

Tulare County Association of Governments	Date: <b>Monday, April 20, 2020</b> Time: <b>1:00 p.m.</b> Place: Tulare County Board of Supervisors 2800 W. Burrel Avenue Visalia, CA 93291
Technical Advisory Committee	Date: <b>Thursday, April 16, 2020</b> Time: <b>1:30 PM</b> Place: Tulare County Association of Governments 210 N. Church Street, Suite B (Sequoia Conference Room) Visalia, CA 93291

NOTE: This meeting will allow Board Members and the public to participate in the meeting via Teleconference, pursuant to the Governor's Executive Order N-25-20 (March 12, 2020), available at <https://www.gov.ca.gov/wp-content/uploads/2020/03/3.12.20-EO-N-25-20-COVID-19.pdf>

The call-in number for this meeting is: 877-858-5743 | Passcode: 609873

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, including auxiliary aids, translation requests, or other accommodations, or to be able to access this agenda and documents in the agenda packet, please contact the TCAG office at 559-623-0450 at least 3 days prior to the meeting.

Any staff reports and supporting materials provided to the board after the distribution of the agenda packet are available for public inspection at the TCAG office.

## I. CALL TO ORDER & WELCOME

## II. PLEDGE OF ALLEGIANCE

## III. PUBLIC COMMENTS

### NOTICE TO THE PUBLIC PUBLIC COMMENT PERIOD

At this time, members of the public may comment on any item of interest to the public and within the subject matter jurisdiction of TCAG but not appearing on this agenda. Under state law, matters presented under this item cannot be discussed or acted upon by the Board at this time. For items appearing on the agenda, the public is invited to make comments at the time the item comes up for Board consideration. Any person addressing the Board will be limited to a maximum of three (3) minutes so that all interested parties have an opportunity to speak with a total of fifteen (15) minutes allotted for the Public Comment Period. Speakers are requested to state their name(s) and address(es) for the record.

### ***Convene as the Transportation Policy Advisory Committee***

***All items on the Consent Agenda are considered to be routine and non-controversial by TCAG staff and will be approved by one motion if no member of the Committee or public wishes to comment or ask questions. Items pulled from the Calendar will be considered separately.***

## IV. TRANSPORTATION CONSENT CALENDAR –ACTION AND INFORMATION ITEMS

### **Request Approval of the Transportation Consent Calendar Action Items IV-A through IV-D.**

- A. Action: Adoption of Resolution: Approve Transportation Development Act (TDA) Claims for the County of Tulare and City of Lindsay Fiscal Year 2019/20 **(Pages 01-06)**

- B. Action: Highway Infrastructure Program Funding Allocation to the State Route 190 and Westwood Roundabout and Operational Improvements Project (Pages 07-10)
- C. Action: Adoption of Resolution : Authorize Regional Surface Transportation Program (RSTP) State Exchange Authorization for Fiscal Year 2019/2020 (Pages 11-14)
- D. Action: Adoption of Resolution : Authorize Regional Surface Transportation Program (RSTP) State Exchange and Federal programming Distribution for Fiscal Year 2019/2020 (Pages 15-20)
- E. Information: Implementation Status of Federally Funded Projects (Pages 21-22)
- F. Information: Senate Bill 1 (SB 1) Competitive Programs Update (Pages 23-24)

## **V. TRANSPORTATION ACTION/DISCUSSION ITEMS**

- A. Action: Adoption of Resolution: Authorize Reduced Price T-Pass Sales for Affordable Housing and Sustainable Communities (AHSC) Sequoia Commons Project for Three Years (Pages 25-26)
- B. Information: Status of State Transportation Improvement Program (STIP) Allocations And California Transportation Commission (CTC) Update (Pages 27-28)
- C. Information: Coronavirus Aid, Relief, and Economic Security (CARES) Act Transit Funding (Pages 29-30)
- D. Information: Update on Timing and Funding Implications of the Federal Safer Affordable Fuel-Efficient (SAFE) Vehicles Regulation (Pages 31-34)
- E. Information: Caltrans Monthly Report (No Page)

*Adjourn as the Transportation Policy Advisory Committee and Convene as the Tulare County Association of Governments*

## **VI. REQUEST TO REAFFIRM ALL ACTIONS TAKEN WHILE SITTING AS THE TRANSPORTATION POLICY ADVISORY COMMITTEE**

All items on the Consent Agenda are considered to be routine and non-controversial by TCAG staff and will be approved by one motion if no member of the TCAG Board or public wishes to comment or ask questions. Items pulled from the Calendar will be considered separately. The TCAG/Transportation Authority Board may provide guidance and/or direction to staff on any item listed as information.

## **VII. ASSOCIATION CONSENT CALENDAR –ACTION AND INFORMATION ITEMS**

**Request Approval of the Association Consent Calendar Action Items VII-A through VII-D.**

- A. Action: Minutes of March 24, 2020 TCAG Board Meeting (Pages 35-38)
- B. Action: Minutes of March 20, 2020 Technical Advisory Committee Meeting (Pages 39-42)
- C. Action: Adoption of Resolution: Approval of Amendment No. 8 to the 2019/2020 Overall Work Plan (OWP) (Pages 43-50)

## **VIII. ASSOCIATION ACTION/DISCUSSION ITEMS**

- A. Information: Legislative Update (Pages 51-52)
- B. Presentation: Report from Congressman Nunes' Office (No Page)
- C. Presentation: Report from Assemblyman Mathis' Office (No Page)
- D. Presentation: Report from Senator Hurtado's Office (No Page)
- E. Presentation: Microtransit Service in City of Porterville (No Page)
- F. Action: Approve Document Establishing Regional Transit Agency for Circulation to TCAG Member Agencies (Pages 53-74)
- G. Information: Notification of Election of TCAG Chair, Vice Chair and Committee Representatives (Pages 75-82)

- H. Information: Draft Overall Work Plan (OWP) for Fiscal Year 2020/2021 (Pages 83-88)  
I. Information: Member Agency Transportation Development Act (TDA) Audit Year Ending June 30, 2019 (Pages 89-90)  
J. Information: Update on 2020 Census Complete Count Outreach (Pages 91-96)

***Adjourn as the Tulare County Association of Governments and Convene as the Abandoned Vehicle Abatement Authority***

**IX. ABANDONED VEHICLE ABATEMENT AUTHORITY – ACTION/DISCUSSION ITEMS**

- A. Information: Abandoned Vehicle Abatement (AVA) Fiscal Year 2019/20 Second Quarter Report (Pages 97-98)

***Adjourn as the Abandoned Vehicle Abatement Authority and Convene as the Tulare County Association of Governments***

**X. CORRESPONDENCE**

- A. None

**XI. OTHER BUSINESS**

- A. Information: Items from Staff:  
1. TCAG Director's Report  
2. Other Items  
B. Information: Items from Board Members  
1. Tulare County Water Commission Update  
2. San Joaquin Valley Policy Council Update  
3. San Joaquin Joint Powers Authority (SJJPA) - Amtrak Update  
4. San Joaquin Valley Housing Task Force Update  
5. TCAG Transit Report  
6. Other Items  
C. Request from Board Members for Future Agenda Items

**XII. ADJOURN**

The next scheduled Tulare County Association of Governments (TCAG) meeting will be held on **Monday, May 18, 2020 at 1:00 p.m.** at the **Tulare County Board of Supervisors, 2800 W. Burrell Avenue, Visalia, CA 93291**. The Technical Advisory Committee will meet on **Thursday, May 14, 2020 at 1:30 p.m.** at the **Tulare County Association of Governments (TCAG), 210 N. Church Street, Suite B, Sequoia Conference Room, Visalia, CA 93291**.

TULARE COUNTY ASSOCIATION OF GOVERNMENTS  
REGIONAL TRANSPORTATION PLANNING AGENCY  
METROPOLITAN PLANNING ORGANIZATION

<b>BOARD OF GOVERNORS</b>	<b>AGENCY</b>	<b>ALTERNATE</b>
Kuyler Crocker - Chair	Tulare County-District 1	Paula Clark
Pete Vander Poel	Tulare County-District 2	William Cushing
Amy Shuklian	Tulare County-District 3	Bill Whitlatch
Eddie Valero	Tulare County-District 4	Derek Williams
Dennis Townsend	Tulare County-District 5	Terren Brown
Maribel Reynosa	City of Dinuba	Linda Launer
Frankie Alves	City of Exeter	Dave Hails
Paul Boyer	City of Farmersville	Ruben Macareno
Pamela Kimball	City of Lindsay	Brian Watson
Martha A. Flores	City of Porterville	Milt Stowe
Terry Sayre	City of Tulare	Carlton Jones
Bob Link – Vice-Chair	City of Visalia	Phil Cox
Rudy Mendoza	City of Woodlake	Frances Ortiz
Greg Gomez	Public Transit Provider*	Virginia Gurrola
Tyrone Holscher	Member-at-Large*	Shea Gowin
Walter Stammer, Jr.	Member-at-Large*	Pamela K. Whitmire
Wanda Ishida	Member-at-Large*	Marlene Sario
Nabeelah Abi-Rached	Caltrans*	Laura Gordon

\* Caltrans serves as an ex-officio member of the TCAG Policy Advisory Committee. At-large TCAG members and the Public Transit Provider representative are not members of the Tulare County Transportation Authority or Abandoned Vehicle Abatement Authority.

**TCAG STAFF**

Ted Smalley, Executive Director  
 Ben Kimball, Deputy Executive Director  
 Ben Giuliani, Executive Officer- LAFCO  
 Leslie Davis, Finance Director  
 Elizabeth Forte, Principal Regional Planner  
 Roberto Brady, Principal Regional Planner  
 Mark Hays, Senior Regional Planner  
 Derek Winning, Senior Regional Planner  
 Gabriel Gutierrez, Senior Regional Planner  
 Kasia Poleszczuk, Associate Regional Planner  
 Steven Ingoldsby, Associate Regional Planner  
 Giancarlo Bruno, Regional Planner  
 Gail Miller, Associate Regional Planner-EH  
 Barbara Pilegard, Associate Regional Planner-EH  
 Maria Garza, Associate Regional Planner-EH  
 Michele Boling, Accountant III  
 Brideget Moore, Staff Services Analyst III  
 Amie Kane, Administrative Clerk II  
 Servando Quintanilla, Administrative Clerk  
 Olivia Forte, Intern Apprentice-EH

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# Tulare County Association of Governments

## AGENDA ITEM IV-A

April 20, 2020

Prepared by Elizabeth Forte, TCAG Staff

### SUBJECT:

**Action:** Adoption of Resolution: Approve Transportation Development Act (TDA) Claims for the County of Tulare and City of Lindsay for Fiscal Year 2019/20

### BACKGROUND:

The Transportation Development Act (TDA) was passed in 1971 and provides transit funding for local agencies from two sources. The Local Transportation Fund (LTF) is derived through a ¼ cent of general sales tax collected statewide. The State Transit Assistance (STA) Fund is derived from a statewide sales tax on gasoline and diesel fuels, and augmented by funds received via SB 1. Tulare County Association of Governments (TCAG) approves the apportionments, accounting for transfer agreements between agencies, for transit services for each fiscal year. TCAG reviews the claims and instructs the County Auditor on the payment of funds to each respective agency. Many requirements exist for approving claims, including items such as budget information and farebox recovery ratios, to vehicle safety inspection reports and compliance with fiscal and performance audits.

It should be noted that STA funds are allocated annually by the State Controller, and LTF funds are a result of sales tax revenues; the available amount of TDA funding available for 2019/20 is an estimate. Claim amounts in excess of actual receipts will not be paid out; conversely, excess revenues can be claimed via a claim amendment or in the following fiscal year.

### DISCUSSION:

The claims information for the County of Tulare is listed below:

#### **County of Tulare**

##### **State of Good Repair (SGR)**

Amount Claimed: \$263,192.68

##### **Local Transportation Fund (LTF)**

Planning Contributions: \$261,222.41

Coordination & Implementation: \$51,378.29

Transit: \$6,408,612.00

Streets and Roads: \$1,083,170.26

The County of Tulare has a farebox recovery requirement of 12%. The County achieved 15.54% in farebox recovery per the TDA, using fare revenue and advertising revenue.

The claims information for the city of Lindsay is listed below:

#### **City of Lindsay**

##### **Local Transportation Fund (LTF)**

Planning Contributions:	\$24,107.95
Coordination & Implementation:	\$4,741.65
Streets and Roads:	\$508,720.99

**RECOMMENDATION:**

Approve the claims for the County of Tulare and city of Lindsay as presented.

**FISCAL IMPACT:**

Failure to approve the claims will have a negative impact on a local agencies' ability to provide transit services as well as on TCAG's operating budget.

**ATTACHMENTS:**

1. Resolution Approval of 2019/2020 Transportation Development Act (TDA) Claims for the County of Tulare
2. Resolution Approval of 2019/2020 Transportation Development Act (TDA) Claims for the City of Lindsay

BEFORE THE  
TULARE COUNTY ASSOCIATION OF GOVERNMENTS  
COUNTY OF TULARE, STATE OF CALIFORNIA

In the matter of:

APPROVAL OF 2019/20 TRANSPORTATION )	
DEVELOPMENT ACT (TDA) CLAIMS FOR )	Resolution No.
THE COUNTY OF TULARE )	

WHEREAS, the State of California, through legislative action, has established the Transportation Development Act as enacted and amended by statute which authorized the creation of a State Transit Assistance Fund and Local Transportation Fund in each Regional Transportation Planning Agency (RTPA); and

WHEREAS, such RTPAs are authorized to approve disbursement of State Transit Assistance Funds and Local Transportation Funds under this Act; and

WHEREAS, the Tulare County Association of Governments (TCAG) has been duly authorized as the RTPA for Tulare County; and

WHEREAS, TCAG has adopted rules and regulations for administration of its duties under the Transportation Development Act; and

WHEREAS, the County of Tulare has submitted claims for the following:

- a) Local Transportation Fund Planning Contributions: \$261,222.41
- b) Local Transportation Fund Coordination & Implementation: \$51,378.29
- c) Local Transportation Fund Transit: \$6,408,612.00
- d) Local Transportation Fund Streets and Roads: \$1,083,170.26
- e) State of Good Repair: \$263,192.68

WHEREAS, the County of Tulare met their required farebox ratio; and

WHEREAS, claim amounts submitted do not exceed the estimated allocation amounts for 2019/20; and

WHEREAS, the proposed expenditures are in conformity with the 2018 Regional Transportation Plan and incorporated Sustainable Communities Strategy; and

WHEREAS, comments were solicited and two public hearings held by the Tulare County Association of Governments to receive Unmet Transit Needs requests; and

WHEREAS, the County of Tulare had no Unmet Transit Needs Reasonable to Meet; and

WHEREAS, TCAG staff has reviewed all claims and found them to be in order and compliant with the Transportation Development Act.

NOW, THEREFORE, BE IT RESOLVED that the Transportation Development Act (TDA) claims of the County of Tulare in the amounts specified above are approved and funds shall be allocated as received.

The foregoing Resolution was adopted upon motion of Member , seconded by Member , at a regular meeting held on the 20th day of April, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY ASSOCIATION OF GOVERNMENTS

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Kuyler Crocker  
Chair, TCAG

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Ted Smalley  
Executive Director, TCAG



BEFORE THE  
TULARE COUNTY ASSOCIATION OF GOVERNMENTS  
COUNTY OF TULARE, STATE OF CALIFORNIA

In the matter of:

APPROVAL OF 2019/20 TRANSPORTATION )	
DEVELOPMENT ACT (TDA) CLAIMS FOR )	Resolution No.
THE CITY OF LINDSAY )	

WHEREAS, the State of California, through legislative action, has established the Transportation Development Act as enacted and amended by statute which authorized the creation of a State Transit Assistance Fund and Local Transportation Fund in each Regional Transportation Planning Agency (RTPA); and

WHEREAS, such RTPAs are authorized to approve disbursement of State Transit Assistance Funds and Local Transportation Funds under this Act; and

WHEREAS, the Tulare County Association of Governments (TCAG) has been duly authorized as the RTPA for Tulare County; and

WHEREAS, TCAG has adopted rules and regulations for administration of its duties under the Transportation Development Act; and

WHEREAS, the city of Lindsay has submitted claims for the following:

- a) Local Transportation Fund Planning Contributions: \$24,107.95
- b) Local Transportation Fund Coordination & Implementation: \$4,741.65
- c) Local Transportation Fund Streets and Roads: \$508,720.99

WHEREAS, claim amounts submitted do not exceed the estimated allocation amounts for 2019/20; and

WHEREAS, the proposed expenditures are in conformity with the 2018 Regional Transportation Plan and incorporated Sustainable Communities Strategy; and

WHEREAS, comments were solicited and two public hearings held by the Tulare County Association of Governments to receive Unmet Transit Needs requests; and

WHEREAS, the city of Lindsay had no Unmet Transit Needs Reasonable to Meet; and

WHEREAS, TCAG staff has reviewed all claims and found them to be in order and compliant with the Transportation Development Act.

NOW, THEREFORE, BE IT RESOLVED that the Transportation Development Act (TDA) claims of the city of Lindsay in the amounts specified above are approved and funds shall be allocated as received.

The foregoing Resolution was adopted upon motion of Member , seconded by Member , at a regular meeting held on the 20th day of April, 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY ASSOCIATION OF GOVERNMENTS

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Kuyler Crocker  
Chair, TCAG

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Ted Smalley  
Executive Director, TCAG

Tulare County Association of Governments  
Sitting as the Tulare County Association of Governments

## **AGENDA ITEM IV-B**

**April 20, 2020**

**Prepared by Gabriel Gutierrez, TCAG Staff**

### **SUBJECT:**

**Action:** Adoption of Resolution: Highway Infrastructure Program Funding Allocation to the State Route 190 and Westwood Roundabout and Operational Improvements Project

### **BACKGROUND:**

The Highway Infrastructure Program, or “HIP” for short, was created in Section 122 in Division A of the 2010 Consolidated Appropriations Act, which authorized \$650 million for the Program (HIP). HIP was created with the intent to specifically fund the “restoration, repair, construction, of federal aid eligible roads, bridges, and tunnels.” The unobligated HIP funds allocated in 2010 were available until September 30, 2012, after which they lapsed without the option of reobligation. HIP funds that were authorized to projects, from the 2010 apportionment, were available for reimbursement of HIP eligible expenses until September 30, 2017, which is when all the remaining authorized HIP funds expired.

On March 23, 2018 Congress passed the Consolidated Appropriations Act of 2018, which was subsequently signed into law. This omnibus 2018 FFY spending bill to fund the US federal government included the Department of Transportation Appropriations Act, which again funded the HIP to construct highways, bridges, and tunnels. In 2019, with the passage of the Consolidated Appropriations Act of 2019, additional HIP funding was added and the eligible expenses were expanded to allow for the “elimination of hazards and the installation of protective devices at railway-highway crossings.” Then in 2020, HIP funding also expanded to projects providing “necessary charging infrastructure along corridor-ready or corridor-pending alternative fuel corridors.”

HIP funding is distributed to states by FHWA and further divided by states, which are required to coordinate with the relevant Metropolitan Planning Organizations (MPOs) and/or rural planning organizations as required by the Fixing America’s Surface Transportation (FAST) Act [23 U.S.C. 1101(b)].

### **DISCUSSION:**

The first apportionment distribution of Highway Infrastructure Program funds was in FY 2018. Since then there have been two new apportionment distributions – in 2019 and in 2020. In total, the HIP apportionment distribution made available to the TCAG region is \$3,255,215. The HIP funding has specific deadlines on expenditures and no deadline extensions are allowed. The annual apportionment amounts and obligation and expenditure deadlines for the HIP funds are as follows:

Highway Infrastructure Program Apportionments TCAG Region			
FY	Apportionment Amount	Obligation Deadline	Expenditure Deadline
2018	\$1,155,266	September 30, 2021	September 30, 2026
2019	\$1,627,688	September 30, 2022	September 30, 2027
2020	\$472,561	September 30, 2023	September 30, 2028
<b>Total</b>	<b>\$3,255,515</b>		

TCAG Board approval is requested to allocate the \$3,255,515 of available HIP funding to the construction phase of the State Route 190 and Westwood Roundabout and Operational Improvements Project. Allocation of HIP funding to this project will offset an equal amount of Measure R funds that were originally allocated to the construction phase of this project. Additional Measure R savings in the amount of \$1,387,000 was achieved recently when the Board took action to allocate available Local Partnership Program formulaic funds to this project.

#### **RECOMMENDATION:**

Approve allocating the FY 2018, 2019, and 2020 HIP apportionment distributions in the amount of \$3,255,515 to the State Route 190 and Westwood Roundabout and Operational Improvements Project.

#### **ATTACHMENTS:**

1. Resolution: Approving allocation of FY 2018, 2019, and 2020 Highway Infrastructure Program funds to the State Route 190 and Westwood Roundabout and Operational Improvements Project

BEFORE THE  
TULARE COUNTY ASSOCIATION OF GOVERNMENTS  
COUNTY OF TULARE, STATE OF CALIFORNIA

In the matter of:

APPROVING ALLOCATION OF	)	
FY 2018, 2019, AND 2020 HIGHWAY	)	
INFRASTRUCTURE PROGRAM	)	
FUNDS TO THE STATE ROUTE 190	)	Resolution No. XX-XXXX
AND WESTWOOD ROUNDABOUT	)	
AND OPERATIONAL IMPROVEMENTS)	)	
PROJECT	)	

WHEREAS, the Tulare County Association of Governments (TCAG) is a Regional Transportation Planning Agency (RTPA) and a Metropolitan Planning Organization (MPO), pursuant to State and Federal designation and acts as the Tulare County Transportation Authority (TCTA); and

WHEREAS, the March 23, 2018 Congress passed the Consolidated Appropriations Act of 2018, which funded the Highway Infrastructure Program (HIP) to construct highways, bridges, and tunnels; and

WHEREAS, HIP funding is distributed to states by FHWA and further divided by states, which are required to coordinate with the relevant Metropolitan Planning Organizations (MPOs) and/or rural planning organizations as required by the Fixing America's Surface Transportation (FAST) Act; and

WHEREAS, the TCAG region's apportionment distribution was \$1,155,266 in FY 2018, \$1,627,688 in FY 2019, and \$472,561 in 2020, totaling \$3,255,215; and

WHEREAS, the earliest date in which HIP funds must be obligated is September 30, 2021; and

WHEREAS, the State Route 190 and Westwood Roundabout and Operational Improvements Project will be ready for construction allocation in FY20/21; and

WHEREAS, TCAG, as a funding agency, wishes to delegate authorization to execute any funding agreements or amendments and final project selection to the TCAG/TCTA Executive Director.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1) The Tulare County Association of Governments recommends that \$3,255,215 of HIP funds be allocated to State Route 190 and Westwood Roundabout and Operational Improvements Project in FY 20/21.

The foregoing Resolution was adopted upon the motion of Member \_\_\_\_\_, seconded by Member \_\_\_\_\_, at a regular meeting on the 20<sup>th</sup> day of April, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY ASSOCIATION OF GOVERNMENTS

\_\_\_\_\_  
Kuyler Crocker,  
Chair, TCAG

\_\_\_\_\_  
Ted Smalley  
Executive Director, TCAG

# Tulare County Association of Governments

## **AGENDA ITEM IV-C**

**April 20, 2020**

**Prepared by Leslie Davis and Gabriel Gutierrez, TCAG Staff**

### **SUBJECT:**

**Action:** Adoption of Resolution: Regional Surface Transportation Program (RSTP)  
State Exchange Authorization for Fiscal Year 2019/2020

### **BACKGROUND:**

The Intermodal Surface Transportation Enhancement Act (ISTEA) established the Regional Surface Transportation Program (RSTP) in 1991. The program was continued in the six-year Federal Highway Act, TEA-21 (with extensions), SAFETEA-LU, and now MAP-21. Through the program, TCAG receives funds for surface transportation improvements in Tulare County. In the past, TCAG has chosen to exchange its annual RSTP allocation for State Highway Account funds ("State Cash"). State Highway Account Funds have fewer restrictions, shorter environmental processes, and no local match requirements when compared to federal funds. The exchange is allowable under law due to the rural classification of Tulare County.

