Meeting Agenda

Friday, July 21, 2017
Time: 10:00 a.m.

THIS IS A PHONE CONFERENCE MEETING

Teleconference Number: 1-515-739-1015
Participant Code: 432-600-639

A. CALL TO ORDER AND INTRODUCTIONS

B. DISCUSSION/ACTION ITEMS

1. Valley Legislative Affairs Committee
   a. Discuss and Consider Approving the Legislative Platform for Valley Voice Washington D.C. 2017 (Sep. 6 & 7)
   b. Review Valley Voice Itinerary and Logistics

2. Establishing an Executive and Water Policy Committee
   Discuss and Consider Approving the Creation of Two Standing Committees to the Regional Policy Council

3. California Transportation Commissioner Vacancy
   Discuss and Consider Nominations from the San Joaquin Valley

C. PUBLIC COMMENT

This portion of the meeting is reserved for persons wishing to address the Council on items within its jurisdiction but NOT on this agenda. Public Comment will be allowed during the Discussion/Action Item above.
FEDERAL AVIATION ADMINISTRATION’S PROPOSED RULE (78 FR 69789)

REQUEST:
Support H.R. 4441 to re-establish Congressional intent and 29 years of federal interpretation that the limitation on the use of sales tax collected on aviation fuel for airport purposes is applied to excise taxes on aviation fuel only, and not to general sales taxes that states and localities impose on all goods.

BACKGROUND:
Regional planning and programming is the cornerstone of an innovative, successful national transportation system. Metropolitan Planning Organizations (MPOs) are uniquely situated to maximize federal and state funding for transportation projects. Through the partnering of MPOs with Federal and State Transportation Agencies, MPOs can raise local sales tax and other revenues to be used on federal or state highway systems, extending the opportunities for the federal and state governments to provide needed capacity and maintenance projects. This is true for transit, bike and pedestrian routes and other forms of transportation as well. Taking a portion of local sales tax by federal agencies threatens local projects and sets a precedent that could make it hard to pass local sales tax measures in the future.

There is a potential loss of funding triggered by a Federal Aviation Administration (FAA) rulemaking finalized on December 8, 2014 (79 FR 66282) that, in our view, misinterprets a statute related to taxes on aviation fuel. As Congress develops a framework to consider an FAA Reauthorization bill, we request inclusion of language to affirm that it was never the intention of Congress to divert general sales tax revenue to airports. This change will preserve the trust voters have placed with their local governments and transportation agencies when approving local tax measures.

As stated in the conference report for the 1987 amendments to the FAA statute, the requirement that local taxes on aviation fuel must be spent on airports “is intended to apply to local fuel taxes only, and not to other taxes imposed by local governments, or to state taxes.” FAA’s interpretation reverses a long standing view held by state and local tax officials alike that “local taxes on aviation fuel” is limited to fuel taxes, and does not include state sales taxes that extend to aviation fuel.

The impact of the FAA’s change in interpretation represents a major intrusion of federal power over state and local decision-making, including the explicit will of the voters with respect to voter-approved measures, raising significant constitutional questions of federalism. When voters approve a tax increase, the expect all of the revenue generated from that tax to be spent as described in the ballot measure. The FAA ruling would divert significant proceeds from these voter-approved measures to purposes not authorized by the voter. Lastly, the ruling imposes a significant unfunded mandate on local agencies due to the fact that the sale of aviation fuel is not segregated from other taxable sources so compliance will require a complicated, new tracking system.

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BUY AMERICA WAIVERS

REQUEST:
Expedite the Federal Transit Administration and Federal Highway Administration review and approval of Buy America waiver requests in the San Joaquin Valley.

BACKGROUND:
The Buy American provision requires that federal tax dollars used to purchase steel, iron, and manufactured goods (including rolling stock purchases and capital leases) in a project are produced domestically in the United States. Necessary component of fleet vehicles or construction materials such as the bristles on a street cleaning truck are often unable to be manufactured domestically due to the production costs or resource availability. Therefore, recipients of FHWA and FTA grants to purchase certain vehicles or materials must complete a Buy American waiver to receive funds.

