

Agenda

October 22, 2013
10:30 am – 12:30 pm

MTC
 101 Eighth Street
 Oakland, CA 94607

Contact: Adam Crenshaw
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Meeting called by: Muhaned Aljabiry
Facilitator: Abhijit Bagde
Recorder: Bruce Abanathie

Agenda Topics

Item	Description	Time	Presenter
1	Agenda	10:30	Abhijit Bagde
2	Ground Rules	10:35	Abhijit Bagde
3	Approval of 09/10/2013 Meeting Minutes	10:40	Abhijit Bagde
4	Announcements and Updates:	10:45	All
5	<p>Follow-Up Items from last meeting:</p> <ol style="list-style-type: none"> 1. Mike Brady, CT to send Abhijit Bagde the web-link for the Statewide Conformity Working Group meeting information, which Abhijit will send out to the group - Item completed (Information was sent by Abhijit Bagde on 09/10/2013) 2. Rachel Falsetti, CT will send the ATP legislation to Abhijit for distribution to the group - Item completed (Information was sent by Abhijit Bagde on 09/10/2013) 3. CT Programming Office and CT Local Assistance to discuss the toll credit policy change, and notify outcome to the group - Item Completed (See Item no. 7 below) 4. CT Programming will send the MPOs the apportionments for the preparation of the 2015 FTIPs and post the tables on the Programming website - Item completed (Information was sent by Gwyn Reese on 09/18/2013) 	10:50	Abhijit Bagde
6	<p>2015 FSTIP:</p> <ol style="list-style-type: none"> 1. Schedule (Handout No. 1) – Gwyn Reese 2. Financial Summary Template – Gwyn Reese 3. Workshop – Dennis Jacobs 	10:55	CT
7	Toll Credits Policy		Muhaned Aljabiry
8	Federal Government Shutdown - Impacts		Jack Lord, FHWA
9	CMAQ Annual Report (Handout No. 2)		Gwyn Reese
10	Adjustments to CMAQ and RSTP Apportionments due to Oversight Costs		Gwyn Reese

11	<ul style="list-style-type: none"> • Follow-Up Items • Open Forum • Future Agenda Items 		All
12	<p>Future meeting dates and locations:</p> <ul style="list-style-type: none"> • 2015 FSTIP Workshop – January 2014 in Sacramento 		All

California Federal Programming Group (CFPG)

Minutes for: October 22, 2013

1. Agenda:

Abhijit Bagde (CT Federal Programming Office) reviewed the agenda and noted the follow-up item attachments that were emailed as well. No changes requested.

2. Ground Rules:

- Since there are phone participants, everyone who speaks should state his/her name and agency.
- Keep comments as brief as possible.
- Stick to the current agenda item. Additional items not in the agenda will be added to the end and will be discussed if time permits.
- Turn off cell phones and limit interruptions.
- This is a forum to hear everyone's concerns, comments and suggestions. Please make sure your voice is heard.
- Facilitator to ask before moving on to the next item if anyone on the phone has any additional comments on the item, then pause for a few seconds.
- Respond to follow-up items and meeting notices by the deadlines.
- Except for follow-up items, the minutes will include discussions that take place during the meeting only. If you do not want what you say during the meeting included in the minutes, state "off the record."
- **When not speaking, phone participants to keep their phones on mute if possible.**
- **Do not place conference call on hold. Please hang up and redial if you must take another call.**
- Meeting minutes to be distributed to the group with 10 days after the meeting.

Bolded items were emphasized by Abhijit.

3. Minutes of the Last Meeting – Abhijit Bagde

The final minutes of the September 10, 2013 meeting were provided via email prior to the meeting. No comments – approved.

4. Announcements and Updates:

Upcoming MAP-21 Performance Measures Workshop, Please register as soon as possible.

The limit is one representative per MPO/RTPA. If an agency needs to send more than one representative, they need to contact Rachel Falsetti.

Abhijit will send out the information flyer for the workshop

The CFPG welcomes Sri Srinivasan back from maternity leave. Sri noted her appreciation of the gifts from the CFPG.

Abhijit also announced the appointment of Maria Lopez as the new programming manager for the SCAG region (Rosemary Ayala's former position)

Abhijit reported that AB 466 was signed that changes the pollution factors and changes the S&H Code §182.7 requirements. (This was actually mentioned in item 9)

5. Follow-up Items from Last Meeting – Abhijit Bagde

- a. Mike Brady, CT to send Abhijit Bagde the web-link for the Statewide Conformity Working Group meeting information, which Abhijit will send out to the group - Item completed (Information was sent by Abhijit Bagde on 09/10/2013)
- b. Rachel Falsetti, CT will send the ATP legislation to Abhijit for distribution to the group - Item completed (Information was sent by Abhijit Bagde on 09/10/2013)
- c. CT Programming Office and CT Local Assistance to discuss the toll credit policy change, and notify outcome to the group - Item Completed (See Item no. 7 below)
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6. 2015 FSTIP – Programming Office

- a. Schedule (Handout No. 1) – Gwyn Reese

Draft schedule sent to the group. Gwyn identified the milestones for the development of the 2015 FTIPs. Draft FTIPs due to Caltrans September 2, 2014 with final FTIP due September 30, 2014. FHWA/FTA approval is expected by December 17, 2014. This will be further discussed at the FSTIP Workshop in January 2014.