As a result of the 2010 Census, Visalia, Tulare, Exeter, Farmersville and surrounding unincorporated communities were combined into the Visalia/Tulare Urbanized Area (UZA). This area exceeds the 200,000 population threshold for designating the area as urban. This also designated the Visalia UZA as a Transportation Management Area (TMA). The new designation resulted in additional planning requirements for TCAG. The designation also eliminates the ability to exchange STP funds for state cash. This has a direct impact to the following member agencies: Visalia, Tulare, Exeter, Farmersville, and the County (partial).

### **DISCUSSION:**

The Tulare County Association of Governments' FY 2019/20 estimated apportionment is \$6,370,866 (prior year amount \$6,131,838). From the total amount, the County of Tulare was designated \$887,784, leaving a total of \$5,483,082 to be apportioned to the incorporated cities and the County based upon population. The \$887,784 County amount is rural set aside as established in 1990 and required in the California Streets and Highway Code (Article 5-182.6). The amount has remained the same since 1990.

As a result of the new TMA designation, approximately \$3,284,389 can be exchanged for state funds. The amount is designated as RSTP Small Area funds. The County would have a direct contract with the state for \$887,784 with the remaining balance of approximately \$2,396,605 for TCAG to distribute to the member agencies qualifying for this portion of RSTP funds.

The distribution and process for the remaining portion of urban STP funds will be discussed in Item V-C.

**RECOMMENDATIONS:**

Staff recommends the Regional STP Small Area funds be exchanged for State Highway Account funds to the full amount allowed by the State of California (Caltrans).

**FISCAL IMPACT:**

No fiscal impact.

**ATTACHMENTS:**

1. Resolution adopting the authorization of the exchange of RSTP funds.



BEFORE THE  
TULARE COUNTY ASSOCIATION OF GOVERNMENTS  
COUNTY OF TULARE, STATE OF CALIFORNIA

In the matter of:

EXCHANGING 2019/2020 REGIONAL	)	
SURFACE TRANSPORTATION	)	
PROGRAM FUNDS FOR STATE HIGHWAY	)	Resolution No. 2020-xxx
ACCOUNT FUNDS	)	

WHEREAS, MAP-21 designates Regional Surface Transportation Program (RSTP) funds for distribution to counties and Metropolitan Planning Organizations (MPOs); and

WHEREAS, the Tulare County Association of Governments (TCAG) is the designated MPO for Tulare County; and

WHEREAS, as result of the 2010 census, the cities of Visalia, Tulare, Exeter, Farmersville and a portion of the unincorporated county have been designated as a Transportation Management Area (TMA) for the Visalia Urbanized Area; and

WHEREAS, California's *Intermodal Surface Transportation Enhancement Act (ISTEA)* implementing legislation created the option for Counties and MPOs with 1990 urbanized area populations of 200,000 or less to exchange all of their RSTP funds for non-Federal State Highway Account funds on a dollar-for-dollar basis; and

WHEREAS, the new designation results in only a portion of RSTP available for state exchange for the 2019/2020 fiscal year; and

WHEREAS, California's *Intermodal Surface Transportation Enhancement Act (ISTEA)* implementing legislation also created the option for Counties and MPOs with 1990 urbanized area populations over 200,000 to exchange what is determined as the remaining rural portion of their RSTP funds (Small Area Funds) in the non-urbanized areas for non-Federal State Highway Account funds on a dollar-for-dollar basis; and

WHEREAS, a portion of Tulare County is not located in the Visalia Urbanized Area; and

WHEREAS, the Executive Director of the Tulare County Association of Governments is authorized to sign all necessary agreements related to this action on behalf of the TCAG Board of Governors.

NOW, THEREFORE, BE IT RESOLVED, that the TCAG Board of Governors approves the exchange of its 2019/2020 RSTP Small Area funds for State Highway Account funds on a dollar-for-dollar basis; and

BE IT FURTHER RESOLVED that if the County of Tulare desires to exchange its portion of eligible RSTP funds, this Board will support said exchange.

The foregoing Resolution was adopted upon motion of Member \_\_\_\_, seconded by Member \_\_\_\_, at a regular meeting held on the 20<sup>th</sup> day of April, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY ASSOCIATION OF GOVERNMENTS

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Kuyler Crocker  
Chair, TCAG

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Ted Smalley  
Executive Director, TCAG

## Tulare County Association of Governments

### **AGENDA ITEM IV-D**

**April 20, 2020**

**Prepared by Gabriel Gutierrez and Leslie Davis, TCAG Staff**

#### **SUBJECT:**

**Action:** Adoption of Resolution: Regional Surface Transportation Program (RSTP)  
State Exchange and Federal Programming Distribution for Fiscal Year 2019/20

#### **BACKGROUND:**

The Intermodal Surface Transportation Enhancement Act (ISTEA) established the Regional Surface Transportation Program (RSTP) in 1991. The program was continued in the six-year Federal Highway Act, TEA-21 (with extensions), SAFETEA-LU, and now MAP-21. Through the program, TCAG receives funds for surface transportation improvements in Tulare County. In the past, TCAG has chosen to exchange its annual RSTP allocation for State Highway Account funds ("State Cash"). State Highway Account Funds have fewer restrictions, shorter environmental processes, and no local match requirements when compared to federal funds. The exchange is allowable under law due to the rural classification of Tulare County.

As a result of the 2010 Census, Visalia, Tulare, Exeter, Farmersville and surrounding unincorporated communities were combined into the Visalia/Tulare Urbanized Area (UZA). This area exceeds the 200,000 population threshold for designating the area as urban. This also designated the Visalia UZA as a Transportation Management Area (TMA). The new designation resulted in additional planning requirements for TCAG. The designation also eliminates the ability to exchange STP funds for state cash. This has a direct impact to the following member agencies: Visalia, Tulare, Exeter, Farmersville, and the County (partial).

#### **DISCUSSION:**

The Tulare County Association of Governments' 2019/20 estimated apportionment is \$6,370,866 (prior year amount \$6,131,838). From the total amount, the County of Tulare was designated \$887,784, leaving a total of \$5,483,082 (prior year amount \$5,244,054) to be apportioned to the incorporated cities and the County based upon populations. The \$887,784 County amount is rural set aside as established in 1990 and required in the California Streets and Highway Code (Article 5-182.6). The amount has remained the same since 1990.

With the approval of Resolution (Item V-B), TCAG would authorize the exchange of approximately \$2,396,605. (\$3,284,389 less County set aside of \$887,784) of RSTP dollars for state cash. The remaining \$3,086,477 of TCAG's total RSTP allocation is required to remain "federalized" and be programmed as projects in the Federal Transportation Improvement Program (FTIP).

**RECOMMENDATIONS:**

Approve the distribution of FY 2019/20 STP funds for both state exchange and federal programming in the Federal Transportation Improvement Program (FTIP).

**FISCAL IMPACT:**

No fiscal impact for TCAG. For agencies required to have federal funds, there is likely an increase for administration costs.

**ATTACHMENTS:**

1. Resolution authorizing the distribution of STP funds.
2. 2019/2020 Surface Transportation Program (STP) Funds Table

BEFORE THE  
TULARE COUNTY ASSOCIATION OF GOVERNMENTS  
COUNTY OF TULARE, STATE OF CALIFORNIA

In the matter of:

DISTRIBUTING THE REGIONAL	)	
SURFACE TRANSPORTATION	)	Resolution No. 2020-XXX
PROGRAM FUNDS FOR FY 2019/2020	)	

WHEREAS, MAP-21 designates Regional Surface Transportation Program (RSTP) funds for distribution to Counties and Metropolitan Planning Organizations (MPOs); and

WHEREAS, the Tulare County Association of Governments (TCAG) is the designated MPO for Tulare County; and

WHEREAS, RSTP funds in the amount of \$887,784 are available to the County of Tulare for the 2019/2020 fiscal year; and

WHEREAS, the RSTP fund amount available to the County of Tulare and TCAG for the 2019/2020 fiscal year has been estimated as apportioned in the amount of \$6,370,866; and

WHEREAS, the estimated RSTP fund amount available to TCAG is \$5,483,062 for the 2019/2020 fiscal year; and

WHEREAS, the RSTP funds available to the County of Tulare and TCAG for 2019/2020 fiscal year have not been finalized; and

WHEREAS, California's *Intermodal Surface Transportation Enhancement Act (ISTEA)* implementing legislation created the option for Counties and MPOs with 1990 urbanized area populations over 200,000 to exchange what is determined as the rural portion of their RSTP funds (Small Area Funds) in the non-urbanized areas for non-Federal State Highway Account funds on a dollar-for-dollar basis; and

WHEREAS, a portion of Tulare County is not located in the Visalia/Tulare Urbanized area; and

WHEREAS, the Urbanized Area amount available to TCAG for federal programming is \$3,086,477; and

WHEREAS, the Small Area (Rural) amount available to TCAG for exchange is \$3,284,389; and

WHEREAS, TCAG approved the exchange and distribution of Small Area STP Funds for State Highway Account Funds on June 17, 2013 via Resolution; and

WHEREAS, the Executive Director of the Tulare County Association of Governments is authorized to sign all necessary agreements related to this action on behalf of the TCAG Board of Governors.

NOW, THEREFORE BE IT RESOLVED that the TCAG Board of Governors approves the distribution 2019/2020 RSTP apportionments for Small Area state exchange and the allocation and programming of federalized urban area funds for programming into the Federal Transportation Improvement Program (FTIP).

NOW, BE IT FURTHER RESOLVED, that if member agencies desire to exchange federalized portions of eligible RSTP funds for other types of funds under agreed upon conditions, this Board will support said exchange.

The foregoing Resolution was adopted upon the motion of Member \_\_\_\_\_, seconded by Member \_\_\_\_\_, at a regular meeting on the 20<sup>th</sup> day of April, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY ASSOCIATION OF GOVERNMENTS

---

Kuyler Crocker  
Chair, TCAG

---

Ted Smalley  
Executive Director, TCAG

## 2019/2020 Surface Transportation Program (STP) Funds

Distributed by City Limit Populations

Agency	Population (Jan 1, 2019)	% of Total Population	STP Distribution for 2019/20	Adj for Prior Yrs	Final STP Distribution for 2019/20
Dinuba	25,328	5.2864465929%	\$289,860	\$0	\$289,860
Exeter	11,002	2.2963315467%	\$125,910	\$0	\$125,910
Farmersville	11,358	2.3706356760%	\$129,984	\$0	\$129,984
Lindsay	13,358	2.7880746047%	\$152,872	\$0	\$152,872
Porterville	60,260	12.5774349213%	\$689,631	\$0	\$689,631
Tulare	66,967	13.9773163686%	\$766,388	\$0	\$766,388
Visalia	138,207	28.8464910084%	\$1,581,677	\$0	\$1,581,677
Woodlake	7,891	1.6470052931%	\$90,307	\$0	\$90,307
Non-Incorp.	144,741	30.2102639884%	\$1,656,454	\$0	\$1,656,454
Totals:	479,112	100.0%	\$ 5,483,082	\$ -	\$5,483,082

Updated by LD

\$5,483,082

\$0

\$5,483,082

Total STP apportionment	\$ 6,370,866
County set aside (Cal S&H Code)	\$ 887,784
Balance	\$ 5,483,082

County STP total

County Population Distribution	\$ 1,656,454
County set aside	\$ 887,784
Total	\$ 2,544,238

\$6,370,866 total

Note: The County is responsible for \$887,784 of the \$2,478,907 through direct contract with Caltrans

## Summary

Total Amount	\$6,370,866
Rural Amount	\$3,284,389 updated by LD
Net Urban Amount	\$3,086,477

Rural Amount calculation Summary

\$2,396,605	Countywide allocation
\$887,784	County only
\$3,284,389	

Urban STP Distribution for 2019/20		Rural STP Distribution for 2019/20		NET TCAG STP Distribution for 2019/20
for 2019/20	%	for 2019/20	%	for 2019/20
		\$289,860	9%	\$289,860
\$125,910	4%			
\$129,984	4%			
		\$152,872	5%	\$152,872
	0%	\$689,631	21%	\$689,631
\$766,388	25%			
\$1,581,677	51%			
		\$90,307	3%	\$90,307
\$ 482,519	16%	\$2,061,719	63%	\$1,173,935
\$3,086,477	100%	\$3,284,389	100%	\$2,396,605

\$6,370,866

Less County \$887784

remains constant

1. Requires an FTIP  
Amendment1. Requires no action  
from agency2. It is now a  
Caltrans Local  
Assistance project2. No difference  
from current practice3. TCAG contact  
Gabriel Gutierrez3. TCAG contact  
Leslie Davis

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## AGENDA ITEM IV-E

April 20, 2020

Prepared by Gabriel Gutierrez and Elizabeth Forte, TCAG Staff

### SUBJECT:

**Information:** Implementation Status of Federally Funded Projects

### BACKGROUND:

The **Surface Transportation Block Grant Program (STBGP)**, formally known as STP, is a major source of funds that may be used by local agencies for projects to preserve and improve the transportation system consistent with regional priorities. The funds may be utilized on any Federal-aid highway, including the National Highway System (NHS), bridge projects on any public road, transit capital projects, and intracity and intercity bus terminals and facilities. In Tulare County, these funds have been primarily used for street and highway construction, reconstruction, rehabilitation, resurfacing, and operational improvements. Local agencies navigate a sometimes complicated federal aid funding process to request and spend these funds in a timely manner. However, through our partnership with Caltrans, TCAG has helped local agencies with the timely and efficient delivery of their projects.

The **Congestion Mitigation and Air Quality (CMAQ) Program** has been a longstanding source of funding for TCAG's member agencies. Tulare County agencies qualify for funding due to the region being in a non-attainment area for meeting federal air quality standards for Particulate Matter (PM) and Ozone. The program exists under federal law and is implemented via guidance issued by the Federal Highway Administration and carried out by Caltrans. TCAG received estimates for the receipt of approximately \$6.2 million per year for the next four-year cycle. Project examples include roundabouts, signal coordination, compressed natural gas and electric facilities and vehicles, transit bus purchases, etc.

**Federal Transit Administration (FTA) Funds** are another invaluable resource to agencies in Tulare County. There are several funding sources under FTA that provide both operating and capital funds for urban and rural transit providers. Some funding is also provided to non-profit human services agencies in Tulare County as well.

### DISCUSSION:

#### STBGP

The cities of Exeter, Farmersville, Tulare, Visalia and the County of Tulare each receive federalized STBGP fund allocations. In Fiscal Year 2019, \$2.992 million in STBGP funds are programmed in the Federal Transportation Improvement Program (FTIP). The primary use of the funding is for roadway reconstruction and rehabilitation. As the Metropolitan Planning Organization for the Tulare County region, TCAG is responsible for programming these funds in the FTIP and ensuring that the funds are being utilized appropriately. The status of STBGP projects programmed in the current fiscal year (19/20) as well as information on projects programmed next fiscal year (20/21) is shown on the table below:

<b>FY 2019/20</b>				
<b>Project Sponsor</b>	<b>Project</b>	<b>Scope and Limits</b>	<b>Amount of STBGP Funds</b>	<b>Status</b>
Exeter	Palm Street Reconstruction	Palm Street between Kaweah Avenue (State Route 65) and G Street	\$750k	Obligated
County of Tulare	HSIP Project No. 7-06-014	On Avenue 232 from Road 36 to Road 76 (Palm St.). Installation of three (3) left turn lanes in selected intersections; and install edge line rumble strips/stripes.	\$500k	Funds shifted to Tulare County HSIP project. \$150k obligated for ROW on 1/29/2020.
Caltrans	SR-137/SR-99 Ramp Intersection Improvements	Signalization of on/off ramps at SR-137/SR-99	\$1.485 M	RFA for Construction submitted
Visalia	Road Rehabilitation	Base Bid: Goshen Ave from east of Shirk to west of Akers Alternate Bid No. 1: Goshen Ave from Akers to west of Demaree Alternate Bid No. 2: Goshen Ave from east of Demaree to west of Mooney	\$1.5 M	RFA for Construction submitted
<b>FY 2020/21</b>				
Visalia	Road Rehabilitation. Scope and schedule not yet identified.		\$1.925 M	Staff to work with agencies to develop scope, cost, and schedule for their projects.
County of Tulare	Road Rehabilitation. Scope and schedule not yet identified.		\$900k	

### **CMAQ**

Three projects have been submitted. With the approval of these three projects our region's CMAQ funds will be fully obligated.

City of Porterville:

- Tule River Parkway Bike Path, Phase 3 (Construction)  
CMAQ: \$1,828,000      Match: \$237,000

City of Visalia:

- Roundabout at Tulare & Santa Fe (Construction)  
CMAQ: \$2,075,000      Match: \$270,000

City of Visalia:

- Purchase one electric bus and charger  
CMAQ: \$876,000      Match: \$155,000

### **ATTACHMENT:**

None

## AGENDA ITEM IV-F

April 20, 2020

Prepared by Gabriel Gutierrez, TCAG Staff

### SUBJECT:

**Information:** Senate Bill 1 (SB1) Competitive Programs Update

### BACKGROUND:

On April 28, 2017, Governor Brown signed Senate Bill 1 (SB1) (Beall, Chapter 5, Statutes of 2017), which is also known as the Road Repair and Accountability Act (RMRA) of 2017. This Act provides the first significant, stable, and ongoing increase in state transportation funding in more than two decades. In providing this funding, the Legislature has provided additional funding for transportation infrastructure, increased the role of the California Transportation Commission (CTC) in a number of existing programs, and created new transportation funding programs for the CTC to oversee.

The purpose and intention of the Act is to address basic road maintenance, rehabilitation, and critical safety needs on both the state highway and local streets and road systems as well as provide transit assistance. SB1 affected eight different transportation funding programs including the Local Partnership Program (LPP) and Trade Corridor Enhancement Program (TCEP).

### DISCUSSION:

TCAG staff has been participating in the guidelines discussions for the 2020 Local Partnership Program and 2020 Trade Corridor Enhancement Program. Draft guidelines for both programs will be presented to the California Transportation Program (CTC) on January 29, 2020. Final guidelines adoption for both programs is scheduled for the March 2020 CTC meeting. Information regarding funding caps, programming cycles, grant submittal deadlines, and other pertinent issues are shown in the table below:

Funding Program	Minimum and Maximum Funding Request	Programming Cycle	Grant Submittal Deadline	Other Information
Local Partnership Competitive Program	Minimum: \$2,000,000 Maximum: \$25,000,000	2020/21 2021/22 2022/23	Call for Projects: 3/25/2020 Applications Due: 6/12/2020	-Final guidelines adopted on March 25, 2020. Call for projects now open. Applications due 6/12/2020.
Trade Corridor Enhancement Program	The TCEP utilizes a corridor-based programming target approach. Last cycle, the Bay Area/Central Valley regional corridor, which Tulare County is part of, had	2020/21 2021/22 2022/23	Call for Projects: 3/25/2020 Applications Due: 7/15/2020	Final guidelines adopted on March 25, 2020. Call for projects now open. Applications due on 7/15/2020.

	a \$217 million target (27% of overall funding available). Different programming target proposals are currently under consideration.			
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The Commercial Avenue Interchange Project and the Tulare City Widening Projects are both being considered for funding through one or both programs. TCAG staff in partnership with Caltrans is currently working on the 2020 BUILD grant application for the Commercial Avenue Interchange Project which is due for submittal on 5/18/2020.

**RECOMMENDATION:**

Information item only. No action needed at this time.

**ATTACHMENTS:**

None

## **AGENDA ITEM V-A**

**April 20, 2020**

**Prepared by Elizabeth Forte, TCAG Staff**

### **SUBJECT:**

**Action:** Adoption of Resolution: Authorize Reduced Price T-Pass Sales for Affordable Housing and Sustainable Communities (AHSC) Sequoia Commons Project for Three Years

### **BACKGROUND:**

The T-Pass is a Regional Monthly Transit Pass valid on all regular fixed route services in Tulare County (Dinuba, Porterville, Tulare, Visalia, and Tulare County). T-Passes are sold at a number of outlets, and each transit agency tracks monthly ridership. Revenue is divided by ridership. T-Pass sales generate approximately \$2.00 per rider.

### **DISCUSSION:**

TCAG has worked with Self Help Enterprises on several grants through the AHSC program. In addition to general grant assistance, TCAG has been able to assist with matches for transit passes for residents of awarded projects through the regional Low Carbon Transit Operations Program (LCTOP). The Sequoia Commons project in Goshen was awarded through AHSC and has been built. The project originally included the purchase of Visalia-only bus passes, and the cost was slightly underestimated. TCAG and Tulare County staff worked together to develop a proposed solution for providing transit passes for this project.

Per TCAG Board direction and for the expanded benefit of Sequoia Commons transit riders, it is preferred that the residents are provided T-Passes. T-Passes cost \$55 each, \$5 more than the Visalia pass. In order to accommodate the increased cost, staff proposes that the T-Pass rate for the Self Help Enterprises Sequoia Commons project be reduced to \$45 per pass for three years.

### **RECOMMENDATION:**

Authorize the sale of T-Passes to Self Help Enterprises for the Sequoia Commons Project at a rate of \$45 per pass for three years.

### **FISCAL IMPACT:**

This action will have no fiscal impact to TCAG. Although this is a reduction in sales price, the majority of passes purchased via this project will be new purchases and T-Pass program revenues will be positively affected.

### **ATTACHMENT:**

1. Resolution authorizing the sale of T-Passes to Self Help Enterprises for the Sequoia Commons Project at a rate of \$45 per pass for three years.

BEFORE THE  
TULARE COUNTY ASSOCIATION OF GOVERNMENTS  
COUNTY OF TULARE, STATE OF CALIFORNIA

In the matter of:

AUTHORIZE THE SALE OF T-PASSES TO )  
SELF HELP ENTERPRISES FOR THE SEQUOIA )  
COMMONS PROJECT AT A RATE OF \$45 PER )  
PASS FOR THREE YEARS )

Resolution No. [ ]

WHEREAS, the Tulare County Association of Governments (TCAG) is a Regional Transportation Planning Agency and a Metropolitan Planning Organization, pursuant to State and Federal designation; and

WHEREAS, the T-Pass was created via agreement among all fixed route transit providers in Tulare County and TCAG; and

WHEREAS, the T-PASS allows for unlimited rides on fixed route transit in Tulare County, for an entire month, excluding the Sequoia Shuttle; and

WHEREAS, TCAG supports Affordable Housing and Sustainable Communities grant applications with matching funds for transit passes; and

WHEREAS, a reduction in the T-Pass rate is necessary to allow for T-Pass purchases for the Sequoia Commons project.

NOW, THEREFORE, BE IT RESOLVED THAT the T-Pass rate is reduced to \$45 per pass for Sequoia Commons resident pass purchases via Self Help Enterprises for three years.

The foregoing Resolution was adopted upon the motion of Member \_\_\_\_\_, seconded by Member \_\_\_\_\_, at a regular meeting on the 20<sup>th</sup> day of April, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

TULARE COUNTY ASSOCIATION OF GOVERNMENTS

\_\_\_\_\_  
Kuyler Crocker  
Chair, TCAG

\_\_\_\_\_  
Ted Smalley  
Executive Director, TCAG

## AGENDA ITEM V-B

April 20, 2020

Prepared by Benjamin Giuliani, TCAG Staff

### SUBJECT:

**Information:** Status of State Transportation Improvement Program (STIP) Allocations and California Transportation Commission (CTC) Update

### BACKGROUND:

The CTC is responsible for the programming and allocating of funds for the construction of highway, passenger rail and transit improvements throughout California. The CTC met in via webinar/teleconference on March 25th. The next CTC meeting is currently scheduled to be held in San Diego on May 13-14. The STIP is a biennial document which covers five years of programming for transportation projects in California. The STIP is comprised of Regional Transportation Improvement Programs (RTIPs) from each of the counties in California and the Interregional Transportation Improvement Program (ITIP) that is developed by Caltrans. The RTIPs account for 75% and the ITIP accounts for 25% of the total STIP funding.

