

**POLICY BOARD
1020 10th Street
ALLIANCE FREE ENTERPRISE CENTER
Modesto, CA
November 12, 2008
6:00 PM**

****PLEASE NOTE: NEW MEETING LOCATION****

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 Committee 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 Committee. Any member of the public wishing to address the Committee will be limited to five minutes or the discretion of the Chair.

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

AGENDA

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. PUBLIC PARTICIPATION

These matters may be presented only by interested persons in the audience. Discussion is limited to five minutes, or at the discretion of the Chair.

4. CONSENT CALENDAR

A. Policy Board Minutes for October 08, 2008

MOTION

B. Revised Transportation Development Act Apportionments for FY 2008/09

RESOLUTION

C. Policy Board 2009 Meeting Schedule

MOTION

D. FY 2008/09 Overall Work Program and Budget Amendment No. 2

RESOLUTION

5. PRESENTATIONS

A. Update – Stanislaus Transit Assessment Study

Brad Christian, Stanislaus County Transit Manager
Velma Lucero-Garcia, HDR

6. PUBLIC HEARINGS

- A. Unmet Transit Needs – Initial Public Hearing

7. ORAL REPORT ITEMS

- A. Review of Stanislaus County Measure S and Next Steps **DISCUSSION**
- B. State Route 132 West Expressway Report **RESOLUTION**
- C. Approval of Caltrans/StanCOG State Route 132 West Expressway Cooperative Agreement 10-331 **RESOLUTION**
- D. 2009 Interim Federal Transportation Improvement Program Amendment No.2 (Type 3 Formal Amendment) **RESOLUTION**
- E. StanCOG Non-motorized Transportation Plan **RESOLUTION**
- F. Selection of Stanislaus County Blueprint Preferred Conceptual Growth Scenario **RESOLUTION**
- G. Resolution No. 10-23 – Support for a Fourth Year Participation on the California Regional Blueprint Planning Program **RESOLUTION**

8. INFORMATION ITEMS

- A. FY 2008/09 Proposition 1B California Transit Security Grant Program – California Transit Assistance Fund (CTSP—CTAF)
- B. Consolidated Planning Committee 2009 Meeting Schedule
- C. Technical Advisory Committee 2009 Meeting Schedule
- D. Citizens Advisory Committee 2009 Meeting Schedule
- E. Social Services Transportation Advisory Council 2009 Meeting Schedule

9. STANISLAUS COUNCIL OF GOVERNMENTS ADVISORY COMMITTEES

- A. Technical Advisory Committee Minutes (09.25.08)
- B. Social Services Transportation Advisory Council Minutes (09.10.08)

10. CALTRANS REPORT

11. EXECUTIVE DIRECTOR'S REPORT

12. ITEMS FROM THE FLOOR

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:

****NOTE: DECEMBER MEETING HAS BEEN CANCELED****

JANUARY 14, 2009 6:00 P.M.

1010 Tenth St.

City County Chambers

Modesto, CA



Consent Items

POLICY BOARD ACTION MINUTES (DRAFT)
October 08, 2008

PRESENT: Chair Farrell Jackson (City of Oakdale); Anthony Cannella (City of Ceres); Henry Hesling (City of Hughson); Janice Keating Brad Hawn, Garrad Marsh (City of Modesto); John Fantazia (City of Newman); Becky Campo (City of Patterson); Chris Crifasi (City of Riverbank); Jeff Grover, Jim DeMartini, Dick Monteith (Stanislaus County); Ted Howze (City of Turlock); Charles Goeken (City of Waterford)

ALSO PRESENT: Kome Ajise (Caltrans, District 10); DeeAnne Gillick (Neumiller and Beardslee); Kris Balaji (Jacob, Carter & Burgess); Vince Harris, Carlos Yamzon, Vince Canales, Lark Downs & Sabrina Pinheiro (StanCOG)

Chair Farrell Jackson called the meeting to order at 6:03 PM.

Roll Call

Pledge of Allegiance

1. PUBLIC PARTICIPATION

These matters may be presented only by interested persons in the audience. Discussion is limited to five minutes, or at the discretion of the Chair.

None

2. CONSENT CALENDAR

- | | |
|---|-------------------|
| A. Policy Board Minutes, Special Meeting (6.30.08) | MOTION |
| B. Policy Board Minutes (7.09.08) | MOTION |
| C. Policy Board Minutes (9.10.08) | MOTION |
|
 | |
| D. Acceptance of StanCOG's Independent Auditor's Reports for Fiscal Years Ending June 30, 2006 and June 30, 2007 | MOTION |
|
 | |
| E. Approval of Caltrans/StanCOG State Route 132 West Expressway Cooperative Agreement 10-331 | RESOLUTION |
|
 | |
| F. Approval of Caltrans/StanCOG State Route 219 Cooperative Agreement 10-324 | RESOLUTION |

BY MOTION (Brad Hawn/Ted Howze), and unanimous vote, the Policy Board approves the Consent Calendar, based on the following stipulations: To make changes as noted for the 7-09-08 Minutes and Item E will be pulled from the Consent Calendar.

3. PRESENTATIONS

A. Senate Bill 375: Presented by Bill Craven, Chief Consultant to Senator Darrell Steinberg

Bill Craven, Chief Consultant to Senator Darrell Steinberg, presented information to the Policy Board on SB 375, the recently enacted state law addressing green house emissions and land use policies. He started by discussing climate change and what causes climate change. He stated the gravity of the situation is very serious and all of us will need to figure out different ways to decrease our emissions through more efficient land use policies.

Mr. Craven informed the Board that the only mandate in the bill is for the planning process to include provisions providing for the inclusion of transportation projects that are inclusive of emissions reductions strategies. SB 375 breaks new ground by linking land use decisions and transportation planning in a single comprehensive process at a Regional scale, giving the Air Resources Board an explicit role in that process. He emphasized that SB 375 will not take control of land use decisions from the cities and counties.

Supervisor Dick Monteith, stated that he fears that the Blueprint Process will hinder the Central Valley in regards to the amount of money the Valley will receive in comparison to the Bay Area. He is concerned that the Blueprint Process will bring in one more layer of competition of distributing money equally. He also stated that he sees this as another hurdle, and believes that the larger cities will be considered first when it comes to the distribution of funds, forcing Stanislaus County to be placed further behind the line to receive any funds.

4. PUBLIC HEARINGS

(NONE)

5. ORAL REPORT ITEMS

A. Stanislaus Blueprint Planning Process Update

MOTION

Staff has reported the results from the Phase II Blueprint Workshops to all of the City Councils and the Board of Supervisors. Three Jurisdictions accepted the plan; Newman, Riverbank and Oakdale. The remaining jurisdictions deferred approval of a conceptual growth scenario until the October 8 Policy Board Meeting.

StanCOG Executive Director Vince Harris introduced a conceptual growth scenario based upon the adopted General Plans of the jurisdictions. The "General Plan Densities" growth scenario will utilize adopted residential densities from each respective jurisdiction to form the countywide 2050 growth scenario. Several Policy Board members spoke favorably of the approach, stating their concern for the previously proposed "Moderate Growth" scenario, citing the sparsely attended Phase II Community Workshops as a poor indicator of potential future growth in Stanislaus County.

It was agreed by the Policy Board to table the selection of the General Plan Densities growth scenario until the November 12 meeting, allowing the respective jurisdictions to review and comment on the recommended growth scenario.

B. StanCOG Non-Motorized Transportation Plan – Final Report

RESOLUTION

By Motion, (Jeff Grover/Ted Howze) and unanimous vote, the Policy Board approved the StanCOG Non-Motorized Transportation Plan – Final Report.

C. Bicycle Pedestrian Advisory Committee (BPAC)

RESOLUTION

By Motion, (Brad Hawn/Janice Keating) and unanimous vote, the Policy Board approves the Bicycle Pedestrian Advisory Committee (BPAC)

6. INFORMATION ITEMS

A. Withdrawal of Amendment #1 to the StanCOG 2009 Interim Federal Transportation Improvement Program (FTIP)

B. Wednesday, October 8, 2008 Social Services Transportation Advisory Council Agenda

7. CALTRANS REPORT

Director Kome Ajise reported on behalf of Caltrans District 10. He commented on the previous discussion of SB375. He is hopeful that everyone will be able to work together in accepting this legislation.

