



## Strategic Planning Committee

Thursday, July 15, 2010 @ 9:00 a.m.

Roll Call: Directors Budge, Cabaldon, Cosgrove, Gray, Griego, Hill, Hodges,  
Miklos, Peters, Thomson and Chair McBride

1. Approve Recommendations For Board Endorsement in the Transportation Investment Generating Economic Recovery (TIGER II) Funding Program—Sacramento, Sutter, Yolo, And Yuba Counties (Mr. Carpenter) ◀
2. Approve State and Federal Grant Opportunities (Mr. McKeever) ◀
3. Award for Legal Services for Assistance with SB 375 CEQA Work (Mr. McKeever) ◀
4. Other Matters

Auburn  
Citrus Heights  
Colfax  
Davis  
El Dorado County  
Elk Grove  
Folsom  
Galt  
Isleton  
Lincoln  
Live Oak  
Loomis  
Marysville  
Placer County  
Placerville  
Rancho Cordova  
Rocklin  
Roseville  
Sacramento  
Sacramento County  
Sutter County  
West Sacramento  
Wheatland  
Winters  
Woodland  
Yolo County  
Yuba City  
Yuba County

### Adjournment

#### ◀Action Requested

Prepared by:

Approved by:

Mike McKeever  
Executive Director

Leslie McBride  
Chair

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## Strategic Planning Committee

July 12, 2010

### **Approve Recommendations for Board Endorsement in the Transportation Investment Generating Economic Recovery (TIGER II) Funding Program—Sacramento, Sutter, Yolo, And Yuba Counties**

**Issue:** Whether or not to confirm the SACOG staff recommendations for the TIGER II capital grant program categories and the planning set-aside category.

**Recommendation:** that the Strategic Planning Committee approve staff's categorical project recommendations for the TIGER II capital grant program

**Board Action/Discussion:** In June the Board endorsed both the Sacramento Intermodal Phase II and the Watt Avenue/Highway 50 multi-modal interchange projects for the "at-large" TIGER II capital projects category. The Board also delegated authority to the Strategic Planning Committee to select additional TIGER II project nominations for SACOG endorsement prior to the July 16 pre-application deadline for the capital project categories. Staff recommendations for the separate TIGER II planning grant category are offered in Agenda Item 2.

Previously staff solicited TIGER II project nominations from local agencies and special districts, resulting in a list of nominated projects that were provided to the Board at the June 17 meeting. Since that time, a few projects have been taken out of consideration by their project sponsors and other projects have refined project elements or increased local match amounts to raise their competitiveness. The outcome of this winnowing process is that staff is only aware of five capital project applications still being considered by member agencies. Given the high quality of the project proposals, staff recommends each of these projects receive Board endorsement that can be referenced by the local agencies in the pre-application materials they submit to the United States Department of Transportation (USDOT).

For the "at-large" category, \$400 million is available nationwide for projects in an urban or rural setting. Applications in this category must be between \$10 and \$200 million total and have a 20 percent non-federal match. The Fifth Street Bridge over the Feather River is recommended to be a third project endorsed in this category because it is a key regional investment with significant funding leverage and project aspects that relate well to the TIGER II selection considerations.

- **City of Sacramento: Intermodal Transportation Facility** (\$12.5 million federal request matched by an estimated \$12.5 million in other funds). The investment helps realize one of the largest infill opportunities in the country and represents both creation of a regional multi-modal transportation hub and a signature land use plan. A TIGER II award request will support Phase 2 elements of the project that include relocating light rail tracks and station, begin rehabilitation of the historic depot, improve access, and fund improved transit, bicycle and pedestrian facilities. The project may also include rail relocation of tracks utilized by the California State Railroad Museum (CSRM).
- **County of Sacramento: U.S. 50 at Watt Avenue Interchange** (\$15 million federal request matched by an estimated \$40 million in other funds) This investment supports one of the region's busiest and least efficient facilities along one of the most congested corridors. The project consists of reconstructing the current interchange, constructing a dedicated transitway to support bus rapid transit (BRT) and constructing dedicated bicycle and pedestrian pathways separated from vehicular traffic.
- **Cities of Yuba City and Marysville: 4-lane bridge replacement of the 5th Street Bridge over the Feather River** (\$12 million federal request matched by an estimated \$45 million in other funds) A TIGER II award would allow the project to be expanded from 2-lane replacement to a 4-lane facility that is necessary to accommodate already high current traffic volumes on this vital link between the two communities.

