

NOTICE OF REGULAR MEETING
OF THE
TECHNICAL PLANNING COMMITTEE

Merced County Association of Governments
Conference Room
369 W. 18th Street
Merced, CA 95340
(209) 723-3153

THURSDAY, DECEMBER 4, 2008– 10:00 A.M.

1. INTRODUCTION

MEMBERS OF THE PUBLIC MAY ADDRESS ANY ITEM ON THE AGENDA DURING CONSIDERATION OF THAT ITEM.

2. ORAL COMMUNICATION

PERSONS WISHING TO ADDRESS AGENDA ITEMS OR COMMENT ON ANY ITEM NOT ON THE AGENDA MAY DO SO AT THIS TIME. COMMENTS ARE LIMITED TO THREE MINUTES PER PERSON. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD.

FOR ITEMS NOT ON THE AGENDA, NO ACTION WILL BE TAKEN AT THIS TIME. IF IT REQUIRES ACTION, IT WILL BE REFERRED TO STAFF AND/OR PLACED ON THE NEXT AGENDA.

COPIES OF STAFF REPORTS OR OTHER WRITTEN DOCUMENTATION RELATING TO ITEMS OF BUSINESS REFERRED TO ON THE AGENDA ARE ON FILE IN THE OFFICE OF MERCED COUNTY ASSOCIATION OF GOVERNMENTS. PERSONS WITH QUESTIONS CONCERNING AGENDA ITEMS MAY CALL MCAG TO MAKE INQUIRY REGARDING THE NATURE OF THE ITEM DESCRIBED ON THE AGENDA.

- * **3. Minutes of the October 2, 2008 Technical Planning Committee Meeting**
- 4. Information/Discussion Only**
- # a. TPC meeting schedule for 2009
- # b. Status of Regional Road Projects for Merced County
- # c. Neighborhood Stabilization Program Assistance
- # d. Public Notice – Atwater-Merced Expressway Flyer
- # e. Save the Date: San Joaquin Valley Blueprint Summit – January 26, 2009
- # **5. San Joaquin Valley Blueprint – Valleywide Scenario Recommendation (BRAC)** Rich Green
- For information and discussion.
- # **6. Regional Transportation Plan Amendment** Matt Fell
- For review and comment by December 26, 2008.
- # **7. Draft Amendment No. 3 to the 2009 Interim Federal Transportation Improvement Program** Terri Lewis
- For review and comment.
- * # **8. Abandoned Vehicle Abatement (AVA) Program** Ty Phimmasone
- Recommend the MCAG Governing Board approve the Final Abandoned Vehicle Abatement Plan and instruct staff to submit the Plan to the State Controller’s Office.
- + **9. Oral Report – San Joaquin Valley Express Transit Study** Jesse Brown

* Action

Attachment

+ Enclosure

The next Technical Planning Committee meeting will be held on Thursday, January 8, 2009 at 10:00 a.m. at MCAG, 369 W. 18th Street, Merced, California

TECHNICAL PLANNING COMMITTEE

October 2, 2008

MINUTES

The regular meeting of the **TECHNICAL PLANNING COMMITTEE** held Thursday, October 2, 2008, at the Merced County Association of Governments conference room located at 369 W. 18th Street, Merced, California, was called to order by Chairman Richard Schwarz at 10:00 A.M.

MEMBERS PRESENT

Mark Hamilton, City of Merced
Dwayne Chisam, City of Los Banos
John Gedney, Caltrans District 10
Michael Rhodes, Merced County
Richard Schwarz, Merced County Public Works
Larry Shankland, Merced County Transit

MEMBERS ABSENT

Paul Creighton, City of Livingston
Justin Hendrix, City of Atwater
Jake Raper, City of Gustine
City of Dos Palos
San Joaquin Valley Air Pollution Control District

OTHERS PRESENT

Lori Flanders, MCAG
Rich Green, MCAG
Terri Lewis, MCAG

1. Introductions

So noted.

2. Oral Communication

Terri Lewis stated that Item 5 – Draft Amendment No. 1 to the 2009 Interim Federal Transportation Improvement Program is being withdrawn from the agenda. On September 24, 2008, the US EPA approved the San Joaquin Valley 2007 PM-10 Maintenance Plan, including motor vehicle emissions budgets for air quality conformity. This action invalidates the ability of SJV COG's to rely on the federally approved 2007 Air Quality Conformity Analysis. Amendment 1 is withdrawn. The SJV COG's are currently evaluating a schedule for the next FTIP amendment.

Terri Lewis discussed the High Speed Rail Authority meeting that took place yesterday (the last meeting before the November 2008 vote on the HSR bond) and the Economic Impact Study of HSR on the Sacramento/Central Valley Area. The Executive Summary of the study was distributed to attendees.

Larry Shankland stated Merced County Transit (MCT) is anticipating a \$1,000,000 budget shortfall due to: 1) reductions (\$424,000) in state transit assistance (STA) funding in the 08/09 budget; and 2) increased fuel costs (approximately \$500,000). The Transit Subcommittee met recently and is recommending the MCAG Governing Board shift Local Transportation Funds (LTF) of \$993,000 from local agencies to Merced County Transit to cover the anticipated budget shortfall. If the budget shortfall ends up being less than the \$993,000 anticipated, then MCT will return any LTF funds to local agencies. In addition to the shift in LTF funds, the Transit Subcommittee is recommending an increase in transit fares. City Managers in Merced County will see the Transit Subcommittee's proposal at the Technical Review Board (TRB) meeting next Wednesday.

3. Minutes of the August 7, 2008 Technical Planning Committee Meeting

Larry Shankland made a motion to approve the minutes of the August 7, 2008 Technical Planning Committee meeting.

Seconded by Michael Rhodes.

MOTION CARRIED UNANIMOUSLY.

