

TUOLUMNE COUNTY TRANSPORTATION COUNCIL



ORGANIZATION & PROCEDURES MANUAL

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INTRODUCTION

The Tuolumne County Transportation Council (TCTC), formerly the Tuolumne County and Cities Area Planning Council (TCCAPC), has adopted this Organization & Procedures Manual for two purposes:

- 1) To act as an orientation guide for new TCTC members; and,
- 2) To provide an operational guide and bylaws concerning procedures and activities to insure the smooth and proper execution of TCTC related business.

The TCTC's roles and responsibilities fall generally into two overlapping categories:

- 1) To serve as the Regional Transportation Planning Agency for the Tuolumne County region; and
- 2) Administration of the Transportation Development Act (TDA) and other funding programs of which the TCTC is responsible.

The State of California Business, Transportation and Housing Agency and the California Transportation Commission (CTC) have the authority to establish rules for the expenditure, allocation and programming of funds by the TCTC. The statutory rules which apply to these roles and responsibilities are found in the following:

- 1) Government Code (GC);
- 2) California Code of Regulations (CCR);
- 3) Public Utilities Code (PUC);
- 4) Streets and Highways Code;
- 5) California State Constitution;
- 6) United States Code (USC);
- 7) CTC Guidelines for the State Transportation Improvement Program (STIP);
- 8) CTC Guidelines for the Regional Transportation Plan.

These rules have been made part of this manual and where conflicts may arise in the future between this manual and modified Federal or State rules, the Federal or State rules shall supersede those contained in this manual.

Additional details concerning the TCTC's roles and responsibilities regarding the delivery of State Highway projects in Tuolumne County, are found in the Memorandum of Understanding between the TCTC and the State of California Department of Transportation (Caltrans), attached hereto as Appendix D.

This Organization and Procedures Manual supersedes Rules and Regulations adopted by the Tuolumne County and Cities Area Planning Council on July 5, 1972.

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TUOLUMNE COUNTY TRANSPORTATION COUNCIL

I. OVERVIEW

A. CREATION

On December 18, 1967, a Joint Powers Agreement between the County of Tuolumne and City of Sonora was executed to create the Tuolumne County and Cities Area Planning Council, an independent agency with the capability of dealing with area-wide transportation issues and problems.

On July 20, 1972, the Tuolumne County & Cities Area Planning Council (TCCAPC) was designated as the transportation planning agency for the County of Tuolumne. This designation was made by the Secretary of State Business and Transportation Agency pursuant to Title 3 Division 3, Chapter 2 of the California Government Code (see Appendix B).

Since the scope of authority, duties and responsibilities of transportation planning agencies significantly expanded since the creation of the TCCAPC, on September 16, 2003, the original Joint Powers Agreement, dated December 18, 1967, was superseded by a new Joint Powers Agreement (see Appendix A). The 2003 Agreement established the duties and powers of a new entity to succeed the powers and functions of the TCCAPC, and to change the name of the TCCAPC to the Tuolumne County Transportation Council (TCTC).

On November 24, 2003, the Office of the Secretary of State provided written confirmation of the filing of a Notice of Joint Powers Agreement for the Tuolumne County Transportation Council (see Appendix C).

On _____, 2010, the City and County adopted an amended and restated Joint Powers Agreement that established changes in the employee organizational structure to provide for the hiring of employees to directly serve at the pleasure of the TCTC and transferred the responsibilities of the Public Transportation System from the County Board of Supervisors to the TCTC (see Appendix ____).

On _____, 2010, the Office of the Secretary of State provided written confirmation of the filing of a Notice of Joint Powers Agreement for the TCTC (see Appendix ____).

B. PURPOSE

The County of Tuolumne and City of Sonora joined together to establish the Tuolumne County Transportation Council (hereinafter referred to as the "TCTC") for the following purposes:

- 1) To provide a forum for discussion and study of County-wide transportation problems of mutual interest to the member agencies.

- 2) To identify, inventory and comprehensively plan for the solution of regional transportation problems requiring multi-governmental cooperation.
- 3) To facilitate actions and agreements among the members agencies' units for special project development.
- 4) To act as the lead planning, programming, monitoring and administrative agency for transportation projects and programs in Tuolumne County.
- 5) Take action as necessary to qualify local transportation projects and programs for funding.
- 6) Provide policy direction and general oversight and administration of the Public Transportation System.

It is hoped that the coordinated efforts of City, County and State elected officials and their technical staff through the TCTC will bring about positive improvements to the overall County transportation network.

C. TCTC MEMBERSHIP

The TCTC is comprised of two members from, and appointed by, the Board of Supervisors, two members from, and appointed by, the Sonora City Council and one "citizen" member at-large voted in by the majority of the Board and City Council TCTC members. The full membership policies of the TCTC are outlined in the Amended and Restated Joint Powers Agreement between the County of Tuolumne and City of Sonora, dated _____, 2010. The Caltrans District 10 Director, or their designee, shall be a non-voting ex-officio member of the TCTC.

1) Alternates

The Board of Supervisors and City Council shall appoint at least one alternate for each TCTC member from their respective bodies to attend and vote at meetings at which regular members are unable to attend. The County alternate(s) may represent either County member and the City alternate(s) may represent either City member. The County Board of Supervisors or Sonora City Council may designate more than one alternate for each representative, as deemed prudent by that agency. An alternate for the "citizen" member may be appointed by a majority of the City and County TCTC members.

To be eligible to cast the vote of the TCTC member, an alternate must be designated, and notice of said designation given to the Executive Director at least twenty-four (24) hours prior to the first meeting at which the alternate is to attend on behalf of the member agency's appointed representative.

2) Terms of Office

The term of office of each TCTC member and alternate for that member will correspond to the board member's term of office on the legislative body he or she represents, or until such member or alternate is removed by the legislative body making the appointment.

The term of office of the "citizen" TCTC member, and their alternate, shall be four years and may serve additional terms if reappointed by a majority vote of the other TCTC members. The "citizen" member and/or their alternate may be removed at any time by a majority vote of the other TCTC members.

3) Electing Officers

At the beginning of each calendar year, the TCTC will appoint a new Chair and Vice Chair. The Chair and Vice Chair may serve additional terms if reappointed by a majority vote of the other TCTC members.

D. TCTC STAFFING

1) Executive Director

The Executive Director of the TCTC shall function as the Secretary to the TCTC. The powers and duties of the Executive Director are:

- a) To serve as the chief administrative officer of the TCTC and be responsible to the Council for the proper administration of all TCTC and Public Transportation System affairs.
- b) To provide general oversight, including policy, professional support and administrative direction of TCTC and Public Transportation System activities.
- c) To have custody and charge of all books, records and property of the TCTC and Public Transportation System other than money.
- d) To transmit to the Executive Director's successor all books and records of the TCTC and Public Transportation System in his or her possession.
- e) To represent the TCTC at California Transportation Commission (CTC) meetings.
- f) To participate in Federal, State and regional transportation groups to advance policies of the TCTC and Public Transportation System.
- g) Meet with Federal, State and local elected officials to formulate policy consistent with the Regional Transportation Plan and TCTC resolutions.

- h) To employ staff and contract with consultants as necessary to complete the Overall Work Program.
- i) To provide leadership in strategic and long-range transportation planning.
- j) To supervise and participate in the development and implementation of TCTC goals, objectives, policies and procedures.
- k) To formulate and present to the TCTC plans for TCTC and Public Transportation System activities and the means to finance them.
- l) To supervise the preparation and dissemination of TCTC and advisory committee agendas, including backup reports and materials.
- m) To attend, personally or by designee, all meetings of the TCTC and act as the secretary to the TCTC.
- n) To conduct a variety of transportation planning studies, including, but not limited to, regional transportation plans, regional transportation improvement programs and transit development plans.
- o) To research, prepare and administer grant programs and annual work programs.
- p) To secure transportation funding and provide oversight of project implementation consistent with State and Federal requirements.
- q) To oversee Transportation Development Act funds, including Local Transportation Funds and State Transit Assistance funding allocations; prepare financial reports and other required reports, and conduct fiscal and performance audits.
- r) To prepare and administer TCTC and Public Transportation System budgets; monitor and recommend expenditures in accordance with budgetary limitations, government policies and sound fiscal management principles.
- s) To coordinate, review and monitor major State and County highway projects.
- t) To develop and apply a County-wide traffic model and long-range, strategic transportation financing program.
- u) To review proposed Federal and State legislation; prepare written analyses of issues affecting TCTC operations; draft proposed legislation and prepare recommendations for policy board positions.
- v) To make presentations before policy boards and community organizations; represent the TCTC in meetings with representatives of governmental agencies, professional/business/community organizations and the public.

- w) To plan, organize and supervise TCTC staff and Public Transportation System operations.
- x) To negotiate, manage and administer contracts for services in compliance with laws, codes and regulations pertaining to such services.
- y) To oversee the work of TCTC staff and consultants to ensure the successful completion of assignments and projects.
- z) To supervise, counsel and evaluate the performance of assigned staff, provide for appropriate professional/technical development for staff and implement disciplinary action as appropriate.
- aa) To develop and maintain contact with customers, social service organizations and other agencies involved with the transportation needs of persons with disabilities.
- bb) To perform such other duties as the TCTC may require in carrying out the policies and directives of the TCTC.