The “rural set-aside” category of \$140 million nationwide provides an opportunity to fund smaller projects than was possible in TIGER I. The two projects seeking Board endorsement include innovative rural road design features and support policy priorities emerging from the Rural Urban Connections Strategy.

- **Yolo County: Sustaining the Rural-Urban Connection – County Road 31** (\$5 million federal request matched by an estimated \$2 million in other funds). This project will go towards critical road improvements along the primary east-west connector in the southwestern part of Yolo County. It is a priority farm to market corridor in Yolo County and also serves as an important road connecting the urbanized area of the City of Davis to I-505, and to the City of Winters. Safety and multi-modal access improvements will also enhance the corridor’s ability to serve regional recreational facilities (i.e., Putah Creek, Solano Lake & Lake Berryessa), the University of California at Davis and Yolo County airports.
- **Yuba County: Beale Air Force Base Gateway Complete Streets and Economic Revitalization Project** (\$3 million federal request matched by an estimated \$6 million in other funds). This project will go towards critical road improvements on the rural portions of the corridor that connects residential, commercial and agricultural areas in Yuba County to the Beale Air Force Base (BAFB). The corridor presently has significant safety problems and poor multimodal access. Improvements to the corridor have been identified as critical to increasing the long term viability of BAFB as an economic engine to the Sutter and Yuba County region.

Throughout the process to identify potential TIGER II project proposals, staff from federal agencies, Caltrans and SACOG have emphasized that this a unique, limited funding opportunity from USDOT. SACOG and member agencies are not guaranteed any funds through the process and national competition is likely to be even higher than in the TIGER I cycle when only 51 projects nationwide received funding out of the 1,400 project applications received. Funding requests during TIGER I were 40 times higher than the \$1.5 billion available; funding available in TIGER II has been reduced to only \$600 million nationwide.

The TIGER II program has many similarities to the 2009 TIGER I program. Eligible project types have not changed, and the TIGER II selection criteria are nearly identical to the criteria from TIGER I and align closely to the selection criteria endorsed by the SACOG Board through the fall 2009 programming process. Primary selection criteria from the SACOG fall 2009 programming round and the two rounds of TIGER include: contributing to long-term economic competitiveness, improving the condition of existing transportation facilities and systems, improving energy efficiency and reducing greenhouse gas emissions, improving the safety of U.S. transportation facilities, and improving the quality of living and working environments of communities through increased transportation choices and connections. For TIGER II, USDOT will also give priority to projects that are expected to quickly create and preserve jobs and stimulate rapid increases in economic activity.

Despite the competitiveness of the 2009 TIGER I process, the SACOG region’s coordinated process fared well. Three projects were endorsed by the SACOG Board, and one of them, the Northern California Marine Highway initiative between the ports of West Sacramento, Oakland and Stockton, received \$30 million in funding.

Approved by:

Mike McKeever  
Executive Director

MM:MC:sb

Key Staff:        Matt Carpenter, Director of Transportation Services (916) 340-6276  
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                      Jim Brown, Principal Program Expert (916) 340-6221



## Strategic Planning Committee

July 11, 2010

### Approve State and Federal Grant Opportunities

**Issue:** The federal Department of Housing and Urban Development and the Department of Transportation, and the state Strategic Growth Council are requesting applications for various planning activities.

**Recommendation:** Approve staff recommendation in concept as described below.

**Discussion:** Staff recommends that the committee support the following approaches to four currently available grant programs, but also authorize the Executive Director to modify any of these approaches if additional information indicates the agency's competitive advantage would be furthered by doing so.

1. The U.S. Department of Transportation TIGER II Planning Grants (\$35 million nationally). SACOG should support a Caltrans proposal to develop a statewide freight model. This is a weakness in SACOG's current modeling capability and, while the scope of work will not meet all of SACOG's needs, it will significantly reduce the cost of doing so in the future.
2. The U.S. Department of Housing and Urban Development Community Challenge Planning Grants. SACOG should send letters of support for any local governments in the region submitting proposals that are consistent with implementing the Blueprint, MTP and SB375. Over the last several months we have pursued a number of options, including submitting a regional proposal and even a statewide proposal. None of those options appear viable. These funds are targeted at local communities and SACOG can best add value by supporting our local governments who wish to compete.
3. The U.S. Department of Housing and Urban Development Regional Planning Grants Program. SACOG should submit a proposal focused on activities to help us implement SB375, the Rural Urban Connections Project and some of the Transportation Control Measures in the region's air quality plan and our MTP. For SB375 implementation we are focused on activating the CEQA benefits in the MTP's EIR, particularly in the transit priority areas, including developing a comprehensive assessment of the infrastructure needs for infill and redevelopment in these areas. We are working on details and will bring a list of possible activities to the committee meeting. We anticipate the overall request to be under \$2 million (the maximum is \$5 million). The program requires formal support from cities and counties in the region and formation of a consortium to provide input to the project that would include at least one non-governmental organization. We are working with the other 3 largest MPOs in the state to submit separate, but coordinated, proposals. We think that might increase our competitiveness.
4. Proposition 84 Strategic Growth Council grants. These proposals are not due until the end of August and staff recommends that the SACOG Board of Directors defer a decision on what tasks to apply for until its August board cycle. The timeline will be tight, but there are enough moving parts with this one, some of which relate directly to what our final proposal is to HUD, that we think it's best to defer. In this case there remains a strong possibility that many MPOs in the state will submit coordinated proposals.

