

ANNOTATED AGENDA

TRANSPORTATION TECHNICAL COMMITTEE

Date: Friday, July 8, 2011
Time: 8:30 am

POLICY ADVISORY COMMITTEE

Date: Friday, July 8, 2011
Time: 10:00 a.m.

Place:
COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA

Video Conferencing Available – please contact Kai Han at 559-233-4148 Ext. 206

Dial in number for teleconferencing:

Toll Free Number: 877-455-8688

Participant Code: 278933

Americans with Disabilities Act (ADA) Accommodations

The Fresno COG offices and restrooms are ADA accessible. Representatives or individuals with disabilities should contact Fresno COG at (559) 233-4148, at least 3 days in advance, to request auxiliary aids and/or translation services necessary to participate in the public meeting / public hearing. If Fresno COG is unable to accommodate an auxiliary aid or translation request for a public hearing, after receiving proper notice, the hearing will be continued on a specified date when accommodations are available.

Transportation Technical Committee

The Transportation Technical Committee (TTC) will consider Items I – V prior to the Policy Advisory Committee (PAC) Meeting. This portion of the meeting is scheduled to begin at 8:30 am

I. TRANSPORTATION CONSENT ITEMS

All items on the consent agenda are considered to be routine and non-controversial by COG staff and will be approved by one motion if no member of the Committee or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Committee concerning the item before action is taken.

A. TTC/PAC Executive Minutes of June 10, 2011

B. FY 2011-12 Measure “C” Claims – Resolution 2011-24 [BESHEARS]

Summary: \$1,288,049 in Measure “C” funds are available in 2011/12 for programs administered through COG. In accordance with Transportation Authority procedures, Resolution 2011-24 adopts claims for ADA/Seniors/Paratransit, Farmworker Van Pools, Car/Van Pools and Administrative/Planning.

Action: Staff recommends approval of the Measure “C” Claims for ADA/Seniors/Paratransit, Farmworker Van Pools, Car/Van Pools and Administrative/Planning by adoption of COG Resolution 2011-24.

C. MPO Delegation for Revised Administrative Modification Procedures – Resolution 2011-25 [GARZA]

Summary: The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have revised the Federal Statewide Transportation Improvement Program (FSTIP)/ Federal Transportation Improvement Program (FTIP) Amendments and Administrative Modification Procedures. Effective immediately, the revisions offer greater accountability and flexibility to the California Department of Transportation (Caltrans) and the Metropolitan Planning

Organizations (MPOs) for Administrative Modifications. The revised procedures allow Caltrans to delegate to an MPO the approval of administrative modifications to the FSTIP. Thus MPOs with delegated authority can approve administrative modifications without the need for state or federal approval. This will streamline and shorten the process of revising the FSTIP by allowing for fewer formal amendments which generally take longer to process. In order for an MPO to receive a delegation from Caltrans to approve administrative modifications to the FSTIP, the MPO must submit to Caltrans a board action to approve administrative amendments in accordance with the guidelines provided by FHWA and FTA. In addition, the MPO board may delegate, through board action, the approval of administrative modifications to the executive director. Fresno COG has an adopted "Director Delegation" to approve formal amendments on behalf of the Policy Board.

Action: Staff recommends approval of COG Resolution 2011-25 the resolution to request the delegation from Caltrans to approve administrative modifications to the FSTIP. Staff also recommends that the board delegation be given to the Fresno COG Executive Director to approve administrative modifications on behalf of the Fresno COG Policy Board.

D. Fresno Clovis Metropolitan Area (FCMA) Multi-Modal Corridor Land Use Integration Project Update [SOBRADO]

Summary: In March 2011, the City of Fresno applied for and received a Caltrans Planning Grant for the Fresno County Metropolitan Area (FCMA) Multi-Modal Corridor Land Use Integration Partnership Project. With \$276,000 in requested funding and a \$69,000 local match, the total project cost is \$345,000.

With participation from Fresno COG, the cities of Fresno, Clovis, Sanger, Kerman, and Caltrans, the FCMA Multi-Modal Corridor Land Use Integration Partnership Project seeks to:

- Focus on preserving a multi-modal corridor system,
- Focus on corridors along State Routes 99, 41, 168, and 180 as well as parallel roads to the State highways to develop a seamless transportation system around and through the FCMA
- Plan for a multi-modal corridor system for the FCMA, and
- Produce products that can be utilized for subsequent Caltrans System Planning activities, the City of Fresno's General Plan update, the development of the Sustainable Communities Strategy required by SB 375, and more.