- b. Financial Summary Template – Gwyn Reese

Gwyn noted that the changes introduced to the financial constraint template by MAP-21 have been included in the version for the 2015 FTIPs.

Jose Luis Caseras (SACOG) requested that the changes Gwyn mentioned be highlighted in the template for special attention by the programmers.

Janette Fabella (StanCOG) asked about the reflection of the Alternate Transportation Program in the template. Gwyn replied that it was included.

Abhijit noted that the template would continue to have some SAFETEA-LU funding sources due to the remaining years to expend the funds.

Michelle Marino (SANDAG) asked about the implementation of the template. Abhijit stated that this template was to begin implementation with the 2015 FTIP and that the current template should still be used for amendments to the 2013 FTIP.

Gwyn will send out the draft financial tables for comments and then the final

- c. Workshop – Dennis Jacobs

Dennis announced that the 2015 FSTIP/FTIP Workshop would be held January 14-15, 2014 at the SACOG Offices. Dennis will be working with a group of interested programmers on the agenda items, presentations, and presenters.

Expect an email from Dennis about these items

Herman Cheng (LAMTA) asked about a potential conflict with the TRB (January 12-16) meetings. The attendees in the room discussed potential adjustments to the schedule.

Bruce Abanathie (KCAG) suggested that we find out who might be affected by the conflict. Abhijit asked the participants if anyone would be affected by the conflict. NO one in the room or on the phone stated a conflict. Herman noted that some agencies may not have had the attendance conversation yet.

Abhijit will send out an email asking CFPG members about any potential conflict with the TRB meeting and other potential dates.

7. Toll Credits Policy - Muhaned Aljabiry/John Hoole

Abhijit explained that as a follow up from the last CFPG meeting, the Programming office and Local Assistance office met and discussed the new toll credits policy.

The meeting resulted in no change to the Caltrans adopted policy of an “all-or-nothing” application of toll credits to programming. Even in the case of multiple federal fund types, if the project has any toll credits applied ALL federal funds will be considered to be 100% matched with toll credits.

Bruce noted that this decision further limits the options that – particularly smaller - MPOs, have on trying to fund and deliver projects. John Hoole (CT-DLA) stated that they are telling the MPOs “to maximize federal funds through the use of toll credits”. Bruce noted that this is not the policy that was discussed and implemented originally and that this unilateral decision on Caltrans part was without consultation and the opportunity for the MPOs to discuss why the policy that was adopted was drafted the way it was. John disagreed that this was a policy change other than the extension of the program to bridge projects. Bruce pointed out that the original policy stated “up to 100%” whereas this policy says “100%” Taking out the terms “up to” constitutes a policy change and certainly a functional change.

Bruce explained that the strategic use of toll credits as partial matching is important to smaller MPOs and RTPA regions that have limited resources and limited options for fully funding and delivering projects. Partial; toll credit matching is a necessary tool. John could not single any example of how this worked, but stated that there are ways around using 100%, such as making part of the project non-participating. John stated that this has not been a project delivery issue, but rather complaints of a hesitation about the use of toll credits in an MPO. John stated that he does not know how this change could affect project delivery. Bruce offered to give John specific examples of how the “juggling” of toll credit matching do make a difference I project delivery. John and Bruce will talk off-line.

John gave an example of a project for SANBAG and how they used the workaround on the toll credit policy. Andrea (SANBAG) commented on John’s example. Andrea noted that they did agree to decrease the level of federal participating items on the project but that they were not happy with the process or the outcome. MPOs should not be forced to inaccurately identify qualifying participating costs as non-participating. Another risk of this practice is when a change in the project or funding requires a change and the agency has to go back to FHWA and change non-participating to participating leads to questions in the project and appears that we are manipulating the project participation John agreed that the agency is doing exactly that. Andrea stated that she does not know who is benefiting from this policy, but it is not the local agency or the MPO and that this is troubling in falsely completing a finance letter.

Jose-Luis stated that what is missing here (in the policy change) is the “why”? Is there some federal mandate? Is this a Caltrans policy for maximizing federal funds? Is it a fund tracking issue for Caltrans? Is it needlessly strict? If it is just a policy, policies can be changed. John noted that it is a policy within Caltrans and that the policy is for maximizing federal obligation. John does not see how using a 95% match instead of a 100% match is maximizing federal obligation. J-L gave the example of a \$100 million bridge where the matching with 100% federal fund –toll credit match would be too

expensive to be reasonable. This is an example of how partial matching would make a difference. John stated that this is more a convenience for the MPO than a project delivery issue. J-L stated that SACOG could find a way to deliver this project. Bruce –this is an example of how an MPO like SACOG has options that smaller MPOs and RTPA regions do not and need to have more flexible options for delivery.