Approved by:

Mike McKeever  
Executive Director

Attachments  
MM:RS:GG:sb

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### Community Challenge Planning Grants and TIGER II Planning Grants

The joint HUD/DOT program will award up to \$75 million in funding for localized planning activities that ultimately lead to projects which integrate transportation, housing and economic development. Of the \$75 million, \$35 million will be in TIGER (Transportation Investment Generating Economic Recovery) II Planning Grants and \$40 million in Sustainable Community Challenge Grants.

TIGER II Planning Grants may be used to plan, prepare or design surface transportation projects that would be eligible for funding under the TIGER II Discretionary Grant program [the capital grants also being considered on a separate agenda item]. These projects include planning for highways, bridges, transit, railways, ports, or bicycle and pedestrian facilities. The Community Challenge funding will target urban and community planning projects that foster reform and reduce barriers to achieving affordable, economically vital and sustainable communities. Such efforts may include amending or replacing local master plans, zoning codes and building codes (either on a jurisdiction-wide basis or in a specific neighborhood or sector) to promote mixed-use development, affordable housing and the re-use of older buildings with the goal of promoting sustainability at the local level.

Under this innovative program, DOT and HUD will make joint awards, where appropriate, as well as individual TIGER II planning grants and HUD Sustainable Community Challenge Grants. Eligible applicants include state and local governments, tribal governments, transit agencies, port authorities, metropolitan planning organizations (MPOs), other political subdivisions of state or local governments, and multi-state or multi-jurisdictional groupings. Pre-applications must be submitted through the pre-application system no later than 5 p.m. EDT on July 26. Final applications must be submitted by the Application Deadline of August 23 at 5 p.m. EDT. Awards will not be made until after September 15.

### Sustainable Communities Regional Planning Grants

HUD has made available \$100 million for the Sustainable Communities Regional Planning Grant Program, which will support metropolitan and multi-jurisdictional planning efforts that integrate housing, land use, economic and workforce development, transportation, and infrastructure investments.

Sustainable Communities funding is available in two categories: Category 1 funds can be used to support the preparation of Regional Plans for Sustainable Development; and Category 2 funds can be used to support efforts to fine-tune existing regional plans so that they address the Partnership's Livability Principles to prepare more detailed execution plans for an adopted Regional Plan for Sustainable Development, and limited predevelopment planning activities for catalytic project or projects.

Grants will be made to regional consortia consisting of local governments, metropolitan planning organizations, educational institutions, and nonprofit organizations. The end product of a regional planning initiative will be a Regional Plan for Sustainable Development or a Detailed Execution Plan and Program for a Regional Plan for Sustainable Development that will provide a blueprint for investment decisions, both public and private, that will support a more sustainable future for a region. The size of awarded grant amounts are determined by whether the applicant represents a large metropolitan region (which SACOG is considered), a medium-sized region, a small-sized region, rural communities, or small towns areas. The deadline for applications is also August 23.

California Strategic Growth Council Sustainable Planning Grant and Incentives Program

The California Strategic Growth Council has released a Notice of Funding Availability (NOFA) for proposals through the Sustainable Communities Planning Grant and Incentive Program. Cities, counties, councils of governments (COGs), joint power authorities (JPAs) and others are eligible to apply. The project award range is anticipated to be between \$100,000 and \$1 million. There will be three funding phases. The first will release about \$20 million out of the projected \$90 million total statewide for the program. Funds will come through Proposition 84, the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006. The planning grants will be used to reduce energy consumption, conserve water, improve air quality and water quality, and provide other community benefits.

