

STAFF REPORT



MEETING DATE:	9/26/11
SUBJECT:	RTPA Authority over Staffing Levels and Executive Director & Alternative RTPA Staffing Arrangements
AGENDA ITEM:	2
STAFF CONTACT:	Dan Little

SUMMARY:

The RTPA is a legally separate agency with its own seven-member governing board. The board is comprised one elected official from each of the three city councils, three County Board of Supervisors, and one from the Redding Area Bus Authority. The RTPA distributes over \$12 million in funds annually to its member agencies. The RTPA secures state and federal discretionary grants for major capacity road and freeway projects.

The RTPA board held a special meeting on September 19, 2011, due to concerns over a Shasta County (County) action to reorganize and reduce RTPA staffing levels without first seeking RTPA board authorization or input. Questions were raised by those board members representing the cities and RABA regarding the RTPA's authority over the personnel budget and conflicts resulting from the County's control over RTPA staff. Because no board members representing County interests were in attendance, the board requested a second special meeting. Three items are presented for possible action:

1. An amendment to the RTPA bylaws to give the RTPA board full authority over appointment of their executive director;
2. Direct staff to prepare third-party budget and transition plan toward becoming an independent agency, outside the control of the County; and
3. Direct staff to prepare a Memorandum of Understanding (MOU) to provide a formal staffing agreement between the RTPA and a host member agency (currently Shasta County);

The attached memorandums by RTPA legal counsel address items one and three. A discussion of staffing and budget for an independent agency is provided to address item two.

STAFF RECOMMENDATION:

Staff recommends the board first determine if it wishes to have appointing and supervisory authority over its executive director. Depending on this action, it is further recommended that the board consider separating RTPA staff from the County, or begin negotiating an MOU between the RTPA and a host agency, currently the County, to more clearly define or limit the host agency's control over the RTPA.

BACKGROUND AND DISCUSSION:

In April, the RTPA board approved the RTPA budget and staffing levels as part of the Overall Work Program. In June, the RTPA board and stakeholder agencies examined real and potential conflicts associated with Shasta County Department of Public Works and County influence over the RTPA executive director and staff. In response to this discussion, the Director of Public Works removed non-RTPA functions from the Shasta County Department of Public Works' Plans and Programs

Division. The action resulted in RTPA staff and personnel reductions as shown in Attachment A. Unlike prior reorganizations of the RTPA, the County did not seek approval from the RTPA board, nor provide an opportunity for input from RTPA staff or partner agencies.

Benefits of maintaining RTPA staffing levels:

The fundamental mission of the RTPA is to aggressively pursue transportation funding resulting in construction jobs, enhanced economic productivity, and planning and financial support for cash-strapped local jurisdictions. The RTPA has had great success attracting non-local revenue far in excess of RTPA salaries and expenditures. Most view RTPA staff as a revenue generating asset rather than a financial draw. Further staff reductions reduce the RTPA's ability to secure funds. For example, over the last four years, the RTPA has:

- Secured funds for over \$90 million in major construction projects, including the SR 44 "Dana to Downtown" project
- Secured over \$35 million in state competitive grants for the widening of Interstate 5. The RTPA was the only agency to receive these grants north of Sacramento
- Secured over \$2.2 million in state and federal competitive grants in support of local agencies and to develop new construction projects

This was achieved with minimal staffing and a frugal budget. The RTPA's staffing levels and budgets are the lowest in the state for comparable agencies and the RTPA has built a general revenue budget reserve of over \$1.4 million.

Effect of staff reductions:

The RTPA board approved a sufficient personnel budget in April designed to allow staff to continue their aggressive pursuit of grants. The County reduced this budget in June (Attachment A). Article 9, Section 1 of the RTPA bylaws state:

"Sufficient funds shall be approved by the (RTPA) board for the executive director and staff to carry out the planning and administrative responsibilities of the RTPA."

It is unlikely that the RTPA can continue to fulfill both its core duties and grant obligations in light of reduced planning staff. For example, one of the planners removed from the RTPA was recruited specifically to manage the RTPA's travel demand model and GIS development grants. This employee is no longer available to the RTPA. The RTPA board could contract for these services. This would come at a high cost and be inefficient. The work is necessary to meet grant obligations and state mandates, without which construction funds are lost to the region.

