

San Joaquin Valley Regional Agencies' Directors' Committee

Meeting Agenda

Wednesday, March 5, 2025

10:00 am

Via Zoom:

Join Zoom Meeting

<https://us06web.zoom.us/j/88078420894?pwd=HyBPTlcRBZl4L4jeoa5uQkbpbSiJue.1>

Meeting ID: 880 7842 0894

Passcode: 426454

One tap mobile

Phone: 1 (669) 444-9171

Yes	No	Director Agency	Yes	No	Director Agency
<input type="checkbox"/>	<input type="checkbox"/>	Robert Phipps Chair Fresno COG	<input type="checkbox"/>	<input type="checkbox"/>	Diane Nguyen SJCOG
<input type="checkbox"/>	<input type="checkbox"/>	Stacie Guzman Vice Chair MCAG	<input type="checkbox"/>	<input type="checkbox"/>	Rosa De León Park Stan COG
<input type="checkbox"/>	<input type="checkbox"/>	Ahron Hakimi Kern COG	<input type="checkbox"/>	<input type="checkbox"/>	Ted Smalley TCAG
<input type="checkbox"/>	<input type="checkbox"/>	Terri King KCAG	<input type="checkbox"/>	<input type="checkbox"/>	Samir Sheikh SJVAPCD
<input type="checkbox"/>	<input type="checkbox"/>	Patricia Taylor MCTC	<input type="checkbox"/>	<input type="checkbox"/>	Stacey Mortensen SJJPA

APPROVAL OF MINUTES

Enclosure

- February 6, 2025, Directors' Meeting

Robert Phipps



DISCUSSION/ACTION ITEMS

- RTP/Sustainable Communities Strategies/Air Quality

Ryan Niblock



a. Update and discussion

- Budget, Policy, and Legislative Updates

a. State

Gus Khouri



b. Federal

Jen Covino



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- | | | |
|---|---|-------------------------------------|
| 4. 2025 Valley Voice Sacramento Trip | Gus Khouri &
Georgiena Vivian | <input type="checkbox"/> |
| 5. Policy Council Discussion Items
a. Bylaws and MOU Review | <i>Robert Phipps,
Stacie Guzman, &
Georgiena Vivian</i> | <input checked="" type="checkbox"/> |
| 6. Committee Updates
a. Valley Legislative Affairs Committee (VLAC)
b. SJV Swap Meet
c. Housing and Land Use
d. Travel Modelers Group | <i>Robert Phipps
Ofelia Abundez
Kim Anderson
Rob Ball</i> | <input type="checkbox"/> |
| 7. SJV REAP Program
Receive update | Michael Sigala &
Robert Phipps | <input type="checkbox"/> |
| 8. San Joaquin Valley Annual Policy Conference 2025
<i>(April 9-11, 2025, in Merced, CA)</i> | Stacie Guzman | <input type="checkbox"/> |

INFORMATION ITEMS

The following items are for informational purposes and require no action or vote. The individuals listed will provide a brief verbal update at the meeting.

- | | |
|---|---|
| 9. Caltrans Directors' Report | Michael Navarro, D6 &
Grace Magsayo, D10 |
| 10. California High-Speed Rail | Toni Tinoco |
| 11. San Joaquin Joint Powers Authority – Passenger Rail | Michael Hanebutt |
| 12. San Joaquin Valley Air Pollution Control District | Tom Jordan |
| 13. Miocar Car Sharing | Michael Sigala |
| 14. California Partnership for the San Joaquin Valley | |

OTHER ITEMS

15. Director Items
16. Public presentations for items not on the agenda.
This portion of the meeting is reserved for persons wishing to address the Committee on items within its jurisdiction but NOT on this agenda. Unscheduled comments may be limited to three minutes. The public may comment on listed agenda items as they are considered.
17. Directors' Only Session – **Scheduled**