The NOFA was formally released on July 6, and applications are due by August 31, 2010. There are three focus areas within the program:

Focus Area #1 – Local Sustainability Planning. The intent is to support the development and implementation of effective or innovative local plans that support the state’s AB 32 greenhouse gas emission targets and implement SB 375, while creating sustainable communities. Eligible projects include specific plans, infill plans, zoning ordinances, climate action plans, targeted general plan updates or elements. Cities and counties are eligible to apply.

Focus Area #2 – Regional SB 375-Plus. The intent is to fund MPOs, such as SACOG, to collaborate with local governments to implement SB 375 and AB 32 at the city or county level, within the context of health environment, economy, and equitable access to regional resources and amenities. The outcome should successfully support Sustainable Community Strategies that help meet the regional targets established by the Air Resources Board. Projects can include multi-jurisdictional corridor plans, transit-oriented development plans, specific plans, Sustainable Community Strategy or Alternative Planning Strategy.

Focus Area #3 – Regional Planning Activities with Multiple Partners. The intent is to support collaboration between cities and counties, JPAs, COGs or RTPAs to work with local governments to develop or implement regional plans that meet the intent of SB 732 (The Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006). Projects may include a county-wide Climate Action Plan, a rural Blueprint Plan or plans that voluntarily implement SB 375.

SCI and SGC Grant Matrix

	A	B	C	D	E	F
	HUD Community Challenge Planning Grants	DOT Transportation Planning (TIGER II) Grants	HUD Sustainable Communities Regional Planning (SCRIP) Grants	SGC Community Planning Grants	SGC Community Planning Grants	SGC Community Planning Grants
Program objectives	Reform- reduce barriers to affordable housing, economic vitality and sustainable communities	Planning, preparation or design of surface transportation projects	Develop and implement integrated long-range regional plans	Local plans for greenhouse gases/ SB 375	Collaboration between Metro. Planing Organizations (eg. SACOG) and cities/counties to implement SB 375	Colloboration in development of regional plans for SB 732
Applicant focus	Local governments	Local governments	Regional Consortiums, led by MPOs	Cities and counties	Metropolitan Planning Organizations	Cities, counties, MPOs, Joint Power Authorities
Total Program Funds / Max Individ. Award Amount	\$40M Nationally / \$3M individual project max	\$35M Nationally / \$3M individual project max	\$100M Nationally / \$5M individual project max	25% minimum of \$20 M initial total pot, \$90M ultimate total pot - Statewide; individual grants \$100k to \$1M	25% minimum of \$20 M initial total pot, \$90M ultimate total pot - Statewide; individual grants \$100k to \$1M	10% minimum of \$20 M initial total pot, \$90M ultimate total pot - Statewide; individual grants \$100k to \$1M
Local match	20% (soft/leveraged)	20% (cash, some soft/leveraged)	20% (very soft/leveraged)	none	none	none
Project Examples	Replace/update master plans, zoning codes, building codes, inclusionary zoning	Planning for mixed-use, transit-oriented development, affordable housing, freight planning, transit options	Single regional plans for 20 years of growth, affordable housing, transit investment; geo-code data sets	Specific plans, Climate Action Plans, targeted General Plan updates, implementation plans for Greenhouse gases or SB 375	Blueprint plans, multi-jurisdiction corridors, specific plans, SCS/APS, conservation plans, greenprint plans	County-wide climate action plans, cap and trade, rural blueprints, interregional plans
Due Date(s)	Pre-application July 26; full application August 23	Pre-application July 26; full application August 23	August 23	August 31, 2010	August 31, 2010	August 31, 2010
NOFA, FAQ	<a href="http://www.hud.gov/sustainability">http://www.hud.gov/sustainability</a>	<a href="http://www.dot.gov/recovery/ost/tigerii">www.dot.gov/recovery/ost/tigerii</a>	<a href="http://www.hud.gov/sustainability">http://www.hud.gov/sustainability</a>	<a href="http://sgc.ca.gov/planning_grants.html">http://sgc.ca.gov/planning_grants.html</a>	All three state programs covered in one Notice of Funding Availability	All three state programs covered in one Notice of Funding Availability



## Strategic Planning Committee

July 12, 2010

### Award for Legal Services for Assistance with SB 375 CEQA Work

**Issue:** Whether SACOG should hire the contractor staff recommends to provide legal assistance on Senate Bill (SB) 375 California Environmental Quality Act (CEQA) work.

**Recommendation:** That the Strategic Planning Committee authorize the Executive Director, in consultation with legal counsel, to negotiate and award a not-to-exceed \$200,000 contract with the Remy, Thomas, Moose and Manley, LLP (RTMM) team led by Tina Thomas.