4. Information / Discussion Only

- a. RHNA Approval Letter
- b. Valley Land Use Conference Notice – October 11, 2008
- c. Regional Transportation Impact Fee Report
- d. Technical Overview of SB 375
- e. Atwater/Merced Expressway Update

5. Draft Amendment No. 1 to the 2009 Interim Federal Transportation Improvement Program

Item withdrawn.

6. San Joaquin Valley Blueprint – Valleywide Scenario Update

Richard Green provided a current status on the development of the Valleywide Blueprint Scenarios. Initially the Blueprint Project Managers were working with two scenarios: 1) Status Quo; and 2) COG locally preferred (stitched together in eight county region). UC Davis staff generated another three scenarios: 3) Compact Growth; 4) Transit Oriented; and 5) Urban Centered. In the end, scenarios 3, 4, and 5 are similar in outcome; therefore, UC Davis is working on a combined hybrid of scenarios 3, 4, and 5. The

modeling work on the combined hybrid scenario is not yet complete; therefore, there are not any new scenario maps available for review at this time.

Terri Lewis stated that the Blueprint Regional Advisory Committee (BRAC) will meet on November 7, 2008 and the UC Davis scenario work will be presented for review and discussion. A Blueprint Finale Summit is scheduled for January 26, 2009 in Fresno. Ultimately, the San Joaquin Valley Policy Council will take action on choosing the Preferred Blueprint Scenario (anticipated in February 2009).

Dwayne Chisam inquired when the local agencies will be seeing the Blueprint Preferred Scenario and what change will be required of the local agencies.

Terri Lewis responded that the Blueprint document and Blueprint Compliance requirements will be forthcoming in the future.

Rich Green offered to provide the local agencies with numbers of specific land use densities based on the Hybrid Scenario so that they will have some idea of what they will need to do at their local scale. Rich Green offered to have this information on the next agenda.

7. 4th Year (FY08/09) California Regional Blueprint Grant Application

Terri Lewis stated that it was not anticipated that Caltrans would be offering a 4th year Blueprint Grant funding cycle due to the state budget deficit. On September 4, 2008, Caltrans did release a Request For Proposal (RFP) for a 4th year of Blueprint Grant funding. The eight SJV COGs would like to continue the Blueprint program with a 4th year grant application. Fresno COG will be taking over as the lead agency on the SJV Blueprint Project and will be responsible for putting together the 4th year grant application, which is due to Caltrans on October 10, 2008.

Dwayne Chisam asked why MCAG is handing over the reigns to Fresno COG on this project.

Terri Lewis responded that MCAG had always committed to three years with the Blueprint Project and there is a natural break in the work from planning to implementation that will occur in the near future.

Dwayne Chisam recommended the MCAG Governing Board support the submittal of a 4th Year SJV Regional Blueprint Grant Application to Caltrans by October 10, 2008 by Resolution No. 2008/10-16-02.

Seconded by Mark Hamilton.

MOTION CARRIED UNANIMOUSLY.

8. San Joaquin Valley Express Transit Study

Terri Lewis stated that the eight SJV COGs received a grant to do the San Joaquin Valley Express Transit Study (approximately \$200,000). The Existing Conditions and Case Studies report (August 2008) for the SJV Express Transit Study addresses the first two phases of five that will be addressed by Nelson/Nygaard Consulting Associates.

Mark Hamilton inquired as to why study regional transit service when transit services are not offered from Merced to Turlock retail shopping areas on Saturdays.

Larry Shankland responded that Merced County Transit does offer Saturday service from Merced to Turlock for transit riders.

Mark Hamilton stated that the SJV Express Transit Study does not state that Merced County Transit offers Saturday service.

Terri Lewis asked Larry Shankland to review the study and provide comments on any inaccuracies.

Larry Shankland stated that he would review the study and submit any comments directly to Nelson/Nygaard and copy MCAG staff.

THERE BEING NO FURTHER BUSINESS OF THE TECHNICAL PLANNING COMMITTEE, THE MEETING WAS ADJOURNED BY CHAIRMAN RICHARD SCHWARZ AT 10:30 A.M.

MERCED COUNTY ASSOCIATION OF GOVERNMENTS

2009

TECHNICAL PLANNING COMMITTEE MEETING SCHEDULE

***The 1st Thursday of each month
10:00 a.m.
MCAG Conference Room***

January 8

February 5

March 5

April 2

May 7

June 4

July 2

August 6

September 3

October 1

November 5

December 3

MEMORANDUM

DATE: NOVEMBER 26, 2008

TO: TECHNICAL PLANNING COMMITTEE

FROM: TY PHIMMASONE, PLANNER

RE: STATUS OF REGIONAL ROAD PROJECTS FOR MERCED COUNTY

To report on the progress of regional road projects, MCAG staff would like to provide detailed briefings from the recent month's Project Development Team (PDT) meetings and short summaries from Caltrans' 2008-2009 Fiscal Year First Quarter Progress Report on State Transportation Improvement Program (STIP) projects.

MCAG staff has also updated the online Regional Roads Projects Chart, which shows the status of projects in terms of phases of development, and has also posted the recent Caltrans Quarterly Report. Both updates can be located at <http://www.mcagov.org/programs/trans/status.html>.

ATWATER-MERCED EXPRESSWAY

After modifying the Atwater-Merced Expressway (AME) proposed Alignment 1B to resolve the conflict with the Atwater Elementary School District school site, the revised Draft Environmental Impact Report (EIR) was re-circulated for a 45-day review period in November 2008. Following the review period, there will be a public hearing in December 2008. The certification of the Final EIR and the approval of the preferred alternative are expected in February 2009. Following the selection of the preferred alignment, the jurisdictions (Cities of Atwater and Merced, and the County of Merced) could incorporate the preferred alignment into their respective general plans in order to preserve the project's right-of-way. Funds have not been identified for Right-of-way and Construction.