Supervisor Jeff Grover gave praise to Caltrans on the beautification of State Route 99 through the Stanislaus region.

Janice Keating suggested Caltrans place signs near the projects that are in progress, with each sign having a timeline showing the projected completion date.

8. EXECUTIVE DIRECTOR'S REPORT

- Work has commenced on the StanCOG Employee Compensation and Classification Study. Mr. Harris provided Policy Board members the current proposed list of comparators, and requested Members to inform him of any requested deletions or additions they would like to make.
- Working closely with StanCOG, Catholic Charities has been awarded \$29,000 in New Freedom Grant funds by to Federal Transit Administration expand the services of their Senior Assisted Transportation Program to the rural areas in Western Stanislaus County that are presently not served.
- Staff participated in the Annual San Joaquin Valley Planning Agencies Fall Conference in Visalia October 2nd and 3rd. Mr. Harris informed the Policy Board that the next meeting of the Policy Council will be held in Fresno on Dec. 5th.

9. ITEMS FROM THE FLOOR

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

Supervisor Grover reminded the Board that the Measure S election is only one month away, and encouraged any type of participation given would be helpful in ensuring this Measure gets passed.

Legal Counsel DeeAnne Gillick announced that due to the resignation of previous StanCOG Legal Counsel Jennifer Alves, Members should contact her directly with any questions or concerns.

The Policy Board Meeting adjourned at 8:10 PM.

Next regular meeting scheduled for:

**November 12, 2008, 6:00 P.M.
1010 Tenth St.
City County Chambers
Modesto, CA**

Vincent J. Harris, StanCOG Executive Director

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
THROUGH: Vince Harris, Executive Director *VGH*
FROM: Vincent Canales, Finance Director *VC*
Robin Whitehead, Budget & Grants Coordinator *RW*
DATE: October 30, 2008
SUBJECT: Revised Transportation Development Act Apportionments for FY 2008/09

STAFF REPORT
RESOLUTION

Recommendation

BY RESOLUTION,

1. Amend the FY 2008/09 State Transit Assistance (STA) fund apportionments as presented in Schedule 1 in columns 8 and 9.
2. Amend the FY 2008/09 LTF apportionments as presented in Schedule 4 in columns 4 and 5.

Background

The Transportation Development Act (TDA) provides two sources of funding for public transportation: the Local Transportation Fund (LTF) and the State Transit Assistance (STA) funds.

STATE TRANSIT ASSISTANCE (STA)

StanCOG has received a revised official estimate for STA, per a letter dated 10/8/08 from the State Controller's Office. Prior to that letter, the STA apportionment, adopted by the Policy Board, was \$5,531,046. The revised amount is \$2,279,569. **(This represents a decrease of \$3,251,477 for STA funding for FY 2008/09.)**

LOCAL TRANSPORTATION FUNDS (LTF)

On June 11, 2008, the Policy Board approved the FY 2008/09 LTF apportionments, based on a total LTF estimate of \$15,000,000.

Discussion

As the STA estimate has now been revised, there is a need to amend the apportionment amounts to the jurisdictions.

Stanislaus County is unique with regard to the apportionment of TDA funds. All of the member jurisdictions have adopted the Transit Cost Sharing Procedures. Under these procedures, smaller sums of STA increase the need to apply LTF to transit operations. As a result, less LTF funds are now available for street and roads.

Under this proposal, and in accordance with the spirit of Section 9 of the Transit Cost Sharing Procedures, Modesto original STA apportionment will be reduced by \$3,227,212, for a new STA total of \$2,255,826. The County's STA will be reduced by \$18,651, for a new STA total of \$13,690. The City of Turlock's STA will be reduced by \$5,614, for a new STA total of \$10,053.

Schedule 1 amends the TDA apportionments amounts based on the revised STA estimate. Schedule 2 identifies the new LTF needed for transit. In addition, Schedule 2 identifies the remaining LTF available for streets and roads. In this case, the remaining amount is \$3,705,972. Schedule 3 reflects the Cost Sharing formula, which distributes the \$3,705,972 to the jurisdictions. Schedule 4 amends the LTF apportionments to each 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.

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rwhitehead@stancog.org

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**STEP 1: INITIAL LOCAL TRANSPORTATION FUND AND STATE TRANSIT ASSISTANCE
 APPORTIONMENT FOR FY 2008/09
 SCHEDULE 1**

Proposed Revision November 12, 2008

APPORTIONMENT BASED ON \$15,000,000 OF LTF

Column #1	Column #2	Column #3	Column #4	Column #5	Column #6	Column #7	Column #8	Column #9
JURISDICTION	POPULATION	% OF POPULATION Note 1	TDA ADMIN	PLANNING	NONMOTORIZED (2% LTF)	REMAINING LTF	2007/08 STA PUC 99313 Note 2	2007/08 STA PUC 99314 Note 2
CERES	41,997	8.0532%			23,238			
HUGHSON	6,082	1.1663%			3,365			
MODESTO	209,174	40.1103%			115,744		2,116,674	139,152
NEWMAN	10,302	1.9755%			5,700			
OAKDALE	18,628	3.5720%			10,307			
PATTERSON	20,875	4.0029%			11,551			
RIVERBANK	21,492	4.1212%			11,892			
TURLOCK	69,321	13.2927%			38,357			10,053
WATERFORD	8,590	1.6472%			4,753			
COUNTY (UNINC.)	115,036	22.0588%			63,653			13,690
StanCOG			122,000	450,000				
REMAINING LTF						14,139,440		
TOTAL	521,497	100.0000%	122,000	450,000	288,560	14,139,440	2,116,674	162,895

Note 1: May 2007 Population estimates from the Dept. of Finance for 1/1/07

Note 2: State Transit Assistance Fund estimate was revised by the State Controller's office, per letter dated 10/6/08

Proposed revised apportioned numbers are bolded

TDA Admin	122,000
Planning	450,000
Nonmotorized	288,560
Remaining LTF (input to Step 2)	14,139,440
Total LTF	15,000,000

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10/16/08

STA PUC 99313	2,116,674
STA PUC 99314	162,895
Total	2,279,569

**STEP 2: DETERMINE LTF NEEDED FOR TRANSIT
FOR FISCAL YEAR 2008/09
SCHEDULE 2**

INPUT FROM STEP 1 - REMAINING LTF
 Minus LTF for Seniors & Disabled Transit Study
 Minus LTF needed for Regional Projects
 Minus LTF needed for transit claims (see below)
 Total funds available for "Other" (input to Step 3)

