

REPORT TO SHASTA COUNTY RTPA

SUBJECT		MEETING DATE	ITEM NUMBER
RTPA Bylaws		02/24/09	11

RECOMMENDATION

It is recommended that the Board approve the attached revision to the RTPA Bylaws.

SUMMARY

The RTPA Bylaws have been revised to allow more direct and formalized Board input regarding the performance of the RTPA Executive Director.

DISCUSSION

The RTPA maintains an arms-length administrative relationship with Shasta County while staying under the umbrella of the county's organizational structure. As provided in the RTPA Bylaws, the County Public Works Director nominates, and the RTPA Board approves, a designee to serve as the RTPA Executive Director. The Executive Director is ultimately accountable to the RTPA Board and may be dismissed by a vote of the Board. The position is also "at will" to the County Board of Supervisors.

This Shasta RTPA staffing arrangement is unique in California; it is the only metropolitan-sized area that does not have independent staff or operate under a Joint Powers Authority. The attached "Guide to Regional Planning as Revised by SB 375" provides a detailed overview of regional agencies in California.

The Executive Director oversees various programs and policies involving transportation and land use policy. The Executive Director also makes discretionary recommendations to distribute over \$15 million in transportation funds annually. The Shasta County Public Works Director is not directly involved in these matters since financial allocations by the RTPA can result in 'winners' and 'losers' among local agencies, including the County. As such, the Public Works Director does not guide and evaluate the Executive Director relative to RTPA decisions.

The proposed Bylaws would establish an annual evaluation process, the results of which would be provided to the County for consideration in Executive Director evaluations and other actions affecting the RTPA. The purpose of the annual evaluation is to provide a more direct and formal process for the RTPA Board and the Executive Director to develop and track agency goals.

The Bylaws envision the preparation of a draft evaluation by the Executive Director for review by a subcommittee consisting of two or three Board members. The subcommittee report would then be reviewed and finalized by the full RTPA Board in closed session. Nothing in the Bylaws would preempt County oversight of RTPA administration; the RTPA remains under the County organizational structure as specified in the Bylaws.

ALTERNATIVES

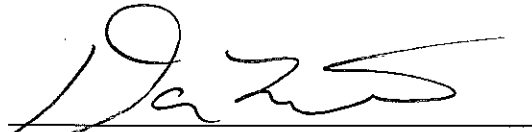
The Board may decline to take action or change the Bylaw language.

OTHER AGENCY INVOLVEMENT

This item has been reviewed in concept by the Technical Advisory Committee (TAC). TAC recommends approval.

FINANCING

No direct fiscal impact will result from approval of this item. One goal of the performance evaluation, however, is to improve efficiency within the organization.

A handwritten signature in black ink, appearing to read 'D. Little', is written over a horizontal line.

Daniel S. Little, AICP, Executive Director

DSL/jac

Attachments: Revised RTPA Bylaws
Guide to Regional Planning as Revised by SB 375

BYLAWS OF THE SHASTA COUNTY REGIONAL TRANSPORTATION PLANNING AGENCY

STATEMENT OF PRINCIPLES AND POLICIES

Shasta County and the incorporated cities within the County are members of an organization known as the "Shasta County Regional Transportation Planning Agency" (RTPA), to enable the cities and the County, as governmental agencies closest to the people, to exercise basic initiative and leadership in the transportation planning process. It will be the duty of this body to guide the development of the Regional Transportation Plan and State and Federal transportation improvement programs and their updates, review applications for funds, approve the allocation of and claims for Transportation Development Act funds, and to encourage active citizen participation in the development and monitoring of various transportation-related plans and programs.

To provide a framework wherein this RTPA may function, the following bylaws have been established. The RTPA is not a substitute for basic local government, but an organization through which individual governmental units can work on regional needs through coordination, collaboration, and partnerships.

ARTICLE 1 - DEFINITIONS

1. Board: Board means the governing board of the RTPA.
2. Chair: Chair means the Chairperson of the Board.
3. Executive Director: Executive Director means the Executive Director of the RTPA.
4. RTPA: RTPA means the Shasta County Regional Transportation Planning Agency.

ARTICLE 2 – GENERAL PROVISIONS

SECTION 1: These bylaws shall apply to the RTPA. The RTPA is the federally-designated metropolitan planning organization (MPO) and state-designated regional transportation planning agency for Shasta County.

SECTION 2: The Board of the RTPA shall consist of three members appointed by the Shasta County Board of Supervisors, three members appointed by a committee of mayors of the cities within the County, and one member representing the Redding Area Bus Authority (RABA), appointed by the RABA governing board. Appointees shall be elected officials of the agency appointing them and shall serve at the pleasure of that agency.

ARTICLE 3 - FUNCTIONS

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The functions of the RTPA are as follows:

1. To carry out all responsibilities as the regional transportation planning agency as designated by California Government Code Section 65080 et seq.
2. To carry out all responsibilities as the metropolitan planning organization (MPO) as designated by 23 USC Section 134 and 49 USC Section 5303.
3. To serve as the lead agency for determination of air quality conformity between transportation plans, programs, and projects and any applicable State Implementation Plan.
4. To provide a venue for discussion and study of regional transportation problems of mutual interest to member agencies.

ARTICLE 4 - MEETINGS

SECTION 1: Regular meetings of the RTPA shall generally be held on the last Tuesday of the month in February, April, June, October, and December, or as necessary, at a time and location that is mutually agreeable to the Board. The Chair or Executive Director may reschedule regular meetings, as the need arises. The Executive Director shall cause written notice of all regular meetings to be given to all members of the Board at least 72 hours in advance of the meetings. The notice shall contain an agenda for the meeting, and the time and location of the meeting.

