

LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANNING AGENCY



Matthew C. Boyer, *Executive Secretary*

Office:
1631 Alhambra Boulevard, Suite
100

Date Posted: April 2, 2018

Phone: (530) 953-8857

To: THE LASSEN COUNTY TRANSPORTATION COMMISSION:

Kathie Garnier (City Council)
Brian Wilson (City Council)
Joe Franco (City Council)

Tom Hammond (Co. Supervisor)
Jeff Hemphill (Co. Supervisor)
David Teeter (Co. Supervisor)

Subject: **REGULAR MEETING**

of the

LASSEN COUNTY TRANSPORTATION COMMISSION

The regular meeting of the Lassen County Transportation Commission has been scheduled for Monday, April 9, 2018 at 1:00 p.m. The meeting will be held at the Lassen County Board of Supervisors Chambers, 707 Nevada Street, Susanville, CA.

The Agenda is as follows.

Page **(1) CONVENE**

1.1 Pledge of Allegiance

1.2 Adoption of the Agenda and Approval of the Consent Calendar: **Motion Required**

The Commission may make any necessary additions, deletions or corrections to the agenda including moving items to or from the Consent Calendar and adopt the agenda and the Consent Calendar with one single vote. A Commission member may request an item be removed from the Consent Calendar for discussion and separate Commission action. At the appropriate time as called by the Board Chair, members of the public may make a comment on matters on the Consent Calendar prior to Commission action.

1.21 Minutes Approval:

1.22 Local Transportation Fund Article 3 Claim – City of Susanville *

REQUESTED ACTION: Adopt Resolution 18-06 approving the City of Susanville's Local Transportation Fund claim in the amount of \$4,948.00.

1.23 Payment of Matthew C. Boyer & Associates fees and costs in the amount of \$19,342.49 *

REQUESTED ACTION: Approve payment of Matthew C. Boyer & Associates fees and costs in the amount of \$19,342.49, as shown in Invoice #17-46-006.

1.24 No-Cost Increase Amendment #1 to Agreement with Mark Thomas to Add Additional Tasks Related to US 395 Corridor *

REQUESTED ACTION: Authorize staff to execute Amendment #1 to the existing contract amendment with Mark Thomas for support related to the US 395 Corridor to additional tasks, but no increase in the contract budget.

(2) CORRESPONDENCE/PUBLIC COMMENT

(3) REPORTS

3.1 Reports from Caltrans, CHP, City of Susanville, County of Lassen, and LCTC Staff

- Caltrans Report
- California Highway Patrol (CHP) Report
- City of Susanville Report
- County of Lassen Report
- Susanville Indian Rancheria Report
- Executive Secretary Report (LCTC Staff)
- Summary of Commission Financial Activities

(4) NEW BUSINESS

4.01 ANNOUNCEMENT OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

None Scheduled

4.02 ANNOUNCEMENT OF ACTION TAKEN IN CLOSED SESSION

4.10 ACTION/DISCUSSION ITEMS

4.11 Authorization to Submit Applications for Discretionary State Rural Planning Assistance funds for Fiscal Year (FY) 2018-19 *

ACTION REQUESTED: BY MOTION, authorize staff to submit applications for Discretionary State Rural Planning Assistance funds for two projects.

A. "State Route 36 Complete Street and Safe Mobility Study"

B. A Multi-County US 395 Planning Study from the Nevada State Line to the Oregon State Line that Builds a Stakeholder Coalition, Identifies Opportunities and Constraints, Develops an Inventory of Existing Data and Data Deficiencies, and Results in Detailed Implementation Plan with Strong Stakeholder Support.

4.12 US 395 Conceptual Stakeholder Coalition Members and LCTC Representative(s)*

ACTION REQUESTED: BY MOTION:

1. Approve the conceptual list of US 395 Stakeholder Coalition Members for purposes of preparing the grant application and obtaining support.
2. Appoint up to three members of the Commission to serve on an ad hoc working group.
3. Authorize staff to arrange one or more community meetings in coordination with the ad hoc working group of the Commission.

4.13 Authorization to Form, Participate In, and Coordinate Volkswagen Settlement Working Group *

ACTION REQUESTED: BY MOTION, authorize staff to form, participate in, and coordinate efforts amongst interested agencies, related to future funds from the Volkswagen Settlement - Environmental Mitigation Trust for California.

4.14 Request for Proposals (RFP) for Legal Services *

ACTION REQUESTED: BY MOTION, authorize staff to prepare and release a Request for Proposals for Legal Services for the three-year period from July 1, 2018 through June 30, 2021, with a Commission-option for two (2), one-year extensions.

4.15 Skyline Boulevard – Phase 2 *

ACTION REQUESTED: BY MOTION, provide direction to staff.

4.16 Independent Audit Reports for Fiscal Year 2016/17

ACTION REQUESTED: BY MOTION, receive and file the Fiscal Year 2016/2017 Audit Reports.

(5) INFORMATION ITEMS

- 5.01 May 2 FHwA State Transportation Innovation Council (STIC) Workshop
- 5.02 Recap of April 6, 2018 Unmet Transit Needs Hearing
- 5.03 Update on City Rehab FC Project Bid Opening and Award

(6) CORRESPONDENCE

None

(7) OTHER BUSINESS

- 7.1 Matters brought forth by the Commission

7.2 Next Regular Commission Meeting – **Monday, May 14, 2018 at 1:00 p.m.**

7.3 Adjourn

* Attachment

Enclosure

ITEMS SCHEDULED FOR FUTURE MEETINGS:

May 14, 2018

- Presentation by the Trail Coordinator.
- Update on Needed Commission Policies
- Update on Possible Active Transportation Program Grant Applications
- Final Apportionment of FY 2018/19 Local Transportation and State Transit Assistance Funds
- Revised Apportionment of FY 2017/18 Local Transportation and State Transit Assistance Funds
- Approval of Local Transportation Fund and State Transit Assistance Fund Claims
- Approval of FY 2018/19 Overall Work Program and Budget
- Vehicle Speed Feedback Update
- Unmet Transit Needs Determinations
- Concurrence on Final Draft US 395 Transportation Concept Report
- Authorization for Planning, Programming and Monitoring (PPM) Funding Allocations (16/17, 17/18, and 18/19)
- Programming of Regional Surface Transportation Program Funds

June 11, 2018

- Workshop on Future Roles and Responsibilities of the Commission (Joint Session with Technical Advisory Committee)
- Approve Contract for Legal Services
- Update on Susanville Indian Rancheria Long-Range Transportation Plan



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

1631 ALHAMBRA BLVD
SUITE 100
SACRAMENTO, CA 95816

Matthew C. Boyer, Executive Secretary
Matthew C. Boyer & Associates

PH: (530) 953-8857

Staff Report

To: Lassen County Transportation Commission

AGENDA ITEM 1.22

Date: April 9, 2018

From: Brenda Hernandez, Transportation Planner
Matthew C. Boyer, Executive Secretary

A handwritten signature in blue ink, appearing to read "Matthew C. Boyer", is written over the name of the Executive Secretary.

Subject: Local Transportation Fund Article 3 Claim – City of Susanville

REQUESTED ACTION

BY MOTION:

Adopt Resolution 18-06 approving the City of Susanville's Local Transportation Fund claim in the amount of \$4,948.00.

BACKGROUND

The Transportation Development Act (TDA) provides two funding sources: the Local Transportation Fund (LTF) which is derived from a quarter cent of the general sales tax collected statewide and the State Transit Assistance fund (STA) which is derived from the statewide sales tax on diesel fuel.

The LTF is allocated in a specific priority order. Claims for administration, planning and programming, pedestrian and bicycle projects, and public transportation are funded in priority order before any remaining funds in rural counties can be used for streets and roads activities.

Up to two percent of the remaining LTF monies after administration and planning may be allocated for the exclusive use of pedestrian and bicycle facilities. The LCTC has historically opted to apportion the maximum 2% for pedestrian and bicycle facilities, and City and County have historically agreed to use a population split to allocate Local Transportation Funds to each jurisdiction, although this split is not statutorily mandated.

DISCUSSION

Previously the LCTC apportioned Fiscal Year 2017/2018 Local Transportation Funds (see attachment 2), including \$13,200.00 for Article 3 Bicycle and Pedestrian funds. Using the table below that shows the historic City/County split, the City's sub-apportionment of Article 3 Bicycle and Pedestrian funds is 37.48% or \$4,948.00.

Local Transportation Fund Article 3 Claim – City of Susanville
Page 2

16/17	\$ 7,008	62.52%	County
	\$ 4,202	37.48%	City
	\$ 11,210		
17/18	\$ 7,008	62.52%	County
	\$ 4,202	37.48%	City
	\$ 11,210		
17/18	\$ 8,252	62.52%	County
	\$ 4,948	37.48%	City
	\$ 13,200		

The City of Susanville has submitted a claim \$4,948.00 for fiscal year 2017/2018, consistent with the approved apportionment (attachment 3).

ALTERNATIVES

Provide direction to staff.

Attachments (3)

LASSEN COUNTY TRANSPORTATION COMMISSION
Resolution 18-06
City of Susanville Fiscal Year 2017/2018 Local Transportation Fund Article 3 Claim

WHEREAS, the Lassen County Transportation Commission (LCTC) is the transportation planning agency for Lassen County responsible for administering Local Transportation Funds; and

WHEREAS, the City of Susanville has submitted a claim for Article 3 Local Transportation Funds for the exclusive use of pedestrian and bicycle facilities in the amount of \$4,948.00 (Four Thousand, Nine Hundred, Forty Eight); and

WHEREAS, section 6630 of the Transportation Development Act states claims shall include the amount claimed, the fiscal year for which funds are claimed, and the purpose for which the claim is made, identified by the article and section of the Act which authorizes claims; and

WHEREAS, the City of Susanville in compliance with section 6630 of the Transportation Development Act submitted a claim with the following table:

Article and Section of TDA	Purpose	Amount
Article 3, Section 99234	Pedestrian & Bicycle Facilities Construction/maintenance of bicycling trails, bicycle safety education programs, development of a comprehensive bicycle & pedestrian facilities plan.	\$4,948.00

NOW, THEREFORE, BE IT RESOLVED that the LCTC approves the claim submitted by the City of Susanville and authorizes the expenditure of Local Transportation Funds in the amount of \$4,948.00 from the region's share of funds reserved for pedestrian and bicycle facilities.

