

**COUNCIL OF FRESNO COUNTY GOVERNMENTS
ANNOTATED AGENDA**

OPTIONAL WORKSHOP – 6 P.M. – Full Presentation On Measure C Survey Results From Dr. Manross
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Date: Thursday, August 25, 2005
Time: 7:00 p.m.
Place: Fresno County Workforce Investment Board
2035 Tulare St., Suite 203, Fresno, CA

COFCG Sitting As the Transportation Policy Committee _____

I. PUBLIC PRESENTATIONS

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

II. 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. Transportation Funding Claims

- 1. City of Firebaugh, 2005-06, Resolution 2005-36**
- 2. City of Orange Cove, 2005-06, Resolution 2005-37**
- 3. City of Sanger, 2005-06, Resolution 2005-38**

Summary: The Cities of Firebaugh, Orange Cove, and Sanger have submitted their 2005/06 Transportation Development Act Claims. The amounts claimed for Local Transportation Funds (LTF) and State Transit Assistance (STA) funds are:

Jurisdiction:	LTF Fund:	STA Fund:	Total Funds:
City of Firebaugh	\$ 208,844	\$ 12,487	\$ 221,331
City of Orange Cove	288,033	17,222	305,255
City of Sanger	<u>684,839</u>	<u>40,947</u>	<u>725,786</u>
TOTALS	\$1,118,716	\$ 70,656	\$ 1,252,372

Staff has reviewed the claims and finds the amounts consistent with apportionments previously approved by the Board. [BESHEARS]

Action: Staff recommends approval of the funding claims by adopting Resolution 2005-36, 2005-37, and 2005-38.

B. Federal Transportation Legislation—Status Report

Summary: On Wednesday August 10, 2005, President Bush signed into law, new federal surface transportation legislation. The legislation is titled the **Safe Accountable Flexible and Efficient Transportation Equity Act--A Legacy for Users (SAFETEA-LU)**. The bill provides \$286.4 billion in guaranteed funding for federal surface transportation programs over five years through FY 2009. Of this amount, 79% is provided for highway programs, 18.5% for transit and the remaining 2.5% is for behavioral safety grants and enforcement under the jurisdiction of Department of Transportation agencies other than the Federal Highway Administration and the Federal Transit Administration. In addition to providing formula driven transportation funding to the states and operational funding for Metropolitan Planning Organizations, the legislation also identifies specific project funding (a.k.a. earmarks) for some 6,371 transportation projects throughout the nation. The earmarks represent approximately \$24 billion or approximately 9% of the total bill.

COG staff will be preparing a more detailed analysis of the legislation for our September committee cycle. At this point, however, we are aware that the Fresno County region was successful in obtaining the following earmarks for transportation projects in SAFETEA-LU:

Project Description	Lead Agency	Funding Amount
Willow and Herndon Traffic Flow Improvements	Clovis	\$ 240,000
Rehabilitation, repair, and/or reconstruction of deficient two-lane roads that connect to Interstate 5 and state highways in Fresno County	County of Fresno	\$4,300,000
Widen Friant Road to four lanes with Class II bicycle lanes	County of Fresno	\$1,200,000
State Route 180 improvements in Fresno County	Fresno	\$7,600,000
Develop program of low-emission transit vehicles	Fresno	\$ 836,000
Total		\$14,176,000

Included in your agenda package is a Congressional map and listings of the projects that were approved within the eight counties of the San Joaquin Valley. First, we should thank our Congressional delegation for the projects awarded to our County. We are very grateful for the projects and for their advocacy. Staff wants to point out one observation that becomes clear when we look at the map and Fresno County in particular. Where most valley counties' major population centers are either totally covered by one Congressional representative, or at the most two, our County has four Congressional representatives, each of whom ends up covering another County entirely. This is only meaningful in the context that we do not have a representative whose major base is only our County. Again, this is only an observation, and it makes us grateful that in our working with our representatives that they are sharing information and coordinating projects. [BOREN]

Action: Information/discussion item. Direction or guidance may be provided at the direction of the Committee.

C. Administrative Amendments No. 09 and No. 10 to the 2004-05 through 2009-10 Federal Transportation Improvement Program

Summary: Administrative Amendment No. 09: This amendment was approved on July 12, 2005 by the Executive Director of the Council of Fresno County Governments. This amendment consisted of a modification to the Regional Surface Transportation Program; the City of Fresno requested a change of lead agency on their Lump-sum Planning and Technical Studies Project. The lead agency was changed from the City of Fresno to Fresno Area Express, allowing the Project to proceed through the proper funding channels.