ADJOURN MEETING

Next Directors' Meeting: Thursday, April 3, 2025

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Other Meeting Participants

Yes	No	Director Agency	Yes	No	Director Agency
<input type="checkbox"/>	<input type="checkbox"/>	Paul Herman Fresno COG	<input type="checkbox"/>	<input type="checkbox"/>	Dan Leavitt SJJPA
<input type="checkbox"/>	<input type="checkbox"/>	Simran Jhutti Fresno COG	<input type="checkbox"/>	<input type="checkbox"/>	Michael Hanebutt, SJJPA
<input type="checkbox"/>	<input type="checkbox"/>	Ofelia Abundez Fresno COG	<input type="checkbox"/>	<input type="checkbox"/>	Samer Shaath, CHSRA, SJJPA
<input type="checkbox"/>	<input type="checkbox"/>	Brenda Thomas Fresno COG	<input type="checkbox"/>	<input type="checkbox"/>	Georgiena Vivian, Valleywide Coordinator VRPA
<input type="checkbox"/>	<input type="checkbox"/>	Elizabeth Forte MCAG	<input type="checkbox"/>	<input type="checkbox"/>	Carolina Ilic, Valleywide Coordinator Staff VRPA
<input type="checkbox"/>	<input type="checkbox"/>	Meg Prince MCAG	<input type="checkbox"/>	<input type="checkbox"/>	Dena Graham, Valleywide Coord. Staff VRPA
<input type="checkbox"/>	<input type="checkbox"/>	Becky Napier Kern COG	<input type="checkbox"/>	<input type="checkbox"/>	Gus Khouri Khouri Consulting
<input type="checkbox"/>	<input type="checkbox"/>	Rob Ball Kern COG	<input type="checkbox"/>	<input type="checkbox"/>	Mitch Weiss Khouri Consulting
<input type="checkbox"/>	<input type="checkbox"/>	Jeff Findley MCTC	<input type="checkbox"/>	<input type="checkbox"/>	Jen Covino Covino, Smith & Simon
<input type="checkbox"/>	<input type="checkbox"/>	Troy McNiel MCTC	<input type="checkbox"/>	<input type="checkbox"/>	David Gellman Covino, Smith & Simon
<input type="checkbox"/>	<input type="checkbox"/>	Dylan Stone MCTC	<input type="checkbox"/>	<input type="checkbox"/>	Sommer Sison Covino, Smith & Simon
<input type="checkbox"/>	<input type="checkbox"/>	Ryan Niblock SJCOG	<input type="checkbox"/>	<input type="checkbox"/>	Aly Hernandez Covino, Smith & Simon
<input type="checkbox"/>	<input type="checkbox"/>	Kim Anderson SJCOG	<input type="checkbox"/>	<input type="checkbox"/>	Michael Navarro Caltrans D6
<input type="checkbox"/>	<input type="checkbox"/>	Elisabeth Hahn Stan COG	<input type="checkbox"/>	<input type="checkbox"/>	Nabeelah Abi-Rached Caltrans D6
<input type="checkbox"/>	<input type="checkbox"/>	Monica Streeter Stan COG	<input type="checkbox"/>	<input type="checkbox"/>	Grace Magsayo Caltrans D10
<input type="checkbox"/>	<input type="checkbox"/>	Jose Luis Caceres Stan COG	<input type="checkbox"/>	<input type="checkbox"/>	Tom Dumas Caltrans D10
<input type="checkbox"/>	<input type="checkbox"/>	Nick St. Cook Stan COG	<input type="checkbox"/>	<input type="checkbox"/>	Duper Tong Caltrans, D10
<input type="checkbox"/>	<input type="checkbox"/>	Ben Kimball TCAG	<input type="checkbox"/>	<input type="checkbox"/>	Bill Higgins CALCOG
<input type="checkbox"/>	<input type="checkbox"/>	Ben Guiliani TCAG	<input type="checkbox"/>	<input type="checkbox"/>	Sabrina Bradbury CALCOG
<input type="checkbox"/>	<input type="checkbox"/>	Roberto Brady TCAG	<input type="checkbox"/>	<input type="checkbox"/>	Gregory McAteer CALCOG
<input type="checkbox"/>	<input type="checkbox"/>	Steven Ingoldsby TCAG	<input type="checkbox"/>	<input type="checkbox"/>	Michael Sigala Sigala, Inc.
<input type="checkbox"/>	<input type="checkbox"/>	Tom Jordan SJVAPCD	<input type="checkbox"/>	<input type="checkbox"/>	Kristine Cai LSA
<input type="checkbox"/>	<input type="checkbox"/>	Mark Montelongo SJVAPCD			

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AGENDA ITEM 1

February 6, 2025, Directors' Committee

Meeting Minutes



San Joaquin Valley Regional Planning Agencies' Directors' Committee

Meeting Minutes

Thursday, February 6, 2025

10:00 am

Via Zoom:

Join Zoom Meeting

<https://us06web.zoom.us/j/89919756752?pwd=3PZkSA2iaMbAQvW838RjNLGPa0FXxh.1>

Meeting ID: 899 1975 6752, Passcode: 760386

Yes	No	Director Agency	Yes	No	Director Agency
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Robert Phipps Chair Fresno COG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Diane Nguyen SJCOG
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Stacie Guzman Vice Chair MCAG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rosa De León Park Stan COG
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ahron Hakimi Kern COG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ted Smalley TCAG
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Terri King KCAG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Samir Sheikh SJVAPCD (T. Jordan)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Patricia Taylor MCTC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Stacey Mortensen SJPA (M. Hanebutt)

APPROVAL OF MINUNUTES

1. January 9, 2025, Directors' Meeting
Ahron Hakimi, Kern COG, moved to approve the minutes, which Patricia Taylor, MCTC, seconded. The motion passed.

Robert Phipps, Chair

DISCUSSION/ACTION ITEMS

2. RTP/Sustainable Communities Strategies/Air Quality

a. Update and discussion

Roberto Brady, TCAG

Ryan Niblock, SJCOG, mentioned the following:

- ✓ Staff completed a review of the California Air Resources Board's (CARB's) new ozone budgets, which utilize EMFAC2021 data and incorporate changes from already approved Environmental Protection Agency (EPA) control measures. CARB intends to present these revisions to its board in March for EPA approval, and we will monitor the process closely.
- ✓ Trinity Consulting began testing the latest EMFAC2020Y model, revealing significant variations in reactive organic gases (ROG) and nitrogen oxides (NOx) emissions across Valley Metropolitan Planning Organizations (MPOs), with the Southern California Association of Governments (SCAG) facing similar issues. There's a workshop with CARB in March; in the meantime, Alex is comparing our models to EMFAC2020. If we identify problems, she suggests we draft a coordinated comment letter before the workshop.

