

RURAL COUNTIES TASK FORCE

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FINAL AGENDA

Thursday, Nov. 18, 2004

12:30 PM

SaCOG, 1415 L Street, Suite 300

Sacramento, CA

American River/ Sacramento River Room

**NOTE Day &
LOCATION!**

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- | | | | |
|-------|---|---|----------------------------------|
| 12:30 | A | <i>Self Introductions</i> | |
| | B | <i>Approve minutes of Oct. 1</i> | |
| | C | <i>Rescue Transportation Proposal</i> | <i>M. Evanhoe</i> |
| | D | <i>Legislation & State Budget</i> | <i>G. Dondero</i> |
| | | <ul style="list-style-type: none">• <i>Re-introduction of AB 2456 – PPM Funds</i>• <i>Protecting Prop. 42 Funds</i>• <i>Gaming Compacts- bonding, lawsuit</i>• <i>Self-help Tax Measures</i>• <i>Other Post-election observations</i> | |
| | E | <i>Rural Transportation Liaison Proposal</i> | <i>K. Mathews
G. Dondero</i> |
| | F | <i>CA Performance Review</i> | <i>G. Dondero</i> |
| | G | <i>New Caltrans Director (invited)</i> | |
| | H | <i>Transit Updates</i> | <i>J. Smith</i> |
| | I | <i>2005 CalACT Conference
2005 meeting schedule</i> | <i>P. Spaulding</i> |
| | J | <i>TDA Working Committee – report</i> | <i>J. Jelcich
G. Aruda</i> |
| | K | <i>ARB Proposed Diesel Emissions rule</i> | <i>M. Pitto</i> |
| | L | <i>Performance Measures Team</i> | |
| | M | <i>RCTF Issues and Objectives</i> | <i>Various</i> |
| | N | <i>Other</i> | |
| 3:30 | | <i>Adjourn.</i> | |

Rural Counties Task Force Meeting Minutes

For

October 1, 2004 – 9:00 AM

at

Radisson Hotel, 500 Leisure Lane, Edgewater D Room
SACRAMENTO, CA

Item A: Self introductions and sign in sheet.

Item B: Minutes approved from July Rural Counties Task Force meeting with a date change from June to July.

Item C: Rescue Transportation Proposal-Bob McCleary

The Self Help counties are still discussing a proposal, but the ball is rolling on this proposal. There is a general lack of attention regarding the \$5.5 billion that has been diverted from transportation, transit, STIP, and Streets and Roads.

Currently, **Eric Haley**, **Mike Evanhoe**, **Mark Watts**, and **Bob McCleary** are leading the effort, but when it becomes a ballot issue, Mike Evanhoe will take over due to the conflict of interest of public agency representatives. The proposal is utilizing Article 19 as a template for this development, making it part Constitutional and part statutory.

The proposal includes:

- Complete Firewall for transportation funding
- An independent CTC with gubernatorial authority
- Annual budget process for Caltrans would be changed to a bi-annual process approved by CTC.
- Re-organize state departmental structure and remove Caltrans from the current organization
- Develop a bi-annual reporting process to justify revenue and fee increases by the CTC.
- Build improved project delivery mechanisms into the process

The current momentum of the California Performance Review will give more power to the administration, when we need more autonomy and partnership with the State. The transportation funding situation needs the opposite of 6 year term limits and appointed officials. The TCRP was used as an example of a poorly planned and executed program that diverted money away from the core funding programs.

Celia McAdam expressed concern that giving the CTC more independence may encourage micromanaging project allocations and this is exactly what they have a problem with. The deviation from the essence of SB45 should be addressed. Bob stated that the intention is not to change the ideas put forth in SB45 or the organic makeup of the CTC. The issue of transit needs and local rehabilitation money will be assessed when the revenue issue is discussed, but is definitely a big issue for the rural agencies and this is recognized by the participants.

Charles Field recognized the efforts of the group and expressed thanks for this revolutionary proposal.

Item D: Bay Bridge Financing-Bob McCleary

Yesterday, the decision was made to not extend the only qualified bid proposal for the Bay Bridge project. The decision was based on the idea that cost saving strategies should be looked at to offset the currently projected funding shortfall of \$3.2 billion. Potential savings could come from modifying the self anchoring suspension bridge design section of the project. MTC was against the bid rejection, but not all agencies were. The MTC is proposing to consolidate tolls and generate \$3-5 hundred million or increase tolls \$1 and generate \$1-2 billion.