SECTION 2: Special meetings of the RTPA may be called by the Chair or upon written request of four members of the Board. The Executive Director shall cause notice of all special meetings to be given to all members of the Board, and to all media outlets that have requested notice in writing, at least 24 hours in advance of the meetings. The notice shall state the time, location, and purpose of the meeting. Only the matters specified in the notice may be considered at the special meeting.

SECTION 3: Any regular or special meeting may be adjourned to a time and location specified in the order of adjournment. If all Board members are absent, the Executive Director may adjourn the meeting to a stated time and location. If one or more Board members are present, but less than a quorum, the members present may adjourn the meeting to a mutually agreed upon time and location.

SECTION 4: When the majority of the Board determines that an emergency situation exists, it may call an emergency meeting. Telephonic notice must be provided to all media outlets that have requested that they receive notice of any special meetings at least one hour prior to the meeting, or as otherwise provided by the Ralph M. Brown Act (California Government Code Section 54950 et seq.).

SECTION 5: All meetings of the RTPA shall be open to the public and held in accordance with the Ralph M. Brown Act and open meeting laws.

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SECTION 6: All committees and working groups of the RTPA shall meet on the call of the Executive Director. Each committee or working group member shall be notified of a meeting, either personally or by written notice, at least three calendar days prior to the meeting.

SECTION 7: When the Board is scheduled to consider a matter that requires a public hearing, notice of such public hearing shall be published in a local newspaper of general circulation at least 10 days prior to the hearing. In the case of the annual unmet transit needs hearing, held in accordance with California Public Utilities Code Section 99238.5, the notice of public hearing shall be published at least 30 days prior to the hearing. All notifications shall be consistent with the RTPA Public Participation Plan.

ARTICLE 5 - CONDUCT OF MEETINGS

SECTION 1: Except as herein or otherwise provided, Roberts Rules of Order shall govern all proceedings of the RTPA. In any event, all proceedings and conduct of meetings shall be in full compliance with the State of California Code.

SECTION 2: It shall be the policy of the RTPA to entertain the opinions of any person, firm, or corporation relative to any pending matter. The Chair shall, however, have the prerogative to limit the time of any presentations.

SECTION 3: The Chair may, with the approval of a majority of the representatives present, adjourn any meeting to a time and location of his/her choice.

SECTION 4: All votes shall be cast by the person or persons authorized to do so by the member government they represent. No proxy, absentee, or fractional votes may be cast.

SECTION 5: Closed sessions shall be held in conformance with the Government Code of the State of California.

ARTICLE 6 - QUORUM & VOTING

A quorum and voting at Board meetings shall be as follows:

SECTION 1: A majority of the members of the Board shall constitute a quorum.

SECTION 2: Each member of the Board shall have an alternate to represent said member.

SECTION 3: A quorum of the Board must be present to conduct business.

SECTION 4: Each Board member shall have one vote.

SECTION 5: The Board shall take no action except upon the affirmative vote of at least four members.

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SECTION 6: The Board shall act by resolution or minute action. All resolutions shall be adopted by a vote recorded in the Board minutes, and signed by the Chair.

ARTICLE 7 - DUTIES OF OFFICERS

SECTION 1: The Chair shall preside at all meetings, decide questions of parliamentary procedure, call special meetings, and perform such other functions and duties which may be prescribed by appropriate authority or which is customary of the office of Chairperson.

SECTION 2: The Vice Chair shall perform the functions and duties of the Chair in the Chair's absence.

ARTICLE 8 - ELECTION OF OFFICERS

SECTION 1: Nomination and election of the Chair and Vice Chair shall be held at the first regular meeting of the Board during each odd-numbered year. Officers shall serve a two-year term. Any vacancy during the term shall be filled by nomination and election for such office for the remainder of the term.

SECTION 2: Nominations may include any member of the Board, and may be made by any member of the Board.

SECTION 3: The election for the office of Chair and Vice Chair shall be held immediately after all nominations have been declared closed by the Chair.

SECTION 4: Officers shall take office immediately after their election, or as soon thereafter as practicable, and serve until disqualified or until their successors are duly elected.

ARTICLE 9- EXECUTIVE DIRECTOR

SECTION 1: The Director of Public Works of the County of Shasta, or a designee appointed by the Director and approved by the Board, shall serve as the Executive Director of the RTPA. Sufficient funds shall be approved by the Board for the Executive Director and staff to carry out the planning and administrative responsibilities of the RTPA.

SECTION 2: The Executive Director shall perform or supervise the administrative and secretarial work of the RTPA. His/her specific duties entail serving as secretary to the RTPA; keeping accurate and sufficient records of all proceedings; receiving and transmitting all correspondence; maintaining files for all reports; directing and coordinating the work of the RTPA; preparing and administering the RTPA annual budget; maintaining a record of all financial transactions; and such other duties as are usually incidental to such position.

SECTION 3: The Executive Director shall:

- a) Advise all prospective Local Transportation Fund (LTF) claimants of the amounts of anticipated area apportionments in accordance with Section 6644 of the California Code of Regulations (CCR).

- b) Review claims submitted pursuant to Sections 6630 and 6732 of the CCR and prepare a proposed annual budget for Transportation Development Act (TDA) funds to be allocated to claimants as approved by the Board.
- c) Transmit allocation instructions to the County Auditor to pay from the LTF and State Transit Assistance funds those approved claims that are in the proper order and for which sufficient monies are available in accordance with Sections 6659 and 6752 of the CCR. Such payments shall be made in accordance with RTPA policies and procedures.
- d) Prepare an amended budget for TDA funds as needed to make mid-year allocation and claim adjustments.

