

**POLICY BOARD**  
1010 10<sup>th</sup> Street  
City County Chambers  
Modesto, CA  
July 9, 2008  
6:00 PM

**California Brown Act Requires:**

This Agenda shall be made available upon request in alternative formats to persons with a disability, as required by the Americans With Disabilities Act of 1990 (42 U.S.C. § 12132) and the Ralph M. Brown Act (California Government Code § 54954.2). Persons requesting a disability related modification or accommodation in order to participate in the meeting should contact Sabrina Pinheiro, at (209) 525-4600, during regular business hours, at least twenty-four hours prior to the time of the meeting.

**Notice Regarding Non-English Speakers:**

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the StanCOG Policy Board shall be in English and anyone wishing to address the Board is advised to have an interpreter or give StanCOG a 48 hour notice so that StanCOG can provide an interpreter from any language not English into the English language.

**PUBLIC PARTICIPATION**

Matters not on the posted agenda may be addressed by the general public at the beginning of the regular agenda and any off-agenda matters before the Board for consideration. However, California law prohibits taking action on any matter which is not on the posted agenda unless it is determined to be an emergency by the Board. Any member of the public wishing to address the Board will be limited to five minutes or the discretion of the Chair.

Questions: Contact Sabrina Pinheiro at (209) 525-4600.

**AGENDA**

**PLEDGE OF ALLEGIANCE**

- |   |            |
|---|------------|
| 1. ELECTION OF FY 2008/09 OFFICERS  | MOTION     |
| 2. PUBLIC PARTICIPATION   |            |
| <i>These matters may be presented only by interested persons in the audience. Discussion is limited to the discretion of the Chair.</i>   |            |
| 3. CONSENT CALENDAR   |            |
| A. Adopt Minutes of Policy Board (06.11.08)   | MOTION     |
| B. FY 2007/08 Local Transportation Fund Non-Transit Claim:<br>City of Hughson   | RESOLUTION |
| C. FY 2007/08 Transportation Development Act Amended Transit Claim:<br>City of Turlock  | RESOLUTION |
| D. Memorandum of Understanding for Proposition 1B – Public Transportation<br>Modernization, Improvement and Service Enhancement Account Grant<br>(PTMISEA) between StanCOG and:   |            |
| 1. The City of Ceres  |            |
| 2. The Riverbank-Oakdale Transit Authority (ROTA)   | RESOLUTION |
| E. Amendment #2 to the Moore Iacofano Goltsman, Inc., contract for<br>Blueprint Phase II Community Outreach and Facilitation Services   | MOTION     |
| F. Adoption of the Final Draft 2009 Interim Federal Transportation Improvement<br>Program, corresponding Air Quality Conformity Analysis and the Technical<br>Addendum to the 2007 Regional Transportation Plan Year of Expenditures. | RESOLUTION |

4. PRESENTATIONS  
Recognition of Service for CJ Johnson

5. PUBLIC HEARINGS  
(None)

6. ORAL REPORT ITEMS

A. Transportation Sales Tax Measure

1. Certification of 2008 Transportation Sales Tax Programmatic  
Final Environmental Impact Report and Approval of Final 20-Year  
Countywide ½ Cent Sales Tax Measure Financial Expenditure Plan

RESOLUTION

2. Adoption of Transportation Sales Tax Ordinance Pursuant to  
Government Code Section 25131 and Transmittal to the  
Stanislaus County Board of Supervisors

RESOLUTION

7. INFORMATION ITEMS

*The following items are for information only.*

A. Stanislaus Blueprint Planning Process Update

B. Social Services Transportation Advisory Council – Agenda (07.09.08)

8. STANISLAUS COUNCIL OF GOVERNMENTS ADVISORY COMMITTEES

A. Technical Advisory Committee Minutes : (05.29.08)

9. CALTRANS REPORT

10. EXECUTIVE DIRECTOR'S REPORT

11. CLOSED SESSION

PURSUANT TO GOVERNMENT CODE Section 54956.8

Conference with Real Property Negotiators

(a) Property: (APN 03-078-002;-04;-05)

Agency Negotiator: Vince Harris (DeeAnne Gillick and Jennifer Alves)

Negotiating Parties: Stanislaus Council of Governments and

Bright Development (Carol Bright and John Dunn)

Under Negotiation: Both price and terms of payment.