To remedy the County action, and avoid similar conflicts in the future, the RTPA board needs to make clear its desired appointment and budget authority over RTPA staff. A staffing structure which cleanly separates County interests from RTPA interests would also be needed. At the board's request, the following actions are provided for consideration:

RTPA authority over executive director:

The mission of the RTPA executive director and the Shasta County Department of Public Works director will invariably be at odds from time to time. The County public works director's primary

allegiance is to the county. The RTPA executive director's primary allegiance should be to the RTPA board; however, he is primarily accountable to the County public works director. The County public works director evaluates and hires the executive director, may fire the executive director at will, and controls staffing.

Article 9, Section 1 of the RTPA bylaws state:

"The director of public works of the County of Shasta, or a designee appointed by the Director and approved by the (RTPA) board, shall serve as the executive director of the RTPA."

As a result of the August County reorganization, the executive director is dedicated exclusively to RTPA duties. This enables the RTPA board to exercise greater appointing and oversight authority over its executive director. The attached memorandum from RTPA legal counsel makes recommendations to revise the RTPA bylaws and allow the RTPA board to appoint their executive director making him/her more accountable to the RTPA board, and less controlled by the County and County public works director.

Independent RTPA:

The RTPA board has requested discussion of an RTPA that is more controlled by the RTPA board and less controlled by a single member agency, such as the County. This entails a clean separation of RTPA staff from County staff in order to eliminate conflicts stemming from differing missions and priorities. Because the remaining RTPA staff is 100% devoted to RTPA activities, there are no longer shared staffing arrangements. There remains few if any scales of economy associated with keeping RTPA staff under the County.

An analysis of initial and ongoing costs associated with an independent RTPA should be examined closely by a third-party accountant to avoid potential bias. Regardless of the results, the bottom line is that costs are controlled by the RTPA board. If the board budgets an independent RTPA at a given level, the RTPA will be required to adhere to these levels. If the board directs a budget that stays within current staffing levels, then this would be the goal. If the board wishes to stay within the existing County overhead rate of 30%, then this too would be a goal. Again, the executive director and RTPA board have maintained a frugal budget and surplus to accomplish its goals.

All comparable sized regional transportation agencies in the state have evolved to independent agencies. Historically, some agencies have tried quasi-independence by remaining under the County umbrella with an MOU. Ultimately, these efforts failed due to lingering organizational conflicts and financial management disputes causing those regional transportation agencies to break off entirely.

The stand-alone RTPA option is the cleanest and most proven way to eliminate inherent staffing conflicts. This option would presumably result in greater RTPA board oversight, improved information sharing, and greater public transparency.

MOU with Shasta County or other host agency:

If the RTPA board determines that RTPA staff should remain within the County umbrella, or with another member agency, a formal MOU is needed to avoid the same staffing and control issues recently experienced. Negotiation of the MOU with the host agency requires a high level of effort.

An MOU can help, but not completely alleviate, conflicts which usually center on MOU interpretation, financial management and support costs. Perceived conflicts of interests can still persist due to the close staffing relationship that can be built with the host agency. MOUs can also be canceled, resulting in difficult remobilizations and transitions of staff. The host agency could also require payment for office space similar to what would be required of a stand-alone agency. The attached memorandum from RTPA counsel describes the basic elements that would need to be negotiated in the MOU.

OTHER AGENCY INVOLVEMENT:

The Shasta County Director of Public Works reviewed this report. His suggestions were incorporated into this report. The Technical Advisory Committee (TAC), which consists of staff from member agencies, considered an independent RTPA in June. The TAC noted that the perception and potential for staffing conflicts were valid concerns. At that time, the TAC recommended that the board begin to address the issue now rather than wait until there is discontent among stakeholders.

FINANCING:

The RTPA maintains sufficient funds to meet its legal and grant obligations based on the staffing levels approved by the RTPA board in April. The County action eliminated seasoned and trained RTPA staff that the RTPA recruited for their specialized skills. The County action cuts staffing levels which will diminish the RTPA's ability to aggressively pursue and obtain capital and planning grants, while also trying to fulfill existing grant obligations and core responsibilities.

The MOU versus independent RTPA alternatives can be accomplished with existing available funding. The RTPA will remain fiscally transparent and accountable under either option. All RTPA funds come through state and federal agencies and are heavily audited for finances and performance.