SUMMARY:
If the Buy America waivers are not reviewed or approved in time for FHWA or FTA aware deadlines, the grant recipients must forfeit the award and are unable to leverage federal funding toward their project. We request that the FHWA and FTA review the Buy America waiver requests that have been submitted from the San Joaquin Valley this fiscal year, and the determinations be published in the Federal Register as soon as possible.

The following list details 63 current projects totaling $14.9 million awaiting waiver determinations:

<table>
<thead>
<tr>
<th>PROJECT</th>
<th>COUNTY</th>
<th>COST ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alternative Fuel School Bus</td>
<td>Tulare</td>
<td>$140,000</td>
</tr>
<tr>
<td>28 CNG Refuse Trucks</td>
<td>Tulare</td>
<td>$9,260,000</td>
</tr>
<tr>
<td>Alternative Fuel Vehicles</td>
<td>Kings</td>
<td>$120,000</td>
</tr>
<tr>
<td>CNG Site Expansion – Two Compressors</td>
<td>Kings</td>
<td>$200,000</td>
</tr>
<tr>
<td>EV Charging Station</td>
<td>Kings</td>
<td>$45,600</td>
</tr>
<tr>
<td>Street Sweeper</td>
<td>Kings</td>
<td>$230,178</td>
</tr>
<tr>
<td>Two (2) CNG Trucks</td>
<td>Kings</td>
<td>$493,930</td>
</tr>
<tr>
<td>Fuel Efficient Street Sweeper</td>
<td>Fresno</td>
<td>$250,000</td>
</tr>
<tr>
<td>11 CNG School Buses</td>
<td>Fresno</td>
<td>$2,257,988</td>
</tr>
<tr>
<td>Two (2) Clean Diesel School Buses</td>
<td>Fresno</td>
<td>$380,000</td>
</tr>
<tr>
<td>CNG Street Sweeper</td>
<td>Madera</td>
<td>$313,000</td>
</tr>
<tr>
<td>Two (2) Fuel Efficient Street Sweeper</td>
<td>Madera</td>
<td>$550,000</td>
</tr>
<tr>
<td>Clean Diesel Sewer Truck</td>
<td>San Joaquin</td>
<td>$205,000</td>
</tr>
<tr>
<td>Nine (9) CNG School Buses</td>
<td>San Joaquin</td>
<td>$481,500</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$14,927,196</strong></td>
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7.13.17
CLEAN AIR ACT MODERNIZATION

REQUEST:
Support the Ozone Standards Implementation Act of 2017 (H.R. 806, S. 263 and S. 452) that contain elements of the Valley’s Clean Air Act Modernization proposal.

BACKGROUND:

(Federal) Fair Application of Clean Air Mandates: The San Joaquin Valley has left no stone unturned in promulgating and implementing measures to reduce emissions from sources of air pollution under its regulatory authority. The San Joaquin Valley Air Pollution Control District has also deployed innovative measures to reduce emissions from mobile and indirect sources of air pollution that fall outside its traditional regulatory authority with stationary sources. We have reached a point where the Valley cannot attain the health based standards established under the Federal Clean Air Act without significant reductions in emissions from mobile sources that fall under federal jurisdiction. With the newly established federal standards many other regions throughout the nation will find themselves in a similar situation. It is unfair that under the current law, local jurisdictions will be subject to devastating federal sanctions even though failure to attain the standards is due to emissions from sources under federal jurisdiction. These federal sanctions include:

- De facto ban on new or expanding businesses (2:1 off set requirement)
- Loss of federal highway funds ($2.5 billion and loss of significant jobs in the San Joaquin Valley)
- Federal take over and loss of local control
- Expensive non-attainment penalties

Therefore, we ask that an overriding provision be included in federal law to prohibit imposition of federal sanctions on local regions where their inability to attain federal standards is due to pollution from sources outside their regulatory authority.

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559-230-6000
REDUCTION IN EMISSIONS SOURCES UNDER FEDERAL CONTROL

REQUEST:
• Support the San Joaquin Valley Air Pollution Control District petition requesting that EPA adopt new national standards for on-road heavy-duty trucks and locomotives under federal jurisdiction.
• Establish a National Clean Air Investment Fund to accelerate the deployment of low-emission vehicles in a timeframe that will allow the Valley to meet National Ambient Air Quality Standards, protect public health, and avoid federal sanctions that will have a devastating impact upon the region.