12. RETURN TO OPEN SESSION

13. COMMENTS FROM THE BOARD

*Topics may be presented, but no action may be taken except to place an item on a future agenda.*

ADJOURNMENT

Next regular meeting scheduled for

August 13, 2008, 6:00 P.M.

1010 Tenth St.

City County Chambers


Modesto, CA



City of Ceres • City of Hughson • City of Modesto • City of Newman • City of Oakdale • City of Patterson  
City of Riverbank • City of Turlock • City of Waterford • County of Stanislaus

TO: Policy Board

Staff Report  
Motion

FROM: Vince Harris, Executive Director 

DATE: July 2, 2008

SUBJECT: Election of Chair and Vice-Chair for FY 2008/09

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### **Recommendation**

Hear the report of the Executive Committee (Nominating Committee) and then, By Motion, nominate and elect a Chair and Vice-Chair for Fiscal Year 2008/09.

### **Background**

The Policy Board annually elects a Chair and Vice-chair. The Executive Committee, acting as the Nominating Committee, will present the nominations to the Policy Board.

### **Discussion**

StanCOG Bylaws, Article IV: Officers, states the Policy Board shall elect from among their numbers a Chairperson and Vice-chairperson to serve a one-year term of office beginning the first regular meeting of each fiscal year. At the February 13, 2008 Executive Committee meeting, a revised rotation for the position of Chairperson was designated, and is listed below:

- Small Cities (Hughson, Newman, Waterford)
- Medium Cities (Ceres, Oakdale, Patterson, Riverbank, Turlock)
- Stanislaus County
- City of Modesto

Mayor Fantazia, City of Newman, is the Fiscal Year 2007/08 Chair, and Mayor Jackson, City of Oakdale, is the Vice-chair.

[Larkdowns@stancog.org](mailto:Larkdowns@stancog.org)

**ITEM 3A WILL BE SENT  
UNDER  
SEPARATE COVER**



City of Ceres • City of Hughson • City of Modesto • City of Newman • City of Oakdale • City of Patterson  
 City of Riverbank • City of Turlock • City of Waterford • County of Stanislaus

**TO:** Policy Board

**STAFF REPORT  
 Resolution**

**THROUGH:** Vince Harris, Executive Director *VH*

**FROM:** Vince Canales, Finance Director *VC*  
 Robin Whitehead, Budget & Grants Coordinator *RW*

**DATE:** June 26, 2008

**SUBJECT:** FY 2007/08 Local Transportation Fund Non-Transit Claim: City of Hughson

**Recommendation**

BY RESOLUTION, based on the findings and comments, approve the claim as submitted.

**Background**

The claimant has submitted a claim for Local Transportation Funds (LTF) as follows:

<u>Purpose</u>	<u>Source</u>	<u>2007/08 Claim</u>
Nonmotorized	LTF-99234	\$ 3,069
Streets	LTF-99400a	71,531
Pavement Mgmt Program	LTF-99262/99402	683*
Financial Expenditure Plan	LTF-99262/99402	4,765**
		<u>\$ 80,048</u>

\* Modesto is the lead agency for the Pavement Management Program Update. The PMP amount will be paid to Modesto.

\*\*StanCOG is the lead agency for the Financial Expenditure Plan. The Financial Expenditure Plan amount will be deposited to StanCOG's general fund.

Consistent with the Transit Cost Sharing Procedures, all transit claims for FY 2007/08 were presented to the StanCOG Policy Board on 6/13/07. The City of Hughson does not provide transit service; therefore they had no transit claim.

The claim has been checked and determined to be complete. The claimant has submitted all required audits and reports. The audit for FY 2005/06 contains no audit recommendations.

The rules governing the LTF require the adopting resolution to contain specific findings prior to any LTF allocations. The findings are as follows:

**Required Findings**

- (1) The claimant's proposed expenditures are in conformity with the Regional Transportation Plan.
- (2) The sum of the claimant's allocations from the Local Transportation Fund does not exceed the amount the claimant is eligible to receive during the fiscal year.
- (3) There are no unmet transit needs which are reasonable to meet within the jurisdiction.

### **Committee Actions**

This report was submitted to the Consolidated Planning Committee and to the Technical Advisory Committee. Each committee concurred with staff's recommendation.