2) Technical Staff

In addition to the Executive Director, the following employees may provide professional and administrative support to the TCTC:

- a) **Transportation Program Coordinator:** The Transportation Program Coordinator is responsible for coordinating the programming of local, State and Federal transportation funds; assisting in the administration of recipient agency projects; coordinating consultant studies; transit management and analysis; budget preparation and management; and facilitating the adoption and implementation of the Regional Transportation Improvement Program and Overall Work Program.
- b) **Transportation Planners (2 positions):** The Transportation Planners perform professional office and field work to assist in the development of transportation projects and studies including, but not limited to, system planning, project development and preparation of grant applications.
- c) **Department Support Technician:** The Department Support Technician provides administrative support to the TCTC and its staff in the day-to-day implementation of the regional transportation planning agency responsibilities of the TCTC; prepares and disseminates agenda packets, public notices and other official business of the TCTC; performs accounting functions, including budget administration; and is responsible for developing and maintaining the TCTC's record keeping system.

3) Other Personnel

Additional (engineering, planning, geographic information system and administrative) staff services for the TCTC may be provided by the City, County, Caltrans or consultants.

The TCTC may annually negotiate an agreement with the County or City for services that may include, but not be limited to, Treasurer, Auditor-Controller, Legal Services, Information Technology (IT) and Human Resources.

E. COMMITTEES

Policy Advisory Committee (PAC)

The PAC is intended to be an advisory committee to the TCTC on all matters relating to the regional transportation plan. Membership of the PAC consists of the members of the TCTC and the Caltrans District 10 Director, or their designee. Rather than hold separate meetings, it has been the practice of the TCTC to serve a dual role as both the PAC and TCTC at its regularly scheduled meetings. The Caltrans District 10 Director, or their designee, can comment and lead discussion at TCTC meetings, but does not have a vote on matters before the TCTC.

Technical Advisory Committee (TAC)

The TAC is the clearinghouse and technical review body for all items that go before the TCTC. The TAC is advisory to the TCTC on all matters relating to regional transportation planning including, but not limited to, the development of the Regional Transportation Plan (RTP), Regional Transportation Improvement Program (RTIP) and annual Overall Work Programs (OWPs).

Membership of the TAC consists of the TCTC Executive Director, County Public Works Director, County Community Development Director, County Airports Manager, County Administrative Officer, City Manager, City Community Development Director, City Engineer, Caltrans District 10 – Transportation Planner, area California Highway Patrol (CHP) Commander, and a representative appointed by the Tribal Council of the area Native American community. Other City, County, TCTC and Caltrans staff members may attend and participate in TAC meetings, and may serve as alternates to regular members of the TAC. The Executive Director shall serve as the Chairperson of the TAC.

TAC meetings will be held at the time and place designated by the TCTC Executive Director. Unless otherwise specified by the TCTC Executive Director, the TAC will meet on Wednesdays, two weeks prior to scheduled TCTC meetings.

The TAC's comments and/or recommendations on agenda items will be forwarded to the TCTC in the written agenda or verbally at the TCTC meeting.

It is expected that TAC members will attend meetings on a regular basis, taking into consideration vacations or other conflicts that may arise occasionally. The TCTC will receive reports from time to time on the attendance of committee members.

Citizen's Advisory Committee (CAC)

The CAC is intended to be an advisory committee to the TCTC on all matters relating to the regional transportation system. While TCTC staff services are available to the CAC, it is an independent committee which provides input directly to the TCTC.

Membership of the CAC consists of eight total members with staggered four year terms. The Sonora City Council appoints two members and the Tuolumne County Board of Supervisors appoints six members. Each Board member, with the exception of the District Four Supervisor, appoints one person from their respective district. The District Four Supervisor appoints two individuals, one from the Groveland area and one from the East Sonora area. The TCTC intends the CAC to include representation of citizens throughout the community; therefore, seated elected officials may not serve on the CAC.

CAC meetings will be held at the time and place designated by the TCTC Executive Director. Unless otherwise specified by the TCTC Executive Director, the CAC will meet on Wednesdays, two weeks prior to scheduled TCTC meetings.

The CAC's comments and/or recommendations on agenda items will be forwarded to the TCTC in the written agenda or verbally at their meeting.

Vacancies and Removal:

- 1) Vacancies on the CAC shall be filled as set forth above. A vacancy on the CAC shall occur automatically on the happening of any of the following events before the expiration of the term:
 - a) Removal of the incumbent;
 - b) Death or resignation of the incumbent;
 - c) The incumbent's ceasing to be a permanent resident of the County; or
 - d) The incumbent's absence from three consecutive regular or special meetings or his/her absence from four regular or special meetings in any one calendar year.
- 2) The Executive Director of the TCTC shall certify the happening of a vacating event to the TCTC. The TCTC may waive a vacating event for any member.

Social Services Transportation Advisory Council (SSTAC)

The SSTAC was established by the TCTC in 1986, and is intended to be an Advisory Committee to the TCTC on matters pertaining to the transit needs of transit dependent and transit disadvantaged persons. The SSTAC's input shall be considered in and made an integral part of the TCTC's annual "Unmet Transit Needs" hearing and findings process.

The SSTAC is comprised of a myriad of representatives of potentially transit dependent segments of the community (e.g., senior citizens, persons with disabilities, persons of limited means, etc.) and transit operators. SSTAC members are appointed by the TCTC. TCTC staff and the Caltrans District 10 Transit Representative are ex-officio members of the SSTAC. The composition of the SSTAC, the terms of SSTAC appointments and precise responsibilities of the SSTAC are found in and controlled by Section 99238 of the Public Utilities Code (PUC).

F. ORGANIZATIONAL CHART

Refer to Appendix E for the organizational chart of the TCTC.

II. MEETINGS, QUORUMS, VOTING, AND AGENDAS

A. DATES, TIMES AND LOCATIONS OF MEETINGS

The TCTC should adopt a meeting schedule at the beginning of each calendar year. Unless otherwise specified, the TCTC will meet the fourth Wednesday of every month at 5:00 p.m. in the County Board of Supervisors Chambers. The Chair of the TCTC will confirm the subsequent meeting date prior to the end of each TCTC meeting.

B. QUORUM AND MAJORITY REQUIREMENTS

The presence of at least three TCTC members or their alternates, and at least one representative from each member agency, shall constitute a quorum. The presence of three or more TAC, CAC or SSTAC members in attendance at their respective meetings shall constitute a quorum.

A quorum shall be necessary for the purpose of conducting official business. Except as otherwise required by law, a majority vote of those present shall be required to take any action. All such actions taken at a noticed meeting shall be binding and carry the full force and effect of the TCTC.

C. VOTING

The TCTC will conduct voting on agenda items pursuant to the following procedure:

- 1) Motion and second.
- 2) Debate.
- 3) Chair will call for audible vote.
- 4) Chair will announce vote.
- 5) Secretary will keep minutes to record action.

D. AGENDAS

Deadline for Submission of Agenda Items: All items to be placed on the agenda shall be presented to the Executive Director of the TCTC no later than twenty-five (25) calendar days prior to the respective TCTC meeting date. In conformance with the Brown Act, the TCTC may agendaize items that arise subsequent to agenda timelines.

Agenda Backup Material Requirements: In order for an item to be placed on the agenda, the following materials are to be submitted per the deadline identified above:

- 1) The exact title of the agenda item;
- 2) A brief paragraph explaining the agenda item, the desired action of the TCTC and a notation of any related staff reports and/or documents which will be included in the TCTC packets; and,
- 3) Twenty-five (25) copies of any staff reports and/or documents and backup materials which are to be included in the TCTC agenda packets.

Development & Dissemination of Final Agenda: The Executive Director of the TCTC shall be responsible for the development and preparation of final TCTC, TAC and CAC agendas. The Department Support Technician shall be responsible for assembling and disseminating the agenda packets and appropriately posting notices of meetings. Full TCTC Agenda packets will be provided to all TCTC, TAC and CAC members, the Caltrans District 10 Director and local media. Agenda packets should be distributed no later than six calendar days prior to the respective meeting.

III. MAJOR ADMINISTRATIVE & PLANNING FUNCTIONS

ADMINISTRATIVE FUNCTIONS

A. OVERSIGHT OF TRANSPORTATION FUNDING PROGRAMS AND GRANTS

The TCTC is responsible for the general oversight, administration and/or coordination of various Federal and State transportation funding programs and grants. These include, but are not limited to, the following:

- Regional Transportation Improvement Program (RTIP);
- Transportation Development Act (TDA), including Local Transportation Funds (LTF) and State Transit Assistance Funds (STAF);
- Regional Transportation Enhancement (RTE);
- Rural Planning Assistance (RPA);
- Planning, Programming and Monitoring (PPM);
- Regional Surface Transportation Program (RSTP);
- Congestion Mitigation and Air Quality (CMAQ);
- Caltrans Transportation Planning Grants;
- Federal Transit Administration (FTA) grants (Sections 5310, 5311, 5316, 5317);
- Environmental Enhancement and Mitigation (EEM) Program; and
- Office of Traffic Safety (OTS) grants.

