

**JOINT
TRANSPORTATION TECHNICAL COMMITTEE
POLICY ADVISORY COMMITTEE**

ANNOTATED AGENDA

Date: Friday, July 14, 2006
Time: 10:00 a.m.
Place: COG Sequoia Conference Room
2035 Tulare St., Suite 201

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 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.

I. PRESENTATIONS

A. Public Presentations

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

B. Presentation by Assemblymember Arambula at COG Board – July 20, 2006

<i>Item</i>	<i>Description</i>	<i>Enclosure</i>	<i>Action*</i>
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II. 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. **Additional action or guidance may occur on any item, even if noted as information.**

**A. TTC Executive Minutes of June 7, 2006
PAC Executive Minutes of June 16, 2006**

B. Transportation Funding Claims, 2006-07

1. City of Coalinga, Resolution 2006-21
2. City of Firebaugh, Resolution 2006-22
3. City of Fowler, Resolution 2006-23
4. City of Kingsburg, Resolution 2006-24
5. City of Mendota, Resolution 2006-25
6. City of Reedley, Resolution 2006-26
7. City of San Joaquin, Resolution 2006-27
8. City of Selma, Resolution 2006-28
9. City of Sanger, Resolution 2006-29

Summary: The following cities have submitted their 2006/07 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 Coalinga	\$ 540,099	\$ 80,048	\$ 620,147
City of Firebaugh	211,352	28,967	240,319
City of Fowler	152,923	20,778	173,701
City of Kingsburg	354,229	48,539	402,768
City of Mendota	276,458	37,846	314,304
City of Reedley	735,198	99,754	834,952
City of San Joaquin	117,993	16,028	134,021
City of Selma	722,283	98,276	820,559
City of Sanger	734,598	98,852	833,450
Total Claims This Month	\$3,845,133	\$529,088	\$4,374,221

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

Action: Staff recommends approval of the funding claims by adopting Resolutions 2006-21 through 2006-29.

C. Financial and Compliance Audit Consultant Selection

Summary: Per our Joint Powers Agreement, the Fresno County Auditor Controller selects our financial and compliance auditor. County policy is to rotate the auditor after five years and we have been using Brown Armstrong for the last five years. Staff coordinated a Request For Proposal process with the Fresno County Auditor Controller’s office and sent requests to fourteen auditing firms which have requested to be on the county’s bid list. Although we received phone calls of interest and two letters declining to bid due to conflicting scheduling reasons, we received only one formal bid from Dedekian, George, Small, & Markarian. They are a local firm, and have the necessary experience as they have satisfactorily performed our audit in the past. The bid amount, \$42,750, is within the amount budgeted and commensurate with what we have paid in the past for this level of service. The Fresno County Auditor Controller recommends that we contract with the firm of Dedekian, George, Small, & Markarian. [BESHEARS]

Action: Staff recommends authorization for Fresno COG to enter into a contract for \$42,750 with Dedekian, George, Small, & Markarian for the 2005/06 Financial and Compliance Audit as recommended by the Fresno County Auditor Controller.

D. Declaration of Surplus Inventory

Summary: The Council of Fresno County Governments is in the process of closing fiscal year 2006 and is declaring the surplus of 2 computers, 1 printer and various miscellaneous office supplies. As per our policy, the surplus items are sold first to our members and if not purchased by member agencies, surplus property that is still useable shall be made available to the general public with a public notice stating availability of the surplus property. The surplus inventory has a set minimum price and would be sold for the highest bid beyond the minimum price.

A complete list of surplus items is listed below and are available to view. If anyone is interested in seeing the inventory, please call Mary Lopez or Les Beshears to set up an appointment.

Fixed Assets

1. #658 Gateway Computer M866 with monitor
2. #620 Gateway Computer GP7-450 with monitor
3. #603 HP Laser 5 Printer

Various Office Supplies

Such as a few individual printers and monitors.

Sealed bids will be accepted at the COG office up to 2 p.m, Friday, July 28, 2006. [BESHEARS]

Action: Declare the items surplus and dispose of them in accordance with Fresno COG policy.

