

SAN LUIS OBISPO COUNCIL OF GOVERNMENTS

STAFF REPORT

MEETING DATE:	February 3, 2010
SUBJECT:	2009 Transportation Improvement Program Amendment 09-16 (Formal Amendment No. 8)

SUMMARY

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

From time to time circumstances dictate that changes be made to the TIP. Formal amendments are made on a schedule of three times per fiscal year with the next formal amendment scheduled for June of 2010. Minor modifications to the TIP may be submitted as needed and processed expeditiously through administrative action. The TIP, amendments and approval dates can be found on the SLOCOG website.

This amendment (09-16) is the eighth formal amendment to the 2009 TIP. This amendment consists of three changes required to the TIP at this time, including two new projects and changes to one currently programmed project and is found to be financially constrained and conforms to all federal requirements. As outlined in the SLOCOG public participation plan, a public notice was published in local newspapers for in excess of the thirty day period for this amendment as required in the plan.

Adoption of this amendment is an approval of the inclusion of the revenue and programming of the three projects into the 2009 TIP at this time. This action is required for these projects to begin or continue project development or construction.

RECOMMENDATION

Staff: Adopt Resolution approving Formal Amendment No. 8 to the 2009 TIP

TTAC: Support Staff recommendation as amended

CTAC: Support Staff recommendation

BACKGROUND

The federally required Transportation Improvement Program (TIP) is a comprehensive listing of the San Luis Obispo County Region's surface transportation projects that receive federal funds, are subject to a federally required action, or are regionally significant. The San Luis Obispo Council of Governments (SLOCOG) prepares and adopts the TIP every two years. The TIP covers at least a four-year period and contains a priority list of projects grouped by year. Furthermore, the TIP must be financially constrained by year, meaning that the amount of dollars committed to the project (also referred as "programmed") must not exceed the amount of dollars estimated to be available (revenue). The TIP must include a financial plan that demonstrates that programmed projects can be implemented. Federal regulations also require an opportunity for the public to comment prior to TIP approval.

Transit, highway, local roadway, and non-motorized investments are included in the TIP. All regionally significant transportation projects or projects requiring federal action are part of the TIP. All projects included in the SLOCOG TIP are required to be consistent with the Regional Transportation Plan (RTP) for the San Luis Obispo County.

Just as each MPO is required to develop a TIP, each state is required to develop a Federal Statewide Transportation Improvement Program (FSTIP) pursuant to federal regulations. The FSTIP includes all federally funded transportation projects throughout the state. In California, every TIP is included in the FSTIP without modification once approved by the MPO and after FHWA and FTA make their financial

constraint findings. Projects must be in the FSTIP before funding authorities, such as FTA, FHWA, or Caltrans, can “obligate” funds and therefore, before sponsors can actually spend any of these monies.

From time to time circumstances dictate that changes be made to the TIP following its adoption. Federal regulations permit changes to the TIP if the procedures for doing so are consistent with federal requirements for TIP development and approval, and consistent with federal procedures for modifications to the Federal Statewide Transportation Improvement Program (FSTIP).

Federal and State policies distinguish between two types of TIP amendments: Administrative Action/Amendments and Formal/Major Amendments. These types of amendments differ based on the magnitude of the proposed change and the level of review required by various federal, state and local agencies. As a general rule, significant changes to the cost, scope and schedule of a project listing requires a Formal Amendment, whereas minor changes in fund sources, project description, lead agency, or existing project phase amounts may be processed through administrative actions. The SLOCOG Board, the California Department of Transportation (Caltrans), Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) must approve Formal Amendments. Approval of Administrative Actions has been delegated to SLOCOG's Executive Director and the Caltrans Office of Federal Programming.

Regardless of the type of change, all modifications must be consistent with the RTP, must maintain the financial constraint of the TIP, and must be consistent with federal Title VI requirements. Administrative Actions must not impact the financial constraint of the TIP. SLOCOG is currently exempt from air quality conformity findings and related Transportation Control Measures (TCMs) implementation. These amendment classifications and procedures are consistent with the Statewide TIP Modification Guidelines. It is intended that SLOCOG's TIP Amendment Process and Procedures follow and adhere to the provisions of the Statewide TIP Modification Guidelines.