The TCTC is responsible for planning, programming and monitoring Tuolumne County projects in the RTIP and State Transportation Improvement Program (STIP), which includes project delivery, timely use of funds and compliance with State law and California Transportation Commission (CTC) guidelines.

TCTC responsibilities may also include managing local contributions to transportation planning projects and traffic mitigation fee programs.

A detailed description of the above programs follows in Section IV of this document. It should be noted that, the information provided for each funding source is current as of the date of this document. Amendments/revisions may occur from time to time that may change certain aspects of these programs. The TCTC will make efforts to monitor changes and update this Organization and Procedures Manual as appropriate.

B. TCTC AND PUBLIC TRANSPORTATION BUDGETS AND ACCOUNTING SERVICES

Through the Overall Work Program (OWP) each year, the TCTC programs available funding to specific work activities. For budget management and accounting purposes, the TCTC adopts an account specific line item budget that is consistent with the OWP. The TCTC also adopts an annual budget for the operations and management of the regional Public Transportation System. TCTC staff is responsible for the day-to-day management of the OWP and the adopted TCTC and Public Transportation budgets. In addition, TCTC staff ensures compliance with applicable laws, regulations and policies of the various funding and grant programs administered by the TCTC. More detail regarding the TCTC's annual OWP follows under the "Planning Functions" section of this document (see Section F).

The Treasurer of the County functions as the Treasurer of the TCTC, as defined in Section 11.A. of the Joint Powers Agreement, attached hereto as Appendix A.

The Auditor-Controller of the County functions as the Controller for the TCTC, as defined in Section 12.A. of the Joint Powers Agreement.

On or before May 1st each year, the TCTC shall prepare budget estimates of the expenses of conducting the TCTC and Public Transportation System for the ensuing year.

The budget estimates shall be in such form as the TCTC may prescribe using the guidelines of the California State Controller. The budget estimates shall contain a summary of the fiscal policy of the TCTC for the budget year and shall include data showing the relation between the total proposed expenditures and the total anticipated income or other means of financing the budgets for the ensuing year, contrasted with the corresponding data for the current year. The budget estimates may include unappropriated balance items to be available for appropriation in the ensuing fiscal year to meet contingencies other than contingencies resulting from temporary insufficiencies in the revenues of the TCTC and Public Transportation System.

After preparation of the budget estimates, the TCTC shall fix a time and place for hearing by the TCTC thereon. The TCTC shall cause notice of such hearing to be published at least ten (10) days prior to the date set for hearing in a newspaper of general circulation in the area pursuant to Sections 6060 and 6061 of the Government Code of the State of California, and shall give mailed notice of such hearing to each party to this Agreement.

At the budget hearing, the TCTC may increase or decrease any item in the budget estimates and may delete any item therefrom or add any new item thereto.

Upon the conclusion of the budget hearing and not later than July 1st of each year, the TCTC shall approve the budget estimates, as revised by the TCTC, and thereupon the same shall constitute the final budgets for the ensuing fiscal year.

The several items of the final budgets shall be deemed appropriated for the ensuing fiscal year in the amounts and for the purposes specified in the final budgets.

C. ADMINISTRATION OF THE PUBLIC TRANSPORTATION SYSTEM

The Tuolumne County Regional Public Transportation System, Tuolumne County Transit, was established under a Section 147 grant in December 1976. The County operated the system until November 1985, at which time the County began contracting out the management and operations of Tuolumne County Transit based upon competitive proposals received. On _____, 2010, the County and City of Sonora revised the TCTC Joint Powers Agreement to transfer the responsibilities of the Region's Public Transportation System from the County Board of Supervisors to the TCTC.

The TCTC is responsible for the general oversight, administration and coordination of the Public Transportation System. In that role, the TCTC provides staff to administer the contract for the operations and management of Tuolumne County Transit. The TCTC may also lease a transit facility to house the administrative and dispatch offices as well as the maintenance facility for transit buses. The transit contractor employs all drivers, dispatchers, mechanics and other staff necessary to fulfill the requirements of the transit contract. The contractor is required to provide in-house training on a regular basis, including, but not limited to, CPR, first aid, empathy training, defensive driving and road training. The contractor is responsible for making sure all certifications, licensing, and Federal and State requirements are met in a timely manner.

Tuolumne County Transit is funded primarily by California Transportation Development Act (TDA) funds, Federal Transit Administration (FTA) Section 5311 operating assistance grant funds and fares paid by passengers. The TDA funds are allocated each year by the TCTC following the unmet transit needs process, as described in Section IV, A, 1, of this document. The FTA funds are appropriated each year and received through an application process.

D. TCTC Associations

Rural Counties Task Force

The California Rural Counties Task Force (RCTF) is a committee made up of representatives from the State's smaller rural regions. The purpose of the Rural Counties Task Force is to address issues that may affect the rural regions as a group and to address the California Transportation Commission on issues in a cooperative manner and with greater force than if addressed individually. In addition, this group will assist in maintaining cooperative working relationships with agencies with similar issues as well as Caltrans and the California Transportation Commission.

The TCTC should participate in this group to stay apprised of issues that may affect rural counties and, specifically, Tuolumne County.

RTPA Group

The RTPA Group is an organization that includes representatives from the California regional transportation planning agencies (RTPAs) and metropolitan planning organizations (MPOs). The purpose of the RTPA Group is to address issues that may affect both rural and urban areas and, as with the RCTF, address the California Transportation Commission on issues in a cooperative manner. This group usually meets just prior to the CTC meeting each month.

California Association of Council of Governments

The California Association of Council of Governments (CALCOG) was established in 1977 and is a statewide association representing 38 regional planning agencies. Most of the agencies within CALCOG were formed as councils of governments, meaning that they represent joint powers agreements of cities and counties, such as the TCTC. Others were created as transportation commissions by the State Legislature. Nearly all transportation commissions and councils of governments have transportation planning responsibility under both state and federal law. Councils of governments and transportation commissions are governed by city council members and county supervisors chosen by their peers.

The functions of the CALCOG include:

- 1) Providing advocacy and liaison in the State Capitol and with administrative agencies.
- 2) Reviewing or proposing statewide legislation, plans and policies on subjects agreed upon by members.
- 3) Coordinating policy development and legislative effort, when appropriate, with the League of California Cities, the California State Association of Counties, the National Association of Regional Councils and the Association of Metropolitan Planning Organizations.
- 4) Promoting more effective planning at the regional level.
- 5) Conducting statewide workshops and conferences which provide members with an ideal opportunity to discuss key issues and to learn from recognized experts in

various fields.

- 6) Providing an informational clearinghouse on issues of concern to the regions and the state.

The TCTC should remain an active member of CALCOG to advocate the TCTC's interests and have a greater voice in transportation programs and funding bills.

California Association of Coordinated Transportation

The California Association of Coordinated Transportation (CalACT) is the largest state transit association in the United States, with nearly 300 members. The CalACT organization is dedicated to promoting professional excellence, sharing innovative ideas and advocating for effective community transportation. CalACT provides resources and training opportunities to professionals in the transportation field. TCTC staff membership in CalACT is maintained through the County's Public Transportation Enterprise Fund.

E. LEGISLATION

The TCTC should be involved in reviewing and commenting on proposed legislation that could potentially affect transportation planning and funding issues in Tuolumne County. To assist in this role, TCTC staff should develop and maintain effective contacts with area representatives of elected officials as well as maintaining a cooperative working relationship with Caltrans, the California Transportation Commission, the California State Association of Counties, surrounding counties, the National Forest Service, the National Park Service, the State Park System, the California State Railroad Museum and other RTPAs.

TCTC staff will analyze legislation and present reports, as appropriate, to the TCTC on legislation that may affect Tuolumne County, and present resolutions that take a position on specific legislation where appropriate.

PLANNING FUNCTIONS

F. REGIONAL TRANSPORTATION PLAN (RTP)

The California Government Code requires each regional transportation planning agency (RTPA) prepare or have prepared a Regional Transportation Plan. Pursuant to the RTP Guidelines, updated RTPs are required to be submitted to the California Transportation Commission (CTC) by December 15th on a biennial basis (on even years). Rural counties, including Tuolumne County, have the option to submit an update every four years.

The Tuolumne County RTP is a multi-modal transportation plan covering the incorporated City of Sonora and the unincorporated area of the County. The RTP is prepared according to the RTP Guidelines adopted by the CTC; and must correlate with

land use plans; include policy, action and financial elements; and a program level environmental document per the California Environmental Quality Act (CEQA).

G. REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (RTIP)

The California Government Code requires each RTPA prepare, adopt and submit a Regional Transportation Improvement Program to the CTC by December 15th on a biennial basis (on odd-numbered years).

Of the funds available in the State Transportation Improvement Program (STIP), seventy-five percent (75%) are committed to the Regional Transportation Improvement Program and twenty-five percent (25%) are committed to the Interregional Transportation Improvement Program (ITIP). The 75% Regional Share is further subdivided by formula into County Shares. County Shares are available solely for projects nominated by regions in their RTIP.