E. Adoption of 2007 Federal Transportation Improvement Program (FTIP) 2004 Regional Transportation Plan (RTP) Amendment #2, and Corresponding Conformity Analysis, Resolution 2006-30

Summary: As discussed at the June committee and Board meetings, Fresno COG has developed the 2007 Federal Transportation Improvement Program (FTIP), Amendment #2 to the 2004 Regional Transportation Plan (RTP), and the associated Conformity Analysis. Pursuant to federal legislation, Fresno COG is required to biennially adopt a Federal Transportation Improvement Program (FTIP). The FTIP is a financially constrained, multi-modal transportation programming document developed by the Fresno COG in cooperation with its member agencies and state and federal agencies.

The FTIP is the incremental implementation (three years) of the long-range Regional Transportation Plan (currently a twenty-six year document). The FTIP serves to inventory all federal transportation funding and present it to federal transportation agencies as a manageable component of the long-range plan.

Caltrans is seeking to adjust a project description (SR 180W – Brawley to Hughes/West) in the Regional Transportation Plan as it relates to inclusion in the 2007 FTIP. Fresno COG is required to amend its 2004 Regional Transportation Plan to reflect this change. The project description change has been included in Appendix G in the table reflecting Capacity-Increasing Candidate RTP Projects.

An Air Quality Conformity Determination is required in nonattainment areas to ensure that transportation plans and programs are consistent with the state and local air quality plans and do not interfere with the timely implementation of transportation control measures. The Conformity Analysis for the 2007 FTIP and Amended 2004 RTP demonstrates that all of our adopted transportation plans and programs are in conformance with the rules for the applicable air quality standards and conform to provisions of the State Implementation Plans for the San Joaquin Valley.

A 30-day public review and comment period, including a public hearing, was conducted in May and June 2006. All eight San Joaquin Valley MPOs held public hearings in June 2006, and the FTIP and conformity documents will be adopted in July 2006. In order to incorporate changes related to comments received during June 2006, the documents will be provided as handouts at the joint TTC/PAC meeting. The documents will also be available on the website (www.fresnocog.org) by July 11, 2006. [DEVERE/PAUKOVITS]

Action: Staff recommends adoption of the 2007 FTIP, 2004 RTP Amendment #2, and Conformity Analysis by approval of Resolution 2006-30.

F. Administrative Amendment No. 22 to the 2004-05 through 2009-10 Federal Transportation Improvement Program

Summary: Administrative Amendment No. 22 was approved on June 26, 2006 by the Executive Director of the Council of Fresno County Governments as authorized by the Policy Board. Modifications to the 2004-05 through 2009-10 Federal Transportation Improvement Program are as follows:

Change to the *Regional Surface Transportation Program*.

- City of Selma Dockery Avenue Reconstruction project: The City of Selma has requested a description change from "A/C Overlay" to "Reconstruction." This change more accurately reflects the scope of the work. [DEVERE]

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

G. The San Joaquin Valley Goods Movement Study, Phase III, Truck Model Improvement Project – Selection of the Consultant

Summary: The eight federally designated Metropolitan Planning Organizations (MPOs) within the central San Joaquin Valley (Fresno, Kern, San Joaquin, Stanislaus, Merced, Madera, Kings and Tulare) in conjunction with Caltrans Districts 6 and 10 and Caltrans Headquarters are undertaking a series of Goods Movement Studies to improve understanding of truck transportation of commodities within and through the San Joaquin Valley. Phase I of this study was completed in the summer of 2000. This first phase focused on documenting the freight transportation system and identifying existing issues and problems of regional goods movement planning within the San Joaquin Valley. Phase II developed a basic network based, goods movement Valley-wide truck model. Phase III, the Truck Model Improvement Project will enhance the usability of the truck model and develop a future year model.

The Valley-wide truck model will be used as a tool to identify and address problems and improve the efficiency, environmental, and safety performance of the goods movement system. This will enable the Valley users of the truck model to facilitate accurate analysis of truck demand, forecasts, and vehicle miles of travel for current and future years.

A Steering Committee comprised of staff from the participating MPOs and Caltrans has been formed to oversee the Truck Model Improvement Project. The project is funded by a State Planning and Research Grant with \$324,000 available for this project.

In early May Fresno COG mailed a Request for Proposals (RFP) to approximately 20 different consulting firms. In response, our staff received proposals from Cambridge Systematics and Dowling Associates.