14,139,440
 175,000
 23,200
10,235,268
 3,705,972

Note: Transit Study
 Regional Projects
 175,000
 23,200
 196,200

Proposed revision 11/12/08
Proposed revision 11/12/08

	Total	Fares	Other	FTA Section 5307 Section 5309	FTA Section 5311	CMAQ	Prop 1B	STA *	LTF Carryover	=	New LTF Needed
CERES Fixed Operating	541,540	66,377	0	0	0	0	0	0	0		0
Fixed Capital	132,570	0	0	0	0	0	125,495	0	0		475,163
CERES DAR Operating	842,884	72,120	0	0	0	0	0	0	0		7,075
DAR Capital	0	0	0	0	0	0	0	0	0		770,764
Ceres Total	1,516,994	138,497	0	0	0	0	125,495	0	0		1,253,002
MODESTO Fixed Operating	11,061,612	2,355,503	276,364	1,554,710	0	0	0	2,255,826	1,142,027		3,477,182
Fixed Capital	1,152,632	0	0	120,000	0	0	985,517	0	0		47,115
MODESTO DAR Operating	2,895,581	195,000	2	1,117,400	0	0	0	0	741,204		841,975
DAR Capital	0	0	0	0	0	0	0	0	0		0
MODESTO AMTRAK	145,659	0	0	82,588	0	0	0	0	0		63,071
MODESTO Transit Center	615,622	0	96,001	244,958	0	0	0	0	0		274,663
Modesto Total	15,871,106	2,550,503	372,367	3,119,656	0	0	985,517	2,255,826	1,883,231		4,704,006
ROTA Operating	1,566,725	110,000	525	0	0	0	0	0	0		1,456,200
ROTA Capital	422,500	0	0	0	0	0	383,485	0	0		39,015
ROTA Total	1,989,225	110,000	525	0	0	0	383,485	0	0		1,495,215
TURLOCK Fixed Operating	1,019,832	100,784	0	250,000	0	0	0	0	365,926		303,122
Fixed Capital	2,506,164	0	0	1,223,559	0	0	823,965	0	1,021,784		(563,144)
TURLOCK DAR Operating	744,000	74,400	0	250,000	0	0	0	0	188,722		230,878
DAR Capital	451,500	0	0	220,000	0	0	90,000	10,053	94,023		37,424
Turlock Total	4,721,496	175,184	0	1,943,559	0	0	913,965	10,053	1,670,455		8,280
STANISLAUS COUNTY Operating	3,913,030	388,918	0	0	300,812	0	0	13,690	808,140		2,401,470
County Capital	2,612,922	0	0	0	200,000	816,956	505,864	0	716,807		373,295
County Total	6,525,952	388,918	0	500,812	500,812	816,956	505,864	13,690	1,524,947		2,774,765
TOTAL	30,624,773	3,363,102	372,892	5,063,215	500,812	816,956	2,914,326	2,279,569	5,078,633		10,235,268

This sheet is as proposed to be amended by the Policy Board on 11/12/08 to reflect revised STA figures provided by the State Controller's Office, letter dated 10/8/08.

STANISLAUS COUNCIL OF GOVERNMENTS
STEP 3 OF TRANSIT COST SHARING PROCESS - ROADS & STREETS APPORTIONMENTS
PROPOSED REVISION FOR POLICY BOARD APPROVAL ON NOVEMBER 12, 2008
SCHEDULE 3

Transit Cost Sharing Process
 Official StanCOG-Adopted Formula
 FY 2008/09 Local Transportation Funds

	Column 1 Funding Floor	Column 2 Floor % (fixed)	Column 3 Population Jan-07	Column 4 Pop * %	Column 5 Ceiling**	Column 6 Control	Column 7 Current Apportionment	Column 8 As Previously Adopted	Column 9 Difference
Ceres	\$385,529	11.45%	41,997	8.0532%	\$298,448	FLOOR	\$385,529	560,284	(\$174,755)
County	1,422,253	42.25%	115,036	22.0588%	817,493	FLOOR	1,422,253	1,534,701	(112,448)
Hughson	82,205	2.44%	6,082	1.1663%	43,221	FLOOR	82,205	82,205	0
Modesto	482,443	14.33%	209,174	40.1103%	1,486,477	CEILING	720,817	2,776,028	(2,055,211)
Newman	67,077	1.99%	10,302	1.9755%	73,210	CEILING	73,210	137,440	(64,230)
Oakdale	122,871	3.65%	18,628	3.5720%	132,378	CEILING	132,378	248,517	(116,139)
Patterson	102,763	3.05%	20,875	4.0029%	148,346	CEILING	126,552	278,494	(151,942)
Riverbank	117,803	3.50%	21,492	4.1212%	152,731	CEILING	142,295	286,726	(144,431)
Turlock	455,289	13.52%	69,321	13.2927%	492,624	CEILING	492,624	924,815	(432,191)
Waterford	128,109	3.81%	8,590	1.6472%	61,044	FLOOR	128,109	128,109	0
Total Other	\$3,366,342	100.00%	521,497	100.0000%	\$3,705,972		\$3,705,972	\$6,957,319	(\$3,251,347)

Enter Total Roads & Streets Received Here

* May 2007 population estimates from the Dept of Finance for 1/1/07.
 ** Population % times total Roads & Streets received.

**STANISLAUS COUNCIL OF GOVERNMENTS
PROPOSED LOCAL TRANSPORTATION FUND APPORTIONMENTS
FOR FY 2008/09
SCHEDULE 4**

	Column 1	Column 2	Column 3	Column 4	Column 5	Column 6
Claimant	TDA Admin*	Transp. Planning*	Bike/ Ped*	Transit**	Roads/ Street	Total LTF
StanCOG	122,000	450,000		198,200		770,200
Ceres			23,238	1,253,002	385,529	1,661,769
County			63,653	2,774,765	1,422,253	4,260,671
Hughson			3,365		82,205	85,570
Modesto			115,744	4,704,006	720,817	5,540,567
Newman			5,700		73,210	78,910
Oakdale			10,307		132,378	142,685
Patterson			11,551		126,552	138,103
Riverbank			11,892		142,295	154,187
ROTA				1,495,215		1,495,215
Turlock			38,357	8,280	492,624	539,261
Waterford			4,753		128,109	132,862
Total	122,000	450,000	288,560	10,433,468	3,705,972	15,000,000

Note: Proposed revised apportioned numbers are bolded.

- * These amounts are as approved by the Policy Board on 2/13/08 - shown here again for completeness only.
- ** Includes \$175,000 to StanCOG for a Seniors & Disabled Transit Study and \$23,200 for regional transit projects. Transit as proposed to be revised 11/12/08 due to State Transit Assistance Fund revised estimate.

November 12, 2008

TO: Policy Board

Staff Report
MOTION

THROUGH: Vince Harris, Executive Director

FROM: Sabrina Pinheiro *SP*

CD
Tom VHF

SUBJECT: Meeting Schedule For Year 2009

RECOMMENDATION

Approve the Stanislaus Council of Governments (StanCOG) Policy Board schedule as listed below. The meetings will be held at the Tenth St Place Council Chambers, 1010 Tenth St, Modesto, CA.

2009 MEETING SCHEDULE StanCOG POLICY BOARD 6:00 p.m.
JANUARY 14
FEBRUARY 11
MARCH 11
APRIL 8
MAY 13
JUNE 10
JULY 8
AUGUST 12**
SEPTEMBER 9
OCTOBER 14
NOVEMBER 18
DECEMBER **
Policy Board meets the second Wednesday of each month, unless otherwise noted.


NOTE: ** These meetings may be cancelled.

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 

FROM: Vincent Canales, Finance Director 

DATE: October 31, 2008

SUBJECT: FY 2008/09 Budget and OWP Amendment #2

Recommendation:

BY RESOLUTION:

1. Amend the General Fund Line Item Expenditure budget as presented in Schedule 1
2. Amend the General Fund Line Item Revenue budget as presented in Schedule 2
3. Add two additional work elements to the Overall Work Program: 027, Environmental Justice/Tribal Collaboration and work element 323 San Joaquin Express Transit Study
4. Amend the Overall Work Program as presented in Table A

Background

As we begin the second quarter of the fiscal year, there is a need to amend the current Budget and Overall Work Program (OWP).

Discussion

Addition of two Work Elements: 027 and 323

The Kern Council of Governments has asked StanCOG to participate in the Environmental Justice/Tribal Collaboration Project. KernCOG is requesting total contribution of \$3,700. Of this amount, \$1,450 is in-kind staff contributions and \$2,250 is cash contribution towards the selected consultant.

The Merced County Association of Governments has asked StanCOG to participate in the San Joaquin Express Transit Study. The study will focus on interregional transit issues within the San Joaquin Valley. Merced County is requesting StanCOG to contribute \$6,730 in staff in-kind services.

Schedule 1 – StanCOG General Fund Line Item Expenditure Detail

In addition to requesting the two new work elements, staff is requesting the budget transfers as shown on Schedule 1. All requested budget transfers have been noted with an explanation on the face of the schedule. The budget shifts are coming from salary and benefit savings due to vacant positions. The remaining overall budget increase of \$2,250 is for the KernCOG contract.

Schedule 2 – StanCOG General Fund Line Item Revenue Detail

Schedule 2 reflects total additional revenues of \$2,250 available to cover the cost of the budget increase being requested. An increase of \$41,412 is requested for Blueprint revenue to reflect usage of the remaining grant balance. An increase of \$33,884 is also requested to program the remaining balance of the expenditure plan contributions carryover from fiscal year 2007-08. Planning programming and monitoring funds and FTA Planning funds are being reduced by \$63,130 and \$9,916 respectively.