The RTIP is the TCTC's programming document that includes transportation projects (highways, transit, aviation, local streets and roads, etc.) for which Federal or State funding is proposed for programming in the STIP. Projects may not be included in the RTIP without a complete project study report (PSR) or, for a project that is not on a State highway, a project study report equivalent or major investment study.

Through the RTIP, the TCTC may also recommend projects to improve State highways with ITIP funds. However, a project recommended for funding should constitute a usable segment and should not be a condition for inclusion of other projects in the RTIP and STIP.

The TCTC is held responsible for planning, programming and monitoring Tuolumne County projects programmed in the RTIP and STIP, including project delivery, timely use of funds and compliance with State law and the CTC guidelines.

RTIP/STIP Amendments

The TCTC may amend the RTIP at the request of the entity that originally nominated the project. Projects proposed for amendment will be subject to the same standards and criteria that apply to RTIP proposals. RTIP amendments should be approved by the TCTC through resolution and submitted to the California Transportation Commission to request the STIP be amended accordingly. An amendment may not create or increase the County Share surplus unless the CTC determines that it can approve an advance of the County Share.

Where a project or project component will not be ready for allocation as programmed in the current fiscal year, the agency responsible for the project should request an extension of the allocation deadline rather than an RTIP/STIP amendment.

Specific guidelines for amending projects in the STIP and requesting extensions of allocations are included in the CTC STIP Guidelines.

H. INTERREGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (ITIP)

Twenty-five percent (25%) of the funds available through the STIP are committed to the Interregional Transportation Improvement Program. The ITIP includes projects that are identified by Caltrans to address mobility between regions, including interregional highway routes and intercity rail systems. Projects included in the ITIP must have a project study report or major investment study and must be consistent with the respective county's Regional Transportation Plan.

The TCTC may recommend projects to improve State highways with ITIP funds pursuant to Section 164 of the Streets and Highways Code. A project recommended for funding should constitute a usable segment and should not be a condition for inclusion of other projects in the RTIP and STIP.

The TCTC should participate in the development of the ITIP to encourage the funding of high priority projects in Tuolumne County.

I. STATE TRANSPORTATION IMPROVEMENT PROGRAM (STIP)

In October 1997, the Governor signed Senate Bill 45 (effective January 1, 1998) into law which created significant changes in the State Transportation Improvement Program process. Senate Bill 45 (SB 45) succeeded the 1989 Transportation Blueprint legislation and made fundamental changes in the funding, programming and planning of transportation improvements in California. SB 45 essentially gives the regions the discretion to nominate projects for which State highway capital improvement program funds are spent within their region.

Under SB 45, the STIP consists of two broad programs, the Regional Program funded from 75% of new STIP funding and the Interregional Program funded from 25% of new STIP funding. These programs are described Sections F and G above.

S.B. 45 was enacted with the following objectives:

- Preserve the basic planning and programming process, avoiding legislative budgeting of projects, while changing the STIP from a project delivery document to a resource management document.
- Transfer transportation decision making responsibility to those who are closest to the problems.
- Eliminate artificial constraints and barriers to programming.
- Preserve geographic equity through a measure of "return to source", while recognizing that California is one state with statewide concerns. Place State highway, local road and transit projects on equal footing for access to support costs.
- Recognize the Caltrans role as owner-operator of the State Highway System, while removing Caltrans from lead responsibility for resolving urban congestion problems created largely by local decisions.

- Provide incentives for regional accountability for the timely use of funds.
- Retain the California Transportation Commission role as guardian of State capital dollars, with responsibility for determining how best to manage those dollars in a wise and cost-effective manner.

Caltrans continues to be responsible for the operation, maintenance and rehabilitation of the State Highway System. Caltrans is also responsible for programming improvement projects funded through the ITIP. However, for projects funded with RTIP funds, Caltrans can only promote and recommend highway improvement projects to the TCTC for inclusion in their RTIP.

J. STATE HIGHWAY OPERATION AND PROTECTION PROGRAM (SHOPP)

Caltrans is required to prepare and submit a ten-year State Highway rehabilitation plan for the rehabilitation and reconstruction, or combination thereof, of all highways and bridges owned by the State. The purpose of the State Highway Operations and Protection Program is to preserve and protect the State Highway System. The SHOPP is a program of projects that has the purpose of traffic safety, roadway rehabilitation, roadside rehabilitation or operations related to the State Highway System.

New projects are programmed on a statewide basis according to safety and rehabilitation needs in the year Caltrans estimates the project can be delivered. All new projects must have a Project Study Report (PSR) or equivalent document identifying a project's scope, estimated cost and delivery schedule.

Caltrans provides an opportunity for the TCTC to review and comment on draft versions of each proposed SHOPP, and considers the comments received from the regional transportation planning agencies before finalizing their Program.

The TCTC should participate in the development of the SHOPP to encourage the funding of high priority projects in Tuolumne County.

K. OVERALL WORK PROGRAM (OWP)

The State requires RTPAs to annually prepare and submit an Overall Work Program. The OWP serves as an annual program management document that identifies all regional transportation planning activities and the funding sources that have been approved to accomplish the identified activities. The primary purpose of the annual work program is to establish proper use of various Federal and State funds on transportation programs and projects consistent with each RTPA's priorities.

The OWP is the TCTC's means of securing funding and staffing in order to create, implement and expand upon those policies and actions outlined in the RTP. Maintaining an up-to-date OWP is critical to the TCTC's functioning as the regional transportation planning agency. Draft OWP's are due to Caltrans annually by March 1st and final OWP's are due in June.

Amendments to the OWP

The TCTC may amend the OWP from time to time to program additional projects, deprogram projects or change funding appropriations. Amendments must be preapproved by Caltrans, and subsequently adopted by resolution by the TCTC. OWP amendments must be submitted to Caltrans no later than April 1st each year.

OWP Quarterly Progress Reports

The TCTC is required by Caltrans to submit quarterly progress reports on the various work products and funding programmed in the OWP. Caltrans will utilize these reports to monitor the progress of the activities and funding of the Work Program, as well as a basis for approving reimbursement requests for Rural Planning Assistance (RPA) funds (see Section IV, C).

L. REGIONAL BLUEPRINT PLAN

The Tuolumne County Board of Supervisors identified developing a regional blueprint among the top strategic goals for the County. The proposed blueprint framework and committee formation designated the Tuolumne County Transportation Council to be the lead agency to administer the Blueprint effort.

The purpose of a Regional Blueprint Plan is to employ regional strategies for transportation, land use and economic growth by considering the effects of the built environment on infrastructure, the natural environment, as well as history and culture of communities to maintain and enhance the quality of life for residents of Tuolumne County and to make more efficient land use decisions in conjunction with existing infrastructure.

M. TRANSIT DEVELOPMENT PLAN (TDP)

While not specifically required by either the California Government Code or the Transportation Development Act (TDA), it is important for the TCTC to regularly update the County Transit Development Plan. This document is invaluable in forming the basis of the TCTC's annual findings regarding "unmet transit needs" within the County (see PUC Section 99401.5) as well as identifying possible improvements to existing transit services. The TDP is also utilized as a supporting document for the County's Public Transit Contract and updates to the Regional Transportation Plan. Historically, the TCTC has updated the TDP every five years.

N. AVIATION

General aviation needs in Tuolumne County are met by two County owned and operated airports; Columbia Airport, located near the town of Columbia, and Pine Mountain Lake (PML) Airport, located near the town of Groveland.

The stated objective of the TCTC is to promote the planned development of aviation facilities in order to meet the general aviation and emergency medical transportation needs within Tuolumne County. The Airport Masterplan is coordinated and implemented by the County Airports Department. However, to receive Federal and State funding, airport projects must be programmed in the Regional Transportation Plan and, for certain funding programs, in the Regional Transportation Improvement Program.

O. NON-MOTORIZED TRANSPORTATION

The primary forms of non-motorized transportation used in Tuolumne County are by bicycle, walking or horseback. All planned projects that are eligible for Federal or State funding are planned in the Regional Transportation Plan and programmed for implementation in the Regional Transportation Improvement Program.

The number of existing bicycle, pedestrian and equestrian facilities in Tuolumne County is limited. This limited provision of non-motorized facilities is due, in part, to funding, but is due also to natural limitations within Tuolumne County. Highly variable topography means steep grades must be overcome by users of non-motorized facilities, while winter snows can limit the benefit of facilities at elevations above 3,000 feet. In response to these constraints, the Non-Motorized Element of the RTP establishes a policy that non-motorized transportation facilities in the County, in order to be effective and to assist in reducing motorized traffic, shall target short distances connecting schools, work centers, large subdivisions, shopping and life enrichment facilities, including swimming pools, libraries and senior centers.

The County of Tuolumne and City of Sonora are directly responsible for constructing projects, while the TCTC typically facilitates the planning and funding of projects.