BRADLEY OVERHEAD REPLACEMENT AND WIDENING

Design

- Caltrans staff has reworked design (by widening column separations) to accommodate (BNSF) Railroad's clearance request.
- Final Design (100% PS&E) was submitted to the Caltrans Headquarters Office Engineer for review in late October.
- Final Design underwent required Estimates Certification to check cost figures. Given the current lower bids on projects, the project cost estimates came in lower than previously

estimated, and these savings would be used to offset cost overrun for Right-of-Way (R/W) and Design (PS&E).

Right-of-Way

- Railroad Agreement expected to be done in February 2009.
- Right-of-way (R/W) work is in progress. The Right-of-Way Certification (#3: in process of obtaining rights to project properties) is expected in March 2009, at which time the project will be Ready to List (RTL: process of verifying project finances, agreements, certifications for readiness to move forward to construction).
- Ready to advertise for construction when Right-of-Way Certification changed over from type #3 to type #2 following Caltrans acquiring rights to occupy and use all project R/W.

Construction

- Federal Transportation Improvement Program (FTIP) Amendment to program Construction Phase funding should be done in March 2009.
- Following the Right-of-Way Certification changeover to type #2 in late June 2009, Caltrans could advertise for construction.
- With this project construction commencing in possibly September 2009, completion of the Bradley Overhead could be late Spring 2012.

Schedule

Task	Date
Railroad Agreement	Feb. 2009
Right-of-Way Certification #3; Ready to List (RTL)	March 2009
FTIP Amendment (Construction)	March 2009
Change Right-of-Way Cert. #3 to Cert. #2:	June 2009
Commence Construction	Sept. 2009
Complete Construction	Spring 2012

CAMPUS PARKWAY

Phase 1: Highway 99 to Childs Avenue

Right-of-way has been purchased. With the California Transportation Commission's (CTC) project allocation of \$12 million at their August meeting, construction will begin in March 2009 with completion in November 2009.

Phases 2 and 3: Childs Avenue to Yosemite Avenue

Right-of-way acquisition is in progress. Funding for construction still needs to be worked out.

HIGHWAY 59 WIDENING: 16TH STREET/OLIVE AVENUE

California Transportation Commission (CTC) staff recommended moving funding for Design and Right-of-way phases out to FY 2011-2012.

HIGHWAY 99: PLAINSBURG ROAD FREEWAY (PROP 1B FUNDED)

Design and Right-of-way work in progress. By guideline, Prop 1B projects must begin construction by December 31, 2012. Thus far, Caltrans expects to advertise this project for construction in October 2010.

HIGHWAY 99: ARBOLEDA DRIVE FREEWAY (PROP 1B FUNDED)

Design and Right-of-way work in progress. By guideline, Prop 1B projects must begin construction by December 31, 2012. Thus far, Caltrans expects to advertise this project for construction in February 2010.

HIGHWAY 99: ATWATER FREEWAY

Construction began in May 2008, and is 35% complete. Caltrans expects completion of construction in Spring 2011.

HIGHWAY 99: APLEGATE INTERCHANGE

The Project Study Report (PSR) commenced in April 2008, and is expected to be completed in October 2009.

HIGHWAYS 99/165 IMPROVEMENTS PROJECT STUDY REPORT (PSR)***Progress***

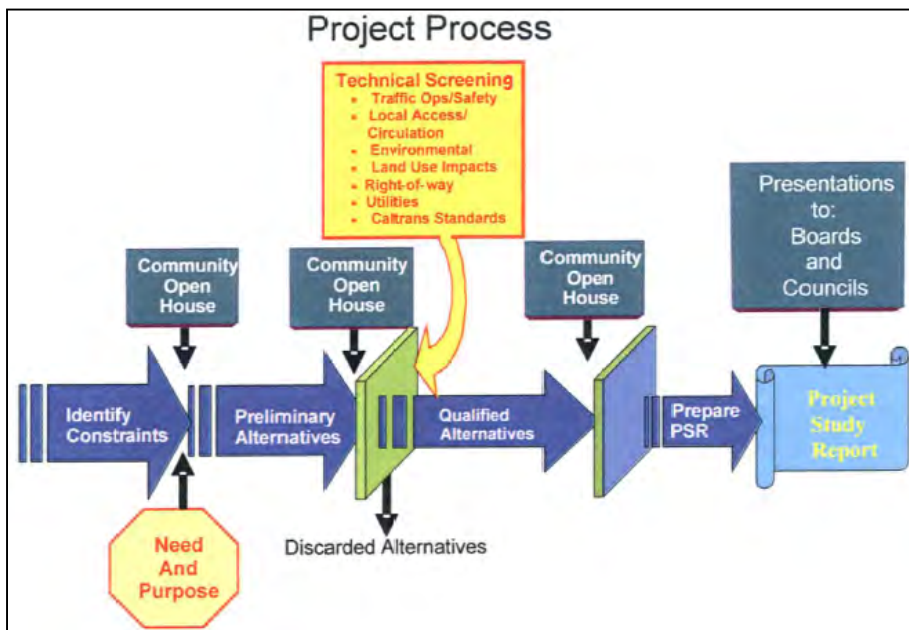
- The project studies will move forward with using existing (General Plan) population projections to predict future traffic congestion.
- Will look at alternative growth projections' (Accelerated Growth) impacts later on in the process when reviewing improvement alternatives.
- Imminent concurrence from Caltrans for Traffic Modeling approach.
- Following Caltrans' acceptance, Omni Means (PSR consultant) will draft the Traffic Analysis and Deficiencies paper, the Purpose and Need Statement and the Selection Criteria for PDT circulation.