Overall Work Program Table A

Table A reflects the addition of the two new work elements and adjusts the OWP work elements for the proposed changes to the expenditure and revenue budgets.

Advisory Committee Action

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

vcanales@stancog.org

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0 MANAGEMENT

(027) ENVIRONMENTAL JUSTICE - TRIBAL COLLABORATION

PURPOSE:

To partner with tribal communities in the San Joaquin Valley, to promote greater involvement in the 8-county Blueprint and Partnership process and to help comply with SAFETEA-LU requirements.

WHY DO WE DO THIS?

Fulfills federal SAFETEA-LU requirements of enhanced public involvement for under-represented groups. Enhances Blueprint UPLAN modeling input data by creating a discouragement layer for culturally sensitive areas. To streamline project delivery by creating an agreed upon protocol for monitoring, excavation and repatriation of artifacts found during construction. The protocol would be designed to avoid "late-hit" environmental challenges because a project failed to engage the appropriate Tribal entity early enough.

WORK ACTIVITIES:

027.1 Participate with Kern COG and the six other San Joaquin Valley Councils of Governments in the Environmental Justice Tribal Program

END PRODUCTS:

Greater collaboration and coordination of tribal involvement in the San Joaquin Valley Blue Print Process

COMPLETION DATE June 30, 2009

Blueprint UPLAN 'zones of discouragement' to prevent development in sensitive tribal areas

COMPLETION DATE June 30, 2009

Protocols for monitoring, excavation and repatriation of tribal artifacts found during construction

COMPLETION DATE June 30, 2009

RESOURCES BY FUNDING AGENCY:

	Staff	Consultant
StanCOG	<u>1,450</u>	<u>2,250</u>

3 Transportation

(323) SAN JOAQUIN EXPRESS TRANSIT STUDY

PURPOSE:

To participate in a study with other San Joaquin Valley Regional Transportation Planning Agencies in assessing current transit service and evaluate future need for transit services throughout the San Joaquin region.

WHY DO WE DO THIS?

The Merced County Association of Governments received a Partnership Planning grant to prepare a San Joaquin Valley Express Transit Study for \$200,000 of federal funds to be matched with \$50,000 of in-kind match shared among the eight valley regional transportation planning agencies. The study will examine current and future transit needs as they relate between to the various San Joaquin Valley regions. StanCOG's share of the in-kind match is \$6,730.

WORK ACTIVITIES:

323.1 Participate with the other seven San Joaquin Valley Councils of Governments in the development of a comprehensive interregional transit study.

END PRODUCTS:

Comprehensive interregional transit study.

COMPLETION DATE June 30, 2009

RESOURCES BY FUNDING AGENCY:

	Staff	Consultant
StanCOG	<u>6,730</u>	<u>0</u>

**STANISLAUS COUNCIL OF GOVERNMENTS
LINE ITEM BUDGET AMENDMENT #2
FY 2008/09**

SCHEDULE #1

Acct	Description	Current Budget FY 2008/09	Budget Amendment 2	Change	Notes	
50000	SALARIES AND BENEFITS	1,642,452	1,623,452	(19,000)	Salary savings from vacant positions	
60000/	SERVICES AND SUPPLIES					
70000	Administrative Services	8,740	16,740	8,000	Additional amount needed for Associate & Transit Planner advertisements	
	Communications	11,142	11,142	0		
	Conferences, Seminars & Travel	38,300	38,300	0		
	County Departmental Costs Allocated	14,005	14,005	0		
	Data Processing Services	26,040	26,040	0		
	Equipment Maintenance	1,000	1,000	0		
	Equipment Purchase	30,900	30,900	0		
	Equipment Rents and Leases	11,570	17,570	6,000		Anticipated increase for overage of color copier usage
	Insurance	20,000	20,000	0		
	Memberships	9,500	9,500	0		
	Office Expense	27,500	27,500	0		
	Postage/Mail Services	4,380	4,380	0		
	Printing	12,160	12,160	0		
	Publications/Legal Notices	9,550	9,550	0		
	Structures and Grounds - Maintenance	5,255	5,255	0		
	Structures and Grounds - Rents and Leases	89,200	89,200	0		
	Utilities	13,000	13,000	0		
	Interest on City of Modesto Loan	1,765	1,765	0		
	TOTAL SERVICES AND SUPPLIES	334,007	348,007	14,000		
81000	EQUIPMENT - FIXED ASSETS	0	0	0		
		25,000	25,000	0		
63280	CONTRACTS					
	Area wide Ridesharing Services	165,000	165,000	0		
	Blueprint Grant	115,276	115,276	0		
	Carl Anderson Air Quality Services - SIP Amend	6,329	6,329	0		
	Congestion Management Program Update	60,000	60,000	0		
	Disadvantaged Business Enterprise Consultant	2,500	2,500	0		
	Employee Classification Study	15,000	15,000	0		
	Financial Audit & related svcs.	30,500	30,500	0		
	Highway J59 Concept Study	6,000	6,000	0		
	Legal Counsel	50,500	50,500	0		
	Nonmotorized Master Plan	57,891	57,891	0		
	Office Space Reconfiguration	5,000	5,000	0		
	Plan Implementation Project Team	3,000	3,000	0		
	Route 132 West Project Study Report	1,500,000	1,500,000	0		
	Route 132 West Safety Billboard	6,000	6,000	0		
	Route 219 Project Management Consultant	105,748	105,748	0		
	Short-haul Intermodal Facilities Study	6,854	6,854	0		
	RTP Financial Plan Update	230,997	230,997	0		
	KernCOG	0	2,250	2,250	StanCOG participation for tribal consultant	
	Temporary Help	25,000	30,000	5,000	Request increase for temporary personnel due to staff vacancies	
	Temporary Help Interwest Consultant Services	60,000	60,000	0		
	Traffic Modeling Support	10,000	10,000	0		
	Valleywide Air Quality Coordinator	13,380	13,380	0		
	Valleywide Air Quality Coordinator Oversight	5,400	5,400	0		
	Local Air Quality Assistance	20,000	20,000	0		
	Valleywide Air Quality Policy Services	3,345	3,345	0		
	Valley-wide Coordinator	6,647	6,647	0		
	TOTAL CONTRACTS	2,510,367	2,517,617	7,250		
	OPERATING TRANSFER OUT - SR 132 Infill	84,380	84,380	0	Rebudget expense in FY 08-09. Not transferred in 07-08	
	ADJUSTMENT FOR FY 06-07 OVERHEAD RECAPTURE	(69,539)	(69,539)	0		
	BUDGET SUBTOTAL	4,526,667	4,528,917	2,250		
90000	CONTINGENCIES	18,535	18,535	0	\$31,465 used: \$5,000 office reconfig, \$4,000 security door, \$15,000 salary study, \$5,700 video conferencing system, Modesto interest \$1,765	
62400	EXIGENCIES	15,000	15,000	0		
	TOTAL BUDGET	4,560,202	4,562,452	2,250		

**STANISLAUS COUNCIL OF GOVERNMENTS
REVENUES FOR FY 2008/09
AMENDMENT #2**

Schedule #2

SOURCE	Revenue Budget Current FY 08/09	Revenue Budget Amendment #2 FY 08/09	Change
Federal – FHWA PL	913,283	913,283	0
Federal – FHWA PL carryover	179,410	169,494	(9,916)
Federal – FTA Section 5303	167,739	167,739	0
Federal – RSTP (federal project delivery)	60,000	60,000	0
Federal – RSTP carryover (Nonmotorized Plan)	51,250	51,250	0
Federal – CMAQ (ridesharing)	146,074	146,074	0
Federal – Congressional Grant - Route 132 Connectivity Study	0	0	0
Federal – Congressional Grant - Route 132 West Project Study	1,200,000	1,200,000	0
Total Federal	2,717,756	2,707,840	(9,916)
State – PPM	526,738	463,608	(63,130)
State – PPM Carryover	0	0	0
State – Blueprint Grant - MCAG	116,776	116,776	0
State – Blueprint Grant carryover - MCAG	91,094	124,978	33,884
Total State	734,608	705,362	(29,246)
Local – Abandoned Vehicle	4,890	4,890	0
Local – TDA Admin	89,558	89,558	0
Local – LTF Planning	450,000	450,000	0
Local – LTF Planning Reserve	84,380	84,380	0
Local – Interest	5,800	5,800	0
Local – Dues	20,000	20,000	0
Local – Non-StanCOG for Route 219 Project Mgmt Consultant	105,748	105,748	0
Local – Non-StanCOG for North County Corridor PDR	0	0	0
Local – Non-StanCOG LTF for Financial Plan for RTP	230,997	272,409	41,412
Local – Applied Reserves (contingencies/exigencies)	65,000	65,000	0
Local – Applied Reserves (Legislative Review)	34,865	34,865	0
Total Local	1,091,238	1,132,650	41,412
Subtotal - Current Year Revenue	4,543,602	4,545,852	2,250
Future recapture of unreimbursed overhead expenditures	0	0	0
Future recapture of unreimbursed capital expenditures	16,600	16,600	0
Subtotal - Non-Current Revenue	16,600	16,600	0
TOTAL REVENUES	4,560,202	4,562,452	2,250