The foregoing resolution was adopted by the Lassen County Transportation Commission at its April 9, 2018 meeting by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

DAVID TEETER, Chairman
Lassen County Transportation Commission

The foregoing instrument is a correct copy of the original on file in the office of the Executive Secretary of the Lassen County Transportation Commission.

Matthew C. Boyer, Executive Secretary

April 9, 2018

TRANSPORTATION DEVELOPMENT ACT (TDA)
 LOCAL TRANSPORTATION FUND (LTF)
 FINDINGS OF APPORTIONMENT

FY 2017/18 APPORTIONMENT AND ALLOCATION (Amendment #1 Approved March 12, 2018 - Version 2)

FY 2017/18 LTF AVAILABLE FOR ALLOCATION

Projected Carryover from Fiscal Year 2016/17	\$1,054,883.00	
Estimated 2017/18 TDA Receipts per Lassen County Auditor	\$820,000.00	
		Total FY 2017/18 balance available for apportionment
		\$1,874,883.00

FY 2017/18 CLAIMANT ALLOCATIONS

TDA Administration (PUC Section 99233.1)

LCTC TDA Administration	\$59,900.00	
LCTC TDA Administration <i>(includes 1-time \$100,000 for cash flow)</i>	\$100,000.00	
		TDA Administration subtotal
		\$159,900.00

Planning / Programming (PUC Section 99233.2)

LCTC Planning and Programming (up to 3% of Revenue)	\$100.00	
		Planning / Programming subtotal
		\$100.00

Pedestrian and Bicycle Facilities-Discretionary (PUC Section 99233.3 and 99262)

Bicycle and Pedestrian Facilities	\$13,200.00	
(Note: up to 2% of remainig funds after Admistration and Planning/Programing)		
		Pedestrian/Bicycle Facilitie subtotal
		\$13,200.00

Public Transportation - Transit (Article 4) (PUC Sections 99233.8, 99260(a) and 99262)

Lassen County Transit Agency (Operations)	\$99,827.00	
Lassen Transit Service Agency (Administration)	\$142,730.00	
		Transit subtotal
		\$242,557.00

Other Transportation (Article 8) (PUC 99233.9, 99400(a), 99402 and 99407)

City of Susanville:		
Lassen County Unincorporated:		
		Other Transportation subtotal
		\$0.00

Total FY 2017/18 claimant allocations \$415,757.00

Total Apportionment **\$415,757.00**

Total Contingency* \$1,459,126.00

CLAIM
Transportation Development Act (TDA)
For Fiscal Year 2017/2018 Funds

TO: LASSEN COUNTY TRANSPORTATION COMMISSION
 1631 Alhambra Blvd. Ste. 100
 Sacramento, CA 95816

FROM: City of Susanville
 66 N. Lassen St.
 Susanville, CA 96130

The City of Susanville hereby requests, in accordance with chapter 1400 Statutes 1971 and applicable rules, that this Local Transportation Fund (LTF) annual transportation claim be approved in the amount of \$4,948 (Four Thousand Nine Hundred Forty-Eight Dollars) for fiscal year 2017/2018 LTF Pedestrian and Bicycle Facilities funds to be drawn from the Local Transportation Fund of the Lassen County Transportation Commission for the purposes and amount shown below.

Approval of this claim, this application, and payment by the County Auditor is subject to such moneys being on hand and available for distribution, and to the provisions that such moneys will only be used in accordance with the terms of the allocation instructions.

Pursuant to section 6630 of the Transportation Development Act, this Statement lists the purpose and amount for the claim and the article and section that authorizes the claim for the specified purpose.

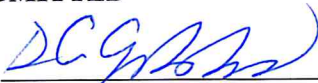
Article and Section of TDA	Purpose	Amount
Article 3, Section 99234	Pedestrian & Bicycle Facilities Construction/maintenance of bicycling trails, bicycle safety education programs, development of a comprehensive bicycle & pedestrian facilities plan.	\$ 4,948.00

APPROVED

By: _____
 Matthew C. Boyer
 LCTC Executive Secretary

Approval Date: _____

SUBMITTED

By: 
 Daniel Gibbs
 Acting Public Works Director

Submittal Date: 03/29/18



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

1631 ALHAMBRA BOULEVARD
SUITE 100
SACRAMENTO, CA 95816


Matthew C. Boyer, Executive Secretary
Matthew C. Boyer & Associates

PH: (530) 953-8857

Staff Report

To: Lassen County Transportation Commission **AGENDA ITEM 1.24**

Date: March 31, 2018

From: Matthew C. Boyer, Executive Secretary 

Subject: Approve payment of Matthew C. Boyer & Associates fees and costs in the amount of \$19,342.49, shown in Invoice #17-46-006

REQUESTED ACTION

Approve payment of Matthew C. Boyer & Associates fees and costs in the amount of \$19,342.49, as shown in Invoice #17-46-006.

PAST ACTION

Monthly approvals of invoices, as submitted, consistent with professional services agreement.

DISCUSSION

Attached is Invoice #17-46-006, with supporting documentation, and a detailed Progress Report for the period ended March 31, 2018.

Key items of work completed in the last month included the following.

- Attendance at the March 21/22 California Transportation Commission meeting in support of the Lassen County region's State Transportation Improvement Program project priorities.
- Several meetings with Caltrans, Legislators, Commissioner's, adjacent regions and others to advance the Commission's vision for improvements to the US 395 corridor between Hallelujah Junction and State Route 36.
- Preparing grant applications for statewide exceed Rural Planning Assistance funds for both the State Route 36 corridor, and the US 395 corridor (see separate agenda items).

We are trending to complete the current fiscal year with staffing expenditures of approximately \$189,000, under our contract maximum (\$200,000 per calendar year), despite the unusually busy first six months.

ALTERNATIVES

Commission to provide direction to staff.

Attachments (6)

INVOICE



Matthew C. Boyer & Associates
1631 Alhambra Boulevard, Suite 100
Sacramento, CA 95816
916-594-7077
matt@MCBandAssociates.com

Lassen County Transportation Commission
Executive Secretary and Staffing Services

Project Title:

Date: March 31, 2018
MCB Invoice # 17-46-006
Billing Cycle Ended: 3/31/2018 (March 1, 2018 - March 31, 2018))

To:

Mr. David Teeter, Chairman
Lassen County Transportation Commission
1631 Alhambra Blvd., Ste. 120
Sacramento, CA 95816

Staff Member	Total Hours	Payroll Rate	Overhead Rate	Profit (5%)	Total Rate	Total Cost
Matt Boyer	87.00	\$ 65.00	\$ 71.50	\$ 6.83	\$ 143.33	\$ 12,469.28
Brenda Hernandez	121.00	\$ 13.50	\$ 14.85	\$ 1.42	\$ 29.77	\$ 3,601.87
Cynthia Lou	24.00	\$ 11.00	\$ 12.10	\$ 1.16	\$ 24.26	\$ 582.12
Jasmine Verela	34.50	\$ 13.50	\$ 14.85	\$ 1.42	\$ 29.77	\$ 1,026.98
Olga Yulayeva	28.50	\$ 13.50	\$ -	\$ -	\$ 13.50	\$ 384.75

Direct Costs (receipts attached)

LSC Transportation Consultants (subconsultant working on Unmet Transit Needs) \$677.50
 Travel to March 21 -22 CTC Meeting (approved up to \$600.00 by LCTC on March 9, 2018) \$600.00

Printing, copies, reproduction **No Charge**
 Travel (Lodging, meals) **No Charge**

TOTAL \$ 19,342.49

Thank you for your history of prompt payment! As a small business, we greatly appreciate it!

Prior Balance \$ 54,315.18
Payment \$ (54,315.18)

Total Due \$ 19,342.49



LSC TRANSPORTATION CONSULTANTS, INC.
 1889 York Street
 Denver, CO 80206
 (303) 333-1105
 FAX:(303) 333-1107
 E-mail: lsc@lscdenver.com

To: Matthew Boyer & Associates
 Attn: Accounts Payable
 1631 Alhambra
 Sacramento, CA 95816

Invoice Number: 54374
 Invoice Date: March 07, 2018

RE: Project: 187030
 Lassen County Transportation Commission
 Assistance

Client Id: 03251

Manager: Evans, G.

Professional Services for the Period: 1/27/2018 to 2/23/2018

Assistance with unmet Transit needs. Process, including recruitment of SSTAC members.

PROFESSIONAL SERVICES

	<u>Bill Rate</u>	<u>Bill Hours</u>	<u>Charge</u>
Evans, G.	\$125.00	5.00	\$625.00
Suen, B.	\$105.00	0.50	\$52.50
		<hr/>	<hr/>
		5.50	\$677.50
Professional Services Totals			\$677.50

Subtotal:

Total Fees:

Invoice Total: \$677.50

Aged Receivables:

Current	46- 60 Days	61-90 Days	91-120 Days	> 121 Days
\$927.64	\$1,250.00	\$0.00	\$0.00	\$0.00

ALL ACCOUNTS ARE DUE IN TOTAL UPON RECEIPT OF THIS INVOICE, ACCOUNTS NOT PAID IN FULL MAY BE CHARGED 1.5% INTEREST PER MONTH (18% PER YEAR) ON THE UNPAID BALANCE, BEGINNING 30 DAYS FROM THE DATE OF THIS INVOICE

Matt Boyer

From: Priceline.com Customer Service <hotel@trans.priceline.com>
Sent: Tuesday, March 20, 2018 3:57 PM
To: Matt Boyer
Subject: Your priceline itinerary for Orange, CA - Wednesday, March 21, 2018 (Itinerary# 184-638-582-72)

To view this email as web page, [go here](#)

priceline.com

[Hotels](#) [Cars](#) [Flights](#) [Packages](#) [Cruises](#)

Your Hotel Reservation for Wednesday, March 21, 2018

Priceline Trip Number: 184-638-582-72

To view your full itinerary, [click here](#).