Short- and Long-Term Schedules (approximations)

Long-Term Schedule	
Project Task	Date
Problem Identification (Purpose & Need)	Mar. 2009
Initial Alternative Development	Aug. 2009
Preliminary Project Alternatives Screening	Aug. 2009
Prepare Detailed Studies and Evaluations	Nov. 2009
Preliminary Environ. Assessment Report	Nov. 2009
Prepare Draft and Final Reports	May 2010

Short-Term Schedule	
Task	Date
Official Caltrans acceptance of Traffic Modeling approach	Jan. 2009
Traffic Analysis and Deficiencies paper	Jan. 2009
Circulate Draft Purpose and Need Statement to PDT members	Jan. 2009
Circulate Draft Selection Criteria to PDT members	Jan. 2009
Present Purpose and Need milestone	Feb. 2009
Present Purpose and Need milestone	Feb. 2009

Project Process Diagram



HIGHWAY 99: LIVINGSTON SOUTH (STAGE 2)

Completed and accepted in March 2008.

HIGHWAY 99: LIVINGSTON NORTH (MERCED MEDIAN WIDENING)

Environmental studies, which are jointly funded by the City of Livingston and Caltrans, are being conducted. The target date for completion of environmental work is April 2010. Construction is not expected until Fall 2013.

HIGHWAY 99: MISSION AVENUE INTERCHANGE

Completed and accepted in April 2008.

LOS BANOS BYPASS

Environmental

- Caltrans staff will put together the Supplemental Environmental Document (ED) and the Supplemental Project Report (PR) – March 2009.
- City will conduct environmental work for properties, which the City will acquire for its wastewater treatment expansion project, with some lands to be excavated for borrow (specifically 4 feet will be excavated: 1 foot of rich topsoil to be stockpiled, 3 feet of fill/borrow materials) to be used for the Los Banos Bypass – March 2009.
- Submit Supplemental ED and PR with approved programming (FTIP and Regional Transportation Plan Amendment) documents to Federal Highway Administration (FHWA) to secure Record of Decision (ROD) – possibly September 2009.

Design

- Caltrans will perform “Type Selection” (select appropriate bridge structure to span San Luis Canal) of single bridge structure for Phase I to determine more detailed cost estimates and if more environmental analysis will be required. Also for inclusion in Supplemental ED and PR.

Right-of-Way

- Following the City’s environmental work on properties, the City expects to bond their Wastewater Treatment Plant in Spring 2009 in order to have funds to acquire lands useful for the city’s plant expansion and for Phase I of this project.
- City of Los Banos staff has included the Los Banos Bypass alignment in the DRAFT General Plan. City staff anticipates adoption of the General Plan in the next few months.
- County of Merced staff will present the General Plan amendment with the Los Banos Bypass alignment to the Board of Supervisors (BOS) in December 2008 with expected adoption in March 2009. County staff will also put forth for adoption the official Plan Lines Ordinance to preserve the project Right-of-Way.

Roles/Responsibilities

City of Los Banos

- Perform additional environmental work (some Caltrans studies could be utilized) for the properties to be acquired.
- Hire Right-of-Way (R/W) consultant to acquire R/W, hopefully without the need for condemnation, with needed lands dedicated to Caltrans for the project.
- Work collaboratively with Caltrans on geodetic surveys (include taking coring samples) to look at soils and topography for excavating/stockpiling the precious topsoil and for examining the strength (“R-value”) grade.
- Draft up City-MCAG agreement for usage of \$2.3 Million Regional Transportation Fee (RTIF) funds for acquisition of Phase 1 R/W.

Caltrans

- Perform Engineering for project R/W.
- Work on Environmental Mitigation.
- Work on Railroad Agreement.
- Work on Utility Relocation.
- Work on Reevaluating Cultural Studies for import borrow sites (between Santa Fe and San Luis Canal).
- Work on Air Quality Hot-Spot Analysis.
- Prepare Supplemental Project Report and Environmental Document.
- Prepare Designs for Segments I and II.
- MOU and CO-OP Agreement will have Caltrans relinquish State-owned parcels to the City of Los Banos, as partial exchange for City-initiated acquisition of Los Banos Bypass project R/W. City will provide more current fair-market appraisals of these to-be-relinquished properties.

MCAG

- Make decision(s) to program available funding for project development phases.
- Administer the RTIF being collected for the project.
- Make decision(s) of RTIF allocations for the project.
- Work with local and state agencies to finance and deliver project.

COUNTY OF MERCED

- Adopt General Plan with Los Banos Bypass.
- Adopt Plan Lines Ordinance to preserve project R/W.
- Participate and assist with their experience and expertise as needed.

REQUESTED ACTION

For information only.

MEMORANDUM

DATE: NOVEMBER 26, 2008

TO: TECHNICAL PLANNING COMMITTEE

FROM: CHRISTINA SMITH, GRANT MANAGER

RE: NEIGHBORHOOD STABILIZATION PROGRAM ASSISTANCE

BACKGROUND

In response to the drastic increase in foreclosures and the impact of the sub prime lending environment on housing, Congress authorized the Neighborhood Stabilization Program (NSP) under Title III of the Housing and Economic Recovery Act of 2008. The program will allow jurisdictions to buy foreclosed homes from lenders at a discount, provide for rehabilitation if needed, and sell to low, moderate, and middle-income at or below market rate. U.S. Department of Housing and Urban Development (HUD) identified the allocations to the states and some local jurisdictions. Unfortunately, Merced County and the cities in the County did not receive any of the direct allocations from HUD. However, the State of California received \$145 million in NSP funds. After holding three public hearings, the State posted their calculation method and allocation plan, which is called an Amendment, on their website as required by HUD.

If and when HUD accepts the State of California’s Amendment, the local jurisdictions could apply for funds in the following amounts.

