

**CALIFORNIA FEDERAL PROGRAMMING GROUP (CFPG)
MEETING MINUTES – November 18, 2008**

The CFPG meeting was held at MTC office in Oakland from 10:30 a.m. to 12:30 p.m.

1. Topics/Agenda/Introduction:

The meeting started with the self-introduction of attendees.

2. Ground Rules:

Abhijit Bagde, Caltrans, Federal Programming, asked the group to refer to the Ground Rules from previous meeting minutes.

- Since there are phone participants, everyone who speaks should state his/her name and agency. Keep comments as brief as possible.
- When not speaking, phone participants to keep their phones on mute if possible. Do not place the conference call on hold. If you need to take another call, please hang up the conference call. You may rejoin the teleconference by dialing back in.

3. Approval of 09/30/08 CFPG meeting minutes:

The meeting minutes for the 09/30/08 CFPG meeting, were approved with no changes.

4. Announcements and updates:

- Jose Luis Caceres, SACOG, announced he would be reaching out to MPO's to find out how they do their programming and he said to expect to calls/emails.
- Volunteers were requested for taking meeting minutes. Sri Srinivasan, MTC is the hoping to fill Penny Gray's able shoes after which the task will go the capable Jose Luis Caceres, SACOG.
- Muhaned Aljabiry, Caltrans, requested others also to volunteer.

5. Follow-Up Items from last meeting:

- Group to e-mail items to be discussed with FTA to Abhijit Bagde by October 3rd – The Item was completed and the notes from the resulting discussion was handed out at the meeting as Item No. 7.
- Abhijit Bagde, Caltrans e-mailed the website for the Highway Bridge Program to the CFPG members.
- Abhijit Bagde, Caltrans checked with CTIPS Office and the date field has been added to CTIPS reports.
- Abhijit Bagde, Caltrans sent the Five Year FSTIP proposal presented by Pete Hathaway, to CFPG participants via email.

6. Update on the 2009 FSTIP Schedule by Muhaned Aljabiry, Caltrans

He informed the group that the FSTIP had been forwarded to the Federal agencies and he had from the FHWA and FTA that approval was expected by November 18, 2008 but Caltrans had not received the official approval letter. Steve Luxemburg, FHWA announced that FTSIP had been reviewed and had been sent to FTA.

Muhaned added that there would be an additional 14-day review period for those with in-process amendments.

For all future amendments or changes to FTIP's, the MPO's are requested to refer to the amendment checklist and for the changes to the FSTIP, the public review period would be concurrent to that of the MPO.

7. Caltrans meeting with FTA:

Muhaned went down the list of eight items (refer to the handout) that made up the discussion.

- With the second question on "How to re-program projects for which CMAQ funds have been transferred to FTA in a prior FTIP and FTA has not approved the grants yet? Sri had a question about whether it included both STP and CMAQ funds and Muhaned said that he talked about both.
- Joe of Kern COG, had a question on what additional information was required from them regarding their EPSP and FTA. Abhijit requested that MPO's contact their individual FTIP Coordinators with specific questions and pointed out that the EPSP was very important and that FTA approval was imperative.

8. Task Force Update - Jose Luis Caceres, SACOG

Jose Luis stated that both FHWA and FTA had agreed to increase the current limits from 20% to the 25% and from \$2 Million to \$5million. Both the agencies are currently working on finalizing the letter. The Task force is planning to continue their efforts in getting the new upper limits revised. Steve Luxemburg wanted to get a year's worth of data to examine the new ability to use Caltrans's programming capacity before addressing the changes again. Several members of the task force opposed vehemently saying that a few of them never relied on the Caltrans Capacity to begin with and argued that if Caltrans capacity was never used, the data Steve was seeking would never be available.

9. Consistency between titles of Grouped Project Listings and Table 2 categories - Steve Luxenberg

Steve wanted to understand how the MPO's put together their grouped listings and wanted to come up with a consistent format such that the existing group listings are consistent with the Tables 2 and 3. A task force was formed to continue the discussion and follow-up offline. Abhijit promised to send the link to the tables.

10. Performance Measures: Jody Tian and Muhaned Aljabiry

The discussions were based on handout-2 and format for reporting on performance measures across the state. The first of the two performance measures was the percentage of all federally funded and regionally significant projects obligated annually compared to those programmed. Muhaned walked through the measure and the format provided. The MPO's requested more information and asked that the first the measure itself be clarified and the format of data requested had to be changed.

For the second measure: Kilograms of designated pollutants removed per CMAQ dollar spent; per project, per MPO, Jody mentioned it something that was always done by the MPO's and he requested that all the MPO's send in their information on time.

11. CMAQ: Jody Tian

- Final Guidance
- CMAQ Evaluation and Assessment Phase I Final Report
- FY 2007/08 Annual Report

Jody walked the audience through the CMAQ final guidance and the final report on the evaluation of the program and mentioned the annual obligation reports were due from the MPO's before Month's end. In the past, he had had issues with not getting the information on time and trying to get the information from a variety of formats. In order to get around the problems, he requested that the MPO's use the Caltrans format so that it would be easy to collate information across the state.