### DISCUSSION:

#### March CTC Meeting

##### *Active Transportation Program (ATP):*

The Cycle 5 fund estimate was adopted. The regional programming share for Tulare County is as follows: 21/22 \$498,000 22/23 \$518,000 23/24 \$636,000 24/25 \$636,000

\$1.7 million was allocated for the construction of sidewalk, curb/gutter and ADA ramp improvements in Earlimart on State, Washington and Church Streets.

##### *Local Partnership Program (LPP):*

The LPP formulaic program funding distribution was adopted. Tulare County will receive \$1,258,000 per year in fiscal years 20/21, 21/22 and 22/23.

##### *State Highway Operation and Protection Program (SHOPP):*

\$8.3 million was allocated for the upgrade of 10 stormwater pump plants on SR-99 in Tulare, Fresno and Madera Counties.

#### January CTC Meeting

##### *State Highway Operation and Protection Program (SHOPP):*

\$16.8m for construction at 296 locations on SR 63, 99, 137, 198 and 216 in Kings and Tulare Counties to repair and replace stolen and damaged electrical systems and protection of electrical and irrigation facilities.

\$550k for design for the installation of rumble strips on SR 63 and 137 at various locations near Visalia and Exeter.

\$1.7m for design to upgrade the water and wastewater systems at the Warlow rest area near Traver on SR-99.

Additional funding (from \$18.7m to \$25.9m) for the bridge replacements on SR-245 at Yokohl Creek and Kaweah River.

### 2020 RTIP/STIP

The CTC adopted the 2020 STIP at the March 25<sup>th</sup> meeting. TCAG's RTIP was included as proposed.

### **2020 RTIP/STIP**

<b>Project</b>	<b>Agency</b>	<b>Phase</b>	<b>FY 20/21</b>	<b>FY 21/22</b>	<b>FY 22/23</b>	<b>FY 23/24</b>	<b>FY 24/25</b>
SR-65 Realignment and operational improvements	Caltrans	PS&E				\$1.5m	
SR-99/Caldwell Interchange	Caltrans	R/W Con			\$4.6m	\$7.0m	
SR-99/Commercial Interchange	Caltrans	R/W Con	\$5.5m	\$7.4m			
SR-99 Widening (Tagus-Prosperity)	Caltrans	Con	\$69.491 m <sup>1</sup>				
SR-99 Widening (City of Tulare)	Caltrans	E&P PS&E	\$4.15m <sup>2</sup>		\$6.37 m <sup>3</sup>		

<sup>1</sup>\$62.327 million from Caltrans' Interregional Transportation Improvement Program (ITIP), \$7.164m from RTIP

<sup>2</sup>\$2.0 million from ITIP, \$2.15 million from RTIP

<sup>3</sup>\$4.3 million from ITIP and \$2.07 million from Prop 1b savings

PS&E = Plans, Specifications & Estimate, R/W = Right of Way, E&P = Environmental Studies and Permits

### **ATTACHMENTS:**

None



## **AGENDA ITEM V-C**

**April 20, 2020**

**Prepared by Elizabeth Forte, TCAG Staff**

### **SUBJECT:**

**Information:** Coronavirus Aid, Relief, and Economic Security (CARES) Act Transit Funding

### **BACKGROUND:**

The CARES Act, signed on March 27, 2020, provides \$2 trillion in federal funding through a number of programs to address issues as a result of the COVID-19 pandemic. Public transit will receive \$25 billion through the CARES Act.

### **DISCUSSION:**

Information surrounding COVID-19 and steps taken to combat its effects are evolving very rapidly. An update on CARES Act transit funding will be provided on April 20<sup>th</sup> to ensure the most up-to-date information. As of the day this agenda went to print, the following information was available:

- The Visalia Urbanized Area, which also includes Tulare transit, has a direct appropriation of \$17,204,690.  
(\$13,044,462 for Visalia and \$4,155,538 for Tulare)
- The city of Porterville is apportioned \$7,503,272, per the usual formula for small urban providers. It is dependent on Governor approval.
- California has been apportioned \$94,976,667 for rural transit providers. Caltrans is responsible for distributing these funds to regions. This is triple the standard amount that was received for the 2019/20 fiscal year (\$31,720,947). It is uncertain as to whether Caltrans will use the exact same formula to distribute rural transit funds from the CARES Act as it does for the regular transit funds (called 5311), but transit providers and TCAG will be involved in this process and assist Caltrans with any information needed. The Tulare County region received \$922,920 in funding through the regular distribution earlier this year.

While exact processes and details have yet to be worked out, the funding is available to offset capital costs, operations costs, and lost revenue as a result of COVID-19. It does not have a time limit in which to be spent.

### **ATTACHMENT:**

None

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## Tulare County Association of Governments

### **AGENDA ITEM V-D**

**April 20, 2020**

**Prepared by Roberto Brady, TCAG Staff**

#### **SUBJECT:**

**Information:** Update on Timing and Funding Implications of the Federal SAFE Vehicles Regulation

#### **BACKGROUND:**

In August 2018, the National Highway Traffic Safety Administration (NHTSA) and Environmental Protection Agency (EPA) proposed the Safer Affordable Fuel Efficient (SAFE) Vehicles Rule. On September 27, 2019 NHTSA published a portion of the SAFE Vehicles Rule as “Part One” (Federal Register, Vol 84, No. 188, Page 51310 et seq.). Part One is highly significant in that it includes the withdrawal of California’s preemption waiver. That is, California’s ability to adopt vehicle emissions standards stricter than federal regulations applicable nationwide. Part Two, which addresses the Corporate Average Fuel Economy (CAFE) standards was finalized on March 31, 2020.

SAFE Vehicles Rule, Part One, became effective on November 26, 2019 with, at least, the following implications for transportation planning and programming:

- Valley Metropolitan Planning Organizations (MPOs) will not be able to update Transportation Improvement Program (TIPs)/Regional Transportation Plans (RTPs) nor process Type 4/Type 5 amendments that require a new conformity analysis.
- Projects requiring project-level conformity analyses as part of the National Environmental Policy Act (NEPA) process would not be able to receive federal approval.
- State Implementation Plan (SIPs) that were developed using EMFAC 2014/2017 may be found unsatisfactory and disapproved by EPA.
- For the 2020 State Transportation Improvement Program (STIP), it may not be possible to make programming changes if they require a Type 4/5 amendment. For example, if the change advances open-to-traffic date or recommends a new project.
- For the 2021 Federal Transportation Improvement Program (FTIP), which is due in October of 2020, only an “exempt projects only” FTIP can be adopted if a conformity determination cannot be made due to EMFAC being invalid.
- Valley MPOs are responsible for adopting a RTP/SCS update by December 2022. If a way to conformity is not found by then, essentially all federal transportation funding and approvals are affected.

- Waiver withdrawal makes achieving greenhouse gas (GHG) reduction goals more difficult. Increased vehicle emissions will make it more difficult to meet the GHG reduction targets in TCAG's 2022 RTP/SCS. A potential result could be that the region would become ineligible to pursue competitive funding under SB-1 and ineligible to receive its formula share of Local Partnership Program funds under SB-1.

California, along with 23 other states, have filed a lawsuit in response. The lawsuit does not request temporary injunctive relief. This means the rule will be in effect during litigation. A more extensive summary of SAFE Vehicles Rule impacts is available on the California Association of Council of Governments (CalCOG) website.

(<https://www.calcog.org/index.php?src=directory&view=legislation&submenu=PolicyTracker&srctype=detail&back=legislation&refno=10423>)

The consequences stated above were anticipated soon upon the initial proposal of the SAFE Vehicle Rule in 2018. The TCAG Board, on April 15, 2019 adopted a resolution taking a position in support of maintaining California's Clean Air Act Preemption Waiver and directing staff to communicate TCAG's support by appropriate means to NHTSA, EPA and other agencies involved.

Prior to Part One becoming effective, Valley MPOs coordinated to expedite any currently needed FTIP amendments so that they could be finalized before the regulation changes go into effect. Items in the August, 2019, agenda included an amendment to TCAG's RTP and FTIP and approved delegated approval authority to the Executive Director. Most Valley MPO's, including TCAG, were able to adopt FTIP amendments in time to forward them for state and federal action before any danger of delay due Part One of the SAFE Vehicles Rule becoming effective.

## **DISCUSSION:**

At the December 4, 2019 meeting of the California Transportation Commission (CTC), the Federal Highway Administration (FHWA) provided an update stating that because California's current mobile source emissions model, EMFAC, does not account for the new standards applicable under the SAFE Vehicles Rule, no regional or project-level conformity determinations can be issued at this time. FHWA and the Federal Transit Administration (FTA) are still approving TIP amendments that do not require a regional emissions analysis.

Air Resources Board (ARB) has published off-model adjustment factors for EMFAC output intended to replicate the effects of the implementation of SAFE Vehicles Rule, Part One. This could provide a way to make conformity determinations for non-exempt plans and projects in the short term. EPA indicated their concurrence with the off-model adjustment factors in a letter dated March 12, 2020 (Attachment 1).

On March 31, 2020, EPA and NHTSA finalized Part Two of the SAFE Vehicle Rule. Part Two should be published in the Federal Register within a few days of finalization. It goes into effect 60 days after publication. That will likely be in early June. Essentially, Part Two requires both CAFE and CO2 standards to increase in stringency by 1.5% per year for Model Years (MY) 2021-2026 from 2020 levels. This replaces the previous rule that required a 5% annual increase in stringency over the same period.

The implication for air quality conformity is that a window of time exists from the date of federal concurrence with ARB's EMFAC adjustment (March 12) until Part Two of the SAFE Rule goes into effect (early June) for FHWA to accept new conformity determinations adopted by California MPOs. It has yet to be determined if the Part Two changes will require additional adjustment to EMFAC model outputs in order for them to be acceptable for supporting conformity determinations. ARB will be working on this issue.

With regard to the 2021 FSTIP update, a bill is expected to be introduced in the California Legislature that would defer the update for two more years. This could buy time to fund those projects that would not otherwise need a further conformity determination. A deferral of the FSTIP update to 2023 would still be consistent with federal law. Staff is moving ahead with conformity tests for the TCAG 2021 FTIP incorporating the adjustments developed by ARB for Part One of the SAFE Vehicles Rule so that the region is prepared to adopt a "full" FTIP (including all projects not exempt from air quality conformity) this summer should that be possible. Staff will continue to carefully monitor and report on developments that affect these timeframe estimates as well as on state-wide efforts to minimize potential funding impacts.

**ATTACHMENT(S):**

- 1) Letter to Steven Cliff, California Air Resources Board, March 12, 2020



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**REGION IX**

**75 Hawthorne Street  
San Francisco, CA 94105-3901**

**MAR 12 2020**

Steven Cliff, Ph.D.  
Division Administration, California Division  
California Air Resources Board  
1001 I Street  
Sacramento, California 95812

Dear Dr. Cliff:

I am responding to your letter of March 5, 2020, requesting U.S. Environmental Protection Agency concurrence that EMFAC2014 and EMFAC2017 off-model adjustment factors can be used for transportation conformity determinations in California.

We understand that the EMFAC off-model adjustment factors are multipliers that would be applied to gasoline vehicle emissions modeled by EMFAC2014 and EMFAC2017. EPA considers these factors to be acceptable for use because the effect of their application is more conservative than necessary. Therefore, these factors may be used in transportation conformity determinations and state implementation plan development.

If you have any questions regarding this letter, please contact me at (415) 972-3183 or Karina O'Connor at (775) 434-8176.

Sincerely,

A handwritten signature in blue ink that reads "Elizabeth J. Adams".

Elizabeth J. Adams  
Director, Air and Radiation Division

cc: Richard Corey, CARB  
Kurt Karperos, CARB

**AGENDA ITEM VII-A**  
**TULARE COUNTY ASSOCIATION OF GOVERNMENTS**  
**REGIONAL TRANSPORTATION PLANNING AGENCY**  
**METROPOLITAN PLANNING ORGANIZATION**

\*\*\*\*\*

**Executive Minutes March 16, 2020**

Board Members	Alternates	Present Member/Alternate	Agency
Kuyler Crocker ( <i>Chair</i> )	Paula Clark	<u>M</u>	Tulare County-Dist. 1
Pete Vander Poel	William Cushing	<u>M</u>	Tulare County-Dist. 2
Amy Shuklian	Bill Whitchlatch	<u>M</u>	Tulare County-Dist. 3
Eddie Valero	Derek Williams	<u>M</u>	Tulare County-Dist. 4
Dennis Townsend	Terren Brown	<u>M/A</u>	Tulare County-Dist. 5
Maribel Reynosa	Linda Launer		City of Dinuba
Frankie Alves	Dave Hails	<u>M</u>	City of Exeter
Paul Boyer	Ruben Macareno		City of Farmersville
Pamela Kimball	Brian Watson		City of Lindsay
Martha A. Flores	Milt Stowe	<u>M</u>	City of Porterville
Terry Sayre	Carlton Jones	<u>M</u>	City of Tulare
Bob Link ( <i>Vice-Chair</i> )	Phil Cox		City of Visalia
Rudy Mendoza	Francis Ortiz		City of Woodlake
Greg Gomez	Virginia Gurrola	<u>M</u>	Rep. from Public Transit
Tyrone Holscher	Shae Gowin	<u>M</u>	Member-At-Large*
Walter Stammer Jr.	Pamela Whitmire		Member-At-Large*
Wanda Ishida	Marlene Sario		Member-At-Large*
Sharri Bender-Ehlert	Laura Gordon		Caltrans*

\* Caltrans serves as an ex-officio member of the TCAG Policy Advisory Committee. At-large TCAG members and the Public Transit Provider representative are not members of the Tulare County Transportation Authority or Abandoned Vehicle Abatement Authority.

**Counsel and TCAG Staff Present (X)**

<u>   </u> Jeff Kuhn, Tulare County Deputy Counsel	<u>X</u> Kasia Thompson, Associate Regional Planner
<u>X</u> Ted Smalley, Executive Director	<u>X</u> Steven Ingoldsby, Associate Regional Planner
<u>X</u> Benjamin Kimball, Deputy Executive Director	<u>   </u> Giancarlo Bruno, Regional Planner
<u>   </u> Benjamin Giuliani, Executive Officer-LAFCO	<u>   </u> Gail Miller, Associate Regional Planner/EH
<u>X</u> Leslie Davis, Finance Director	<u>   </u> Barbara Pilegard, Associate Regional Planner/EH
<u>X</u> Elizabeth Forte, Principal Regional Planner	<u>   </u> Maria Garza, Associate Regional Planner/EH
<u>   </u> Roberto Brady, Principal Regional Planner	<u>   </u> Michele Boling, Accountant III
<u>   </u> Mark Hays, Senior Regional Planner	<u>   </u> Brideget Moore, Staff Services Analyst
<u>X</u> Derek Winning, Senior Regional Planner	<u>X</u> Amie Kane, Administrative Clerk II
<u>X</u> Gabriel Gutierrez, Senior Regional Planner	<u>X</u> Servando Quintanilla, Administrative Clerk
	<u>   </u> Olivia Forte, Intern Apprentice/EH

**I. WELCOME**

The Tulare County Association of Governments Board Meeting was called to order by Chair Crocker at 1:12 p.m. on March 16, 2020 at the Tulare County Board of Supervisors, 2800 W. Burrell Avenue, Visalia, CA, 93291.

**II. PLEDGE OF ALLEGIANCE**

Chair Crocker led the Pledge of Allegiance.

**III. PUBLIC COMMENTS**

Public comments opened/closed at 1:12 p.m. No public comments received.

***Convene as the Transportation Policy Advisory Committee***

#### **IV. TRANSPORTATION CONSENT CALENDAR - ACTION AND INFORMATION ITEMS**

Request Approval of the Transportation Consent Calendar Action Items IV-A through IV-B

**A. Action: Adoption of Resolution: Approve Transportation Development Act (TDA) Claims for the Cities of Exeter, Famersville, Woodlake, and Porterville for Fiscal Year 2019/20**

**B. Action Adoption of Resolution: Approve New Active Transportation Advisory Committee (ATAC) Member**

Upon a Motion by Member Vander Poel, and seconded by Member Townsend, the Transportation Policy Advisory Committee unanimously approved the Transportation Consent Calendar Action Items IV-A through IV-B. Absent: Reynosa, Boyer, Kimball, Link, Mendoza, and Ishida.

**C. Information: Implementation Status of Federally Funded Projects**

**D. Information: Senate Bill (SB1) Competitive Programs Update**

#### **V. TRANSPORTATION ACTION/DISCUSSION ITEMS**

**A. Information: 2019/2020 Unmet Transit Needs**

Mr. Bruno provided an overview of the background and ongoing outreach efforts to identify unmet transit needs throughout Tulare County

**B. Public Hearing: 2019/2020 Unmet Transit Needs**

Public Hearing opened at 1:15 p.m. by Chair Crocker

Unmet transit needs opening statement was read by Mr. Bruno which invited anyone to submit testimony before the Board. The same statement was read aloud by Mr. Quintanilla in Spanish.

Seeing no one wishing to speak, the public hearing was closed at 1:21 p.m. by Chair Crocker.

**C. Action: Adoption of Resolution: Appointment of Three (3) Social Services Transportation Advisory Council (SSTAC) Members and Discontinuation of One (1) Position, Reducing Membership to Ten (10) Members**

Mr. Bruno provided a brief description of the proposed changes to the SSTAC positions and the appointments.

Upon a Motion by Member Flores, and seconded by Member Gomez, the Transportation Policy Advisory Committee unanimously approved Item V-C as presented. Absent: Reynosa, Boyer, Kimball, Link, Mendoza, and Ishida.

**D. Information: Status of State Transportation Improvement Program (STIP) Allocations and California Transportation Commission (CTC) Update**

Mr. Gutierrez stated that the next CTC meeting would had been scheduled for March 25-26, however due to COVID-19 the meeting would be a webinar to review the STIP allocations. Mr. Gutierrez noted that after the scheduled webinar meeting more details would be available on specific projects.

**E. Information: Update on Timing and Funding Implications of the Federal Safer Affordable Fuel-Efficient (SAFE) Vehicles Regulation**

Mr. Brady provided the monthly update on the ongoing SAFE Vehicle rule. Mr. Brady reported that a second part of the SAFE Vehicle Rule is expected to be finalized in April 2020 and would be likely subjected to litigation. Mr. Brady explained that he will continue to carefully monitor and report on the unfolding developments.

**F. Information: Caltrans Monthly Report**

Ms. Gordon provided an overview of various Caltrans projects being conducted within Tulare County.

Nabeelah Abi-Rached introduced herself as the new Deputy District 6 Director for Program Project Management & Asset Management.

***Adjourn as the Transportation Policy Advisory Committee and Convene as the Tulare County Association of Governments***



**VI. REQUEST TO REAFFIRM ALL ACTIONS TAKEN WHILE SITTING AS THE TRANSPORTATION POLICY ADVISORY COMMITTEE**

Upon a Motion by Member Townsend, and seconded by Member Valero, the Transportation Policy Advisory Committee unanimously reaffirmed all actions while sitting as the Transportation Policy Advisory Committee. Absent: Reynosa, Boyer, Kimball, Link, Mendoza, and Ishida.

**VII. ACTION CONSENT CALENDAR-ACTION AND INFORMATION ITEMS**

Request Approval of the Association Consent Calendar Action Items VII-A through VII-C

**A. Action: Minutes of February 24, 2020 TCAG Board Meeting**

**B. Action: Minutes of February 20, 2020 TCAG Technical Advisory Committee Meeting**

**C. Action: Adoption of Resolution: Approval of Amendment No. 7 to the 2019/2020 Overall Work Plan (OWP)**

Upon a motion by Member Flores, and seconded by Member Shuklian, the Association unanimously approved the Association Consent Calendar Items VII-A through VII-C. Absent: Reynosa, Boyer, Kimball, Link, Mendoza, and Ishida.

**D. Information: Conflict of Interest Code (Form 700) Due April 1, 2020**

**E. Information: Regional Transit Coordination Update**

**VIII. ASSOCIATION ACTION/DISCUSSION ITEMS**

**A. Information: Legislative Update**

Mr. Kimball reported that the San Joaquin Policy Council (SJVPC) had gone to Sacramento March 10-11, 2020; and preparations were still underway for the One Voice Trip going to Washington D.C. was scheduled for June 22-25, 2020.

Chair Crocker reported that the trip to Sacramento went well and that he felt hopeful some progress would happen on Valley issues.

**B. Presentation: Report from Congressman Nunes' Office**

No representative present, report not given.

**C. Presentation: Report from Assemblyman Mathis' Office**

No representative present, report not given.

**D. Presentation: Report from Senator Hurtado's Office**

No representative present, report not given.

**E. Information: Draft Overall Work Plan (OWP) for Fiscal Year 2020/2021**

Copies of the FY 2020/2020 draft OWP were available for review. Ms. Davis stated that the total estimated expenditures for FY 2020/21 were \$4,243,692. Ms. Davis also reported that a copy of the draft OWP had been submitted to Caltrans for review and to provide feedback.

**F. Information: Member Agency Transportation Development Act (TDA) Audit Year Ending June 30, 2019**

Ms. Davis stated that this item was the same as what had been reported during TCTA and made note that the cities of Dinuba, Exeter, Farmersville, Woodlake, and the County of Tulare had until March 31, 2020 to complete the TDA audits.

**G. Information: Update on 2020 Census Complete Count Outreach**

Mr. Brady provided an update on the Census Complete Count efforts, and shared that some outreach events had been canceled or rescheduled due to COVID-19 but that staff would continue to monitor and report.

**IX. CORRESPONDENCE**

**A. Letter From Self-help Counties Coalition Regarding Caltrans Implementation of SB 743**

Mr. Smalley reviewed the letter regarding SB 743 and stated that it had been sent out to all member agencies for review.

**X. OTHER BUSINESS**

**A. Information: Item from Staff**

**1. TCAG Director's Report**

Mr. Smalley stated that in spite of COVID-19 continued work and effort will be focused on transportation projects. Mr. Smalley reported that efforts to clean up regional

corridors and adopt a highway programs would also be looked at once the COVID-19 virus subsided.

**2. Other Items**

None

**B. Information: Items from Board Members**

**1. Tulare County Water Commission Update**

Ms. Flores reported March 9, 2020 meeting had been cancelled.

**2. San Joaquin Valley Policy Council Update**

Chair Crocker noted the legislative trip to Sacramento that occurred the previous week was reported during the legislative update.

**3. San Joaquin Joint Powers Authority (SJJPA) – Amtrak Update**

Member Shuklian stated that the next meeting would be held March 27, 2020.

**4. San Joaquin Valley (SJV) Housing Task Force Update**

Member Valero reported that the next meeting was not scheduled until June 2020.

**5. TCAG Transit Report**

Member Gomez reported that minor logistic issues regarding regional coordination and fair box systems had been a focus. Member Gomez also noted that with area schools closing due to COVID-19 transit income may be less than what was expected.

**6. Other Items**

None

**C. Request from Board Members for Future Agenda Items**

None

**XI. ADJOURN**

The TCAG Meeting was adjourned at approximately 1:51 p.m.