Jurisdiction	Calculated State Allocation Amount
City of Los Banos	\$ 1,676,491
City of Merced	\$ 1,425,208
County of Merced	\$ 2,189,300
* City of Atwater	\$ 724,333
* City of Dos Palos	\$ 157,331
* City of Gustine	\$ 128,332
* City of Livingston	\$ 201,907

** Must file joint application with County to receive funds*

The City of Los Banos and the City of Merced will each be applying for the funds separately. Merced County and the other jurisdictions have agreed to submit a joint application for their funds. At this time the State has not issued the Notice of Funds Available (NOFA) and application to apply for the funds. It is anticipated that the NOFA and application will be released early in 2009.

REQUESTED ACTION

For information and discussion only.

MEMORANDUM

DATE: NOVEMBER 26, 2008

TO: TECHNICAL PLANNING COMMITTEE

FROM: RICHARD GREEN, GIS PROGRAM MANAGER

RE: SAN JOAQUIN VALLEY BLUEPRINT - VALLEYWIDE SCENARIO RECOMMENDATION (BRAC)

BACKGROUND

The San Joaquin Valley Blueprint Planning process has been and is an evolving process. The Blueprint has always been promoted as a “bottoms up” approach to developing a regional strategy. Each Council of Governments (COG) has created a scenario that replicates the growth trends from the past 10 years out to 2050. Each COG, working with the local jurisdictions in their county, also submitted an alternative Blueprint Scenario to the valley wide effort that was combined to create a new scenario called the Locally Combined Scenario (Scenario B) and is described below. The Locally Combined Scenario was use as the basis for developing a valley wide Hybrid scenario described below as Scenario C.

The Blueprint Regional Advisory Committee is a diverse group of individuals representing each of the eight county interests as well as regional interests. They are an advisory group and cannot invalidate the recommendations made at the county level. Their input is one of the many recommendations that will be passed on to the Regional Policy Council for an action in March of 2009.

The San Joaquin Valley Summit, schedule for January 26, 2009, is an opportunity for Valley residents to join together to discuss the Valley Wide Scenarios and make recommendations to the Regional Policy Council.

Discussion

The following is a brief description of the San Joaquin Valley scenarios:

Scenario A- Recent Trends (Base Case)

The Recent Trends scenario is an effort to portray a continuation of development patterns from the recent past forward into the future. Each county has defined its own starting point and development trends. Protections for Agriculture and Environmental space are implemented county by county. It is a glimpse of what the San Joaquin Valley might look like if we do not change our current planning and development practices.

Scenario B- Locally Combined Scenario

The Locally Combined Scenario is an assembly of scenarios created by each county to represent a desired new direction for the future. This scenario, like the Recent Trends, has unique inputs and target densities for each county, though some environmental and agricultural protections do span all of the counties. The density targets were developed working closely with the local planners in each area and have been vetted through a local planning process prior to being submitted to the Valley level. Scenario B showed a reduction of land consumed compared to Scenario A. It also showed less agricultural and environmental impacts. There is a projected 10% reduction in vehicle miles traveled. Overall Scenario B performed better than the Scenario A in all the performance measure categories.

Scenario C- Valley Wide Hybrid

The Valley Wide Hybrid scenario was modified from Scenario B based on discussions and recommendations from the Blueprint Regional Advisory Committee. This scenario includes more compact growth with greater emphasis on growth in metro areas. There was more emphasis on regional transit nodes and high-speed rail. This scenario placed an even greater emphasis on limiting growth on agricultural lands and environmentally sensitive areas including cores and corridors. Given that Scenario C consumes less land for new growth than Scenario B, on a valley wide basis Scenario C performed better than Scenario B in all the performance measure categories that were evaluated.

These three scenarios were presented to the Blueprint Regional Advisory Committee at their November 7, 2008 meeting. In addition to the scenarios, the results of the performance measure were also presented. The BRAC recommended that the Policy Council endorse Scenario C for the San Joaquin Valley Blueprint.

The Blueprint is an evolving process. Since the November 7th meeting there have been suggestions that we may want to consider another scenario that uses the density goals of Scenario B and includes the regional components of Scenario C.

Attached for your information are the following charts:

1. San Joaquin Valley Scenario Development Schedule
2. Scenario Descriptions indicating percentage of densities by community size for Scenarios A, B, and C
3. Total acres of new growth for all types of development by Scenario
4. Performance Measure results for all three scenarios

REQUESTED ACTION

For information and discussion.

Attachment: Valley-wide Scenario schedule, maps and charts

MEMORANDUM

DATE: NOVEMBER 26, 2008

TO: TECHNICAL PLANNING COMMITTEE

FROM: MATT FELL, SENIOR PLANNER

RE: REGIONAL TRANSPORTATION PLAN AMENDMENT

The Regional Transportation Plan (RTP) is the long-term transportation-planning document for Merced County. Major updates are made every 3-4 years, and minor updates are made as needed. The last update was adopted in May 2007.

Due to new federal requirements regarding financial documentation, it has become necessary to amend the RTP. This is a minor amendment, which provides more recent and more specific information, as follows:

1. Revised revenue and expenditure estimates in the Financial Element, specifically to comply with the new “Year of Expenditure” requirement;
2. More details in “Table 14: Regionally Funded Projects” on page 42, including expected year of construction and escalated cost estimates; and
3. Details on a segmenting/phasing approach for construction of the Los Banos Bypass project.

The proposed amendment to the RTP includes updated funding tables, minor project description corrections and project year of construction edits. The information is supplementary and will not result in any additional environmental impacts that have not been previously addressed in the adopted Merced County RTP EIR.

A Draft Air Quality Conformity Analysis has been undertaken on the proposed amendment. The Analysis contains the documentation to support a finding that the 2007 RTP Amendment #2 meets the air quality conformity requirements for ozone and particulate matter.

