

## STAFF REPORT

**SUBJECT:** Regional Surface Transportation Program

**MEETING DATE:** December 7, 2006

**AGENDA ITEM:** 12

**STAFF CONTACT:** Steve VanDenburgh, Deputy Director

**RECOMMENDATION:**

1. Adopt a resolution to:
  - A. Amend the 2007 Federal Transportation Improvement Program to program \$2,979,496 in federal Regional Surface Transportation Program funds to the City of Santa Maria's Union Valley Parkway Project in FY 08/09, and back out a like amount of state Regional Surface Transportation Program funds from the project for programming to local road rehabilitation projects in FY 06/07.
  - B. Program \$109,860 in unprogrammed state Regional Surface Transportation Program funds to local road rehabilitation projects in FY 06/07.
2. Amend the MOU with the Sacramento Area Council of Governments to receive \$2,979,496 in federal Regional Surface Transportation Program funds in FY 08/09.
3. Authorize the Executive Director to sign an MOU with the city of Santa Maria memorializing the exchange of federal for state Regional Surface Transportation Program funds on the Union Valley Parkway Project.

**SUMMARY:**

SBCAG has \$2,979,496 in federal RSTP funds available for programming that were obtained through an exchange agreement with the Sacramento Area Council of Governments (SACOG) approved by both agencies. It is recommended that these federal funds be programmed for the City of Santa Maria's Union Valley Parkway project and that a like amount of state RSTP funds currently programmed for the UVP project be de-programmed and allocated to each city and the county on a formula basis for local street repair and maintenance. The exchange of funds through the UVP project is advantageous to the local agencies since they will be able to avoid burdensome federal requirements and can put the funds to work on local road projects in FY 06/07. The \$2,979,496 in state RSTP funds plus a small amount of state funds remaining from prior programming cycles (\$109,860) would be allocated to the cities and the county using the formula used to distribute local Measure D funds annually. TTAC voted to approve these recommendations at its last meeting. Completing the programming changes will require board approval of an FTIP amendment and MOU's with SACOG and the City of Santa Maria.

## **BACKGROUND:**

In July, the SBCAG Board approved a memorandum of understanding (MOU) to exchange \$5,958,993 in CMAQ apportionments for \$2,979,496 in federal RSTP apportionment and obligational authority with the Sacramento Area Council of Governments (SACOG), spread evenly over FY 2007/08 and 2008/09. The CMAQ apportionments were essentially unusable to SBCAG since there is no obligational authority available to spend the funds (essentially SBCAG has no ability to spend these funds).

The RSTP apportionment received for FY 2007/08 must be fully obligated in that fiscal year. So must the apportionment for 2008/09 because obligational authority doesn't carry over. That means programming would need to be done to projects that are ready to obligate funds in those years. Otherwise, the RSTP apportionments gained from the exchange with SACOG would be of as little value as the CMAQ apportionments we had that were going to lapse.

### 1. Exchange Federal RSTP for State RSTP Funds

SBCAG staff, with TTAC's approval, recommends that the federal RSTP funds be programmed to a project that is using federal funds and state exchange RSTP funds and could meet the obligation deadlines. A corresponding amount of state exchange RSTP funds could be backed out of the project and made available for programming to local projects. This would eliminate the need to federalize many small local projects, keep the administrative costs for local projects as low as possible, and put the funds at less risk because perhaps one project sponsor with a project that could definitely be obligated would get the federalized RSTP funds, versus nine or more local agencies.

The city of Santa Maria staff has indicated that the federalized RSTP funds could be programmed to the Union Valley Parkway Project, which is already using federal funds and preparing a federal environmental document, provided that the funds were available in FY 08/09. This would provide them time to complete the environmental document, PS&E and ROW acquisition. The federalized RSTP would replace a like amount of state RSTP already programmed to the project. The state RSTP funds for the Union Valley project are already in SBCAG's account, and could be backed out and re-programmed to other local projects beginning with FY 06/07. SACOG has indicated they are agreeable to amending the MOU to pay 100% of federal RSTP funding to SBCAG in FY 08/09, rather than split evenly over FY 07/08 and 08/09. It is recommended that a simple MOU be signed between SBCAG and Santa Maria memorializing the exchange and the obligation deadline that the city would be under by accepting the federalized funds.