[rwhitehead@stancog.org](mailto:rwhitehead@stancog.org)

f:c/5202 2007/08

v:\stancog\robin\tda07-08\Hughson claim to Board 07-08

City of Ceres • City of Hughson • City of Modesto • City of Newman • City of Oakdale • City of Patterson  
City of Riverbank • City of Turlock • City of Waterford • County of Stanislaus

**TO:** Policy Board

**Staff Report  
Resolution**

**THROUGH:** Vince Harris, Executive Director *VH*

**FROM:** Vincent Canales, Finance Director *VC*  
Robin Whitehead, Budget & Grants Coordinator *RW*

**DATE:** June 26, 2008

**SUBJECT:** FY 2007/08 Transportation Development Act Fund  
Amended Transit Claim: City of Turlock

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**Recommendation**

BY RESOLUTION, approve the FY 2007/08 Transportation Development Act (TDA) Fund amended transit claim for the City of Turlock, as submitted to StanCOG.

**Background**

On November 14, 2007, the StanCOG Policy apportioned additional State Transit Assistance (STA) funds to the City of Modesto, the City of Turlock, and the County of Stanislaus. The City of Turlock has now submitted its amended transit claim #2 to reflect this action.

**Discussion**

The revised apportionment increased the City of Turlock's STA from \$4,116 to \$6,662, for a \$2,546 increase. Accordingly, the additional STA apportionment reduced the City of Turlock's Local Transportation Fund (LTF) apportionment by \$2,546.

The required findings for the City of Turlock's claim were previously made on June 13, 2007.

**Committee Actions**

This report was submitted to the Consolidated Planning Committee and to the Technical Advisory Committee. Each committee concurred with staff's recommendation.

[Vcanales@stancog.org](mailto:Vcanales@stancog.org)

[Rwhitehead@stancog.org](mailto:Rwhitehead@stancog.org)

v:\stancog\robin\tda07-08\Turlock amended transit claim to Board 2007-08



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**Staff Report**  
**Resolution**

TO: Policy Board

THROUGH: Vince Harris, Executive Director

FROM: Carlos P. Yamzon, Senior Planner

Scott Philips, Associate Planner

DATE: July 2, 2008

SUBJECT: Memorandum of Understanding (MOU) for Proposition 1B – Public Transportation Modernization, Improvement and Service Enhancement Account Grant (PTMISEA) between StanCOG and the Riverbank-Oakdale Transit Authority (ROTA)

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**Recommendation**

By resolution, StanCOG staff recommends the Policy Board approve and enter into the Memorandum of Understanding (MOU) between StanCOG the Riverbank-Oakdale Transit Authority (ROTA).

**Background**

The Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA) is part of a comprehensive voter-approved transportation bond investment package designed to help advance important goals and policies, including protecting the environment and public health, conserving energy, reducing congestion, and providing alternative mobility and access choices for Californians. Projects funded from the PTMISEA will help advance the State's policy goals of providing mobility choices for all residents, reducing congestion, and protecting the environment.

**Discussion**

StanCOG is the designated recipient for Prop 1B PTMISEA funds for member agencies that are not recipients of State Transit Assistance (STA) Funds. The MOU is necessary

in order to establish a fund disbursement system and project reporting procedures between StanCOG and non-STA Funded PTMISEA recipients (the City of Ceres and ROTA). Items addressed by the MOU are required elements and fulfill all requirements of the Executive Order and State Laws governing the PTMISEA program.

Funds will be disbursed on a reimbursement basis. Applicants shall provide proof of evidence that the funds being requested are eligible for reimbursement and that the applicant has incurred the eligible cost. Once project eligibility has been determined, StanCOG will disburse the funds amount to the requesting agency. The requesting agency is responsible for project reporting as established in the PTMISEA guidelines. A copy of the guidelines as well as the required reporting forms are included as Attachments A-1 and A-2.

### **COMMITTEE ACTION**

The attached MOU was presented to the CPC on June 24<sup>th</sup> and to TAC on June 26<sup>th</sup>, 2008. It was recommended that prior to Policy Board action the MOUs be forwarded to the respective member agency's policy board or commission for review and execution. Upon executing and returning the MOU to StanCOG, each MOU was to be presented at the Policy Board's earliest subsequent meeting.