P. RAIL TRANSPORTATION

Tuolumne County is currently served by the Sierra Northern Railway which operates between Oakdale, in Stanislaus County, and Standard, in Tuolumne County. Connections are made with both the Southern Pacific and the Santa Fe Railroad in Oakdale. The Railroad includes 49 miles of track from Standard to Oakdale. The Sierra Northern Railway (formerly "Sierra Railroad") has been in operation since 1897. Located along the Sierra Northern Railway in Jamestown is the Railtown 1897 State Historic Park, which includes tourist train rides, a functional roundhouse, several steam engines and an inventory of vintage passenger and freight cars.

Due to the strong public support for the railroad in Tuolumne County, the TCTC should continue to support the economic vitality and continued integration of the Sierra Northern Railway into the multimodal system.

Q. AIR QUALITY CONFORMITY

The purpose of ambient air quality standards is to protect public health and welfare. Health scientists determine which air pollutants result in health problems and at what concentration level. This information is the basis of the ambient air quality standards. Air quality standards consist of four elements – the pollutant, the averaging time, the level or concentration not to be exceeded and the form of the standard or attainment test. Air quality designations are intended to notify the public about air quality in the areas where they live, work or travel. This is accomplished by designating areas as non-attainment, attainment or unclassifiable.

The Federal Transportation Conformity Rule and ensuing programs are aimed at reducing statewide, regional and community exposure to air toxics. The Federal Transportation Conformity Rule (40 Code of Federal Regulations Parts 51 and 93) specifies criteria and procedures for conformity determinations for transportation plans, programs and projects and their respective amendments in order for non-attainment areas to continue to receive Federal funding for projects. According to the Federal Transportation Conformity Rule, the following steps must be taken upon non-attainment designation. A State Implementation Plan (SIP) must be developed that describes how and when the non-attainment areas will attain the standard. Toxic Control Measure (TCM) programs must be implemented that ensure emissions from new and modified stationary and mobile sources in the region comply with the lowest achievable emission rates. Transportation projects that increase capacity to roadways must undergo air quality conformity analysis to ensure they will not increase air pollution toxins in the environment.

Tuolumne County is designated as a non-attainment area with respect to federal air quality standards for one criteria pollutant, ozone. Therefore, the TCTC is responsible for ensuring compliance with the requirements pertaining to that designation.

R. INTELLIGENT TRANSPORTATION SYSTEMS

The TCTC should participate in the efforts by Caltrans and other rural counties in looking for ways to utilize Intelligent Transportation Systems (ITS) to help solve transportation problems. Identification of appropriate systems and technologies can provide tourists, commuters, transportation operators and emergency service providers with real-time information about road and weather conditions in the Sierra Nevada region. The TCTC should also monitor and identify potential funding sources that may be applicable to ITS strategies that are identified.

PROJECT PROGRAMMING FUNCTIONS

In addition to transportation planning, the TCTC takes an active role in efforts to implement the region's transportation plans. This includes communications with local jurisdictions and assistance with communications between local jurisdictions and State agencies, particularly Caltrans and the California Transportation Commission. The TCTC also helps to secure

Federal and State funding for locally prioritized transportation projects through the State Transportation Improvement Program (STIP), the State Highway Operations and Protection Program (SHOPP) and other funding sources.

IV. FUNDING MECHANISMS AND APPLICATION/CLAIM PROCEDURES

A. TRANSPORTATION DEVELOPMENT ACT (TDA)

The TCTC is responsible for the allocation, payment and proper records keeping associated with the Transportation Development Act and its funding mechanisms. The TDA governs two major transportation funding sources, Local Transportation Funds and State Transit Assistance Funds. Local Transportation Funds (LTF) may be utilized for administration of the TDA, pedestrian and bicycle facilities, the public transit system (operations and capital) and for streets and roads projects. State Transit Assistance Funds (STAF) may be utilized for public transit purposes only.

1) UNMET TRANSIT NEEDS PROCESS

Section 99401.5, of the Public Utilities Code, requires that prior to making any allocation of LTF not directly related to public transportation services, specialized transportation services, or facilities provided for the exclusive use of pedestrians and bicycles, each transportation planning agency shall annually do all of the following:

- a) Consult with the Social Services Transportation Advisory Council.
- b) Identify the transit needs of the jurisdiction which have been considered as part of the transportation planning process, and perform certain assessments as defined in Section 99401.5, b), of the TDA.
- c) Identify the unmet transit needs of the jurisdiction that are reasonable to meet. The TCTC shall hold at least one public hearing pursuant to Section 99238.5, of the TDA, for the purpose of soliciting comments on the unmet transit needs that may exist within the TCTC's jurisdiction and that might be reasonable to meet by establishing or contracting services or by expanding existing services. The hearing must be advertised at least 30 days in advance of the hearing date.

The definition adopted by the regional transportation planning agency for the terms "unmet transit needs" and "reasonable to meet" shall be documented by resolution or in the minutes of the agency. (See Appendix F for the current resolution)

The fact that an identified transit need cannot be fully met based on available resources shall not be the sole reason for finding that a transit need is not reasonable to meet. An agency's determination of needs that are reasonable to meet shall not be made by comparing unmet transit needs with the needs for streets and roads.

- d) Adopt by resolution a finding for the jurisdiction that; 1) there are no unmet transit needs, 2) there are no unmet transit needs that are reasonable to meet, or 3) there are unmet needs including needs that are reasonable to meet. The resolution shall include information developed pursuant to section b) above which provides the basis for the finding.
- e) If the transportation planning agency adopts a finding that there are unmet transit needs, including needs that are reasonable to meet, then the unmet transit needs shall be funded before any allocation is made for streets and roads within the jurisdiction.

The TCTC must prepare and submit a report, including the appropriate resolution adopted pursuant to section d) above, on its findings regarding unmet transit needs before August 15 of the fiscal year of the allocation or within 10 days after the adoption of the finding, whichever is later. The documentation shall include the following:

- a) A copy of the notice of hearing and proof of publication and a description of the actions taken to solicit citizen participation pursuant to Section 99238.5, of the TDA.
- b) A copy of the resolution or minutes documenting the TCTC's definitions of "unmet transit needs" and "reasonable to meet".
- c) A copy of the resolution adopting the unmet transit needs finding described in subdivision d), of Section 99401.5, of the TDA.

Upon adoption of a finding, as defined above, and providing funding accordingly, the TCTC may allocate remaining LTF to streets and roads purposes.

2) LOCAL TRANSPORTATION FUNDS (LTF)

The Transportation Development Act creates in Tuolumne County a Local Transportation Fund for various transportation purposes. LTF dollars can be used for transportation planning, the TCTC's expenses related to administering TDA, pedestrian and bicycle facilities, transit systems and/or for streets and roads projects. LTF revenues are derived from $\frac{1}{4}$ cent of the $7\frac{1}{4}$ cents retail sales tax collected statewide. The $\frac{1}{4}$ cent is returned by the State Board of Equalization to each county according to the amount of tax collected in that county.

Revenues from the LTF must be apportioned by population to areas within the County (the proportion of the population that area includes compared to the total population of the County). Based upon population data provided by the Department of Finance, the incorporated area of the City of Sonora includes 8.1% of the total population and the unincorporated area of the County includes 91.9% of the total population of the Region.

The TCTC is responsible to allocate LTF in Tuolumne County, and in the specific priority order identified in Article 3, Section 99233, of the TDA. Claims for administration, pedestrian and bicycle projects, and public transportation purposes are funded first. Remaining LTF funds, if any, may be allocated to local streets and roads projects.

Local Transportation Funds are received on a monthly basis and deposited into a trust account by the County Auditor. The LTF is allocated by the TCTC in conformance with the Transportation Development Act.

According to the TDA, the TCTC should first allocate to itself the amount of funds needed to administer the requirements of the TDA. The amount allocated each year is calculated based on the amount of TCTC staff hours, and the cost of those staff hours, determined to be necessary to complete the activities required of the TCTC in administering the program. Each year, these funds are programmed to the various activities in the TCTC Overall Work Program.

The TCTC has historically set aside two percent (2%) of the LTF apportionment each year for pedestrian and bicycle facility projects. These funds are allocated by resolution to the Pedestrian/Bicycle Local Transportation Funds Account and held in reserves for future projects. The funds are then allocated to specific projects through the TCTC's LTF claiming process.

The remaining LTF is available for public transportation services. After completing the required Unmet Transit Needs process, as described above, and defined in Section 99401.5 of the TDA, the TCTC determines and allocates the amount of LTF needed to cover all transit needs that are reasonable to meet based upon the adopted criteria. Transit claims may be submitted by any eligible transit agency providing a service that meets the TCTC's adopted "reasonableness" criteria. In Tuolumne County, the City of Sonora and County of Tuolumne have been the eligible claimants of LTF for public transit services.

Any remaining LTF may be allocated to the City and County for streets and roads purposes, or other related purposes, based upon the agency's share of the total County population.

Apportionment/Allocation Process:

- a) Prior to February 1st each year, the County Auditor shall furnish to the Executive Director of the TCTC an estimate of moneys to be available for apportionment and allocation during the ensuing fiscal year (see CCR Section 6620).
- b) Prior to March 1st each year, the TCTC shall determine and advise all prospective claimants (the City and County) of all area apportionments of LTF dollars for the following fiscal year. The final amount of LTF funds available for apportionment to the City and County will be derived per procedures outlined in CCR Section

6644 (a) and PUC Section 99233. The resulting balance of TDA dollars will be apportioned per the most recent population figures published by the State Department of Finance (see PUC Section 99231).