Consulting Firm	Proposed Cost
Cambridge Systematics	\$ 323,989
Dowling Associates	\$ 324,000

The selection committee is meeting July 12th to evaluate the proposals. The results of the interviews are not known at the time of this writing. A handout will be provided at the meeting with the selection committee's recommendation. [BITNER]

Action: Staff recommends hiring the consultant recommended by the July 12 selection committee to perform the San Joaquin Valley Goods Movement Study, Phase III, Truck Model Improvement Project.

H. Rail Issues Update

Summary: The following bullets address current issues regarding high-speed rail in California and Amtrak passenger rail service in the San Joaquin Valley.

- The \$9.95 billion high-speed train bond measure that had been scheduled to appear on the November 7, 2006 ballot has been postponed for two years, until November 4, 2008. However, the Fiscal Year 2006-07 State budget does include an appropriation provision to keep the project viable. The following language regarding the High-Speed Rail Authority's budget was included in the Governor's Summary Report of the 2006/07 budget: "The Budget provides \$14.3 million to begin project implementation. Activities funded in 2006-2007 include: completion of a financial plan, project management, identification of critical right of way acquisitions, development of a simulator for planning system operation and public information, and \$9 million for the beginning of detailed project design and related environmental studies. This funding will enable the authority to move forward with key aspects of the project. However, bond funding for the project must still be authorized by voters in 2008, under the provisions of AB 713."
- The \$19 billion transportation bond measure on the November 7, 2006 ballot includes \$400 million for Caltrans intercity (Amtrak) rail, with \$125 million specifically identified for rolling stock. Without the additional passenger coaches and locomotives made possible by this funding, service expansion would be almost impossible. The State anticipates matching these state funds with federal funds.
- Parsons Brinckerhoff Quade & Douglas, Inc. (PB) has been retained by Caltrans to develop a Strategic Business Plan for the San Joaquin Corridor. This Plan has a 20-year time horizon and PB indicates there will be extensive public outreach.
- Caltrans Division of Rail is investigating restructuring its San Joaquin Corridor train schedules to provide an early morning Sacramento arrival and a later departure. This train would begin and end in Fresno rather than in Bakersfield. Among other advantages, this revised schedule would allow for full day trips from Valley points, including Fresno.
- The San Joaquin Valley Rail Committee is scheduled to appoint one of its members to the Blueprint Regional Advisory Committee at its next meeting on July 13, 2006. [THOMPSON]

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

I. 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 questions regarding the listed bills, or if you require a more in-depth analysis of any particular bill. [DEVERE]

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

J. Conflict of Interest Code Review – COG Board

Summary: Government Code Section 87306.5 was added to the Political Reform Act in 1990, requiring each local government agency to review its conflict of interest code and to either amend the code if necessary, or report to its respective code reviewing body that the code is not in need of amendment. A report must be sent to the code reviewing body no later than October 1. County Counsel is presently reviewing the Code to see if it needs amendment. [GOODWIN]

Action: Amend the code if necessary and submit the report.

K. FCRTA Item – Adoption of FCRTA’s Disadvantaged Business Enterprise Program and Plan to be Race-Neutral, as requested by Caltrans, FCRTA Resolution 2006-07

Summary: The Fresno County Rural Transit Agency (FCRTA) received notification in May from Caltrans Headquarters that its sub-recipients are required to amend their previously adopted Disadvantaged Business Enterprise (DBE) Plan and Program to be Race-Neutral. The amended document conforms to the stipulated requirements of 49 CFR. Part 26. U.S. Department of Transportation DBE Rule and recent Caltrans directives. The Plan was included in last month’s agenda package. [WEBSTER]

Action: The General Manager recommends adoption by FCRTA Resolution 2006-07 of FCRTA’s amended Disadvantaged Business Enterprise (DBE) Plan following an opportunity for public comment at a legally noticed Public Hearing on July 20, 2006.