Administrative Amendment No. 10: This amendment was approved on August 1, 2005 by the Executive Director of the Council of Fresno County Governments. This amendment consisted of modifications to the *Regional Surface Transportation Program (RSTP)* and the *Congestion Mitigation and Air Quality (CMAQ)* program.

The RSTP modification was requested by the City of Orange Cove to change the lead agency and shift funds in the reconstruction of the South Avenue Project. The lead agency for the Project was changed from the City of Orange Cove to the County of Fresno. Funding changes included shifting total dollars from preliminary engineering phase funding in federal fiscal year 2004/05 to construction phase funding in federal fiscal year 2005/06. The CMAQ program modification was a request by the City of Fresno to adjust funds on the "R" and Tulare Intersection Project; shifting total dollars from construction phase funding to preliminary engineering phase funding in the same federal fiscal year of 2002/03. [DEVERE]

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

D. Rail Issues Update

- 1. High-Speed Rail Status Report**
- 2. Amtrak Update**

Summary: Assembly Bill 713 (Torrico), which would move the \$9.95 billion high-speed rail bond measure from the November 2006 ballot to the November 2008 ballot, was approved by the Assembly and is now before the Senate Transportation and Housing Committee. This year's State budget includes the following program funds for the California High-Speed Rail Authority: \$1.7 million for the preparation of the "next tier" program Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the Northern Mountain Crossing; \$500,000 for the legal defense of the statewide program EIR/EIS; and, a contingent \$500,000 for the preparation of an updated Financing Plan. The Authority Board released the Final Program EIR/EIS at its August 3rd meeting, including the schedule for its publication and distribution, the schedule and procedures for the consideration and certification of the Final EIR/EIS, and the schedule for the "next tier" program EIR/EIS for the Northern Mountain Crossing. A key modification to the environmental analysis is a commitment to work with local, state and federal agencies on additional planning studies between Fresno and Bakersfield to evaluate the feasibility of including a Visalia access point.

The Authority Board also elected Fran Florez, the current mayor of Shafter in Kern County, to serve as chair. She is quoted as saying: "Living in the Central Valley, I've seen first-hand the need for a statewide transportation system that can quickly and seamlessly move people and goods from the Central Valley to California's major metropolitan centers. The antiquated transportation infrastructure we rely on desperately needs to be updated and high-speed trains are the answer not only for the Central Valley but in the grid-lock regions in Los Angeles and the

Bay Area.” A news release is enclosed further describing Mayor Florez’s appointment, the other items mentioned and other recent actions of the Authority Board.

Also enclosed is the Executive Summary of the Amtrak San Joaquin Route Business Plan for federal fiscal year 2005-06. Amtrak operates the trains and the State provides funding and oversight. The Route is now the fourth busiest in the Amtrak national system outside of the Northeast Corridor. The Executive Summary says the Route is poised for very positive ridership and financial results in the near-term. For June, the most recent month for which figures are available, ridership (69,520 passengers) was up 6.1% versus fiscal year 2003-04 while ticket revenue (\$2,001,236) was up 11.5%.

As previously reported, Caltrans has established a Technical Advisory Committee to the San Joaquin Valley Rail Committee. The TAC will consist of 12 members, one from each county served by the Amtrak San Joaquins. Amtrak, the BNSF, and the UP will each have one non-voting ex-officio member on the TAC. A major early purpose of the TAC will be to assist Caltrans with the development of a Strategic Business Plan for the San Joaquin Corridor. Supervisor Bob Waterston, elected official representative from Fresno County on the San Joaquin Valley Rail Committee, recommended the appointment of Lynn Gorman, Transportation Policy Specialist with the County of Fresno, to the TAC. [THOMPSON]

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

III. TRANSPORTATION ACTION / DISCUSSION ITEMS

A. California Regional Blueprint Planning Program

*Presentation from Councilmember Linda Budge, Rancho Cordova
And Sacramento Area COG Board Member*

Summary: Last month, we included an item related to Caltrans’ new planning grant opportunity - *The California Regional Blueprint Planning Program*. This program will provide grants to help California’s regions plan for future growth and quality of life through the integration of transportation, housing, land use, economic development and environmental protection. This integration will result in a more efficient and effective transportation system and land use pattern - one aimed at achieving three elements that help to define quality of life: a prosperous economy, quality environment and social equity for all Californians.

Governor Schwarzenegger has made \$5 million available in FY 2005/2006 for the voluntary preparation of Regional Blueprints. The funds will be awarded by the Business, Transportation and Housing Agency in December 2005 with projects slated to start in January 2006. The program will be administered by the Department of Transportation’s Division of Transportation Planning, in cooperation with the Department of Housing and Community Development.

