



**Resource Management
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: June 30, 2020

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
CONTACT PERSON: Celeste Perez PHONE: (559) 624-7010				

SUBJECT: Fifth Amendment to Measure R Expenditure Plan

REQUEST(S):

That the Board of Supervisors:

1. Approve the Fifth Amendment to Measure R Expenditure Plan as presented by the Tulare County Transportation Authority; and
2. Authorize the Chair of the Board of Supervisors to sign the letter to the Tulare County Transportation Authority acknowledging the Board's approval of the Fifth Amendment to Measure R Expenditure Plan; and
3. Direct the Clerk of the Board of Supervisors to send the letter to the Tulare County Transportation Authority.

SUMMARY:

The 2006 ½-Cent Transportation Sales Tax Measure Expenditure Plan (Measure R) serves as a guide for the use of transportation funds for thirty years. The Expenditure Plan was developed by the Tulare County Association of Governments (TCAG) and its nine member agencies (Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, Woodlake and the County of Tulare), and approved by the voters in November 2006. The Expenditure Plan represents diverse community interests and addresses major regional transportation needs in Tulare County through the year 2037.

The Plan provides a detailed blueprint that allows for the leveraging of state and federal funds through the revenues that will be received through Measure R. The Plan provides funds for: regional road improvements, public transit, rehabilitation of

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existing roads, and other transportation programs that will improve mobility and air quality within the County and each of the cities.

Amendments to the Plan were approved by your Board on October 14, 2008 (Resolution No. 2008-0780), on January 12, 2010 (Resolution No. 2010-0037), on July 9, 2013 (Resolution No. 2013-0486), and on June 27, 2017 (Resolution No. 2017-0504).

On May 18, 2020 action was taken by the Tulare County Transportation Authority (TCTA) to allow the following be requested as the fifth Measure R Expenditure Plan Amendment (see Attachment A for additional details):

- 1) The Cities of Visalia, Farmersville, Exeter and the County of Tulare requests flexibility for funding regional bike/trail improvements from the City of Visalia to Exeter and include ability to fund the Rocky Hill corridor Bike/trail project; and
- 2) Provide flexibility for trail and sidewalk maintenance and security; and
- 3) Provide funding for Sustainable Corridor projects; and
- 4) Create a \$2 million Transit Innovation and Technology Program; and
- 5) The City of Porterville requests project funding clarification for State Route-190 and State Route-65 funds; and
- 6) The City of Visalia requests project funding clarification on State Route-198 funds; and
- 7) The City of Dinuba requests the replacement of funding for Avenue 416 (Euclid to Snyder) with City of Dinuba corridor improvements; and
- 8) TCAG staff requests technical changes to the Expenditure Plan.

TCAG and the City/County Managers reviewed these requests. Both entities are supportive of the proposed Amendment.

Additionally, the fifth Measure R Expenditure Plan Amendment proposes word and sentence changes. As well as the following language as Note 25:

“For the Regional K Road to Exeter project on Table 5, the project is defined to allow the funding to be used for parallel projects within one mile of the K road alignment. This includes but is not limited to the Avenue 280/Visalia Road/Caldwell Avenue corridor. The corridor limits are expanded to start at the west end at the Santa Fe Trail and on the east end Yokohl Drive. The limits include a second section, the Rocky Hill Corridor from Spruce Avenue to Yokohl Drive.”

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FISCAL IMPACT/FINANCING:

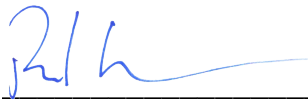
No Net County Cost to the General Fund.

The Fifth Amendment to Measure R Expenditure Plan is revenue neutral and will not increase the funding amounts for regional projects.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The Final 2006 ½-Cent Transportation Sales Tax Measure Plan (Amended) links to the Strategic Plan for safety and security by improving and maintaining an adequate infrastructure for safe transportation of citizens and goods within Tulare County. The plan also links to quality of life by providing funding for clean air projects.