Daniel S. Little, AICP, Executive Director

Attachments:

- Memorandum from RTPA Counsel dated September 15, 2011
- Memorandum from RTPA Counsel dated September 21, 2011
- Attachment A: RTPA Staff Levels
- RTPA Active Planning Grants
- RTPA Staffing for Comparable Agencies
- City of Redding Correspondence, September 15, 2011
- RABA Correspondence, September 15, 2011
- City of Anderson Correspondence, September 15, 2011
- Shasta County Board of Supervisors Report, August 16, 2011

KENNY, SNOWDEN & NORINE

A LAW CORPORATION

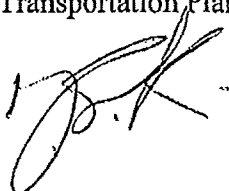
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MEMORANDUM

TO: Board of Directors
Shasta Community Regional Transportation Planning Agency

FROM: JOHN SULLIVAN KENNY 

DATE: September 15, 2011

RE: RTPA Staffing

A question has arisen concerning the relationship between RTPA and its staff. Staff is presently being provided by the County of Shasta. The RTPA budgets for staff and reimburses the County for time actually spent on RTPA projects. The Bylaws provide (Article 9 – Executive Director) that the RTPA Board will provide sufficient funds “for the Executive Director and staff to carry out the planning and administrative responsibilities of the RTPA.” The RTPA has approved a budget which provides for seven staff members which includes the Executive Director. The Director of Public Works for the County of Shasta or “a designee appointed by the Director and approved by the Board” serves as Executive Director for the RTPA. The County has reduced the budgeted RTPA staff from seven to five employees by eliminating two planners. The RTPA Board was not consulted on this staff reduction.

This prompts the question of who controls RTPA staff and staffing levels. The staff working on the RTPA projects are County employees. The Executive Director is a County employee. The Bylaws provide that there will be an annual evaluation by the RTPA Board of the Executive Director. (Article 9, Section 4.) The Bylaws also say that the RTPA Board shall “provide recommendations to the County on the Executive Director’s handling of personnel issues or other County of Shasta decisions affecting RTPA’s staff.” It is not clear how the evaluation by the RTPA Board affects the Executive Director’s status as an employee of Shasta County. If the Executive Director was a designee of the Shasta County Director of Public Works and the RTPA Board was dissatisfied with the Executive Director’s performance, presumably the RTPA Board could withdraw its approval of the appointment of the designee. If the Executive Director were the Shasta County Director of Public Works, an unsatisfactory evaluation would have no effect on job retention.

The Bylaws provide little control by RTPA over its Executive Director and employees. There is no written agreement between RTPA and the County establishing any parameters for control of staff and staffing levels. A contract between the County (or whatever agency may provide staff) delineating the terms and conditions relating to provision of staff could prevent the reoccurrence of confusion regarding staff matters.

If the RTPA Board wished to exercise control over the appointment of the Executive Director, a change in the Bylaws would be necessary. This could be accomplished by amending Article 9, Section 1 of the Bylaws to read:

Section 1 – The Board shall appoint an Executive Director. The Board shall approve sufficient funds for the Executive Director and staff to carry out the planning and administrative responsibilities of the RTPA.

Section 4 would also have to be amended to delete the provision for referring the Executive Director's evaluation to the County. These changes would not preclude the RTPA Board from appointing the Shasta County Director of Public Works as Executive Director.

If you have any questions, please advise.

JSK:jll/7004
136788

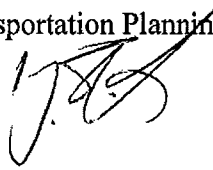
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MEMORANDUM

TO: Dan Little, Executive Director
Shasta County Regional Transportation Planning Agency

FROM: JOHN SULLIVAN KENNY 

DATE: September 21, 2011

RE: Memorandum of Understanding for Provision of Staff Services

The RTPA Board is considering a Memorandum of Understanding or agreement memorializing the understanding between the RTPA and any host agency (currently the County of Shasta) regarding the provision of staff services. The RTPA Board is also considering an independent RTPA, in which case this agreement would not be necessary. Presently the County of Shasta Department of Public Works provides staff services and is reimbursed by the RTPA. There is no written document that sets forth the understanding between the parties as to how staff is to be provided.

The terms of the agreement would have to be negotiated between the RTPA and host agency. An effective agreement should generally be structured to:

- Minimize any potential for conflicting staff roles
- Make clear the RTPA Boards desired level of authority
- Reimburse the host agency for all costs associated with RTPA activities.

The RTPA Board should propose the issues it wants included in the agreement. The following are suggested:

1. The manner in which staffing levels and staffing composition is determined. Does the RTPA Board or host agency determine staffing levels?
2. Appointment and supervision of employees. What control, if any, should the RTPA Board or RTPA Executive Director exercise over employees? Who selects and evaluates the RTPA employees?
3. The manner and levels of compensation for employees.