Further discussion about participating costs and toll credits applications, including the FHWA restrictions on changing participation in the project and how the restrictions combined with the toll credit policy will limit project delivery.

Abhijit summarized the issue and recommended that agencies contact their DLAEs with additional comments. It was also recommended that this be a topic for the January FTIP workshop.

8. Federal Government Shutdown – Jack Lord

Wade Hobbs filled in for Jack. Wade stated that hopefully most of the impacts of the shutdown are behind us. For FHWA, due to the nature of the Surface Transportation Act contract authority the highway programs are not as affected by government shutdowns. They were affected by the shutdown through the partner agencies FTA, EPA and FRA.

Ted Matley (FTA) agreed with Wade's comments. The FTA was completely shut down.

Wade further explained that a longer shutdown would have more significant effects. FHWA would lose the ability to reimburse agencies for project expenditures.

9. CMAQ Annual Report (Handout)– Gwen Reese

Gwen noted that it is time once again to complete the annual CMAQ report. *Gwyn will be sending out the populated project list (as in the past) on November 1, 2013. MPOs need to complete the reports and return them to Gwyn by December 16, 2013 to give Gwyn time to roll up the reports into the statewide report due to FHWA by February 1, 2014. There is about 300 projects statewide to be reported.*

Sri Srinivasan (MTC) noted that prior lists have included projects that were previously obligated, but had current federal actions. These projects should not be part of the current year reporting. Sri would like a revised report listing only the project obligated in the current reporting year.

10. Adjustments to CMAQ and RSTP Apportionments (Oversight Costs) – Gwen Reese

Gwyn reported that she participated in the committee to spread the oversight costs that Caltrans will be taking based on the effects of the state's zero-based budgeting initiative. Originally, all of the funding was to be taken from RSTP, the committee developed a plan to fund the requirement through other federal funds combined with RSTP. This relieves some strain on the RSTP apportionments. These tables will amend the tables sent out in response to Item 5.d.

Gwyn will try to get new apportionment tables out next week (October 28-31)

11a. Follow up Items

4. Abhijit will send out the information flyer for the workshop

6.b. Gwyn will send out the draft financial tables for comments and then the final

6.c. Dennis will email the CFPG about FSTIP Workshop item

Abhijit will send out an email asking CFPG members about any potential conflict with

the TRB meeting and other potential dates.

*9. Gwyn will be sending out the populated project list (as in the past) on November 1, 2013
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John requested the Federal Project Number for projects that have been obligated with less than 100% toll credit matching.

11b. Open Forum

Abhijit asked the Caltrans DMT if they had any updates to provide. Bryan Travis (DMT) updated the 5310 and 5309 programs and commented on a successful CalAct and CTA Conference.

5310 – DMT has completed the statewide dialogue and has developed a two tier method of program administration. The first is a hybrid to the past. For the large urban areas that would like DMT to administer the funds for their regions, Caltrans will issue a statewide call for projects. The MPOs would collect and score the applications and then forward the applications to Caltrans. Caltrans will then manage the delivery. If larger MPOs want to administer the program, they would be solely responsible for all aspects of the program. The results of the MTI survey will be included in the solicitation letters for Caltrans to the larger MPOs.

5339 – The state is required to administer this program, but since MAP-21 did not provide an resources for administering the program, DMT has reviewed their staffing commitments and will combine the processes for the rural, and small urban solicitations concurrently.

Anthony Zepeda (SJCOG) asked Bryan if the 5310 hybrid is the choice of the individual MPO or the collective MPOs. Bryan stated that the level of participation is up to each of the larger MPOs in accordance with MAP-21.

Sam Kaur (VTA) For 5310 - will Caltrans be rescoring the applications received from the larger MPOs? Bryan stated that they would not. The larger MPOs are responsible for up to their apportionment level.

For 5339 – Will you combine the call for projects as a two year program? Bryan stated that they would. They will put out the call for projects for both years (2013/14 and 2014/15) soon.

11c. Future Agenda Items

Jose Luis wanted to have an agenda item to advertise the MTI Master's programs.

11. Next Meetings:

January FSTIP Workshop

- March 4, 2014, MTC Oakland (10:30 am – 12:30 pm)
- April 15, 2014, SACOG Sacramento (10:30 am – 12:30 pm)
- May 27, 2014, Caltrans Sacramento (10:30 am – 12:30 pm)
- July 15, 2014 MTC Oakland (10:30 am – 12:30 pm)