Fresno Council of
Governments
Robert Phipps - Chair

Merced County Association
of Governments
Stacie Guzman - Vice Chair

Kern Council of
Governments
Aaron Hakimi

Kings County
Association of
Governments
Terri King

Madera County
Transportation
Commission
Patricia Taylor

San Joaquin
Council of
Governments
Diane Nguyen

Stanislaus
Council of
Governments
Rosa De León Park
Tulare County
Association of
Governments
Ted Smalley

Valleywide Coordinator
Georgiana Vivian
(559) 259-9257

Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721

Fresno Council of Governments
Fax (559) 233-9645



- ✓ We are monitoring changes in the new federal administration regarding air quality in Washington, D.C., particularly concerning California's transportation control measures (TCMs) and vehicle emission standards.
- ✓ Additionally, we've noted that EPA, the Federal Highways Administration (FHWA), and the Federal Transit Administration (FTA) staff are missing from statewide or regional meetings, impacting our project approvals.
- ✓ Lastly, I will poll staff to arrange a meeting to discuss these topics further.

Vice Chair Stacie Guzman, MCAG noted that MCAG has been addressing the Atwater Merced Expressway issue for years and was hopeful for a resolution, but the issue is on hold. She also stated that Trinity Consulting is hosting a webinar on the new Federal environmental policy changes on February 24th at 9:30 AM.

- ✓ Ahron Hakimi, Kern COG, asked why FHWA and EPA aren't available and if the planning agencies should contact elected officials for more information. Ryan responded that he wasn't sure and that they are also not attending the California Transportation Commission (CTC), Regional Transportation Planning Agency (RPTA), or other group meetings until further instructions. Ryan further noted that FHWA's absence is affecting regional project-level meetings. Robert concluded that Fresno COG completed its certification review with FHWA and FTA participating both in person and via Zoom.

3. State and Federal HSR Funding Issue Update

Gus Khouri and
David Gellman

Robert noted that Georgiena had revised the High Speed Rail (HSR) letter to the Federal Railroad Administration (FRA). Michael Hanebutt, SJPA stated that the project listing update can be expected soon once a response is received from the California High-Speed Rail Authority (CHSRA) regarding project costs to support the letter. Dan Leavitt, SJPA, stated that he had spoken with Alice Rodriguez at the CHSRA, and she promised a complete project list soon.

Gus Khouri, Khouri Consulting, noted that Mark Tollefson has been appointed Chief Deputy Director at the CHSRA. Gus further mentioned that his agency schedules the Valley Voice trip meeting and regularly communicates with the CHSRA about Valley priorities.

David Gellman, Covino, Smith and Simon stated that the federal Department of Transportation (DOT) is still adjusting. The President is aware of the HSR project.

Georgiena Vivian, Valleywide Coordinator, noted that at the January 24, 2025, Policy Council meeting, members of the Policy Council discussed the importance of completing the HSR project in the Valley. Despite differing opinions, she stated that the Policy Council stressed finishing the operational segment, underlining its significant investment and job creation impact, with 14,000 construction jobs generated.

Gus highlighted the need to understand the local economic impacts of projects, using the Merced development as an example of Congressional outreach. Ted Smalley, TCAG, noted that Toks Omishakin, Secretary of the California State Transportation Agency, emphasized the need for better messaging on transportation projects, especially after recent adverse reports. Ted further noted that TCAG is investing \$60 million in the Cross Valley Corridor project and seeks State assistance for progress updates.

4. Budget, Policy, and Legislative Updates

a. State

Gus Khouri

1. CAPTI and SB 743 Update

Gus noted that discussions about the Trade Bill and the Climate Action Plan for Transportation Infrastructure (CAPTI) continue, with pushbacks from several MPOs across the state. He further stated that the deadline for the bill's introduction is February 21, and that updates will be provided. He also appreciated the efforts of the California Association of Councils of Governments (CALCOG).

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2. Other Budget, Policy, and Legislative Updates

Gus Khouri

Elisabeth Hahn, StanCOG requested an update on the highway trust fund discussions and the registration fee proposal. Gus noted that his firm is gathering information to prepare a proposal for the Policy Council, focusing on the transportation funding situation, including \$363 million currently unallocated, and HSR discussions. He stated that input from the CHSRA is being sought to address concerns related to affordable housing, sustainable community strategies (SCS), and transit funding.

Robert noted that the SB 375 working group is meeting on February 18 and that the recent legislative movement since January suggests a need for broader solutions. He further indicated that there may be a shift towards focusing solely on MPOs and CARB, depending on the progress. Bill Higgins, CALCOG stated that the February 18 meeting aims to finalize principles for changes supported by the 18 MPOs, with Senator Cabaldon expected to propose legislation related to SB 375. Robert also noted that the group is considering an 8-year SCS. Still, stakeholders are concerned about slow progress and the fact that CARB is focused on greenhouse gas (GHG) targets, concluding that a broader perspective is needed.

Gus stated that challenges in air quality management are noted, suggesting a comprehensive letter to address fragmentation and encourage dialogue on SCS efforts. Collaboration with Georgiena was proposed to inform new delegation members about regional challenges.

b. Federal

David Gellman

1. Budget, Policy, and Legislative Update

David Gellman, Covino, Smith and Simon noted the following updates and issues:

- ✓ There is significant uncertainty regarding federal funding, particularly related to the impact of an Executive Order on the disbursement of funds for clean energy programs.
- ✓ Agencies have 90 days to review funding related to clean energy priorities, which is causing concerns about potential impacts on various programs.
- ✓ Many current grant opportunities are facing cancellations or amendments, creating challenges for those interested in applying.
- ✓ The federal Administration plans to eliminate Diversity, Equity, and Inclusion (DEI) positions within 60 days, which could affect specific programs.
- ✓ A March 14th funding deadline for a Continuing Resolution (CR) raises concerns about appropriations negotiations and the possibility of a full-year CR that might exclude earmark requests.
- ✓ Secretary Sean Duffy has been sworn in at DOT and has outlined new priorities for evaluating infrastructure projects, including focusing on user pay models and opportunity zones.
- ✓ The order from the Secretary prohibits vaccine and mask mandates for project recipients and includes immigration enforcement provisions.
- ✓ Updates on funding opportunities from the IIJA and IRA are still anticipated, with ongoing information expected from the department.