ADMINISTRATIVE SIGN-OFF:



Reed Schenke, P.E.
Director

cc: County Administrative Office

Attachment(s) Attachment A – Summary of Fifth Amendment to the Measure R Expenditure Plan
Attachment B – Draft Letter to the Tulare County Transportation Authority

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF FIFTH AMENDMENT) Resolution No. _____
TO MEASURE R EXPENDITURE PLAN)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JUNE 30, 2020, BY
THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Approved the Fifth Amendment to Measure R Expenditure Plan as presented by the Tulare County Transportation Authority; and
2. Authorized the Chair of the Board of Supervisors to sign the letter to the Tulare County Transportation Authority acknowledging the Board's approval of the Fifth Amendment to Measure R Expenditure Plan; and
3. Directed the Clerk of the Board of Supervisors to send the letter to the Tulare County Transportation Authority.

Attachment A

Summary of fifth Amendment to the Measure R Expenditure Plan

TO: Member Agencies

FROM: Ted Smalley, TCAG Executive Director
Leslie Davis, TCAG Fiscal Director

DATE: May 18, 2020

SUBJECT: Measure R Expenditure Plan Amendment Five (5) Summary of 2020
Measure R Amendment Requests

The Tulare County City Managers and CAO requested TCAG to initiate the process for a Fifth (5) amendment to the Measure R Expenditure Plan. TCTA Board approved a schedule for a potential amendment to the Measure R Expenditure Plan. The following is a discussion of amendment parameters by Measure R category.

Local Programs (35%)

There are no requested changes to the Local Programs category. The Local Program category of Measure R has a defined distribution formula with an annual update to reflect changes in population and mileage for each agency. There are no new incorporated cities in Tulare County that would result in a need to change the number of agencies shown in the Expenditure Plan. As a result, it is unlikely that the TCTA Board would support any changes to the Local Program category of Measure R.

Summary: No recommended changes

Administration and Planning (1%)

Similar to the Local Program, there are no expected changes to the Administration and Planning category. TCTA Board committed to the public that the administration percentage will not be increased. TCTA staff also combined other transportation planning efforts resulting in cost effective use of multiple funding sources. There are no new planning or reporting regulations that would result in additional work not originally projected. As a result, it is unlikely that the TCTA Board would support any changes to the Administration and Planning category of Measure R.

Summary: No recommended changes

Regional Projects Program (50%)

The Regional Projects Program represents the largest section of Measure R. The projects were also the featured items presented to the public during the Measure R public information effort prior to the approval of Measure R. As a result, there are proposed changes that will enhance or increase the ability to delivery critical projects for the region. There are three requests to amend regional projects. The amendments are revenue neutral and will not increase the funding amounts for regional projects.

Air Quality Program (Transit/Bike/Environmental Projects) (14%)

The Air Quality Program (or Transit/Bike/Environmental Projects Program) represents the most diverse section of Measure R. Implementation of bike, transit, and pedestrian projects continues to be a priority of the state. Technology is changing the opportunities for transit collaboration. As a result, there are four requests to amend the Air Quality Program.

Measure R Expenditure Plan Amendment Five (5) requests

- 1. Request:** Provide flexibility for funding regional bike/trail improvements from the city of Visalia to Exeter and include ability to fund the Rocky Hill corridor bike/trail project.

Requesting Agency: Cities of Visalia, Farmersville, Exeter and County of Tulare

Discussion: TCAG/TCTA funded a feasibility study of the K Road bike/trail potential project. As a result of the study, the Cities of Visalia, Farmersville, Exeter, and the County of Tulare did not support the K road alternative due to costs, maintenance and challenges related to railroad crossings. A more cost effective solution of placing the bike trail (where feasible) along the Caldwell corridor was determined to be more feasible and cost effective.