4. To whom do the RTPA employees report?
5. The terms of reimbursement to the host agency for the RTPA employees and overhead.
6. The term of the agreement and provisions for termination.
7. The manner in which liability for employee's actions will be allocated. Would there be mutual indemnification provisions for the respective agencies?

The Board may have other issues (as might the host agency) but this might serve as a framework for issues to be included.

If you have any questions, please advise.

JSK;jll/7004
136818

ATTACHMENT A: RTPA STAFF LEVELS

ACTUAL RTPA EXPENTATURES, RTPA BUDGET AND COUNTY REDUCTION					
	Actual FY09/10	Actual FY10/11	RTPA Board Budget FY11/12	County Reduction FY11/12	Percent Reduction FY11/12
Staff Hours for RTPA	9,116	11,511	11,200	8,902	21%
Staff Charges to RTPA	\$548,175	\$610,158	\$569,152	\$467,274	18%
All RTPA Staff (Person Years - PY)	5.21	6.58	7	5	29%
RTPA Assistant/Senior Planners (PY)	3.34	3.91	4	2	50%

*The above figures incorporate comments of County staff.

Work performed by County staff on RTPA functions is reported and tracked to the hour. The RTPA then reimburses the County for all time spent on RTPA activities. Reimbursement includes all salary and benefits. It does not include County overhead which is estimated at an additional 30%. Overhead includes facilities, liability and support. Staff will be recommending that the RTPA begin to pay overhead as part of a future RTPA budget amendment.

When comparing actual staff time (person years) billed to RTPA activities in the two prior fiscal years and the RTPA Board's approved budget, the County action reduced RTPA professional planning staff within the division.

In order to separate Public Works functions from RTPA functions, two RTPA staff were moved to other divisions in the Department of Public Works. Viewed from a full-time equivalent (FTE) perspective, this reorganization was characterized as quid pro quo. In reality, a disproportionate number of professional planning resources were removed from the RTPA.

Historically, the RTPA has been able to operate under lean staff levels because all planners were experienced, senior planners. In response to the RTPA's increased work load, new legislative responsibilities, and overlap between outgoing and incoming planners, staff grew to four senior and two assistant planners by FY 2010/11. Since this time, one senior planner position has become vacant and cannot be refilled; one senior planner position was filled with an assistant planner; and one senior planner position was moved to Public Works.

In effect, the work of four senior planners and two assistant planners representing 4.25 FTE is now being undertaken by one senior planner and one assistant planner.

Shasta County Regional Transportation Planning Grants

Active Planning Grants

FY 2011/12

Grant	Grant Type	Project Description	Grant Award	Exp.Date	Committed (Under Contract)	Expended (Staff)	Remaining Grant Commitment
Prop 84							
701.06/701.16	Modeling Improvement Plans	Travel Model Update	\$ 400,000.00	02/29/2012	\$ 189,920.00	\$ 4,280.60	
		Develop GIS Parcel/Centerline			\$ 177,490.00	\$ -	\$ 28,309.40
Prop 84							
701.05/701.15	Sustainable Communities	Develop Beta-SCS and Regional GIS Platform	\$ 300,000.00	06/30/2014	\$ 215,000.00	\$ 80,000.00	\$ 5,000.00
State Planning & Research							
701.09/701.19	Caltrans Planning	North State Transportation for Economic Dev. Study	\$ 225,000.00	06/30/2014	\$ -	\$ 4,624.98	\$ 220,375.02
FTA 5304, PTA and FTA 5311 Admin.							
	Google Transit	Software support fees for Google Transit and implementation of 211 Shasta	\$ 39,891.00	12/31/2013	\$ 36,883.21	\$ 3,007.79	
CalFire							
	Urban Forestry	Urban forest tree planting (pass-thru)	\$ 30,000.00	03/30/2013	\$ 30,000.00	\$ -	\$ -
Prop 84							
705.xx/705.xx	ITS Study	Develop real-time traffic data collection	\$ 35,000.00	n/a	\$ -		\$ 35,000.00
State Planning & Research							
705.xx/705.xx	ITS Study	Develop real-time traffic data collection	\$ 60,000.00	n/a	\$ -		\$ 60,000.00
PPM Funds	CTC - Project Development	Develop RTPA Capital Projects for STIP	\$ 365,000.00	06/30/2012	\$ 32,500.00	\$ 139,194.95	\$ 193,305.05
PPM Funds	CTC - Project Development	Develop RTPA Capital Projects for STIP	\$ 365,000.00	06/30/2013			\$ 365,000.00
PPM Funds	CTC - Project Development	Develop RTPA Capital Projects for STIP	\$ 365,000.00	06/30/2014			\$ 365,000.00
Total			\$ 2,184,891.00		\$ 681,793.21	\$ 231,108.32	\$ 1,271,989.47