A 30-day public review and comment period commences on November 26, 2008 and will conclude on December 26, 2008. The draft documents will be available for review at the Merced County Association of Governments office, located at 369 W. 18th Street in Merced and on our website at www.mcagov.org.

A public hearing on these documents will be held on December 18, 2008 at 3:00 p.m. at the City of Merced, City Hall, Council Chambers, 678 W 18th Street, Merced.

Please provide any comments you may have on any of these documents by December 26, 2008.

REQUESTED ACTION

For review and comment by December 26, 2008.

Attachments: Revised pages (cover, 42, 89-98) of the 2007 Regional Transportation Plan

ITEM 7

MEMORANDUM

DATE: NOVEMBER 26, 2008

TO: TECHNICAL PLANNING COMMITTEE

FROM: TERRI LEWIS, ASSOCIATE PLANNER

RE: DRAFT AMENDMENT NO. 3 TO THE 2009 INTERIM FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM

BACKGROUND

Merced County Association of Governments (MCAG) is proposing a formal amendment Type No. 5 (relies on a new air quality emissions analysis) and at the same time adds Type 3 (Air Quality Conformity Exempt projects) to the approved 2009 Interim Federal Transportation Improvement Program (Interim FTIP).

The eight San Joaquin Valley (SJV) Council of Governments (COGs) Directors have directed staff to process Amendment No. 3 to the 2009 Interim FTIP to make the 2009 Interim FTIP as complete of a whole programming document as possible.

In July 2008, when the 2009 Interim FTIP document was processed, the SJV COGs did not have an opportunity to include regionally significant projects that required a new air quality conformity analysis because EPA had not approved the PM-10 Maintenance Plan. Subsequent to the adoption of the 2009 Interim FTIP being approved, EPA has approved the PM-10 Maintenance Plan, therefore, SJV COGs now have the necessary emissions budgets to process a new air quality conformity analysis and make the Interim FTIP programming document as whole as possible.

The 2009 Interim FTIP and any subsequent amendment is the programming document that identifies four years (FY 08/09, FY 09/10, FY 10/11, and FY 11/12) of federal, state and local funding sources for transportation projects in Merced County.

The Draft Amendment No. 3 to the 2009 Interim FTIP contains the following changes:

1. Adds regionally significant projects and/or project phases that could not be included in the 2009 Interim FTIP without an air quality conformity analysis:
 - Widening Existing Hwy 59;
 - Los Banos Bypass (project now segmented);

- SR99 Freeway Widening – Livingston to Stanislaus County line;
 - SR99 Widening Buchanan Hollow to Miles Creek with Arboleda Interchange;
 - SR99 Widening Buchanan Hollow to Madera County line with Plainsburg Interchange;
 - Atwater/Merced Expressway;
 - Campus Parkway (projected segmented);
 - Bradley Overhead;
 - SR165 & SR99 PA/ED includes the Project Study Report (PSR);
2. Adds the new G Street Railroad Undercrossing Prop 1B funded project (exempt from Air Quality Conformity Analysis);
 3. Modifies the 2008 SHOPP program Lump Sums (exempt from Air Quality Conformity Analysis):
 - a. Adds two new SHOPP Collision Reduction Lump Sum programs to coincide with the Caltrans October 08 listing;
 - b. Modifies the SHOPP Bridge Preservation Lump Sum program with the Caltrans October 08 listing;
 - c. Modifies the SHOPP Mobility Lump Sum program to coincide with the Caltrans October 08 listing;
 - d. Modifies the SHOPP Roadway Preservation Lump Sum program to coincide with the Caltrans October 08 listing;
 4. Modifies the Caltrans Highway Bridge Program (HBP) Local Lump Sum program (exempt from Air Quality Conformity Analysis) to coincide with the 12/27/07 Caltrans listing;
 5. Adds two Federal Safe Routes to Schools (SRTS) (air quality exempt projects) for the City of Livingston in FY10/11 and the City of Los Banos in FY11/12;
 6. Adds two State Safe Routes to Schools (SR2S) (air quality exempt projects) for the City of Merced Schools, and Merced County;
 7. Adds the Hilmar Bike/Pedestrian Bicycle Transportation Account (air quality exempt) project;
 8. Adds the YARTS FTA-5320 FY08/09 (air quality exempt) grant award;
 9. Adds the YARTS State Planning and Research grant (air quality exempt) funding for a Short Range Transit Plan;
 10. Reduces the Merced County Transit CNG bus purchase (air quality exempt) total by \$75,000; and
 11. Technical correction to the CMAQ FY11/12 apportionment to \$2,622,000.

These projects and/or project phases are consistent with the 2007 Regional Transportation Plan (RTP) or Amendment #2 to the 2007 RTP.

Both the 2007 RTP documents and the Air Quality Conformity Analysis can also be viewed on the Merced County Association of Governments website at www.mcagov.org.

In addition, the projects and/or project phases contained in Amendment No. 3 do not interfere with the timely implementation of any approved Transportation Control Measures (TCMs).

A public review and comment period is open for 30-days commencing on November 26, 2008 and ending on December 26, 2008. A public hearing will be held on December 18, 2008 at 3:00 p.m. at the City of Dos Palos, Council Chambers, Dos Palos. The public has until 5:00 p.m. on December 26, 2008 to submit any comments to MCAG.

REQUESTED ACTION

For review and comment.

Attachments: CTIPS report by project
Updated Financial Summary

MEMORANDUM

DATE: NOVEMBER 26, 2008

TO: TECHNICAL PLANNING COMMITTEE

FROM: TY PHIMMASONE, PLANNER

RE: ABANDONED VEHICLE ABATEMENT (A.V.A.) PROGRAM

BACKGROUND

Section 22710 of the California Vehicle Code (VC) allows counties to form a Service Authority for the “abatement, removal, or the disposal as a public nuisance of any abandoned, wrecked, dismantled, or inoperative vehicle ... from private or public property”. Section 22710 allows for the imposition of a one-dollar (\$1.00) vehicle registration fee.