The following language is proposed as an amendment to the Measure R Expenditure Plan as Note 25:

“For the Regional K Road to Exeter project on Table 5, the project is defined to allow the funding to be used for parallel projects within one mile of the K road alignment. This includes but is not limited to the Avenue 280/Visalia Road/Caldwell Avenue corridor. The corridor limits are expanded to start at the west end at the Santa Fe Trail and on the east end Yokohl Drive. The limits include a second section, the Rocky Hill Corridor from Spruce Avenue to Yokohl Drive.”

TCAG Staff Recommendation: Support the amendment.

City Manager Recommendation: Support

2. **Request:** Provide flexibility for trail and sidewalk maintenance and security

Requesting Agency: All

Discussion: Over the past fifteen years, significant bike and pedestrian trail funding has been provided through Measure R, federal programs, and Active Transportation Program at the state level. Maintenance is critical to preserve the investment of assets. However, the federal and state sources may not be used for maintenance. The Measure R Expenditure Plan does not provide clarification if maintenance and security is an allowable expense for Air Quality Program funding. Providing clarification and allowance will increase the useful life and the potential number of users of the bike and pedestrian system.

The following line/language is proposed to be added to pages 4 and 23 under the Transit/Bike/Environmental Mitigation (Air Quality) Program:

“Maintenance and Security”

TCAG Staff Recommendation: Support the amendment with the condition that the amount allocated for “maintenance and security” on a per year basis be limited to \$100,000 for Visalia and Porterville, and up to \$25,000 for other member agencies. Allowance for maintenance funding would be required to satisfy the Maintenance of Effort requirement (Ordinance No. 2006-01 Section 11-C).

City Manager Recommendation: Support

3. **Request:** Provide funding for Sustainable Corridor projects

Requesting Agency: All

Discussion: The Regional Mitigation Banking Program was created to allow mitigation land purchases to occur ahead of schedule resulting in advancing project delivery. There were several challenges related to program establishment, funding amounts, and the ability to project needs for future projects given the delisting of species related to mitigation requirements. As a result, the mitigation banking program did not materialize. However, the program could be revised to allow for critical environmental projects on corridors in Tulare County. The proposal would change the program to allow funding of corridor environmental projects.

On page 10 and 23, change the Regional Mitigation Banking Program to the Sustainable Corridor Program

The note on page 23 (second to last paragraph) would be revised to state:

“The Environmental Mitigation funds would be applied to the Sustainable Corridor Program. The Sustainable Corridors Program is intended to fund partnership projects (Caltrans) on major regional state highways: SR 65, SR 99, SR 190, and SR 198 for projects that improve the aesthetic views of the corridor. Projects are intended to sustain and enhance the beauty and environmental quality (air quality) of the corridor through landscape treatments, both hardscape and vegetation, including but not limited to new plantings, landscape screenings, maintenance, and debris removal.”

TCAG Staff Recommendation: Support the amendment with the condition that project recommendations come from the Corridor Committees for TCTA Board consideration. Project eligibility will be further defined in the policies and procedures.

City Manager Recommendation: Support

4. **Request:** Create a \$2 million Transit Innovation and Technology Program

Requesting Agencies: Indirectly all agencies. (The proposal is from TCAG staff to help address issues for matching funds for new technology)

Discussion: The TCAG board has established transit coordination as a top priority. In addition, there continues to be new technology development for transportation.

This new program would provide supplemental funding for regionally beneficial pilot projects and new technology investments.

On Page 11, add a new Tier II program “Transit Innovation and Technology Program” in the amount of \$2 million.

TCAG Staff Recommendation: Support the amendment with the condition the additional funding is used to supplement costs if there is a demonstration additional costs occurred from conducting a transit pilot program. As a result of the recent Covid-19 fiscal impacts, staff recommends the program be established and guidelines prepared; but program be delayed until fiscally prudent to fund. Also, guidelines for the program will require TCTA Board approval prior to offering funding.