### 2. Residual State Exchange RSTP Funding

When the RSTP funds from the SACOG exchange are programmed, SBCAG staff recommends that unprogrammed state exchange RSTP funds left over from previous programming actions in the amount of \$16,860 in FY 07/08 and \$93,000 in FY 08/09 be programmed at the same time.

### Options for Distributing Funds

The state exchange RSTP funds could be distributed to local agencies by formula or through a competitive process, or part of the funding could be distributed by formula and the rest through a competitive process so that agencies like MTD can be assured of a chance to compete for funding.

TTAC voted to recommend that the funds be distributed using the same formula as SBCAG used to distribute Measure D Local Program funds. Each local agency would receive a base allocation of \$50,000 and the balance would be distributed by population. The formula and funding distribution approved by TTAC are shown in Table 1.

### Recommendation

SBCAG staff recommends, with TTAC approval, that:

1. A resolution be adopted to amend the 2007 FTIP to:
  - A. Program \$2,979,496 in federal Regional Surface Transportation Program funds to the City of Santa Maria's Union Valley Parkway Project in FY 08/09, and back out a like amount of state Regional Surface Transportation Program funds from the project for programming to local road rehabilitation projects in FY 06/07.
  - B. Program \$109,860 in unprogrammed state Regional Surface Transportation Program funds to local road rehabilitation projects in FY 06/07.
2. Amend the MOU with the Sacramento Area Council of Governments to receive \$2,979,496 in federal Regional Surface Transportation Program funds in FY 08/09.
3. Authorize the Executive Director to sign an MOU with the city of Santa Maria memorializing the exchange of federal for state Regional Surface Transportation Program funds on the Union Valley Parkway Project.

### **COMMITTEES:**

TTAC approved the recommendation on a 9-1 vote. MTD cast the sole dissenting vote after their motion on an alternate recommendation failed to get a second. MTD's motion was to make \$1 million available for programming through a competitive process and the balance of approximately \$2 million programmed by formula to local agencies. This would have allowed transit providers such as MTD and opportunity to compete for a portion of the funding.

**TABLE 1****Distribute State-Exchange RSTP\*\*\* Funds to Cities & County Based on Population with a \$50,000 Base Allocation (Measure D Local Program Formula)**

Agency	Population *	%	RSTP Funds 06/07**
Buellton	4,548	1.08%	\$78,470
Carpinteria	14,172	3.36%	\$138,715
Goleta	30,290	7.18%	\$239,612
Guadalupe	6,423	1.52%	\$90,207
Lompoc	41,915	9.94%	\$312,383
Santa Barbara	89,548	21.24%	\$610,561
Santa Maria	90,204	21.39%	\$614,667
Solvang	5,369	1.27%	\$83,609
County	139,156	33.00%	\$921,101
<b>TOTALS</b>	<b>421,625</b>	<b>100.00%</b>	<b>\$3,089,326</b>

\* based on May 2006 estimate of January 2006 pop. by DOF

\*\* For each agency,  $\text{Pop\%} \times (\$3,089,326 - \$450,000) + \$50,000$

\*\*\* Use state-exchange RSTP programmed to the Union Valley Parkway project; would be available for use on projects starting in FY 06/07

## MEMORANDUM OF UNDERSTANDING

Proposed  
Revisions  
(~~strikeouts~~)  
**bold**)

**between the  
Sacramento Area Council of Government  
and the  
Santa Barbara County Association of Governments**

This memorandum of understanding between the Sacramento Area Council of Governments (SACOG) and the Santa Barbara County Association of Governments (SBCAG) is entered into with the authorization of the Boards of Directors of the respective agencies.