This project is slated to be completed by June 30, 2012. Because of the tight deadline associated with this project, the City of Fresno will be retaining the services of a qualified consultant to complete the majority of tasks.

Action: This is an informational item. Direction may be given at the discretion of the Committee.

E. State and Local Partnership Competitive Grant Opportunity-Due August 15th [GARZA]

Summary: The Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, approved by the voters as Proposition 1B on November 7, 2006, authorized \$1 billion to be deposited in the State-Local Partnership Program (SLPP) Account to be available, upon appropriation by the Legislature, for allocation by the California Transportation Commission over a five-year period to eligible transportation projects nominated by an applicant transportation agency. The Bond Act required a dollar for dollar match of local funds for an applicant agency to receive state funds under the program. In 2008, the Legislature enacted implementing legislation (AB 268) to add Article 11 which defines the purpose and intent of the program, defines the eligibility of applicants, projects, and matching funds. It states that 95% of program funds will be distributed by formula to match voter-approved transportation taxes and fees and that the remaining 5% shall be available for a competitive grant application program to match uniform developer fees.

Caltrans is currently accepting project information and funding requests for the SLPP competitive grant program until August 15, 2011. Each project can be funded up to

\$1,000,000. Normally, there are \$9.8 million available to program competitive projects, but this depends on whether all projects were delivered the previous year. Last year, Caltrans awarded \$10.8 million because a project was deleted from the program. There are still 2 more cycles remaining under this program: 2011/2012 and 2012/2013.

Agencies can submit project information using the Project Programming Request form that is used for STIP projects. There is no actual SLPP project application for this competitive grant program. The guidelines to submit a request are available at http://www.catc.ca.gov/programs/SLPP/SLPP_2010_2011_Final_Guidelines.pdf.

Action: This is an information item. Direction may be given at the discretion of the Committee.

F. Poor Delivery of Safety Projects in the 2010/11 Federal Fiscal Year [GARZA]

Summary: According to Caltrans, in the past 3 FFYs, obligations throughout the regions have continued to increase each year, but to date the safety programs have never delivered 100% of their Obligation Authority (OA). As of May 2011, the 2010/11 Cumulative Federal Obligations are at the lowest levels since the inception of the three safety programs; Highway Safety Improvement Program (HSIP), High Risk Rural Roads (HRRR), and Safe Routes to School (SRTS) for the entire state.

Some of the recognized contributing factors at the local level that are causing a low delivery of safety projects are economic conditions that have resulted in staff reductions, lower delivery priorities and low profile projects as compared to other federal programs. There seems to also be many misunderstandings on how projects in statewide federal safety programs are programmed in the FTIP. Agencies need to understand that the FFY a project is programmed in should not affect the agency from delivering the project in the most expedited manner possible by the agency. There have been significantly higher than normal deobligations in the 2010/11 FFY due to "bids" coming in significantly lower than the Engineer's Estimate.

ACTIONS NEEDED AND NEXT STEPS: During the remainder of the 2010/11 FFY: Local Agencies should assess their federal safety projects and submit all RFAs for PE, ROW and/or CON that can be completed this FFY – Irrespective of the FFY it's programmed in. **There should be a special focus on PE authorizations, as they can be completed with minimal staff time.** Almost all HSIP Cycle 4 projects should receive PE authorization in the 2010/11 FFY.

During the first half of the 2011/12 FFY: Given almost all SRTS, HRRR and HSIP (Cycle 1, 2 and 3) projects that are not already in construction have a CON milestone date during the 2011/12 FFY; Agencies with one of these projects will need to meet this milestone to remain eligible for future Federal Safety funding.

Having good program delivery in 2011/12 will create more programming capacity in the 2013 FTIP. This will increase the funds available for future Calls for Federal Safety Projects.

Action: This is an information item. Direction may be given at the discretion of the Committee.