Print Itinerary



Add Trip to App

Best Price. GUARANTEED. On **EVERYTHING** you book.

Best Western Orange Plaza ★★☆☆☆

1 Night, 1 Room

Check-in: **Wednesday, March 21, 2018** (03:00 PM)

Check-out: **Thursday, March 22, 2018** (11:00 AM)

Hotel Address: 1302 West Chapman Avenue
Orange CA, 92868, United States

Hotel Phone Number: 714-633-7720

Number of Rooms: 1 Room
Reservation Name: Room 1: MCB & Associates
Hotel Confirmation Number: 213432222



[See Hotel Details](#)



[Map/Directions](#)

Room Type: 2 Queen Beds
Max 2 guests. Hotels may charge for additional guests.
Meal Plan: Breakfast is included at no extra charge.

[See all Policies](#)

[Book Again](#)

Summary of Charges

Total Charged: \$148.74

Billing Name: Matt Boyer

Room Price: \$134.98/night

Number of rooms: 1 Room

Number of nights: 1 Night

Room Subtotal: \$134.98

Taxes & Fees: \$13.76

Total Charged:

\$148.74
Paid in full

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2.8 miles from hotel



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\$35 / day

Compact Car

1.5 miles from hotel



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- ✓ Free Cancellation

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Hertz

\$38 / day

Mid-Size Car

1.5 miles from hotel



- ✓ Pay at Pick-up
- ✓ Free Cancellation

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Prices are **per day** in USD

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Matt Boyer

From: Southwest Airlines <SouthwestAirlines@luv.southwest.com>
Sent: Tuesday, March 20, 2018 3:37 PM
To: Matt Boyer
Subject: Flight reservation (W6UF89) | 21MAR18 | SMF-SNA |

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Thanks for choosing Southwest® for your trip. You'll find everything you need to know about your reservation below. Happy travels!

[Air itinerary](#)

AIR Confirmation: W6UF89

Confirmation Date: 03/20/2018


Rapid Rewards #	Ticket #	Expiration	Est. Points Earned
Join or Add #		5261426885623	Mar 20, 2019 4200


Rapid Rewards points earned are only estimates. Not a member - visit Southwest.com/rapidrewards and sign up today!


Date	Flight	Departure/Arrival
Wed Mar 21	1565	Depart SACRAMENTO, CA (SMF) on Southwest Airlines at 06:20 AM Arrive in ORANGE COUNTY/SANTA ANA, CA (SNA) at 07:45 AM Travel Time 1 hrs 25 mins Anytime

Date	Flight	Departure/Arrival
Thu Mar 22	1547	Depart ORANGE COUNTY/SANTA ANA, CA (SNA) on Southwest Airlines at 07:45 PM Arrive in SACRAMENTO, CA (SMF) at 09:10 PM Travel Time 1 hrs 25 mins Anytime

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- ✓ Free cancellation

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Base Fare	\$ 419.86	Payment Information
Excise Taxes	\$ 31.48	Payment Type: Discover XXXXXXXXXXXXXXX0987
September 11th Security Fee	\$ 11.20	Date: Mar 20, 2018
Segment Fee	\$ 8.40	Payment Amount: \$479.94
Passenger Facility Charge	\$ 9.00	
Total Air Cost	\$ 479.94	

Useful Tools	Know Before You Go	Special Travel Needs
Check In Online	In the Airport	Traveling with Children
Early Bird Check-In	Baggage Policies	Traveling with Pets
View/Share Itinerary	Suggested Airport Arrival Times	Unaccompanied Minors
Change Air Reservation	Security Procedures	Baby on Board
Cancel Air Reservation	Customers of Size	Customers with Disabilities
Check Flight Status	In the Air	
Flight Status Notification	Purchasing and Refunds	
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¹ All travel involving funds from this Confirmation Number must be completed by the expiration date.
² Security Fee is the government-imposed September 11th Security Fee.

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 See [Southwest Airlines Limit of Liability](#)

Southwest Airlines
 P.O. Box 36647-1CR
 Dallas, TX 75235

INVOICE



Matthew C. Boyer & Associates
 1631 Alhambra Boulevard, Suite 100
 Sacramento, CA 95816
 916-594-7077
 matt@MCBAndAssociates.com

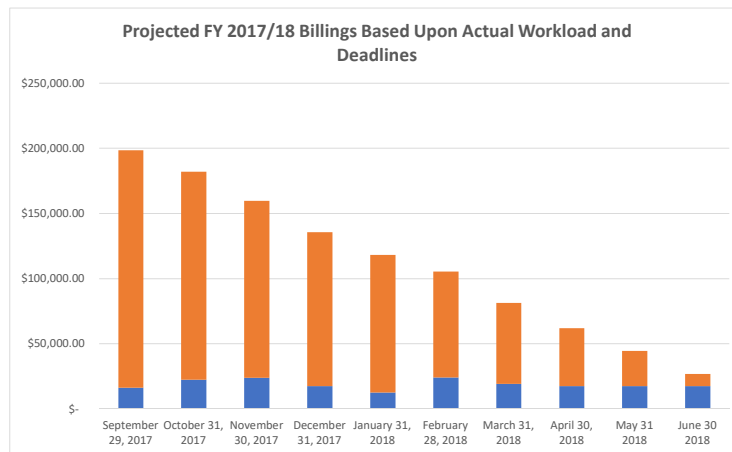
Project Title: Lassen County Transportation Commission
 Executive Secretary and Staffing Services

Date: March 31, 2018
MCB Invoice # 17-46-006
Billing Cycle Ended: 3/31/2018

To: Mr. David Teeter, Chairman
 Lassen County Transportation Commission
 1631 Alhambra Blvd., Ste. 120
 Sacramento, CA 95816

FY 2017/18 Contract Amount \$ 198,680.00 \$ 198,680.00

Invoice #	Date	Invoice Amount	Year to Date	Projected Balance	Notes
17-46-001	September 29, 2017	\$ 16,380.95	\$ 16,380.95	\$ 182,299.05	
17-46-002	October 31, 2017	\$ 22,556.05	\$ 38,937.00	\$ 159,743.00	
17-46-003	November 30, 2017	\$ 24,087.97	\$ 63,024.97	\$ 135,655.03	
	December 31, 2017	\$ 17,464.15	\$ 56,401.15	\$ 118,190.88	2 month invoice, includes December 2017
17-46-004	January 31, 2018	\$ 12,717.38	\$ 75,742.35	\$ 105,473.50	
17-46-005	February 28, 2018	\$ 24,133.65	\$ 80,534.79	\$ 81,339.86	
17-46-006	March 31, 2018	\$ 19,342.49	\$ 95,084.84	\$ 61,997.37	
estimated	April 30, 2018	\$ 17,500.00	\$ 98,034.79	\$ 44,497.37	
estimated	May 31, 2018	\$ 17,500.00	\$ 112,584.84	\$ 26,997.37	
estimated	June 30, 2018	\$ 17,500.00	\$ 115,534.79	\$ 9,497.37	



Remaining Contract Balance (converting contract calendar years to fiscal years, for comparison)
Actual/Project Monthly Billing

PROGRESS REPORT

Project: Lassen County Transportation Commission

MCB Project #: 17-46

Period: March 1, 2018 – March 28, 2018

WORK COMPLETED (March 1, 2018 – March 28, 2018)

Meetings

- Prepared materials for, attended, and facilitated March 26 Technical Advisory Committee (TAC) meeting.
- Attended the March 21 Regional Transportation Planning Agencies meeting.
- Prepared materials for, attended and provided staff support during the March 12 LCTC meeting.
- Multiple meetings with the California Transportation Commission regarding additional design (plans, specifications and estimates) funds for the State Route 36 Southeast Gateway project.
- Multiple coordination meeting with City, County Public Works, County Auditor, and Transit staff.

Administration

- Processed invoices for Commission contractors and expenses.
- Prepared miscellaneous correspondence to Caltrans on various planning, project and grant administration matters.
- Maintained the LCTC website (LassenCTC.com) with updated agendas, minutes, documents, and other information.
- Independent Audit – continued work with the independent auditor on financial and organizational issues that will be assessed and presented in the Draft Audits.

Planning

- Seek Commission approval to host workshops in May for US 395 Corridor Improvements.
- Coordinated with the Susanville Indian Rancheria consultant on the Rancheria's tribal programs and plans that are being prepared separately.

Programming

- Prepared and submitted Low Carbon Transit Operations Program (LCTOP) application, consistent with projects approved by the LCTC at its March 2018 meeting.

- Finalized and obtained Fiscal Year 2016/17 Regional Surface Transportation Program (RSTP) exchange funds. Researching past Commission actions and will bring an item back to the LCTC with options for programming FY 16/17 and FY 17/18 RSTP funds.
- Continued to work with Lassen Transit staff to develop an approach to streamline agency funding.
- Continued to worked with Lassen Transit staff to develop an approach to future discretionary grant cycles.
- Coordinated details for May 2 STIC Roadway Departure Workshop in Susanville with the Federal Highway Administration (FHWA). Thanks to the Susanville Indian Rancheria for hosting this event!
- Prepared agenda and materials for the April 6 Unmet Transit Needs hearing.