Robert noted that the Executive Order (EO) text addresses funding aimed at areas with high marriage and birth rates, expressing uncertainty about potential challenges and suggesting it may be too early to tell what will happen. Robert also noted that the discussion included comments on legislative updates from the federal side and also mentioned a state platform discussed at the last Policy Council meeting, with further vetting scheduled for February 21st.

5. 2025 Valley Voice Sacramento Trip

**Gus Khouri &
Georgiena Vivian**

Gus and Georgiena highlighted the following efforts:

- ✓ The Policy Council will consider approval of the Platform document at its meeting on February 21st.

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- ✓ Georgiena is coordinating a reception on March 11th at Ella Dining Room and Bar, and lunch on March 12 at the same restaurant. Plans are to finalize and send out invites for the reception soon. Georgiena also mentioned that attendance is limited with preference given to Policy Members and Directors.
- ✓ Discussions are underway to schedule appointments with new delegation members.
- ✓ Gus highlighted the potential of working with Assembly Member Ransom, praising her capabilities.

Gus offered to assist in developing talking points for Policy Council members and other attendees to ensure they feel prepared and comfortable discussing issues at the sessions with legislators scheduled for March 12.

6. Policy Council Discussion Items

Robert Phipps, Stacie
Guzman, Monica
Streeter, &
Georgiena Vivian

Robert noted that the discussion focuses on setting the agenda for the upcoming Policy Council meeting on February 21 and that Member Poythress had suggested several key points for the agenda, including:

- ✓ Establishing a more frequent meeting schedule beyond three (3) to four (4) meetings per year.
- ✓ Reestablishing the Executive Committee for priority review and results.
- ✓ Revising the bylaws, as necessary.
- ✓ Increasing the involvement of Policy Council members in advocating for Valley priorities at state and federal levels.
- ✓ Providing regular updates on legislative items to improve effectiveness and relationships.

Robert also noted additional recommendations that Chair McDaniel and Council Member Mendoza identified, including:

- ✓ That proposed changes to the bylaws include two-year terms for the chair and vice chair.
- ✓ Deciding on the number of meetings (4 or 8, compared to the current quarterly schedule).

The discussion is open for further input regarding bylaws revisions.

a. Meeting Schedule and Agenda Preparation

**Georgiena Vivian &
Monica Streeter**

Georgiena reviewed alternative meeting schedules that include additional Policy Council meetings, which do not conflict with SJJPA meetings. She noted a combination of Policy Council and Executive Committee meetings. She also stated that a new agenda template was being created to ensure compliance with the Brown Act and internal consistency. The agenda format will include a more engaging format.

Diane Nguyen, SJCOG raised concerns about attendance challenges for Policy Council members, despite Zoom options. She suggested a policy for remote participation for those traveling over 45 minutes. She inquired about learning from Sacramento Area Council of Governments (SACOG) regarding hybrid meetings and the Executive Committee's status under the Brown Act. Monica Streeter, General Counsel, StanCOG, stated that there have been changes in participation rules post-COVID, stressing the need for identified remote locations for public input and mentioned exceptions during emergencies. She noted that she will review the Executive Committee's Brown Act status and report back.

Robert emphasized the importance of notifying meeting locations and posting agendas at least 72 hours in advance. And Ahron suggested allowing members to call in from alternate locations to increase participation, referencing successful practices from Kern COG. Stacie noted that meetings must be in publicly accessible places, not private offices, and emphasized the Americans with Disability Act (ADA) compliance.

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Gus noted regulations under AB 2449, which require a physical quorum while allowing virtual participation under certain conditions, questioning if rules will change for future meetings. Monica commented that AB 2449's new remote participation rules enhance transparency while requiring a physical quorum.

b. Bylaws Review

Stacie Guzman

- ✓ Stacie mentioned that a review of the bylaws is needed to incorporate comments from the Policy Council and a Memorandum of Understanding (MOU) regarding membership, which will be addressed in a meeting with relevant parties before the next Policy Council meeting. Stacie emphasized that adjustments to the bylaws and MOU will be made and distributed to the Directors for collective agreement before the Policy Council meeting on February 21st.

c. Policy Council Vision and Goals Setting for 2025

Robert Phipps

- ✓ Robert mentioned the need to discuss vision and goal setting with the Policy Council, highlighting several goals identified in the Platform document.

7. Committee Updates

a. Valley Legislative Affairs Committee (VLAC)

Robert Phipps

Robert noted that there was nothing to report beyond what had already been discussed in previous items.

b. SJV Swap Meet

Kayle Clay

Kayle Clay, KCAG provided the following highlights from San Joaquin Valley (SJV) Swap Meet meeting:

- ✓ The group discussed SB 125 updated guidelines, which are now available on the website, along with reporting templates and direction for the second year of funding, with a submission deadline at the end of February.
- ✓ Alex Marcucci, Trinity Consultant encouraged those seeking a Type 5 amendment to the 2025 Federal Transportation Improvement Program (FTIP) to notify her by mid-February.
- ✓ General programming questions regarding non-construction activities and group project listings were addressed, with a handout distributed for reference.
- ✓ There was a mention of upcoming training, but no updates were available.

