



Clint Quilter, Executive Director

INYO COUNTY LOCAL TRANSPORTATION COMMISSION

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MINUTES

INYO COUNTY LOCAL TRANSPORTATION COMMISSION

**Bishop City Council Chambers
377 W. Line Street, Bishop, CA 93514**

February 17, 2016

9:00 a.m. Pat Gardner called the meeting to order.

ITEM NO. 1 Roll Call

Commissioners Present:

Rick Pucci
Doug Thompson
Pat Gardner
Joe Peci
Dan Totheroh
Bob Kimball

Others Present:

Ryan Dermody, Caltrans
Brent Green, Caltrans
Brian Winzenread, Caltrans
John Helm, ESTA
Deston Dishion, City of Bishop
Beth Himelhoch, IMAH
Joan Stathem
Denise Hayden, Secretary
Courtney Smith, staff
Clint Quilter, Executive Director

ITEM NO. 2: Public Comment

None

ACTION ITEMS

ITEM NO. 3: Secretary of the Local Transportation Commission – Request approval of the minutes of the meeting of January 20, 2016.

Motion to approve the January 20, 2016 minutes was made by Doug Thompson and seconded by Rick Pucci. Motion carried 6-0.

ITEM NO. 4: Request Commission approve Resolution No. 2016-02 authorizing the submittal of a revised Regional Transportation Improvement program (RTIP) and authorizing the Executive Director to sign required documents and to make technical changes.

Courtney Smith gave a presentation about the revised RTIP. At its January 20-21 meeting, the California Transportation Commission (CTC) adopted a revised fund estimate and a revised schedule for the 2016 State Transportation Improvement Program (STIP). Regional Transportation Plan Agencies have been requested to reduce their program amount in their RTIPs by a combined total amount of \$750 million because of reductions in transportation funding related to the reduction of the excise tax on fuel. The Inyo County LTC was requested to reduce their RTIP programming by \$5.4 million. All of the funding that is programmed in the Inyo LTC RTIP is on MOU projects on the State Highway System. The majority of funding is on the construction component of the Olancha Cartago project on US 395 while significant amounts are also programmed on Freeman Gulch Segment 1 and 2 project on SR 14 south of the US 395 split. Since the projects involve the MOU projects, it's key to look at what's being required of our MOU partners. Mono County has to reduce their STIP shares by \$4 million and Kern Council of Governments (COG) has to reduce theirs by \$19.8 million. CTC staff indicated that this is just a rough guideline to accomplish the goal. Agencies can look at their fund reduction targets cumulatively.

The other key component of these projects is that 40% of the funding is derived from the Interregional Transportation Improvement Program (ITIP) and ITIP programming also needs to be reduced by a couple hundred million dollars. The recommendations from Caltrans Headquarters came out and all of the MOU projects were recommended for rescission. This has tied the hands of the Inyo County LTC, it is not possible to leave funds on a partially programmed project or project component.

The only good thing which speaks to the intent of Caltrans Headquarters is that the all the components of the Olancha Cartago project besides the construction component are still programmed. The project is funded through right of way acquisition and the Archaeological Pre-Mitigation component. This will make the project ready to list and to proceed when suitable funding is identified.

District 9 staff has moved forward a proposal to keep the Freeman Gulch Segment 1 construction component programmed. This is currently programmed in 2016/2017. The goal is to keep the one MOU project that is ready for construction still on course. We don't have this option with Olancho-Cartago because the construction funding needs are too large for all parties at this point. It is such a big project that by deprogramming construction we have far exceeded the combined amount that the MOU partners were asked to reduce. In order to keep Freeman Gulch Segment 1 construction going will requires that Inyo and Mono County LTC's to use their STIP shares in place of the ITIP funds that were deprogrammed by the State.

Kern COG is concerned that one of their two top priority projects would be deprogrammed. Both of these projects use federal earmarks that have time constraints. When the State deprogrammed the ITIP, enough of Kern COG's STIP shares (for Olancho-Cartago and Freeman Gulch construction) were deprogrammed that they would meet their share reduction target. Their technical advisory committee is meeting tomorrow night and they will consider their revised RTIP. Inyo LTC staff has asked Kern COG to leave STIP shares on Freeman Gulch Segment 1 construction and then to request that the share deletion targets for the three agencies be considered cumulatively. It does not appear that Kern COG is willing to do this though we will not know until after their technical advisory committee meeting.