III. ACTION / DISCUSSION ITEMS

A. Public Hearing, July 20, 2006: Adoption of Annual Availability Advisory Percentages for Disadvantaged Business Enterprise (DBE) Participation, Resolution 2006-20

Summary: Last year the Ninth Circuit Court of Appeals overturned the California Department of Transportation’s race-conscious implementation of 49(CFR) Part 26 DBE program ruling that “Evidence of discrimination in the transportation contracting industry must be documented in order to implement a DBE race-conscious program”. The state was given until May 1, 2006 to provide data supporting their implementation. Subsequently, FHWA, FTA, and Caltrans issued a joint statement indicating that the Department must implement a wholly race-neutral DBE program effective May 1, 2006 because they could not provide evidence of any specific discrimination. However, the state has hired a consultant to complete a disparity study by May 2007 that may provide the required evidence of discrimination to allow them to continue implementation of their race-conscious program. The effect of all this on our program however is minimal, because our program was adopted and has been implemented on a race-neutral basis since 1999 when 49(CFR) Part 26 was published in response to the Supreme Court overturning the national DBE program. COG is no longer required to adopt a goal, however we adopt a voluntary Annual Anticipated DBE Participation Level (AADPL).

To determine our Participation Level staff contracted everyone on our bidders list requesting DBE information per federal regulations and updated the list to reflect the results. Presently we have 262 vendors of which 34 claim DBE status. This equates to a 13% Participation Level to be achieved through 100% race-neutral means. A public notice was put in the Fresno Bee noticing the July 20th public hearing identifying the Participation Level and the \$815,000 in contracting opportunities programmed in the 2006/07 budget. During 2005/06 COG did four procurements totaling \$281,000. DBE participation was \$45,000 or 16% exceeding our adopted goal of 12%.

Action: Adopt Resolution 2006-20 setting our 2006/07 Annual Anticipated DBE Participation Level at 13% to be obtained by Race-Neutral Methods.

B. AB 1020: Proposal to Mandate Traffic Model Improvements

Summary: This bill establishes a process at Caltrans for evaluating transportation planning computer models and requiring local transportation planning agencies to incorporate “smart growth” measures into these models.

Specifically, this bill:

- 1) Requires Caltrans to provide the Legislature, by January 1, 2007, with a schedule for a comprehensive review and evaluation of the current models and model improvements already underway at several local and regional planning agencies;
- 2) Requires currently used models to incorporate measures that account for the influence of land use intensity and transit service on automobile ownership and vehicle miles traveled, representation of all transit lines and roadways, and land use models based on bidding for floor space and implemented on small zones or parcels;
- 3) Encourages Caltrans to develop budgeting plans for improvement of planning models and encourages peer review and updating of these models at least every ten years; and
- 4) Requires Caltrans to meet annually with affected planning agencies to evaluate their progress in “upgrading” their transportation planning models and to identify available resources to help the agencies achieve these upgrades in a timely manner.

Discussion

This bill adds significant requirements to the modeling process used by Fresno COG and by our member agencies in the preparation of our Regional Transportation Plan (RTP) and in establishing conformity to our required Air Quality requirements.

The author contends transportation planning models used by local planning agencies do not adequately measure the benefits of various smart growth policies (intensified land uses, transit-oriented housing, and higher density developments). COG staff believes the authors have made their allegations about the inefficiencies of the current modeling practices based on erroneous information that is speculative and invites frequent and frivolous litigation.

The authors have also seriously underestimated the cost of the changes in the modeling process alone, stating “minor ongoing costs, probably less than \$100,000 annually starting in FY 2006-07, and moderate statewide costs, in the range of \$500,000 in FY 2007-08, to affected local planning agencies”. An evaluation by several of the agencies affected by this legislation estimate the cost to be closer to more than \$1 to \$4 Million to implement the programs, and continued costs to run the models. [

Additionally, the implementation of this bill will create an unrealistic modeling expectation and invite frequent litigation. The implementation and potential litigation may result in significant increases in the cost, as well as a significant delay in the delivery, of transportation projects.

This bill was heard in the Senate Transportation and Housing committee on June 27, 2006, and we understand it may have been amended in committee to be less onerous, however any amendments are not yet available in print for proper impact analysis.

Action: Authorize the Chairman and the Executive Director to co-sign a letter to the Chairman of the Senate Transportation Committee opposing the June 19th version of the bill.