G. Air Quality Updates [DAWSON]

Summary:

EPA issued Partial Approval and Partial Disapproval PM2.5 State Implementation Plan:

In February 2011, I reported that EPA (Environmental Protection Agency) had proposed a partial approval and partial disapproval of the San Joaquin Valley 2008 PM2.5 Plan (November 2010). The disapproval required parts of the plan (prepared by the San Joaquin Valley Unified Air Pollution Control District and the California Air Resources Board) to address and strengthen the State Implementation Plan (SIP) which provides detail on the procedures to be followed to meet the National Ambient Air Quality Standards.

EPA planned to issue a new proposal in May. As of June 27, 2011 no re-proposal has been issued by EPA. The intent of the re-proposal is to provide an opportunity for EPA to fully evaluate

the responses that both the local Air District and the California Air Resources Board have provided to EPA in the form of new rules and supplemental documents to strengthen the PM2.5 SIP. EPA, ARB and the San Joaquin Valley Unified Air Pollution Control District are confident that the inadequacies will be satisfactorily addressed. In order to continue project delivery and due to the many uncertainties of this “disapproval proposal” process, Fresno COG amended the 2011 RTP and 2011 FTIP, and drafted a new Transportation Conformity Analysis.

In addition: the California Air Resources Board announced 6/20/2011 that revised conformity budgets will be considered for approval at the July 21, 2011 ARB public hearing. The eight valley MPOs are in the process of reviewing the proposed revised conformity budgets to assess potential impacts to the local conformity process. A summary explaining this action is included in your packet. Staff will continue to update the committees as new information becomes available.

EPA Final Approval of the San Joaquin Valley Air Pollution Control District Indirect Source Review Rule (Rule 9510) and Associated Transportation Conformity Concerns:

On May 21, 2011 (effective date 6/8/2011) EPA released final approval of the San Joaquin Valley Air Pollution Control District Indirect Source Review Rule (Rule 9510). As part of the final approval, the numeric emission reductions from the Rule were found to not be in the form of a federally enforceable contract, and thus can not be used in transportation conformity budgets. In response to EPA’s action, Fresno COG will test the current conformity budgets, well in advance of needing to demonstrate transportation conformity, to determine the impact of this finding. The emission reductions from Rule 9510 Indirect Source Review Rule are not expected to be sufficient to cause a conformity issue for Fresno COG. A summary explaining this action is included in your packet. Staff will continue to update the committees as new information becomes available.

Action: This is an information item. Direction may be given at the discretion of the Committee.

II. TRANSPORTATION ACTION / DISCUSSION ITEMS

A. Request to Initiate a Measure “C” Expenditure Plan Amendment [BOREN]

Summary: Fresno COG has received a letter from the “Fresno Works” High Speed Rail Committee requesting that the COG and the Fresno County Transportation Authority initiate a Measure “C” Plan Amendment to set aside \$1.5 million of Measure “C” funding to purchase real estate “options” on the property that has been identified as the most appropriate Fresno County location for the future High Speed Rail Heavy Maintenance Facility (see attached map). The source of the funding would come from the \$25 million that was previously set aside by the COG/FCTA via Measure “C” Amendment # 1 (enclosure). The funding set aside in Amendment # 1 is limited to issues (land acquisition, infrastructure, planning, design and engineering activities, etc) associated with development of the High Speed Rail Heavy Maintenance Yard.

As a recap, you may recall that utilization of the \$25 million was “conditioned” upon Fresno being awarded the Heavy Maintenance Facility, however over the course of the last year, consensus has emerged from the Fresno Works Committee that in order to be truly competitive with the other San Joaquin Valley communities that are also seeking the Heavy Maintenance Facility, it is imperative that we have the real estate for the Heavy Maintenance Facility under our control “prior” to the California High Speed Rail Authority making its decision on the location of the Heavy Maintenance Facility. Specific to that point, the California High Speed Rail Authority is currently on record as stating that they anticipate making the decision on the location of the Heavy Maintenance Facility in early 2012

Action: This is an action item. Direction may be given at the discretion of the Committee.

B. High Speed Rail Update [BOREN]

Summary: Staff will provide a verbal update on High Speed Rail planning activities.

Action: This is an information item. Direction may be given at the discretion of the Committees.