**ADJOURN AS THE TULARE COUNTY ASSOCIATION OF GOVERNMENTS AND CONVENE AS THE  
TULARE COUNTY TRANSPORTATION AUTHORITY**

**TCAG Technical Advisory Committee Meeting**  
**Tulare County Association of Governments - 210 N. Church Street, Suite B, Visalia, CA 93291**  
**March 12, 2020 – Summary Meeting Minutes**

**ATTENDANCE LIST**

City of Dinuba	<i>Absent</i>
City of Exeter	Eddie Wendt
Cities of Farmersville, Woodlake	<i>Absent</i>
City of Lindsay	Neyba Amezcua
County of Tulare	Johnson Vang
City of Porterville	<i>Absent</i>
City of Tulare	<i>Absent</i>
City of Visalia	<i>Absent</i>
Tule River Indian Reservation	<i>Absent</i>
TCAG	Benjamin Kimball
Caltrans	Michael Navarro

**Others Present:** George Tsapanos- Tulare County Grand Jury

**TCAG Staff Present:** Leslie Davis, Giancarlo Bruno, Elizabeth Forte, Gabriel Gutierrez, Derek Winning, Roberto Brady, Gail Miller, Ted Smalley, Brideget Moore and Servando Quintanilla Jr Recording.

**SUMMARY MEETING MINUTES**

(Minutes reflect agenda items discussed only)

**I. CALL TO ORDER & WELCOME:**

The meeting was called to order by Ms. Davis at 1:32 p.m.

All action and informational documents were distributed for review and discussion. All actionable items would be voted on at the next Tulare County Association of Governments (TCAG) Board meeting, scheduled for March 16, 2020.

**IV. TRANSPORTATION CONSENT CALENDAR – ACTION AND INFORMATION ITEMS**

**A. Action: Adoption of Resolutions: Approve Transportation Development Act (TDA) Claims for the Cities of Exeter, Farmersville, Woodlake, and Porterville for Fiscal Year 2019/20**

Ms. Forte gave an update on the TDA claims for all listed agencies.

**B. Action: Adoption of Resolution: Approve New Active Transportation Advisory Committee (ATAC) Member**

Ms. Davis remarked that the item was an action to approve a new ATAC member.

**C. Information: Implementation Status of Federally Funded Projects**

Mr. Gutierrez gave an update on Surface Transportation Block Grant Program (STBGP) projects with two projects obligated for funds in Exeter and County of Tulare and waiting on two projects from Caltrans and Visalia.

Ms. Forte stated that there had been two CMAQ projects submitted with the Request for Authorization (RFA) from the city of Porterville and city of Visalia and one project had been delayed in the city of Dinuba.

**D. Information: Senate Bill (SB1) Competitive Programs Update**

Mr. Gutierrez detailed that both Local Partnership Competitive Program and Trade Corridor Enhancement Program would be going to CTC for final approval.

**V. TRANSPORTATION ACTION/DISCUSSION ITEMS:**

**A. Information: 2019/2020 Unmet Transit Needs**

Mr. Bruno summarized Annual Unmet Needs for 2019/2020 and the different modes of outreach that were done.

**B. Public Hearing: 2019/2020 Unmet Transit Needs**

Ms. Davis stated the item was the Public Hearing portion of the Board meeting.

**C. Action: Adoption of Resolution: Appointment of Three (3) Social Services Transportation Advisory Council (SSTAC) Members and Discontinuation of One (1) Position, Reducing Membership to Ten (10) Members**

Mr. Bruno explained that there were a few vacancies due to term expiration and suggested new members for SSTAC such as John Mauro.

**D. Information: Status of State Transportation Improvement Program (STIP) Allocations and California Transportation Commission (CTC) Update**

Mr. Gutierrez stated that there had been three SHOPP projects allocated on the January CTC agenda and that the March CTC meeting would include the adoption of the 2020 STIP for TCAG.

**E. Information: Update on Timing and Funding Implications of the Federal Safer Affordable Fuel-Efficient (SAFE) Vehicles Regulation**

Mr. Brady gave an update on the SAFE Vehicle Regulations report.

**F. Information: Caltrans Monthly Report**

Mr. Navarro stated that planning grants review would be done by the end of March, and SB743 traffic impact study guidelines with a VMT focus would be out for review and comments could be submitted until April 1.

**VII. ASSOCIATION CONSENT CALENAR- ACTION AND INFORMATION ITEMS**

**C. Action: Adoption of Resolution: Approval of Amendment No. 7 to the 2019/2020 Overall Work Plan (OWP)**

Ms. Davis explained that Amendment No. 7 to the FY 2019/2020 OWP was necessary to allow TCAG to deliver services as requested by its member agency, the city of Dinuba.

**D. Information: Conflict of Interest Code (Form 700) Due April 1, 2020**

Mr. Quintanilla indicated that the item was a reminder that Form 700's were due for Board members and designated staff by April 1<sup>st</sup>.

**E. Information: Regional Transit Coordination Update**

Mr. Forte stated that there had not been anything new to report and all agencies were still reviewing the draft agreement.

**VIII. ASSOCIATION ACTION/DISCUSSION ITEMS**

**A. Information: Legislative Update**

Mr. Smalley gave an update on the Washington D.C. trip and provided details about how the Coronavirus may impact travel.

**E. Information: Draft Overall Work Plan (OWP) for Fiscal Year 2020/2021**

Ms. Davis informed that the Draft OWP for FY 2020/2021 had been submitted to Caltrans for review.

**F. Information: Member Agency Transportation Development Act (TDA) Audit Year Ending June 30, 2019**

Ms. Davis cited that the TDA reports had been submitted by the city of Porterville and city of Tulare and both had no findings.

**G. Information: Update on 2020 Census Complete Count Outreach**

Mr. Brady gave an update on the progress of the 2020 Census Complete Count Outreach.

## **XII. ADJOURN**

The TCAG Technical Advisory Committee adjourned at 2:04 p.m.

The next scheduled Tulare County Association of Governments (TCAG) Board meeting will be held on **Monday, April 20, 2020 at 1:00 p.m.**, at the **Tulare County Board of Supervisors 2800 W. Burrel Ave, Visalia, CA 93291**. The Technical Advisory Committee will meet on **Thursday, April 16, 2020 at 1:30 p.m. at the Tulare County Association of Governments (TCAG), 210 N. Church Street, Suite B, Sequoia Conference Room, Visalia, CA 93291**.

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## **AGENDA ITEM VII-C**

**April 20, 2020**

**Prepared by Leslie Davis, TCAG Staff**

### **SUBJECT:**

**Action:** Adoption of Resolution: Approval of Amendment No. 8 to the 2019/2020 Overall Work Plan (OWP)

### **BACKGROUND:**

On May 20, 2019, the Tulare County Association of Governments (TCAG) FY 2019/2020 Overall Work Plan (OWP) was adopted through Resolution No. 2019-141. Amendments throughout the year are necessary to allow TCAG to deliver services as requested by its member agencies.

### **DISCUSSION:**

Amendment No. 8 to the FY 2019/2020 OWP is necessary to allow TCAG to deliver services as requested by its member agencies.

1. Increase Work Element No. 602.04, Transit Planning & Coordination, of FTA 5303 funds, in the amount of \$9,635 per Caltrans letter to adjustment for final funding estimates received.
2. Decrease Work Element No. 602.02, Traffic Forecasting/Model Development, of PL funds, in the amount of (\$12,141), per Caltrans letter to adjust for final funding estimates received.

### **RECOMMENDATIONS:**

Staff recommends the approval of Amendment No. 8 to the 2019/2020 OWP.

### **FISCAL IMPACT:**

FTA 5303 funding is utilized.

### **ATTACHMENTS:**

1. Resolution approving FY 2019/2020 OWP Amendment No. 8
2. OWP summary documents as affected by approval Attachment 8

BEFORE THE  
TULARE COUNTY ASSOCIATION OF GOVERNMENTS  
COUNTY OF TULARE, STATE OF CALIFORNIA

In the matter of:

APPROVING FY 2019/2020 OVERALL ) Resolution No. 2020-XXX  
WORK PLAN (OWP) AMENDMENT )  
NO. 8 )

WHEREAS, The Regional Transportation Planning Agency Board of Governors adopted the FY 2019/2020 Overall Work Program (OWP) on May 20, 2019, with approval of Resolution 2019-141; and

WHEREAS, Amendment No.8 to the FY 2019/2020 OWP is necessary to increase Work Element No. 602.04, Transit Planning & Coordination, of FTA 5303 funds, in the amount of \$9,635 per Caltrans letter to adjustment for final funding estimates received; and

WHEREAS, Amendment No. 8 to the FY 2019/2020 OWP is necessary to decrease Work Element No. 602.02, Traffic Forecasting/Model Development, of PL funds, in the amount of (\$12,141), per Caltrans letter to adjust for final funding estimates received.

NOW, THEREFORE, BE IT RESOLVED that the TCAG 2019/2020 Overall Work Program (OWP) is amended as shown in Attachment "2" and is herein referenced as Amendment No. 8.

The foregoing Resolution was adopted upon motion of Member \_\_\_\_\_, seconded by Member \_\_\_\_\_, at a regular meeting held on the 20<sup>th</sup> day of April, 2020 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

TULARE COUNTY ASSOCIATION OF GOVERNMENTS

\_\_\_\_\_  
Kuyler Crocker  
Chair, TCAG

\_\_\_\_\_  
Ted Smalley  
Executive Director, TCAG



**W.E. 602.02      Traffic Forecasting/Model Development**

<b>REVENUES</b>	<b>DOLLARS</b>
Member Dues	
Local Contribution	
TDA	
FHWA PL (carryover)	1,550
FHWA PL	235,019
FTA Section 5303 (carryover)	
FTA Section 5303	
FTA Section 5304	
FTA Section 5305	
DMV	
City of Dinuba	
City of Exeter	
City of Farmersville	
City of Lindsay	
City of Porterville	
City of Tulare	
City of Visalia	
City of Woodlake	
County of Tulare	
Measure R	
LAFCO	
TCAG Reserves	10,178
SB1 Sustainable Community Grant	
Other Grants	
<b>Total Revenues</b>	<b>246,747</b>
Toll Credits(5303&Carryover) (Not Revenues)	
Toll Credits(PL&Carryover) (Not Revenues)	27,134

<b>EXPENDITURES</b>	<b>DOLLARS</b>	<b>STAFF PERSON MONTHS</b>
TCAG Staff	203,488	25.9
City of Dinuba		
City of Exeter		
City of Farmersville		
City of Lindsay		
City of Porterville		
City of Tulare		
City of Visalia		
City of Woodlake		
County of Tulare		
Insurance		
Memberships		
Office Expense		
Consultant	25,000	
Publications and Legal Notice		
Training	2,300	
Transportation and Travel	6,859	
Print Services		
County Counsel		
Auditor		
Motorpool		
Rent		
Special Dept Expense		
Dues/Subscriptions/Licenses	4,100	
Utilities		
Office Equipment	5,000	
<b>Total Expenditures</b>	<b>246,747</b>	<b>25.9</b>

**Consultant**

\$25,000 Traffic Modeling Assistance

**Training**

1 State APA \$500

4 Futura 2018 Cube \$800

Misc Training \$1,000

**Transportation/Travel**

1 State APA \$1,000

4 Futura 2016 Cube \$5,859

**Dues/Subscriptions/Licenses**

TCAG Share Enterprise license for Cube software \$4,100

**Office Equipment**

Upgrades to modeling workstations

**W.E. 602.04 Transit Planning and Coordination**

REVENUES		DOLLARS	EXPENDITURES	DOLLARS	STAFF PERSON MONTHS
Member Dues			TCAG Staff	162,070	20.6
Local Contributions			City of Dinuba		
TDA	100,000		City of Exeter		
FHWA PL (carryover)			City of Farmersville		
FHWA PL			City of Lindsay		
FTA Section 5303 (carryover)	1,421		City of Porterville		
FTA Section 5303	172,534		City of Tulare		
FTA Section 5304			City of Visalia		
FTA Section 5305			City of Woodlake		
DMV			County of Tulare		
City of Dinuba			Insurance		
City of Exeter			Memberships		
City of Farmersville			Office Expense		
City of Lindsay			Consultant	15,000	
City of Porterville			Publications and Legal Notice		
City of Tulare			Training	1,650	
City of Visalia			Transportation and Travel	1,700	
City of Woodlake			Print Services	20,000	
County of Tulare			County Counsel		
Measure R			Auditor		
LAFCO			Motorpool		
TCAG Reserves			Rent		
SB1 Sustainable Community Grant			Special Dept Expense	73,535	
Other Grants			Dues/Subscriptions		
			Utilities		
			Office Equipment		
<b>Total Revenues</b>	<b>273,955</b>		<b>Total Expenditures</b>	<b>273,955</b>	<b>20.6</b>
Toll Credits(5303&Carryover) (Not Revenues)	19,953				
Toll Credits(PL&Carryover) (Not Revenues)					

**Consultant**

\$15,000 On Call Transit consultant

**Training**

2 CalAct Conferences \$1,150

Misc Training \$500

**Transportation/Travel**

2 CalAct Conferences \$1,200

Misc Training \$500

**Print Services**

\$20,000 printing services ( includes transit guide printing)

**Special Dept Expense**

\$50,000 CalVans contribution

\$23,535 Other

**EXPENDITURES**  
**FISCAL YEAR 2019/2020 OVERALL WORK PROGRAM**

WORK ELEMENT	TCAG	Dinuba	Exeter	Farmersville	Lindsay	Porterville	Tulare	Visalia	Woodlake	County	Consultant	Other/Print/Legal/T&T	TOTAL
601.01 TRANSIT ADMINISTRATION	212,069										141,340		353,409
601.02 TCAG ADMINISTRATION	127,192	500	500	500	500	500	500	500	500	500	33,000	58,430	223,122
601.04 OFFICE EXPENSES/FIXED ASSETS										233,501	8,000	202,536	444,037
601.06 OWP & BUDGET	78,000											1,000	79,000
601.08 ADVOCACY	69,000										105,000	41,800	215,800
601.09 PERFORMANCE MEASURES	6,000												6,000
602.01 REGIONAL TRANSP. PLAN	60,000											5,000	65,000
602.02 TRAFFIC FORECASTING/MODEL DEVELOPMENT	203,488										25,000	18,259	246,747
602.03 REGIONAL BICYCLE & PEDESTRIAN PLANNING	106,500											18,000	124,500
602.04 TRANSIT PLANNING AND COORDINATION	165,420										15,000	93,535	273,955
602.04-0045 TRANSIT PLANNING AND COORDINATION-City of Tulare SRTP	9,200										110,000		119,200
602.06 SPECIAL TRANSPORTATION PROJECT STUDIES	1,000	67,500											68,500
602.07 SPECIAL TRANSPORTATION PROJECT STUDIES NON FED	17,994	40,000	30,000										87,994
602.10-1000 SUSTAINABLE COMMUNITIES PLANNING GRANT- REGIONAL TRANSIT COORDINATION STUDY FY 17/18											13,114		13,114
602.10-1001 SUSTAINABLE COMMUNITIES PLANNING GRANT- REGIONAL TRANSIT COORDINATION STUDY FY 18/19	9,000										61,000		70,000
602.10-2000 SUSTAINABLE COMMUNITIES PLANNING GRANT- ELECTRIC VEHICLE IMPLEMENTATION PLAN FY 17/18	850										61,192		62,042
602.10-3000 SUSTAINABLE COMMUNITIES PLANNING GRANT- SUSTAINABILITY MODEL ENHANCEMENTS FY 17/18	2,500										3,198		5,698
602.10-3001 SUSTAINABLE COMMUNITIES PLANNING GRANT- SUSTAINABILITY MODEL ENHANCEMENTS FY 18/19	3,000										25,000		28,000
602.10-3020 SUSTAINABLE COMMUNITIES PLANNING GRANT- SUSTAINABILITY MODEL ENHANCEMENTS FY 19/20											60,000		60,000
602.10-5000 SUSTAINABLE COMMUNITIES PLANNING GRANT- MULTIMODAL DATA COLLECTION FOR SHORT & LONG TERM PLANNING FY 18/19	2,000										17,666		19,666
602.10-5020 SUSTAINABLE COMMUNITIES PLANNING GRANT- MULTIMODAL DATA COLLECTION FOR SHORT & LONG TERM PLANNING FY 19/20	10,000										8,807		18,807
602.10-6000 SUSTAINABLE COMMUNITIES PLANNING GRANT- MULTIMODAL OUTREACH & SAFETY PROGRAM FY 18/19	65,000											8,809	73,809
602.10-7020 SUSTAINABLE COMMUNITIES PLANNING GRANT- COMPLETE STREETS FY 19/20	10,000											148,938	158,938
602.10-7120 SUSTAINABLE COMMUNITIES PLANNING GRANT-FY 19/20	15,000											35,000	50,000
603.02 INTELLIGENT TRANSPORTATION SYSTEMS	5,000											1,000	6,000
604.01 TRANSPORTATION IMPROVEMENT PROGRAM	144,993											9,720	154,713
605.01 CONGESTION MANAGEMENT PROGRAM	149,839										9,310	3,200	162,349
610.01 AIR QUALITY PLANNING & ANALYSIS	85,179										26,023	3,000	114,202
620.01 VALLEYWIDE COORDINATION	55,000										13,000	51,200	119,200
620.02 GOODS MOVEMENT	19,262												19,262
650.01 PUBLIC INFORMATION & PARTICIPATION	79,018											7,700	86,718
670.01 ENVIRONMENTAL INFORMATION	5,000												5,000
670.05 LOCAL COORDINATION	53,125											6,950	60,075
670.07 ABANDONED VEHICLE ABATEMENT	3,600												3,600
670.1 REGIONAL HOUSING	1,000												1,000
680.02 FILM PROMOTION										50,000			50,000
680.03 CENSUS PROJECT	83,000											497,000	580,000
700.01 MEASURE R ADMINISTRATION & PLANNING	134,121										160,500	105,800	400,421
700.02 SANTA FE TRAIL CONNECTION	1,000						1,000	1,000		1,000	1,000		5,000
700.03 MEASURE R MITIGATION BANKING	10,000												10,000
800.01 LAFCO	165,000											90,500	255,500
<b>TOTALS</b>	<b>\$2,167,350</b>	<b>\$108,000</b>	<b>\$30,500</b>	<b>\$500</b>	<b>\$500</b>	<b>\$500</b>	<b>\$1,500</b>	<b>\$1,500</b>	<b>\$500</b>	<b>\$285,001</b>	<b>\$897,149</b>	<b>\$1,407,377</b>	<b>\$4,900,377</b>

EXPENDITURES BY FUNDING SOURCE  
FISCAL YEAR 2019/2020 OVERALL WORK PROGRAM

WORK ELEMENT	MEMBER DUES/ TCAG RESERVES		DMV	LOCAL PLANNING CONTRIBUTION			TDA/Transit Admin FUNDS		FHWA PL FUNDS			FTA METRO			FTA TPA		SB 1 Sustainable Communities		LEGACI GRANT/OTHER/TOLL			STIP PLANNING		TOTALS
	TCAG	CO. SPCL.		TCAG	TCAG	CITY/CO.	CONSUL	TCAG	CONSUL	TCAG	CITY/CO.	CONSUL	TCAG	VIS./PORT.	CONSUL	TCAG	CONSUL	TCAG	CONSUL	TCAG	CITY	CONSUL	TCAG	
601.01 TRANSIT ADMINISTRATION		45,000					308,409																353,409	
601.02 TCAG ADMINISTRATION					223,122																		223,122	
601.04 OFFICE EXPENSES/FIXED ASSETS		40,000			404,037																		444,037	
601.06 OWP & BUDGET								78,000	1,000														79,000	
601.08 ADVOCACY	120,800	15,700				79,300																	215,800	
601.09 PERFORMANCE MEASURES								6,000															6,000	
602.01 REGIONAL TRANSP. PLAN								65,000															65,000	
602.02 TRAFFIC FORECASTING/MODEL DEVELOPMENT	10,178							211,569	25,000														246,747	
602.03 REGIONAL BICYCLE & PEDESTRIAN PLANNING								124,500															124,500	
602.04 TRANSIT PLANNING AND COORDINATION							100,000						108,955	65,000									273,955	
602.04-0045 TRANSIT PLANNING AND COORDINATION-City of Tulare SRTP													105,528				9,200	4,472					119,200	
602.06 SPECIAL TRANSPORTATION PROJECT STUDIES		67,500						1,000															68,500	
602.07 SPECIAL TRANSPORTATION PROJECT STUDIES NON FEDERAL		22,913			8,000	47,087											9,994						87,994	
602.10-1000 SUSTAINABLE COMMUNITIES PLANNING GRANT-REGIONAL TRANSIT COORDINATION STUDY FY 17/18						1,504										11,610							13,114	
602.10-1001 SUSTAINABLE COMMUNITIES PLANNING GRANT-REGIONAL TRANSIT COORDINATION STUDY FY 18/19					8,029											971	61,000						70,000	
602.10-2000 SUSTAINABLE COMMUNITIES PLANNING GRANT-ELECTRIC VEHICLE IMPLEMENTATION PLAN FY 17/18					850	6,266										54,926							62,042	
602.10-3000 SUSTAINABLE COMMUNITIES PLANNING GRANT-SUSTAINABILITY MODEL ENHANCEMENTS FY 17/18					654											1,846	3,198						5,698	
602.10-3020 SUSTAINABLE COMMUNITIES PLANNING GRANT-SUSTAINABILITY MODEL ENHANCEMENTS FY 19/20						6,882										53,118							60,000	
602.10-3001 SUSTAINABLE COMMUNITIES PLANNING GRANT-SUSTAINABILITY MODEL ENHANCEMENTS FY 18/19					345	2,867										2,655	22,133						28,000	
602.10-5000 SUSTAINABLE COMMUNITIES PLANNING GRANT-MULTIMODAL DATA COLLECTION FOR SHORT & LONG TERM PLANNING FY 18/19					2,000	256										17,410							19,666	
602.10-5020 SUSTAINABLE COMMUNITIES PLANNING GRANT-MULTIMODAL DATA COLLECTION FOR SHORT & LONG TERM PLANNING FY 19/20	1,010				1,147											7,843	8,807						18,807	
602.10-6000 SUSTAINABLE COMMUNITIES PLANNING GRANT-MULTIMODAL OUTREACH & SAFETY PROGRAM FY 18/19					8,466											65,343							73,809	
602.10-7020 SUSTAINABLE COMMUNITIES PLANNING GRANT-COMPLETE STREETS FY 19/20					1,147	17,083										8,853	131,855						158,938	
602.10-0000 SUSTAINABLE COMMUNITIES PLANNING GRANT- FY 19/20					5,735											44,265							50,000	
603.02 INTELLIGENT TRANSPORTATION SYSTEMS					6,000																		6,000	
604.01 TRANSPORTATION IMPROVEMENT PROGRAM	10,178							144,535															154,713	
605.01 CONGESTION MANAGEMENT PROGRAM								153,039	9,310														162,349	
610.01 AIR QUALITY PLANNING & ANALYSIS	10,178				3,184			74,816	26,023														114,201	
620.01 VALLEYWIDE COORDINATION	50,000				56,200	13,000																	119,200	
620.02 GOODS MOVEMENT								19,262															19,262	
650.01 PUBLIC INFORMATION & PARTICIPATION					445			86,273															86,718	
670.01 ENVIRONMENTAL INFORMATION	5,000																						5,000	
670.05 LOCAL COORDINATION					60,075																		60,075	
670.07 ABANDONED VEHICLE ABATEMENT			3,600																				3,600	
670.1 REGIONAL HOUSING					1,000																		1,000	
680.02 FILM PROMOTION		50,000																					50,000	
680.03 CENSUS PROJECT																		580,000					580,000	
700.01 MEASURE R ADMINISTRATION & PLANNING																	239,921	160,500					400,421	
700.02 SANTA FE TRAIL CONNECTION																	5,000						5,000	
700.03 Measure R Mitigation Banking																	10,000						10,000	
800.01 LAFCO																	255,500						255,500	
SUBTOTALS	207,344	241,113	3,600		790,436	47,087	127,158	408,409	0	963,994	0	61,333	0	0	0	108,955	170,528	131,776	364,057	1,109,615	164,972	0	0	4,900,377
TOTALS	448,457		3,600		964,681			408,409		1,025,327			0			279,483		495,833		1,274,587		0		4,900,377