Shasta County RTPA

Staff Levels in Comparable Agencies

	Population	RTPA	Function	MPO	Full Time Staff
Santa Barbara County Association of Governments	423,895	X		X	20
Transportation Agency for Monterey County	415,057	X			14
Placer County Transportation Planning Agency	348,432	X			7
San Luis Obispo Council of Governments	269,637	X		X	18
Santa Cruz County Regional Transportation Commission	262,382	X			13
Butte County Association of Governments	220,000	X		X	11
Shasta County RTPA	177,223	X		X	5*
Kings County Association of Governments	152,982	X		X	6
Tuolumne County Transportation Council	55,365	X			6
San Benito County Council of Governments	55,269	X			8

*Reduced from 7 to 5 per County Board of Supervisors Action

Source: California Association of Councils of Government, 2010



CITY OF REDDING

OFFICE OF THE CITY COUNCIL

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P.O. Box 496071, Redding, CA 96049-6071
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Missy McArthur, Mayor
Dick Dickerson, Vice Mayor
Rick Bosetti, Council Member
Patrick Jones, Council Member
Francie Sullivan, Council Member

September 15, 2011
R-010

Leonard Moty, Chair
Shasta County
Regional Transportation Planning Agency
1855 Placer Street
Redding, CA 96001

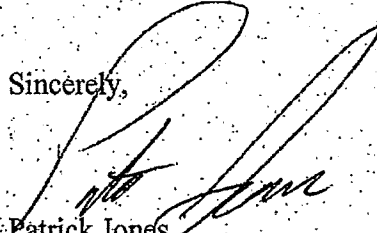
Dear Supervisor Moty:

As the City of Redding's representative on the Shasta County Regional Transportation Planning Agency (RTPA), I respectfully request that you call a special meeting of the Board at the earliest possible date.

The intended purpose of this special meeting would be to discuss staffing issues as they relate to the RTPA.

I thank you for considering this request. Please don't hesitate to contact me if I can provide additional information.

Sincerely,


Patrick Jones
City Council Member

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c: Kurt Starman, City Manager
Rick Duvernay, City Attorney
Pam Mize, City Clerk

Handwritten: RMB

September 15, 2011
R-010

Leonard Moty, Chair
Shasta County
Regional Transportation Planning Agency
1855 Placer Street
Redding, CA 96001

Dear Supervisor Moty:

As the Redding Area Bus Authority's representative on the Shasta County Regional Transportation Planning Agency (RTPA), please consider this a formal request to call a special meeting of the Board at the earliest possible date.

The intended purpose of this special meeting would be to discuss staffing issues as they relate to the RTPA.

I thank you for considering this request. Please don't hesitate to contact me if I can provide additional information.

Sincerely,

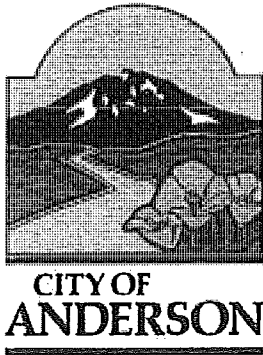

Dick Dickerson
Board Member

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c: Kurt Starman, City Manager
Rick Duvernay, City Attorney
Pam Mize, City Clerk

REDDING AREA BUS AUTHORITY

777 CYPRESS AVENUE, REDDING, CALIFORNIA 96001-3396 • (530) 225-4171 • FAX (530) 245-7024



September 15, 2011

Mr. Leonard Moty
Supervisor, District 2
Shasta County Board of Supervisors
1450 Court St., Ste. 308B
Redding, CA 96001-1680

Dear Mr. Moty:

On behalf of the City of Anderson, and as Anderson's RTPA Board Representative, I am concerned about an August Shasta County Board of Supervisors' action changing RTPA staff level allocations. The RTPA Board approves RTPA staffing levels as part of the Overall Work Program and consistent with the RTPA bylaws. We did so in April for the current fiscal year.