C. Legislative Platform [GARZA]

Summary: Last month, COG staff provided a notification that during recent Policy Board meetings, several board members expressed concerns in regards to taking positions on issues or priorities that are non-transportation related. Because the approved Legislative Platform does include non-transportation related priorities, it is necessary to amend and readopt an updated legislative platform to align with the priorities and concerns of the current Policy Board. COG staff is requesting that Policy Advisory Committee members voluntarily participate in a subcommittee to review and update the platform in order to address the concerns of the Policy Board. The subcommittee will meet in July and August and will recommend approval of the updated platform during the Policy Board meeting in September.

The most current adopted 2011 Legislative Platform is a document that includes the advocacy priorities of the Fresno COG in state and federal legislative matters. It represents a unified voice when communicating legislative priorities to our state and federal lawmakers as well as to relevant state and federal agencies. It also provides guidance to the Fresno COG staff and the lobbying partners when advocating on behalf of the Policy Board. The final legislative platform reflects the most current priorities for advocacy during the 2011 state and federal legislative sessions.

Action: COG recommends that the Chair request volunteers to form a Legislative Platform subcommittee.

D. Use of Toll Credits [GARZA]

Summary: ISTEA permitted the use of certain *toll* revenue expenditures as a *credit* toward the non-Federal matching share of all programs. Federal-aid highway projects typically require the project sponsors to provide non-federal funds as match to the federal funds, such as a minimum of 11.47% of non-federal match funds for STP projects. Toll Credits derive from the fact that various states have toll facilities such as bridges or highways that generate a significant amount of local funds. Since federal transportation funds typically require a match, the concept at the macro level, was to allow the state to offset this match with locally generated "toll credits". Though this concept was stipulated in ISTEA, the legislation did not provide implementation guidelines which proved to be problematic since the actual tolls are generated and remain in specific metropolitan areas but the matching toll credits are typically spread throughout the state. Through the use of toll-credits, the non-federal share match requirement can be met by applying an equal amount of toll credit; therefore, allowing a project to be funded with up to 100% federal funds for federally participating costs to the extent that credits are available (this is also considered a soft match). Toll credits can be used in any phase of a federal-aid projects, Preliminary Engineering, Right of Way, or Construction, as long as that phase of work has not been authorized. Caltrans received conditional approval from FHWA for \$5.7 billion of toll credit and has established an interim toll credit policy covering the three-year demonstration period of FY 2009-10 through FY 2011-12. The policy will be evaluated prior to implementation of a final policy for FY 2012-13 and beyond. Some of the issues with using the Toll Credit program are that no new federal apportionments were created and FHWA requires that Toll Credits claimed do not exceed actual Toll Credits generated. The other issue with programming the use of toll credits is that the accounting used to track them is vague enough that it is hard to know if that threshold has been reached, or if FHWA will extend the program when it is. Therefore, there is some risk associated with implementing the program, that risk being that if toll credits run out or the program expires, projects may be required to be hard matched. This concept has been under discussion at the state level over the last year in order to develop a distribution and tracking methodology.

Since Toll Credits do not generate any additional federal funding or financial capacity, it is important to understand that its use is merely to meet the non-federal match requirement of the federal participating cost. As such, when toll credits are used in lieu of the non-federal share cash match, it will help those projects that would otherwise be delayed for the lack of matching funds. The amount of toll credit a state can use each year is limited by the amount of annual Federal Obligation Authority (OA). In order to use toll credits an agency must have additional federal funds and programming capacity in the FTIP to program the additional federal funds. For example a \$100,000 project that has \$88,530 in federal funds and \$11,470 in local matching funds would

need \$11,470 in residual federal funds and programming capacity in order to get 100% reimbursement on the project. An alternative option, of course, is to down scope the project to \$88,530. However, any scope changes must be done on a valid engineering basis and not as a mere "paper" exercise because if the bid comes in at around \$100,000, the sponsor would have to provide the local matching funds to do the project anyway and all of the required programming amendments would essentially have been unnecessary. Another issue that is of concern, is that full implementation of the program will result in less projects programmed as the amount of federal funds will not increase.