C. Request for Policy Board Support of State Transportation Infrastructure Bonds, Resolution 2006-31 and 2006-32

Summary: In November, California voters will be given the opportunity to support legislation that will provide funding to address California's long neglected infrastructure needs. The \$37 billion infrastructure package is titled the "*Strategic Growth Plan*" and consists of the following components:

- \$19.9 billion -Transportation Bond (Prop 1B)
- Proposition 42 fix (Prop 1A)
- \$2.85 billion -Housing Bond (Prop 1C)
- \$10.4 billion -Education Bond (Prop 1D)
- \$4.0 billion Levee and Flood Protection Bond (Prop 1E)

The Transportation bond package (Proposition 1B) includes \$19.9 billion for safety improvements and repairs to state highways, upgrades to freeways to reduce congestion, repairs to local streets and roads, improvements to the seismic safety of local bridges, expansion of public transit, reduction of air pollution, and improvements to anti-terrorism security at ports. The bond proposal also authorizes public/private transportation partnerships, application of the Design-Build method for these projects, and legislation to streamline the environmental review process. In addition, the Legislature also passed a State Constitutional Amendment (SCA 7) to "fix" Proposition 42, by permanently dedicating the sales tax on gasoline to transportation purposes. This measure will appear on the ballot as Proposition 1A. SCA 7 will still allow the Legislature to borrow the Prop 42 funds, but only by meeting the following criteria:

- The governor must declare that the state faces a severe fiscal hardship;
- The Legislature must enact a statute authorizing the borrowing by a 2/3rds vote. At the same time, the Legislature must pass a bill specifying they will repay the loan with interest within three years;
- The state can borrow the funds no more than twice in ten years, and must repay a prior loan before borrowing;
- Any Prop 42 transportation funds that were borrowed by the state but not repaid as of July 1, 2007, must be repaid within a ten year period (no later than June 30, 2016) at payment of no less than one-tenth per year of the total amount owed.

Specifically, the transportation bond includes the following programs:

- **Corridor Mobility Improvement Account**
\$4.5 billion to relieve congestion by expanding capacity, enhancing operations, and improving travel times in high-congestion travel corridors.
- **State Route 99 Corridor Improvements**
\$1.0 billion for improvements to 400 miles of State Route 99 through the Central Valley.
- **Ports Infrastructure, Security & Air Quality**
\$3.1 billion for infrastructure improvements to seaports, land ports of entry and airports, to relieve traffic congestion along major trade corridors, and to improve freight rail facilities to enhance the movement of goods from port to marketplace. Included in this amount is \$1.0 billion for air quality improvements that will achieve emission reductions from activities related to port operations and freight movement. \$100 million of the total will also be available for port, harbor, and ferry terminal security improvements.

- **School Bus Retrofit for Air Quality**
\$200 million for school bus retrofit and replacement to reduce air pollution and to reduce children's exposure to diesel exhaust.
- **State Transportation Improvement Program Augmentation**
\$2.0 billion to augment funds for the State Transportation Improvement Program, a five-year program of capital improvements for state and regional transportation projects.
- **Public Transportation Modernization Improvement, and Service Enhancement**
\$4.0 billion for capital improvements and fleet expansion to enhance public transit, intercity and commuter rail, and waterborne transit. Projects include new capital projects, safety and modernization improvements, capital service enhancements, rehabilitation, and bus rapid transit improvements.
- **Transit System Safety, Security & Disaster Response Account**
\$1.0 billion for transit safety, security, and disaster response for projects that provide increased protection against a security and safety threat and increase the capacity of transit operations to move people, goods and emergency personnel, and equipment in the preparation for and the aftermath of a disaster.
- **State-Local Partnership Program**
\$1.0 billion in matching finds for counties that have raised local money for transportation projects.
- **Local Bridge Seismic Safety Retrofit**
\$125 million to provide matching finds to complete the seismic safety work needed on local bridges, ramps, and overpasses.
- **Highway-Railroad Crossing Safety Account**
\$250 million for railroad crossings and the construction of bridges over rail lines.
- **SHOPP**
\$750 million for highway safety, rehabilitation, and pavement preservation projects, including \$250 million for traffic light synchronization projects or other technology-based improvements to improve safety operations and the capacity of local streets and roads.
- **Local Street and Roads, Congestion Relief, and Traffic Safety Account of 2006**
\$2.0 billion (\$1 billion to cities/\$1 billion. to counties) for improvements to local transportation facilities that will repair and rehabilitate local streets and roads, reduce local traffic congestion, improve traffic flow, or increase traffic safety.