I believe the Department of Public Works should have consulted with the RTPA and its membership before taking action. At a minimum, a financial analysis of the Board of Supervisors' action, as it affects the RTPA, should have been provided in the Board of Supervisors' staff report.

I believe the responsibility for managing RTPA staffing should fall squarely under the authority of the RTPA board. This need is particularly urgent because of the possible resignation of the RTPA director. Without action by the RTPA board, we will not have final say in the selection of our new director.

We suggest that RTPA counsel examine the RTPA bylaws to address these concerns as part of a special meeting to be held as quickly as possible.

Sincerely,

A handwritten signature in cursive script, reading "Norma Cornnick".

Norma Cornnick
Mayor

REPORT TO SHASTA COUNTY BOARD OF SUPERVISORS

SUBJECT	APPROVE PUBLIC WORKS DEPARTMENTAL REORGANIZATION		BOARD MEETING DATE 08/16/2011	AGENDA NUMBER
DEPARTMENT	PUBLIC WORKS		Supervisory District No.	All
DEPARTMENT CONTACT:	Name Pat Minturn	Title Public Works Director	Phone Number 225-5661	
4/5 Vote Required? ☐ Yes ☒ No	General Fund Impact? ☒ No General Fund Impact with the Recommended Action ☐ No Additional General Fund Impact from the Recommended Action ☐ General Fund Impact from the Recommended Action			

RECOMMENDATION

It is recommended that the Board approve and authorize the Public Works Director to proceed with a realignment of tasks and staff within the Public Works Department (DPW).

SUMMARY

A realignment of DPW functions is proposed per the attached Organizational Chart.

DISCUSSION

As per the Shasta County Personnel Rules, Policy Resolution # 2010-02 a reorganization is a significant reordering or restructuring of the functions and operations of a department or division of a department requiring a new or different reporting hierarchy, changes in job titles, changes in job descriptions, or a significant change in the mission of the organization. The DPW reorganization is requested for reporting hierarchy and division assignment changes. There is no classification or salary changes proposed.

A realignment of DPW functions is proposed per the attached Organizational Chart. The goals of this realignment are: 1) to promote the efficient operation of DPW functions; and 2) to minimize any concerns of potential or perceived conflicts with staff that perform Regional Transportation Planning Agency (RTPA) functions.

Road Departments used to be organized along functional lines (planning, surveying, right of way, design, traffic, inspection, testing, fiscal, maintenance, etc.). This organization structure grouped similar tasks together for enhanced consistency and expertise. However, this was a slow and cumbersome process. Many divisions had to work together to get a single project done.

Modern organizational theory favors a divisional structure. Each division is a multi-disciplinary team. They are responsible for delivering specific projects, start-to-finish. This approach is more direct. It promotes speed and accountability, more in keeping with current demands.

The Public Works Department has progressively migrated to a divisional structure. Divisions are responsible for specific deliverables. There are still a few vestiges of the old configuration. Division managers do not always control all of the necessary inputs to deliver their products. The proposed reorganization will move some stray functions to the appropriate divisions.

Public Works staff provides services to the RTPA. At the last RTPA meeting, concerns were raised about potential or perceived conflicts that staff performing duties for the RTPA may experience. The RTPA Board elected to continue to

have Public Works staff provide services to the RTPA. This is a compliment to County staff. Staff performing work for the RTPA will continue to provide high quality service. This realignment will attempt to further address these concerns. Tasks and staff are proposed to be realigned within the Public Works Department as follows:

The Plans & Programs Division will shed all non-RTPA tasks. Two Full Time Employees' (FTE's) of non-RTPA work and staff will move elsewhere. Tasks will be moved to the divisions to which they relate (see below). Five FTE's of RTPA work and staff will remain within the Plans & Programs Division.

The Traffic/Solid Waste Division will manage all solid waste activities. Franchise Agreements and Solid Waste Joint Powers Agency JPA Administration will be brought in from Plans & Programs Division.

The Special Projects Division will assume miscellaneous capital and planning projects from the Plans & Programs Division. These include Fall River Mills Airport, the Resource Advisory Committee and the Hazard Management Plan. One Planner will move with them.

The Project Development & Administration Division will manage Road & Bridge turnkey projects. They will take on environmental (CEQA/NEPA) review and compliance, permitting and programming duties from Plans & Programs Division. One Planner will move with them.

ALTERNATIVES

The Board may elect to modify the staff proposal, or decline to reorganize the department at this time. The existing organizational structure may remain in service. Potential time, cost, and accountability benefits may be foregone.