REVENUES FISCAL YEAR 2019/2020 OVERALL WORK PROGRAM																		
WORK	Member Dues/	Local	TDA/Transit	FHWA	FHWA	FTA Section	FTA Section	FTA Section	FTA Section	SB1 Sustainable Communities		By Cities	Measure R		Oth Funding		FHWA	FTA
ELEMENT	TCAG Reserves	Contrib.	Admin	PL (carryover)	PL	5303 (carryover)	5303	5304	5305		DMV	Special Planning	DIF	LAFCO	and Grants	TOTAL	PL Toll Credits	5303 Toll Credits
601.01 TRANSIT ADMINISTRATION	45,000		308,409													353,409		
601.02 TCAG ADMINISTRATION		223,122														223,122		
601.04 OFFICE EXPENSES/FIXED ASSETS	40,000	404,037														444,037		
601.06 OWP & BUDGET					79,000											79,000	9,061	
601.08 ADVOCACY	136,500	79,300														215,800		
601.09 PERFORMANCE MEASURES				6,000												6,000	688	
602.01 REGIONAL TRANSP. PLAN					65,000											65,000	7,456	
602.02 TRAFFIC FORECASTING/MODEL DEVELOPMENT	10,178			1,550	235,019											246,747	27,134	
602.03 REGIONAL BICYCLE & PEDESTRIAN PLANNING				16,027	108,473											124,500	14,280	
602.04 TRANSIT PLANNING AND COORDINATION			100,000			1,421	172,534									273,955		19,953
602.04-0045 TRANSIT PLANNING AND COORDINATION-City of Tulare 2020 SRTP								105,528				13,672				119,200		
602.06 SPECIAL TRANSPORTATION PROJECT STUDIES	67,500				1,000											68,500	115	
602.07 SPECIAL TRANSPORTATION PROJECT STUDIES NON FEDERAL	22,913	55,087										9,994				87,994		
602.10-1000 SUSTAINABLE COMMUNITIES PLANNING GRANT-REGIONAL TRANSIT COORDINATION STUDY FY 17/18		1,504								11,610						13,114		
602.10-1001 SUSTAINABLE COMMUNITIES PLANNING GRANT-REGIONAL TRANSIT COORDINATION STUDY FY 18/19		8,029								61,971						70,000		
602.10-2000 SUSTAINABLE COMMUNITIES PLANNING GRANT-ELECTRIC VEHICLE IMPLEMENTATION PLAN FY 17/18		7,116								54,926						62,042		
602.10-3000 SUSTAINABLE COMMUNITIES PLANNING GRANT-SUSTAINABILITY MODEL ENHANCEMENTS FY 17/18		654								5,044						5,698		
602.10-3001 SUSTAINABLE COMMUNITIES PLANNING GRANT-SUSTAINABILITY MODEL ENHANCEMENTS FY 18/19		3,212								24,788						28,000		
602.10-3020 SUSTAINABLE COMMUNITIES PLANNING GRANT-SUSTAINABILITY MODEL ENHANCEMENTS FY 19/20		6,882								53,118						60,000		
602.10-5000 SUSTAINABLE COMMUNITIES PLANNING GRANT-MULTIMODAL DATA COLLECTION FOR SHORT & LONG TERM PLANNING FY 18/19		2,256								17,410						19,666		
602.10-5020 SUSTAINABLE COMMUNITIES PLANNING GRANT-MULTIMODAL DATA COLLECTION FOR SHORT & LONG TERM PLANNING FY 19/20	1,010	1,147								16,650						18,807		
602.10-6000 SUSTAINABLE COMMUNITIES PLANNING GRANT-MULTIMODAL OUTREACH & SAFETY PROGRAM FY 18/19		8,466								65,343						73,809		
602.10-7020 SUSTAINABLE COMMUNITIES PLANNING GRANT-COMplete STREETS FY 19-20		18,230								140,708						158,938		
602.10-0000 SUSTAINABLE COMMUNITIES PLANNING GRANT-FY 19/20		5,735								44,265						50,000		
603.02 INTELLIGENT TRANSPORTATION SYSTEMS		6,000														6,000		
604.01 TRANSPORTATION IMPROVEMENT PROGRAM	10,178				144,535											154,713	16,578	
605.01 CONGESTION MANAGEMENT PROGRAM					162,349											162,349	18,621	
610.01 AIR QUALITY PLANNING & ANALYSIS	10,179	3,184			100,839											114,202	11,566	
620.01 VALLEYWIDE COORDINATION	50,000	69,200														119,200		
620.02 GOODS MOVEMENT				18,835	427											19,262	2,209	
650.01 PUBLIC INFORMATION & PARTICIPATION		445		18,250	68,023											86,718	9,895	
670.01 ENVIRONMENTAL INFORMATION	5,000															5,000		
670.05 LOCAL COORDINATION		60,075														60,075		
670.07 ABANDONED VEHICLE ABATEMENT											3,600					3,600		
670.1 REGIONAL HOUSING		1,000														1,000		
680.02 FILM PROMOTION	50,000															50,000		
680.03 CENSUS PROJECT															580,000	580,000		
700.01 MEASURE R ADMINISTRATION & PLANNING													400,421			400,421		
700.02 SANTA FE TRAIL CONNECTION													5,000			5,000		
700.03 MEASURE R MITIGATION BANKING													10,000			10,000		
800.01 LAFCO														255,500		255,500		
TOTALS	\$448,458	\$964,681	\$408,409	\$60,662	\$964,665	\$1,421	\$172,534	\$105,528		\$495,833	\$3,600	\$23,666	\$415,421	\$255,500	\$580,000	\$4,900,377	\$117,605	\$19,953

**2019/2020 Overall Work Program**

**SUMMARY**

<b>REVENUES</b>	<b>DOLLARS</b>
Member Dues	191,500
Local Contribution	964,681
TDA	408,409
FHWA PL (carryover)	60,662
FHWA PL	964,665
FTA Section 5303 (carryover)	1,421
FTA Section 5303	172,534
FTA Section 5304	105,528
FTA Section 5305	
DMV	3,600
City of Dinuba	
City of Exeter	
City of Farmersville	
City of Lindsay	
City of Porterville	
City of Tulare	13,672
City of Visalia	
City of Woodlake	
County of Tulare	9,994
Measure R	415,421
LAFCO	255,500
TCAG Reserves	256,958
SB1 Sustainable Community Grant	495,833
Other Grants (Census)	580,000
<b>Total Revenues</b>	<b>4,900,377</b>
Toll Credits(5303) (Not Revenues)	19,953
Toll Credits(PL) (Not Revenues)	117,605

<b>EXPENDITURES</b>	<b>DOLLARS</b>	<b>STAFF PERSON MONTHS</b>
TCAG Staff	2,164,000	248
City of Dinuba	108,000	
City of Exeter	30,500	
City of Farmersville	500	
City of Lindsay	500	
City of Porterville	500	
City of Tulare	1,500	
City of Visalia	1,500	
City of Woodlake	500	
County of Tulare	285,001	
Insurance	5,000	
Memberships	15,530	
Office Expense	15,500	
Consultant	897,149	
Publications/ Legal Notice/Dues	700	
Training	10,550	
Transportation and Travel	64,579	
Print Services	37,859	
County Counsel	22,000	
Auditor	2,500	
Motorpool		
Rent	137,436	
Special Dept Expense	1,072,973	
Dues/Subscriptions	4,600	
Utilities	13,500	
Office Equipment	8,000	
<b>Total Expenditures</b>	<b>4,900,377</b>	<b>247.6</b>

* FHWA PL Funding	
Carryover	\$60,662
Current Year funding:	<u>\$976,806</u>
<b>Total Funding</b>	<b>\$1,037,468</b>

## Tulare County Association of Governments

### **AGENDA ITEM VIII-A**

**April 20, 2020**

**Prepared by Benjamin A. Kimball, TCAG Staff**

#### **SUBJECT:**

**Information:** Legislative Update

#### **BACKGROUND:**

Every year, TCAG holds one or more One Voice trips to Washington, D.C. to collaborate with administration and legislative bodies on matters of federal policy and financing. TCAG also participates in legislative efforts and Valley Voice trips conducted by the San Joaquin Valley Policy Council, both to Washington, D.C. for federal matters and Sacramento for state matters.

In addition, TCAG works with the California Councils of Government (CalCOG), the Self Help Counties Coalition (Self Help), the American Planning Association (APA) and the National Association of Regional Councils (NARC) to advance the regional agenda and get additional support from the federal and state government.

Assisting TCAG staff in these efforts is our federal lobbyist, Pace Government Solutions.

#### **DISCUSSION:**

TCAG is preparing a Once Voice Trip to be held June 22-25, 2020 in Washington, D.C. to discuss a number of transportation related issues, foremost among them is grant funding for the Commercial Interchange Project in Tulare.

TCAG will be working on federal and state grant applications for funding to construct the commercial interchange in Tulare.

TCAG has also been receiving regular correspondence from our Federal Lobbyist Pace Government Solutions with information on the latest legislative actions associated with the Coronavirus response to see if there is anything there that might affect transportation. TCAG staff has been analyzing these reports but has found little that would affect our region's projects.

Additional information on legislative matters will be made available at the Board Meeting.

#### **ATTACHMENT(S):**

None

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## **AGENDA ITEM VIII-F**

**April 20, 2020**

**Prepared by Elizabeth Forte, TCAG Staff**

### **SUBJECT:**

**Action:** Approve Document Establishing Regional Transit Agency for Circulation to TCAG Member Agencies

### **BACKGROUND:**

At the August 19, 2019 Board meeting, TCAG staff was directed to assemble an ad hoc committee to discuss concerns regarding transit coordination and the potential for exploring a Joint Powers Authority (JPA) or other formal coordination of regional transit service. The ad hoc committee prepared and presented a number of recommendations to the TCAG Board on December 9, 2019. Subsequently, staff was directed to prepare a draft governance document and circulate it for member agency review.

### **DISCUSSION:**

The proposed governance document for a potential new regional transit agency was circulated to TCAG's member agencies on February 10<sup>th</sup> for their review and comment. Comments were due March 27<sup>th</sup>. Comments have been assembled and submitted to counsel for review. TCAG staff will provide the comments, counsel recommendations, if any, and recommendations for a final document at the Board meeting on April 20<sup>th</sup>.

### **RECOMMENDATION:**

Approve the circulation of agreement to form the Tulare County Regional Transit Agency (TCRTA) to the cities of Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, Woodlake, and the County of Tulare.

### **FISCAL IMPACT:**

No fiscal impact to TCAG operations with this action.

### **ATTACHMENT:**

1. Proposed Joint Powers Agreement
2. Comments and recommendations (available under separate cover)

**TULARE COUNTY REGIONAL TRANSIT AGENCY  
JOINT POWERS AGREEMENT**

The Joint Powers Agreement (“Agreement”), dated this \_\_\_\_ day of \_\_\_\_\_, 2020, by and among the County of Tulare and the Cities of Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, and Woodlake (each, a “Party” or “Member Agency” and together, the “Parties” or “Member Agencies” to this Agreement) is hereby entered into pursuant to Section 6500 *et seq.* of the Government Code of the State of California.

**Article I  
General Provisions**

**Section 1: Purpose**

The purpose of this Agreement is to empower the Parties to exercise their common powers by the formation and operation of a Joint Powers Agency, hereafter called “Tulare County Regional Transit Agency” or “Transit Agency,” with full power and authority to own, operate, and administer a public transportation system within the jurisdictions of the Member Agencies. The Transit Agency shall be a public agency separate and apart from the Member Agencies.

**Section 2: Name and Membership**

The legal name of the Transit Agency shall be “Tulare County Regional Transit Agency.” Agencies eligible to enter into this Agreement include the County of Tulare and all incorporated cities within Tulare County. Upon entering into this Agreement, Member Agencies shall be required to maintain membership for the duration of the remaining fiscal year in which the Member Agency joined, plus the following three (3) fiscal years. Early withdrawal of any agency under these terms may be approved by unanimous vote of the Transit Agency’s Board of Directors if withdrawal is determined to be mutually beneficial.

**Section 3: Boundaries**

The boundaries of the Transit Agency shall coincide with the exterior boundaries of Tulare County but shall exclude the territory of any incorporated city within Tulare County that is not a Party to this Agreement.

**Section 4: Powers**

The Transit Agency shall have all powers necessary to carry out the purpose of this Agreement, except the power to tax. The powers of the Transit Agency specifically include, but are not limited to, the following:

- a. To operate a public transportation system to service the incorporated areas of the cities who elect to become Member Agencies hereunder and the unincorporated areas of the County of Tulare.

- b. To acquire, hold, and dispose of real and personal property.
- c. To acquire, construct, manage, maintain, and/or operate any facilities or improvements.
- d. To own, lease, operate, and maintain vehicles and other property and equipment, which are necessary or reasonable to carry out the purpose of this Agreement.
- e. To expend funds. This power shall be limited only by the availability of funds as set forth in Article III, Sections 4 and 9 of this Agreement.
- f. To sue and be sued in its own name.
- g. To make and enter into contracts for services.
- h. To incur debts, liabilities, and obligations, none of which shall become a debt, liability, or obligation of any Member Agency pursuant to California Government Code section 6508.1 (a) without the express written consent of that Member Agency, except that any debt, liability, or obligation of the Transit Agency with respect to retirement liabilities of the Transit Agency shall be a joint debt, liability, or obligation of each Member Agency if the Transit Agency contracts with a public retirement system.
- i. To provide and enter into agreements for transportation services to locations outside the jurisdiction and boundaries of any of the Member Agencies.
- j. To apply for and execute agreements for financial assistance from the State of California, U.S. Government, and other sources, and to obligate the Transit Agency to operate the public transportation system in accordance with the terms and conditions of said financial assistance.
- k. To purchase insurance.
- l. To employ staff, or to contract with the Member Agencies, or private vendors or individuals to provide the agency with necessary and appropriate services, including, but not limited to, an Executive Director and legal counsel. If the Transit Agency elects to employ its own staff, then the Board shall establish appropriate personnel rules and benefit programs, and determine whether to seek and approve membership in the Tulare County Employees Retirement Association, another established retirement/pension system, or make other retirement/pension options available for its employees.
- m. To adopt local debt policies pursuant to California Government Code section 8855.
- n. To adopt a Conflict-of-Interest Code pursuant to California Government Code section 87300.
- o. All other powers that are necessary and proper for the Transit Agency in order to provide public transportation services.

## **Article II Organization**

### **Section 1:      Governing Board of Directors**

The powers of the Transit Agency are vested in its governing Board of Directors, hereafter called the "Board." The Board shall be composed of elected officials, hereafter called "Directors," from each Member Agency. Each Member Agency shall appoint one regular Director and one alternate Director to the Board. Each Director will serve at the pleasure of the Director's appointing authority; however, Directors who are members of the governing body of their respective Member Agencies shall cease to serve as

Directors upon termination of that public office. The applicable appointing authorities shall fill vacancies on the Board of Directors.

The following shall sit as non-voting, *ex-officio* members of the Board:

- a. The Tulare County Association of Governments (TCAG) Board members sitting as the Public Transit Representative and Alternate (if different than an already seated Transit Agency Director); and
- b. The Calvans Executive Director or his/her designee.

## **Section 2:       Officers**

a. The Board shall elect a Chair and Vice-Chair from among the Directors, and such other officers as the Board may deem necessary.

b. The Chair shall preside at all meetings of the Board and generally shall perform all duties incident to the office of Chair and such other duties as may from time to time be assigned to such office by the Board.

c. At the request of the Chair, or in case of his or her absence or disability, the Vice-Chair shall perform all duties of the Chair and, when so acting, shall have all the powers of, and be subject to all restrictions upon, the Chair. In addition, the Vice-Chair shall perform such other duties as may from time to time be assigned to that office by the Board of Directors or the Chair.

d. The Chair, Vice-Chair, and such other officers as are elected by the Board each shall serve at the pleasure of the majority of the Board and be elected for a term of two years, with no limit on the number of terms served. Each such officer shall continue to serve until his or her successor is elected, or until his or her death, resignation, or removal from office by the majority of the Board, whichever occurs earlier.

e. The Executive Director of the Transit Agency (provided for below) shall serve *ex-officio* as the Secretary of the Board. The Secretary shall (i) certify and keep at the office of the Transit Agency, or at such other place as the Board may order, the original or a copy of the Agreement, the Bylaws, and the other documents provided for below, as amended or otherwise altered; (ii) keep at the office of the Transit Agency, or at such other place as the Board may order, a book of minutes of all meetings of the Board, recording therein, the time and place of holding, whether regular or special, and, if special, how authorized, the notice thereof given, and the proceedings thereat; (iii) see that all notices are duly given in accordance with the provisions of this Agreement, the Bylaws, or as required by law; (iv) be custodian of the records of the Transit Agency; (v) exhibit at all reasonable times to any Director, upon application, the Bylaws and minutes of the proceedings of the Board; and (vi) in general, perform all duties of the office of Secretary and such other duties as may from time to time be assigned to such office by the Board or the Chair.

f. Any officer may resign at any time by giving written notice to the Board. Any such resignation shall take effect at the time specified therein and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. A vacancy in any office because of death, resignation, removal, disqualification or any other cause shall be filled in the manner prescribed in this Agreement for regular election or appointment to such office.

g. With prior Board approval, the Chair, the Vice-Chair, or the Secretary is authorized to execute all documents in the name of the Transit Agency.

### **Section 3: Compensation**

The members of the Board shall serve without compensation but shall receive reimbursement for actual and necessary travel expenses incurred in the performance of their duties and outlined in accordance with policies established by the Board.

### **Section 4: Executive Director**

The Board shall appoint an Executive Director. The Executive Director shall serve at the pleasure of or upon the terms prescribed by the Board. The Executive Director so appointed may be an employee of a Member Agency, an employee of the Transit Agency, or an independent contractor (or employee of an independent contractor). Under rules and regulations provided by the Board, the powers and duties of the Executive Director are:

- a. To lead and coordinate the transit system of the Transit Agency and to be responsible to the Board for proper administration of all affairs of the Transit Agency.
- b. To appoint, assign, direct, supervise, and, subject to the personnel rules adopted by the Board, discipline or remove Transit Agency employees.
- c. To arrange for secondary support services, including: legal counsel, general services, office space, human resources, fiscal and administrative support, communications, information technology, payroll, and other support services necessary or convenient for the operation of the transit system and Transit Agency.
- d. To supervise and direct the preparation of the annual operating and capital improvement budgets, hereafter called "Budget", for the Board and be responsible for their administration after adoption by the Board.
- e. To formulate and present to the Board plans for transit facilities and/or services and the means to finance them.
- f. To supervise the planning, acquisition, construction, maintenance, and operation of the transit facilities and/or services of the Transit Agency.
- g. To provide regular performance updates to the Board.
- h. To attend all meetings of the Board and act as the Secretary of the Board. As Secretary, he or she shall cause to be kept minutes of all meetings of the Board, to cause a copy of the minutes of the previous Board meeting to be included with the agenda of the next regular meeting of the Board, and perform all of the duties prescribed in Section 2.e. above.
- i. To establish and maintain fare collection and deposit services.
- j. To organize and operate an ongoing transit marketing program, including special promotions.
- k. To evaluate and propose new programs and public transportation services, with implementation to occur as approved by the Board.
- l. To execute transfers within major budget units, in concurrence with the Treasurer/ Auditor-Controller of the Transit Agency, as long as the total expenditures of each major budget unit remain unchanged.
- m. To purchase or lease items, fixed assets, or services within the levels authorized in the applicable Budget.

- n. To lease buses, vans, and other transit vehicles on an “as needed” basis from public or private organizations when deemed necessary to assure continued reliability of service.
- o. To perform such other duties as the Board may require in carrying out the policies and directives of the Board.

#### **Section 5: Meetings**

The Board shall hold regular monthly meetings and shall establish a date, time, and place for those meetings. Meetings may be canceled by a vote of the Board. Special meetings may be called at any time by the Chair, or at the suggestion of the Executive Director, or upon written request by any two members of the Board. Each member shall receive written notice at least 24 hours in advance of any special meeting unless the member has specifically waived this required notice.

#### **Section 6: Ralph M. Brown Act**

All meetings of the Board shall be conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with Section 54950 of the California Government Code).

#### **Section 7: Quorum**

A majority of the total membership of the Board shall constitute a quorum for the transaction of business.

#### **Section 8: Voting**

Regular business will be acted upon by approval of a quorum of the Board, with the exception of the following actions which shall require approval by a unanimous vote of the Directors present and voting at a regular or special meeting of the Board, provided that a quorum of the Board is present and voting:

- a. Approval of the Budget.
- b. Local Transportation Fund (LTF) Claims Approval for Submittal to TCAG.
- c. Withdrawal of an agency prior to completion of initial new membership term (per Article I, Section 2).
- d. Readmission of an agency that was a prior member of the Transit Agency and has since withdrawn.

#### **Section 9: Policies and Procedures, Bylaws, Conflict-of-Interest Code, and Debt Policies**

Within the first six (6) months of the Transit Agency’s existence, the Board shall establish a Policies and Procedures Manual and Bylaws to govern the day-to-day operations of the Transit Agency, local debt policies pursuant to California Government Code section 8855, and a Conflict-of-Interest Code pursuant to California Government Code section 87300, all of which are not inconsistent either with applicable law or with this Agreement. Each Director and Member Agency shall receive a copy of the adopted Policies and Procedures Manual, the Bylaws, and the Conflict-of-Interest Code. Thereafter, the Board may amend

or repeal any bylaw, regulation, policy, procedure or portion of the Conflict-of-Interest Code, provided that such action is not inconsistent with either the applicable law or this Agreement. The Executive Director shall send to each Director and to each Member Agency all Bylaw amendments, and Debt Policy and Conflict-of-Interest Code revisions promptly after adoption by the Board.

#### **Section 10: New Members**

If a city within the County of Tulare not a Party to this Agreement desires to join the Transit Agency, it may become a Member Agency subject to such terms and conditions as may be prescribed by the Board. Upon becoming a Member Agency, the new Member Agency shall become responsible for its share of the funding for public transportation provided by the Transit Agency. The new Member Agency's share of the funding shall be determined in the same manner as for the original Member Agencies, as set forth in Article III, Section 4, "Sources of Funds" of this Agreement.

If a new city is incorporated in Tulare County, it may become a Member Agency, subject to such terms and conditions as may be prescribed by the Board. Upon becoming a Member Agency, the new city shall become responsible for its share of the funding for public transportation provided by the Transit Agency. The new city's share of the funding shall be determined in the same manner as for the original Member Agencies as set for the in Article III, Section 4, "Sources of Funds" of this Agreement. Regardless of whether or not the new city elects to become a Member Agency, at the end of the fiscal year during which incorporation becomes effective, unless otherwise agreed among the new city, the County, and the Transit Agency, the County will no longer be responsible for funding public transportation within the area included in the new city.

New Member Agencies shall be required to maintain membership in this Agreement for the duration of the fiscal year in which the Member Agency joined, plus the following three (3) fiscal years.

#### **Section 11: Change of Boundaries**

In the case of annexations, reorganization of transit services and costs due to new jurisdictional boundaries will occur. Funding for transit services provided within Member Agencies' jurisdictions shall be determined as set forth in Article III, Section 4, "Source of Funds" of this Agreement.

#### **Section 12: Ratification and Effective Date**

This Agreement shall become effective upon ratification by the legislative bodies of all participating agencies. This Agreement shall be dated and shall be effective upon the last date ratified by a Member Agency.

#### **Section 13: Amendment of Agreement**

This Agreement may be amended at any time by a supplemental written agreement executed by all Parties. Amendments may be made only with the unanimous approval of the legislative bodies of all of the Member Agencies.