- c) Prior to April 1st each year, each claimant (the City and County) shall submit to the Executive Director of the TCTC its annual LTF claims per the form and priorities set forth in CCR Section 6630 and PUC Section 99400. The Executive Director may extend the deadline for claim submittals.
- d) Prior to TCTC approval of these claims, a finding must be made that all unmet transit needs which are reasonable to meet have been met (see PUC Section 99401.5).
- e) Upon approval by the TCTC of the appropriate LTF allocations, the Executive Director of the TCTC shall convey allocation instructions to the County Auditor by written memorandum, accompanied by a certified copy of the resolutions authorizing the allocations (see CCR Section 6659 and PUC Section 99235).

Payment/Reimbursement to Claimants

Payments to claimants for LTF dollars will be made at the beginning of each fiscal year and/or as money becomes available from the State. All claimants receiving LTF dollars in this manner will be required to supply the County Auditor with all reports and other information necessary for the proper and timely completion of those quarterly reports called for in CCR Section 6622. This rule will be consistent with the allocating instructions conveyed to the County Auditor (see CCR Section 6621).

3) STATE TRANSIT ASSISTANCE FUNDS (STAF)

Chapter 161 of the Statutes of 1979 (SB 620) created the State Transit Assistance Fund. STAF provides a second funding source from the Transportation Development Act for transit purposes. STAF are administered and/or controlled by guidelines set forth in the TDA. Funds for the program are derived from the Statewide sales tax on gasoline and diesel fuel.

These funds are appropriated to the Secretary of the Business, Transportation and Housing Agency for allocation by formula to each regional transportation planning agency. The formula is 50 percent according to population and 50 percent according to operator revenues for the prior fiscal year. The TCTC receives STAF under PUC section 99313, which is based upon the ratio of the population of Tuolumne County to the total population of the State of California. Since Tuolumne County contracts the operations of its public transit services to a private transportation firm, it does not receive the revenue based allocation.

Public Utilities Code section 99313.6 requires each regional transportation planning agency create a State Transit Assistance Fund and deposit therein the funds allocated to it pursuant to the TDA.

Apportionment/Allocation Process

- a) In January each year, the State Controller shall furnish to the Executive Director of the TCTC a preliminary estimate of STAF monies to be available for apportionment and allocation during the ensuing fiscal year (see PUC § 99312.7).
- b) In August each year, the State Controller will provide a final estimate of STAF monies to be available for apportionment and allocation during the ensuing fiscal year.
- c) Once the final estimate is received, each claimant shall prepare and submit to the Executive Director of the TCTC its annual STAF claims form and priorities set forth in CCR Sections 6730-6732, PUC Sections 99313.3 and 99314.5 (including Sec. 5 of Chapter 322, Statutes of 1982-AB 2551).
- d) Pursuant to CCR Section 6753, the TCTC shall adopt a resolution approving the STAF claims and allocating the funds. The resolution shall make specific findings required for STAF funds as outlined in CCR Section 6754.
- e) Based upon the allocating resolution, the Executive Director of the TCTC shall convey to the County Auditor allocation instructions as stipulated in CCR Section 6753.

Payment/Reimbursement to Claimants

Payments to claimants for STAF dollars will be made at the beginning of each fiscal year and/or as money becomes available from the State. All claimants receiving STAF dollars in this manner will be required to supply the County Auditor with all reports and other information necessary for the proper and timely completion of those quarterly reports called for in CCR Section 6622. This rule will be consistent with the allocation instructions conveyed to the County Auditor (see CCR Section 6621).

B. REGIONAL TRANSPORTATION ENHANCEMENT PROGRAM (RTE)

Through the Federal Transportation Act, ten-percent of the Surface Transportation Program funding is set-aside for the Transportation Enhancement (TE) Program. TE Program funds are used for transportation related capital improvement projects that enhance quality of life in or around transportation facilities. Projects must be over and above normal transportation projects, including mitigation and permit requirements. Projects should have a quality-of-life benefit while providing the greatest benefit to the greatest number of people.

Regional Transportation Planning Agencies, such as the TCTC, receive 75 percent of the TE dollars in California (Regional TE Program), the other 25 percent goes to the State (State TE Program).

The TE Program is a Federal, reimbursable funding program for transportation enhancement type projects. A non-Federal funding match of 11.47% is required in each phase of the project and administering agencies must commit to cover cost increases if the project turns out to be under funded. Organizations may nominate projects, in partnership, through a public agency that is willing and able to take responsibility for carrying out and maintaining the project. Improvements to private property and commercial facilities are not eligible. In addition, projects must comply with Federal environmental requirements and with other Federal regulations, as outlined in the Caltrans Local Assistance Procedures Manual. Generally, this is a capital improvement program, not for planning, maintenance, equipment or operations.

Regional transportation planning agencies program Regional TE funding to eligible projects through their Regional Transportation Improvement Program (RTIP), which is then adopted into the State Transportation Improvement Program (STIP) by the California Transportation Commission (CTC).

TE projects programmed into the RTIP and STIP must comply with the STIP Timely Use of Funds Policy, as described in the CTC's STIP Guidelines.

Application Procedure

At the discretion of the TCTC, a call for projects for a specified amount of Regional TE funds will be issued, and an application submittal deadline will be set. A TE Application submittal includes a completed TE application form, which will include the scope, cost and schedule of the proposed project, and a resolution or letter requesting funds for the proposed project from a public agency willing to sponsor the project. TE applications must be submitted to the Caltrans TE Program Coordinator for review for eligibility prior to programming by the TCTC. The TCTC will prioritize eligible projects and program them into the RTIP as funding is available.

The RTIP will then be submitted to the California Transportation Commission along with a request to program the TE project(s) into the STIP. Within the year funds are programmed in the STIP, the local agency will submit allocation request and request for authorization of funds forms to the Caltrans Division of Local Assistance. Project reimbursements are not eligible prior to the CTC's approval of the funding allocation and Caltrans' approval of the request for authorization of funds. Specific procedures for project reimbursements on TE projects may be found in the Caltrans Local Assistance Procedures Manual.

C. RURAL PLANNING ASSISTANCE (RPA) PROGRAM

The Rural Planning Assistance Program provides funding to the TCTC for transportation planning activities. The RPA funds must be utilized on the projects and programs as they are delineated in the TCTC's annual Overall Work Program (OWP) and expended within the fiscal year programmed. RPA funds may not be carried over to the next fiscal year.

The allocation of RPA funds is tied directly to the State's acceptance of the TCTC's OWP. As part of the OWP, the TCTC executes an OWP Agreement (OWPA), in which the RPA funds are identified. The OWP is in essence a grant application for RPA funds. Relatedly, the TCTC must submit to the State its draft OWP by March 1 each fiscal year. The final OWP, including the OWPA, is due to Caltrans in June.

Programming/Application Procedure

As stated above, the allocation and application of RPA funds is accomplished through the OWP. Caltrans will provide an apportionment estimate of RPA funds to the TCTC each year. The TCTC will program these funds to specific projects in the corresponding OWP, and identify the funds in the OWPA. Approval by Caltrans of the OWP, including the OWPA, is also their approval of the RPA funding and the identified expenditures. RPA funds must be expended on projects as identified in the OWP.

The TCTC should closely monitor expenditures of RPA funding and consider amending the OWP if necessary to ensure these funds are spent within the fiscal year programmed since carryover is not allowed. The deadline to submit OWP amendments to Caltrans is April 1. Therefore, final amendments should be considered by the TCTC at their March meeting, if needed.

As work is completed, invoices for reimbursement of costs are submitted to the Caltrans District 10 Planning office. Reimbursements may be requested monthly, but are typically submitted quarterly along with OWP Quarterly Progress Reports.

D. PLANNING, PROGRAMMING AND MONITORING PROGRAM (PPM)

Through the Regional Transportation Improvement Program (RTIP), the TCTC may program up to 5% of Tuolumne County's Regional Improvement Program funds for planning, programming and monitoring purposes. These funds are then programmed into the State Transportation Improvement Program (STIP) as State-only funds. The California Transportation Commission (CTC) approves allocations of these funds in accordance with the amounts programmed in the STIP.

PPM funds are to be used for the TCTC's project planning, programming and monitoring activities related to the development of the RTIP and STIP, and for the monitoring of project implementation for projects approved in these documents, more specifically as follows:

- Regional transportation planning, including the development and preparation of the regional transportation plan (RTP).
- Project planning, including the development of project study reports or major investment studies, conducted by regional agencies or by local agencies in cooperation with regional agencies.

- Program development, including the development of regional transportation improvement programs and studies supporting them.
- Monitoring the implementation of STIP projects, including project delivery, timely use of funds and compliance with State law and the CTC's guidelines.