Here is staff's proposal to move forward. Inyo County has funds that can be moved into the ITIP. Presumably these funds will be returned to the LTC in a future cycle. We don't have a 100% guarantee of that but we have our MOU and Caltrans State Programming Office has honored partnerships in the past that were very similar to this. The proposal is to cover the ITIP portion and then to find out what Kern is going to do. Ideally we would like for Kern to cover their entire share (40%) of Segment 1 construction. Segment 1 is Kern COG's lowest priority in the current STIP. They may not be willing to do this. Kern is also looking at projects near their population center. Their two highest priority projects are the continuation of SR 58 to Interstate 5. They also have an MOU project on SR 46 that includes a \$20 million Federal earmark. Their prioritization is understandable and we are not objecting to them doing these projects, we're just asking that they keep their funding on the Freeman Gulch Segment 1. There is a possibility that Kern COG will fund \$1.4 million on construction which the reasoning behind that would be so that they would exactly match their fund deletion target. It is probably most likely that they will pay zero towards Segment 1. If this is the case, it is proposed that Inyo and Mono LTC's both program additional STIP shares to cover Kern COG's usual MOU share. Hopefully Kern will make that up with extra MOU shares to Inyo and Mono in a future cycle. Kern is a little concerned that they would be required to do that in the next cycle as their share of the Olancho-Cartago project construction is \$9 million. That on top of returning \$12 Million of Segment 1 funding may be too large of a commitment and they are not willing to guarantee that they will pay this back at this time. This is a risk for the LTC. Freeman Gulch Segment 1 will be a beneficial project to Inyo and Mono Counties. It is located south of the US 395 split and includes the east bound intersection of SR 178.

Doug Thompson stated there are three MOU projects. The one that is the most viable is the South Project. The Olancho-Cartago project, we've been fighting that thing for years. Just when the funding cycle comes around it gets taken away and pushed down the road another five

years. We are at risk of having to do another EIR and we are still not sure of what the alignment is going to be. The Olancha Cartago Archaeological Pre Mitigation component will cost Inyo \$2 million in SHIP shares and has a total cost of \$5 million. We are committing to this kind of money and we haven't finalized what the final alignment is going to be. So, we are committing a lot of money. If there is no solution 5, 10, 15 years down the road then this funding may not be enough. The third element, SR 46 and 58, those projects are critical to Kern County's corridor with connecting to Bakersfield and Interstate 5. Is the State going to be willing to spend any more money over here? We need to look at the long term to make sure that these funds will come back. We could take these projects and break them up into 3 or 4 parts to make this easier on the funding partners. We would then be in the same position as Kern is now with the Freeman Gulch project. So, Olancha-Cartago was kept as one whole project because we thought that was the right thing to do but we might have been wrong on that.

Brian Winzenread from Caltrans stated that with Olancha-Cartago what is going on is that they are not deleting the funding; they are rescinding the funding for a funding cycle. Caltrans has gone through this over and over again on other projects. The funds in the future are pushed out to the future as we go through these cash flow problems. Caltrans is not stopping work on any of the projects. Caltrans has not stopped any work on this project. The Final environmental document should be released soon. The State Programming Office has every intention to make the MOU funding partnerships whole again or pay back what they have borrowed. All indications are that Caltrans wants them to move forward.

Caltrans staff has seen this before when funding for projects was not in the right spot. We can only assume that the STIP funds will return. Freeman Gulch is ready to go out to bid. With the effort that was started in 1955 with the four lane corridor, it's been amazing what has been accomplished with the safety of the US 395/SR 14 corridor. This is just another bump in the road. There is never a solid commitment with these projects and you don't know what the future will hold. Caltrans in partnership with the Inyo LTC have delivered a successful program over the years. With Olancha-Cartago we are continuing to move forward. We are moving forward with our projects, it's just the construction funding is being held up for now. With that we are hoping to work with the other Counties to focus on our corridor projects.

Courtney mentioned that he didn't mention in his report that the Inyo LTC is proposing to add in the South Lake Federal Lands Access Program project match as a project in the Revised RTIP. The Inyo County LTC, even after funding Freeman Gulch Segment 1 construction and programming about \$1.5 million for the South Lake Road match easily meets its STIP share deletion targets. Staff didn't propose this with the first RTIP since there was no additional funding but since the funding has been rescinded we are hoping to move the project forward. Staff believes the CTC will look favorable towards the South Lake Road project since this will leverage about \$10 Million of Federal Funds.

Brian Winzenread stated that the State is still supporting the MOU projects. Caltrans Programming is not saying no, they are stating that we currently have a funding issue and these are the things that we have to look at. District 9 staff has been working with Inyo, Mono and Kern to see how we can continue to move forward on this.