SECTION 4: At or near the April RTPA meeting, the Board shall meet in closed session to review the performance of the Executive Director. The review shall include review of goals and past performance. The review may include input from RTPA member agency staff. A draft report shall be prepared by the Executive Director and reviewed by an Evaluation Committee consisting of the RTPA Chair, Vice Chair and on optional third Board member selected by the Chair. After incorporating recommendations of the Evaluation Committee, the final draft evaluation will be available to the full Board for discussion in the closed session. The Board and Evaluation Committee may also provide recommendations to the County on the Executive Director's handling of personnel issues or of other County of Shasta decisions affecting RTPA staff. This final evaluation report resulting from the closed session shall be confidential and may be forwarded to the Director of Public Works or County Board of Supervisors as appropriate for consideration in performance evaluations or other actions by the County of Shasta without sacrificing its confidentiality.

ARTICLE 10- OPERATIONS

SECTION 1: The vote on all agenda actions shall be by voice vote unless a roll call vote is requested by a Board member. If the roll is not called, the Chair may order the motion unanimously approved. When the roll is called on any motion, any member present who does not vote in an audible voice shall be recorded as "aye."

SECTION 2: Subjects for inclusion on the agenda are to be directed to the Executive Director. Any subject of mutual interest to the members of the RTPA will be entertained, discussed, and if appropriate, voted upon.

- a) Subjects proposed for discussion by members of the RTPA shall be automatically placed on the agenda.
- b) Subjects proposed for discussion by persons or organizations that are not members of the RTPA shall be placed on the agenda upon approval of the Chair or Executive Director.
- c) All written requests denied under the preceding sub-section shall be identified

in the agenda under "communications", and read or distributed at the meeting upon the direction of the Chair or upon a majority vote of the Board.

- d) Non-members will be recognized by the Chair, who will have the prerogative to establish time limits or any other control measures he/she deems appropriate for presentations or comments.

SECTION 3: Minutes summarizing the Board's transaction of business shall be kept by the Executive Director or such other person as may be designated by the Executive Director. The minutes need only reflect such business as was actually acted upon by the Board and shall not be required to reflect any remarks of members or of any other person, except at the special request of a member. A record shall be made of the names and addresses of persons addressing the Board, the title of such matter to which their remarks related, and whether they spoke in support of, or opposition to, such matter. As soon as possible after each meeting, the Executive Director shall forward a copy of the minutes to each member. Unless a reading of the minutes is requested by a member, such minutes may be approved without reading if each member has been previously furnished a copy.

ARTICLE 11- AMENDMENTS

SECTION 1: These bylaws may be amended by the following procedure: Written notice of any proposed amendment shall be submitted to all members of the Board at least 10 days prior to any regular or special meeting of the RTPA. Written notice need not be required if the proposed amendment is submitted to the Board at a regular meeting of the RTPA prior to the meeting at which the amendment is considered.

ARTICLE 12 - COMMITTEES

SECTION 1: The RTPA shall maintain two standing advisory committees to advise the RTPA on studies and projects on a continuing basis. The Executive Director shall provide staff support for the activities of these committees. The standing committees will include:

- 1) **Technical Advisory Committee:** The Technical Advisory Committee (TAC) shall be composed of two members each of the staffs of Shasta County and the cities of Anderson, Redding, and Shasta Lake, and one member each from the Redding Area Bus Authority, Redding Airports, Shasta County Air Quality Management District, the designated Consolidated Transportation Services Agency, and Caltrans. The TAC shall review and evaluate all programs and projects for consideration by the Board, and shall provide its recommendation to the Board.
- 2) **Social Services Transportation Advisory Council:** The Social Services Transportation Advisory Council (SSTAC) shall include members and conduct its activities in accordance with the Transportation Development Act (Public Utilities Code Section 99238 et seq.) and in accordance with the SSTAC Guidelines and Bylaws approved by the RTPA.

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SECTION 2: The RTPA may establish additional committees or working groups as deemed necessary or convenient to fulfill the duties of the RTPA.

ARTICLE 13 – REGIONAL TRANSPORTATION PLANNING

SECTION 1: In all cases, the Board shall allocate funds only in accordance with a finding that the proposed expenditures are consistent with its adopted Regional Transportation Plan.

SECTION 2: The RTPA shall, through its adopted annual Overall Work Program, allocate to the various other participating agencies sufficient funds to permit such agencies to perform their planning responsibilities as designated in the Overall Work Program.

SECTION 3: In discharging its comprehensive regional planning program responsibilities, the RTPA shall be guided by the terms and provisions of its Memorandum of Understanding with the state, its adopted public participation procedures, and by the provisions of the Overall Work Program.

SECTION 4: The RTPA shall prepare and update, as necessary, policies and procedures for administration of planning and programming functions including the Overall Work Program, TDA claims, and other provisions related to federal, state and local funding requirements.

ARTICLE 14 - SERVICES

SECTION 1: The RTPA shall contract out for legal services, independent audits, and other professional services, as deemed necessary for administration and operation purposes. These services shall be performed under supervision of the Executive Director in accordance with procedures prescribed by the Federal and State governments.

ARTICLE 15 - REFERRALS

SECTION 1: The RTPA may accept by letter or resolution referrals for study and report from any duly constituted advisory or legislative body or their representatives. Reports will be made and returned to the referring body within a reasonable time.