12. MTC Fund Management System (FMS) – Sri Srinivasan

Sri Srinivasan, MTC, walked the audience through MTC's online Fund Management System (FMS) and promised to answer any future questions.

13. Follow-Up Items:

- Caltrans to provide language regarding use of statewide reserve for demonstrating financial capacity for administrative modifications. This will help in clarifying the revised modification guidelines.
- FHWA to provide an example demonstrating programming of a grouped project listing
- Performance Measure: Caltrans to revise spreadsheet for the "Percentage of all federally funded and regionally significant projects obligated annually compared to those programmed" performance Measure

14. Open Forum:

Yin-Ping Li requested MPOs process FTIP amendments for High Risk Rural Roads and Safe Routes to Schools projects. There are projects that still have not been included in FTIP amendments that are ready to be obligated. MPOs are requested to contact Yin-Ping if they are unable to program these projects. There was also continued discussion regarding the best way to notify local agencies when their project has been amended in the FTIP. Whose responsibility is it to notify local agencies – the MPO or Caltrans? This discussion was to be addressed as part of the task force for grouped listings.

15. Next Meeting: Abhijit Bagde

The next meeting will be on January 6, 2009 at FHWA in Sacramento.

		<p>November 18, 2008 10:30 am – 12:30 pm</p> <p>MTC 101 18th Street Oakland, CA 94607</p> <p>Contact: Sri Srinivasan (510) 817-5793</p>	
		<p>Meeting called by: Muhaned Aljabiry Facilitator: Abhijit Bagde Recorder/Time Keeper:</p>	
<p>Agenda Topics</p>			
Item	Description	Time	Presenter
1	Topics/Agenda/Introductions	10:30	Abhijit Bagde
2	Ground Rules	10:35	Abhijit Bagde
3	Approval of the 09/30/08 CFPG meeting minutes	10:40	Abhijit Bagde
4	Announcements and updates	10:45	All
5	<p>Follow-Up Items from last meeting:</p> <ul style="list-style-type: none"> • Group to e-mail items to be discussed with FTA to Abhijit Bagde by October 3rd – Item Completed, See Item No. 7 below • Abhijit Bagde will e-mail the website for the Highway Bridge Program to the CFPG – Item Completed • Abhijit to check with CTIPS Office regarding adding dates to CTIPS reports – Item Completed <p>Abhijit to e-mail the Five Year FSTIP proposal presented by Pete Hathaway – Item Completed</p>	10:55	Caltrans
6	2009 FSTIP Schedule – Update	11:05	Muhaned Aljabiry
7	Caltrans meeting with FTA (Handout No. 1)	11:15	Abhijit Bagde
8	Task Force Discussions – Update	11:20	Muhaned Aljabiry /José Luis Cáceres
9	Consistency between titles of Grouped Project Listings and Table 2 categories	11:35	Steve Luxenberg
10	<p>Performance Measures: (Handout No. 2)</p> <ul style="list-style-type: none"> • Percentage of all federally funded and regionally significant projects obligated annually compared to those programmed • Kilograms of designated pollutants removed per CMAQ dollar spent; per project, per MPO 	11:40	Muhaned Aljabiry Jody Tian
11	<p>CMAQ:</p> <ul style="list-style-type: none"> • Final Guidance (http://edocket.access.gpo.gov/2008/pdf/E8-24704.pdf) • CMAQ Evaluation and Assessment Phase I Final Report (http://www.fhwa.dot.gov/environment/cmaqpgs/safetealu1808/index.htm) • FY 2007/08 Annual Report 	11:50	Jody Tian

12	MTC Fund Management System (FMS) (Handout No. 3)	12:00	Sri Srinivasan
13	<ul style="list-style-type: none"> • Follow-Up Items • Open Forum • Future Agenda Items 	12:20	All
14	<p>Future meeting dates and locations:</p> <p>January 6, 2009 – FHWA, Sacramento (10:30 am – 12:30 pm)</p> <p>February 24, 2009 - Caltrans, Sacramento (10:30 am – 12:30 pm)</p> <p>April 14, 2009 - SACOG, Sacramento (10:30 am – 12:30 pm)</p> <p>May 26, 2009 - MTC, Oakland(10:30 am – 12:30 pm)</p> <p>July 14, 2009 - Caltrans, Sacramento (10:30 am – 12:30 pm)</p>	12:25	All

HANDOUT NO. 1
Caltrans meeting with FTA - Meeting Notes

1. Reasonably available funds for future years of FTIP: Formula funds vs. Discretionary Funds:
 - Formula funds can be based on history and reasonable expectation for future programming.
 - In nonattainment and maintenance areas, discretionary funding can not be programmed within first two years of FTIP until Congress makes an appropriation, but can be programmed in the third or fourth year of FTIP as “Reasonably available funds.”