BACKGROUND:
In addition to the many attainment plans that have already been developed and implemented, the San Joaquin Valley is mandated under the Clean Air Act to develop and adopt a number of new ozone and particulate matter plans in the coming years. The degree of difficulty faced by the Valley in meeting the new federal ambient air quality standards are unmatched by any other region in the nation. Attainment of the latest standards will require transformative changes and development of innovative control strategies to significantly reduce emissions from mobile sources, which now make up over 85% of the Valley’s NOx emissions.

Over the next few years, the Valley must adopt a number of attainment plans to address the following standards:
• 2006 PM2.5 Standard (35 μg/m3 24-hr and 15 μg/m3 annual)
• 2012 PM2.5 Standard (12 μg/m3 annual)
• 2008 Ozone standard (75 ppb 8-hr)
• 2015 Ozone Standard (70 ppb 8-hr)

Despite achieving significant emissions reductions through decades of implementing the most stringent stationary and mobile regulatory control program in the nation, NOx emissions (primary precursor for both ozone and PM2.5) in the San Joaquin Valley must be reduced by an additional 90% in order to attain the latest federal ozone and PM2.5 standards that now encroach on natural background levels. This air quality challenge is unmatched by any other region in the nation.

The District has jurisdiction over stationary and area sources, which make up less than 15% of the total NOx emissions inventory (Figure 1). The remainder of emissions are associated with mobile sources, the majority of which fall under federal control. The Valley will leave no stone unturned in seeking additional reductions from stationary sources of emissions.

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FARM TO MARKET ROUTES

REQUEST:

Support funding for maintenance of critical farm to market routes that have heavy truck traffic, through a set-aside in the next Transportation or Farm Bill.

BACKGROUND:

The San Joaquin Valley is the most productive agricultural region in the world, producing over 360 ag commodities. It is the heart of California’s robust agricultural economy and is a leading producer of almonds, tomatoes, grapes, milk and many others. California’s dairy industry generated $6.2 billion for milk production in 2016, accounting for 19% of all milk produced in the United States. Tulare and Merced counties are the top two dairy producing counties in the state, accounting for a combined 43% of its dairy production.

There are at least 775 dairies in the Valley transporting millions of pounds of milk and milk products per day, which travel on local county and city roads in order to connect to the State Highway system. Unlike other agricultural goods with a short, defined harvest season, dairies must transport their products off site every day, causing significant strain on frequently traveled roadways and accelerating the pavement’s lifespan. According to Caltrans, a fully loaded dairy truck can weigh up to 80,000 pounds. A roadway carrying 500 trucks per day is comparable to 5 million vehicle passenger cars trips per day.

The San Joaquin Valley is also home to many milk processing facilities. California Dairies, Inc. with headquarters located in Visalia, CA is the second largest dairy processing cooperative in the United States, shipping 17 billion pounds of milk annually. Many of the San Joaquin Valley counties are concerned about the localized impacts to our roads while the milk products, along with many other Valley produced commodities, are transported for global consumption.

The concern over road conditions in rural areas extends to all agriculture areas where there is significant truck traffic supporting national and international transport of agricultural commodities and a significant lack of funding options for road maintenance.

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GOODS MOVEMENT

The San Joaquin Valley is a major generator of economic activity within California. Its dominant industries include agriculture, food production, energy, and construction, among many others. The San Joaquin Valley is California’s fastest growing region and the nation’s number one agricultural producer, generating more than $35 billion in the gross value of agricultural commodities such as nuts, lettuce, tomatoes, wine, grains and other products. As a growing and diversified region, the Valley depends on an efficient goods movement system for its long-term economic success and to safely move resources out of the Valley and on to the rest of the nation.

REQUESTS:

- Support FAST Act discretionary freight programming (INFRA) for regionally significant projects in the San Joaquin Valley with the following considerations:
  - Provide additional consideration for grant applications from non-attainment areas.
  - Emphasize safety as a key criterion for application evaluation.
  - Keep the required match at an attainable level for rural disadvantaged communities.
- Support policy and funding for priority projects identified in the ongoing San Joaquin Valley Interregional Goods Movement planning processes.