COG Staff is currently talking with other MPOs in our San Joaquin Valley region in hopes of prompting a collaborative approach for a Blueprint proposal. We have also been in touch with the Great Valley Center to discuss the possibility of their involvement in such a project. Some of the primary outcomes of a valleywide visioning project such as this would be the generation of growth principles that would guide future development and the creation of tools that would allow for comprehensive scenario planning. This approach would lend itself to consensus among regional leaders, local governments and stakeholders on a vision for our future. A draft discussion paper providing a general background for a valleywide project is included in your package.

Several of the larger MPOs have already begun Regional Blueprint Planning projects. We are fortunate to have a representative from the Sacramento Area Council of Governments coming to the COG Policy Board to make a presentation on the success of their Blueprint project. [STECK]

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

B. Obligation Plan Status Report—AB 1012

Summary: As of June 30, 2005, the state announced that \$534 million (64%) of the estimated \$830 million in available statewide obligation authority had been spent. This leaves \$296 million to spend before September 30, or the State would be subject to having the unspent dollars made available to other states that had reached their targets. The \$830 million estimate was based on an 8 month forecast that could increase now that the new federal SAFETEA-LU has been approved.

Normally California spends all its money and has additional projects for the Federal Redistribution Obligation Authority left over from other states. It is unclear at this point whether California will

- spend all of its money, or
- be able to apply projects to the Federal Redistribution from other states..

This is relevant to our program because if a region overspends its Obligation Target (Target) using Statewide Obligation Authority, they are simply borrowing from their next year's Target. However, if they overspend using the Federal Redistribution of Obligation Authority, it does not count against the region's program and is equivalent to spending 100% and more with no payback required. We currently have approximately \$5.3 million in FAX bus procurements that we wish to expedite against the Federal Redistribution Obligation Authority.

The 2004/05 Caltrans Target for our region is now \$19,971,104 and our August 1 estimated Obligation Plan status is \$10,302,000 in obligated projects, leaving \$9,669,104 as the remaining target. Member agencies have submitted \$6,196,000 in projects to the District which are now pending, i.e. might be approved **assuming no issues remain**. In addition, our members have committed to COG staff that they would submit \$4,083,000 before the August 12, 2005 District 6 Local Programs Deadline. In theory, assuming all projects are obligated/approved, we would have achieved our target and not be at risk of losing funds. *(Keep in mind Caltrans' formal reports posted on the internet are a couple of months behind. Also, this process is subject to daily changes, and so totals can change significantly.)* Our August 1 Plan Status was estimated using District 6 Local Program staff spreadsheets and talking to our members.

In addition, we desire to expedite the \$5,300,000 for FAX bus procurements. The expedited projects consist of a \$1,125,800 2005/06 bus procurement and a \$4,189,000 2006/07 bus procurement. It is our understanding that FAX submitted the expedited projects subsequent to August 1, and will be ready to move forward if the opportunity arises. By August 12th, Caltrans could be struggling to complete the necessary paperwork to obligate our members' projects that have been submitted (perhaps \$15,579,000). Caltrans District 6 is committed to have these projects in Sacramento Local Programs by August 19.

The process in Sacramento will be first come, first serve basis until the State Obligation Authority runs out. Because of the timing it doesn't appear realistic that Caltrans will be able to tell us when our Target is officially spent, and when we could take advantage of Federal Redistribution. Assuming that the State spends all the Obligation Authority, the projects sitting in Sacramento that can be processed by September 30 will also be on a first come, first serve basis and will be charged against the Federal Redistribution. In reality those details will probably emerge after the fact. Caltrans District 6 is encouraging us to continue to submit projects in excess of our target. Member agencies must work towards the August 12 and 19 dates previously mentioned, but

should continue to try to submit after those dates if Caltrans will accept them (they have mentioned there may be some flexibility, **but agencies should not count on it**).

There are two defining issues at this point.

First, if any of the current year projects submitted fail to receive obligation approval, we will need to make room for them in next year's fully constrained program (i.e. push projects out). We are meeting with District 6 staff and City of Fresno staff on Thursday August 11 in an attempt to ensure that all submitted projects proceed to obligation approval. However, it has been noted in the past that there can be many reasons a submitted project may not obligate. With almost half of our annual program *in process*, and given the condensed timeframe, some of those projects may not make it. We will not know the extent until the Caltrans bookkeeping catches up, and by then it would be too late to expedite the FAX transit projects.

Second, based on prior direction provided by our members, we were to hold off on the expedited projects so that we could take advantage of Federal Redistribution. As mentioned previously, this was so the expedited projects don't slip in front of any current year projects. The great risk we now face is that if a significant number of the pending projects do not obligate, or members fail to submit the promised projects, we could lose Obligation Authority. FAX's expedited projects may help us meet the Obligation Target. Also, if we wait too long to obligate the FAX \$5,300,000 and Federal Redistribution does occur, we lose an opportunity to create capacity in our program.