WORK PROJECTED (APRIL 2018)

- Prepare for next TAC and LCTC meetings.
- Continue working with the County Auditor to ensure seamless continuation of financial services.
- Prepare invoice to Caltrans for FY 2017/18, third quarter, reimbursable grant work.
- Identify and resolve miscellaneous, outstanding planning, invoicing, and other issues.
- Participate in the April Northern California Super Region meeting.
- Attend the April California Transportation Commission meeting Town Hall in Sonoma.
- Meet City-County Trail coordinator and discuss work to date. Schedule a presentation to the LCTC in May 2018.
- Additional next steps to the work, as identified above.

ISSUES REQUIRING RESOLUTION

None.



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

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Matthew C. Boyer, Executive Secretary
Matthew C. Boyer & Associates

PH: (530) 953-8857

Staff Report

To: Lassen County Transportation Commission **AGENDA ITEM 1.24**

Date: March 31, 2018

From: Matthew C. Boyer, Executive Secretary 

Subject: No-Cost Increase Amendment #1 to Agreement with Mark Thomas to Add Additional Tasks Related to US 395 Corridor

REQUESTED ACTION

Authorize staff to execute Amendment #1 to the existing contract amendment with Mark Thomas for support related to the US 395 Corridor to additional tasks, but no increase in the contract budget.

PAST ACTION

At your November 13, 2018 meeting, your Commission authorized the execution of a professional services agreement with Mark Thomas for planning-level design and cost estimates in support of upcoming community meetings regarding the State Route 36 Capital Maintenance (CAPM) project, in an amount not to exceed \$20,000.00.

DISCUSSION

CAPM

At your February meeting the Commission determined that subsequent agreements between the City and Caltrans had achieved your immediate objectives for the pending CAPM project construction and determined that no additional work by the Commission was needed related to the CAPM project.

Your Commission authorized staff to submit a planning grant application for the “State Route 36 Complete Street and Safe Mobility Study” – this study would incorporate prior City work on the Susanville Main Street Revitalization Plan, Wayfinding Study, and other work, along with a safety analysis, to produce a final report with concurrence from local agencies, the LCTC, and Caltrans, setting the basis for future improvements.

Mark Thomas prepared the “State Route 36 Complete Street and Safe Mobility Study” grant application, at no cost and has also offered to repackaged the Sustainable Communities grant so that the Commission can submit it for possible funding under a one-time, discretionary Rural Planning Assistance competition (see separate agenda item).

US 395

At your March 12, 2018 meeting, your Commission received a presentation from Caltrans regarding the Draft US 395 Corridor Transportation Concept Report and provided comments to Caltrans, generally expressing favor with the need for making safety, operational, and other improvements on the corridor, particularly between Halleluiah Junction and State Route 36.

At your March 12, 2018 meeting, your Commission also approved a Legislative Platform that included the following.

Support planning and feasibility studies for possible future widening of US 395 between Reno, NV and the State Route 36/US 395 intersection east of Susanville, including possible interim safety improvements, ultimate continuous 4-lane widening, and a study of economic impacts. Authorize staff to work with Caltrans, and other possible project stakeholders to determine the next steps towards achieving a feasibility study and other milestones.

Following your meeting, staff has had several meetings with Caltrans, neighboring regions, and Legislators.

Staff has also conceived a Scope of Work for a planning study that builds upon Caltrans US 395 Corridor Transportation Concept Report. More specifically, three logical next steps are as follows.

1. Develop a broad and deep coalition of public- and private-sector stakeholders with the ability to assist in attracting up to \$5 million in discretionary funds needed for planning, preliminary engineering, and environmental studies.
2. Identify specific opportunities and constraints.
3. Identify existing safety, freight movement, and other data that supports immediate improvements to US 395, and also identify significant data gaps.

Supervisor Hammond has suggested that as part of coalition building Commission staff could hold a series of community meetings this spring (see separate agenda item).

Staff is proposing to amend the existing agreement with Mark Thomas to add additional tasks related to US 395. More specifically, Mark Thomas can assist in writing the application for Rural Planning Assistance funds and can help prepare additional exhibits to support community outreach and coalition building.

There is sufficient financial capacity in the existing contract to include this additional work.

ALTERNATIVES

Commission to provide direction to staff.



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Staff Report

To: Lassen County Transportation Commission **AGENDA ITEM 4.11**

Date: March 31, 2018

From: Matthew C. Boyer, Executive Secretary 

Subject: Authorization to Submit Applications for Discretionary State Rural Planning Assistance Funds for Fiscal Year (FY) 2018-19

REQUESTED ACTION

BY MOTION, authorize staff to submit applications for Discretionary State Rural Planning Assistance funds for two projects.

A. "State Route 36 Complete Street and Safe Mobility Study."

B. A Multi-County US 395 Planning Study from the Nevada State Line to the Oregon State Line that Builds a Stakeholder Coalition, Identifies Opportunities and Constraints, Develops an Inventory of Existing Data and Data Deficiencies, and Results in Detailed Implementation Plan with Strong Stakeholder Support.

PAST ACTION

At your March 12, 2018 meeting, your Commission authorized staff to submit a Sustainable Communities planning grant application to Caltrans for the "State Route 36 Complete Street and Safe Mobility Study" – this study would incorporate prior City work on the Susanville Main Street Revitalization Plan, Wayfinding Study, and other work, along with a safety analysis, to produce a final report with concurrence from local agencies, the LCTC, and Caltrans, setting the basis for future improvements.

At your March 12, 2018 meeting, your Commission received a presentation from Caltrans regarding the Draft US 395 Corridor Transportation Concept Report and provided comments to Caltrans, generally expressing favor with the need for making safety, operational, and other improvements on the corridor, particularly between Halleluiah Junction and State Route 36.

At your March 12, 2018 meeting, your Commission also approved a Legislative Platform that included the following.

Support planning and feasibility studies for possible future widening of US 395 between Reno, NV and the State Route 36/US 395 intersection east of Susanville, including possible interim safety improvements, ultimate continuous 4-lane widening, and a study of economic impacts.

Authorize staff to work with Caltrans, and other possible project stakeholders to determine the next steps towards achieving a feasibility study and other milestones.

DISCUSSION

On March 14, 2018 Caltrans announced a statewide competitive application process for excess Rural Planning Assistance funds. Applications are due Friday, April 13, 2017. There is \$333,727 available for the discretionary portion of the funds.

Staff recommends that the Commission submit two applications.

State Route 36 - Susanville

Staff received direction from Caltrans that it would be appropriate to re-package the “State Route 36 Complete Street and Safe Mobility Study” application submitted to the Sustainable Communities grant program as a Rural Planning Assistance grant project.

US 395

Staff recommends that the Commission also submit an application for US 395 planning work.

At your March 12, 2018 meeting, your Commission received a presentation from Caltrans regarding the Draft US 395 Corridor Transportation Concept Report and provided comments to Caltrans, generally expressing favor with the need for making safety, operational, and other improvements on the corridor, particularly between Halleluiah Junction and State Route 36.

At your March 12, 2018 meeting, your Commission also approved a Legislative Platform that included the following.

Support planning and feasibility studies for possible future widening of US 395 between Reno, NV and the State Route 36/US 395 intersection east of Susanville, including possible interim safety improvements, ultimate continuous 4-lane widening, and a study of economic impacts. Authorize staff to work with Caltrans, and other possible project stakeholders to determine the next steps towards achieving a feasibility study and other milestones.

Following your meeting, staff has had several meetings with Caltrans, neighboring regions, and Legislators.

Staff has also conceived a Scope of Work for a planning study that builds upon Caltrans US 395 Corridor Transportation Concept Report. More specifically, the logical next steps are as follows.

1. Develop a broad and deep coalition of public- and private-sector stakeholders with the ability to assist in attracting up to \$5 million in discretionary funds needed for planning, preliminary engineering, and environmental studies.
2. Identify specific opportunities and constraints.
3. Identify existing safety, freight movement, and other data that supports immediate improvements to US 395, and also identify significant data gaps.
4. Prepare a detailed implementation plan with strong stakeholder support.

ALTERNATIVES

Commission to provide direction to staff.



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Staff Report

To: Lassen County Transportation Commission **AGENDA ITEM 4.12**

Date: March 31, 2018

From: Matthew C. Boyer, Executive Secretary 

Subject: US 395 Conceptual Stakeholder Coalition Members and LCTC Representative(s)*

**REQUESTED ACTION
BY MOTION,**

1. Approve the conceptual list of US 395 Stakeholder Coalition Members for purposes of preparing the grant application and obtaining support.
2. Appoint up to three members of the Commission to serve on an ad hoc working group.
3. Authorize staff to arrange one or more community meetings in coordination with the ad hoc working group of the Commission.

PAST ACTION

None.

DISCUSSION

At your March 12, 2018 meeting, your Commission received a presentation from Caltrans regarding the Draft US 395 Corridor Transportation Concept Report and provided comments to Caltrans, generally expressing favor with the need for making safety, operational, and other improvements on the corridor, particularly between Halleluiah Junction and State Route 36.

At your March 12, 2018 meeting, your Commission also approved a Legislative Platform that included the following.

Support planning and feasibility studies for possible future widening of US 395 between Reno, NV and the State Route 36/US 395 intersection east of Susanville, including possible interim safety improvements, ultimate continuous 4-lane widening, and a study of economic impacts. Authorize staff to work with Caltrans, and other possible project stakeholders to determine the next steps towards achieving a feasibility study and other milestones.

The next step to moving forward on improvements to the US 395 Corridor is to obtain a planning grant (see separate agenda item), and to develop a stakeholder coalition.

Ultimately, the stakeholders should self-identify the participants, but staff has proposed a conceptual list for purposes of obtaining the Commission's consent to begin contacting entities that might provide a letter of support for the grant application, and otherwise work with LCTC staff to move forward on future studies.