A tentative meeting is planned for the end of February, and agenda items were requested but not extensively discussed.

c. Housing and Land Use

Kim Anderson

Kim Anderson, SJCOG stated that meetings have not been held monthly; they've occurred every other month or quarterly. As a result, there is no update beyond what was discussed last month.

d. Travel Modelers Group

Rob Ball

Rob Ball/Kern COG, noted the following:

- ✓ That the next meeting is scheduled for Monday, February 10th at 1 o'clock; modelers should log in for the induced travel demand study.
- ✓ The study presented at the last COG directors meeting is still delayed, with potential release in 1 to 2 weeks.
- ✓ A key agenda item for February 10th is the Valley Transform project, with a portion of the project scope to be reviewed.

The meeting will provide a significant opportunity to address the \$3 million contract award led by TCAG to ensure the study objectives are met.

8. SJV REAP Program

a. Receive update

Robert Phipps

Robert presented the following points regarding the REAP funding program:

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- ✓ Fresno COG has received \$22 million for the last phase of REAP funding, and it is awaiting final invoices from all parties involved, particularly San Joaquin.
- ✓ Kern and Tulare won't receive a final payment at this time.
- ✓ Closeout reports are required as part of the annual report due by April 1st each year, but only Fresno and Kings have submitted theirs so far.
- ✓ The quarterly financial reports were due at the end of December; reports are still needed from Kern, Tulare, Madera, and Stanislaus.
- ✓ A request for the final invoice from SJCOG will be resent, to distribute the funds soon. Kim noted that the invoice should be sent by Friday, February 7th with the narrative primarily complete.

Robert noted that the text addresses final payments for Amendment Number 4, noting inquiries about payments that may exceed the specified amounts. He also said that the current focus is on processing payments by region and reviewing any remaining funds for potential additional payments afterward. For San Joaquin, an invoice of \$485,597 is required, and any excess funds will be evaluated after initial payments are made. Finally, Robert expressed potential openness about whether there are leftover funds and invited further questions or comments, specifically from the programmers' group.

9. San Joaquin Valley Annual Policy Conference 2025

a. April 9 – 11, 2025, Merced, CA

Stacie Guzman

Stacie made the following points regarding conference planning:

- ✓ Attendees were reminded to register and book their hotel accommodation as soon as possible.
- ✓ An agenda draft and information about the keynote speaker will be shared this week.
- ✓ The keynote speaker is Philip Rosedale, founder of Linden Lab and known for developing the virtual world Second Life. He has been recognized as one of Time Magazine's top 100 most influential people in the mid-2000s. During his talk, Rosedale will discuss the implications of technology and virtual realities for the workforce, focusing on organic questions and answers. The audience is encouraged to prepare interesting questions for him.

The organization is slightly behind on program distribution due to other responsibilities.

INFORMATION ITEMS

The following items are for informational purposes and require no action or vote. The individuals listed will provide a brief verbal update at the meeting.

10. Caltrans Directors' Report

Michael Navarro
Caltrans D6 and
Grace Magsayo,
Caltrans D10

Michael Navarro, Caltrans District 6, mentioned the following items:

- ✓ Michael Navarro has assumed the role of District Director and is excited about upcoming responsibilities.
- ✓ There are 40 Clean California projects: 15 completed and 19 in construction, with several ribbon cuttings expected soon.
- ✓ A community garden ribbon cutting is scheduled for February 7th in Fresno.
- ✓ The State Route 9 Comprehensive Multimodal Corridor Plan (CMCP) draft is expected in April, with a completion target of June 30th. Public engagement for the project has started, with additional workshop sessions scheduled in Fresno and Madera on February 11th and 12th. Coordination with stakeholders for a potential opportunity at the Policy Conference was proposed. The next Technical Advisory Committee (TAC) meeting for the CMCP is on February 20th.
- ✓ Progress is being made on various projects, including a 6-lane project targeted for completion by mid-March, despite contractor issues.

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- ✓ The planning grants deadline was January 22nd, with 12 applications seeking over \$5 million.
- ✓ There is ongoing communication with the Federal Highways California Division regarding federal questions and agreements.
- ✓ A press release for the Local Highway Safety Improvement Program (HSIP) Cycle 12 is anticipated next week, with positive feedback on applications expected to lead to many awards.

Grace Magsayo, Caltrans District 10, provided the following update:

- ✓ The California State Transportation Agency (CalSTA) held its third annual leadership summit, focusing on collaboration and departmental leadership under the theme "actions leading to outcomes." The summit provided insights into how various departments supported recovery efforts after the Los Angeles fires.
- ✓ A new 2025 State Highway System Management Plan (SHSMP) was presented, covering 2027 to 2037, with updates released every two years. There is a forecasted reduction in transportation project investments due to flattening revenue sources and rising costs, although asset management performance targets are being met. The draft SHSMP will be released to transportation partners on February 15, with comments requested.
- ✓ Congratulations were extended to Tracy, San Joaquin County, for receiving a \$41 million grant from over \$258 million awarded for transportation infrastructure projects in California.
- ✓ New airspace lease property requirements were introduced in response to the I-10 freeway fire, including ending open storage leases, increasing liability insurance coverage, and restricting flammable material storage.

Ahron asked for a copy of the new rules and inquired about parking. Grace stated that parking may still be allowed, but it depends on what type of vehicles would be proposed to park; electric vehicles would not be permitted and agreed to send the link to the document. Tom Dumas, Caltrans District 10 noted that Caltrans had received seven (7) planning grant applications for about \$3 million from District partners and that staff will start reviewing the applications shortly.