Included as attachments are the funding allocation processes for each of the above identified programs and a spreadsheet that identifies the estimated funding that each county would receive from the formula based programs in the bond package.

Clearly, the unmet transportation needs throughout Fresno County and the state have been well documented through various presentations to the Policy Board over the last several years by both COG and Caltrans staff. COG staff believes that the transportation infrastructure bond and the Prop 42 fix holds great potential to help fund many of the unmet transportation needs faced by our local agencies and the region as a whole. Therefore COG staff recommends the Policy Board take an action of support for the Transportation Infrastructure Bond (Proposition 1B) and Proposition 1A (Prop 42 fix) as presented.

In the event the Policy Board would like to take an action of support for the entire \$37 billion bond package including the Housing, Education and Levee and Flood Protection Bonds, staff has included a summary of the Legislature's Infrastructure Bond Package as an attachment. [BOREN]

Action: COG staff recommends at minimum the Policy Board support the transportation-related Propositions 1A and 1B on the November 2006 ballot by adopting Resolution 2006-31. Another option is to support the Infrastructure Bond package in its entirety by adopting Resolution 2006-32, or indicating whether there are only parts of the Bond package the Policy Board would want to support or oppose. The resolutions will be handed out at the meeting.

D. Programming Activities (Obligation Plan) Status Report

Summary: The recently submitted obligation authority (OA) delivery plans have raised a concern that collectively the California region and its local agencies may not deliver the available federal program this federal fiscal year (FFY). As of May 31, 2006, local agencies have used approximately \$292 million of the projected \$752 million Obligation Authority (OA) available in current federal fiscal year (FFY). The OA delivery plans show that regions and local agencies plan to deliver many projects in late August and September, totaling approximately \$150 million. As in prior years, projects need to be submitted to the Districts by August 1st to assure obligation by the Federal Highway Administration (FHWA) by the end of the current FFY.

While the delivery plans propose to use all the local OA, history demonstrates that the State has barely used all the local OA available. The policy and procedures for managing Local Assistance Obligation Authority state that, "if any local OA is not used in a given year, the Department (Caltrans) will use the remaining OA to avoid the lapse of federal funds. The Department cannot commit to any payback of this OA unless it is considered during the development of the next fund estimate". The next fund estimate will be developed for 2008.

Application to the Fresno Region:

As of May 31, 2006 the Fresno region has a balance of \$9,745,544 of OA not yet "encumbered". The original projected target was \$9,688,305 however due to the deobligation and return of \$57,239 of funds the Fresno region has a delivered -0.6% of available funds. Because of this, staff is requesting updates and copies of each E-76 issued.

All agencies need to be aware that their target date for submitting final requests for obligations to District 6 Local Assistance may need to be advanced considerably due to the Federal Highways Administration (FHWA) delays in approving projects. FHWA has recently begun detailed reviews of each E-76 as directed by their headquarters and such reviews have been taking as long as 30 days (longer in some cases) before funds are obligated. In discussions between Caltrans and FHWA, FHWA has agreed to pre-approval of E-76s that are currently backlogged. FHWA will continue to perform a 100% review of the E-76s. Should FHWA, during their detail review reject the E-76, funds will be deobligated. This situation is expected to continue at least through the remainder of this FFY.

Additionally, FHWA continues to aggressively pursue inactive obligations. Caltrans Local Assistance has advised COG staff that deobligations will be processed during the month of July for projects that were identified inactive as of March 31, 2006 and continue to remain inactive as of June 30, 2006. If a justification was not submitted at all or if a valid justification was not provided to FHWA as to why a particular project is inactive, or if actions were not taken as identified on your agencies responses, inactive obligations will be deobligated. All agencies that had an FHWA identified inactive obligation need to follow up with FHWA to insure that their funds will not deobligated.