Gerry LeFrancois from the Mono County LTC stated that Mono County's position was to move forward with Freeman Gulch Segment 1. Our Commission's point is that if we do nothing then nothing happens and to do nothing is not moving at all. Freeman Gulch is very close to construction and they feel that at least the tourist visiting Inyo and Mono Counties will be getting something.

Mono County does have a concern with Kern County paying back their STIP shares. There really is no guarantee and the Mono LTC is willing to take that chance. In the past the MOU shares have been altered to fit funding needs and the State has always made their portion whole. It is very important that the design and archeological components on Olancho Cartago are still programmed. Mono had an MOU project but appreciated that District 9 was able to fund the High Point Curve Correction Project around Topaz Lake as a SHOPP project. This freed up funds for other MOU projects. District 9 is beating the bushes trying to figure out how to fund these projects. Without the State's money none of these projects would survive. We don't know what the future will hold; these projects would be dead without the State's money.

Motion to approve Resolution No. 2016-02 was made by Bob Kimball and seconded by Rick Pucci. Motion carried 5-1.

ITEM NO. 5: Request Commission approve the submittal of the attached letter regarding cuts to State Transportation Improvement Program to Assemblyman Devon Mathis and the California Legislature.

This letter talks about the STIP funding shortfall and the effects that this has had on Inyo County and on MOU projects in the US 395 and SR 14 corridor. This letter was suggested by the Rural County Task Force as support to one of the funding fixes proposed by the California Legislature. The goal of the letter is to inform the Legislature about the impacts STIP funding shortfall has had on the Inyo County program of projects. The letter states the LTC's support for more stable funding on the STIP.

Motion to approve the submittal of the letter to the Legislature regarding cuts to STIP made by Joe Peci and seconded by Bob Kimball. Motion carried 6-0

DISCUSSION ITEMS

ITEM NO. 6: Receive the second quarter invoice of Rural Planning Assistance funds in Fiscal Year 2015-2016.

This is information only. After the second quarter from October 1st through the end of December the expenditures of the LTC have been right on course with about 50% Rural Planning Assistance Funds being expended.

INFORMATIONAL ITEMS

ITEM NO. 7: ESTA Report

John Helm stated that there are two things that ESTA would like to update the Commission on. First, ESTA has started a new service to Cerro Coso Community College. ESTA will be running an additional service and fare promotions to try to encourage students to use the transit system to get to and from the college. The service has been in operation for about a month and it appears that there is an “up” trend in the usage of the service. The new trip that was added was an additional trip up and back at night. That time frame is when afternoon classes have ended and evening classes are beginning. The new service appears to be successful at this point and it will run through the spring semester and will end in mid-May when that term is up.

The second item is the upcoming Social Service Advisory Council meeting. The result of this meeting will be presented to the LTC later this spring as part of the unmet transit needs hearing process.

ESTA staff is working with a consultant to prepare a draft update the Short Range Transit Plan (SRTP) and this should be released for public review soon. ESTA plans to give presentations on the SRTP to the ESTA Board and the LTC next month. This is a five year plan for the delivery of transit services in the Eastern Sierra. The SRTP is an important background document for several types of grant applications that require the proposed projects to be described in the SRTP.

ESTA is investigating a grant application opportunity for FTA Section 5311f, Inter City service. This source is the key fund source for the Lancaster to Reno service. ESTA is pursuing funds to expand the service to five day a week for both north and south bound trips. If ESTA is successful with this grant application the expanded service could launch as early as July this summer. ESTA has had requests for this service and up until this point the challenge has been the money but there is a new avenue that could bring the additional funding needed for this service.

ESTA staff had discussion with Bob Ennis in the Lone Pine area regarding service on the Whitney Portal road this summer. There is going to be major construction on this road which will affect access for everyone going up and down this road. There is a potential for some form of transit access to this road other than passenger vehicles because access to the road and parking at the Portal are going to be tested during construction. Mr. Ennis has indicated that he is interested in providing service to this area and the details for this are still being worked out. He is in conversation with member of the Forest Service as well. ESTA is staying in touch with Mr. Ennis to see what service or assistance ESTA can offer for that area.

ITEM NO. 8: Tribal Report – None

ITEM NO. 9: Caltrans Report –

Ryan Dermody stated the SR 168 sidewalk west of town is mostly complete. It is technically in winter suspension right now. There is some asphalt work to be done once the temperatures get warmer to tie in with the curbs and gutters.