The situation compels action. It is too late in the year for us to "guess" whether our Target will be met and to hold the transit projects without putting our region's current Obligation Target at risk. We should and will expedite FAX's 2005/06 current year procurement, because in effect it will not affect next year's program capacity – the two year total would be the same, a "wash".

The day the PAC and TTC met in a joint meeting was the 19th. We explained we were planning to expedite the FAX 2006/07 procurement on that day unless PAC and TTC objected. The choice is:

- risk losing the region's Obligation Authority, or
- risk moving the FAX project in front of other current year projects.

Staff does not feel we should risk the region's Obligation Authority and that the FAX project should be submitted. There is a possible positive outcome if Federal Redistribution occurs, because projects submitted, whether street/road or transit, may benefit from that fund availability. The other outcome would be that there is no Federal Redistribution and the FAX project delays some 2006-07 projects to the 2007-08 year. The consensus of the PAC/TTC meeting was that staff should proceed with submitting the FAX 2006-07 procurement in addition to the 2005-06 submittal. This was done. [BESHEARS]

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

C. Measure "C" Reauthorization

Summary: COG Staff will provide a verbal update on Measure "C" Steering Committee activities. In addition to the verbal report:

- the survey results are being presented at the 6 p.m. workshop prior to the Board's meeting.
- A 1½ day workshop for the Steering Committee will occur on Friday September 23 (8:30-5:00) and Saturday September 24 (8:30 – noon) to prepare the expenditure plan. The workshop will be at the Fresno Convention Center's new Exhibit Hall. [BOREN]

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

D. Caltrans Monthly Report

Summary: Caltrans staff will provide an update on Caltrans activities. [CALTRANS]

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

COFCG Sitting As the Council of Fresno County Governments

IV. REAFFIRM ALL ACTIONS TAKEN WHILE SITTING AS THE TRANSPORTATION POLICY COMMITTEE

V. ADMINISTRATIVE CONSENT ITEMS

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A. Executive Minutes of July 21, 2005

B. California Chapter American Planning Association Outstanding Planning Award—West Fresno Community Vision Plan

Summary: Fresno COG was recently notified by the California Chapter of the American Planning Association (APA) that the *West Fresno Community Vision Plan* has been awarded the state award for Outstanding Comprehensive Planning-Large Jurisdiction. You may recall that prior to winning this award; the Vision Plan was the recipient of a similar award at the section level. As a state award winner, the Vision Plan is now eligible to compete in the association's national competition. COG staff will be working with its project partners on submitting an application for the national award by the September 12, 2005 deadline.

The state award will be presented at the annual State APA Conference to be held in Yosemite National Park from October 30 to November 2, 2005. The awards ceremony will take place on Tuesday evening, November 1st. Those interested in attending the conference or ceremony may contact Jeanette Dinwiddie Moore at (510) 531-4150 or email her at dinwidd@attglobal.net. [BOREN]

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

C. Monthly Legislative Update

Summary: An enclosed summary of current state and federal legislative activity is in your agenda packet for committee review and information. The attached summary reflects legislation that is currently active and detailing various aspects of transportation.

Please contact staff person, Renee DeVere, if you have any question regarding the listed bills or if you require a more in-depth analysis of any particular bill. [DEVERE]

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

VI. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. Lobbyist Request for Proposal (RFP) Status Report

Summary: Included in your package is the memorandum sent to all members after the July meeting, asking that members take action in August on the funding issue for the Lobbyist proposal, and also to comment on the proposal itself. Responses received to date are attached to the memorandum. Method 1 (Pro-rata share) appears to be the choice for funding the State lobbyist effort. Also included in your package are the additional recommendations to be included with the Request for Proposal that are responsive to the comments COG staff has received with regards to the proposal. In general they address performance requirements, qualifications statement, and a generalized disclosure statement. Staff will provide an update on additional member responses at the Board meeting. The joint PAC/TTC meeting recommended approval of the additions to the Request for Proposal. [GOODWIN]

Action: Information/possible action discussion item. Direction may be provided at the discretion of the Committee.

B. Office Lease Update

Summary: COG Staff will provide an update, but we are moving forward with lease negotiations. We look forward to a successful outcome of those negotiations and our intent is to bring to the COG in September not only a lease to execute, but a budget amendment to cover all the issues related to a lease and costs of moving to new premises. [GOODWIN]

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

C. Reports from Mayor Victor Lopez, City of Orange Cove

1. **Strengthening America's Communities – September 13, 12:30 – 2:00 p.m.**
2. **Update on Economic Development Activities – Trip to Korea**

VII. OTHER BUSINESS

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

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