Staff also recommend that one to three members of the Commission be appointed to work with staff on this effort as an ad hoc working group.

Finally, staff are proposing one or more community meetings might be held this year. The feasibility and logistics could be coordinated with the ad hoc working group.

ALTERNATIVES

Commission to provide direction to staff.

Attachment

Conceptual US 395 Stakeholders

	Organization	Policy Committee	Technical Committee
Federal Agencies			
	US Department of Defense		
	Federal Bureau of Prisons		
	Federal Highway Administration		
State Agencies			
	Caltrans (HQ, District 2, District 3)		
	Nevada DOT		
	Oregon DOT		
	California Department of Corrections		
	California Department of Fish and Wildlife		
	California National Guard		
	California Governor's Military Council		
	California Highway Patrol		
	Nevada Highway Patrol		
Tribal Organizations	Susanville Indian Rancheria		
Regional Agencies			
	RTC of Washoe County		
	Sierra County Transportation Commission		
	Plumas County Transportation Commission		
	Lassen County Transportation Commission		
	Modoc County Transportation Commission		
Local Agencies			
	County of Washoe		
	County of Sierra		
	County of Plumas		
	County of Lassen		
	County of Modoc		

State/ Federal Elected Officials			
	California State Assembly		
	California State Senate		
	Nevada State Assembly		
	Nevada State Senate		
	US Congressman		
	US Senators		
Private Business			
	Tesla		
	UPS		
	FedEx		
	Amazon		
Private Associations			
	California Trucking Association		
	Nevada Trucking Association		
	California State Automobile Association		
	American Automobile Association		
Other			
	Transit Agencies		
	Fire Departments (Volunteer and Other, Cal Fire)		
	Railroads		



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Staff Report

To: Lassen County Transportation Commission **AGENDA ITEM 4.13**

Date: March 31, 2018

From: Matthew C. Boyer, Executive Secretary 

Subject: Authorization to Form, Participate In, and Coordinate Volkswagen Settlement Working Group

REQUESTED ACTION

BY MOTION, authorize staff to form, participate in, and coordinate efforts amongst interested agencies, related to future funds from the Volkswagen Settlement - Environmental Mitigation Trust for California.

PAST ACTION

None.

DISCUSSION

On March 5, 2018 Commission staff participated in the California Air Resources Board (ARB) workshop in Redding regarding the Volkswagen Environmental Mitigation Trust for California. This was one of a series of workshops throughout California to present the terms of the consent decrees that created the trust.

In the coming months, the ARB will be preparing a Beneficiary Mitigation Plan that will determine how funds in the Trust will be allocated. The Trust is expected to be fully funded by November 2018. ARB has developed the framework shown on the following page from the terms of the consent decrees.

The final proposed Beneficiary Mitigation Plan is expected to be presented to the ARB Board in May 2018, and funding could be available as soon as late 2018 or early 2019. It is expected that funding will be available on a "first come, first serve" basis, although the final guidelines have not been developed.

At this time, outside of school busses, the zero-emission infrastructure category is the most-likely category in which the Lassen region would have eligible projects. This category would include electric vehicle charging stations, including potentially some related accessible path of travel improvements.

The City has considered an electric vehicle charging station in Pancera Plaza, the County has considered installations at several locations, including rest areas, community and visitor centers, and other locations.

Staff believes having one agency serve as a clearinghouse for information, and a local point of coordination, might alleviate multiple entities having to track potentially-fluid requirements with quick turn arounds, resulting in overall community efficiencies.

In addition to the City and County, the Technical Advisory Committee suggested the Lassen Municipal Utility District, the Air Pollution Control District, the inter-agency trail coordinator, and possibly school districts as participants in the Working Group.

<h2 style="text-align: center;">Beneficiary Mitigation Plan Funding Recommendations</h2>		
Eligible Mitigation Action (Project) Category	Allocation (millions)	Disadvantaged or Low-Income Community Benefit
Transit, School, Shuttle Buses - zero-emission	\$130	50%
Class 8 Freight and Port Drayage Trucks - zero-emission	\$90	50%
Zero-Emission Freight / Marine - Forklifts and Port Cargo Handling Equipment, Airport GSE, Shorepower	\$70	75%
Combustion Freight / Marine - Low NOx Class 7-8 trucks, Tier 4 Freight Switchers, Tier 4 or Hybrid Ferries/Tugs	\$60	50%
Light-Duty ZEV Infrastructure	\$10	35%
Admin Reserve	\$63	
Total	\$423	> 50%

ALTERNATIVES

Commission to provide direction to staff.



**Volkswagen Environmental Mitigation Trust
for California**

**Public Workshop on Developing a
Beneficiary Mitigation Plan**

Sacramento | Fresno | Oakland | Redding | Diamond Bar | Fontana

February / March 2018



CALIFORNIA
AIR RESOURCES BOARD

Workshop Agenda

Time	Topic
30 minutes	Introduction and Overview
30 minutes	Recommended Eligible Mitigation Actions, Estimated Emission Reductions, and Implementation Options
1 hour	Open Discussion

2

Introduction and Overview

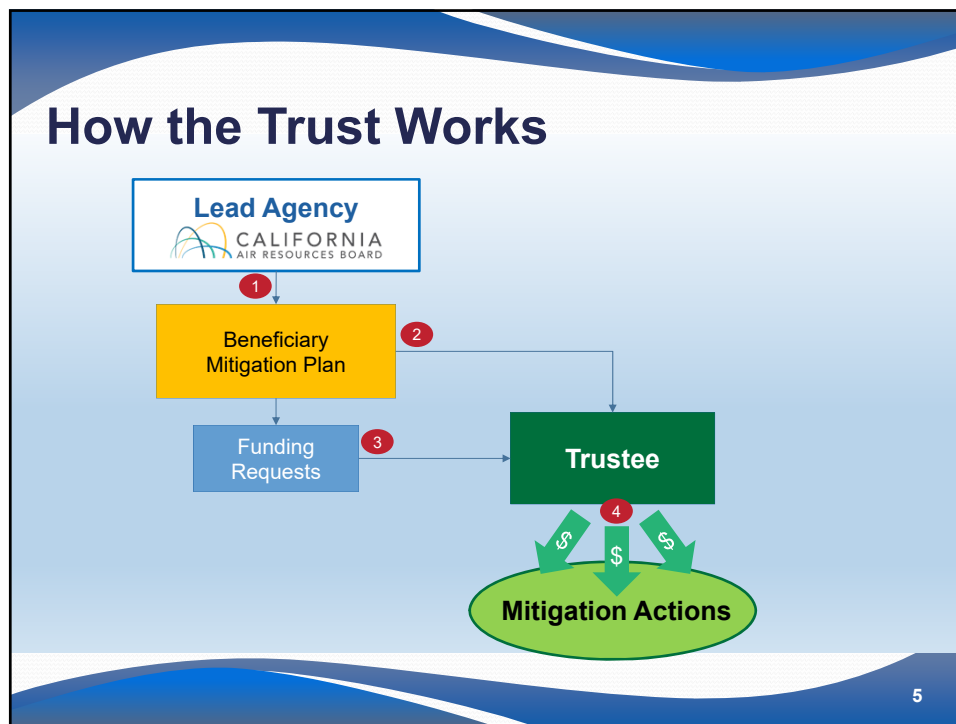
3

Volkswagen (VW) Settlement

- 2 Consent Decrees covering 2.0-liter and 3.0-liter VW diesel vehicles
- Consists of main body & 4 appendices
 - Appendices A & B: Specifies buyback, lease termination, and potential vehicle modification terms
 - Appendix C: Specifies VW's ZEV Investment Commitment
 - **Appendix D: Specifies \$3 billion (\$423M for California) Mitigation Trust to address past and future excess emissions of Nitrogen Oxides (NOx)**
- Civil penalties addressed in 3rd consent decree



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- ## Beneficiary Mitigation Plan
- CARB will develop the Plan with public input
 - Summarizes how California plans to use its Trust allocation
 - Overall goal for the use of the funds
 - Categories of eligible NOx mitigation actions to be funded and the corresponding allocations for each
 - Consideration of potential air quality benefits on areas disproportionately impacted by air pollution
 - Expected emission reductions
 - May be updated as necessary
- 6

Legislative Direction: Senate Bill 92

- Passed in June 2017
- Directs CARB to strive to ensure that:
 - 35 percent of California's allocation benefit low-income or disadvantaged communities
 - The expenditures align with the state's priorities and provide for public transparency before approval
- Annual report to the Legislature

7

Current Status

- Opened public comment docket on September 20, 2017
 - ~40 unique comment letters and >4,000 form letter comments received
- Public workshop on October 9, 2017
- Update at public Board meeting on October 26, 2017
- California officially designated as Beneficiary of the Trust on January 29, 2018
- The Trust will be fully funded in November 2018

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Policy and Statutory Drivers for Beneficiary Mitigation Plan Development

- State Implementation Plan
- Zero-Emission Vehicle mandates
- Sustainable Freight Action Plan
- Mobile Source Strategy
- Cut petroleum use in half by 2030
- SB 92: disadvantaged or low-income community targets

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Guiding Principles

- Fully mitigate NOx, reduce risk to children, and ensure at least 35% of funds benefit disadvantaged or low-income communities
- Align with State priorities
- Zero-emission where available; low NOx everywhere else
- Surplus to regulations and additional to other funding
- Investment across geographic regions statewide with transformation of heavy-duty sector
- Implement with known method of public process, competitive solicitations, and project management
- Ensure accountability and transparency

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NOx Target

- 10,000 tons
 - Assumes 85 percent recall or buy-back by mid-2019
 - Accounts for uncertainties:
 - market demand
 - types of projects that could be funded
 - infrastructure needs
 - Staff used 10,000 tons as target in determining funding recommendations