Based on expressed interest in the Abandoned Vehicle Abatement (AVA) Program in Merced County, staff has worked on the tasks required to establish this program.

Formation of the Service Authority, imposition of the one-dollar registration fee, and adoption of the Plan required a two-thirds vote by the Board of Supervisors, a vote in favor by the majority of the cities having a majority of the incorporated population, and adopted ordinances by each participating jurisdiction. All of the above-mentioned tasks have been completed.

Since MCAG was designated the Service Authority for Merced County, this item has been brought back to the MCAG Governing Board for its final approval prior to it being submitted to the State Controller’s Office.

DISBURSEMENT OF FUNDS

In accordance with Section 22710(d)(6) VC, funds generated via the vehicle registration fee will be disbursed quarterly with 50% of those funds being allocated to a jurisdiction based on the percentage of vehicles abated by that jurisdiction out of the total number of abandoned vehicles abated by all jurisdictions. The remaining 50% will be disbursed based on “population and geographic area,” with 40% being distributed based on population and 10% being shared evenly by all participating agencies.

MILESTONES

The following milestones must be met in order for the establishment of an Abandoned Vehicle Abatement Program in Merced County for the 2008-2009 fiscal year.

Milestones

Due Date

- | | |
|---|---------------|
| 1. Abandoned Vehicle Abatement Plan approval by CHP | Nov. 21, 2008 |
| 2. Submittal of AVA Plan to State Controller's Office | Jan 1, 2009 |

REQUESTED ACTION

Recommend the MCAG Governing Board approve the Final Abandoned Vehicle Abatement Plan and instruct staff to submit it to the State Controller's Office.

Attachments: Final Abandoned Vehicle Abatement Plan
Official Approval of AVA Plan Letter from California Highway Patrol

MERCED COUNTY ABANDONED VEHICLE
SERVICE AUTHORITY PLAN
July 2008

1. SERVICE AUTHORITY:

Section 22710 of the California Vehicle Code (VC) provides for the establishment of a Service Authority for the abatement of abandoned vehicles. The parties to this Agreement are Merced County and the cities of Atwater, Dos Palos, Gustine, Livingston, Los Banos and Merced. These jurisdictions have elected to create and participate in the Merced County Abandoned Vehicle Abatement Service Authority as provided herein.

2. PURPOSE:

The purpose of this Agreement is to establish a Service Authority for the abatement of abandoned vehicles in Merced County pursuant to Section 22710 VC.

3. EFFECTIVE DATE:

This Agreement becomes effective upon its approval by the county Board of Supervisors by two-thirds vote, and a majority of the cities having a majority of the incorporated population within the county.

4. BOARD OF DIRECTORS:

The Directors of the Merced County Association of Governments Governing Board shall serve as the Board of Directors of the Service Authority.

5. RESOLUTIONS:

Copies of each participating city's and the county's resolution providing for the establishment of the Service Authority including imposition of the one dollar (\$1.00) registration fee, pursuant to the requirements of Sections 22710(a) and 9250.7(a) VC, are on file with the Authority, the California Highway Patrol (CHP), and the State Controller (SC).

6. ESTIMATE OF THE NUMBER OF ABANDONED VEHICLES:

As required by Section 22710(d)(2) VC, it is estimated that there are in excess of **4,000** abandoned vehicles located throughout Merced County. This figure is based on actual and estimated abandoned vehicle counts supplied by Authority participants.

7. ORDINANCES:

Each of the participating agencies have ordinances in place establishing procedures for the abatement, removal, and disposal, as public nuisances, of abandoned, wrecked, dismantled, or inoperative vehicles, or parts thereof, from private or public property, including highways, in

accordance with the requirements of Sections 22660 and 22661 VC. This includes ordinances developed for cost recovery pursuant to Sections 25845 or 38773.5 of the Government Code (GC), or assumption of the Service Authority, of costs associated with the enforcement of the ordinance.

8. DISPOSAL AND ENFORCEMENT STRATEGY:

Each of the participating agencies have abandoned vehicle abatement processing formats or Standard Operating Procedures in place for the enforcement of Sections 22523(a)(b) VC. Statutory authority for the removal of abandoned vehicles is Section 22669 VC, as well as local ordinances adopted for the removal and disposal as public nuisances of abandoned, wrecked, dismantled, or inoperative vehicles or parts thereof from private or public property.

In accordance with Sections 22671 and 22851.3 VC, each member may maintain a contractual agreement with a licensed auto dismantler and/or qualified tow company for the removal and disposal of abandoned vehicles and may employ such contractors for the abatement, removal, and disposal as public nuisances of: abandoned, wrecked, dismantled, or inoperative vehicles or parts thereof from private or public property. Abated vehicles or parts thereof shall be disposed of by removal to a dismantler or to a scrap yard for processing as scrap, unless the vehicle qualifies for restoration pursuant to Section 5004 VC.

9. COST RECOVERY STRATEGY:

- a. General: Participating agencies shall utilize the provisions of Section 22523 VC to effect partial recovery of costs incurred in the removal of an abandoned vehicle. Additionally, member cities have enacted ordinances relative to recovery in accordance with Sections 25845 or 38773.5 GC.
- b. Funding System: It is the intent of the abandoned vehicle abatement participants to recover the cost of abandoned vehicle abatement activities from the Service Authority.
 1. Definition of Costs Recoverable from the Authority: These costs include program administration, vehicle removal, and disposal pursuant to Sections 22710(c)(1) and 22710(c)(2) VC.
 2. Cost Accounting and Recovery Required: Each abandoned vehicle abatement participant will maintain records of the costs incurred while participating in the Abandoned Vehicle Abatement Program and shall attempt recovery of those costs.
 3. Audit. On or before January 1, 2010, and biennially thereafter, the Authority shall have a financial audit of the Authority conducted by a qualified independent third party to ensure that funds are being spent in compliance with Sections 9250.7 and 22710 VC.