#### **Section 14:      Withdrawal and Readmission of Member Agencies**

Any Party to this Agreement may, on or before May 1 of any year, give written notice to the Transit Agency that it is withdrawing from the Transit Agency and terminating its rights and duties under the Agreement at the end of the fiscal year, and such notice shall have the same effect on the 30<sup>th</sup> day of June thereafter. Withdrawal at any other time requires approval of the Board per Article II, Section 8.

If a Member Agency chooses to withdraw, it nevertheless shall be responsible for its share of all Transit Agency contractual obligations in force on the effective date of withdrawal. Said share shall be determined in accordance with Article III, Section 4, "Sources of Funds" of this Agreement. The withdrawing agency shall remain responsible for said contractual obligations until the involved contracts legally expire or until the obligations can be changed or eliminated by negotiations between the contracting parties.

Each of the Parties to this Agreement hereby agrees that if it should withdraw from the Transit Agency and give up its rights and duties under this Agreement, as provided hereinabove, and the Transit Agency is not dissolved as a result of said withdrawal, then such withdrawing Party waives its right to any refund of contributions previously made by such Party to the Transit Agency and relinquishes to the Transit Agency all right, title, and interest it may have in any property of the Transit Agency.

After finalization of Member Agency withdrawal, that agency will be eligible to re-enter into this Agreement after one full fiscal year has passed. When any Party has ceased to be a Party to this Agreement, it shall not be entitled to again become a Party to this Agreement except upon unanimous consent of the Board and upon such terms and conditions as may be imposed by unanimous action of the Board.

#### **Section 15:      Duration of Agreement**

This Agreement shall continue in full force and effect until termination is approved by all or by all but one of the legislative bodies of the Member Agencies, or until withdrawals have reduced the number of Member Agencies to less than two.

In the case of termination, contractual obligations shall be met in the same manner as specified for withdrawals in Article II, Section 14, "Withdrawal and Readmission of Member Agencies" of this Agreement.

#### **Section 16:      Distribution of Surplus Money and Property**

Pursuant to California Government Code Sections 6511 and 6512, in the event that this Agreement is terminated, then all surplus money and property of the Transit Agency shall be distributed to the Member Agencies in proportion to the most recent annual contributions made by the Member Agencies under the terms of Article III, Section 4, "Source of Funds" of this Agreement. In the case of property, the Member Agencies may elect to receive their shares of the property in kind or may request that their shares be sold and the money distributed in the manner prescribed in this Section.

**Section 17: Notification of Secretary of State, State Controller, and Local Agency Formation Commission**

Pursuant to California Government Code Sections 6503.5 and 6503.6, the Transit Agency shall, within thirty (30) days of the effective date of this Agreement or amendment thereto, cause (a) a notice of the Agreement or amendment to be prepared and filed with the office of the California Secretary of State, (b) a full copy of the Agreement or amendment to be filed with the State Controller, and (c) a full copy of the Agreement or amendment to be filed with the Tulare County Local Agency Formation Commission.

**Article III  
Financial and Service Level Provisions**

**Section 1: Fiscal Year and Budget**

The fiscal year for the Transit Agency shall be July 1 through June 30 of the following calendar year.

The Board shall adopt an Annual Budget prior to the beginning of each fiscal year. Except as otherwise provided in Article III, Section 4 of this Agreement, a unanimous vote of approval by all Directors present and voting at a regular or special meeting of the Board, which must be a quorum, shall be required for the adoption of the Budget.

The Annual Budget may carry forward funds for future fiscal years where necessary to reflect obligations under state or federal funding or grant agreements.

**Section 2: Level of Service**

The minimum level of public transit service provided within the jurisdiction of each Member Agency shall be established by the Transit Agency. The Transit Agency shall set levels of service based on appropriate established criteria, including: needs of residents, service performance, TCAG performance measures and other requirements, Title VI compliance, and any other criteria deemed a) appropriate by the Transit Agency and/or b) required by law. Unmet needs found reasonable to meet will also be implemented as required.

Costs of services above the minimum level of service as set by the Transit Agency shall be calculated based upon the marginal increase in cost, plus an allocation of fixed costs of the additional services based upon the proportion of vehicle hours of the new service to the total vehicle hours provided by the Transit Agency, and shall be charged to and paid by the requesting Member Agency.

**Section 3: Service Changes**

Transportation Development Act (TDA)-funded services may be adjusted from time to time as deemed appropriate by the Board. Additionally, each Member Agency, by resolution of its governing body, may submit a request for changes in the services funded through TDA within said Member Agency's jurisdictional boundaries. Said request shall include a description of the requested changes.

In reviewing requests for service increases, the Transit Agency shall consider:

- a. Whether such changes are in substantial conformance with applicable plans, such as transit plans and the Regional Transportation Plan, and comply with required minimum levels of service.
- b. Whether there is sufficient funding available to implement the proposed service change.
- c. Whether there is sufficient personnel, operating capacity, and capital resources available to implement such services.
- d. Whether changes are permissible under state and federal law, and including Transit Agency's willingness and ability to implement necessary actions required for requested changes.

In reviewing requests for service decreases that will amount to a funding reduction of ten (10) percent or more from the requesting agency's share, the Transit Agency shall require up to six (6) months to negotiate changes with the requesting Member Agency and to implement any reductions approved by the Board. The Transit Agency shall consider whether such changes are in substantial conformance with applicable plans, such as transit plans and the Regional Transportation Plan, and comply with required minimum levels of service.

#### **Section 4: Sources of Funds**

The Transit Agency shall have the authority to apply for any funds available for transit purposes from any regional, local, state, or federal sources. Claims for Local Transportation Funds must be unanimously approved by Directors present at a regular or special meeting of the Board and voting on the matter, which must be a quorum.

Each Member Agency shall make an annual contribution to the Transit Agency. The contribution shall be the member's pro rata share of the Transit Agency's annual budget, less any transit assistance funds that can only be used for transit. The pro rata share shall be based on one-half on the ratios of populations within a member's jurisdictional boundary (excluding the population of any non-member jurisdiction), and one-half on ratios of transit service hours available to each Member Agency. Notwithstanding the foregoing, while any debt incurred by the Transit Agency in accordance with this Agreement remains outstanding, (i) the annual budget of the Transit Agency shall include the aggregate amount of all principal and/or interest payments payable on such debt for each application fiscal year (which aggregate amount so budgeted shall be deemed approved by all Member Agencies, whether or not the annual budget, as a whole, has been approved in accordance with Article III, Section 1 of this Agreement), and (ii) each Member Agency which is a member on the date on which the Transit Agency incurs the applicable debt, shall be obligated to annually contribute its Local Transportation Funds (Government Code section 29530 et seq.), to the Transit Agency (whether the Member Agency remains a member or withdraws as a member of the Transit Agency).

Population figures shall be those published by the California Department of Finance. Transit service hour ratios shall be developed by TCAG or Transit Agency staff, as applicable, and shall be included as part of the Annual Budget.

**Section 5: Transfer of Transit-Related Assets**

Upon the effective date of this Agreement, each Member Agency shall consider the transfer to the Transit Agency, or retention, of the agency's existing transit-related assets. The terms and conditions for transfers and/or lease of assets shall be negotiated between the Transit Agency and applicable Member Agency. The Executive Director shall establish policies and procedures for maintaining assets and the use of assets necessary to provide public transportation services within its service area, including requirements for Transit Agency pre-approval of alterations and improvements.

**Section 6: New Assets**

Upon the effective date of this Agreement, the Transit Agency will become responsible for the purchase all new transit vehicles and related equipment, at a minimum, for the provision of services within its service area.

**Section 7: Assignment of Federal Transit Administration (FTA) Contracts and Grant Application Authority**

Subject to FTA and Transit Agency approval, Member Agencies may assign existing FTA contracts and policies, including contractual requirements, assurances, and responsibilities, over to the Transit Agency. The Executive Director shall be authorized to prepare, submit, and execute grant applications for the use of FTA operating, planning, and capital funds, as well as other state, federal, and local funds that may become available.

**Section 8: Service Agreements**

Upon the effective date of this Agreement, the Transit Agency shall work with Member Agencies to assume service agreements, if possible and feasible, for services necessary for the operation of the Transit Agency and for provision of service within its service area. Where service agreements cannot be assumed, the Transit Agency will work with contracting Member Agencies to utilize services until such time that the agreements are terminated, as necessary and appropriate. A Member Agency shall not enter into new transit service agreements as required for operation of the Transit Agency once its existing transit service agreements are terminated.

**Section 9: Limitation of Financial Commitment**

Except as provided in Article III, Section 4 of this Agreement, the Transit Agency shall not obligate Member Agencies to expenditure of general funds for transit purposes.

**Section 10: Investment of Funds**

Pursuant to California Government Code section 6509.5, the Transit Agency shall have the power to invest any money in the treasury pursuant to California Government Code section 6505.5 that is not re-

quired for the immediate necessities of the Transit Agency, as the Board determines is advisable, in the same manner and upon the same conditions as local agencies pursuant to California Government Code section 53601.

#### **Article IV** **Miscellaneous provisions**

##### **Section 1:      Treasurer and Auditor**

Pursuant to California Government Code Section 6505.5, the County Treasurer and County Auditor of the County of Tulare are hereby designated as Treasurer and Auditor of the Transit Agency. As such, they shall have the powers, duties, and responsibilities as set forth in said section of the Government Code. The County shall be compensated for the services rendered. The amount and method of compensation agreed upon between the County and Transit Agency shall be set forth in the Annual Budget of the Transit Agency.

##### **Section 2:      Annual Audit**

The Board shall cause an annual audit to be prepared and filed pursuant to California Government Code Section 6505. The Transit Agency shall pay the cost of such audit whether conducted by the County Auditor or an independent auditor.

##### **Section 3:      Official Bonds**

Pursuant to California Government Code Section 6505.1, the Board shall require the official bonds be filed by any officers, employees, or agents, which have access to the property of the Transit Agency. The cost of said bonds shall be borne by the Transit Agency.

##### **Section 4:      Purchasing Procedures**

The Board may establish purchasing procedures and policies to ensure the Transit Agency receives competitive prices for the lease or purchase of goods and services. Formal bidding shall not be required unless specifically directed by the Board or required by applicable state or federal law.

##### **Section 5:      Indemnification**

The Transit Agency shall indemnify, defend, and hold harmless the Member Agencies, their officers, agents, and employees, and members of the Board of Directors, their officers, agents, and employees, and committee members, their officers, agents, and employees, from and against any and all claims and losses whatsoever, occurring or resulting to persons, firms, or corporations furnishing or supplying work, services, materials or supplies to the Transit Agency in connection with the performance of this Agreement, and, except as expressly provided by law, from any and all claims and losses accruing or resulting to any persons, firm or corporation, for damage, injury, or death arising out of or connected with the Transit Agency's performance of its obligations under this Agreement. Nothing herein shall limit the

right of the Transit Agency to purchase insurance or to create a self-insurance mechanism to provide coverage for the foregoing indemnity.

In this regard, the Member Agencies do not intend hereby to be obligated either jointly or severally for the debts, liabilities or obligations of the Transit Agency, except as may be specifically provided for in California Government Code Section 895.2 as amended or supplemented. Provided, however, if any Member Agency is, under such applicable law, held liable for the acts or omissions of the Transit Agency caused by negligent or wrongful act or omission occurring in the performance of this Agreement, then such parties shall be entitled to contribution from the other Member Agencies so that after said contributions each Member Agency shall bear a proportionate share of such liability, in ratios consistent with those provided for in Article III, section 4 above. This Section 5 of Article IV does not apply to acts or omissions of a Member Agency in implementing the public transit system approved by the Transit Agency within such Member Agency's boundaries and managed in whole or in part by such Member Agency.

#### **Section 6: Privileges and Immunities**

All of the privileges and immunities from liability, exemptions from laws, ordinances and rules, all pension, relief, disability, workmen's compensation, and other benefits which apply to the activity of officers, agents or employees of any Member Agency when performing their respective functions within the territorial limits of their respective public agencies, shall apply to them to the same degree and extent while engaged in the performance of any of their functions and duties extraterritorially under the auspices of the Transit Agency and the provisions of this Agreement.

#### **Section 7: Finance or Refinance Acquisition of Transit Equipment**

- a. Pursuant to California Government Code section 6518, the Transit Agency, without being subject to any limitations of any Party to the Agreement pursuant to California Government Code section 6509, may also finance or refinance the acquisition or transfer of transit equipment or transfer federal income tax benefits with respect to any transit equipment by executing agreements, leases, purchase agreements, and equipment trust certificates in the forms customarily used by a private corporation engaged in the transit business to effect purchases of transit equipment, and dispose of the equipment trust certificates by negotiation or public sale upon terms and conditions authorized by the parties to the agreement. Payment for transit equipment, or rentals therefor, may be made in installments, and the deferred installments may be evidenced by equipment trust certificates payable from any source or sources of funds specified in the equipment trust certificates that are authorized by the parties to the agreement. Title to the transit equipment shall not vest in the Transit Agency until the equipment trust certificates are paid.
- b. If the Transit Agency finances or refinances transit equipment or transfers federal income tax benefits with respect to transit equipment under subdivision (a), it may provide in the agreement to purchase or lease transit equipment any of the following:
  - (1) A direction that the vendor or lessor shall sell and assign or lease the transit equipment to a bank or trust company, duly authorized to transact business in the state as trustee, for the benefit and security of the equipment trust certificates.
  - (2) A direction that the trustee shall deliver the transit equipment to one or more designated officers of the Transit Agency.

- (3) An authorization for the Transit Agency to execute and deliver simultaneously therewith an installment purchase agreement or a lease of equipment to the Transit Agency.
- c. If the Transit Agency finances or refinances transit equipment or transfers federal income tax benefits with respect to transit equipment under subdivision (a), then it shall do all of the following:
  - (1) Have each agreement or lease duly acknowledged before a person authorized by law to take acknowledgments of deeds and be acknowledged in the form required for acknowledgment of deeds.
  - (2) Have each agreement, lease, or equipment trust certificate authorized by resolution of the Board.
  - (3) Include in each agreement, lease, or equipment trust certificate any covenants, conditions, or provisions that may be deemed necessary or appropriate to ensure the payment of the equipment trust certificate from legally available sources of funds, as specified in the equipment trust certificates.
  - (4) Provide that the covenants, conditions, and provisions of an agreement, lease, or equipment trust certificate do not conflict with any of the provisions of any trust agreement securing the payment of any bond, note, or certificate of the Transit Agency.
  - (5) File an executed copy of each agreement, lease, or equipment trust certificate in the office of the California Secretary of State, and pay the fee, as set forth in paragraph (3) of subdivision (a) of Section 12195 of the Government Code, for each copy filed
- d. The Transit Agency acknowledges that California Secretary of State may charge a fee for the filing of an agreement, lease, or equipment trust certificate under California Government Code section 6518. The agreement, lease, or equipment trust certificate shall be accepted for filing only if it expressly states thereon in an appropriate manner that it is filed under California Government Code section 6518. The filing constitutes notice of the agreement, lease, or equipment trust certificate to any subsequent judgment creditor or any subsequent purchaser.
- e. Each vehicle purchased or leased under California Government Code section 6518 shall have the name of the owner or lessor plainly marked on both sides thereof followed by the appropriate words "Owner and Lessor" or "Owner and Vendor," as the case may be.

## **Section 8: Issuance of Revenue Bonds or Other Debt**

Pursuant to Article 2, commencing with section 6540, of Chapter 5 of Division 7 of Title 1 of the California Government Code and upon the affirmative authorization of each of the Member Agencies, the Transit Agency may issue revenue bonds or other forms of indebtedness, including refunding bonds, pursuant to that article to pay the cost and expenses of acquiring or constructing mass transit facilities or vehicles, including any or all expenses incidental thereto or connected therewith, and such expenses may include engineering, inspection, legal and fiscal agents' fees, costs of the issuance and sale of said bonds, working capital, reserve fund, and bond interest estimated to accrue during the construction period and for a period of not to exceed 12 months after completion of construction. The proceeds of the bonds shall be used only for the project provided for in the indenture pursuant to which such revenue bonds are issued. Pursuant to California Government Code section 6547.8, no Director shall be personally liable on the bonds or subject to any personal liability by reason of the issuance of bonds pursuant to

this authority. Pursuant to California Government Code section 6551, said revenue bonds shall not constitute a debt, liability, or obligation of any Member Agency unless that Member Agency has given its express written consent to such obligation.

#### **Section 9:      Insurance**

The Transit Agency shall obtain insurance for all Directors and Member Agencies, including, but not limited to, directors and officers liability insurance, and general liability insurance, containing policy limits in such amounts as the Board shall determine will be necessary to adequately insure against the risks of liability that may be incurred by the Transit Agency.

#### **Section 10:     Dispute Resolution Procedures**

This Section shall govern the resolution of all controversies or claims among or between the Parties, including those that may arise between the Transit Agency and a Member Agency, that arise from or are related to this Agreement and any modifications hereto (collectively, "Arbitrable Disputes"). Wherever this Agreement makes reference to any means of resolving Arbitrable Disputes among or between the Parties, and/or the Transit Agency and a Member Agency, the Parties agree to follow the meet and confer and mediation procedure described below prior to initiating any litigation to resolve the dispute. Pending the resolution of any dispute hereunder, the Transit Agency and each Party shall continue to perform or otherwise fulfill its obligations under the Agreement. For convenience, the parties to a particular dispute are referred to in this Article as the "Disputants" and may include one or more Member Agencies and /or the Transit Agency.

- a. **Opportunity to Cure.** Notwithstanding any other provision in this Agreement, no Disputant may terminate the Agreement or pursue any remedy for any breach of this Agreement without first giving the applicable Party written notice of such breach and a reasonable time, not less than thirty (30) days, within which to cure such breach.
- b. **Voluntary Resolution, Meet and Confer Obligation.** In recognition of the government-to-government relationships of the Parties, the Disputants will make their best efforts to resolve disputes that occur under this Agreement by good faith negotiations whenever possible. Therefore, without prejudice to the right of any Disputant to seek injunctive relief against the other(s) pursuant to this Section 10, subsection e., when circumstances are deemed to require injunctive relief, the Parties hereby establish a threshold requirement that disputes between or among the Disputants first be subject to a process of meeting and conferring in good faith in order to allow the opportunity to cure any breach of contract issue between or among the Disputants, and to foster a spirit of cooperation and efficiency in the administration and monitoring of performance and compliance by each other with the terms, provisions, and conditions of this Agreement, as follows:
  - (1) Any Disputant shall give the other applicable Disputant(s), as soon as possible after the event giving rise to the concern, written notice setting forth, with specificity, the issues to be resolved. Notice shall be provided consistent with Section 11 below. Said notice shall suggest a date, time and place for the meeting. The Disputants may jointly decide to meet at another time and place; provided, however, the Disputants agree that such meeting shall commence within fifteen (15) calendar days after the date that the origi-



nal notice was given to the applicable Party, unless the Disputants agree that there is good cause to extend this time limit.

- (2) The Disputants agree that the meet and confer, including proceedings or discussions concerning the proposed meet and confer, is to be considered a confidential settlement negotiation for the purpose of all state and federal rules protecting disclosures made during such conferences from later discovery or use in evidence. All conduct, statements, promises, offers, views and opinions, oral or written, made during a meet and confer by any Party or a Party's agent, employee, or attorney shall be deemed to be confidential and shall not be subject to discovery or be admissible for any purpose, including impeachment, in any litigation or other proceeding, including mediation, involving the Disputants; provided, however, that evidence otherwise subject to discovery or otherwise admissible is not excluded from discovery or admission into evidence simply as a result of it having been used in connection with the meet and confer.
  - (3) Absent mutual consent of the Disputants, if a noticed meeting fails to commence within the fifteen (15) calendar day period, or if a reasonable attempt to schedule or reschedule the meeting has not been made within those fifteen (15) calendar days, then the meet and confer obligation imposed under this Section shall be deemed to have been satisfied and the Disputants shall be free to pursue their rights and remedies under this Section 10, unless the reason for such failure to meet and confer is the refusal of the Party asserting a claim to participate in the meet and confer, in which event said claim will be deemed to have been waived.
  - (4) If the dispute is not resolved to the satisfaction of the Disputants within thirty (30) calendar days after the first meeting, then upon the written request of any Disputant, the dispute may be submitted to non-binding mediation in accordance with Subsection c of this section ("Mediation Request"). The disputes submitted to non-binding mediation shall be limited to claims that this Agreement has been breached by one or more Disputants or the Transit Agency.
- c. **Mediation.** In the event a dispute arising under this Agreement is not resolved through the above-described meet and confer process, then within thirty (30) days after notice is provided through a Mediation Request, the Disputants to the dispute agree to participate in non-binding mediation administered by a mediator, mutually agreed to by the Disputants, to help mediate and settle the dispute as soon as practicable. The mediation shall proceed as follows:
- (1) The mediation shall be held at a mutually agreeable location within Tulare County, California.
  - (2) The Disputants shall work together to select a single mediator, but if the Disputants cannot agree on a mediator within forty-five (45) calendar days of the Mediation Request, then each Disputant will provide the others with three (3) names of proposed mediators based on substantive and procedural knowledge, availability, and location. Each Disputant will have an opportunity to strike one (1) name from the list provided by the other Disputants and rank the remaining two (2) names 1-2, with one (1) being the most favorable. The Disputants shall then exchange lists of proposed mediators and the ranking numbers from each Disputant will be added together; the proposed mediator whose combined ranking number is the lowest, which is most favorable, will be deemed

to have been chosen to serve as mediator for the particular dispute (the "Mediator"). If any Disputant fails to act within the forty-five (45) calendar day period, then the mediator shall be appointed by Fresno, California office of the American Arbitration Association ("AAA") in accordance with applicable AAA Commercial Arbitration Rules for large, complex commercial disputes.

- (3) The Mediator shall meet with and hear presentations by the Disputants as soon as practicable after appointment.
  - (4) Mediation will be conducted consistent with California Evidence Code Sections 1115-1129, this Section 10, and, to the extent practicable, the Commercial Mediation Procedures of the American Arbitration Association ("AAA"). The Mediator shall owe a professional duty to all Disputants, and shall be barred from testifying in any litigation or arbitration concerning any information obtained or disclosed in the course of the mediation.
  - (5) Each Disputant shall bear its own costs and attorneys' fees, and an equal proportionate share of all fees and expenses of the Mediator.
  - (6) Unless otherwise agreed upon by the Disputants in writing, the mediation shall be completed within ninety (90) days of the selection of the Mediator.
  - (7) The Mediator's recommendations shall not be binding on or admissible against any Disputant. The Arbitrable Dispute shall be resolved in accordance with the litigation provisions set forth in Subsection d. below if: (1) a Disputant elects to reject the Mediator's recommendations; or (2) the Mediator does not meet with the Disputants.
  - (8) The Disputants agree that the mediation, including proceedings or discussions concerning the mediation, is to be considered a confidential settlement negotiation for the purpose of all state and federal rules protecting disclosures made during such conferences from later discovery or use in evidence. All conduct, statements, promises, offers, views and opinions, oral or written, made during the mediation by any Disputant or a Disputant's agent, employee, or attorney shall be deemed to be confidential and shall not be subject to discovery or admissible for any purpose, including impeachment, in any litigation or other proceeding involving the Disputants; provided, however, that evidence otherwise subject to discovery or admissible is not excluded from discovery or admission into evidence simply as a result of it having been used in connection with the mediation.
- d. **Litigation.** Following the satisfaction of the meet and confer and mediation requirements, any controversy(ies) or claim(s) arising out of or relating to this Agreement that was not resolved during the meet and confer or mediation process (as applicable) may be resolved through litigation by or among the Disputants.
- e. **Expedited Procedure for Threats to Public Safety**
- (1) **Judicial Litigation.** If any Disputant reasonably believes that another Disputant's violation of this Agreement has caused or will cause an imminent and significant threat to public health or safety, resolution of which cannot be delayed for time periods otherwise specified in this Section 10, then the complaining Disputant may proceed with judicial litigation consistent with the provisions of this Section 10.
  - (2) The Parties consent to the jurisdiction of the Tulare County Superior Court for purposes of obtaining declaratory relief and specific performance under this Subsection.