**Committee Action/Discussion:** A Request for Qualifications (RFQ) for legal assistance in implementing the provisions of SB 375 and in preparing our CEQA document for the new MTP was released by the Board of Directors on June 17, while at the same time authority for selecting the contractor was delegated to the Strategic Planning Committee for action in July. The SB 375 implementation and MTP work is necessarily moving forward on an accelerated schedule so an action by the Strategic Planning Committee will allow the contractor to be available 30 days sooner than waiting for the full Board to meet in August.

The legal services received through this contract are anticipated to offer critical input towards maximizing the CEQA streamlining in SB 375 and the development of a successful Environmental Impact Report (EIR) for the new MTP; the consultation provided will be done in close coordination with SACOG legal counsel, Kirk Trost. This MTP update will be the first SACOG has done under the auspices of SB 375 and will have numerous legal issues to address. There are unique potential CEQA reform benefits to SACOG, our member cities and counties, and project applicants that can be realized through how the agency prepares the CEQA document. The budget and Overall Work Program (OWP) approved by the Board in May included funds for specialized legal services to help SACOG maximize the CEQA reform benefits available through the legislation.

Thirteen proposals were received in response to the RFQ and each was evaluated by a selection committee comprised of SACOG staff and legal counsel, Kirk Trost. Attachment 1 lists the legal proposals received. Each proposal was scored by criteria taken from the six key skills and knowledge areas identified in the RFQ. Direct experience in SB 375 implementation efforts was weighted more heavily than the other criteria. The firms selected as finalists and interviewed were RTMM and the Sohagi Law Group.

Following the review of proposals and interview phases, the RTMM team led by Tina Thomas emerged as the unanimous recommendation for the contract award. The firm demonstrated exceptional qualifications in each of the six key skills and knowledge areas identified in the RFQ:

#### 1. Detailed knowledge of, and experience with, CEQA

RTMM has extensive experience working with clients on a broad range of CEQA issues. A focus area for the RTMM practice involves assisting clients with issues relating to the implementation of Assembly Bill (AB) 32 and SB 375, particularly with respect to compliance with CEQA documentation. The firm also publishes a book on CEQA that is frequently cited as a leading scholarly authority in published decisions of the California Courts of Appeal and the California Supreme Court.

**2. Experience with regional transportation plans**

For many years the RTMM team has worked with cities, counties, California Department of Transportation (Caltrans), the California Transportation Commission (CTC) and Federal Highway Administration (FHWA) involved in transportation plans and the permitting and review of land use and transportation projects. Recently, RTMM defended the Santa Barbara Council of Governments in a CEQA lawsuit challenging the adequacy of the EIR for its regional transportation plan.

**3. Detailed knowledge and experience with SB 375**

RTMM has worked extensively on issues related to SB 375. Ms. Thomas assisted in drafting portions of the bill and has continued active involvement in subsequent efforts to implement SB 375, including drafting proposed policies relating to SB 375 for various agencies and local governments including the City of Sacramento and the Governor's Office of Planning and Research.

**4. Familiarity with actions of other MPOs in state to implement SB 375**

RTMM attorneys have ongoing projects with the San Diego Association of Governments (SANDAG) and Association of Bay Area Governments (ABAG). Specifically, RTMM is assisting ABAG with implementation of SB 375 in the San Francisco Bay Area and is assisting SANDAG with preparation of its Sustainable Communities Strategy as a component of its Regional Transportation Plan.

**5. Experience with development types incentivized by the SB 375 CEQA reforms, including Transit Priority Areas**

RTMM has extensive experience working for public and private sector clients on the types of development projects incentivized by the SB 375 CEQA reforms.

**6. Knowledge of SACOG**

The firm previously assisted SACOG on a limited contract in matters relating to SB 375 and CEQA. Through that consultation, RTMM applied its local knowledge and extensive experience representing public and private sector clients throughout the SACOG region.

Approved by:

Mike McKeever  
Executive Director

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cc: Kirk Trost, Miller Owen & Trost

## ATTACHMENT 1

1. Remy, Thomas, Moose & Manley, LLP
2. The Sohagi Law Group, PLC
3. Meyers Nave Riback Silver & Wilson, PLC
4. Best Best & Krieger, LLP
5. Wendel Rosen Black & Dean, LLP
6. Nossaman, LLP
7. Bingham McCutchen, LLP
8. Miller Starr Regalia
9. Weintraub Genshlea Chediak, LC
10. Kronick Moskowitz Tiedemann & Girard, LC
11. Law Offices of Alan Waltner
12. Diepenbrock Harrison
13. Post Meridiam Partners