Federal Transit Administration and some departments of Caltrans, such as the Highway Bridge Program, have already begun allowing Toll Credit matches for federal projects; however, for our RSTP and CMAQ programs, the concept was problematic because we had just completed a major programming exercise and had already maximized our existing programming capacity using traditional matching formulas. Since no additional Federal funds or programming capacity was given to implement the Toll Credit program, it was determined that we did not have enough residual federal funds to do a full scale implementation of this concept on the existing program. If we would have applied the Toll Credit program after the adoption of the 2011 FTIP, we would have had to redo the entire schedule resulting in a large amount of projects to be removed from the federal financial constraint equal to the amount of Toll Credit match used. Therefore, staff recommendation is that we ease Toll Credits into the existing RSTP & CMAQ programs on a case by case basis depending on availability of residual federal funds and programming capacity, and look to do a full scale integration when the next Call for Projects occur this fall.

Action: This is an information item. Direction may be given at the discretion of the Committees.

III. OTHER BUSINESS

- A. Items from Staff
- B. Items from Members

IV. PUBLIC PRESENTATIONS

This portion of the meeting is reserved for persons wishing to address the TTC on items within its jurisdiction but not on this agenda. **Note: Prior to action by the TTC on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to 3 minutes.**

JOINT Transportation Technical Committee / Policy Advisory Committee

The TTC and the PAC will meet as a joint Committee to consider scheduled public presentations brought before the Committees. This portion of the meeting is scheduled to begin at 10:00 a.m.

V. PRESENTATIONS

1. Caltrans Report [CALTRANS]

Summary: Caltrans staff will provide an update at the Policy Board meeting. A copy of the Quarterly Caltrans Update is included in the meeting package.

Action: This is an information item. Direction may be given at the discretion of the Committee.

2. Model Farmland Conservation Study Survey Results [BOREN/MANROSS]

Policy Advisory Committee

The Policy Advisory Committee will consider all Transportation and Administrative Items on the Agenda

VI. TRANSPORTATION CONSENT ITEMS

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A. TTC/PAC Executive Minutes of June 10, 2011

B. FY 2011-12 Measure "C" Claims [BESHEARS]

Summary: \$1,288,049 in Measure "C" funds are available in 2011/12 for programs administered through COG. In accordance with Transportation Authority procedures, Resolution 2011-24 adopts claims for ADA/Seniors/Paratransit, Farmworker Van Pools, Car/Van Pools and Administrative/Planning.

Action: Staff recommends approval of the Measure "C" Claims for ADA/Seniors/Paratransit, Farmworker Van Pools, Car/Van Pools and Administrative/Planning by adoption of COG Resolution 2011-24.

C. MPO Delegation for Revised Administrative Modification Procedures – Resolution 2011-25 [GARZA]

Summary: The Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) have revised the Federal Statewide Transportation Improvement Program (FSTIP)/Federal Transportation Improvement Program (FTIP) Amendments and Administrative Modification Procedures. Effective immediately, the revisions offer greater accountability and flexibility to the California Department of Transportation (Caltrans) and the Metropolitan Planning Organizations (MPOs) for Administrative Modifications. The revised procedures allow Caltrans to delegate to an MPO the approval of administrative modifications to the FSTIP. Thus MPOs with delegated authority can approve administrative modifications without the need for state or federal approval. This will streamline and shorten the process of revising the FSTIP by allowing for fewer formal amendments which generally take longer to process. In order for an MPO to receive a delegation from Caltrans to approve administrative modifications to the FSTIP, the MPO must submit to Caltrans a board action to approve administrative amendments in accordance with the guidelines provided by FHWA and FTA. In addition, the MPO board may delegate, through board action, the approval of administrative modifications to the executive director. Fresno COG has an adopted "Director Delegation" to approve formal amendments on behalf of the Policy Board.

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recommends that the board delegation be given to the Fresno COG Executive Director to approve administrative modifications on behalf of the Fresno COG Policy Board.

D. Fresno Clovis Metropolitan Area (FCMA) Multi-Modal Corridor Land Use Integration Project Update [SOBRADO]

Summary: In March 2011, the City of Fresno applied for and received a Caltrans Planning Grant for the Fresno County Metropolitan Area (FCMA) Multi-Modal Corridor Land Use Integration Partnership Project. With \$276,000 in requested funding and a \$69,000 local match, the total project cost is \$345,000.