We do not believe our member agencies desire to risk any or even a part of the \$9,745,544 that is available to our region, but the Fresno COG is not able to obligate these funds, only the designated recipients. Staff asks that our calls and correspondence to members be quickly responded to so that we can help keep the dollars available to the Fresno region. [BESHEARS/DEVERE]

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

E. Contribution Agreement and Secondary Agreement Related to Congressman Dooley's \$35 million Federal Earmark Funding

Summary: As part of the FY 2001 Federal Appropriations Bill, Congressman Dooley obtained \$35 million in federal demonstration funds for construction (including related activities) of an extension of State Route 180 between Mendota and I-5. However, due to lack of an adopted route alignment and a variety of issues raised by the Federal Highways Administration, Congressman Dooley rewrote the description on the Demonstration Earmark to allow the funds to be utilized for construction, including related activities, for an extension of State Route 180 between "Fresno" and I-5. Working with Congressman Dooley, and subsequently with Congressman Costa, who replaced Congressman Dooley, a letter was signed authorizing COG to be the sponsor for the demonstration funds. Subsequently, a series of meetings were held with the State Route 180 Steering Committee to develop regional strategies for overcoming the issues raised by FHWA, as well as identifying eligible projects for the demonstration funds. The general consensus of the committee was to provide \$14 million for rehabilitation of SR 180 "Mendota East" project (Belmont/Whitesbridge to San Joaquin Valley Railroad) and allow the remaining \$21 million to be used on SR 180 (Hughes/West – Brawley Phase II) on the "condition" that the \$21 million in Measure "C" funding freed up from the transaction would be dedicated to Westside I-5 Connection projects. With that in mind the following projects were identified:

\$1 – \$4 Million	Mendota Improvements (Bass Ave. Improvements / 2 nd St. Pedestrian Over-Crossing
\$2 Million	Firebaugh Improvements (SR 33)
\$1.5 Million	Caltrans Route Adoption Study (Planning /Env. Studies- CEQA Only)
\$14 Million	Improvements to Nees Avenue (as a traversable highway) or Belmont-Shields improvements, or other alignment improvements based on the results of the Route Adoption Study

Subsequent to this funding strategy being developed, and in response to funding shortfalls being identified on the SR 180 (Hughes/West – Brawley) project. Caltrans agreed to contribute \$5.2 million in SHOPP funding to the SR 180 "Mendota East" project thereby reducing the amount of Demonstration funds required for the project to \$8.8 million and allowing \$5.2 million of the Demonstration funding to be transferred to SR 180 (Hughes/West – Brawley) project that was experiencing cost overruns. This exchange brought the total Demonstration funding available for SR 180 (Hughes/West – Brawley) to \$26,123,000. It did not effect the \$20,923,000 in Measure "C" funding available for the Westside I-5 Connection projects. Caltrans has also agreed to pick up the cost of the Route Adoption Study for the I-5 project alignment and that study is currently underway.

It is important to note that these transactions are crafted only to ensure that the funding intended specifically for the "Westside I-5 Connection" goes to the intended projects. It does not create additional funding that can be used on other projects not associated with the alignment. The

federal funds must be used in a timely fashion and the Westside I-5 Connection projects are years away, hence the CA217 funding is used on SR 180 (Hughes/West – Brawley), and the Measure “C” funding that is saved is dedicated specifically to the Westside I-5 Connection projects. In sum, due to Caltrans’ offer to offset the SHOPP project with funds there is a net benefit to the Transportation Authority of \$5.2 million for the SR 180 (Hughes/West – Brawley) project that would not have been available without the CA217 funding.

The agreements before the Board authorize the Fresno County Transportation Authority to encumber the remaining \$26,123,000 balance of CA217 funds on SR 180 (Hughes/West – Brawley) and requires the COG to amend the Measure “C” Expenditure plan to include the \$20,923,000 Westside I-5 Connection Projects. In the event that the Measure “C” Extension does not obtain the required 2/3 voter approval in November, the agreements require the Transportation Authority to set aside \$20,923,000 for Westside I-5 Connection projects in a dedicated public trust and legally appoint a duly sanctioned Successor Agency to fulfill the covenants of the trust and complete the Westside I-5 Connection Projects per COG’s determination of the final scope for those projects. [BESHEARS]

Action: Adopt contribution agreements (currently being reviewed by Legal Counsel—to be handed out) to authorize the Fresno County Transportation Authority to encumber \$26,123,000 in CA217 Federal Funding on SR 180 Brawley/Hughes/West Phase II and “free up” \$20,923,000 in Measure “C” funding to be programmed against projects determined by COG for the construction, including related activities, of an extension of State Highway 180 from the City of Fresno to I-5 in Fresno County.