**OWP TABLE A - FUNDING SOURCES
AMENDMENT # 2
FISCAL YEAR 2008/09**

WORK ELEMENT TOTAL	Federal					State			Local					
	FTA Sec 5303	FHWA PL	RSTP	CMAQ	DEMO	STIP	Blueprint MCAG	PPM	Abandoned Vehicle	LTF Admin	LTF Planning	Financial Plan	Other Local**	
012 Public Involvement														
a. Consultant	6,000	0	0	0	0	0	0	0	0	0	6,000	0	0	
b. Staff + misc. direct	219,852	30,000	164,457	0	0	0	0	0	0	0	25,195	0	200	
013 Abandoned Vehicle	4,890	0	0	0	0	0	0	0	4,890	0	0	0	0	
021 Overall Work Program	98,285	10,000	76,569	0	0	0	0	0	0	0	11,216	0	500	
022 Trans. Development Act														
a. Consultant	0	0	0	0	0	0	0	0	0	0	0	0	0	
b. Staff + misc. direct	90,058	0	0	0	0	0	0	0	0	89,558	0	0	500	
023 MPO Coordination														
a. Consultant	13,501	0	5,884	0	0	0	0	0	0	0	7,617	0	0	
b. Staff + misc. direct	114,341	271	93,614	0	0	0	0	0	0	0	12,308	0	8,150	
024 Regional Blueprint Grant														
a. Consultant	115,276	0	0	0	0	0	100,865	0	0	0	14,410	0	0	
b. Staff + misc. direct	182,002	0	0	0	0	0	140,888	0	0	0	41,114	0	0	
026 Nonmotorized Master Plan														
a. Consultant	57,891	0	0	51,250	0	0	0	0	0	0	6,641	0	0	
b. Staff + misc. direct	0	0	0	0	0	0	0	0	0	0	0	0	0	
027 Tribal Collaboration														
a. Consultant	2,250	0	0	0	0	0	0	0	0	0	2,250	0	0	
b. Staff + misc. direct	1,450	0	0	0	0	0	0	0	0	0	1,450	0	0	
111 Plan Ass/Service														
a. Consultant	10,000	8,853	0	0	0	0	0	0	0	0	1,147	0	0	
b. Staff + misc. direct	46,763	0	38,105	0	0	0	0	0	0	0	7,858	0	700	
113 Modeling & GIS Develop.														
a. Consultant	10,000	0	8,852	0	0	0	0	0	0	0	1,148	0	0	
b. Staff + misc. direct	101,319	9,000	78,927	0	0	0	0	0	0	0	11,392	0	2,000	
300 Regional Trans. Plan														
a. Consultant	0	0	0	0	0	0	0	0	0	0	0	0	0	
b. Staff + misc. direct	42,801	9,513	28,378	0	0	0	0	0	0	0	4,910	0	0	
301 RTP Implementation														
a. Consultant	3,000	0	2,655	0	0	0	0	0	0	0	345	0	0	
b. Staff + misc. direct	149,807	20,000	104,567	0	0	0	0	0	0	0	16,140	0	9,100	
304 Financial Plan for the RTP														
a. Consultant	230,997	0	0	0	0	0	0	0	0	0	0	230,997	0	
b. Staff + misc. direct	45,588	0	0	0	0	0	0	0	0	0	4,176	0	41,412	
307 Hwy J59 Concept Report	6,000	0	0	0	0	0	0	0	0	0	6,000	0	0	
321 Transit														
a. Consultant	10,000	8,853	0	0	0	0	0	0	0	0	1,147	0	0	
b. Staff + misc. direct	188,356	51,249	114,440	0	0	0	0	0	0	0	21,467	0	1,200	
322 TDM														
a. Consultant	165,000	0	0	146,074	0	0	0	0	0	0	18,926	0	0	
b. Staff + misc. direct	2,537	0	0	0	0	0	0	0	0	0	2,537	0	0	
323 SJV Express Transit Study	6,730	0	0	0	0	0	0	0	0	0	6,730	0	0	
330 Trans. Improv. Program														
a. Consultant	20,000	0	17,706	0	0	0	0	0	0	0	2,294	0	0	
b. Staff + misc. direct	220,217	10,000	184,515	0	0	0	0	0	0	0	25,202	0	500	
331 Local Proj. Delivery & Tracking														
a. Consultant	20,000	0	0	0	0	0	0	0	0	0	20,000	0	0	
b. Staff + misc. direct	100,176	0	0	60,000	0	0	0	18,618	0	0	20,558	0	1,000	
332 STIP Project Delivery														
a. Consultant	105,748	0	0	0	0	0	0	0	0	0	0	0	105,748	
b. Staff + misc. direct	70,137	0	0	0	0	0	0	69,137	0	0	0	0	1,000	
333 STIP Pilot Project (Rte 132 Infill)														
a. Consultant	0	0	0	0	0	0	0	0	0	0	0	0	0	
b. Staff + misc. direct	39,564	0	0	0	0	0	0	0	0	0	39,564	0	0	
334 STIP Project 132 West														
a. Consultant	1,500,000	0	0	0	1,200,000	0	0	300,000	0	0	0	0	0	
b. Staff + misc. direct	76,203	0	0	0	0	0	0	45,853	0	0	30,000	0	350	
335 STIP Nth Cnty Cor	79,105	0	0	0	0	0	0	30,000	0	0	48,755	0	350	
410 Air Quality Planning														
a. Consultant	48,454	0	42,896	0	0	0	0	0	0	0	5,558	0	0	
b. Staff + misc. direct	59,289	10,000	42,249	0	0	0	0	0	0	0	6,770	0	250	
411 Congestion Mgmt. Program														
a. Consultant	60,000	0	53,118	0	0	0	0	0	0	0	6,882	0	0	
b. Staff + misc. direct	29,192	0	25,844	0	0	0	0	0	0	0	3,348	0	0	
413 Rte 99 Image Enhancement Plan														
a. Consultant	0	0	0	0	0	0	0	0	0	0	0	0	0	
b. Staff + misc. direct	8,847	0	0	0	0	0	0	0	0	0	8,847	0	0	
TOTAL	4,361,606	167,739	1,082,777	111,250	146,074	1,200,000	0	241,754	463,608	4,890	89,558	450,000	272,409	131,548
Available - new		167,739	913,283	60,000	146,074	0	0	116,776	576,000	5,000	122,000	450,000	0	91,432
Available - carryover/reserve from previous years		0	169,494	51,250	0	1,200,000	0	124,978	0	0	0	0	272,409	42,748
Available - total		167,739	1,082,777	111,250	146,074	1,200,000	0	241,754	576,000	5,000	122,000	450,000	272,409	134,180
Balance		0	0	0	0	0	0	0	112,392	110	32,442	(0)	0	2,632

** This amount is contributed by the County and the City of Modesto for the SR 219 Consultant
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Public Hearings

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
Public Hearing

THROUGH: Vince Harris, Executive Director 

FROM: Lark Downs, Sr. Planner 

DATE: October 30, 2008

RE: Unmet Transit Needs – Initial Public Hearing

Recommendation

Hold a Public Hearing to receive comments on potential unmet transit needs.