ARTICLE 16 - ADOPTION AND CERTIFICATION

These bylaws were duly adopted by the Board of the Shasta County Regional Transportation Planning Agency, at a Board meeting held on February 24, 2009.

_____, Chair
Shasta County Regional
Transportation Planning Agency

Date



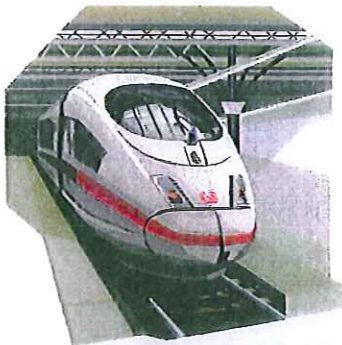
CALIFORNIA ASSOCIATION OF COUNCILS OF GOVERNMENTS



GUIDE TO REGIONAL PLANNING

AS REVISED BY SB 375

January 2009



CALCOG GUIDE TO REGIONAL PLANNING AS REVISED BY SB 375 JANUARY 2009

In California, regional planning is primarily conducted by Metropolitan Planning Organizations (MPO) in urbanized areas and Regional Transportation Planning Agencies (RTPA) in rural areas. The passage of SB 375 (Chapter 728, Statutes of 2008) by Senator Darrell Steinberg has brought new attention to regional planning, leading many state, city and county officers and other interested parties asking how planning at the regional level occurs.

What is an MPO, an RTPA, a Regional Transportation Plan (RTP), or Council of Governments (COG)? This White Paper will help explain these terms and summarize what planning occurs at the regional level.

Before the passage of SB 375, generally the term "regional planning" described the following:

- Both MPOs and RTPAs are responsible for developing transportation planning documents at the multi-county or countywide level. The most important plan these agencies prepare is the RTP, which is a long-range, 20-year plan identifying how transportation funds will be spent to address regional needs.
- A separate process allocating regional housing needs among cities and counties, where all would then be required to plan for their share of the regional needs.

SB 375 adds a new Sustainable Communities Strategy (SCS) element to regional transportation plans prepared by MPOs. The bill also requires that both the regional housing allocations by COGs and the transportation project selection, usually in a Transportation Improvement Plan (TIP), be consistent with each other and the transportation plan.

Further complicating the process is that in many locations the transportation project selection is not done by the MPO but by a County Transportation Commission, which, like the MPO, is also referred to in state law as an RTPA, leading to questions of which does what in each region of the state.

As the statewide association generally representing all of these entities, the California Association of Councils of Governments (CALCOG) has annually published a chart listing the functional responsibilities of its member agencies. In this paper, we will attempt to explain how these agencies function, describe their regional variances and differences with one another, and how the SB 375 requirements and related regional housing and transportation planning laws are intended to work under both state and federal law.

What is an MPO? What is a COG? What is a County Transportation Commission?

A Metropolitan Planning Organization is a transportation policy-making body made up of representatives from local government and transportation agencies with authority and responsibility in metropolitan planning areas. Federal legislation passed in the early 1970s (23 USC 134) required the formation of a MPO for any urbanized area with a population greater than 50,000.

In California, councils of governments (COG) already existed in each of the affected metropolitan planning areas. Thus, the effect of the federal law was to assign new responsibilities to an existing agency rather than the creation of a new agency.

MPOs were created in order to ensure that existing and future expenditures for transportation projects and programs were based on a continuing, cooperative, and comprehensive (3-C) planning process. Federal funding for transportation projects and programs is channeled through the MPO.

There are five core functions of an MPO:

- *Establish a setting:* Establish and manage a fair and impartial setting for effective regional decision-making in the metropolitan area.
- *Identify and evaluate alternative transportation improvement options:* Use data and planning methods to generate and evaluate alternatives. Planning studies and evaluations are included in the Unified Planning Work Program (UPWP).
- *Prepare and maintain a Metropolitan Transportation Plan (MTP):* Develop and update a long-range transportation plan for the metropolitan area covering a planning horizon of at least 20 years that fosters (1) mobility and access for people and goods, (2) efficient system performance and preservation, and (3) good quality of life.
- *Develop a Transportation Improvement Program (TIP):* Develop a short-range (4-year) program of transportation improvements based on the long-range transportation plan; the TIP should be designed to achieve the area's goals, using spending, regulating, management, and financial tools.
- *Involve the public:* Involve the general public and other affected constituencies in the 4 essential functions listed above.

Only one of the MPOs is set forth in California law. It is the Metropolitan Transportation Commission (MTC) which covers the nine counties of the San Francisco Bay Area. It was created by Government Code Section 66500 et al.

The other 16 within California were established only through local organizational decisions creating either a state-required county transportation commission to serve as a regional transportation planning agency under state law or a previously existing COG established decades ago for review of federal grant applications by local governments.

Nearly all are COGs. The only MPO (besides MTC), which is not a COG, is the Shasta County Regional Transportation Planning Agency, which is established as a county transportation commission.

While SB 375 only applies to the 36 counties that are located within a boundary of an MPO, each of the other so called rural counties has a RTPA which is either a county transportation commission or a COG.

In the rural areas the only transportation planning COGs are Calaveras, Humboldt, Lake, Mendocino, and San Benito counties. (San Benito is part of the Association of Monterey Bay Area Governments in its role as an MPO but is a separate COG for housing). In these counties, and in all of the MPOs which are COGs, the county planning agency is responsible for the regional housing allocations.

In the San Francisco Bay Area the COG and the MPO are separate agencies. In the rural areas there is another multi-county COG, the Central Sierra Planning Council, which is responsible for housing but not transportation. It includes the counties of Alpine, Amador, Calaveras and Tuolumne. In the other rural counties the housing allocations are performed by the State Department of Housing and Community Development (HCD).