**Section 11: Notice**

All notices required by this Agreement will be deemed to have been given when made in writing and personally delivered or mailed to the respective representatives of Parties at their respective addresses on file with the Transit Agency. Any Party may change the address to which such communications are to be given by providing the other Parties with written notice of such change at least fifteen (15) calendar days prior to the effective date of the change. All notices will be effective upon receipt and will be deemed received through delivery if personally served, or on the fifth (5th) day following deposit in the mail.

**Section 12: No Third Party Beneficiaries and No Assignment**

This Agreement is not intended to, and will not be construed to, confer a benefit or create any right for any person or entity that is not a Party. The Parties agree that this Agreement and any of the obligations of the Parties under this Agreement may not be assigned to any third party and that no third party possesses the right or power to bring an action to enforce any of the terms of this Agreement.

**Section 13: Waiver**

The waiver by any Party or any of its officers, agents or employees or the failure of any other Party or its officers, agents or employees to take action with respect to any right conferred by, or any breach of any obligation or responsibility of this Agreement, shall not be deemed to be a waiver of such obligation or responsibility, or subsequent breach of same, or of any terms, covenants or conditions of this Agreement.

**Section 14: Authorized Representatives**

The persons executing this Agreement on behalf of the Parties hereto affirmatively represent that each has the requisite legal authority to enter into this Agreement on behalf of their respective Parties and to bind their respective Parties to the terms and conditions of this Agreement. The persons executing this Agreement on behalf of their respective Parties understand that all Parties are relying on these representations in entering into this Agreement.

**Section 15: Successors in Interest**

The terms of this Agreement will be binding on all successors in interest of each Party.

**Section 16: Severability**

If any provision of this Agreement is held to be illegal, invalid or unenforceable under present or future laws, such provision shall be fully severable, this Agreement shall be construed and enforced as if such illegal, invalid, or unenforceable provision had never comprised a part of this Agreement, and the remaining provisions of this Agreement shall remain in full force and effect and shall not be affected by the illegal, invalid, or unenforceable provision or by its severance from this Agreement. The Parties shall en-

deavor in good faith negotiations to replace the prohibited or unenforceable provision with a valid provision, with the economic effect of which comes as close as possible to that of the prohibited or unenforceable provision in accordance with Article IV, section 10 of this Agreement.

**Section 17: Entire Agreement**

This Agreement constitutes the entire agreement between the Parties with respect to the subject matter, and supersedes all prior negotiations, representations, or other agreements, whether written or oral. In the event of a dispute among the Parties as to the language of this Agreement or the construction or meaning of any term hereof, this Agreement will be deemed to have been drafted by the Parties in equal parts so that no presumptions or inferences concerning its terms or interpretation may be construed against any Party to this Agreement. Headings contained in this Agreement are for reference only and shall not affect the interpretation of this Agreement.

**Section 18: Governing Law**

This Agreement shall be governed by, and construed in accordance with, the laws of the State of California.

**Section 19: Counterparts**

The Parties may sign this Agreement in counterparts, each of which is an original and all of which taken together form one single document.

[THIS SPACE LEFT BLANK INTENTIONALLY; SIGNATURES FOLLOW ON NEXT PAGES]

**IN WITNESS WHEREOF**, the Parties have executed this Agreement as of the date first written above.

**COUNTY OF TULARE**

By \_\_\_\_\_  
Chair, Board of Supervisors

Attest: Jason T Britt, County Administrative Of-  
ficer/Clerk of the Board of Supervisors

By \_\_\_\_\_

Approved as to Form:  
COUNTY COUNSEL

By \_\_\_\_\_  
Deputy (Matter No. 20192039)

**CITY OF DINUBA**

By \_\_\_\_\_  
Mayor

Attest:

By \_\_\_\_\_  
Dinuba City Clerk

Approved as to Form:

By \_\_\_\_\_  
Dinuba City Attorney

**CITY OF EXETER**

By \_\_\_\_\_  
Mayor

Attest:

By \_\_\_\_\_  
Exeter City Clerk

Approved as to Form:

By \_\_\_\_\_  
Exeter City Attorney

**CITY OF FARMERSVILLE**

By \_\_\_\_\_  
Mayor

Attest:

By \_\_\_\_\_  
Farmersville City Clerk

Approved as to Form:

By \_\_\_\_\_  
Farmersville City Attorney

**CITY OF LINDSAY**

By \_\_\_\_\_

Mayor

Attest:

By \_\_\_\_\_

Lindsay City Clerk

Approved as to Form:

By \_\_\_\_\_

Lindsay City Attorney

**CITY OF PORTERVILLE**

By \_\_\_\_\_

Mayor

Attest:

By \_\_\_\_\_

Porterville City Clerk

Approved as to Form:

By \_\_\_\_\_

Porterville City Attorney

**CITY OF TULARE**

By \_\_\_\_\_

Mayor

Attest:

By \_\_\_\_\_

Tulare City Clerk

Approved as to Form:

By \_\_\_\_\_

Tulare City Attorney

**CITY OF VISALIA**

By \_\_\_\_\_

Mayor

Attest:

By \_\_\_\_\_

Visalia City Clerk

Approved as to Form:

By \_\_\_\_\_

Visalia City Attorney

**CITY OF WOODLAKE**

By \_\_\_\_\_

Mayor

Attest:

By \_\_\_\_\_

Woodlake City Clerk

Approved as to Form:

By \_\_\_\_\_

Woodlake City Attorney

## Tulare County Association of Governments

### AGENDA ITEM VIII-G

April 20, 2020

Prepared by Ted Smalley, TCAG Staff

#### SUBJECT:

**Information:** Notification of Election of TCAG Chair, Vice Chair and Committee Representatives

#### BACKGROUND:

Every two years, TCAG elects a Chair and Vice-Chair to the TCAG Board as required by the existing Joint Powers Agreement and Bylaws. The term for this selection runs from July 1, 2020 through June 30, 2022. TCAG will also be reevaluating representation on various associated committees to coincide with Chair and Vice Chair elections.

#### DISCUSSION:

On June 30, 2020, the two-year terms of the Chair (Kuyler Crocker) and Vice Chair (Bob Link) will expire. The election of new officers is required. Pursuant to the TCAG Bylaws, any member of the Governing Board may hold the position of Chair or Vice Chair. Duties of the Chair, Vice Chair and Committee descriptions are listed in the TCAG Board Roles and Responsibilities.

TCAG will also be appointing members on the following committees:

AGENCY/COMMITTEE	CURRENT BOARD MEMBER(S)	# REPS	# ALT REPS
SAN JOAQUIN VALLEY REGIONAL PLANNING AGENCIES POLICY COUNCIL	RUDY MENDOZA KUYLER CROCKER, MARIBEL REYNOSA (A)	2	1
TULARE COUNTY WATER COMMISSION	MARTHA FLORES	1	0
SAN JOAQUIN JOINT POWERS AUTHORITY (SJJPA)	AMY SHUKLIAN, BOB LINK (A)	1	1

#### RECOMMENDATIONS:

At the May TCAG Board meeting, select new TCAG Board Chair and Vice Chair members in addition to appointing committee representatives as indicated above. The newly elected officers will assume their duties on July 1, 2020.

#### FISCAL IMPACT:

No fiscal impact.

#### ATTACHMENTS:

1. TCAG Board Roles and Responsibilities

## TULARE COUNTY ASSOCIATION OF GOVERNMENTS GOVERNING BOARD ROLES AND RESPONSIBILITIES

### FUNCTIONS AND RESPONSIBILITIES OF THE TCAG BOARD

TCAG serves under several designations, encompassing local, state, and federal responsibilities. TCAG was initially formed as an **Association of Governments** (more commonly known as a Council of Governments, or COG) under a Joint Powers Agreement in 1971. The eight incorporated cities of Exeter, Dinuba, Farmersville, Lindsay, Porterville, Tulare, Visalia, Woodlake, and the County of Tulare are TCAG member agencies. Below is a selection of the stated purposes of TCAG:

- 1) Assist local jurisdictions in obtaining federal assistance by providing advice, counsel, and professional direction;
- 2) Prepare the necessary plans and studies consistent with comprehensive planning goals and objectives;
- 3) Serve as a center for disseminating general planning information of areawide significance to the various local jurisdictions;
- 4) Investigate and prepare recommendations regarding the resolution of conflicts or other circumstances arising from the multiplicity of jurisdictions concerned with comprehensive development;
- 5) Review and coordinate applications for programs utilizing federal funding; and
- 6) Provide a clearinghouse for the coordination and review of all state funded projects.

As a result of the 1980 Census, the Visalia Urbanized Area was designated. The Visalia Urbanized Area originally included the cities of Visalia, Farmersville, and Exeter, and several adjacent unincorporated communities. Every Census boundaries are adjusted; the 2010 Census included the City of Tulare within the officially designated Visalia Urbanized Area.

Once Tulare County received an urban designation, the TCAG Board took on new responsibilities. In 1982, TCAG became the federal **Metropolitan Planning Organization (MPO)** for Tulare County. A number of responsibilities come with this designation, such as: preparation of a Regional Transportation Plan, demonstration of Air Quality Conformity, programming of all projects with federal funding in the Federal Transportation Improvement Program (FTIP), the use and maintenance of a transportation demand model, development of transit plans, and more.

Another major designation of TCAG is as the **Regional Transportation Planning Agency (RTPA)** for Tulare County. A designation by the State of California implemented in 1976, this agency is responsible for implementation of the Transportation Development Act, preparation of the Sustainable Communities Strategy (SCS), preparation of the Regional Housing Needs Assessment (RHNA), and more.

Additional designations of TCAG and their purpose are described briefly below. Not every member of the TCAG Board as established under the Joint Powers Agreement are members of every TCAG agency/authority. Board representation is in some cases determined by regulations for that agency's function.



- **Transportation Management Agency (TMA).** After the 2010 Census, the Visalia Urbanized Area exceeded the threshold of a population greater than 200,000. TCAG then received this new designation. TCAG is required to develop a Congestion Management Program (CMP), meet higher standards in transportation demand modeling, and is now subject to a federal certification review.
- **Abandoned Vehicle Abatement (AVA) Service Authority.** Under the California Vehicle Code, \$1 of the registration fee of each vehicle in Tulare County is used for the abatement of abandoned vehicles. Member agencies report abatements to TCAG and TCAG administers the allocation of these funds. Only elected officials on the TCAG Board are a part of the Service Authority.
- **Regional Data Center and Census Coordination Committee.** A state designation, TCAG serves as the local Regional Data Center, providing Census information to agencies and residents. TCAG sits as the Census Coordination Committee during the Census process, and plays a role in ensuring all residents are included in Census counts.
- **Local Clearinghouse.** TCAG is the agency responsible for circulating certain state grant applications to stakeholders throughout the county to soliciting comments regarding grant application conflicts. Comments received are relayed to the applicants.
- **Tulare County Transportation Authority (TCTA).** Measure R, the local transportation sales tax, appointed the elected officials of the TCAG Board as the TCTA for administration of the Measure.
- At board meetings, TCAG also sits as the **Transportation Policy Advisory Committee.** The advisory committee includes an ex-officio position for a representative of Caltrans.

### **TCAG BOARD MEMBERS**

The TCAG Board is comprised of the following:

- a) The five (5) members of the Board of Supervisors.
  - a. Term: during tenure in the office of Supervisor
  - b. Alternates appointed for each member, must be a resident of the county
- b) One (1) councilmember from each city which is a party to the Joint Powers Agreement, appointed by the city councils of such respective cities.
  - a. Term: during tenure in the office of Councilmember, or until replaced by the city
  - b. Alternates appointed by the respective cities, must be a Councilmember
- c) Three (3) residents, over the age of 18, of the county to be appointed by a majority vote of the other members of the governing board of the Association listed in (a) and (b) above at a meeting of the governing board.
  - a. Term: three years, staggered
  - b. Alternates appointed in the same manner as the primary members
- d) One (1) representative, to be appointed by the Tulare County Council of Cities, to serve as a representative from a provider of public transit in accordance with 23 U.S.C. as amended by MAP-21.
  - a. Term: three years
  - b. Alternate appointed in the same manner as the primary member

## **ROLES AND RESPONSIBILITIES OF TCAG BOARD MEMBERS**

### **Elected Officials Appointed to the TCAG Board**

Elected officials appointed to the TCAG Board include the five members of the Board of Supervisors and one councilmember from each incorporated city. Each member of the TCAG Board has one vote. Roles and responsibilities of the members of the TCAG Board include:

- Receive orientation and training on the roles and responsibility of TCAG as an agency, as well as the responsibilities of individual board members.
- Represent your local agency in a regional context. The focus of TCAG board members shall be on regional cooperation, strategic planning, regulatory compliance, and other issues as presented by the TCAG Chair and Executive Director and under the purview and requirements of the duties of TCAG.
- Attend various meetings, functions, conferences, etc. Attendance of board members is not expected at all events, as TCAG is routinely represented by the agency Chair; however, board members are encouraged to participate in TCAG matters as much as they are able. Examples include:
  - Stakeholder and community meetings
  - Meetings, functions, etc. with local, regional, state and federal partner agencies
  - Advocacy trips to Sacramento and Washington D.C.
  - Project groundbreakings and ribbon cuttings
- Ensure that you are provided the necessary information for decision-making.
- Attend board member training.
- Make every effort to attend TCAG board meetings and workshops.
- Notify your alternate when you will be unable to attend a meeting of the governing board.
- Act as a liaison to your respective local elected board/council.

### **Public Transit Representative**

The Public Transit Representative position on the TCAG Board was approved in 2015 due to a new requirement in the federal transportation authorization bill, MAP-21. This position carries a three-year term and is appointed by the Tulare County Council of Cities. Roles and responsibilities of this position are:

- Receive orientation and training on the roles and responsibility of TCAG as an agency, as well as the responsibilities of individual board members.

- Represent the interests of public transit in Tulare County. This includes the interest of residents and riders in the county, as well as all agencies that provide public transit in Tulare County.
- Serve as the TCAG representative (and alternate) on the CalVans board of governors.
- Attend various meetings, functions, conferences, etc. Examples include:
  - CalVans board meetings
  - Stakeholder and community meetings
  - Unmet Needs Public Hearings
  - Transit forum meetings
  - Meetings of the Social Services Transportation Advisory Council (SSTAC)
  - Events, functions, etc. with local, regional, state and federal partner agencies
  - Advocacy trips to Sacramento and Washington D.C.
  - Project groundbreakings
- Ensure that you are provided the necessary information for decision-making.
- Attend board member training.
- Make every effort to attend TCAG board meetings and workshops.
- Promote and advocate for public transit that serves the residents of Tulare County.

#### TCAG Board Members-at-Large

As established in the Joint Powers Agreement, the TCAG Board allocates three positions to members-at-large. Each member-at-large has one vote. Members-at-large will be appointed by elected officials that sit on the TCAG Governing Board, and will be selected via an application process. This position carries a three-year term, alternating so that one member-at-large is appointed per year. Rules and responsibilities include:

- Receive orientation and training on the roles and responsibility of TCAG as an agency, as well as the responsibilities of individual board members.
- Regardless of the location of your residence in Tulare County, focus of TCAG board members shall be on regional cooperation, strategic planning, regulatory compliance, and other issues as presented by the TCAG Chair and Executive Director and under the purview and requirements of the duties of TCAG.
- Ensure that you are provided the necessary information for decision-making.
- Attend board member training.
- Make every effort to attend TCAG Board meetings and workshops.
- Notify your alternate when you will be unable to attend a meeting of the governing board.

### Alternate Members of the TCAG Board

Roles and responsibilities of the alternate members of the TCAG Board include:

- Receive orientation and training on the roles and responsibility of TCAG as an agency, as well as the responsibilities of individual board members.
- Fulfill the role of a TCAG Board member when the primary appointee for your position is not in attendance.
- Stay current on activities and issues involving TCAG.
- Attend board member training.
- Make every effort to attend TCAG Board meetings and workshops.

### TCAG Chair

The TCAG Chair serves a two-year term and is elected from among the members of the governing board. Terms commence July 1<sup>st</sup> of even-numbered years. The duties and time commitment required to serve as the Chair will vary from year to year, but is typically very involved. Below are roles and responsibilities of the TCAG Chair:

- Preside at meetings of the board and provide leadership: responsible for ensuring that the necessary business of TCAG is carried out efficiently, effectively, and in an appropriate manner.
- Ensure that key and appropriate issues are discussed by the governing board in a timely manner and ensure the provision of all the necessary information needed on which to base decisions.
- Ensure that in making decisions the governing body takes proper account of statutory and other requirements and constraints.
- Offer both general and specific support to the Executive Director where strategic, major, or contentious issues are involved, such as direction on seeking project funding or handling a personnel matter.
- Act, between board meetings, on matters delegated by the board and respond to requests on matters that do not require board approval, such as the signing of routine documents and responses to outside agencies.
- Exceptional circumstances may arise where an urgent decision is required and it is not possible to convene a meeting of the governing board. In such circumstances, the Executive Director shall seek the approval of the Chair (or in his or her absence the Vice Chair). Any decisions taken in these circumstances must be reported at the next meeting of the board.
- Serve as the TCAG representative of the California Association of Councils of Governments (CalCOG). (Except when one of the TCAG Board members is the Policy Council Chair. In this special circumstance, the Policy Council Chair will also serve as the CALCOG representative.)

- Attend various meetings, functions, conferences, etc. Examples include:
  - Stakeholder and community meetings
  - Meetings, functions, etc. with local, regional, state, and federal partner agencies
  - Advocacy trips to Sacramento and Washington D.C.
  - CalCOG annual meeting, National Association of Regional Councils (NARC) conference, California Transportation Commission (CTC) meetings, and others
  - Project groundbreakings
- Assure that TCAG meetings and board members comply with applicable regulations under the Brown Act, Robert's Rules of Order, and other governance standards.
- Call for and appoint members to ad-hoc committees. One example is the committee convened for the annual performance review of the TCAG Executive Director/Agency.
- Undertake all duties and responsibilities that fall within the range expected to execute the duties under the purview of TCAG.

#### TCAG Vice Chair

The TCAG Vice Chair also serves a two-year term and is elected from among the members of the governing board. The offices of Chair and Vice Chair run concurrently. Roles and responsibilities include:

- Fulfill duties of the Chair in the Chair's absence
- Attend various meetings, functions, conferences, etc. Examples include:
  - Stakeholder and community meetings
  - Meetings, functions, etc. with local, regional, state and federal partner agencies
  - Advocacy trips to Sacramento and Washington D.C.
  - Project groundbreakings

#### **TCAG APPOINTMENTS TO OTHER AGENCIES AND COMMITTEES**

TCAG has positions allocated on the boards and committees of several organizations. Listed below are the appointments made by the TCAG Board, and the general roles and responsibilities as TCAG representatives for these positions.

● **San Joaquin Valley Regional Planning Agencies Policy Council.** The Policy Council is comprised of two members and one alternate from the Councils of Governments of each of the counties in the San Joaquin Valley: Tulare, Kern, Kings, Fresno, Madera, Merced, Stanislaus, San Joaquin, and a representative from the San Joaquin Valley Air Pollution Control District. The purpose of the Policy Council is to work together on a regional front, often in the legislative arena. The Policy Council has an adopted legislative platform and typically travels both to Sacramento and Washington D.C. once a year. The Policy Council also works on regional issues in general, such as in Goods Movement and Air Quality. The TCAG board appoints two members and one alternate to the Policy Council. Terms shall be for two

years, commencing July 1<sup>st</sup> of even-numbered years. If a TCAG representative is elected the Policy Council Chair then that person would then also serve as the TCAG CALCOG representative.

- **CalVans.** TCAG is a member agency of CalVans, which operates as a Joint Powers Authority. CalVans is a very successful vanpool program that operates in many counties throughout California. TCAG is allotted one member and one alternate to the CalVans board. The TCAG Public Transit Representative is the member of CalVans, and alternate to the Board appointed the CalVans alternate.

- **Tulare County Water Commission.** The Water Commission is an advisory committee to the Tulare County Board of Supervisors. The Water Commission is comprised of elected officials, water experts, and community activists and examines a wide variety of water issues that impact Tulare County. TCAG is allotted one position on the Water Commission and the representative is appointed by the board. Terms shall be for two years, commencing July 1<sup>st</sup> of even-numbered years.

- **San Joaquin Joint Powers Authority (SJIPA).** The SJIPA is the governing board that manages the Amtrak San Joaquin line. This line provides service between Bakersfield, Fresno, Modesto, Stockton, Sacramento, and Oakland, and is the fifth busiest Amtrak service in the nation. TCAG is allotted one member and one alternate to the SJIPA. TCAG appoints the member and alternate to the SJIPA. Terms shall be for two years, commencing July 1<sup>st</sup> of even-numbered years.

- **San Joaquin Valley Rail Committee (SJVRC).** The SJVRC can be described as the technical advisory committee to the SJIPA. TCAG is authorized the appointment of two members and one alternate to the SJVRC. Members must reside in Tulare County, cannot be elected officials, and may not be employees of SJIPA member agencies. TCAG appoints the members and alternate to the SJVRC. Terms shall be for two years, commencing July 1<sup>st</sup> of even-numbered years.

- **California Association of Councils of Governments (CalCOG).** CalCOG is a state organization of Councils of Governments of which TCAG is a member. Similar to the San Joaquin Valley Policy Council, CalCOG covers a number of issues relevant to its member agencies. Most often, these issues are either legislative in nature or regarding regulations or other processes affecting councils of governments in the state. As mentioned previously, the TCAG Chair shall serve as the representative on the CalCOG board, except in the instance that the TCAG appointee to the SJV Policy Council is that agency's chair. In that instance, the Policy Council chair will sit as the TCAG representative on CalCOG. Additionally, the TCAG Vice Chair shall serve as the alternate member.

## Tulare County Association of Governments

### **AGENDA ITEM VIII-H**

**April 20, 2020**

Prepared by Leslie Davis, TCAG Staff

#### **SUBJECT:**

**Information:** Draft Overall Work Plan (OWP) for Fiscal Year 2020/2021

#### **BACKGROUND:**

TCAG staff has completed the 2020/2021 Draft Overall Work Plan and Budget. The OWP contains work elements with detailed tasks as well as revenues and expenditures anticipated by task for the year. Enclosed (*under separate cover*) is a copy of the draft 2020/2021 OWP.

#### **DISCUSSION:**

The total estimated expenditures for FY 2020/2021 are \$4,243,692. Of those expenditures, \$628,979 is Measure R, or LAFCO related and \$59,000 is the 2020 Census which is a one-time grant funded project. The following is a summary of major work products and highlights for FY 2020/2021:

1. Development of transportation performance measures
2. TDA and Measure R audits for all member Cities, the County, and TCAG/TCTA
3. SB1 formula funding of \$526,685, for Environmental Justice & Health Impact Assessments, Sustainable Communities Strategy, Sustainability Model Enhancements, Multimodal Data Collection, Multimodal Outreach & Safety Program, Complete Streets and Regional Active Transportation Plan Update 2020.
4. Process and manage the Overall Work Plan which includes quarterly billing and reporting for 2020/2021 and budget preparation for 2021/2022
5. Advocacy and transportation representation in Washington, D.C. and Sacramento
6. Active Transportation Program (ATP) development, project selection and programming
7. Regional Transportation Plan (RTP) preparation for the 2022 RTP
8. Comprehensive Master Plan for Tule River Native Community
9. Process and Manage the Local Transportation Fund (LTF) and the State Transit Assistance Fund (STA) for 2020/2021
10. Completion of the Urban Area Intelligent Transportation System Strategic Deployment Plan
11. Socioeconomic Data Updates for Travel Demand Modeling
12. Process amendments for the 2020/2021 Federal Transportation Improvement Program (FTIP)
13. Continued Measure R Implementation
14. Implementation, programming and tracking of the Congestion Mitigation and Air Quality (CMAQ) projects
15. Congestion Management Process Implementation and Monitoring

16. Continued public information and participation
17. Air quality monitoring, compliance, and conformity determinations
18. Continued monitoring of state and federal legislation
19. Multiple preliminary reports required for future state projects
20. Agreements, strategic planning and formation of the 2020 Census Complete County Outreach in the amount of \$59,000, per agreement with County of Tulare

The following summary compares the Draft 2020/2021 and Final 2019/2020 (with amendments) Overall Work Programs (OWP).