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Recommended Categories and Allocations



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Beneficiary Mitigation Plan Funding Recommendations

Eligible Mitigation Action (Project) Category	Allocation (millions)	Disadvantaged or Low-Income Community Benefit
Transit, School, Shuttle Buses - zero-emission	\$130	50%
Class 8 Freight and Port Drayage Trucks - zero-emission	\$90	50%
Zero-Emission Freight / Marine - Forklifts and Port Cargo Handling Equipment, Airport GSE, Shorepower	\$70	75%
Combustion Freight / Marine - Low NOx Class 7-8 trucks, Tier 4 Freight Switchers, Tier 4 or Hybrid Ferries/Tugs	\$60	50%
Light-Duty ZEV Infrastructure	\$10	35%
Admin Reserve	\$63	
Total	\$423	> 50%


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Transit, School, and Shuttle Buses

Recommended Allocation: \$130 million


- Supports early adoption of commercially available Class 4-8 zero-emission technologies and reduces diesel's harmful impact on children

Transit Bus	School Bus	Shuttle Bus
Battery: Up to \$180,000* Fuel Cell: Up to \$400,000*	Battery: Up to \$400,000*	Battery: Up to \$100,000*



* Not to exceed 75 percent for non-government owned or 100 percent for government owned

- 2009 or older bus replacements
- Staff estimates at least 50% of allocation will benefit disadvantaged or low-income communities



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Class 8 Freight & Port Drayage Trucks

Recommended Allocation: \$90 million

- Focus on later/future deployment of zero-emission technologies for heavy heavy-duty trucks



Class 8 Truck Years 1-2	Class 8 Truck Years 3-5
Up to \$200,000*	To be re-evaluated as costs decrease*

* Not to exceed 75 percent for non-government owned or 100 percent for government owned

- 2009 or older model year replacements
- Staff estimates at least 50 percent of allocation will benefit disadvantaged or low-income communities

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Zero-Emission Freight / Marine

Recommended Allocation: \$70 million

- Funds the most cost-effective zero-emission freight or marine projects to ensure NOx reductions while supporting deployment of early commercial zero-emission technologies

Airport GSE	Forklifts & Port Cargo Handling Equipment	Shorepower
Up to full incremental cost*	Up to \$175,000*	Up to \$2.5 million*

* Not to exceed 75 percent for non-government owned or 100 percent for government owned

- At least 75 percent of allocation will benefit disadvantaged or low-income communities



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Combustion Freight / Marine

Recommended Allocation: \$60 million

- Funds the most cost-effective, low NOx or cleanest available combustion technologies for freight or marine sector



Class 7-8 Truck Low NOx Repowers or Replacements	Switcher Locomotive Tier 4 Repowers or Replacements	Ferry, Tug, and Tow Tier 4 or Hybrid Repowers
Up to \$60,000*	Up to \$1.35 million*	Up to \$1 million*

* Not to exceed maximum amounts in Consent Decree

- At least 50 percent of allocation will benefit disadvantaged or low-income communities



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Light-Duty ZEV Infrastructure

Recommended Allocation: \$10 million

- Supports market adoption of zero-emission vehicles by enhancing funding and pace of development of infrastructure in areas not served by other funding sources



Public Charging (gov't property)	Public Charging (private property)	Non-Public Charging (workplace and multi-unit dwellings)	Public Hydrogen Fueling
Up to 100%*	Up to 80%*	Up to 60%*	Up to 25 to 33%*

* Purchase, installation, operation, and maintenance costs

- At least 35% of allocation will benefit disadvantaged or low-income communities



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Estimated NOx Reductions, Program Administration and Oversight, and Next Steps

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NOx Emission Reduction Scenarios

- Scenario 1: School Buses Only
 - \$360M for zero-emission and low NOx school buses
 - Total NOx reductions = 3,000 tons
 - Will not fully mitigate NOx
- Scenario 2: Zero-Emission and Cost-Effective Projects (Staff's Recommendation)
 - \$130M for zero-emission transit, shuttle, and school buses
 - \$90M for zero-emission Class 8 trucks
 - \$70M for zero-emission freight / marine
 - \$60M for combustion freight / marine
 - Total NOx reductions = 10,000+
 - Will fully mitigate NOx and support zero-emission transformation in heavy-duty sector

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Estimated NOx Reductions for Recommended Projects

Eligible Mitigation Action (Project) Category	NOx Reductions (tpy)	Cost-Effectiveness (\$ per ton)
Transit, School, Shuttle Buses - zero-emission	50 - 100	\$30,000 - \$180,000
Class 8 Freight and Port Drayage Trucks - zero-emission	100 - 150	\$80,000 - \$95,000
Zero-Emission Freight / Marine - Forklifts and Port Cargo Handling Equipment, Airport GSE, Shorepower	30 - 50	\$130,000 - \$350,000
Combustion Freight / Marine - Low NOx Class 7-8 trucks, Tier 4 Freight Switchers, Tier 4 or Hybrid Ferries/Tugs	650 - 750	\$5,000 - \$30,000

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Project Administration and Oversight

- Recommend third-party administration
 - Air districts, other government entities, or California-based non-profit organizations
 - Administer project categories statewide
- Project administrators will conduct outreach, further define projects with CARB direction, develop solicitations, process applications and issue payments, and agree to audits and reporting requirements
- Mitigation action project agreements will describe implementation details and requirements
- CARB will oversee projects
 - Direct project development
 - Conduct program reviews and audits

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Next Steps



- Continue to solicit comments
- Incorporate comments for proposed Beneficiary Mitigation Plan
- Final proposed Beneficiary Mitigation Plan to the Board expected in May 2018
- Funding available as soon as late 2018 / early 2019

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Contacts for the Environmental Mitigation Trust for California

Website: www.arb.ca.gov/msprog/vw_info/vsi/vw-mititrust/vw-mititrust.htm
(Link provided on website for submitting comments)

Email: vmititrust@arb.ca.gov

Staff Lead: Lisa Williams
lisa.williams@arb.ca.gov | (916) 324-7582

Manager: Peter Christensen
peter.christensen@arb.ca.gov | (916) 322-1520

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APPENDIX D-2
Eligible Mitigation Actions and Mitigation Action Expenditures

APPENDIX D-2

ELIGIBLE MITIGATION ACTIONS AND MITIGATION ACTION EXPENDITURES

1. Class 8 Local Freight Trucks and Port Drayage Trucks (Eligible Large Trucks)
 - a. Eligible Large Trucks include 1992-2009 engine model year Class 8 Local Freight or Drayage. For Beneficiaries that have State regulations that already require upgrades to 1992-2009 engine model year trucks at the time of the proposed Eligible Mitigation Action, Eligible Large Trucks shall also include 2010-2012 engine model year Class 8 Local Freight or Drayage.
 - b. Eligible Large Trucks must be Scrapped.
 - c. Eligible Large Trucks may be Repowered with any new diesel or Alternate Fueled engine or All-Electric engine, or may be replaced with any new diesel or Alternate Fueled or All-Electric vehicle, with the engine model year in which the Eligible Large Trucks Mitigation Action occurs or one engine model year prior.
 - d. For Non-Government Owned Eligible Class 8 Local Freight Trucks, Beneficiaries may only draw funds from the Trust in the amount of:
 1. Up to 40% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine, including the costs of installation of such engine.
 2. Up to 25% of the cost of a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) vehicle.
 3. Up to 75% of the cost of a Repower with a new All-Electric engine, including the costs of installation of such engine, and charging infrastructure associated with the new All-Electric engine.
 4. Up to 75% of the cost of a new All-Electric vehicle, including charging infrastructure associated with the new All-Electric vehicle.
 - e. For Non-Government Owned Eligible Drayage Trucks, Beneficiaries may only draw funds from the Trust in the amount of:
 1. Up to 40% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine, including the costs of installation of such engine.
 2. Up to 50% of the cost of a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) vehicle.

3. Up to 75% of the cost of a Repower with a new All-Electric engine, including the costs of installation of such engine, and charging infrastructure associated with the new All-Electric engine.
 4. Up to 75% of the cost of a new all-electric vehicle, including charging infrastructure associated with the new All-Electric vehicle.
- f. For Government Owned Eligible Class 8 Large Trucks, Beneficiaries may draw funds from the Trust in the amount of:
1. Up to 100% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine, including the costs of installation of such engine.
 2. Up to 100% of the cost of a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) vehicle.
 3. Up to 100% of the cost of a Repower with a new All-Electric engine, including the costs of installation of such engine, and charging infrastructure associated with the new All-Electric engine.
 4. Up to 100% of the cost of a new All-Electric vehicle, including charging infrastructure associated with the new All-Electric vehicle.

2. Class 4-8 School Bus, Shuttle Bus, or Transit Bus (Eligible Buses)

- a. Eligible Buses include 2009 engine model year or older class 4-8 school buses, shuttle buses, or transit buses. For Beneficiaries that have State regulations that already require upgrades to 1992-2009 engine model year buses at the time of the proposed Eligible Mitigation Action, Eligible Buses shall also include 2010-2012 engine model year class 4-8 school buses, shuttle buses, or transit buses.
- b. Eligible Buses must be Scrapped.
- c. Eligible Buses may be Repowered with any new diesel or Alternate Fueled or All-Electric engine, or may be replaced with any new diesel or Alternate Fueled or All-Electric vehicle, with the engine model year in which the Eligible Bus Mitigation Action occurs or one engine model year prior.
- d. For Non-Government Owned Buses, Beneficiaries may draw funds from the Trust in the amount of:
 1. Up to 40% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine, including the costs of installation of such engine.
 2. Up to 25% of the cost of a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) vehicle.