ROTA has requested that StanCOG place this item on the Policy Board's next meeting agenda. ROTA has provided StanCOG an executed MOU and has requested the StanCOG Policy Board to enter into the agreement.

Attachments: ROTA MOU

[swphilips@stancog.org](mailto:swphilips@stancog.org)

# **Memorandum of Understanding**

## **Proposition 1B - Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA)**

This Memorandum of Understanding (MOU) is made by and between the Stanislaus Council of Governments (the “StanCOG”) and the RIVERBANK-OAKDALE TRANSIT AUTHORITY (ROTA) (the “Project Sponsor”). The StanCOG and Project Sponsor are collectively hereinafter referred to as “Parties.” This MOU is not a legally binding agreement. The Parties will endeavor (if desired) to articulate their intentions and desires into several fully integrated agreements which, at that time, may include the terms and conditions expressed herein and may include other matters not expressed herein, but in the aggregate will constitute legally binding agreements between the Parties.

### **BACKGROUND**

The Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA) is part of a comprehensive voter-approved transportation bond investment package designed to help advance important goals and policies, including protecting the environment and public health, conserving energy, reducing congestion, and providing alternative mobility and access choices for Californians. Projects funded from the PTMISEA will help advance the State’s policy goals of providing mobility choices for all residents, reducing congestion, and protecting the environment.

### **DISBURSEMENT OF FUNDS**

PTMISEA Funds will be disbursed to the Project Sponsor on a reimbursement basis. Project Sponsor shall provide proof of evidence that: 1) PTMISEA funds being requested are eligible for reimbursement; 2) The Project Sponsor has incurred the eligible cost.

After receiving the Project Sponsor’s claim for reimbursement, StanCOG will disburse the funds

to the Project Sponsor up to their level of eligible funding.

### **PROJECT REPORTING**

Semi-annual project status reports are a requirement of the Executive Order and State Laws governing the PTMISEA program. Project Sponsors shall undertake the reporting requirements and forms outlined in the PTMISEA Guidelines. For convenience copies of the program guidelines and required forms are attached with this MOU as Attachments A-1 and A-2 respectively. The forms include the "Outcome Progress Report" and "Financial Progress Report". Due dates for submission of these reports is:

Cycle 1 Recipients: September 1, 2008 (Six month report)  
March 1, 2009 (Twelve month report)  
Cycle 2 Recipients: December 1, 2008 (Six month report)  
June 1, 2009 (Twelve month report)

Comments stated in the original allocation request are the foundation for completing the "Outcome" and "Financial" reports. All funds are distributed based on the Project Sponsor's commitment that their project will commence within six months. The six month report must represent the progress as it relates to the original projections identified in the Project Description and Allocation Request. To assist with the completion of the semiannual reports, attached is a list of suggested measurements that comply with the Governor's Bond Accountability Requirements. The list of measurements is identified as Attachment A-2, titled "Benefits".

The MOU is only a statement of the Parties intentions and does not cover all matters upon which the Parties intend to provide information. This MOU does not create a contract or other binding obligations and is intended to only be an expression of the Parties mutual desires to proceed expeditiously and acknowledge that nothing stated orally or in writing by either Party may be construed as a legally binding obligation. The Parties further understand and acknowledge that any action taken by a Party consistent with or in furtherance with this MOU shall not be considered evidence of intent by the Party to be bound hereby. Until a definitive,

integrated agreement has been executed and delivered by the Parties, any party may (a) discontinue participation in the selection process; (b) reject any proposal made to it with regard to the selection process and (c) terminate discussions at any time and for any reason.

Stanislaus Council of Governments

By: \_\_\_\_\_

Date: \_\_\_\_\_

Vincent J. Harris  
Executive Director

City of RIVERBANK-OAKDALE TRANSIT AUTHORITY (ROTA)

\_\_\_\_\_  
Virginia Madueno, Council Member  
City of Riverbank

Date \_\_\_\_\_

\_\_\_\_\_  
Farrell Jackson, Mayor Pro Tem  
City of Oakdale

Date \_\_\_\_\_

\_\_\_\_\_  
Sandy Bentiez, Council Member  
City of Riverbank

Date \_\_\_\_\_

\_\_\_\_\_  
Katherine Morgan, Council Member  
City of Oakdale

Date \_\_\_\_\_

## **Attachment A-1**