<table>
<thead>
<tr>
<th>Priority Goods Movement Projects</th>
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<tbody>
<tr>
<td><strong>San Joaquin County, SR 120</strong> - Widen freeway from I-5 to SR 99. Construct connector ramps and bridges, total cost $116M</td>
</tr>
<tr>
<td><strong>Stanislaus County, SR 99/SR 132</strong> - Construct SR 99/SR 132 freeway to interchange and SR 132/Carpenter Road interchange, total cost $260M</td>
</tr>
<tr>
<td><strong>Merced County, SR 99</strong> – Widen freeway to 6 lanes from Hammatt Ave. to Stanislaus County line, total cost $64 M</td>
</tr>
<tr>
<td><strong>Madera County, SR 99</strong> - Widen freeway to 6 lanes from Ave 12 to Ave 17, total cost $62.5M</td>
</tr>
<tr>
<td><strong>Fresno County, Veterans Blvd</strong> – Construct interchange at SR 99 for future expressway, total cost $44.5 M</td>
</tr>
<tr>
<td><strong>Kings County, SR 41</strong> – Widen conventional highway to a 4 lane expressway From the Kings/Fresno County line to Elkhorn Ave, total cost $40.6M</td>
</tr>
<tr>
<td><strong>Tulare County, SR 99</strong> - Widen freeway to 6 lanes from Caldwell to Prosperity, total cost $80M</td>
</tr>
<tr>
<td><strong>Kern County, SR 58/SR 99</strong> - Construct connector ramps and bridges, total cost $150M</td>
</tr>
</tbody>
</table>
San Joaquin Valley Goods Movement Facts

- 25 Percent of all food in the United States comes from the San Joaquin Valley.
- Over 500 million tons of commodities are transported in the San Joaquin Valley annually; projected to increase to 800 million tons by 2040.
- Trucks are the dominant mode and account for 92 percent of all freight movement.
- State Route 99 and Interstate 5 serve as the backbone to our goods movement system and have higher than average truck percentage volumes. State Route 99 and Interstate 5 are on the National Primary Freight Network.
- Lack of capacity for both State Route 99 and Interstate 5 results in congestion, fatal accidents, and poor air quality for the region.
- Over 44 percent of all employment in the San Joaquin Valley is associated with goods movement-dependent industries. This percentage is higher than goods movement related employment in all other regions of California.

BACKGROUND:
The eight San Joaquin Valley Regional Planning Agencies continue to work in partnership with Caltrans and key private stakeholders to promote freight movement and economic development for our region. The San Joaquin Valley Interregional Goods Movement Plan, finalized in 2013, highlighted how freight movement is a vital component of the San Joaquin Valley’s diverse economy and was updated in 2017 with additional analysis for priority rural and urban corridors, first-and-last mile connectors, truck parking and further refinement of coordinated priority projects across the region. It is anticipated that many of the priority projects identified through our planning efforts will also be eligible for FASTLANE competitive and discretionary funding.

State Route (SR) 99 and Interstate 5 (I-5) are critical arteries for goods movement in the State of California and the San Joaquin Valley. SR 99 and I-5 carry the highest volumes of trucks in the Valley and in some locations, among the highest volumes in the state. This is a reflection of the traditional north-south orientation of freight flows in the Valley, associated with the through routing of trucks to connect the major coastal urban areas to the north and south of the Valley, the north-south orientation of the Valley’s major urban centers, and the need to access major east-west interstate connections north and south of the Valley itself. Deferred maintenance and the lack of capacity are major issues for SR 99 and I-5. Capacity upgrades for SR 99 to a minimum of six lanes throughout the Valley total approximately 110 miles estimated at $1.6 billion (Caltrans estimate 2014).
Additionally, east-west rural corridors, first-and-last-mile connectors, multimodal facilities and the Port of Stockton play a critical role in supporting the Valley’s goods movement network.