3. Up to 75% of the cost of a Repower with a new All-Electric engine, including the costs of installation of such engine, and charging infrastructure associated with the new All-Electric engine.
 4. Up to 75% of the cost of a new All-Electric vehicle, including charging infrastructure associated with the new All-Electric vehicle.
- e. For Government Owned Eligible Buses, and Privately Owned School Buses Under Contract with a Public School District, Beneficiaries may draw funds from the Trust in the amount of:
1. Up to 100% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine, including the costs of installation of such engine.
 2. Up to 100% of the cost of a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) vehicle.
 3. Up to 100% of the cost of a Repower with a new All-Electric engine, including the costs of installation of such engine, and charging infrastructure associated with the new All-Electric engine.
 4. Up to 100% of the cost of a new All-Electric vehicle, including charging infrastructure associated with the new All-Electric vehicle.

3. Freight Switchers

- a. Eligible Freight Switchers include pre-Tier 4 switcher locomotives that operate 1000 or more hours per year.
- b. Eligible Freight Switchers must be Scrapped.
- c. Eligible Freight Switchers may be Repowered with any new diesel or Alternate Fueled or All-Electric engine(s) (including Generator Sets), or may be replaced with any new diesel or Alternate Fueled or All-Electric (including Generator Sets) Freight Switcher, that is certified to meet the applicable EPA emissions standards (or other more stringent equivalent State standard) as published in the CFR for the engine model year in which the Eligible Freight Switcher Mitigation Action occurs.
- d. For Non-Government Owned Freight Switchers, Beneficiaries may draw funds from the Trust in the amount of :
 1. Up to 40% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine(s) or Generator Sets, including the costs of installation of such engine(s).

2. Up to 25% of the cost of a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) Freight Switcher.
 3. Up to 75% of the cost of a Repower with a new All-Electric engine(s), including the costs of installation of such engine(s), and charging infrastructure associated with the new All-Electric engine(s).
 4. Up to 75% of the cost of a new All-Electric Freight Switcher, including charging infrastructure associated with the new All-Electric Freight Switcher.
- e. For Government Owned Eligible Freight Switchers, Beneficiaries may draw funds from the Trust in the amount of:
1. Up to 100% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine(s) or Generator Sets, including the costs of installation of such engine(s).
 2. Up to 100% of the cost of a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) Freight Switcher.
 3. Up to 100% of the cost of a Repower with a new All-Electric engine(s), including the costs of installation of such engine(s), and charging infrastructure associated with the new All-Electric engine(s).
 4. Up to 100% of the cost of a new All-Electric Freight Switcher, including charging infrastructure associated with the new All-Electric Freight Switcher.

4. Ferries/Tugs

- a. Eligible Ferries and/or Tugs include unregulated, Tier 1, or Tier 2 marine engines.
- b. Eligible Ferry and/or Tug engines that are replaced must be Scrapped.
- c. Eligible Ferries and/or Tugs may be Repowered with any new Tier 3 or Tier 4 diesel or Alternate Fueled engines, or with All-Electric engines, or may be upgraded with an EPA Certified Remanufacture System or an EPA Verified Engine Upgrade.
- d. For Non-Government Owned Eligible Ferries and/or Tugs, Beneficiaries may only draw funds from the Trust in the amount of:
 1. Up to 40% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine(s), including the costs of installation of such engine(s).

2. Up to 75% of the cost of a Repower with a new All-Electric engine(s), including the costs of installation of such engine(s), and charging infrastructure associated with the new All-Electric engine(s).
- e. For Government Owned Eligible Ferries and/or Tugs, Beneficiaries may draw funds from the Trust in the amount of:
1. Up to 100% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine(s), including the costs of installation of such engine(s).
 2. Up to 100% of the cost of a Repower with a new All-Electric engine(s), including the costs of installation of such engine(s), and charging infrastructure associated with the new All-Electric engine(s).

5. Ocean Going Vessels (OGV) Shorepower

- a. Eligible Marine Shorepower includes systems that enable a compatible vessel's main and auxiliary engines to remain off while the vessel is at berth. Components of such systems eligible for reimbursement are limited to cables, cable management systems, shore power coupler systems, distribution control systems, and power distribution. Marine shore power systems must comply with international shore power design standards (ISO/IEC/IEEE 80005-1-2012 High Voltage Shore Connection Systems or the IEC/PAS 80005-3:2014 Low Voltage Shore Connection Systems) and should be supplied with power sourced from the local utility grid. Eligible Marine Shorepower includes equipment for vessels that operate within the Great Lakes.
- b. For Non-Government Owned Marine Shorepower, Beneficiaries may only draw funds from the Trust in the amount of up to 25% for the costs associated with the shore-side system, including cables, cable management systems, shore power coupler systems, distribution control systems, installation, and power distribution components.
- c. For Government Owned Marine Shorepower, Beneficiaries may draw funds from the Trust in the amount of up to 100% for the costs associated with the shore-side system, including cables, cable management systems, shore power coupler systems, distribution control systems, installation, and power distribution components.

6. Class 4-7 Local Freight Trucks (Medium Trucks)

- a. Eligible Medium Trucks include 1992-2009 engine model year class 4-7 Local Freight trucks, and for Beneficiaries that have State regulations that already require upgrades to 1992-2009 engine model year trucks at the time of the

proposed Eligible Mitigation Action, Eligible Trucks shall also include 2010-2012 engine model year class 4-7 Local Freight trucks.

- b. Eligible Medium Trucks must be Scrapped.
- c. Eligible Medium Trucks may be Repowered with any new diesel or Alternate Fueled or All-Electric engine, or may be replaced with any new diesel or Alternate Fueled or All-Electric vehicle, with the engine model year in which the Eligible Medium Trucks Mitigation Action occurs or one engine model year prior.
- d. For Non-Government Owned Eligible Medium Trucks, Beneficiaries may draw funds from the Trust in the amount of:
 1. Up to 40% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine, including the costs of installation of such engine.
 2. Up to 25% of the cost of a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) vehicle.
 3. Up to 75% of the cost of a Repower with a new All-Electric engine, including the costs of installation of such engine, and charging infrastructure associated with the new All-Electric engine.
 4. Up to 75% of the cost of a new All-Electric vehicle, including charging infrastructure associated with the new All-Electric vehicle.
- e. For Government Owned Eligible Medium Trucks, Beneficiaries may draw funds from the Trust in the amount of:
 1. Up to 100% of the cost of a Repower with a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) engine, including the costs of installation of such engine.
 2. Up to 100% of the cost of a new diesel or Alternate Fueled (e.g. CNG, propane, Hybrid) vehicle.
 3. Up to 100% of the cost of a Repower with a new All-Electric engine, including the costs of installation of such engine, and charging infrastructure associated with the new All-Electric engine.
 4. Up to 100% of the cost of a new All-Electric vehicle, including charging infrastructure associated with the new All-Electric vehicle.

7. Airport Ground Support Equipment

- a. Eligible Airport Ground Support Equipment includes:

1. Tier 0, Tier 1, or Tier 2 diesel powered airport ground support equipment; and
 2. Uncertified, or certified to 3 g/bhp-hr or higher emissions, spark ignition engine powered airport ground support equipment.
- b. Eligible Airport Ground Support Equipment must be Scrapped.
- c. Eligible Airport Ground Support Equipment may be Repowered with an All-Electric engine, or may be replaced with the same Airport Ground Support Equipment in an All-Electric form.
- d. For Non-Government Owned Eligible Airport Ground Support Equipment, Beneficiaries may only draw funds from the Trust in the amount of:
1. Up to 75% of the cost of a Repower with a new All-Electric engine, including costs of installation of such engine, and charging infrastructure associated with such new All-Electric engine.
 2. Up to 75% of the cost of a new All-Electric Airport Ground Support Equipment, including charging infrastructure associated with such new All-Electric Airport Ground Support Equipment.
- e. For Government Owned Eligible Airport Ground Support Equipment, Beneficiaries may draw funds from the Trust in the amount of:
1. Up to 100% of the cost of a Repower with a new All-Electric engine, including costs of installation of such engine, and charging infrastructure associated with such new All-Electric engine.
 2. Up to 100% of the cost of a new All-Electric Airport Ground Support Equipment, including charging infrastructure associated with such new All-Electric Airport Ground Support Equipment.

8. Forklifts and Port Cargo Handling Equipment

- a. Eligible Forklifts includes forklifts with greater than 8000 pounds lift capacity.
- b. Eligible Forklifts and Port Cargo Handling Equipment must be Scrapped.
- c. Eligible Forklifts and Port Cargo Handling Equipment may be Repowered with an All-Electric engine, or may be replaced with the same equipment in an All-Electric form.
- d. For Non-Government Owned Eligible Forklifts and Port Cargo Handling Equipment, Beneficiaries may draw funds from the Trust in the amount of:

1. Up to 75% of the cost of a Repower with a new All-Electric engine, including costs of installation of such engine, and charging infrastructure associated with such new All-Electric engine.
 2. Up to 75% of the cost of a new All-Electric Forklift or Port Cargo Handling Equipment, including charging infrastructure associated with such new All-Electric Forklift or Port Cargo Handling Equipment.
- e. For Government Owned Eligible Forklifts and Port Cargo Handling Equipment, Beneficiaries may draw funds from the Trust in the amount of:
1. Up to 100% of the cost of a Repower with a new All-Electric engine, including costs of installation of such engine, and charging infrastructure associated with such new All-Electric engine.
 2. Up to 100% of the cost of a new All-Electric Forklift or Port Cargo Handling Equipment, including charging infrastructure associated with such new All-Electric Forklift or Port Cargo Handling Equipment.
9. Light Duty Zero Emission Vehicle Supply Equipment. Each Beneficiary may use up to fifteen percent (15%) of its allocation of Trust Funds on the costs necessary for, and directly connected to, the acquisition, installation, operation and maintenance of new light duty zero emission vehicle supply equipment for projects as specified below. Provided, however, that Trust Funds shall not be made available or used to purchase or rent real-estate, other capital costs (e.g., construction of buildings, parking facilities, etc.) or general maintenance (i.e., maintenance other than of the Supply Equipment).
- a. Light duty electric vehicle supply equipment includes Level 1, Level 2 or fast charging equipment (or analogous successor technologies) that is located in a public place, workplace, or multi-unit dwelling and is not consumer light duty electric vehicle supply equipment (i.e., not located at a private residential dwelling that is not a multi-unit dwelling).
 - b. Light duty hydrogen fuel cell vehicle supply equipment includes hydrogen dispensing equipment capable of dispensing hydrogen at a pressure of 70 megapascals (MPa) (or analogous successor technologies) that is located in a public place.
 - c. Subject to the 15% limitation above, each Beneficiary may draw funds from the Trust in the amount of:
 1. Up to 100% of the cost to purchase, install and maintain eligible light duty electric vehicle supply equipment that will be available to the public at a Government Owned Property.