The parties do agree as follows:

1. SBCAG shall loan \$5,958,993.44 in Congestion Mitigation Air Quality (CMAQ) apportionment from its unobligated balance that is subject to reprogramming under AB 1012 "Use it or Lose it Policy" to SACOG in federal fiscal year 2005/06
2. SACOG shall repay the loan by providing SBCAG with ~~\$1,489,748~~ in "any area" Surface Transportation Program (STP) apportionment and obligational authority in federal fiscal year ~~2007/08~~ and ~~\$1,489,748~~ **\$2,979,496** in "any area" STP apportionment and obligational authority in 2008/09.
3. Apportionment and obligational authority adjustments will be made by the California Department of Transportation's Programming Branch and Local Programs Branch respectively to SACOG's and SBCAG's apportionment balance and target obligational authority level to reflect the loan and repayment of apportionment and obligational authority in the associated fiscal years that are the subject of this agreement.
4. The loan and repayment of apportionment may also be subject to programming adjustments by each region that is reflective of current policy for programming projects in the Federal Transportation Improvement Program (FTIP).
5. It is responsibility of SACOG and SBCAG to communicate to the Department of Transportation in a timely manner, via a letter, the request of the adjustments to record the loan and repayment of the loan.
6. Amendments to this memorandum of understanding may be entered into by the Executive Directors of SACOG and SBCAG if SACOG wishes to accelerate repayment of the loan. Such amendments shall be binding on the parties if signed by the Executive Directors of both agencies and shall be effective as of the date shown in the amendment unless other wise indicated.

**Revised on December 21, 2007** ~~Made and entered into on this 20<sup>th</sup> day of July, 2006.~~

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Mr. Mike McKeever  
Executive Director  
Sacramento Area Council of Governments

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Mr. Jim Kemp  
Executive Director  
Santa Barbara County Association of Governments

RESOLUTION OF THE SANTA BARBARA  
COUNTY ASSOCIATION OF GOVERNMENTS

AMENDING THE 2007 FEDERAL )  
TRANSPORTATION IMPROVEMENT )  
PROGRAM TO PROGRAM \$3,089,356 TO )  
LOCAL ROAD REHABILITATION )  
PROJECTS AND PROGRAM \$2,979,496 )  
FEDERAL RSTP TO THE UNION VALLEY )  
PARKWAY PROJECT )  
AMENDMENT NO. 3b )

RESOLUTION NO. 06-36

WHEREAS, Title 23 Code of Federal Regulations, part 450, and Title 49 Code of Federal Regulations, part 613, require the preparation and updating of a Federal Transportation Improvement Program (FTIP) by the Metropolitan Planning Organization; and

WHEREAS, the Santa Barbara County Association of Governments (SBCAG) has been designated as the Metropolitan Planning Organization for Santa Barbara County; and

WHEREAS, SBCAG, through the conduct of a continuing, comprehensive, and coordinated transportation planning process with applicable federal requirements, has prepared a 2007 FTIP; and

WHEREAS, the 2007 FTIP has been prepared in cooperation with state and local government agencies including Caltrans, local transit operators; and the Air Pollution Control District; and

WHEREAS, the 2007 FTIP must be consistent with the Regional Transportation Plan adopted pursuant to Government Code Section 6508; and

WHEREAS, the 2007 FTIP projects have been developed from the 2001 RTP, 2003 CMP and 2006 STIP; and

WHEREAS, all projects proposed for federal funding or approval under Title 23 Code of Federal Regulations and the Federal Transit Act must be included in a transportation improvement program; and

WHEREAS, because Santa Barbara County attained the federal eight-hour ozone standard, it is no longer required to follow air quality conformity measures nor the applicable State Implementation Plan (SIP) as required by the federal Clean Air Act (42 U.S.C. Section 7401 et seq.); and

WHEREAS, the 2007 FTIP was made available for public review and members of the public were given a reasonable opportunity to review the 2007 FTIP before it was adopted by the SBCAG Board on July 20, 2006; and

WHEREAS, revisions to the FTIP requested by Caltrans in order to incorporate the FTIP into the statewide FTIP by the end of the federal fiscal year were adopted by the SBCAG Board on September 30, 2006 after public review;

WHEREAS, the 2007 FTIP is financially constrained and funds needed to complete the 2007 FTIP are reasonably expected to be available.

NOW, THEREFORE, BE IT RESOLVED that the SBCAG Board of Directors amends the 2007 FTIP to include the changes identified in the Staff Report Item 12, December 21, 2006.