**San Joaquin Valley goods movement interregional infrastructure system:**

- 31,420 roadway miles
- Two major Class 1 railroads (BNSF Railway & Union Pacific)
- Short line and regional railroads
- The Port of Stockton
- Seven air cargo airports
- Several existing and planned multimodal transfer facilities

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REGIONAL TRANSPORTATION PLAN CYCLE

REQUEST:
Support legislation authorizing the option of updating Regional Transportation Plans at least once every 10 years.

BACKGROUND:
Under Title 23 U.S.C. Section 134(i)(1)(B), metropolitan planning organizations (MPOs) are required to update or produce a new Regional Transportation Plan (RTP) every four years. The RTP is a long-range, 20-year-plus master plan for the transportation network in a given region that includes a listing of all projects anticipated to receive federal funding.

RTPs are inextricably tied to the decennial U.S. Census by virtue of population forecasting. A time cycle that captures the most up-to-date Census data is a logical and reasonable extension of the planning process. Right now, the RTP routinely overlaps with the shorter-range Federal Transportation Improvement Program. The RTP is intended as a long-range document. This proposal would truly make it one.

The San Joaquin Valley Regional Policy Council endorses flexibility in the RTP cycle, not a mandate of a 10-year timeframe. Those MPOs whose circumstances dictate updating or developing new RTPs on a more frequent basis should certainly be allowed to do so.

Such a change also allows MPOs to more reasonably accommodate the costs associated with a new RTP. Under the four-year cycle, federal planning grants do not cover the costly transportation and air quality modeling expenses required to produce the document. Legal costs alone can inflate the budget by as much as 50 percent per cycle. Additional state and local funding must be used to cover these expenses.

Nationwide, as much as $80 million annually, or $320 million over a four-year cycle, could be redirected to additional planning work that MPOs are not able to address now or to programming additional infrastructure projects using state and locally generated funds.

The SJV Policy Council requests that Congress consider legislation to adjust this unnecessary and costly regulation. By allowing MPOs flexibility in producing their RTPs, the federal government stands to have better data while saving potentially tens of millions of dollars each year.

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GEOGRAPHIC AND SOCIO-ECONOMIC EQUITY IN TRANSPORTATION INFRASTRUCTURE GRANT PROGRAMS

REQUEST:
Provide special consideration for mid-sized, economically disadvantaged regions and non-attainment areas for infrastructure-related grant programs.

BACKGROUND:
Despite a collective population of more than 4 million people today, which is expected to grow to more than 5.4 million, or 26 percent of state population by 2050, jurisdictions in the San Joaquin Valley routinely have their projects overlooked during the competitive grant process, both by Caltrans and the Federal Highway Administration.

Accordingly, the SJV Policy Council recommends the following criteria be heavily weighted in future infrastructure-related grant programs:

1. **A community’s “economically disadvantaged” status**, as determined by factors such as:
   a. Areas disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation, and
   b. Areas with concentrations of people that are of low income, high unemployment, low levels of home ownership, high rent burden, sensitive populations, or low levels of educational attainment.

2. The Administration should consider employing grant criteria for “mid-range” applicants under the INFRA and TIGER programs, specifically for those municipalities or counties between 200,000 and 1 million in population.

3. **Public Health Outcomes**: The Administration should heavily weight non-attainment status under federal Clean Air Act regulations as a major criterion for infrastructure grants. Transportation projects with the potential to help improve air quality in regions that suffer from chronic health problems, such as high asthma rates, should be included among existing safety criteria.

SUMMARY:
Situated between the Bay Area and Southern California – neither entirely urban nor rural – and with economic and environmental conditions similar to the Appalachian region, the SJV should be provided greater opportunities to compete for available federal grant funding with larger metropolitan areas.

Owing to its status as the premiere agricultural provider in the nation, the SJV routinely faces 15 percent unemployment with 19 percent of the population classified as living under the federal poverty line. At the same time, however, the Valley’s housing affordability continues to attract new residents and road miles, which now number 31,400 or 18 percent of California’s total.

Logistics comprises one Valley economy’s fastest-growing segments and is quickly becoming the lifeline of farmers, manufacturers, oil providers and others who depend on infrastructure to move their goods to market. For the SJV to accommodate its anticipated growth, it will need to compete effectively for all available federal funding on a level playing field that considers its unique location and circumstances.
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All meeting times and participants are pending and subject to change.