Background

The Unmet Transit Needs (unmet needs) process is an annual requirement of the Transportation Development Act (TDA). The goal of the unmet needs process is to identify any unmet transit needs which may be present anywhere in the County and determine whether any are reasonable to meet. If any unmet needs are present and reasonable to meet, and if there are Local Transportation Funds (LTF, a portion of the funds provided through TDA) available to fund those unmet needs, they must be funded before the LTF is spent on local streets and roads.

Discussion

Staff is requesting that the Policy Board hold a Public Hearing at its November 12 meeting for the purpose of receiving potential unmet transit needs from the public for the 2009/10 fiscal year. A second Public Hearing is scheduled for the January 14, 2009 Policy Board Meeting, with Policy Board adoption at its February 11, 2009.

The primary intent for the remaining LTF is to fund needed transit. The unmet needs process is established to identify potential transit needs within the County

which, for whatever reason, are not being met by current public transit operators. Each proposal presented at the September Unmet Needs Public Hearing will be reviewed per the adopted definitions. Where a proposal satisfies the definition of an unmet transit need, it then must be analyzed in light of the "reasonable to meet" definition.

If a proposal is found to be both an unmet transit need and to be reasonable to meet, LTF must be budgeted to fund that service for the upcoming 2009-10 fiscal year.

Larkdowns@stancog.org




Oral Reports

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
DISCUSSION

FROM: Vince Harris, Executive Director 

DATE: November 5, 2008

SUBJECT: Review of Stanislaus County Measure S and Next Steps

Background

On November 4, 2008 California voters participated in a historic Presidential and General election. In Stanislaus County, the election concluded the many work activities that produced a County-wide, Consensus-based Transportation Financial Expenditure Plan, that was presented to the electorate as Measure S.

As a recap of the process, at the January 9, 2008 Policy Board meeting, staff was directed to proceed with the development of a framework for a 2008 Transportation Financial Expenditure Plan for Stanislaus County. This framework was developed with the assistance of StanCOG's Technical Advisory Committee; which is composed of the City Managers from each of the nine Cities and the County Chief Executive Officer. The framework was completed and approved by each of the nine City Councils and the County Board of Supervisors prior to the February 13, 2008 StanCOG Policy Board meeting. With this consensus, the Policy Board adopted the proposed framework at its February 13th meeting.

A Final Draft of the 2008 Financial Expenditure Plan was developed in conjunction with the Technical Advisory Committee; and approval of the document from all nine Cities and the County Board of Supervisors was obtained prior to the July 9th StanCOG Policy Board meeting. ESA Community Development was hired to prepare a Programmatic EIR (PEIR) for the document; and Martino Graphic Design was hired to create and conduct an Outreach Program to provide information to the public. The Policy Board certified the PEIR and adopted the 2008 Transportation Sales Tax Ordinance on July 9, 2008.

The Ordinance establishes the "Local Transportation Improvement Plan" and provides for the imposition of the one-half of one percent retail transactions and use tax by the Stanislaus County Transportation Authority for local transportation purposes for a period of 20 years. The first reading of the Ordinance occurred at the June 11, 2008 Policy Board meeting as required under Government Code Section 25131. All Policy Board approved revisions requested at the June 11th meeting were incorporated in the final version of Ordinance. Exhibit A of the Ordinance is the 2008 Transportation Financial Expenditure Plan which was presented to the electorate.

Discussion

On November 4, 2008 Stanislaus County voters were asked to consider an important local transportation funding measure. Measure S is a focused plan of transportation expenditures for the next 20 years in Stanislaus County. The Expenditure Plan components are summarized in the following table.

Expenditure Plan Summary

	<u>Revenue</u> %	<u>Approx. 2008 Dollars</u> (\$)
1. Local Traffic Improvement & Road Maintenance Program (formula based distribution to 9 Cities and County)	50%	\$350 million
2. Regional Capital Corridors (3) (will require local, state and federal funds match)	49%	\$343 million
3. Program Administration	1%	\$7 million
TOTAL	100%	\$700 million

Under existing state law, the proposed half cent sales tax measure required a 66 2/3% majority approval in order to pass. As of this writing, the Stanislaus County Registrar of Voters was still counting ballots, however, the unofficial results for Measure S were approximately 66% in favor and 34% opposed. If Measure S passes, Stanislaus County would become a part of a unique group of "Self Help" counties in the State of California that have chosen to tax ourselves to improve transportation infrastructure in our region.

Next Steps

There are a number of important next steps that need to be addressed if the transportation sales tax passes. Some of these items are administrative, and some are policy decisions that must be considered by the Authority Board.

Administrative Items

1. Board of Equilization Requirements
2. Establishment of Authority Board Committees
3. City Council, Board of Supervisors and Authority Board appointments to Citizen's Oversight Committee
4. Strategic Plan and Annual Report Concept
5. Fiscal and Performance Audits

Policy Considerations

1. Authority Board Approval of procedures to administer Sales Tax Programs:
 - a. Release protocol of "Local Traffic Improvement and Road Maintenance" funds to local jurisdictions
 - b. Reporting requirements of local jurisdictions
 - c. Delivery approach of Regional Capital Corridor Projects:
 - i. Funding Agreements with Project Sponsors/Joint Powers Authorities
 - ii. Reporting requirements of Project Sponsors/Joint Powers Authorities
2. Authority Board Approach to Professional Service Consultants:
 - a. Project Control Team
 - b. Financial Advisor Team
 - c. Auditors
 - d. Legal Counsel

Strategic Plan Discussion


If Measure S passes, the Transportation Authority will be required to prepare a Strategic Plan to implement the improvement programs. In general, the Strategic Plan will describe the timing and delivery


of projects taking into account project benefit, project readiness and availability of funding. Specific steps to preparing the Strategic Plan should include:

- Developing project descriptions, priorities and delivery schedules. This will consist of more fully developing the project descriptions identified in Measure S, developing project prioritization criteria to determine the order projects are funded, and meeting with local sponsors to review project scopes, construction cost estimates and delivery schedules. The goal is to deliver projects sooner, not later.
- Developing revenue forecasts and a financial model. Three principles typically guide this process. This includes a desire to: 1) use the sales tax proceeds to leverage the use of other local, state and federal funding sources; 2) support the timely and cost-effective delivery of projects so that local dollars be utilized efficiently and effectively; and 3) maximize the cost-effective use of sales tax dollars.
- Developing a set of strategic plan policies. This section of the plan should include policies that address: establishing cooperative agreements; implementing inflation adjustments and identifying the inflation index to be used. Also, verifying maintenance of effort requirements; if necessary, modifying project scopes and schedules; delaying or advancing projects; amending and/or updating the Strategic Plan. Following these tasks, the Strategic Plan should be produced for review and comment by the Authority Board. Adoption of the Strategic Plan will then guide implementation of the new sales tax expenditure programs.

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 

FROM: Carlos Yamzon, Senior Planner 

DATE: November 4, 2008

SUBJECT: State Route 132 West Expressway Project

Recommendation

By **MOTION**, recommend the Policy Board, by **RESOLUTION**, formally designate StanCOG as the Lead Agency for the State Route (SR) 132 West Expressway Project, acting as Sponsor and Implementation Agency for the Project Study Report (PSR) and / or Project Approval and Environmental Document (PA&ED) Phase, and;

Direct the Executive Director to release a Request For Proposal (RFP), interview, select, and negotiate a consultant contract for the Project Study Report (PSR) and/or the Project Approval and Environmental Document (PA&ED)Phase for the SR 132 West Expressway Project.

Background

As directed by the StanCOG Policy Board at the May 14th, 2008 meeting (attached Staff Report):

- This Resolution will serve in place of a Concurrence Letter normally required by Caltrans for a California Transportation Commission (CTC) Agenda Item, noticing the change in Lead Agency Status from Caltrans to StanCOG, currently scheduled for the December 2008 and January 2009 CTC meetings.
- Staff is scheduled to release a Request For Proposal (RFP) for the State Route (SR) 132 West Expressway Project, scheduled for November 5th, 2008, and this Motion.