BE IT FURTHER RESOLVED that the SBCAG Board of Directors finds that development of this amendment was made in accordance with public involvement procedures originally adopted by SBCAG on November 10, 1994 and updated on March 24, 2002; and

BE IT FURTHER RESOLVED that the SBCAG Board of Directors finds that the amended 2007 FTIP is consistent with the 2004 MTP.

BE IT FURTHER RESOLVED that the 2007 FTIP as amended is financially constrained and funds needed to complete the 2007 FTIP are reasonably expected to be available.

BE IT FURTHER RESOLVED that the inclusion of any federally-funded projects in the 2007 FTIP, including all amendments, constitutes the federal project selection procedures for Santa Barbara County, and any projects programmed in the FTIP may proceed to implementation without further project selection action by SBCAG.

PASSED AND ADOPTED this 21st day of December 2006 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

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Jim Kemp  
Executive Director  
Santa Barbara County  
Association of Governments

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Joe Centeno  
Chair  
Santa Barbara County  
Association of Governments

APPROVED AS TO FORM:

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Kevin E. Ready, Sr.  
Deputy County Counsel



## 2007 FTIP Amendment # 3b - Attachment A

(\$1,000s)

Changes in ~~strikethrough~~ and bold type

### Union Valley Parkway - Hummel to California

**1. MPO ID # SM001**

Project Description - UVP - Hummel to California Extension + I/S @ SR135 (Two lane extension of Union Valley Parkway to Hummel Drive west of California Blvd. with an at-grade intersection at SR 135)

Agency	Project	Fund Source	Phase	Prior	2006-07	2007-08	2008-09	2009-10	Total Project Cost	
Santa Maria	Union Valley Parkway, Hummel to California	STPL - State Exchange	PE	1,922,000	400,000	100,000			2,422,000	
			RW		50,000				50,000	
			CON	300,000	500,000	2,500,000	<del>2,500,000</del>	915,000	3,735,500	
			<b>Total</b>	<b>2,222,000</b>	<b>950,000</b>	<b>2,600,000</b>	<b>2,500,000</b>	<b>435,500</b>	<b>6,207,500</b>	
		Federal RSTP	PE							
			RW							
			CON				2,979,500			
			<b>Total</b>				<b>2,979,500</b>			<b>2,979,500</b>
		City Funds	PE							0
			RW							0
			CON		100,000			122,000		222,000
			<b>Total</b>		<b>100,000</b>			<b>122,000</b>		<b>155,000</b>
		County Funds	PE							0
			RW				125,000			125,000
			CON							0
			<b>Total</b>				<b>125,000</b>			
<b>Project Total</b>			<b>Total</b>	<b>2,222,000</b>	<b>1,050,000</b>	<b>2,725,000</b>	<b>3,101,500</b>	<b>435,500</b>	<b>9,534,000</b>	

# MEMORANDUM OF UNDERSTANDING

**DRAFT**

between the

**City of Santa Maria  
and the**

**Santa Barbara County Association of Governments**

This memorandum of understanding between the City of Santa Maria and the Santa Barbara County Association of Governments (SBCAG) is entered into with the authorization of the City Council and Boards of Directors, respectively.

The parties do agree as follows:

1. SBCAG shall program \$2,979,496 in federal RSTP funding to the Union Valley Parkway Project (FTIP #SM001) in FY 08/09.
2. SBCAG shall de-program state exchange RSTP from the Union Valley Parkway Project (FTIP#SM001) in the amounts of \$2,500,000 in FY 08/09 and \$450,000 in FY 09/10 so that these funds may be reprogrammed to local street rehabilitation projects throughout Santa Barbara County.
3. The city of Santa Maria shall, working with the Caltrans local assistance office, fully obligate \$2,979,496 in federal RSTP in FY 08/09 for the Union Valley Parkway project construction. Failure to fully obligate the funds in FY 08/09 will result in loss of obligational authority for the funds which will make the funds unexpendable on the project and may jeopardize the city's ability to construct the project.

Made and entered into this 21<sup>st</sup> of December, 2007.

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Tim Ness  
City Manager  
City of Santa Maria

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Mr. Jim Kemp  
Executive Director  
Santa Barbara County Association of Governments