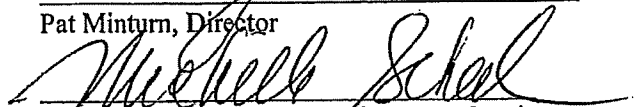
OTHER AGENCY INVOLVEMENT

County Counsel has reviewed the recommendation. The CAO's Office and Support Services Department-Personnel have reviewed and concur with this recommendation.

FINANCING

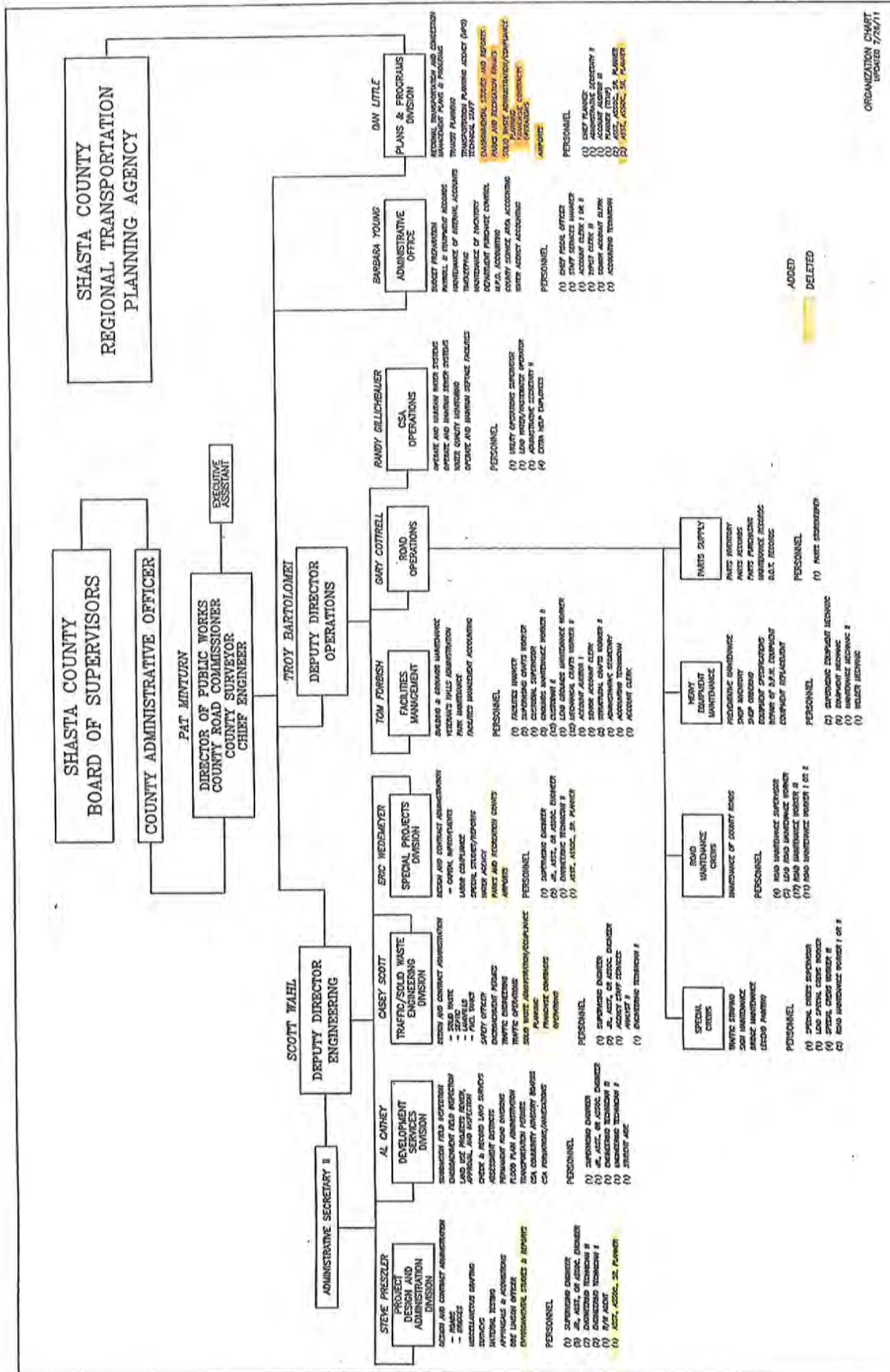
Adequate funds to carry out Departmental activities are included in the appropriate budget units. There is no projected fiscal impact in the short-term. Streamlined operations will better serve customers. Cost savings are anticipated, but cannot be quantified at this time. There is no General Fund impact.