Discussion

This proposed project will construct a four (4) lane expressway in combination with a four (4) to six (6) lane arterial street to reroute SR 132 away from downtown extending east/west, south of Kansas Avenue, from SR-99 to approximately Dakota Avenue to the east. This is the Caltrans SR 132 West Expressway Project. This will be the first of several phases of a project that will eventually construct a new SR 132/SR-99 interchange, one way couplets on 5th and 6th Streets, and a new interchange in the approximate vicinity of the Tuolumne Blvd. interchange. This eastern connection with SR 99 will be complemented by a series of local street network improvements connecting to the extension of SR 132 / D Street and Yosemite Blvd.

To supplement available Regional Improvement Program (RIP) funding, the availability of \$14.4 million of federal earmark funding from Congressman Dennis Cardoza is the catalyst that allows StanCOG to sustain a continued level of progressive, project development activities on the SR 132 Project. There is currently an estimated \$11.39 million of Traffic Congestion Relief Program (TCRP) that is available for Plans, Specifications, and Estimate (PS&E), Right-of-Way, and Construction Phases of the Project. At the last determination of previous expenses, \$608,000 was expended in the Project Approval and Environmental Document (PA&ED) Phase of the project before work was halted to address issues documented in the SR 132 East / West Feasibility Study. This Project is also a major component of the SR 132 Regional Capital Corridor Project in the current 2008 Measure S Program with potential funding allocation if passed by the voter on November 4th, 2008.

All previous studies for the project, performed by Caltrans, are at least four years old and new studies will need to be conducted for the all functional areas of the environmental process, with the exception of hazardous waste studies which may be potentially carried forward without major revisions. Therefore it has been determine that the RFP will be for work to update the Environmental Document for the SR 132 Project.

As previously reported, StanCOG already has an established stakeholder oversight committee in the form of the 132 Project Implementation Plan (PIP) Team, which it will maintain through the subsequent project development phases. The process of consensus building which was an important part of the success of the SR-132 Feasibility Study will continue in the oversight process for the continued phases of project development.

Lastly, the scheduled release date after November 5th, 2008 for this RFP is also due to the inclusion of the SR 132 Corridor in the Measure S Program, which may determine a change in the funding and scope of the SR 132 West Expressway Project.

Committee Action


The Citizens Advisory Committee and the Technical Advisory Committee unanimously recommended that the Policy Board, By Resolution, formally designate StanCOG as the Lead Agency for the State Route (SR) 132 West Expressway Project, acting as Sponsor and Implementation Agency for the Project Study Report (PSR) and / or Project Approval and Environmental Document (PA&ED) Phase, and. direct the Executive Director to release a Request For Proposal (RFP), interview, select, and negotiate a consultant contract for the Project Study Report (PSR) and/or the Project Approval and Environmental Document (PA&ED)Phase for the SR 132 West Expressway Project.


Attachment; May 6, 2008 Policy Board Staff Report

cyamzon@stancog.org

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 

FROM: Carlos Yamzon, Senior Planner 

DATE: November 4, 2008

SUBJECT: Approval of Caltrans/StanCOG State Route 132 West Expressway
Cooperative Agreement 10-331

Recommendation

By **MOTION**, recommend the Policy Board, by **RESOLUTION**, authorize the Executive Director, to execute the Cooperative Agreement with Caltrans for the State Route (SR) 132 West Expressway Project for the purpose of Caltrans providing Independent Quality Assurance (IQA) services at no charge to StanCOG.

Background

In order to for Caltrans to provide oversight services on the SR 132 Project, it is necessary that StanCOG enter into a Cooperative Agreement with Caltrans. StanCOG is the lead agency on this project.

Discussion

StanCOG and Caltrans have developed a Cooperative Agreement delineating the responsibilities of each organization as it pertains to the SR 132 Project. This document is required in order for Caltrans to provide oversight services, noted as Independent Quality Assurance (IQA) on the SR 132 West Expressway Project. Attorneys for StanCOG and Caltrans are reviewing and continue to discuss and modify the document to meet each agency's requirements in order to be in agreement with the content. A copy of the Draft Cooperative Agreement was included in the agendas for the advisory committees and is attached to this staff report for reference. It is anticipated that a finalized document will be available for the November 12, 2008 Policy Board meeting.

Committee Action

The Citizens Advisory Committee and the Technical Advisory Committee, by **MOTION**, recommend the Policy Board, by **RESOLUTION**, authorize the Executive Director, to execute the Cooperative Agreement with Caltrans for the State Route (SR) 132 West Expressway Project for the purpose of Caltrans providing Independent Quality Assurance (IQA) services at no charge to StanCOG.

Attachment: StanCOG/Caltrans State Route 132 Cooperative Agreement 10-331

cyamzon@stancog.org

COOPERATIVE AGREEMENT

This agreement, effective on _____, is between the State of California, acting through its Department of Transportation, referred to as CALTRANS, and:

Stanislaus Council of Governments, referred to as STANCOG.

RECITALS

1. CALTRANS and STANCOG, collectively referred to as PARTNERS, are authorized to enter into a cooperative agreement for improvements within the SHS right of way per Streets and Highways Code sections 114 and/or 130.
2. WORK completed under this agreement contributes toward construction of a four lane expressway on new alignment, including a soundwall, in and near the City of Modesto, in Stanislaus County, referred to as PROJECT.
3. PARTNERS will cooperate to complete PA&ED phase of PROJECT.
4. There are no prior PROJECT-related cooperative agreements.
5. No PROJECT deliverables have been completed prior to this agreement.
6. The estimated date for COMPLETION OF WORK is December 15, 2015.
7. PARTNERS now define in this agreement the terms and conditions under which they will accomplish WORK.

DEFINITIONS

CALTRANS STANDARDS – CALTRANS policies and procedures, including, but not limited to, the guidance provided in the *Guide to Project Delivery Workplan Standards* (previously known as WBS Guide) available at <http://dot.ca.gov>.

CEQA – The California Environmental Quality Act (California Public Resources Code, sections 21000 et seq.) that requires State and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those significant impacts, if feasible.

COMPLETION OF WORK – All PARTNERS have met all scope, cost, and schedule commitments included in this agreement and have signed a COOPERATIVE AGREEMENT CLOSURE STATEMENT.

COOPERATIVE AGREEMENT CLOSURE STATEMENT – A document signed by PARTNERS that verifies the completion of all scope, cost, and schedule commitments included in this agreement.

FHWA – Federal Highway Administration.

FHWA STANDARDS – FHWA regulations, policies and procedures, including, but not limited to, the guidance provided at <http://www.fhwa.dot.gov/programs.html>.

FUNDING PARTNER – A partner who commits a defined dollar amount to WORK.

FUNDING SUMMARY - The table in which PARTNERS designate funding sources, types of funds, and the project components in which the funds are to be spent. Funds listed on the FUNDING SUMMARY are “not-to-exceed” amounts for each FUNDING PARTNER.

HM-1 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law whether it is disturbed by PROJECT or not.

HM-2 – Hazardous material (including, but not limited to, hazardous waste) that may require removal and disposal pursuant to federal or state law only if disturbed by PROJECT.

HM MANAGEMENT ACTIVITIES – Management activities related to either HM-1 or HM-2 including, without limitation, any necessary manifest requirements and disposal facility designations.

IMPLEMENTING AGENCY – The partner responsible for managing the scope, cost, and schedule of a project component to ensure the completion of that component.

IQA – Independent Quality Assurance – Ensuring that IMPLEMENTING AGENCY’S quality assurance activities result in WORK being developed in accordance with the applicable standards and within an established Quality Management Plan. IQA does not include any work

necessary to actually develop or deliver WORK or any validation by verifying or rechecking work performed by another partner.

NEPA – The National Environmental Policy Act of 1969 that establishes a national policy for the environment and a process to disclose the adverse impacts of projects with a federal nexus.

PA&ED (Project Approval and Environmental Document) – The project component that includes the activities required to deliver the project approval and environmental documentation for PROJECT.

PARTNERS – The term that collectively references all of the signatory agencies to this agreement. This term only describes the relationship between these agencies to work together to achieve a mutually beneficial goal. It is not used in the traditional legal sense in which one partner's individual actions legally bind the other partners.