COGs are not governed by any particular law but are a form of a joint powers agreement established under Government Code Section 6500 et al ("Joint Exercise of Powers Act"). This law allows any two or more units of local government (cities and/or counties) to establish a joint body to govern any particular program.

The use of joint powers agreements gives local agencies some extra latitude in organizing the COG that meets the unique needs of the region as well giving it some additional flexibility to administer its programs and activities.

All COGs, all MPOs (except Shasta), and most RTPAs are not governed by any government agency but exist as separate entities. The others are usually under the umbrella of the county government.

The exact rules for the selection of the governing board and the list of powers and duties of the COG are only governed by its own agreement among its member agencies. Amendments to that agreement are only in accordance with the terms of the agreement and not in accordance with any specific terms of state law.

Many of the COGs have had the composition of the governing board and other powers and duties changed over time. The initial formation requires unanimous agreement between all of the affected local governments. Amendments to their powers and duties

after that have occurred are in accordance with any specific terms of state law and the terms of the Initial agreement.

In addition, several COGs assess dues as one way to fund its activities.

The Shasta MPO and the rural county transportation planning agencies are established as county transportation commissions under Government Code Section 29535. They are composed of three members appointed by the board of supervisors, three members appointed by the city selection committee of the county (i.e., the mayors of each city in the county) or by the city council in any county in which there is only one incorporated city, and, where applicable, three members appointed by a transit district and one member representing, collectively, the other transit operators in the county.

It is generally accepted that there are 17 MPOs in California. However, if you include the Tahoe Regional Planning Agency (TRPA), there are 18. TRPA is actually a bi-state agency created by the U.S. Congress and a compact between California and Nevada. Federal laws and California and Nevada statutes govern it. TRPA is composed of parts of two counties in California, El Dorado and Placer, and two counties in Nevada. The portions of two California counties outside the Tahoe basin are part of the Sacramento Area Council of Governments (SACOG).

Differences Among the MPOs

With the exception of TRPA, all of the MPO boundaries follow county boundaries. Four of these MPOs are multi-county; the other 13 all have a metropolitan area confined to a single county.

In general the boundaries of the MPO follow the home-to-work commute patterns of people commuting to the central city or cities within the region, the television market areas, and other similar economic regional indicators. However, as the population in California has grown, there are now home-to-work commutes that are interregional as well as rural areas not within an MPO, which in many cases, are now considered at least partially part of the metropolitan regions near them.

Moreover, in the region of each multi-county MPO, there are many transportation planning and programming functions which are not carried out by the MPO itself but are carried out by individual county agencies. The exact way these operate is different in each region. It is best explained by looking at the other transportation planning and programming functions commonly carried out by MPOs.

Regional Housing Needs Allocation and Transportation Planning

The Regional Housing Needs Allocation (RHNA) is a state-mandated planning effort (Government Code Section 65584) which serves as the starting point for the local housing element update process. Each council of government (COG), and for each city and county without a COG, the State Department of Housing and Community Development, determine each city and county's fair share of the region's housing need.

Local governments, in turn, plan to accommodate that need by preparing individual Housing Elements. Since 1980 and before SB 375 the updates had been scheduled to take place every 5 years but for several years this state program was suspended.

Historically there was no coordination between transportation planning and the RHNA process. The MPO's regional transportation plans are required to be updated every 4 years in areas which have not met federal air quality standards, which is everywhere except Shasta, Monterey Bay (including Santa Cruz County), San Luis Obispo, and Santa Barbara.

However, SB 375 generally changes the frequency of RHNA updates from every 5 years to every 8 years matching every other regional transportation plan update cycle and is intended to promote coordination between the two state mandated required regional planning efforts. In the air quality attainment regions the RHNA update remains every 5 years unless the region elects to update its transportation plan every 4 years.

Regional Transportation Planning Under Federal Law (23 CFR 450.300(c))

The RTP, also known as the Regional Transportation Plan, sets out regional, long-range (20 years) transportation planning goals. It is the backbone for transportation funding and project decisions and provides strategic direction for transportation capital investments.

Under federal law all projects receiving any federal funding must be consistent with the applicable RTP and Federal Transportation Improvement Programs (FTIP).

The listing of projects is subject to the following two requirements:

- *Constraint Requirement:* First, the RTP and FTIP must be financially constrained. This means that only projects for which the agency anticipates having sufficient funding can be included. Unconstrained projects may be listed in the FTIP as information items only.
- *Conformity Requirement:* The conformity requirement applies only to nonattainment and maintenance areas. Attainment areas are not subject to the air quality requirement set forth in Section 176 of the Federal Clean Air Act. In these regions, the RTP and FTIP must demonstrate that it is in conformity with the Air Quality State Implementation Plan. The only MPOs that are in attainment are Monterey, San Luis Obispo, Santa Barbara, Santa Cruz, and Shasta.

The RTP is a project under the California Environmental Quality Act (CEQA) and requires an environmental impact review (EIR). RTPs are not subject to federal National Environmental Policy Act (NEPA) review. Only individual projects in the FTIP are subject to both CEQA and NEPA review.

Transportation Project Selection and Programming

Both state and federal laws have transportation improvement programs which reflect the selection of projects to be constructed with currently available revenues. These multiyear improvement programs are generally adopted by the same MPO with two exceptions.