11. California High-Speed Rail

Toni Tinoco

No update

12. San Joaquin Joint Powers Authority – Passenger Rail

Michael Hanebutt

Michael Hanebutt, SJRRC/SJPA, noted the following:

- ✓ Approval has been received to reinstate the 7th round trip of the San Joaquins, and scheduling efforts are underway. New schedules will optimize connections to Southern California from Bakersfield, with later trains reaching Sacramento earlier for improved convenience.
- ✓ A draft update to this year's annual business plan will be publicly released towards the end of February, coinciding with a joint board meeting between the Rail Commission and the SJPA Board on March 17th. The joint meeting will also present an update on the Valley Rail program.

Acknowledgment of coordination efforts for HSR and the rollout of county-level documents to support outreach to Sacramento legislators.

13. San Joaquin Valley Air Pollution Control District

Tom Jordan

Tom Jordan, SJVAPCD, noted delays due to the federal funding freeze affecting everyone, including the EPA, which is experiencing staffing challenges after the new administration took office. This may influence their attendance at meetings.

14. Miocar Car Sharing

No update

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15. California Partnership for the San Joaquin Valley

No update

OTHER ITEMS

16. Director Items

No items.

17. Public Presentations for Items not on the Agenda

This portion of the meeting is reserved for persons wishing to address the Committee on items within its jurisdiction but NOT on this agenda. Unscheduled comments may be limited to three minutes. The public may comment on listed agenda items as they are considered.

No public comment

18. Closed Session

Not held.

ADJOURN MEETING

The meeting was adjourned at 11:50 A.M.

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Other Meeting Participants

Yes	No	Director Agency	Yes	No	Director Agency
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Becky Napier Kern COG	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Samer Shaath, CHSRA
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rob Ball Kern COG	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Toni Tinoco, CHSRA
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ben Kimball TCAG	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Harpreet Binning Caltrans D6
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Steven Ingoldsby TCAG	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Caleb Brock Caltrans D6
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roberto Brady TCAG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Michael Navarro Caltrans D6
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Paul Herman Fresno COG	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Nabeelah Abi-Rached Caltrans D6
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ofelia Abundez Fresno COG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Grace Magsayo Caltrans D10
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Simran Jhutti Fresno COG	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Eric Mather Caltrans D10
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Brenda Thomas Fresno COG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tom Dumas Caltrans D10
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Dylan Stone MCTC	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Duper Tong Caltrans, D10
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Jeff Findley MCTC	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Gurwinder Sekhon Caltrans D10
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Elizabeth Forte MCAG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Bill Higgins CALCOG
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Meg Prince MCAG	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sabrina Bradbury CALCOG
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Elisabeth Hahn StanCOG	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Gregory McAteer CALCOG
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Jose Luis Caceres StanCOG	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Vincenzo Caporale CALCOG
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Monica Streeter StanCOG	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Michael Sigala Sigala, Inc.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Nick St. Cook StanCOG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Kristine Cai LSA
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ryan Niblock SJCOG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Kayley Clay, KCAG
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Kim Anderson SJCOG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Rene Gutierrez
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mark Montelongo SJVAPCD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Alex Marcucci
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tom Jordan SJVAPCD			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Dan Leavitt SJJPA			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Michael Hanebutt, SJJPA			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Georgiena Vivian SJV Coordinator VRPA Technologies			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Carolina Ilic VRPA Technologies			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Dena Graham, VRPA Technologies			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Gus Khouri Khouri Consulting			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mitch Weiss Khouri Consulting			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Jen Covino Covino, Smith & Simon			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	David Gellman Covino, Smith & Simon			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Sommer Sison Covino, Smith & Simon			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Aly Hernandez Covino, Smith & Simon			

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AGENDA ITEM 5.a.

Bylaws and MOU Review

**SAN JOAQUIN VALLEY REGIONAL ~~PLANNING AGENCIES'~~
POLICY COUNCIL BY-LAWS**

WHEREAS, the eight Regional Planning Agencies in the San Joaquin Valley, the San Joaquin Joint Powers Authority, and the San Joaquin Valley Air Pollution Control District 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 dated June 25, 2021.

3. The Policy Council, in accordance with 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. Committees.

4.1. 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.

4.2. 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 eight (8) members of the Policy Council appointed for two years. The Chairperson of the Water Policy Committee shall be elected by the Policy Council. Membership of the Water Policy Committee shall include geographic representation from each San Joaquin Valley county. The Water Policy Committee shall be operated in accordance with the Bylaws of the Policy Council, except for voting. Voting by the Water Committee shall be conducted on 100 percent consensus (not majority) among its members.

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

5. Policy Council Meetings.

5.1. *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 videoconferencing and/or telephone conference facilitation in accordance with applicable statutory provisions.

5.2. 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.

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

5.4. 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 Policy Council.

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

5.6. 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.

6. Policy Council Officers.

6.1. 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:

6.1.1. Chairman: To preside over all meetings, maintain order, decide questions of parliamentary procedure, call special meetings, and such other duties as elsewhere herein provided.

6.1.2. Vice-Chairman: To perform the duties of the Chairman in the absence of such officer or upon disqualification of such officer.

6.2. Nomination and election of officers shall be held every two years in January~~July~~, at the beginning of each fiscal year, or at the first meeting subsequent to January~~July~~, and such officers shall serve a ~~one~~two-year term. Any vacancy during the term shall be filled by nomination and election of such officer for the remainder of the term.

6.3. Nominations may be made either by a committee appointed by the Chairman or directly from the floor by duly authorized representatives.

6.4. 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.

6.5. 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.