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- Focus on preserving a multi-modal corridor system,
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E. State and Local Partnership Competitive Grant Opportunity-Due August 15th [GARZA]

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ACTIONS NEEDED AND NEXT STEPS: During the remainder of the 2010/11 FFY: Local Agencies should assess their federal safety projects and submit all RFAs for PE, ROW and/or CON that can be completed this FFY – Irrespective of the FFY it's programmed in. **There should be a special focus on PE authorizations, as they can be completed with minimal staff time.** Almost all HSIP Cycle 4 projects should receive PE authorization in the 2010/11 FFY.

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G. Air Quality Updates [DAWSON]

Summary:

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In February 2011, I reported that EPA (Environmental Protection Agency) had proposed a partial approval and partial disapproval of the San Joaquin Valley 2008 PM2.5 Plan (November 2010). The disapproval required parts of the plan (prepared by the San Joaquin Valley Unified Air Pollution Control District and the California Air Resources Board) to address and strengthen the State Implementation Plan (SIP) which provides detail on the procedures to be followed to meet the National Ambient Air Quality Standards.

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VII. TRANSPORTATION ACTION / DISCUSSION ITEMS

A. Request to Initiate a Measure "C" Expenditure Plan Amendment [BOREN]

Summary: Fresno COG has received a letter from the "Fresno Works" High Speed Rail Committee requesting that the COG and the Fresno County Transportation Authority initiate a Measure "C" Plan Amendment to set aside \$1.5 million of Measure "C" funding to purchase real estate "options" on the property that has been identified as the most appropriate Fresno County location for the future High Speed Rail Heavy Maintenance Facility (see attached map). The source of the funding would come from the \$25 million that was previously set aside by the COG/FCTA via Measure "C" Amendment # 1 (enclosure). The funding set aside in Amendment # 1 is limited to issues (land acquisition, infrastructure, planning, design and engineering activities, etc) associated with development of the High Speed Rail Heavy Maintenance Yard.

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Action: This is an action item. Direction may be given at the discretion of the Committee.

B. High Speed Rail Update [BOREN]

Summary: Staff will provide a verbal update on High Speed Rail planning activities.

Action: This is an information item. Direction may be given at the discretion of the Committees.

C. Legislative Platform [GARZA]

Summary: Last month, COG staff provided a notification that during recent Policy Board meetings, several board members expressed concerns in regards to taking positions on issues or priorities that are non-transportation related. Because the approved Legislative Platform does include non-transportation related priorities, it is necessary to amend and readopt an updated legislative platform to align with the priorities and concerns of the policy board members. COG staff is requesting that Policy Advisory Committee members voluntarily participate in a subcommittee to review and update the platform in order to address the concerns of the Policy Board. The subcommittee will meet in July and August and will recommend approval of the updated platform during the Policy Board meeting in September.

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Action: COG recommends that the Chair request volunteers to form a Legislative Platform subcommittee.

D. Use of Toll Credits [GARZA]

Summary: ISTEA permitted the use of certain *toll* revenue expenditures as a *credit* toward the non-Federal matching share of all programs. Federal-aid highway projects typically require the project sponsors to provide non-federal funds as match to the federal funds, such as a minimum of 11.47% of non-federal match funds for STP projects. Through the use of toll-credits, the non-federal share match requirement can be met by applying an equal amount of toll credit; therefore, allowing a project to be funded with up to 100% federal funds for federally participating costs to the extent that credits are available.

Caltrans received conditional approval from FHWA for \$5.7 billion of toll credit and has established an interim toll credit policy covering the three-year demonstration period of FY 2009-10 through FY 2011-12. The policy will be evaluated prior to implementation of a final policy for FY 2012-13 and beyond. The use of toll credits for STP/CMAQ and FTA Formula FG funds is at the discretion of the RTPA/designated recipient. Currently, toll credits can be used on all federal-aid highway funding programs, except Emergency Relief (ER) Program, Local Safety Programs, and Local On-system Highway Bridge Program (HBP) projects. The limit of toll credit use on Safety program projects and On-system HBP projects is due to the fact that all available funds have been fully programmed. FTA transfers are also eligible to use toll credits. Though toll credits can be used for CMAQ funds, agencies should use the CMAQ 100% Energy Act Extension funds.

