

SAN LUIS OBISPO COUNCIL OF GOVERNMENTS

STAFF REPORT

MEETING DATE: March 4, 2009

SUBJECT: 2009 Transportation Improvement Program - Formal Amendment No. 3 (09-04)

SUMMARY

President Obama has signed the American Recovery and Reinvestment Act of 2009 (ARRA) that provides significant new funding for transportation infrastructure. The ARRA requires that Metropolitan Planning Organization (MPO) agencies program revenue and projects via the Federal Transportation Improvement Program (TIP) process. At the February 2009 SLOCOG Board meeting, the Board approved programming ARRA revenue at the March 2009 meeting followed by the programming of specific projects at the April 2009 Board meeting.

American Recovery and Reinvestment Act funding estimates were made available to MPOs by the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) for TIP programming. At this time SLOCOG is programming \$25million in FHWA revenue and \$3.5million in FTA revenue for the 08/09 and 09/10 federal fiscal years. Approval of the 09-04 formal TIP amendment is an approval of the inclusion of this new fund type into the 2009 SLOCOG TIP. This action will create flexibility for how and when specific projects are amended into the TIP.

RECOMMENDATION

Staff: Adopt Resolution approving Formal Amendment No. 3 (09-04) to the 2009 TIP.

BACKGROUND

Federal Transportation Improvement Program (FTIP) Background

It is mandatory for SLOCOG to maintain a federally required Transportation Improvement Program (TIP) for the San Luis Obispo region. For federal funding to be made available to individual projects, all federally funded transportation programs must be contained in the TIP.

The 2009 TIP is a four-year (FY 08/09 to FY 11/12) financially constrained document that identifies programmed projects and the committed transportation revenue to the San Luis Obispo region. Reasonably expected funding is also identified in the TIP for projects in the fifth year (2012/13).

The 2009 TIP was approved by the SLOCOG Board on August 6, 2008 and is available on the SLOCOG website (www.slocog.org). The first two formal amendments, as well as any administrative amendments to the 2009 TIP are also available on the website under programming. This as well as public notice published in local newspapers for thirty days or more is in accordance with the SLOCOG public participation plan.

As per the February 2009 SLOCOG Board meeting, the approved TIP amendment schedule was adapted to include two new Public Hearings for the programming of American Recovery & Reinvestment Act revenue and programming of projects in March and April 2009 respectively.

DISCUSSION

Transportation Improvement Program Amendment 09-04

At this time, in response to guidance by FHWA, SLOCOG is programming \$25million in FHWA revenue and \$3.5million in FTA revenue for the 08/09 and 09/10 federal fiscal years. The likely breakout of this funding would include approximately \$2.1M FTA-5307, \$1.4M FTA-5311, \$5-8M RSTP, and up to \$17M in SHOPP/STIP/Prop 1B funding. These revenues are expected to be divided between the 08/09 and 09/10 fiscal years. There is currently no programming of projects; however, project programming is expected to be reviewed by SLOCOG's advisory committees in March and at the SLOCOG Board meeting on April 8, 2009.

SAN LUIS OBISPO COUNCIL OF GOVERNMENTS

RESOLUTION NO. 09-____

ADOPTING FORMAL AMENDMENT NO. 03 (09-04) TO THE 2009 TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

The following Resolution is now offered and read:

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), requires that the Metropolitan Planning Organization (MPO) adopt a Transportation Improvement Program (TIP) for the area for which the MPO is designated in cooperation with the State and affected transit operators; and

WHEREAS, the TIP includes all projects within the MPO region which are proposed to be funded under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) and the American Recovery and Reinvestment Act of 2009 (ARRA); and

WHEREAS, provisions of SLOCOG's SAFETEA-LU compliant Public Participation Plan are adhered to, including: advisory committees' review, inclusion in the bi-monthly SLOCOG newsletter, a public hearing notice advertised in a local newspaper having countywide distribution; and considered and acted upon in an advertised public hearing; and

WHEREAS, the proposed amendment consist only of the equitable share of the ARRA revenue for the San Luis Obispo county region; and

WHEREAS, the next amendment will include projects and will be reviewed by the Citizens Transportation Advisory Committee (CTAC), which includes citizen representatives appointed by member agencies and at-large appointees appointed by the SLOCOG Board, and the Technical Transportation Advisory Committee (TTAC), which includes technical and planning representatives from participating agencies; and

WHEREAS, the TIP amendment was made available, and members of the public were given a reasonable opportunity to review the amendment, and a public hearing was held February 4, 2009 to present the amendment and take testimony from the public; and

WHEREAS, the TIP and TIP amendment is in compliance with SAFETEA-LU provisions (23 CFR

450 (et seq.) requiring a financially constrained element; and

WHEREAS, all the projects and amended projects included in the TIP are consistent with the adopted Regional Transportation Plan for San Luis Obispo County, Vision 2025.

NOW, THEREFORE, BE IT RESOLVED, that the San Luis Obispo Council of Governments certifies this amendment to the TIP is financially-constrained.

BE IT FURTHER RESOLVED, that the San Luis Obispo Council of Governments does hereby adopt Formal Amendment No. 3 (09-04) to the 2009 TIP amending revenue in the TIP.

On motion by Board Member _____, seconded by Board Member _____, and on the following roll call vote, the foregoing resolution is hereby adopted this 4th day of March, 2009.

AYES:

NOES:

ABSENT:

ABSTAIN:

John P. Shoals, President
San Luis Obispo Council of Governments

ATTEST:

Ronald L. De Carli, Executive Director
San Luis Obispo Council of Governments

APPROVED AS TO FORM AND LEGAL EFFECT:

Rita L. Neal, SLOCOG Legal Counsel

Date: _____