7. **Amendment of Bylaws.** The Policy Council shall be responsible for making all amendments to these By-Laws.

7.1. Proposed amendments may be originated by the any duly authorized representative to the Policy Council.

7.2. 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.

7.3. 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 Policy Council.

8. Executive Directors Committee.

8.1. 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:

8.1.1. To hold meetings and conduct business as deemed appropriate under the Memorandum of Understanding.

8.1.2. To recommend agenda items for the Policy Council's regular agenda.

8.1.3. 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.

8.1.4. To continue to provide coordination and direction on all administrative work required to carry out the development of plans that address interregional issues.

8.1.5. To implement the annual work program and budget as approved by the Policy Council.

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

8.1.7. 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 videoconferencing and/or telephone conference facilitation.

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

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

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

8.1.10. 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.

8.1.11. 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.

8.1.12. 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.

8.1.13. 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 Policy 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 Policy Council.
- e. Maintain a record of all financial transactions.
- f. Perform such other duties as may be assigned.

**AMENDED AND RESTATED
MEMORANDUM OF UNDERSTANDING OF THE
SAN JOAQUIN VALLEY REGIONAL POLICY COUNCIL**

This MEMORANDUM OF UNDERSTANDING (“MOU”), which shall be effective June 25, 2021, by and between the Council of Fresno County Governments, the Kern Council of Governments, the Kings County Association of Governments, the Madera County Transportation Commission, the Merced County Association of Governments, the San Joaquin Council of Governments, the Stanislaus Council of Governments, the Tulare County Association of Governments, collectively the “**San Joaquin Valley Regional Planning Agencies**” or “**Valley RPAs**”, the San Joaquin Valley Unified Air Pollution Control District (“**District**”), and the Altamont Corridor Express/San Joaquin Joint Powers Authority (“**ACE/SJJPA**”), herein referred to collectively as the “**San Joaquin Valley Regional Policy Council**” or “**Policy Council**”, hereby enter into this Memorandum of Understanding.

Recitals

A. The San Joaquin Valley Regional Planning Agencies entered into a Memorandum of Understanding on September 21, 1992, to create the San Joaquin Valley Regional Planning Agencies’ Policy Council which MOU was superceded and replaced by a Memorandum of Understanding dated September 21, 2006 (“**2006 MOU**”).

B. The 2006 MOU was superceded and replaced by a Memorandum of Understanding dated September 9, 2009 (“**2009 MOU**”) and the 2009 MOU added the District as a member of the Policy Council.

C. The Policy Council now desires to add ACE/SJJPA as a member of the Policy Council.

Agreement

NOW, THEREFORE, the parties hereto agree as follows:

Section 1. Replace and Supersedes. This Memorandum of Understanding supersedes and replaces that certain Memorandum of Understanding dated September 9, 2009, by and between the above listed eight valley regional planning agencies and the District.

Section 2. New Member and Coordinated Role. This Memorandum of Understanding hereby adds the Altamont Corridor Express/San Joaquin Joint Powers Authority as a member of the San Joaquin Valley Regional Planning Agencies Policy Council thereby increasing the membership of the Policy Council to ten agencies. ACE/SJJPA will take the lead in establishing and maintaining viable and efficient modes of passenger rail travel for the San Joaquin Valley including coordination with regional transportation and air quality planning efforts, securing federal and state funding for rail improvements, coordination with the High-Speed Rail Authority, and other related planning and implementation activities in consultation with the Valley RPA’s and the District.

Section 3. Cooperative Relationship. The formal cooperative relationship between the San Joaquin Valley RPAs, District and ACE/SJJPA is continued to ensure the effectiveness of regional transportation plans, to comply with the requirements of state and federal law, to contribute toward the attainment of federal and state ambient air quality standards, and passenger rail planning.

Section 4. Air Quality Strategies and Planning.

4.1. The District has the lead for air quality planning, but effective air quality strategies require the cooperation and joint actions of the Valley RPAs, ACE/SJJPA, other local, regional, state and federal government agencies, and the people of the San Joaquin Valley Air Basin. Toward that end, the Valley RPAs and ACE/SJJPA agree to participate in regularly scheduled conference calls with local, state and federal agencies including the California Air Resources Board (ARB), the California Department of Transportation (Caltrans), the California State Transportation Agency (CalSTA), the U.S. Environmental Protection Agency (EPA), the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA) to ensure good communication is maintained on issues important to the San Joaquin Valley.

4.2. The parties involved will comply with the Federal Clean Air Act and related regulations and guidance requiring that transportation-related State Implementation Plan (SIP) development decisions be made through interagency consultation. The parties agree to use the latest planning assumptions and emissions factors, conduct regional emissions analyses, and coordinate on the development of motor vehicle emissions budgets. The Valley RPAs will work toward keeping the Transportation Conformity Rule current with federal requirements and guidance, as appropriate. The District will also assist the Valley RPAs in obtaining appropriate and timely technical assistance from the ARB.

4.3. The Valley RPAs and ACE/SJJPA agree that it is in their interest to work closely together and develop joint or consistent policy positions whenever possible when dealing with state and federal air quality and transportation agencies. Each party has the responsibility to notify the other in a timely manner of anticipated or known policy issues with state and federal agencies, and to coordinate their response in an effort to present a unified position.