Caltrans' Division of Mass Transportation (DMT) and MPOs/RTPAs have been working with the Federal Transit Administration (FTA) to develop a toll credit tracking system and to secure FTA's approval for the use of toll credit on transit projects funded by FTA grants and FTA transfers funded by transferred RSTP funds. CMAQ funded FTA transfers are currently excluded because they already qualify for 100% federal reimbursement under the Energy Act. With the recent approval of Caltrans Division of Mass Transportation's (DMT) use of toll credit on Section 5310, 5311, and 5316 grants by the FTA, Caltrans is one step closer to implementing the toll credit use for all transit projects, including the FTA transfers. In general, in order for FTA transfers to be able to use toll credit, they need to follow the same requirements as other transit projects, such as FTIP programming and MPO/RTPA concurrence, etc.

PLEASE NOTE: Toll credits do not generate any additional federal funding or financial capacity. Its use is merely to meet the non-federal match requirement of the federal participating cost. As such, when toll credit is used in lieu of the non-federal share cash match, it will help those projects that would otherwise be delayed for the lack of matching funds. The amount of toll credit a state can use each year is limited by the amount of annual Federal Obligation Authority (OA).

Toll credits can be used in any phase of a federal-aid projects, Preliminary Engineering, Right of Way, or Construction, as long as that phase of work has not been authorized.

Fresno COG is exploring the use of Toll Credits for projects programmed in 11/12 FFY of the Federal Transportation Improvement Program (FTIP) as deemed necessary and as long as obligational authority and financial capacity is available. COG staff will work with the respective member agencies to ensure the use of toll credit is appropriate and that such use is properly programmed in the FTIP, and subsequently in the FSTIP. If proposed by any member agency, toll credits may be used on a case-by-case basis for specific projects that have phases programmed in 10/11 in order to maximize the OA delivery.

Action: This is an information item. Direction may be given at the discretion of the Committees.

VIII. ADMINISTRATIVE CONSENT ITEMS

All items on the consent agenda are considered to be routine and non-controversial by COG staff and will be approved by one motion if no member of the Committee or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Committee concerning the item before action is taken.

A. Monthly Legislative Update [GARZA]

Summary: The enclosed report includes current bills in the 2011 legislative session that are relevant to the COG.

- To locate current and past year **state bill information** go to the Official California Legislative Information webpage at: <http://www.leginfo.ca.gov/>
- To locate current and past year federal bill information go to THOMAS, The Library of Congress's bill information website (in the spirit of Thomas Jefferson) at: <http://thomas.loc.gov/>

Please contact staff person, Melissa Garza, if you have any questions.

Action: Information item. Direction may be provided at the discretion of the Committee.

B. California Consulting LLC Report [SAMUELIAN]

Summary: Steve Samuelian, California Consulting, LLC will provide a verbal report at the Policy Board meeting. A written report for June is included in the meeting package.

Action: Information item. Direction may be provided at the discretion of the Committee.

IX. ADMINISTRATIVE ACTION / DISCUSSION ITEMS

A. Abandoned Vehicle Abatement – FY 2010/11 Second Quarter Summary Status Report [THOMPSON]

Summary: Status reports are typically submitted quarterly to ensure proper distribution of funding to the member agencies. This status report contains the following information:

- The gross amount of money received by the Authority from the Abandoned Vehicle Trust Fund during the quarter.
- An itemized statement of the Abandoned Vehicle Trust Fund monies expended by the Authority during the quarter.
- An accounting of money expended for major purchases, if any.
- An accounting of unexpended revenues from the Abandoned Vehicle Trust Fund.
- An accounting of the total number of vehicles and parts thereof abated by the Authority during the quarter.

The enclosure for this item indicates the level of activity and distribution of funding to the member agencies. During the quarter, member agencies expended \$176,420.77 conducting AVA activities. A total of 936 vehicles were abated this quarter, compared to 983 vehicles abated during the same quarter of the previous fiscal year.

Action: Staff recommends acceptance of the Abandoned Vehicle Abatement FY 2010/11 Second Quarter Summary Status Report.

X. OTHER BUSINESS

A. Items from Staff

B. Items from Members

XI. PUBLIC PRESENTATIONS

This portion of the meeting is reserved for persons wishing to address the PAC on items within its jurisdiction but not on this agenda. **Note: Prior to action by the PAC on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to 3 minutes.**

***Items listed as information still leave the option for guidance/direction actions by the Committee.**

****All enclosures are available on our website at www.fresnocog.org – Committees and Agendas**