Programming/Application Procedure

The PPM funds are programmed to specific projects or activities through the TCTC's annual Overall Work Program (OWP). The TCTC is required to approve an annual PPM Plan, which identifies the projects to which the funds have been programmed. This Plan is submitted to Caltrans, who then prepares a fund transfer agreement to facilitate reimbursement(s). Upon final execution of the Agreement, the TCTC submits a Request for Allocation to the Caltrans Division of Local Assistance. Once the Allocation Request is approved, the TCTC may invoice for the full year's apportionment.

E. REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP)

Section 182.6g, of the Streets and Highways Code, permits rural regional transportation planning agencies to exchange their annual apportionments of Federal Regional Surface Transportation Program funds for non-Federal State Highway Account funds. The Code permits an eligible county represented by that RTPA to exchange its entire annual sub-apportionment (110% of their 1990/91 Federal-Aid Secondary minimum) for State Highway Account funds.

This exchange of funds removes Federal regulations and enables the agency to use the funds for transportation related purposes as defined in Section 133c of Title 23 of the United States Code and Article 19 of the State Constitution. Tuolumne County has participated in this RSTP Exchange program since Fiscal Year 1991/92.

The County annually exchanges an amount equal to 110% of their 1990/91 Federal-Aid Secondary minimum (\$307,574), and utilizes the funds for various Public Works projects and roads maintenance.

The TCTC exchanges the remaining RSTP apportionment each year. These funds are deposited into the TCTC's RSTP Exchange Funds Reserve account and allocated by the TCTC to specific projects from time to time based upon TCTC work activities and project funding requests from other agencies.

Application Procedure

The State will provide an estimate (usually in March) of the RSTP apportionment available to Tuolumne County for that year. Agencies desiring to exchange their Federal RSTP apportionment for State funds are required to execute a funding agreement with Caltrans to facilitate the exchange. As the RTPA, the TCTC provides approval to the County to exchange their funds directly. In that case, the County and TCTC will execute separate funding agreements with the State. Once the Funding

Agreement has been executed, an invoice may be submitted to the Caltrans District 10 Division of Local Assistance for payment of the full year's apportionment.

F. CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM

The Congestion Mitigation and Air Quality program was created under the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, continued under the Transportation Equity Act for the 21st Century (TEA-21) and reauthorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). By the year 2006, the program had supported nearly 16,000 transportation projects across the country.

The purpose of the CMAQ program is to fund transportation projects or programs that will contribute to attainment or maintenance of the national ambient air quality standards (NAAQS) for ozone, carbon monoxide (CO) and particulate matter (PM).

The CMAQ program supports two important goals of the Department of Transportation: improving air quality and relieving traffic congestion.

The CMAQ Program enables communities to increase public awareness regarding the link between transportation and air quality, fund technological applications to improve transportation systems, or increase transit services, as a few examples. Most of the CMAQ project categories include a wide variety of measures to decrease vehicle emissions. Policy considerations exclude highway maintenance and reconstruction projects because these activities preserve existing levels of service and are unlikely to contribute to further improvements in air quality. Specific eligibility information on activities and projects may be found in the CMAQ Program Guidelines found on the Federal Highway Administration website (<http://www.fhwa.dot.gov/environment/cmaqpgs/>).

CMAQ funds are reimbursable federal aid funds, subject to the requirements of Title 23 of the United States Code. Eligible costs include the preliminary engineering, right-of-way acquisition, capital and construction costs associated with an eligible activity.

In Fiscal Year 2005/06, the County of Tuolumne was designated a nonattainment area with respect to Federal air quality standards for ozone, one of the criteria pollutants. This designation allowed the Tuolumne County Region to be eligible to receive CMAQ funding.

The State has provided annual apportionment estimates for CMAQ funding for the Tuolumne County Region beginning with FY06 and through FY11, which average approximately \$500,000 per year. The Federal share for most eligible CMAQ projects is 88.53%, with an 11.47% local match required. The Program allows the TCTC to increase the local match requirement on projects, at their discretion. Certain activities, including traffic control signalization, commuter carpooling and vanpooling and signalization projects to provide priority for transit vehicles may be funded at 100 percent Federal share if they meet certain requirements of the program.

The TCTC, in their role as the Regional Transportation Planning Agency for Tuolumne County, is responsible for determining eligibility of CMAQ projects. And, once projects have been determined eligible and approved by the TCTC, they must be programmed in the Regional Transportation Improvement Program (RTIP).

Application Procedure

At the discretion of the TCTC, a call for projects for a specified amount of CMAQ funds will be issued, and an application submittal deadline will be set. Proposals for CMAQ funding should include a precise description of the project, providing information on its size, scope, location, timetable and cost. Also, an assessment of the project's expected emission reduction benefits will be required prior to project selection. The TCTC will prioritize eligible projects and program them into the RTIP as funding is available. Caltrans will program CMAQ projects into the FSTIP.

Specific procedures for the CMAQ program may be found in the Caltrans Local Assistance Program Guidelines.

G. VARIOUS TRANSPORTATION PLANNING GRANTS

Approximately \$8.5 million are available each year for several transportation planning grants. These funds are available for transportation planning studies, not for capital improvement. All of these grants have a similar application process and are administered by the Caltrans Headquarters Division of Transportation Planning. Generally, the applicant must be a Metropolitan Planning Organization (MPO) or Regional Transportation Planning Agency (RTPA) and the project must be included in the agency's Overall Work Program (OWP). A brief description of each of the grants follows. Additional detail as well as the latest version of the application is available on the Caltrans Division of Transportation Planning website, see www.dot.ca.gov/hq/tpp/.

1) STATE TRANSPORTATION PLANNING

Community Based Transportation Planning

This grant will provide planning funds that support livable communities (such as long-term economic development, multimodal linkages, jobs/housing balance), coordinate land-use and transportation planning, reflect community values and include non-traditional participants in transportation decision making. These grants require a local 20% match with a maximum 10% in-kind contribution allowed.

Environmental Justice: Context-Sensitive Planning

This grant is for studies promoting participation from or providing funding for transportation planning efforts that affect low-income, minority communities and Native American Tribal Governments. These grants provide funding for planning-related projects that promote environmental justice in local planning, contribute to the early and continuous involvement of low-income and minority communities in the planning and decision-making process, improve mobility and access for under-

served communities, and create a business climate that leads to more economic opportunities, services and affordable housing. These grants require a local match of 10% with a 5% in-kind contribution maximum.

2) TRANSIT PLANNING

Transit Planning funds must be used for transit related planning projects and require a 11.47% non-Federal match. The following are the three Transit Planning grant categories and the types of projects each support:

Statewide Transit Planning Studies

Studies should be aimed at reducing urban transportation demand and improving transit services. To qualify, studies need to have statewide or multi-regional significance, as well as reflect a critical need, improve public involvement and government-to-government relations, and enhance planning and implementation efforts for state, regional or local transportation services and projects.

Transit Technical Planning Assistance

This grant is intended to assist in public/intermodal transportation planning studies in rural and small urban transit service areas of California with a transit service area of 100,000 or less. Studies must result in increased efficiency, increased use and expansion of rural and small urban public transit systems.

Transit Professional Development

This grant provides funding for training and development for transit planning professionals and transit related student internships.

3) PARTNERSHIP PLANNING

This grant will fund studies that have statewide benefit/multi-regional significance performed by the applicant, with participation from Caltrans, or projects that make improvements to the state or regional transportation system. Additionally, these studies/projects should reflect a critical need, improve public involvement, improve government-to-government relations, and enhance planning and implementation efforts for state, regional or local transportation services and projects. These grants require a 20% non-Federal funding match.

H. SPECIALIZED TRANSIT AND PROCUREMENT GRANTS (FTA Section 5310)

The Federal Transit Administration (FTA) Section 5310 Program provides capital grants for the purpose of meeting the transportation needs of persons with disabilities and the elderly where public mass transportation services are otherwise unavailable, insufficient or inappropriate. These funds are available on a statewide competition basis. Section 5310 applications are due to the State in March each year. Projects are funded in priority order, based upon specific scoring criteria, until all available funds are programmed.

TCTC Review & Findings: While the TCTC is not a direct claimant or distributor of these funds, it is responsible for reviewing, scoring and ranking the applications generated from within the Tuolumne County region pursuant to the program's specific scoring criteria and ranking requirements, and make the following findings:

- 1) That the agency applying for the grant has to the maximum extent possible, coordinated its program with other transportation programs in the County; and
- 2) that the program and grant are consistent with the Regional Transportation Plan (RTP).

The TCTC is required to adopt a project priority list including the results of the application scoring and ranking. The adopted Section 5310 Project Priority List is then submitted to Caltrans and included as part of the applicant's grant application. Caltrans will utilize the application scores developed and submitted by the RTPAs as a basis to develop the draft Statewide funding list. The final funding list of projects is adopted by the California Transportation Commission.

I. NON-URBANIZED AREA FORMULA GRANTS (FTA Section 5311)

The Federal Transit Administration (FTA) Section 5311 Program provides capital and operating funds for public transportation in rural areas. Each state prepares an annual program of projects, which must provide for fair and equitable distribution of funds within the state and must provide maximum feasible coordination with transportation services assisted by other Federal sources. Grant applications are due to the State prior to June 30th each year.