Pat Minturn, Director


Michelle Schafer, Director of Support Services

/mlc

Organizational Chart



RTPA MEETING HANDOUTS

Shasta County Regional Transportation Planning Agency
FHWA Carryover Funding

Fiscal Year	Estimate/Allocation (+)	Budgeted (-)	Actual (-)	Amendment (+/-)	Unobligated	Approved
2006 Carryover					\$ 1,118,772.81	
FY 2006/07	\$ 593,221.16		\$ 556,672.79		\$ 1,155,321.18	=dot 10/7/08
FY 2007/08	\$ 570,192.78		\$ 544,035.14		\$ 1,181,478.82	=dot 10/7/08
FY 2008/09	\$ 601,612.63		\$ 440,624.22		\$ 1,342,467.23	=dot 1/13/10
FY 2009/10	\$ 606,958.70		\$ 624,722.09		\$ 1,324,703.84	=dot 8/1/11
FY 2010/11	\$ 692,430.68		\$ 555,412.00		\$ 1,461,722.52	
FY 2011/12	\$ 682,193.98	\$ 674,918.00			\$ 1,468,998.50	

Comparison of RTPA Staff Hours - 10/11 to 11/12

Staff	Position	FY 9/10 Labor Actual			FY 10/11 Labor Actual			FY 11/12 RTPA Budget			FY 11/12 County Reduced Budget		
		Hours	Rate	Charge	Hours	Rate	Charge	Hours	Rate	Charge	Hours	Rate	Charge
Dan Wayne	Senior Planner	1711	\$ 68.63	\$ 117,425.93	1726	\$ 65.14	\$ 113,571.64	1600	\$ 65.14	\$ 104,224.00	1752	\$ 65.14	\$ 114,125.28
Anne Jensen	Asst. Planner				1273	\$ 37.00	\$ 47,431.80	1600	\$ 36.22	\$ 57,952.00	1800	\$ 36.22	\$ 65,196.00
Janie Coffman	Admin. Sec.	1664	\$ 34.96	\$ 58,173.44	1670	\$ 33.62	\$ 56,243.57	1600	\$ 33.62	\$ 53,792.00	1791	\$ 33.62	\$ 60,213.42
Jan Bulinski	Senior Planner	548	\$ 53.55	\$ 29,318.63	1071	\$ 55.53	\$ 59,675.57	1600	\$ 55.75	\$ 89,200.00	Removed		
Sue Crowe	Accountant	1606	\$ 51.81	\$ 83,206.86	1689	\$ 49.80	\$ 84,445.68	1600	\$ 49.81	\$ 79,696.00	1817	\$ 49.81	\$ 90,504.77
Sean Tiedgen	Asst. Planner				1576	\$ 36.10	\$ 57,365.37	1600	\$ 36.40	\$ 58,240.00	Removed		
Thomas Hays	Senior Planner	1342	\$ 71.19	\$ 95,536.98	1012	\$ 74.06	\$ 74,946.30	Retired/Vacant and Unfilled					
Dan Little	Exec. Director	1404	\$ 76.86	\$ 107,911.44	1348	\$ 78.78	\$ 106,197.78	1600	\$ 78.78	\$ 126,048.00	1742	\$ 78.78	\$ 137,234.76
John Strahan	Senior Planner	763	\$ 71.36	\$ 54,412.00	147	\$ 69.82	\$ 10,280.76	Retired					
Bill Ramsdell	Senior Planner	28	\$ 78.22	\$ 2,190.16	Retired								
Overtime		51		\$ 4,168.37	44		\$ 2,631.64						
		9116	\$ 60.13	\$ 548,175.44	11511	\$ 53.01	\$ 610,158.47	11200	\$ 50.82	\$ 569,152.00	8902	\$ 52.49	\$ 467,274.23
Total FTE		5.2			6.6			7			5		
Assist/Sr Planner FTE		2.5			3.9			5			2		

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

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.

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.

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 2009 RTPA meeting, and at or near the October 2010 meeting, and at or near the October meeting in each calendar year thereafter, 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 an 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 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

These bylaws may be amended by a majority vote of the Board at any regular or special meeting.

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:

- a) 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.
- b) 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.

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

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

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 April 28, 2009.



Dick Dickerson, Chair
Shasta County Regional
Transportation Planning Agency

April 28, 2009
Date