Planning funds: If the planning funds are programmed in the MPO’s Overall Work Program (OWP), then they shall not be programmed in FTIP.
2. How to re-program projects for which CMAQ funds have been transferred to FTA in a prior FTIP and FTA has not approved the grants yet:
 - The project can be programmed in the new FTIP via administrative modification (if specified in amendment guidelines) as long as there is no significant change in scope or cost.
 - The project must be reprogrammed with “FTA 5307 (CMAQ Transfer Funds)” in the new FTIP.
3. How to program carry over projects/funds from prior FTIP:
 - A project can be programmed in new FTIP via administrative modification (if specified in amendment guidelines) as long as there is no significant change in scope or cost.
 - Prior year funding needs to be differentiated from the current year funding. This can be done by including narrative in the “CTIPS MPO Comments” section or in the project description field stating the year, amount, and nature of the funds.
4. Status: Review of MPOs’ EPSPs by FTA:
 - FTA has found following MPOs’ EPSP in compliance with the regulations: MTC, COFCG, AMBAG, TCAG, SACOG, SANDAG, MCTC, KCAG, BCAG, SCAG
 - FTA has requested clarification/additional information from the following MPOs: SJCOG, MCAG, KCOG
5. Implementing FTA funded projects using EPSP:
 - MPOs’ EPSP agreements/documents must specify that transit operators have been included in the consultation process
 - MPOs need to include the following language in their EPSPs: “For FTA administered funds, projects may be moved within the period of the FSTIP at the request of the agency, as long as funding is available and the change does not negatively impact the delivery or availability of funds for other projects ready for obligation”

11/13/2008

HANDOUT NO. 1

Caltrans meeting with FTA - Meeting Notes

- In general, FTA funded projects can be advanced using EPSP if additional funding becomes available
6. Grouped project listings:
- In non attainment and maintenance areas, projects can be grouped using categories listed under Table 2 from CFR 93.126 as long as the detailed project list is readily available to FTA and the public. The detailed project list must be included by the MPO in the FTIP/FTIP amendment when it is circulated for public review.
 - Projects with multiple FTA UZAs and with multiple FTA fund types can be grouped as long as the grouped projects meet above listed requirements.
7. Can Advance Construction financing tool be used for FTA funded projects:
- FTA has a process which is similar to AC called "Pre-Award Authority" by which a transit agency may implement the project earlier using its own funds.
 - The project must be included in the FSTIP and have obtained NEPA clearance, such a category "C" categorical exclusion or a category "D" categorical exclusion, FONSI, or ROD specifically approved by FTA for the project. Pre-award authority for formula funds exists in all cases where the federal funds have been programmed in the FSTIP and there is a project environmental finding. Pre-award authority for earmarks exists only where the funds have been appropriated by Congress (and published in the federal register), and the federal funds have been programmed in the FSTIP and there is a project environmental finding.
 - The agency still needs to undergo the normal grant application process to be considered for federal reimbursement.
 - Note that Pre-award authority is always at the risk of the grantee and is not a guarantee of FTA funding or grant approval.
8. Can project cost savings in FTA funds from one project be used for other project?
- If the cost savings are 20% or less of the total grant amount of formula funds or earmark funds (in case of earmark funds only if the other project is eligible for the earmarked funds), then the cost savings can be applied to any other project within the grant or can remain with the grantee. No FTIP modification is required in such case.

11/13/2008

HANDOUT NO. 2

ID	Performance Indicator/ Measure (Please include the unit of measure in %, rate, number, etc.)	Goal	Report Cycle	CURRENTLY IN PLACE? (ADD'L COST/IMPL. TIME)	Lead Caltrans Division
45	Percentage of all Federally funded and regionally significant projects obligated annually compared to those programmed.	TBD (after baseline is established)	Every 2 years (at end of each FSTIP cycle)	Modifies existing reporting requirements to include non Federal regionally significant projects	Programming
46	Kilograms of designated pollutants removed per CMAQ dollar spent; per project, per MPO	TBD (after baseline is established)	Annual	Yes	Programming

HANDOUT NO. 2

Contact Person (Name & Phone #)	SUPPORTING JUSTIFICATION FOR PERFORMANCE INDICATOR/ MEASURE AND OTHER COMMENTS (INCLUDING RELEVANCE OF MEASURE, ALTERNATE MEASURE, HOW CURRENTLY REPORTED)
Muhaned Aljabiry (916)654-2983	Measures the effectiveness of the programming process. Are the programmed projects being obligated? This measure would require MPOs to report on non-Federally funded regionally significant projects in non-attainment areas.
Muhaned Aljabiry (916)654-2983	Measuring whether the most cost-effective projects for CMAQ funding. MPOs already report on annual CMAQ obligations. This measure would simply require that the MPOs include total CMAQ funding as part of that annual report.