**Tuesday, September 5th**

Arrive in Washington, DC

**Wednesday, September 6th**

*Meetings in 2103 Rayburn House Office Building, unless otherwise noted*

8:00 a.m. Travel to Rayburn House Office Building

8:30 a.m. Legislative Briefing

10:00 a.m. Department of Transportation (DOT)
Office of the Secretary
Office of Government Affairs
Build America Bureau
Federal Highway Administration (FHWA)
Federal Transit Administration (FTA)
Federal Railroad Administration (FRA)

11:00 a.m. House Transportation and Infrastructure Committee

12:00 p.m. Congressman Jerry McNERney

1:00 p.m. Lunch in Longworth House Office Building Cafeteria
1:45 p.m. Return to 2103 Rayburn House Office Building

2:00 p.m. **Congressman David Valadao**

3:00 p.m. **Congressman Devin Nunes**

4:00 p.m. **Environmental Protection Agency**

5:00 p.m. Adjourn

**Thursday, September 7th**

*Meetings in 2103 Rayburn House Office Building, unless otherwise noted*

8:00 a.m. Travel to Rayburn House Office Building

8:30 a.m. Legislative Briefing

9:00 a.m. **House Majority Leader Kevin McCarthy**

10:00 a.m. **Congressman Tom McClintock**

11:00 a.m. **Congressman Jeff Denham**

12:00 p.m. **Department of Agriculture**

1:00 p.m. Travel to Dirksen Senate Office Building

1:15 p.m. Lunch in Dirksen Cafeteria

1:45 p.m. Travel to Dirksen Senate Office Building
2:00 p.m. **Senate Environment and Public Works Committee**

2:45 p.m. Travel to 331 Hart Senate Office Building

3:00 p.m. **Senator Dianne Feinstein**

3:45 p.m. Travel to 112 Hart Senate Office Building

4:00 p.m. **Senator Kamala Harris**

5:00 p.m. Adjourn

**Friday, September 8th**

Depart Washington, DC
DATE: July 21, 2017

TO: San Joaquin Valley Regional Policy Council

RE: Establishing an Executive Committee and Water Policy Committee

Pursuant to the direction provided at your June 23, 2017 meeting, the bylaws of the San Joaquin Valley Regional Planning Agencies Policy Council have been revised to create two standing committees: An Executive Committee and a Water Policy Committee.

The language revisions to the bylaws are attached to this staff report and are provided below:

- **The Executive Committee of the Policy Council is created to take legislative and administrative actions on behalf of the Policy Council.** The Executive Committee shall consist of five (5) members of the Policy Council appointed for two years. The Chair of the Policy Council shall serve as the Chairperson of the Executive Committee. Membership of the Executive Committee shall include geographic representation from the northern San Joaquin Valley counties (San Joaquin, Stanislaus and Merced), the central San Joaquin Valley counties (Fresno and Madera) and the southern San Joaquin Valley counties (Kings, Tulare and Kern). The Executive Committee shall be operated in accordance with the Bylaws of the Policy Council.

- **The Water Policy Committee of the Policy Council is created to advise the Policy Council on local, state and federal matters of importance related to water infrastructure funding and policy.** The Water Policy Committee shall consist of five (5) members of the Policy Council appointed for two years. The Chair of the Policy Council shall serve as the Chairperson of the Water Policy Committee. Membership of the Water Policy Committee shall include geographic representation from the northern San Joaquin Valley counties (San Joaquin, Stanislaus and Merced), the central San Joaquin Valley counties (Fresno and Madera) and the southern San Joaquin Valley counties (Kings, Tulare and Kern). The Water Policy Committee shall be operated in accordance with the Bylaws of the Policy Council.

**Requested Action.** Discuss and consider approving amending the bylaws to create an Executive Committee and a Water Policy Committee.
WHEREAS, the eight Regional Planning Agencies in the San Joaquin Valley have executed a Memorandum of Understanding creating the San Joaquin Valley Regional Planning Agencies Policy Council, and

WHEREAS, the Memorandum of Understanding vests the Policy Council with the responsibility of overseeing the coordination efforts of Valley issues and concerns and providing guidance on common interregional policy issues, and

WHEREAS, the organizational structure, process and functions of the Policy Council are set forth within the Memorandum of Understanding:

THEREFORE, BE IT RESOLVED:

1. The By-Laws of the Policy Council shall be specified herein, except that these By-Laws shall not limit restrict, modify or supersede those activities or duties conferred or implied in the Memorandum of Understanding.