4.4. The Valley RPAs will take the lead in compliance with Section 108(f)(1) of the Federal Clean Air Act in developing the transportation control measure (hereinafter “TCM”) component of air quality plans (State Implementation Plans or SIPs). The Valley RPAs and ACE/SJJPA will consult with their member jurisdictions to facilitate consensus on implementing measures to address transportation related sources of air pollution. The Valley RPAs and ACE/SJJPA have limited legal authority to implement emission reduction measures directly, but will seek commitments from member jurisdictions, as appropriate, for inclusion in air quality plans. The Valley RPAs will submit an analysis and recommendation concerning which TCMs are reasonably available control measures for formal consideration by the District.

4.5. The Valley RPAs will take the lead in establishing and maintaining transportation conformity in the Valley as required by Section 176 (c) of the federal Clean Air Act, [42U.S.C. 7506(c)] and U.S Environmental Protection Agency (40 CFR parts 51 and 93). The Valley RPAs

will work to ensure that regulatory requirements are met and federal funding and approval are given to highway and transit projects that are consistent with and conform to the air quality goals established by the SIP. Conforming transportation plans, programs, and projects will not cause new air quality violations, worsen existing violations, or delay timely attainment of the National Ambient Air Quality Standards.

4.6. The Valley RPAs will coordinate with the District in updating the status of implementing local agency transportation control measures described in adopted air quality plans (State Implementation Plans or SIPs).

4.7. The Valley RPAs and District will work together in addressing state and federal initiatives such as greenhouse gas emission reductions as well as future air quality regulations. The parties recognize the importance and the expertise necessary to develop comprehensive local and regional approaches. The parties involved agree to dedicate staff resources as needed to cooperatively address state and federal requirements, while still meeting individual core mission elements such as protecting public health and delivering safe and efficient transportation projects.

4.8. The Valley RPAs will determine the allocation of Congestion Mitigation and Air Quality (CMAQ) funds to projects in a manner consistent with federal law and through locally developed project selection criteria. The Valley RPAs will consult with the District on project selection.

Section 5. Regional Transportation Planning.

4.1. The Valley RPAs and ACE/SJIPA will continue the coordination to develop Valleywide initiatives such as goods movement planning, Sustainable Communities Strategies (SCS) implementation and other regional activities to provide more efficient and effective transportation systems and land use patterns through the integration of transportation, housing, land use, economic development and environmental protection elements and to ensure continuity of air quality planning approaches throughout the Valley.

4.2. The Valley RPAs and ACE/SJIPA agree to discuss key issues related to air quality and delivery of transportation projects. If staff level coordination is not adequate to achieve a unified position, either party has the option of bringing issues to senior management attention.

Section 6. Coordination of Legislative Efforts. The Policy Council agrees it is in its best interest to work on the coordination of legislative action at the state and federal level. These efforts will be directed at maximizing funding for the San Joaquin Valley. To implement these efforts, the Policy Council will collectively act as a lobbying coalition and focus its efforts on areas guided by the Policy Council.

Section 7. Resolution of Disputes. In order to reduce and resolve conflicts that may arise between the Valley RPAs, District or ACE/SJIPA in a timely manner, each party agrees to establish an issues resolution coordination procedure within its own organization. Each party will designate a policy- level staff person as the point of contact or “Issues Coordinator”. When either party believes a conflict exists or is emerging, it is their responsibility to alert the other party through its

Issues Coordinator. Each party will choose its own manner of communicating internally, but communications between the parties will be coordinated through the Issues Coordinators. If staff level coordination is not adequate to achieve a common position, either party has the option of bringing issues to senior management attention.

Section 8. Indemnification. The parties shall mutually indemnify, defend, and save harmless each other, their officers, agents, and employees from and against any and all claims and losses whatsoever occurring or resulting from their respective performance of this MOU.

Section 9. Severability. If any portion of this MOU or application thereof to any person or circumstance shall be declared invalid by a court of competent jurisdiction or if it is found in contravention of any Federal, State, or local statutes, ordinances, or regulations the remaining provisions of this MOU or the application thereof shall not be invalidated thereby and shall remain in full force and effect to the extent that the provisions of this MOU are severable.

Section 10. Amendment. This MOU may be modified, amended, changed, added to, or subtracted from by the mutual consent of the parties hereto if such amendment or change is in written form and executed with the same formalities as this MOU and attached to the original MOU to maintain continuity.

Section 11. Counterparts and Electronic Signatures.

11.1. This MOU may be executed in one or more counterparts, each of which shall be deemed an original and all of which taken together shall constitute one and the same instrument.

11.2. Each party agrees that this MOU and any other documents to be delivered in connection herewith may be electronically signed, and that any electronic signatures appearing on this MOU or such other documents are the same as handwritten signatures for the purposes of validity, enforceability, and admissibility.

******Signatures contained on next page******

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IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed by their respective officers to be effective on the date first written above.

Council of Fresno County Governments

By: _____

Its: _____

By: _____
Its Executive Director

Kern Council of Governments

By: _____

Its: _____

By: _____
Its Executive Director

Kings County Association of Governments

By: _____

Its: _____

By: _____
Its Executive Director

**Madera County Transportation
Commission**

By: _____

Its: _____

By: _____
Its Executive Director

San Joaquin Council of Governments

By: _____

Its: _____

By: _____
Its Executive Director

Stanislaus Council of Governments

By: _____

Its: _____

By: _____
Its Executive Director

Tulare County Association of Governments

By: _____

Its: _____

By: _____
Its Executive Director

**San Joaquin Valley Unified Air Pollution
Control District**

By: _____

Its: _____

By: _____
Its Executive Director

**Merced County Association of
Governments**

**Altamont Corridor Express/San Joaquin
Joint Powers Authority**

By: _____

By: _____

Its: _____

Its: _____

By: _____
Its Executive Director

By: _____
Its Executive Director