4. Disbursement of Funds:

- a. The money received by an Authority pursuant to Section 9250.7 VC shall be distributed to the cities and the county for their use in accordance with Section 22710(d)(6) VC.
- b. The funds will be disbursed quarterly, as received, and based on the following formula: 50% of funds will be allotted to an agency based on the percentage of the number of vehicles abated by the agency, out of the total number of abandoned vehicles abated by all member agencies. Per Section 22710 VC, the remaining 50% is to be distributed based on population and geographic area as determined by the Authority. As per this Authority, distribution will be as follows: 40% of the total funds collected will be distributed per capita with the remaining 10% to be shared evenly by all seven participating agencies.
- c. In the event a particular jurisdiction does not claim the full amount of its quarterly allotment, the “surplus funds” may be accumulated for the remainder of the fiscal year in which they were received. “Surplus funds” are those funds allotted to a jurisdiction in a fiscal quarter of the same fiscal year but are not claimed for that quarter.
- d. Surplus funds must be encumbered within 45 days of the close of the fiscal year in which the funds were received. Failure to do so will result in those funds being redistributed to other members of the Authority having spent more funds on eligible activities than they were allotted. Funds will be redistributed based on the percentage of vehicles abated by an agency, out of the total number of abandoned vehicles abated by all member agencies having spent more on eligible activities than they received.
- e. Jurisdictions that have encumbered surplus funds will have 18 months to expend the encumbered funds. Failure to do so will result in those funds being redistributed to other members of the Authority having spent more funds on eligible activities than they received from the Authority. The redistribution will be based on the percentage of vehicles abated by the agency out of the total number of abandoned vehicles abated by all agencies having spent more funds on eligible activities than they received from the Authority.
- f. The quarterly disbursement of funds to each participating jurisdiction shall be based on the fiscal year beginning in July.
- g. Each member agency will be required to submit a quarterly report to the Authority within 30 days after the end of the quarter. (Reports will be submitted during the months of January, April, July, and October.)

Additionally, member agencies will also be required to submit an annual report to the Authority within 45 days after the end of the fiscal year.

Failure by an agency to submit its quarterly report in a timely manner may result in a delay in the allocations to ALL agencies. A late annual report may result in the Authority's annual report to the State Controller's Office being late, thus suspending the collection of the one-dollar (\$1.00) vehicle registration fee for an entire year.

Both the quarterly and annual reports will contain the following information:

1. The total expenditures by the jurisdiction for the previous period.
 2. The total number of vehicles abated during the previous period.
 3. The number of notices to abate issued to vehicles during the previous period.
 4. The number of vehicles disposed pursuant to an ordinance adopted pursuant to Section 22710 during the previous period.
 5. The total expenditures by the jurisdiction for towing and storage of abandoned vehicles during the previous period.
 6. Costs recovered by the jurisdiction under Section 22850.5 of the Vehicle Code or Sections 25845 or 38773.5 of the Government Code.
- h. The treasurer of the Authority is the Merced County Treasurer and their office will receive any funds distributed to the Authority by the SCO. The funds shall be disbursed, including interest thereon, less any expenses resulting from contractual agreements to conduct audits, to each member jurisdiction as authorized by the board and by the terms of this Plan. The disbursements will be made by the Merced County Auditor-Controller from claims submitted by the Authority. The Service Authority's administrator shall report all receipts and disbursements to the Authority on a quarterly basis.
- i. Any funds not expended or encumbered within 90 days of the close of the fiscal year in which the funds were received and the amount of those funds exceeds the amount expended by the Authority for the abatement of abandoned in the previous fiscal year, the one dollar (\$1.00) registration fee shall be suspended for one year, commencing the following January 1 in accordance with Section 9250.7(b) VC and with terms of this Plan.

5. Debts and Liabilities. The debts, liabilities, and obligations of the Authority shall not be the debts, liabilities, and obligations of any member jurisdictions.

10. REPORTING REQUIREMENTS:

Service Authority, established pursuant to the provisions of Sections 9250.7 and 22710 VC, submit on an annual basis data relative to the operation of its Abandoned Vehicle Abatement Program. The SCO has prepared Annual Status Report forms (Annex A) for the reporting requirements of the Service Authorities and jurisdictions. An Authority shall submit their reports on these forms to the SCO. These annual fiscal year-end reports shall contain the required reporting information to satisfy the Legislature's intent of appropriate fiscal controls. These annual fiscal year-end reports shall be submitted on or before October 31st of each year to ensure ongoing funding from the SCO and meet the mandated legislative requirements. Should the Authority fail to submit the report by October 31 of each year, collection of the one dollar (\$1.00) shall be suspended for one year commencing on July 1 following the Controller's determination. The report will contain the following information:

- a. The total revenues received by the Authority for the previous fiscal year.
- b. The total expenditures by the Authority for the previous fiscal year.
- c. The total number of vehicles abated during the previous fiscal year.
- d. The average cost of abatement during the previous fiscal year.
- e. Any additional, unexpected fee revenues for the Authority for the previous fiscal year.
- f. The number of notices to abate issued to vehicles during the previous fiscal year.
- g. The number of vehicles disposed pursuant to an ordinance adopted pursuant to Section 22710 during the previous fiscal year.
- h. The total expenditures by the Authority for towing and storage of abandoned vehicles during the previous fiscal year.