City Manager Recommendation: Support

5. **Request:** Project funding clarification for SR-190 and SR-65 funds

Requesting Agencies: City of Porterville

Discussion: The Amendment would provide the opportunity to provide critical projects as established by the city council.

On page 21/item 22, replace the second sentence with the following:

“Flexibility may include the determination of different interchanges, over-crossing priorities, and parallel facility improvements within two miles. Parallel facility improvements will be required to demonstrate benefit to either the SR-65 or SR-190 corridor.”

TCAG Staff Recommendation: Support the amendment with the condition that Parallel facility improvements will be required to demonstrate benefit to either the SR-65 or SR-190 corridor.

City Manager Recommendation: Support

6. **Request:** Project funding clarification for SR-198 funds

Requesting Agencies: City of Visalia

Discussion: Funding through TCAG, The City of Visalia and Cal Trans performed the SR-198 Corridor Study. As a result of the study, numerous projects have been identified along the corridor that outnumbers the current project list within Measure R. The City of Visalia is seeking an amendment that will allow flexibility to select a specific project within the corridor. The Amendment would provide the opportunity to provide critical projects as established by the city council.

On page 21/item 21, replace the second sentence with the following:

“Flexibility may include the determination of different interchanges, over-crossing priorities, and parallel facility improvements within two miles. Parallel facility improvements will be required to demonstrate benefit the SR-198 corridor.”

TCAG Staff Recommendation: Support the amendment with the condition that Parallel facility improvements will be required to demonstrate benefit to the SR-198 corridor.

City Manager Recommendation: Support

7. **Request:** Replace the funding for Avenue 416 (Euclid to Snyder) with City of Dinuba corridor improvements

Requesting Agencies: City of Dinuba

Discussion: The “last mile” of Avenue 416 is within a dense urban area. Widening of Avenue 416 for this section would require a significant number of residential home purchases and likely reduction of park land. The costs for this section is significant. The Amendment would provide the opportunity to provide other critical projects as established by the city council.

On Page 6, replace “Avenue 416/Euclid to Snyder” with “Dinuba Corridor Improvements” and move to Page 7.

TCAG Staff Recommendation: Support the amendment with the condition that improvements would be required to be on the Avenue 416 or Avenue 400 corridor.

City Manager Recommendation: Support

8. **Request:** Technical Changes

Requesting Agencies: TCAG Staff

Discussion: As technology changes, the types of cleaner burning vehicles changes. The original Expenditure Plan listed “CNG”. However, transit fleets are required to convert to electric technology. The type of rail that may occur in the future may change as well. Currently, the Expenditure Plan shows “light rail.” Light rail may or may not be what is used in the future in Tulare County.

On page 10, remove the term “CNG” and remove the number after buses for the County and Porterville.

On page 10, change “regional Light Rail ROW preservation” to “Regional Transit Corridor ROW preservation”

TCAG Staff Recommendation: Support the amendment

City Manager Recommendation: Support

Attachment B

**Draft Letter to the Tulare County
Transportation Authority**

To be printed on Board of Supervisors Letterhead

June 30, 2020

Ted Smalley, Executive Director
Tulare County Transportation Authority
210 N. Church Street, Suite B
Visalia, CA 93291

Subject: Fifth Amendment to Measure R Expenditure Plan

Dear Mr. Smalley:

On Tuesday, June 30, 2020, by way of Resolution Number 2020-XXXX, the Tulare County Board of Supervisors approved Tulare County Transportation Authority Fifth Amendment to Measure R Expenditure Report. A copy of the resolution is attached.

If you have any questions, please contact Reed Schenke, Resource Management Agency Director, at (559) 624-7000.

Sincerely,

Pete Vander Poel, Chair
Tulare County Board of Supervisors

Enclosure: Resolution Number 2020-XXXX

CC: Reed Schenke, Resource Management Agency Director