For many years District 9 was tied into Fresno and our Capital deliver program was tied into Fresno and late last year we were able to break away from Fresno as a separate district. As part of that District 9 is now serving Eastern Kern County. Bryan Winzenread is in charge of this territory so if you have any questions, call Bryan.

Next month we will come back with our annual construction map with what will take place in the area and where you can expect to be held up as the crews work on these projects. We will also have the quarterly report and will talk about the various project statuses and where things are. Also, we will present an annual update to area traffic count data.

Brent Greene brought up some of the transportation points that were brought up in Sacramento. The Transportation Housing Committee met yesterday and the topic was the reduced funding in the STIP. This meeting was attended by both regions and locals and rurals all the way up to the major cities. Larger Counties have been able to identify funding through sales taxes measures tied to specific projects. The way that the STIP has deteriorated more of these funds are going towards maintenance and cleanup of our roads and safety and things of that nature. When the constituents give their money they want to see improvements and not necessarily maintenance of the roads. They realize that the rural Counties are taking a bigger hit. Whether it is the rural or the urban areas, as it has been discussed today, the leveraging that they can do is sometimes two or three times the value of our dollar. So they are even more passionate in some ways than we are in losing this money. In some areas this is going to create layoffs and lose projects where \$20 to \$30 million dollars has already been spent. Another comment that was made is that one of the problems with that way that transportation funding is going now is that some of the money that was committed to transportation has been diverted to non-transportation uses. Both the Legislative bills and the Governor's proposal are trying to correct that. The Governor's proposal will bring in \$3.7 billion dollars a year, Senator Beall's bill will bring in \$6 million dollars a year and Assemblyman Frazier's bill will bring in \$7 million dollars a year so we are talking about a large amount of funding. These will definitely fix the problem in the short term. This will take a 2/3's vote to pass.

Joe Peci asked if this will cause an increase in the gas tax. Brent explained that the excise tax will go back to the flat rate, basically \$.18 across the board. The diesel tax will come back to us and the vehicle registration fees will increase. Weight fees will come back that are currently being used to pay back bond debt. It's a combination of things that will bring this money back.

The Federal government recognizes that we need something sustainable. Across the board it recognizes that we do need something sustainable to resolve the problem.

There is definitely a desire to fix the problem. So keeping the MOU is very important. Courtney has done a fantastic job in his efforts to keep this together.

Rick Pucci complimented Caltrans District 9 with the work that they have completed in our area and thanked them for their continued efforts.

Bob Kimball said that he is anxious to see the Olancha Cartago project completed. If it gets pushed out another 6 years, he is running out of time!

It was noted that the new Bishop ADA project is paid out of a separate fund and will not be affected by the funding shortfall of the STIP.

ITEM NO. 10: City of Bishop Report

Deston Dishion –There has been a consultant crew out checking the sidewalks for ADA compatibility. The City is looking forward to working with Caltrans on its downtown ADA project. City staff has been working with Caltrans staff to figure out the old infrastructure of the City meshes with the new project.

The City still not heard anything from DWP on the Seibu to School project.

ITEM NO. 11: Executive Director’s Report – 2016 STIP Update

Courtney stated that Clint sends his regrets; he had a conflicting meeting in his schedule today. He thanked John Helm for touching on a couple topics that he was going to review - the upcoming meeting of the Social Service Transit Advisory Council and the Whitney Portal road construction project. The County will also bring forward a quarterly report at the next meeting. The County is also initiating its ADA transition plan reviewing pedestrian facilities. Also, the bids came in on the Ed Powers Bike Lanes project so that’s moving forward, also Dehy Park.

ITEM NO. 12: Reports from members of the Inyo County LTC

Joe Peci mentioned that he hoped the downtown sidewalk ADA project is considering the Praxis cable project. This subject was brought up at a Town Hall meeting.

Pat Gardner stated that she walked the new sidewalk on West Line Street and was pleased with the project results. She did notice that there were a few kids that don’t use the sidewalk, they walk in the dirt. She noticed people using it more that it was used before. She also noticed that when she walked by the bus stop that there was not a phone number or the phone app. John Helm noted that bus shelter belonged to the Tribe and not ESTA. He will consult with the Tribe to address this.

CORRESPONDENCE

None

ADJOURNMENT

Pat Gardner adjourned the meeting at 10:07 a.m.

The next LTC meeting is going to be held on March 16th in the City of Bishop Council Chambers.

Attest:

Clint Quilter
Executive Director

By: Denise Hayden, Secretary