The SHOPP will fund \$300 million for the deconstruction of the old bridge, and \$250 million in capital outlay support.

Sunne McPeak will launch a new effort for proposals. Most are in agreement except MTC. **George Dondero** stated that he was invited to a meeting with the Secretary and was asked for a rural opinion. Without polling the rural agencies, George suggested that we were concerned the cost increases not be taken from the STIP. RCTF members concurred.

Item E: California Performance Review-Bob McCleary

Legally, the administration can propose re-organization of the government structure, but cannot redo legislation such as SB 45. The mechanism for the CPR is review by the "Little Hoover Commission" for discussion and recommendations, then it will go to the legislature in the form of legislation. If both houses pass, or neither house rejects the proposed legislation, it will take effect. Then the legislature has 30 or 60 days to change it. This happened in the 70's. The next step in the process requires follow up legislation and statutory changes. The legislation is likely to be brought forward in January or February following the Governor's '05/06 budget draft process.

McCleary compared the CPR governmental structure to a corporate board structure. **Celia McAdam** stated this might be a positive thing for the rural agencies if more local control is gained.

So the suggestion is to educate local boards and commissions and look for more details from CPR when the legislative package goes to the legislature. We all need to watch out for changing items in the CPR.

The LAO Website has an analysis of the CPR.

Item F: Transit Updates-Jake Smith

There are two acting Chiefs in the division of Mass Transportation right now, **Gail Ogawa**, and the Office Chief **Kimberly Gale**.

Item G: TDA Working Committee Report-John Jelich

The TDA Working Committee held a meeting on September 20th where some conclusions were reached and some directions provided. There are strong concerns regarding major changes to the TDA. This seems to be an ongoing question...Is this the appropriate time to make a major change in the TDA? The Committee narrowed down changes to 3 areas, including:

1. Deleting Section 99268.2 setting up fare box revenue from before 1978.
2. Operating Expense definition.
3. Credit to agencies for meeting air quality, obtaining grant money and should not be penalized in operating expenses.

Gordon Aruda explained that the CalACT board talked about #3 above (agency credit), and suggested taking federal grant money that is eligible for operating expenses and supplement fare box

recovery with it. **John Jelicich** concurred stating “revenue is revenue”. The issue of re-defining fare box is a Pandora’s Box and the Committee is questioning whether that should be opened or not and is this the right time.

Kathryn Mathews questioned what the public participation needs are when 100% of your TDA money is going to transit? Some clarity would be appreciated on this subject. Jelicich then stated that he expects the issue to come up at the next committee meeting.

Jake Smith concluded that the working group is making progress and every subject should be scrutinized by the end. Also, there are lots of checks and balances within the group due to the diversity of participants. Questions that are sure to arise are: If the committee finds some changes to TDA are needed, who would carry the Bill? CalACT? CTA? Will Caltrans support it? Caltrans is not opposed to endorsing legislation, but must look at Statewide benefit.

Please provide any comments on TDA to **John Jelicich** or **Dan Landon** by **October 15th, 2004**.

The committee will conduct their next meeting on **November 15th, 2004**.

Item H: ARB Proposed Diesel Emissions Rule Workshop-Mary Pitto

New draft emissions regulations were announced last Friday, on the transit fleet rule as well as the public works fleet regulations. CalACT is taking the lead on the transit issue and Regional Council of Rural Counties is taking the lead on the public works fleet rule.

There will be a meeting next Friday, October 8th, 2004 in Sacramento regarding the latest draft of the regulations. Public Works regulations will be 10 a.m. to 12 p.m. and the transit rules will be discussed 1:30 pm to 3 pm. The meeting will be web cast for those that can’t travel.

Pitto explained that the public works departments are complaining that there is not enough relief in the public fleet rule changes. Changes include:

- Increases the “low population” counties from 75 to 125 thousand which adds only 3 counties including Sutter, Nevada, and 1 other.
- Delays the implementation for 2 years for “low population” counties.
- Snow removal equipment will be exempt from the rule as long as they are full time removal machines.

Unchanged:

- low mileage usage will remain at 1000 miles a year

There is currently no language for relief for counties experiencing a hardship, but it was suggested that RCRC could come up with some language, based on regional agencies comments.

The transit fleet rule will consider an agency with 20 or fewer vehicles as having a hardship.