PROJECT MANAGEMENT PLAN – A group of documents used to guide a project's execution and control throughout the project's lifecycle.

SAFETEA-LU – The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, signed into federal law on August 10, 2005.

SCOPE SUMMARY – The table in which PARTNERS designate their commitment to specific scope activities within each project component as outlined by the *Guide to Project Delivery Workplan Standards* (previously known as WBS Guide) available at <http://dot.ca.gov>.

SHS – State Highway System.

SPONSOR(S) – The partner that accepts the obligation to secure financial resources to fully fund WORK. This includes any additional funds beyond those committed in this agreement necessary to complete the full scope of WORK defined in this agreement or settle claims.

WORK – All scope and cost commitments included in this agreement.

RESPONSIBILITIES

8. STANCOG is SPONSOR for all WORK.
9. STANCOG is the only FUNDING PARTNER for this agreement. STANCOG's funding commitment is defined in the FUNDING SUMMARY.
10. STANCOG is IMPLEMENTING AGENCY for PA&ED.

SCOPE

Scope: General

11. All WORK will be performed in accordance with federal and California laws, regulations, and standards.

All WORK will be performed in accordance with FHWA STANDARDS and CALTRANS STANDARDS.
12. IMPLEMENTING AGENCY for a project component will provide a Quality Management Plan for that component as part of the PROJECT MANAGEMENT PLAN.
13. CALTRANS will provide IQA for the portions of WORK within existing and proposed SHS right of way. CALTRANS retains the right to reject noncompliant WORK, protect public safety, preserve property rights, and ensure that all WORK is in the best interest of the SHS.
14. STANCOG may provide IQA for the portions of WORK outside existing and proposed SHS right of way.
15. PARTNERS may, at their own expense, have a representative observe any scope, cost, or schedule commitments performed by another partner. Observation does not constitute authority over those commitments.
16. Each partner will ensure that all of their personnel participating in WORK are appropriately qualified to perform the tasks assigned to them.
17. PARTNERS will invite each other to participate in the selection and retention of any consultants who participate in WORK.
18. PARTNERS will conform to sections 1720 – 1815 of the California Labor Code and all applicable regulations and coverage determinations issued by the Director of Industrial Relations if PROJECT work is done under contract (not completed by a partner's own

employees) and is governed by the Labor Code's definition of a "public work" (section 1720(a)(1)).

PARTNERS will include wage requirements in all contracts for "public work" and will require their contractors and consultants to include prevailing wage requirements in all agreement-funded subcontracts for "public work".

19. IMPLEMENTING AGENCY for each project component included in this agreement will be available to help resolve WORK-related problems generated by that component for the entire duration of PROJECT.
20. CALTRANS will issue, upon proper application, at no cost, the encroachment permits required for WORK within SHS right of way.

Contractors and/or agents, and utility owners will not perform WORK without an encroachment permit issued in their name.

21. If unanticipated cultural, archaeological, paleontological, or other protected resources are discovered during WORK, all work in that area will stop until a qualified professional can evaluate the nature and significance of the discovery and a plan is approved for its removal or protection.
22. All administrative draft and administrative final reports, studies, materials, and documentation relied upon, produced, created, or utilized for PROJECT will be held in confidence pursuant to Government Code section 6254.5(e).

PARTNERS will not distribute, release, or share said documents with anyone other than employees, agents, and consultants who require access to complete WORK without the written consent of the partner authorized to release them, unless required or authorized to do so by law.

23. If any partner receives a public records request, pertaining to WORK under this agreement, that partner will notify PARTNERS within five (5) working days of receipt and make PARTNERS aware of any transferred public documents.
24. If HM-1 or HM-2 is found during WORK, IMPLEMENTING AGENCY for the project component during which it is found will immediately notify PARTNERS.
25. CALTRANS, independent of PROJECT, is responsible for any HM-1 found within existing SHS right of way. CALTRANS will undertake HM-1 MANAGEMENT ACTIVITIES with minimum impact to PROJECT schedule.
26. If HM-1 is found outside existing SHS right of way, responsibility for such HM-1 rests with the owner(s) of the parcel(s) on which the HM-1 is found. STANCOG, in concert with the local agency having land use jurisdiction over the parcel(s), will ensure that HM-

1 MANAGEMENT ACTIVITIES are undertaken with minimum impact to PROJECT schedule.

27. If HM-2 is found within PROJECT limits, the public agency responsible for the advertisement, award, and administration (AAA) of the PROJECT construction contract will be responsible for managing HM-2 MANAGEMENT ACTIVITIES.
28. CALTRANS' acquisition or acceptance of title to any property on which any HM-1 or HM-2 is found will proceed in accordance with CALTRANS' policy on such acquisition.
29. PARTNERS will comply with all of the commitments and conditions set forth in the environmental permits, approvals, and agreements as those commitments and conditions apply to each partner's responsibilities in this agreement.
30. IMPLEMENTING AGENCY for each project component will furnish PARTNERS with written monthly progress reports during the implementation of WORK in that component.
31. Upon COMPLETION OF WORK, ownership and title to all materials and equipment constructed or installed as part of WORK within SHS right of way become the property of CALTRANS.
32. IMPLEMENTING AGENCY for a project component may accept, reject, compromise, settle, or litigate claims of any non-agreement parties hired to do WORK in that component.
33. PARTNERS will confer on any claim that may affect WORK or PARTNERS' liability or responsibility under this agreement in order to retain resolution possibilities for potential future claims. No partner shall prejudice the rights of another partner until after PARTNERS confer on claim.
34. PARTNERS will maintain and make available to each other all WORK-related documents, including financial data, during the term of this agreement and retain those records for four (4) years from the date of termination or COMPLETION OF WORK, or three (3) years after the final federal voucher, whichever is later.
35. PARTNERS have the right to audit each other in accordance with generally accepted governmental audit standards.

CALTRANS, the State auditor, FHWA, and STANCOG will have access to all WORK-related records of each partner for audit, examination, excerpt, or transaction.

The examination of any records will take place in the offices and locations where said records are generated and/or stored and will be accomplished during reasonable hours of operation.

The audited partner will review the preliminary audit, findings, and recommendations, and provide written comments within 60 calendar days of receipt.

Any audit dispute not resolved by PARTNERS is subject to dispute resolution. Any costs arising out of the dispute resolution process will be paid within 30 calendar days of the final audit or dispute resolution findings.

36. PARTNERS consent to service of process by mailing copies by registered or certified mail, postage prepaid. Such service becomes effective 30 calendar days after mailing. However, nothing in this agreement affects PARTNERS' rights to serve process in any other matter permitted by law.
37. PARTNERS will not incur costs beyond the funding commitments in this agreement. If IMPLEMENTING AGENCY anticipates that funding for WORK will be insufficient to complete WORK, SPONSOR(S) will seek out additional funds and PARTNERS will amend this agreement.
38. If WORK stops for any reason, IMPLEMENTING AGENCY will place all facilities impacted by WORK in a safe and operable condition acceptable to CALTRANS.
39. If WORK stops for any reason, PARTNERS are still obligated to implement all applicable commitments and conditions included in the PROJECT environmental documentation, permits, agreements, or approvals that are in effect at the time that WORK stops, as they apply to each partner's responsibilities in this agreement, in order to keep PROJECT in environmental compliance until WORK resumes.
40. Each partner accepts responsibility to complete the activities that they selected on the SCOPE SUMMARY. Activities marked with "N/A" on the SCOPE SUMMARY are not included in the scope of this agreement.

Scope: Project Approval and Environmental Document (PA&ED)

41. CALTRANS is the CEQA lead agency. CALTRANS will determine the type of environmental documentation required and will cause that documentation to be prepared.
42. All partners involved in the preparation of CEQA environmental documentation will follow the CALTRANS STANDARDS that apply to the CEQA process including, but not limited to, the guidance provided in the Standard Environmental Reference available at www.dot.ca.gov/ser.
43. Pursuant to SAFETEA-LU Section 6004 and/or 6005, CALTRANS is the NEPA lead agency for PROJECT and will assume responsibility for NEPA compliance and will prepare any needed NEPA environmental documentation or will cause that documentation to be prepared.