORTATION
ADVISORY COMMITTEE

(b) The commission may contract for any services that accomplish its purposes.”

SB 465 will be amended to include the following changes to existing statutes:

“Sec. 67940. Creation; name; governing body

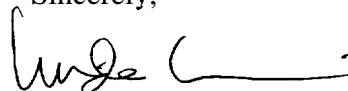
(a) The Santa Cruz County Regional Transportation Commission is hereby created, as a local area ~~planning~~ agency, and not as part of the executive branch of state government, to provide regional transportation planning and development for the area of Santa Cruz County. The commission may be known by any other name it chooses and is the legal successor to the Santa Cruz County Regional Transportation Commission, established pursuant to Section 29535, for all purposes, including those set forth in Section 67941 below. ~~in part 11.5 (commencing with Section 99600) of Division 10 of the Public Utilities Code, and particularly Section 99640.~~

(b) The governing body shall be composed of all five members of three members ~~appointed by~~ the board of supervisors, one member appointed by each of the cities in three members appointed by the city selection committee of the county, and three members appointed by the Santa Cruz Metropolitan Transit District. ~~7 appointed by the board of supervisors representing, collectively, the other transit operators in the county~~

(c) The appointing authority, for each regular member it appoints, and the board of supervisors for each of its members, may appoint an alternate ember to serve in the place of the regular member when the regular member is absent or disqualified from participating in a meeting of the governing body.”

SB 465 is scheduled for hearing before the Senate Transportation Committee on May 1, 2001. Senator McPherson’s office needs your letter of support by April 23 to ensure that it is included in the support list prepared for the Senate Transportation Committee. Please send a copy of your letter to the Regional Transportation Commission. If you have any question or comments regarding this legislation, please contact me at (83 1) 460-3213 or Luis Mendez of my staff at (83 1) 463-3212. Thank you for your consideration of SB 465.

Sincerely,



Linda Wilshusen
Executive Director