Barbara O’Keeffe questioned whether any financial help for implementation was being discussed at the ARB level (many concurrent nods around the room). No, they are not discussing any parallel funding for implementation of the rules. The question was raised if this would be considered an “un-funded State mandate, but the ARB has already defined it as not. RCRC is working with the CSAC legal council on this issue.

What if agencies simply don't comply with the new regulations??? The ARB has not addressed this question, but the recent conference call suggested that some agencies will have no option but to ignore the new regulations.

John Ferrera asked to be kept in the loop on this issue and that they will work on from the Department side of the regulatory issue. The whole picture of impacts to local government is being looked at by **Secretary McPeak**.

Pam Couch related the issue to a bell shaped curve effect.

Transit Agencies and Public Works Departments are urged to submit comments and the financial affects on your agencies to the ARB with copies to RCRC. This will also need to be done following the next draft release expected in early December. The ARB may not pay attention to old comments and information submittals due to draft changes to the regulations affecting the submittals. They want the most current information on agency affects of the new regulations. The ARB is expected to adopt a final rule in late January 2005.

They are currently working on an "off-road" vehicle rule and we can expect to see a draft next Spring.

Item I: Advocate for Rural Transportation Proposal-George Dondero

George Dondero asked the group to consider a proposal to create a full time Rural Counties Liaison. The proposal stems from a lack of resources and time for the current structure to address the interests of the Rural Counties. Currently, the officers are stretched too thin to concentrate on the work of the rural issues as well as perform their regular duties as executives and employees of an RTPA. The activities foreseen for the proposed executive include tracking legislation, traveling to rural constituents, providing assistance, possibly lobbying, etc.

Celia McAdam suggests this may be premature and that there may be ways to get back to previous methods of delegating workload to the other officers, subcommittees, and RCTF members. This may be something to keep on the agenda for discussion, but we should also include a possible funding source for the discussion.

There was some discussion that the lobbying part of the proposed position may be a bit much for a non-experienced lobbyist.

Barbara O'Keeffe suggested that lobbying could be contracted out.

Charles Field stated that relationships with colleagues, Caltrans, BT&H, legislators, elected officials, and other constituents are better developed with a one on one format as opposed to a RCTF subcommittee format.

The position could consist of a full time person leveraging resources of the RCRC, Caltrans Staff members, and individual Task Force members.

Scott Maas suggested a small committee to look at the pros and cons of the proposal. It was agreed that a committee should be formed. The committee is comprised of **Kathryn Mathews, Celia McAdam, Dan Landon, Phil Dow, and Jeff Schwein**.

Item J: *Legislation-George Dondero/Sierra Conservancy-Jim Sayer*

SB1087-Renews the Safe Routes to Schools program and may be signed already. AB687 should be watched, it ratifies the August gaming compacts.

George introduced **Jim Sayer** from the Sierra Business Council. Jim introduced the Council and the efforts to plan for sustainable development for the Sierra's and the foothills. This includes, of course, transportation projects throughout the region.

Item K: *Performance Measures Team-Tremain Downey*

Tremain Downey discussed Secretary Sunne McPeak's efforts to initiate performance measure reviews through the CPR and the Performance Improvement Initiative. The Department is developing a "prototype" report that will include all modes of transportation including rail and transit. It will look like a snapshot of performance to date.

Kathryn Mathews, Celia McAdam, George Dondero, and John Jelichich all expressed concern that the performance measures will be generated internally, or that use of them could create equity issues.

Pam Couch is concerned that the outcome will focus on urban issues only and that the ratios for any performance measures would not work for Rural areas.

Tremain did reply that Caltrans applied for a \$20K National Cooperative Research Grant to produce "surrogate" measures for rural areas.

Item L: *RTPA MOU Updates-Sharon Scherzinger*

The MOU was sent to Federal Highways and transit on Tuesday. It introduces planning and monitoring as it is done in California. Apparently, most other States do planning and programming unlike California, where the regions perform this task.

If there are any comments on the MOU, this is the time to discuss them with Caltrans.

Barbara O'Keeffe asked whether this would change again, because County Council is getting tired of reviewing a changing document. Sharon said it will not change again.

Kathryn Mathews thanked Sharon for all the follow up information she has provided.

Item M: *Conference Evaluation-All*

Everyone seemed to have positive feedback regarding the conference and **Pete Spaulding** was recognized as being a fabulous coordinator of the event.

Item N: *RCTF Issues and Objectives*

None.