2. Membership of the Policy Council shall be as provided in the Memorandum of Understanding of September 9, 2009.

3. The Policy Council, as per the Memorandum of Understanding, shall provide guidance on common interregional policy issues. The Policy Council shall also represent the San Joaquin Valley at public forums, including before the California Transportation Commission, the Governor and his/her administration, and before State and Federal legislative bodies that require a common voice. The Policy Council shall also provide direction and guidance to the Regional Planning Agencies Executive Directors Committee on the development of an Annual Work Program and Budget for activities to be carried out jointly, including identifying revenue for the implementation of these activities.

4. The Executive Committee of the Policy Council is created to take legislative and administrative actions on behalf of the Policy Council. The Executive Committee shall consist of five (5) members of the Policy Council appointed for two years. The Chair of the Policy Council shall serve as the Chairperson of the Executive Committee. Membership of the Executive Committee shall include geographic representation from the northern San Joaquin Valley counties (San Joaquin, Stanislaus and Merced), the central San Joaquin Valley counties (Fresno and Madera) and the southern San Joaquin Valley counties (Kings, Tulare and Kern). The Executive Committee shall be operated in accordance with the Bylaws of the Policy Council.

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6. The Policy Council shall have the ability to form additional committees and/or subcommittees, either formally or ad hoc, as deemed necessary.

7. The Policy Council shall meet at least twice each fiscal year, at such time and location as may be prescribed by vote of the membership at a previous meeting. If no time or location is so prescribed, the Chairman, or his representative, shall be authorized to fix said meeting time and location. Accommodations shall be made so that members may officially participate in all meetings through the use of video-conferencing and/or telephone conference facilitation.

Special meetings may be called by the Chairman or his representative at any time. The members shall be notified in writing and via FAX or e-mail of all special and regular meetings; written nature of meeting shall be forwarded by first class mail or other appropriate means not less than five days prior to the meeting.

All regular and special meetings shall be conducted in accordance with the Ralph M. Brown Act, as amended.

Except as provided herein or in the Memorandum of Understanding, the most recent edition of Robert's Rules of Order shall constitute the parliamentary authority for the Council.

Items of an emergency nature, which require immediate action by the Council, may be added to the agenda in accordance with the provisions of Government Code Section 54954.2.

8. The duly authorized representatives of a majority of the members shall constitute a quorum for the transaction of all business of the Council. No action shall be taken except upon a majority vote 2/3 of those present and voting.

9. Officers of the Policy Council shall consist of a Chairman and Vice-Chairman, who shall be elected from the duly authorized representatives of member regional planning agencies. Their duties shall be as follows:

   a. Chairman: To preside over all meetings, maintain order, decide questions of parliamentary procedure, call special meetings, and such other duties as elsewhere herein provided.
   b. Vice-Chairman: To perform the duties of the Chairman in the absence of such officer or upon disqualification of such officer.

10. Nomination and election of officers shall be held in July, at the beginning of each fiscal year, or at the first meeting subsequent to July, and such officers shall serve a one-year term. Any vacancy during the term shall be filled by nomination and election of such officer for the remainder of the term.
11. Nominations may be made either by a committee appointed by the Chairman or directly from the floor by duly authorized representatives.

12. An election for each office, beginning with that of Chairman, shall be held immediately after all nominations have been declared closed by the Chairman. If there is more than one nominee for any office, voting shall be by roll call of all duly authorized representatives.

13. Officers shall take office immediately after their election or as soon thereafter as practicable, and serve until disqualified or their successors are duly elected, whichever condition occurs first.

14. The Policy Council shall be responsible for making all amendments to these By-Laws.
   a. Proposed amendments may be originated by the any duly authorized representative to the Council.
   b. Proposed amendments may not be finally acted upon unless all of the members have been given written notice thereof at a prior meeting or by mail at least 15 days prior to the date of the meeting at which final action is to be taken.
   c. Amendment to these By-Laws shall require the approval of a majority of the duly authorized representatives of the members, the same number of members that constitute a quorum for the transaction of all business of the Council.