In the region of the Southern California Association of Governments (SCAG), covering the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura, all transportation programming and project selection are done by the county transportation commissions which are independent government agencies for each county, established by Public Utilities Code Section 130000. The Imperial Valley Association of Governments rather than a county commission handles Imperial County. For the Association of Monterey Bay Area Governments (AMBAG), consisting of Santa Cruz and Monterey Counties with some functions for San Benito County, the state funds are programmed by the individual county transportation commissions set forth in state law and the federal funds are programmed by the multi-county MPO.

Transportation Funding Programs

Under current federal law most of the federal funding goes directly to the State Department of Transportation (Caltrans) for maintenance, operation, and repair of state highways. However, a portion of what is called the Surface Transportation Program (STP) and all of the CMAQ funds (Congestion Mitigation and Air Quality Improvement Program) are allocated by formula to the MPOs and are directly programmed by the MPOs or transportation commissions.

State Programming

The primary state transportation funding is the State Transportation Improvement Program (STIP). It is divided into two parts.

- 75 percent consists of the regional transportation improvement program (RTIP) with projects selected by the local or regional transportation planning agency (the MPO is the local or regional agency except where there are the statutory transportation agencies previously referred to or in areas too small to be an MPO).
- 25 percent consists of the Interregional Transportation and Improvement Program (ITIP), which is for state use. The RTIP funding is further divided among the agencies by regions as the South receives 60 percent of the RTIP and the North receives 40 percent. 15 percent of the total or 60 percent of the ITIP must be spent outside of the urbanized portion of the metropolitan or rural area.

The only funding currently going to the STIP is 40 percent of the Proposition 42 funds (sales tax on gasoline).

Similar to federal law, the state gasoline tax revenues currently go directly to the operation and maintenance of state highways and local streets and roads. Until recently this was a funding source for the STIP but the recent declines in gas tax revenues relative to costs have required that all of the state share go to state highway maintenance and rehabilitation. Even that amount is far short of the need to maintain adequate road conditions.

Local Transportation Funding – Self Help Counties

Local voter approved ½ cent sales tax measures for new transportation projects has become a funding source which is greater than both state and federal funds combined in funding new projects. These measures are all approved at the individual county level

so that where the MPO is multi-county, there exists a single county transportation commission which can develop a transportation expenditure program and submit it to the voters.

Enclosed with this document are a list of the counties (called "Self-Help Counties"), which currently have sales tax measures and the applicable expiration dates of these measures. With the exception of a portion of the sales tax in Los Angeles County, all measures have to be reauthorized by the voters.

Regional Transportation Impact Fees

Some local governments use Regional Transportation Impact Fees (Government Code Section 66000) hand-in-hand with sales tax measures. Some use them that do not have sales tax measures. In rural areas, they are often the only option. These fees are used to mitigate traffic impacts on the regional road network within their jurisdictions. However, traffic impacts beyond their boundaries are not included.

Proposition 1B Bond Measure

Proposition 1B (2006) includes several categories of new transportation funding with most of the funds being new programs allocated by the California Transportation Commission and applications coming from regional transportation programming agencies independent of the rules for the existing state programs. In addition to these funds, a quarter cent sales tax is allocated for public transportation purposes with funds generally going directly to transit operators.

Funds for Planning

There are three permanent sources for regional transportation planning:

- MPOs (other than SCAG and AMBAG) may take up to 1 percent of the STIP funds for planning, programming, and monitoring. The county transportation commissions, which program funds which are not MPOs (the statutory commissions within SCAG and AMBAG) and the rural counties may take up to 5 percent of the funds for planning programming and monitoring.
- 1 percent of the public transportation funds also go to the regional transportation planning agency for planning. However, the amount for SCAG is capped at \$1million.
- Consolidated Planning Grant (CPG) – 23 USC 307(c) (1) and 49 USC 5338.49 – is a federal allocation that an MPO receives each year to develop their plans and programs. The CPG is primarily composed of Federal Highway Administration metropolitan planning and Federal Transit Administration 5303 funds. These funds are allocated to the MPO by a formula established by Caltrans allocating 1 and ¼% of Federal Transportation Funds.

In addition to these permanent funding sources, for Fiscal Years 2005-06 through 2008-09, MPOs and a few rural agencies have received annual grants to prepare regional blueprints. The total statewide amount for this program has been \$5 million per year.

One other optional source of funds is dues charged to member agencies by COGs.

Regional Blueprints

The Regional Blueprint Planning Program is intended to better inform regional and local decision-making, through pro-active engagement of all segments of the population as well as critical stakeholders in the community, business interests, academia, builders, environmental advocates, and to foster consensus on a vision and preferred land use pattern.

It is anticipated that the regional blueprint planning grants will build capacity for regional collaboration and integrated planning that will in turn enable regions to plan to accommodate all their future growth, thereby reducing the need for sprawl.

What are now called regional blueprints began as locally driven efforts by the four largest MPOs/COGs – Greater Los Angeles (SCAG), Bay Area (MTC/ABAG), San Diego (SANDAG), and Sacramento (SACOG).

The efforts had different titles and relationships with other plans. But in general, all were efforts to identify and promote improved future land use patterns of their regions in a

way that increased the intensity of development around key transportation investment centers (usually near major transit stations), reduced vehicle trips and traffic congestion, increased the efficiency of existing transportation investments, and reduced sprawl.

All of these were widely supported by not only environmental groups but also by local governments (since there was no state or regional control), business and development interests (who saw the reduced congestion as a way to improve the economic attractiveness of the region for growth), and neighborhood groups who recognized that the alternative was an unacceptable level of congestion and loss of open space.