DISCUSSION

The following projects and programs require changes that must occur in the TIP through a formal amendment at this time (see Attachment A for specific TIP listing).

1) San Luis Obispo County

- a) US 101/Willow Road Interchange (Phase 1)
 - i) Amendment reason: Fund Type Added: County received a State and Local Partnership Planning grant in the amount of \$1million; this funding will supplant existing local funding for construction
 - ii) No net financial change
 - iii) No impact on ARRA funds or delivery timeline

2) Caltrans

- a) US 101 Pavement Rehabilitation near Atascadero
 - i) Amendment Reason: New Roadway Preservation project as requested for amendment into the State Highway Operation & Protection Program (SHOPP) on December 23, 2009.
 - ii) Proposed project will rehabilitate 18.4 lane miles of pavement, dig out and repair areas of failure, seal cracks larger than 0.02 ft, and overlay existing pavement with 0.20 ft conventional Asphalt Concrete (AC) from north of Traffic Way UC to Vineyard Drive OC.
 - iii) Total project cost \$9.1million programmed in SHOPP – Roadway Preservation lump sum

SAN LUIS OBISPO COUNCIL OF GOVERNMENTS

RESOLUTION NO. 10-___

**ADOPTING FORMAL AMENDMENT NO. 8 (09-16) 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

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 was 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 3, 2010 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. 8 (09-16) to the 2009 TIP amending projects in the TIP as shown in ATTACHMENT A.

On motion by Board Member _____, seconded by Board Member _____, and on the following roll call vote, the foregoing resolution is hereby adopted this 3rd day of February, 2010.

AYES:

NOES:

ABSENT:

ABSTAIN:

Tom O'Malley, 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: _____

ATTACHMENT A

2009 SLOCOG Transportation Improvement Program (TIP) Amendment 09-16 (Formal #8) San Luis Obispo Region (in \$000s)

Caltrans

MPO ID: 22300000331		PPNO: 4050		Capacity Status: NCI				RTIP #: 08-16 ^(Ver1)		
TITLE: 101 Pavement Rehabilitation near Atascadero										
DESCRIPTION: In San Luis Obispo County, near Atascadero, rehabilitate 18.4 lane miles of pavement, dig out and repair areas of failure, seal cracks larger than 0.02 ft, and overlay existing pavement with 0.20 ft conventional Asphalt Concrete (AC) along route 101 from north of Traffic Way UC to Vineyard Drive OC.										
CHANGE REASON: New project										
	TOTAL	PRIOR	08/09	09/10	10/11	11/12	12/13	PE	RW	CON
SHOPP- Roadway Pres. (NHS)	\$8,067			\$8,067						\$8,067
SHOPP- Roadway Pres. (S/O)	\$1,047			\$1,047						\$1,047
TOTAL	\$9,114			\$9,114						\$9,114
COMMENTS: Rob Marsh, HQ Roadway Preservation Program Advisor, approved this project on December 23, 2009.										

San Luis Obispo County

MPO ID: 22300000293		Capacity Status: CI				RTIP #: 08-16 ^(Ver3)				
TITLE: US101/Willow Rd. IC Phase I										
DESCRIPTION: In South San Luis Obispo County, extend Willow Road from Pomeroy Road east to Hetrick Avenue and improve intersections with Pomeroy and Hetrick.										
CHANGE REASON: Revise Funding - Add New Funding Source										
	TOTAL	PRIOR	08/09	09/10	10/11	11/12	12/13	PE	RW	CON
Loc Funds - County Funds	\$4,182			\$4,182						\$4,182
Other Fed - ARRA-RSTP	\$1,709			\$1,709						\$1,709
State and Local Partnership Program	\$1,000			\$1,000						\$1,000
TOTAL	\$6,891			\$6,891						\$6,891
PROJECT PRIOR TO AMENDMENT										
	TOTAL	PRIOR	08/09	09/10	10/11	11/12	12/13	PE	RW	CON
Loc Funds - County Funds	\$5,182		\$5,182							\$5,182
Other Fed - ARRA-RSTP	\$1,709		\$1,709							\$1,709
TOTAL	\$6,891		\$6,891							\$6,891
COMMENTS: Inclusion of SLPP funds as per Dale Ramey, project manager.										