15. The San Joaquin Valley Regional Planning Agencies Executive Directors Committee, as specified in the Memorandum of Understanding, shall select a Chairman and Vice-Chairman in July of each year from among its members. The duties of the Executive Directors Committee shall be:
   a. To hold meetings and conduct business as deemed appropriate under the Memorandum of Understanding.
   b. To recommend agenda items for the Policy Council’s regular agenda.
   c. To be the primary advisory body to the Policy Council, with review and recommendation, on all items appearing on its agenda, including but not limited to, the annual work program and budget, reports, studies, plans and policy items.
   d. To continue to provide coordination and direction on all administrative work required to carry out the development of plans that address interregional issues.
   e. To implement the annual work program and budget as approved by the Policy Council.

16. The Executive Directors Committee shall have the ability to form additional committees and/or subcommittees, either formally or ad hoc, as deemed necessary.

17. The Executive Directors Committee shall hold regular meetings, at such time and location as may be prescribed by vote of the committee members. If no time or location is so prescribed, the Chairman, or his representative, shall be authorized
to fix said meeting time and location. Accommodations shall be made so that members may officially participate in all meetings through the use of video-conferencing and/or telephone conference facilitation.

Special meetings may be called by the Chairman or his representative at any time.

All regular and special meetings shall be conducted in the following manner:

- Posting an agenda at least 72 hours prior to a meeting of the Directors
- Providing the agenda packet to those who request it
- Holding meetings at a location that complies with the American’s with Disabilities Act

Except as provided herein or in the Memorandum of Understanding, the most recent edition of Robert’s Rules of Order shall constitute the parliamentary authority for the Committee.

Items of an emergency nature which require immediate action by the Committee may be added to the agenda upon concurrence of a majority vote of the members, once a quorum has been established.

18. Business may be conducted when there are at least five (5) members present to perform the duties of the Executive Directors Committee. Any motion or action of the Executive Directors Committee, in order to be deemed carried or approved, must receive an affirmative vote from a majority of the members present.

19. All administrative work of the Policy Council shall be performed by or under the direction of the Executive Directors Committee. The Executive Directors Committee, or its designee, shall:

   a. Serve as Secretary to the Policy Council.
   b. Serve as Secretary to such committees as the Council may establish.
   c. Keep a good and sufficient record of the proceedings and business of the Policy Council.
   d. Maintain files for all reports, correspondence and other business of the Council.
   e. Maintain a record of all financial transactions.
   f. Perform such other duties as may be assigned.
DATE: July 21, 2017

TO: San Joaquin Valley Regional Policy Council

RE: California Transportation Commission Vacancy

The California Transportation Commission (CTC) is responsible for the programming and allocating of funds for the construction of highway, passenger rail, active transportation, aeronautics, and transit improvements throughout California. The CTC also advises and assists the Secretary of the California State Transportation Agency (CalSTA) and the Legislature in formulating and evaluating state policies and plans for California's transportation programs.

The CTC consists of eleven voting members and two non-voting ex-officio members. Of the eleven voting members, nine are appointed by the Governor, one is appointed by the Senate Rules Committee, and one is appointed by the Speaker of the Assembly. The two ex-officio non-voting members are appointed from the State Senate and Assembly, usually the respective chairs of the transportation policy committee in each house.

There is currently one vacancy on the CTC. The current vacancy is a Governor appointment. The position was last held by Darius Assemi of Fresno. At your June 23, 2017 meeting, it was requested that this item be brought back to the Regional Policy Council for further deliberation and action related to a nomination from the San Joaquin Valley. To date, the following individuals, to our knowledge, have submitted their names for consideration for the CTC vacancy:

- Darius Assemi: Fresno Home Builder, Farmer and Philanthropist
- Allen Ishida: Former Tulare County Supervisor, Farmer
- Paul Konynenburg: Stanislaus County farmer, Transportation Advocate (Measure L)

**Requested Action.** Discuss and consider sending a letter to the Governor related to appointing someone from the San Joaquin Valley to the California Transportation Commission.