F. San Joaquin Valley Blueprint Update

Summary: We officially kicked off the San Joaquin Valley Blueprint Planning Process at a Valleywide summit on June 28th (see report on www.valleyblueprint.org). The event was a great success, with nearly 700 participants in attendance. The day consisted of several informative presentations followed by interactive workshop sessions aimed at engaging participants.

This month we have two Blueprint items for your consideration – appointment of one elected official and five community representatives to the Blueprint Regional Advisory Committee (BRAC) and approval of a consultant contract for Blueprint Community Outreach Services. [STECK]

1. **Blueprint Regional Advisory Committee (BRAC)** – The purpose of the San Joaquin Valley Regional Blueprint Advisory Committee is to make regional recommendations pertaining to the creation of the San Joaquin Valley Regional Blueprint. The intent for each committee member is to:
 - Become a champion of the final SJV Regional Blueprint vision;
 - Advocate implementation of the SJV Regional Blueprint products to the local jurisdictions;
 - Promote the SJV Regional Blueprint strategies at the state and federal levels.

Each of the eight Valley COG Directors will recommend 5 community members to sit on the BRAC (see enclosure). In addition, one elected official from each county will be appointed (see enclosed application). Staff solicited applications from all city council members and supervisors in Fresno County. Since the deadline for applications has been extended to July 14th for both community member and elected official seats, we are only able to include a list of applicants we have received to date. Any additions will be added to the list prior to the board package being mailed. [STECK]

Action: Staff recommends forwarding the application from elected officials to the COG Policy Board for their selection of a Fresno County representative to serve on the BRAC.

2. Blueprint Consultant Contract – Community Participation Facilitator, Fresno County Outreach

On June 1st, we circulated a Request for Proposals (RFP) for consulting services to provide outreach activities associated with our Fresno County portion of the San Joaquin Valley Blueprint planning process. We extended the deadline for responses to June 30th when we added a task for modeling assistance. We received one response to the RFP from VRPA Technologies in association with Strategy Research Institute; Community Design + Architecture; Land Use Associates and URS Corporation. Because time is of the essence on this activity, we have scheduled an interview with VRPA to discuss their proposal and hopefully to negotiate a contract. Based upon that meeting, we hope to have a handout and recommendation to present at PAC. If that comes to pass, we will recommend the following action: [STECK]

Action: Staff recommends that the Policy Board direct the Executive Director to enter into a contract with VRPA and their associates to provide consulting services for Fresno County's outreach and modeling activities associated with the SJV Blueprint Planning Process. The total contract cost will be negotiated prior to the Board Meeting on July 20th.

G. Measure "C" Update

At its June 22, 2006 meeting, the COG Policy Board voted to approve the 2006 Measure C Extension Expenditure Plan. Since then, COG staff has been in the process of gaining approval of the Plan by each of our member agencies. To date (7/7/06), the following ten cities have taken action in support of the Expenditure Plan as proposed: Fresno, Reedley, Mendota, Firebaugh, Fowler, Parlier, Kingsburg, Kerman, Coalinga and Sanger.

Following approval by our member agencies, the Fresno County Transportation Authority is scheduled to take action to adopt the Expenditure Plan at its July 19, 2006 meeting, and then formally request that the Fresno County Board of Supervisors place the tax extension on the November 2006 ballot. The Board of Supervisors meeting is scheduled for July 25, 2006. [BOREN]

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

H. 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.

IV. PAC – ELECTION OF VICE CHAIRMAN

Summary: The election for PAC Chair and Vice Chair are annually scheduled for the June meeting. At last month's PAC meeting, Jose Ramirez (Firebaugh) was elected as the PAC Chairman. David Elias (Fowler) has been serving as the Vice Chairman. Since Mr. Elias was not at the June meeting to react to a potential nomination, the vote for Vice Chair was delayed until the July meeting.

Action: Elect a Vice Chairman.

V. OTHER BUSINESS

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

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