The Caltrans Regional Blueprint Program was developed through State Planning and Research funds secured through the federal government with an emphasis on transportation planning and Caltrans monitoring the program.

The program initially funded 14 MPOs through 7 grants in FY 2005/06 as its purpose was to support the completion of these blueprints and expand the concept statewide. All 17 MPOs are now participating.

By 2008, the program continued to grow, as a total of \$250,000 was awarded to 10 different RTPAs and all of the initial MPOs that were awarded continue to make strides toward implementation in their region's General Plans.

The regional blueprints were not required to be part of the RTP. How they affected transportation funding decisions has, thus far, been limited. However, their main purpose was to incentivize different local government planning and development approval decisions. It should be noted that the information gathered has become valuable for development of regional and local plans and programs such as the RTP.

All of the 4 largest regions have examples of local planning and/or development decisions that have been influenced by these blueprints. They have also been made a factor in the decision-making of state agencies allocating Proposition 1B (California Transportation Commission) and Proposition 1C (HCD) discretionary funding awards of state bond funds.

Sustainable Communities Strategies (SB 375 Requirement)

SB 375 builds upon the regional blueprints by adding a requirement that each MPO include a "Sustainable Communities Strategy (SCS)," which includes the same elements that began in the regional blueprints. It also adds a requirement that the regions identify "resource areas" and designate, which, if any, would be the priority areas for not having development occur. Some of the regional blueprints already have included this element but it was not required by the Caltrans blueprint guidelines.

While not required by the blueprint funding or SB 375, some blueprints also have developed preferred standards for new development outside of the existing priority transportation investment areas. They are generally identifying density, design and diversity (mix of uses) criteria which would reduce the number of trips per household as compared with existing development patterns.

The preparation of the SCS adds additional hearing and local government participation requirements on top of the existing federal citizen participation requirements for preparation of the RTP.

SB 375 also requires that the regional housing need allocations (covering an 8 year period instead of the current law of 5 years) be consistent with the projected land uses for the SCS and RTP. It also requires that all of the elements of the RTP be internally consistent. These include the financial element, the projects, and the SCS.

Alternative Planning Strategy (APS) (SB 375 Requirement)

SB 375 requires the Air Resources Board to set GHG reduction targets for each MPO to achieve through reduced vehicle trips per household. These will be established by September 2010. RTP updates, thereafter, will have to include a determination whether the regional trips based upon the RTP achieve the GHG target.

If the RTP/SCS does not achieve the target, the MPO is required to prepare an Alternative Planning Strategy (APS) identifying alternative land use patterns (which may include criteria for new development outside existing priority areas) and/or transportation strategies which would achieve the GHG target.

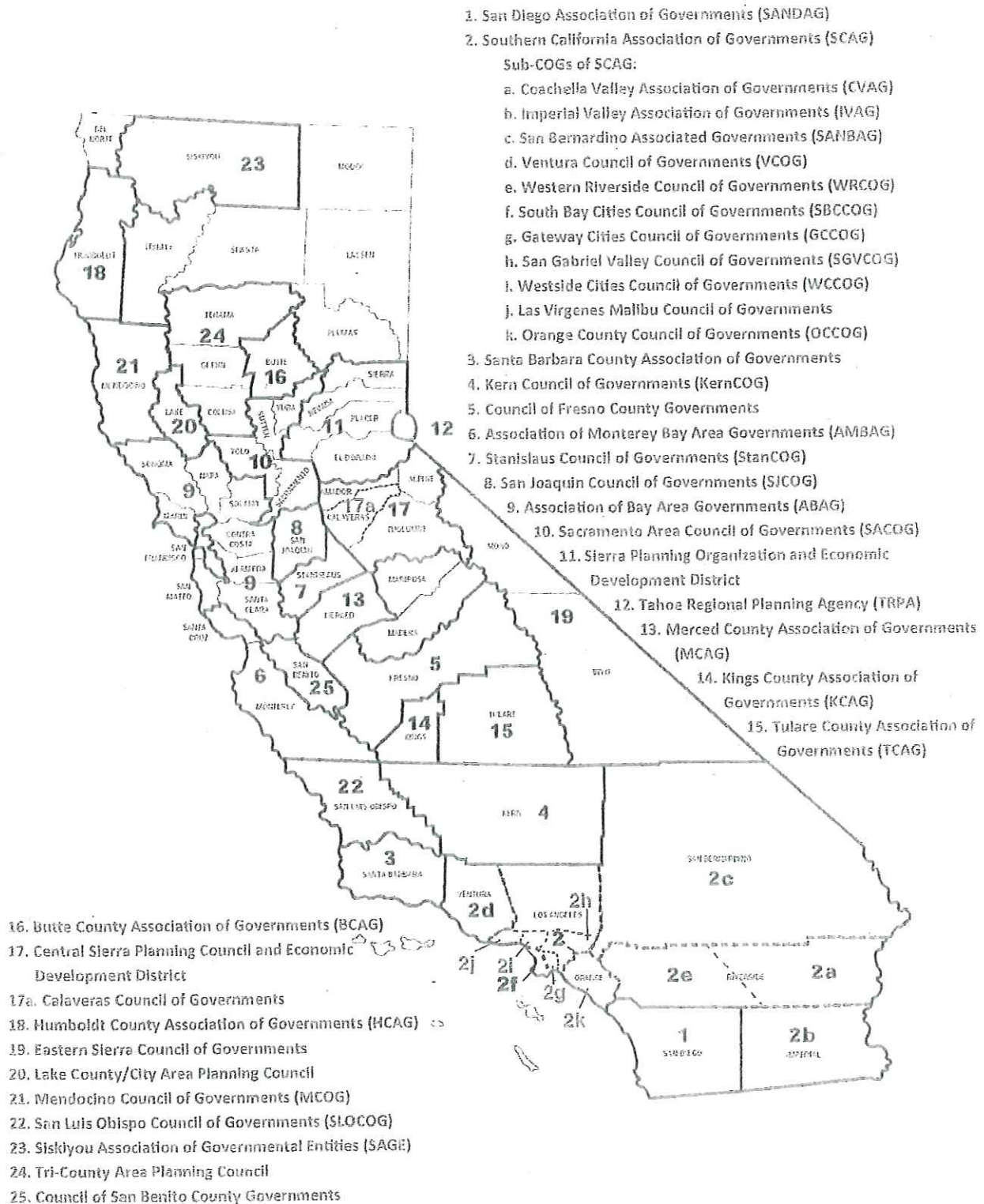
California Environmental Quality Act (CEQA)