Item	19/20 OWP	Draft 20/21 OWP	Difference
Budget (non Measure R & LAFCO)	\$ 4,164,462	\$ 3,614,713	\$ (549,749)
Measure R, TIF & Lafco Admin	\$ 670,921	\$ 628,979	\$ (41,942)
<b>Total Budget</b>	<b>\$ 4,835,383</b>	<b>\$ 4,243,692</b>	<b>\$ (591,691)</b>
Membership Dues	\$ 191,500	\$ 191,500	\$ -
<b>LTF Contributions</b>			\$ -
TDA Admin	\$ 282,000	\$ 282,000	\$ -
TDA Planning	\$ 864,681	\$ 889,681	\$ 25,000
Coordination, Mgmt, & Implementation	\$ 226,409	\$ 226,409	\$ -
<b>Total LTF</b>	<b>\$ 1,373,090</b>	<b>\$ 1,398,090</b>	<b>\$ 25,000</b>
Consultants	\$ 546,121	\$ 663,147	\$ 117,026

Attachment 1 displays the funding and contribution summary for the Draft 2020/2021 budget.

Attachment 2 displays the funding and contribution summary for the 2019/2020 budget. There is an overall decrease of \$591,691 for the Draft 2020/2021 TCAG budget.

Caltrans, FTA and FHWA comments were received April 2<sup>nd</sup> and will be incorporated in the final version of the OWP 2020/2021.

Shown below is the proposed schedule for completion of the 2019/2020 OWP:

1. January 10, 2020 – Received verbal direction from Caltrans and FHWA/FTA
2. March 2, 2020 - Draft OWP provided to Caltrans and FHWA/FTA
3. March 2, 2019 – Draft OWP posted on TCAG Website
4. March 12, 2020 – Receive comments from Technical Advisory Committee
5. March 16, 2020 Present Draft OWP to the TCAG Board and receive comments
6. April 20, 2020 - Present Draft OWP to TCAG Board with Caltrans comments and receive comments from TCAG Board
7. May 18, 2020 – Present Final OWP for Board Approval



Upon Board approval in May, the OWP will be printed and submitted to Caltrans and the Federal Highway Administration for final approval.

**ATTACHMENTS:**

1. 2020/2021 Overall Work Plan Summary
2. 2019/2020 Overall Work Plan Summary
3. Consultant Contract List

## 2020/2021 Overall Work Program

## SUMMARY

REVENUES	DOLLARS	EXPENDITURES	DOLLARS	STAFF PERSON MONTHS
Member Dues (191,500)	191,500	TCAG Staff	2,252,459	242
Local Contribution (1,116,090)	1,116,090	City of Dinuba	40,000	
TDA(282,000)	282,000	City of Exeter		
FHWA PL (carryover)(50,000)	50,000	City of Farmersville		
FHWA PL( 1,018,518)	1,018,518	City of Lindsay		
FTA Section 5303 (carryover)(5,000)	5,000	City of Porterville		
FTA Section 5303 (172,785)	172,785	City of Tulare	500	
FTA Section 5304	105,528	City of Visalia	500	
FTA Section 5305		City of Woodlake		
DMV	3,000	County of Tulare	320,754	
City of Dinuba		Insurance	5,500	
City of Exeter		Memberships	13,830	
City of Farmersville		Office Expense	22,500	
City of Lindsay		Consultant	663,147	
City of Porterville		Publications/ Legal Notice/Dues	700	
City of Tulare	13,672	Training	15,650	
City of Visalia		Transportation and Travel	60,220	
City of Woodlake		Print Services	22,859	
County of Tulare	9,994	County Counsel	22,000	
Measure R	373,479	Auditor	2,500	
LAFCO	255,500	Motorpool		
TCAG Reserves	60,941	Rent	160,885	
SB1 Sustainable Community Grant(246,944)	526,685	Special Dept Expense	609,188	
Other Grants (Census)	59,000	Dues/Subscriptions	6,500	
		Utilities	16,000	
		Office Equipment	8,000	
<b>Total Revenues</b>	<b>4,243,692</b>	<b>Total Expenditures</b>	<b>4,243,692</b>	<b>241.6</b>
Toll Credits(5303) (Not Revenues)	12,044			
Toll Credits(PL) (Not Revenues)	122,443			

\* FHWA PL Funding  
 Carryover \$50,000  
Current Year funding: \$1,018,518  
**Total Funding \$1,068,518**

## 2019/2020 Overall Work Program

## SUMMARY

REVENUES	DOLLARS	EXPENDITURES	DOLLARS	STAFF PERSON MONTHS
Member Dues	191,500	TCAG Staff	2,164,000	248
Local Contribution	964,681	City of Dinuba	40,500	
TDA	408,409	City of Exeter	30,500	
FHWA PL (carryover)	60,662	City of Farmersville	500	
FHWA PL	976,806	City of Lindsay	500	
FTA Section 5303 (carryover)	1,421	City of Porterville	500	
FTA Section 5303	162,899	City of Tulare	1,500	
FTA Section 5304	105,528	City of Visalia	1,500	
FTA Section 5305		City of Woodlake	500	
DMV	3,600	County of Tulare	285,001	
City of Dinuba		Insurance	5,000	
City of Exeter		Memberships	15,530	
City of Farmersville		Office Expense	15,500	
City of Lindsay		Consultant	897,149	
City of Porterville		Publications/ Legal Notice/Dues	700	
City of Tulare	13,672	Training	10,550	
City of Visalia		Transportation and Travel	66,720	
City of Woodlake		Print Services	37,859	
County of Tulare	9,994	County Counsel	22,000	
Measure R	415,421	Auditor	2,500	
LAFCO	255,500	Motorpool		
TCAG Reserves	189,458	Rent	137,436	
SB1 Sustainable Community Grant	495,833	Special Dept Expense	1,073,338	
Other Grants (Census)	580,000	Dues/Subscriptions	4,600	
		Utilities	13,500	
		Office Equipment	8,000	
<b>Total Revenues</b>	<b>4,835,383</b>	<b>Total Expenditures</b>	<b>4,835,383</b>	<b>247.6</b>
Toll Credits(5303) (Not Revenues)	18,848			
Toll Credits(PL) (Not Revenues)	118,998			

\* FHWA PL Funding

Carryover	\$60,662
Current Year funding:	\$976,806
<b>Total Funding</b>	<b>\$1,037,468</b>

## TCAG/TPA Consultant Contracts for the 2020/21 Overall Work Program

Work Element	Amount	Description of Work	Consultant	Local	Valley	Undetermined/ Other	DBE Amount	DBE %	TCAG Project Manager
601.01 Transit Administration	\$ 40,000.00	TDA Audits for Cities/County	Brown Armstrong		\$40,000.00 100%				Leslie
601.01 Transit Administration	\$ 56,340.00	Remix Software & Services	Remix		\$56,340.00 100%				Leslie
601.01 Transit Administration	\$ 40,000.00	Transit Coordination Implementation	SBLB		\$40,000.00 100%				Leslie
601.02 TCAG Administration	\$ 33,000.00	Outside Auditor	TBD			\$33,000.00 100%			Ben K
601.08 Advocacy	\$ 57,000.00	Federal Government Relations	TBD		\$57,000.00 100%				Ben K
601.08 Advocacy	\$ 43,000.00	State Consultant	TBD		\$43,000.00 100%				Ben K
601.08 Advocacy	\$ 5,000.00	RTP/AQ	CalCog		\$5,000.00 100%				Ben K
602.02 Traffic Forecasting/Modeling Dev	\$ 25,000.00	Traffic Modeling Assistance	TBD			\$25,000.00 100%			Mark
602.04-0045 Transit Planning & Coord	\$ 110,000.00	Tulare SRTP	TBD			\$110,000.00 100%			Elizabeth
602.10 Sustainable Communities Planning Grant	\$ 128,807.00	Various	TBD			\$128,807.00 100%			Various
605.01 Congestion Management Program	\$ 15,000.00	Traffic Count Data Collection	Quality Traffic Data			\$15,000.00 100%			Mark
610.01 Air Quality Planning & Analysis	\$ 16,000.00	Air Quality Consultant	TBD			\$15,000.00 94%			Elizabeth
700.01 Measure R Administration & Planning	\$ 44,000.00	Audit Services	Brown Armstrong		\$44,000.00 100%				Leslie
700.01 Measure R Administration & Planning	\$ 15,000.00	Financial Services	KNN		\$15,000.00 100%				Leslie
700.01 Measure R Administration & Planning	\$ 1,500.00	Arbitrage Services	BLX		\$1,500.00 100%				Leslie
Totals	\$ 629,647.00			\$ -	\$ 301,840.00 48%	\$ 326,807.00 52%			

## Measure R Capital Projects

Work Element	Amount	Description of Work	Consultant	Local	Valley	Other	DBE Amount	DBE %	TCAG Project Manager
700.02 Measure R Santa Fe Trail	\$ 500.00								
Totals	\$ 500.00								

## TCAG/TPA Fair Share Contributions &amp; Special Contracts for the 2020/21 Overall Work Program (Not used for DBE calculations)

Work Element	Amount	Description of Work	Consultant	Comments	TCAG Project Manager
620.01 Valleywide Coordination	\$ 13,000.00	Regional Policy Council Coordination	Fresno COG	Fair Share contribution for Valleywide Coordination and Website Maintenance	Ben K
610.01 Air Quality Planning	\$ 20,000.00	Air Quality Conformity consultation	SJCOG	Fair share contribution to Valley-wide air quality consulting - Firm selected by Valley-COG directors	Elizabeth
Totals	\$ 33,000.00				
	\$ 663,147.00				

DBE calculation

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## Tulare County Association of Governments

### **AGENDA ITEM VIII-I**

**April 20, 2020**

**Prepared by Leslie Davis, TCAG Staff**

#### **SUBJECT:**

**Information:** Member Agency Transportation Development Act (TDA) Audit  
Year Ending June 30, 2019

#### **BACKGROUND:**

The Member Agencies audit was completed for the year ending June 30, 2019 and issued February of 2020. The audited financial statements of the governmental activities and the major funds of the Member Agencies can be found at <http://www.tularecog.org/budget/>. The audit was conducted in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in Government Auditing Standards, issued by the Controller General of the United States.

The Member Agency audit by Brown Armstrong Certified Public Accounts did not identify any instances of noncompliance or other matters that are required to be reported under Government Auditing Standards.

#### **DISCUSSION:**

Member Agencies: City of Exeter, City of Visalia and City of Woodlake TDA audit is complete. There are no findings or material weaknesses. The City of Dinuba and County of Tulare TDA audits have not been completed.

#### **ATTACHMENT:**

None

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## **AGENDA ITEM VIII-J**

**April 20, 2020**

**Prepared by Barbara Pilegard and Roberto Brady, TCAG Staff**

### **SUBJECT:**

**Information:** Update on 2020 Census Complete Count Outreach

### **BACKGROUND:**

#### **The U.S. Census Bureau**

The U.S. Census Bureau counts each resident of the country, where they live on April 1, every decade. The Constitution mandates the enumeration to determine how to apportion the House of Representatives among the states and to distribute billions of dollars in federal funds to local communities. More than 70 federal programs that benefit California, including education, health, and transportation, use Census numbers as part of their funding formulas.

#### **California Complete Count**

California Complete Count – Census 2020 is a statewide outreach and awareness campaign designed to ensure the federal government collects an accurate and complete count of all California residents in the upcoming U.S. Census 2020. California's Census efforts are designed to supplement the U.S. Census Bureau's outreach campaign and through collaboration, avoid duplication of work.

#### **California Census Funding**

State leaders have made a significant commitment to California's outreach and communication efforts in support of the U.S. Census 2020 by investing in strategies and activities that will help ensure an accurate and successful count of all Californians, including approximately \$27 million in funding for local governments. The County of Tulare has chosen to participate in this funding program and executed an Agreement with the State of California, California Complete Count – Census 2020 in the amount of \$582,714 on March 26, 2019.

#### **TCAG Sub-contract for Census Outreach**

For both the 2000 and 2010 censuses, TCAG was the lead agency in Tulare County for formation of a Census Complete Count Committee and conducting outreach related to the California Complete Count. In terms of census outreach, California is considered to have one of the largest proportions of "hard to reach" populations in the nation. Tulare County is also considered to have one the highest proportions in the state. Tulare County has approached TCAG to again take the lead in these tasks for the 2020 Census. On January 28, 2019, the TCAG Board authorized the Executive Director to

negotiate an agreement with Tulare County to conduct outreach for the 2020 Census. The agreement between TCAG and the County was executed on April 15, 2019.

## **DISCUSSION:**

### **Tulare County Regional Complete Count Committee**

The Tulare County Regional Complete Count Committee (CCC) is comprised of representatives from a wide range of government, education, business, healthcare, media and community based organizations. At the most recent meeting held on March 10<sup>th</sup>, the committee reviewed an online preview of the 2020 Census questionnaire, updated an outreach calendar highlighting events planned for March – May, and noted that preparations and training sessions for the 43 planned Questionnaire Assistance Center/Questionnaire Assistance Kiosk (QAC/QAK) sites were on track to allow these sites to open beginning March 16 to coincide with the mail-out of Census invitations.

The committee also noted that, due to COVID-19, it was uncertain whether planned events would be able to take place and that some events were already being canceled. Within a very short time frame following the CCC meeting, virtually all planned events were subsequently canceled and planned QAC/QAK site locations at schools and public libraries were closed.

As a result of COVID-19, outreach efforts have shifted towards media, social media, and phone outreach as organizations incorporate Census outreach as part of their interactions with clients. Census promotional items have also been included as part of various food distribution efforts throughout the county.

The local Census media campaign began in March, with local Census messaging included on Univision (KFTV 21 and KTFF 61 television, KOND, KRDA and KLLC radio stations), La Ley KGEN / La Poderosa KTIP radio, Lazer KMQA radio, and Momentum Broadcasting (KJUG, K100, KCRZ and KVMI) radio stations. The local messaging is designed to complement the Census Bureau's national and the State Census Office's statewide media campaigns.

The Porterville CCC and Tulare County CCC meetings for April were canceled, however, communications with CCC participants are continuing via email.

### **Census Outreach Efforts**

A description of outreach activities from March 3 through April 1 is provided in the following table.

<b>Date</b>	<b>Event / Meeting</b>	<b>Type of Participation</b>
Ongoing	FoodLink Tulare County, countywide	Provided FoodLink with Census grocery tote bags on to hand out during food distributions throughout the county
Ongoing	Sierra View Medical Center, Porterville	Including a "Sierra View Medical Center supports the Census" sticker with Census logo and message on front cover of Patient Guide



<b>Date</b>	<b>Event / Meeting</b>	<b>Type of Participation</b>
March	City of Tulare, Tulare	City of Tulare included a Census informational piece in their utility bill mailing
March	City of Lindsay, Lindsay	City of Lindsay designed and installed 7 Census banners at high visibility locations throughout city
3/3/20	Goshen Elementary School, Goshen	Provided 2 We Count! children's books (1 English/1 Spanish) for use in school library. Provided 100 Census fliers for distribution to families
3/3/20 – 3/12/20	Sequoias Adult Education Consortium	Providing Know Your Rights About the 2020 Census (KYR) cards, tote bags and Census information as part of Navigator team outreach, including: Lindsay Wellness Center Fair (3/6), CTE Academy – Be College Ready at COS Tulare (3/6), STEM – Tulare (3/10), Alpaugh Food Distribution (3/11), Dental Mobile Unit – Allensworth (3/11), FHCN Mobile Unit – Farmersville (3/12), Sequoia High School Fair (3/12), Preschool Community Resource Fair – Crestwood Elementary, Visalia (3/12), ACDC Class Presentation – Men's Unit (3/13)
3/4/20	Woodlake Family Resource Center, Woodlake	Provided 20 We Count! children's books (10 English/10 Spanish) for Dr. Seuss Birthday Celebration to read aloud at event and give to families
3/5/20	Porterville Unified School District, Porterville area	Provided 54 We Count! children's books (27 English/27 Spanish) to PUSD for distribution to 27 elementary school libraries in the following districts: PUSD, Strathmore, Sunnyside, Woodville, Burton, Alta Vista, Pleasant View, Rockford, Saucelito, Hope, Terra Bella, Ducor, Springville and Hot Springs
3/5/20	Richgrove Elementary School	Provided 2 We Count! children's books (1 English/1 Spanish) for use in school library.
3/5/20	Terra Bella Elementary School	Provided 2 We Count! children's books (1 English/1 Spanish) for use in school library.
3/9/20	The Sun-Gazette Newspaper, coverage area includes Exeter, Farmersville, Ivanhoe, Lemon Cove, Lindsay, Plainview, Strathmore, Three Rivers, Visalia & Woodlake	Provided Census information for Census article published on 3/11 (article in Spanish may possibly run in Ivanhoe Sol at end of April)

<b>Date</b>	<b>Event / Meeting</b>	<b>Type of Participation</b>
3/10/20	Tulare County CCC meeting	Provided Census tote bags to organizations to support Census outreach: CSET, Proteus, Family HealthCare Network, Tulare County Library, HHSA, City of Visalia, Sequoias Adult Education Consortium, Cutler-Orosi JUSD, First 5 Tulare County, and Woodlake FRC
3/12/20	Alpaugh Elementary School, Alpaugh	Provided 2 We Count! children's books (1 English/1 Spanish) for use in school library. Provided 300 Census tote bags and 200 fliers for distribution to families
3/12/20	Tulare County Office of Education – Educational Resource Services	Provided 28 We Count! children's books (14 English/14 Spanish)
3/12/20	Dolores Huerta Foundation, Visalia	Provided Know Your Rights About the 2020 Census (KYR) cards and Census fliers for Census Town Hall in Visalia
3/12/20	First 5 Tulare County	Provided 300 Census tote bags for distribution to families. First 5 is working through their 18 funded programs to conduct Census outreach throughout Tulare County and is conducting Census social media campaign via Facebook
3/13/20	Cuadrilla de la Semana, Earlimart area	Attended a Crew of the Week event hosted by La Ley Radio; distributed "Know Your Rights About the 2020 Census" cards and tote bags; Radio host talked with people about the Census; live radio coverage
3/19/20 (ongoing)	Woodlake Family Resource Center, Woodlake	Providing Census grocery tote bags and Census coloring books & crayon packs to give away via grab-n-go student lunch distributions
3/20/20	Porterville Unified School District, Porterville	Provided 800 Census grocery tote bags for PUSD schools to give away via grab-n-go student lunch distributions
3/23/20	Proteus, London area	Provided 500 Census grocery tote bags and 2790 Census coloring books (1395 English / 1395 Spanish) to give away via grab-n-go student lunch distributions
3/26/20	Neighborhood Church, Visalia	Provided 500 Census grocery tote bags, Census coloring books and crayon packs via First 5 Tulare County for distribution to area families as part of Family Fun Packs
3/27/20	Goshen Elementary School, Goshen	Provided Census grocery tote bags, Census coloring books & crayon packs to give away via grab-n-go student lunch distributions (approx. 96 on 3/27 plus

		additional materials for following week)
<b>Date</b>	<b>Event / Meeting</b>	<b>Type of Participation</b>
3/30/20	Washington Elementary School, Visalia	Provided Census grocery tote bags, Census coloring books & crayon packs to give away via grab-n-go student lunch distributions (approx. 272 on 3/30 plus additional 200 bags for following week)
3/31/20	J.E. Hester Elementary School, Farmersville	Provided 100 Census grocery tote bags via Woodlake FRC to give away with student homework packets
3/31/20	Lulu Blair Kress Preschool, Woodlake	Provided 88 Census grocery tote bags, Census coloring books & crayon packs via Woodlake FRC for distribution with student packets
3/31/20	La Ley / La Poderosa Radio Station	Provided 300 Census grocery tote bags, 500 KYR cards and 400 fliers for delivery at upcoming Cuadrillas de la Semana to be held on Fridays beginning 4/10
4/1/20	First 5 Tulare County	Provided 300 Census tote bags and approx. 220 Census coloring books for distribution to families. Provided 2 We Count! children's Census books (1 English / 1 Spanish) for use in online story reading activity
4/1/20	Houston Elementary School, Visalia	Provided Census grocery tote bags, Census coloring books & crayon packs to give away via grab-n-go student lunch distributions (approx. 475 on 4/1)

**ATTACHMENT(S):**

None

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Tulare County Association of Government  
Sitting as the Abandoned Vehicle Abatement Authority

**AGENDA ITEM IX-A**

**April 20, 2020**

**Prepared by Michele Boling, TCAG Staff**

**SUBJECT:**

**Information:** Abandoned Vehicle Abatement (AVA) 2019/2020 Second Quarter Report

**BACKGROUND:**

The Abandoned Vehicle Abatement (AVA) Program Second Quarter Report for FY 2019/2020 represents the period from October 1 to December 31, 2019.

**DISCUSSION:**

The State's quarterly disbursements are distributed according to the following formula:

- 1) Allocates 1% to the Tulare County Association of Governments (TCAG) for support of TCAG's role as Abandoned Vehicle Abatement Service Authority; and
- 2) Distributes 50% of the remaining quarterly allocation to the eight cities and county in direct proportion to their population as determined by State Department of Finance January 1, 2016 estimates; and
- 3) Distributes 50% of the remaining quarterly allocation to the eight cities and county in direct proportion to their share of the total number of abatements made during that quarter.
- 4) The amount received for 2019/2020 Second Quarter distribution is \$89,351.74. The distributed based on the above criteria as represented on attachment A.

**ATTACHMENT:**

1. Tulare County Abandoned Vehicle Abatement Second Quarter 2019/2020 FY Report

Tulare County Abandoned Vehicle Abatement Service Authority								
Report on Allocations, 2nd Quarter, October 1-December 31					2019-20 FY			
\$ 89,351.74 Authority's allocation of Abandoned Vehicle Abatement Funds from State								
\$ 893.52 1% administration fee levied by the Tulare County Association of Governments								
\$ 88,458.22 Funds distributed to Local Jurisdictions by the Authority this quarter								
Local Population	Population as of Percentage	Percentage of Population	Funding Allocation Based on Population	Total Number of Abatements	Percentage of Abatements	Funding Allocation Based on Abatements	Total Funding Allocation for Quarter	Total Number of Voluntary Abatements
Dinuba	25,328	5.29%	2,338.15	14	25%	\$ 11,057.28	\$ 13,395.43	161
Exeter	11,002	2.30%	1,015.64	0	0%	\$ -	\$ 1,015.64	0
Farmersville	11,358	2.37%	1,048.51	0	0%	\$ -	\$ 1,048.51	0
Lindsay	13,358	2.79%	1,233.14	0	0%	\$ -	\$ 1,233.14	0
Porterville	60,260	12.58%	5,562.89	13	23%	\$ 10,267.47	\$ 15,830.36	131
Tulare	66,967	13.98%	6,182.04	0	0%	\$ -	\$ 6,182.04	0
Visalia	138,207	28.85%	12,758.55	9	16%	\$ 7,108.25	\$ 19,866.80	284
Woodlake	7,891	1.65%	728.46	3	5%	\$ 2,369.42	\$ 3,097.88	14
Unincorporated	144,741	30.21%	13,361.73	17	30%	\$ 13,426.69	\$ 26,788.42	69
TOTALS	479,112	100.00%	44,229.11	56	100.00%	\$ 44,229.11	\$ 88,458.22	659