These funds are provided to claimants in one of two possible ways:

- 1) Upon submission of a successful application which stays within the County's projected annual allocation of FTA Section 5311 funds; or,
- 2) upon submission of a successful application for competitive State Discretionary Reserve FTA Section 5311 funds.

TCTC Review & Findings: While the TCTC is not a direct claimant of these funds, it is involved in reviewing each application generated within the County in order to make the following findings:

- 1) That the agency applying for the grant has, to the maximum extent possible, coordinated its program with other transportation programs in the County; and,
- 2) that the program and grant are consistent with the Regional Transportation Plan (RTP).

Public Hearing & Establishment of Program of Projects: The TCTC must also establish a group of projects which together will be allowed to apply for the County's annual projected allocation of FTA Section 5311 dollars. This grouping of projects is called the Program of Projects. In order to establish an annual Program of Projects that contains capital grant requests, the TCTC must hold an advertised public hearing to discuss the proposed projects. After the public hearing, the final Program of Projects is approved and certification of that action along with the TCTC's earlier findings are due to Caltrans before December 31st each year. A Program of Projects that contains only operating assistance requests does not require a public hearing.

J. JOB ACCESS AND REVERSE COMMUTE (JARC) GRANTS (FTA Section 5316)

This grant provides funds to help improve mobility and economic opportunity for welfare recipients and other low-income people through the provision of new or expanded transportation services in rural and small, urbanized areas (pop. of 200,000 or less).

K. NEW FREEDOM (NF) PROGRAM (FTA Section 5317)

This program provides grant funds to address the transportation needs of persons with disabilities that go beyond those required by the Americans with Disabilities Act (ADA).

Programming/Application Procedure for JARC and NF Grants

Both of the above, JARC and NF, funding programs are statewide, competitive formula grants for small urban and non-urban areas. Applicants may include local government agencies, tribal governments, Metropolitan Planning Organizations (MPOs), Regional Transportation Planning Agencies (RTPAs), social service agencies, private and public transit operators and non-profit organizations.

Funds may be used for planning, capital or operating costs of providing access to jobs. The program will provide up to 80 percent (80/20 match) of capital projects, and not more than 50 percent (50/50 match) for operating assistance. Non-DOT (Department of Transportation) Federal funds and local and private funds may be used as a match.

All selected JARC and NF projects must be derived from a local developed, Coordinated Public Transit-Human Services Transportation Plan (Coordinated Plan).

The Coordinated Plan is required to be developed by a process that includes representatives of public, private and non-profit transportation and human services providers and participation by the public. The Plan should identify the transportation needs of individuals with disabilities, older adults, and people with low incomes, provide strategies for meeting those local needs, and prioritize transportation services for funding and implementation. The Coordinated Plan should be integrated into and consistent with the Regional Transportation Plan (RTP), and serve as the foundation for the development of a "Program of Projects" for the region.

All JARC and NF projects proposed for funding are required to be included in the Regional Transportation Improvement Program and in the STIP. In addition, a Program

of Projects (POP) is required by the FTA for processing all 5310, 5311, JARC and New Freedom grant applications. The POP is submitted to the FTA for approval along with the grant application. Applications are typically due in August each year. Once the grant application is approved through the final review process, the FTA will award and obligate the funds. More information on these grant programs may be found on the Caltrans Division of Mass Transportation website, see www.dot.ca.gov/hq/MassTrans.

L. ENVIRONMENTAL ENHANCEMENT AND MITIGATION PROGRAM

The Environmental Enhancement and Mitigation Program (EEMP) was established by the Legislature in 1989. It offers \$10 million each year for grants to local, state and federal governmental agencies and to nonprofit organizations for projects to mitigate the environmental impacts caused by new or modified state transportation facilities. State gasoline tax monies fund the EEMP Grants, which are awarded in three categories:

Highway Landscape and Urban Forestry-- Projects designed improve air quality through the planting of trees and other suitable plants.

Resource Lands -- Projects for the acquisition, restoration or enhancement of watersheds, wildlife habitat, wetlands, forests or other natural areas.

Roadside Recreational -- Projects for the acquisition and/or development of roadside recreational opportunities.

The TCTC is notified of EEMP grants that have been awarded to agencies within the Tuolumne County region, and has some responsibility to ensure that these grants are carried out according to the respective grant agreements.

Application Procedure

Program procedures and criteria, including specific application dates and funding limits, are generally published by the California Resources Agency each year in September, and grant applications are typically due in November. The Resources Agency evaluates project proposals and provides a list of recommended projects to the California Transportation Commission by April 15th each year for consideration. Caltrans administers the approved grant agreements.

M. OFFICE OF TRAFFIC SAFETY (OTS) GRANTS

The California Office of Traffic Safety distributes Federal funding apportioned to California under the National Highway Safety Act and the Federal Transportation Act. OTS grants are awarded on a competitive basis and are designed to address traffic safety priority areas that include traffic services, alcohol and other drugs, occupant protection, pedestrian and bicycle safety, emergency medical services, traffic records and roadway safety. California Vehicle Code Sections 2908 and 2909 provide for the apportionment of federal highway safety funds through OTS to state and local government agencies. Funds are disbursed through a reimbursement process. OTS

funds do not have minimum or maximum project funding limits, and no matching funds are required.

TCTC staff has assisted the County in preparing and submitting OTS applications, and provided resolutions supporting those applications. Successful applications require TCTC monitoring and local agency reporting to the State to document a project's effectiveness in achieving OTS goals and objectives.

Application Procedure

OTS grant applications are due to the State in January. An application consists of a concept paper containing criteria pursuant to OTS Concept Paper Instructions. State or local agencies can apply for OTS grant funding and in turn subgrant to non-profit agencies including community-based organizations. Additionally, the TCTC may assist agencies applying for OTS funds with coordination, application review and appropriate technical support.

V. REQUIRED RECORDS, REPORTS & AUDITS

A. RECORDS & REPORTING REQUIREMENTS

The County Auditor shall maintain accounting records of all TCTC funds in accordance with the State Controller's Manual of Accounting Standards and Procedures for Counties. Such records shall be kept for a minimum of four years. At quarterly intervals, the County Auditor shall report the status of all funds to the Executive Director of the TCTC and the Secretary of the Business, Transportation and Housing Agency. The reports shall conform to those standards established in CCR Section 6622.

Transit Service Claimants (the City and County): Shall keep and maintain accurate and complete records and shall prepare an annual report of its operations in accordance with the Uniform System of Accounts and Records adopted by the State Controller pursuant to PUC Section 99243. The report shall be submitted to the Executive Director of the TCTC and to the State Controller within 90 days of the close of each fiscal year (on or before October 1). (Refer to CCR Section 6637)

Non-Transit Claimants (the City and County): Shall keep and maintain accurate and complete records per standard principles of accounting. Such records shall be kept for a minimum of four years. Expenditures of monies received for any non-transit purposes shall be reported to the State Controller on or before October 1 or within 90 days of the close of each fiscal year. (Refer to CCR Section 6665 and PUC Section 99406)

B. ANNUAL FISCAL & COMPLIANCE AUDITS

Annually and within 180 days after the end of the fiscal year, the County Auditor shall submit a report of a fiscal and compliance audit of the financial statements of the TCTC's LTF and STAF accounts to the Executive Director of the TCTC and the State

Controller. The audit shall be conducted in accordance with generally accepted auditing standards by the State Controller or by a certified public accountant who is not an officer or employee of the TCTC, the City of Sonora or the County of Tuolumne. (Refer to CCR Sections 6661 and 6751)

All Claimants (the City and County): Annually and within 180 days after the end of the fiscal year, each claimant shall submit a report of a fiscal and compliance audit to the Executive Director of the TCTC and the State Controller, the audit(s) shall be conducted by independent auditors. (Refer to CCR Sections 6664, 6666 and 6667)

C. TRIENNIAL PERFORMANCE AUDITS OF PLANNING ENTITIES AND TRANSIT OPERATORS

As the Regional Transportation Planning Agency, the TCTC is statutorily required to triennially designate an independent entity to conduct a performance audit of its activities with respect to the TDA pursuant to Public Utilities Code Section 99246. The TCTC also conducts a performance audit of the transit system and transit operator during this process.

Performance audits evaluate the efficiency, effectiveness and economy of the operations of TCTC and the Public Transit System. Performance audits must be in compliance with the Transportation Development Act and consistent with the requirements in the Performance Audit Guidebook issued by the California Department of Transportation.

The TCTC conducts a formal Request for Proposals process to hire an independent auditor to conduct a performance audit of both the TCTC and Public Transit System. The State requires the submittal of the TCTC performance audit, and verification that a performance audit was conducted on the Transit Operator. The TCTC shall approve both the TCTC and Transit performance audits. The TCTC performance audit shall be submitted to the Director of Caltrans by July 1, 1980, and by July 1 triennially thereafter. (Refer to CCR Section 6662.5 and PUC Section 99248)

D. AUDITS OF ALLOCATED FUNDS

At the discretion of the TCTC, local agencies may be required to submit audits on projects whereby the TCTC has allocated funds.