Once a SCS, and if necessary, an APS has been prepared, SB 375 permits residential and mixed use projects which are consistent with those documents to avoid some of the CEQA requirements generally applicable to new development. Certain qualifying transit priority projects of up to 8 acres are exempt. Other residential and mixed use projects need not address regional air growth or traffic impacts but would still be subject to CEQA.

Metropolitan Planning Organizations (MPOs)
and
Regional Transportation Planning Agencies (RTPAs)

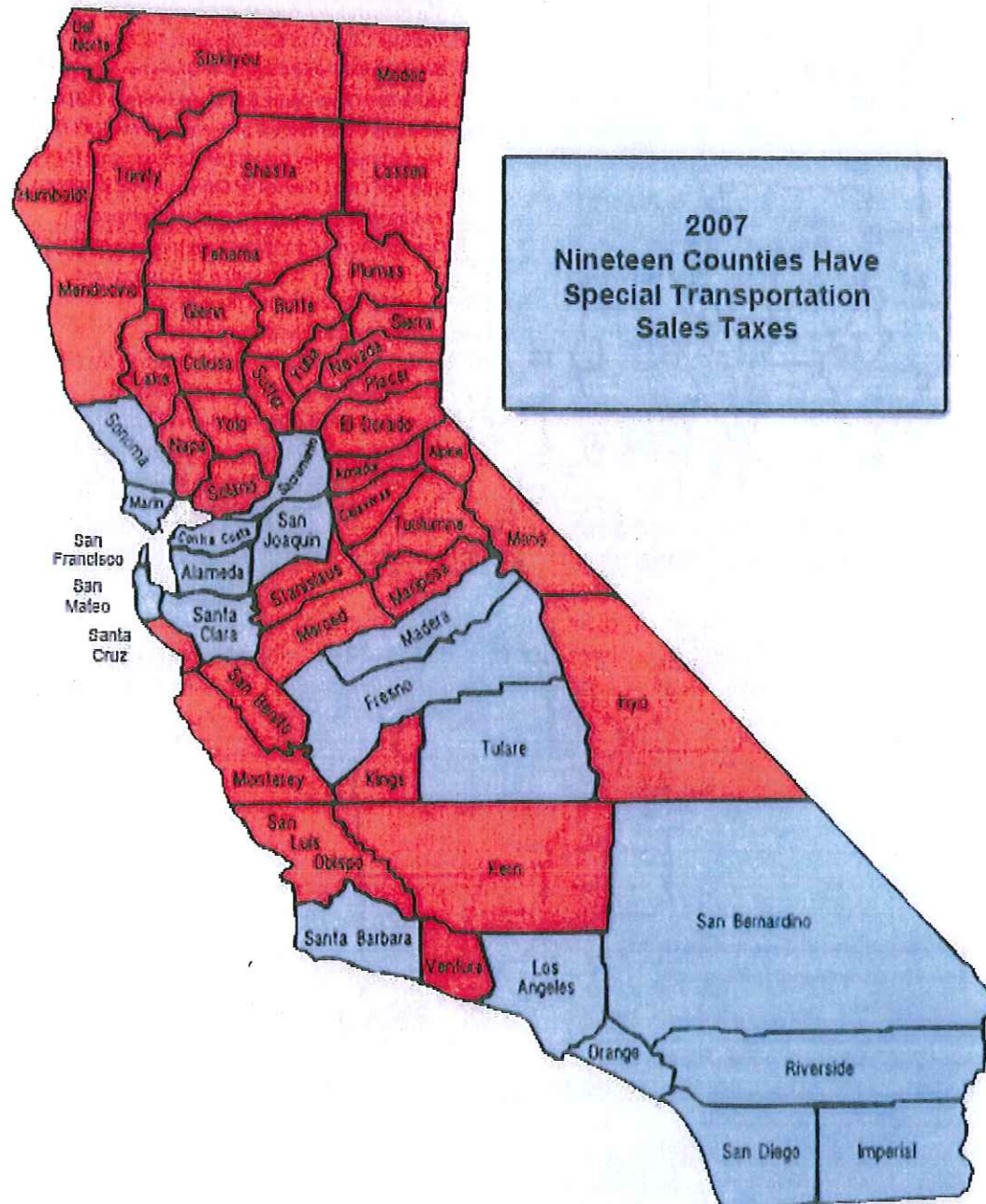


COUNCILS OF GOVERNMENT MAP



SELF HELP COUNTIES

Due to recent elections, the following counties are also included in the Self Help Counties list: Imperial, Santa Barbara, Santa Clara, Sonoma, and Marin.



Source: Self Help Counties Coalition