2. Up to 80% of the cost to purchase, install and maintain eligible light duty electric vehicle supply equipment that will be available to the public at a Non-Government Owned Property.
 3. Up to 60% of the cost to purchase, install and maintain eligible light duty electric vehicle supply equipment that is available at a workplace but not to the general public.
 4. Up to 60% of the cost to purchase, install and maintain eligible light duty electric vehicle supply equipment that is available at a multi-unit dwelling but not to the general public.
 5. Up to 33% of the cost to purchase, install and maintain eligible light duty hydrogen fuel cell vehicle supply equipment capable of dispensing at least 250 kg/day that will be available to the public.
 6. Up to 25% of the cost to purchase, install and maintain eligible light duty hydrogen fuel cell vehicle supply equipment capable of dispensing at least 100 kg/day that will be available to the public.
10. Diesel Emission Reduction Act (DERA) Option. Beneficiaries may use Trust Funds for their non-federal voluntary match, pursuant to Title VII, Subtitle G, Section 793 of the DERA Program in the Energy Policy Act of 2005 (codified at 42 U.S.C. § 16133), or Section 792 (codified at 42 U.S.C. § 16132) in the case of Tribes, thereby allowing Beneficiaries to use such Trust Funds for actions not specifically enumerated in this Appendix D-2, but otherwise eligible under DERA pursuant to all DERA guidance documents available through the EPA. Trust Funds shall not be used to meet the non-federal mandatory cost share requirements, as defined in applicable DERA program guidance, of any DERA grant.

Eligible Mitigation Action Administrative Expenditures

For any Eligible Mitigation Action, Beneficiaries may use Trust Funds for actual administrative expenditures (described below) associated with implementing such Eligible Mitigation Action, but not to exceed 15% of the total cost of such Eligible Mitigation Action. The 15% cap includes the aggregated amount of eligible administrative expenditures incurred by the Beneficiary and any third-party contractor(s).

1. Personnel including costs of employee salaries and wages, but not consultants.
2. Fringe Benefits including costs of employee fringe benefits such as health insurance, FICA, retirement, life insurance, and payroll taxes.
3. Travel including costs of Mitigation Action-related travel by program staff, but does not include consultant travel.
4. Supplies including tangible property purchased in support of the Mitigation Action that will be expensed on the Statement of Activities, such as educational publications, office supplies, etc. Identify general categories of supplies and their Mitigation Action costs.
5. Contractual including all contracted services and goods except for those charged under other categories such as supplies, construction, etc. Contracts for evaluation and consulting services and contracts with sub-recipient organizations are included.
6. Construction including costs associated with ordinary or normal rearrangement and alteration of facilities.
7. Other costs including insurance, professional services, occupancy and equipment leases, printing and publication, training, indirect costs, and accounting.

Definitions/Glossary of Terms

“Airport Ground Support Equipment” shall mean vehicles and equipment used at an airport to service aircraft between flights.

“All-Electric” shall mean powered exclusively by electricity provided by a battery, fuel cell, or the grid.

“Alternate Fueled” shall mean an engine, or a vehicle or piece of equipment which is powered by an engine, which uses a fuel different from or in addition to gasoline fuel or diesel fuel (e.g., CNG, propane, diesel-electric Hybrid).

“Certified Remanufacture System or Verified Engine Upgrade” shall mean engine upgrades certified or verified by EPA or CARB to achieve a reduction in emissions.

“Class 4-7 Local Freight Trucks (Medium Trucks)” shall mean trucks, including commercial trucks, used to deliver cargo and freight (e.g., courier services, delivery trucks, box trucks moving freight, waste haulers, dump trucks, concrete mixers) with a Gross Vehicle Weight Rating (GVWR) between 14,001 and 33,000 lbs.

“Class 4-8 School Bus, Shuttle Bus, or Transit Bus (Buses)” shall mean vehicles with a Gross Vehicle Weight Rating (GVWR) greater than 14,001 lbs used for transporting people. See definition for School Bus below.

“Class 8 Local Freight, and Port Drayage Trucks (Eligible Large Trucks)” shall mean trucks with a Gross Vehicle Weight Rating (GVWR) greater than 33,000 lbs used for port drayage and/or freight/cargo delivery (including waste haulers, dump trucks, concrete mixers).

“CNG” shall mean Compressed Natural Gas.

“Drayage Trucks” shall mean trucks hauling cargo to and from ports and intermodal rail yards.

“Forklift” shall mean nonroad equipment used to lift and move materials short distances; generally includes tines to lift objects. Eligible types of forklifts include reach stackers, side loaders, and top loaders.

“Freight Switcher” shall mean a locomotive that moves rail cars around a rail yard as compared to a line-haul engine that move freight long distances.

“Generator Set” shall mean a switcher locomotive equipped with multiple engines that can turn off one or more engines to reduce emissions and save fuel depending on the load it is moving.

“Government” shall mean a State or local government agency (including a school district, municipality, city, county, special district, transit district, joint powers authority, or port authority, owning fleets purchased with government funds), and a tribal government or native village. The term ‘State’ means the several States, the District of Columbia, and the Commonwealth of Puerto Rico.

“Gross Vehicle Weight Rating (GVWR)” shall mean the maximum weight of the vehicle, as specified by the manufacturer. GVWR includes total vehicle weight plus fluids, passengers, and cargo.

- Class 1: < 6000 lb
- Class 2: 6001-10,000 lb
- Class 3: 10,001-14,000 lb
- Class 4: 14,001-16,000 lb
- Class 5: 16,001-19,500 lb
- Class 6: 19,501-26,000 lb
- Class 7: 26,001-33,000 lb
- Class 8: > 33,001 lb

“Hybrid” shall mean a vehicle that combines an internal combustion engine with a battery and electric motor.

“Infrastructure” shall mean the equipment used to enable the use of electric powered vehicles (e.g., electric vehicle charging station).

“Intermodal Rail Yard” shall mean a rail facility in which cargo is transferred from drayage truck to train or vice-versa.

“Port Cargo Handling Equipment” shall mean rubber-tired gantry cranes, straddle carriers, shuttle carriers, and terminal tractors, including yard hostlers and yard tractors that operate within ports.

“Plug-in Hybrid Electric Vehicle (PHEV)” shall mean a vehicle that is similar to a Hybrid but is equipped with a larger, more advanced battery that allows the vehicle to be plugged in and recharged in addition to refueling with gasoline. This larger battery allows the car to be driven on a combination of electric and gasoline fuels.

“Repower” shall mean to replace an existing engine with a newer, cleaner engine or power source that is certified by EPA and, if applicable, CARB, to meet a more stringent set of engine emission standards. Repower includes, but is not limited to, diesel engine replacement with an engine certified for use with diesel or a clean alternate fuel, diesel engine replacement with an electric power source (grid, battery), diesel engine replacement with a fuel cell, diesel engine replacement with an electric generator(s) (genset), diesel engine upgrades in Ferries/Tugs with an EPA Certified Remanufacture System, and/or diesel engine upgrades in Ferries/Tugs with an EPA Verified Engine Upgrade. All-Electric and fuel cell Repowers do not require EPA or CARB certification.

“School Bus” shall mean a Class 4-8 bus sold or introduced into interstate commerce for purposes that include carrying students to and from school or related events. May be Type A-D.

“Scrapped” shall mean to render inoperable and available for recycle, and, at a minimum, to specifically cut a 3-inch hole in the engine block for all engines. If any Eligible Vehicle will be replaced as part of an Eligible project, scrapped shall also include the disabling of the chassis by cutting the vehicle’s frame rails completely in half.

“Tier 0, 1, 2, 3, 4” shall refer to corresponding EPA engine emission classifications for nonroad, locomotive and marine engines.

“Tugs” shall mean dedicated vessels that push or pull other vessels in ports, harbors, and inland waterways (e.g., tugboats and towboats).

“Zero Emission Vehicle (ZEV)” shall mean a vehicle that produces no emissions from the on-board source of power (e.g., All-Electric or hydrogen fuel cell vehicles).



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

1631 ALHAMBRA BOULEVARD
SUITE 100
SACRAMENTO, CA 95816

Matthew C. Boyer, Executive Secretary
Matthew C. Boyer & Associates

PH: (530) 953-8857

Staff Report

To: Lassen County Transportation Commission

AGENDA ITEM 4.14

Date: March 31, 2018

From: Matthew C. Boyer, Executive Secretary

A handwritten signature in blue ink, appearing to read "Matthew C. Boyer", is placed over the printed name.

Subject: Request for Proposals (RFP) for Legal Services

REQUESTED ACTION

BY MOTION, authorize staff to prepare and release a Request for Proposals for Legal Services for the three-year period from July 1, 2018 through June 30, 2021, with a Commission-option for two (2), one-year extensions.

PAST ACTION

The Commission previously retained outside legal counsel (Prentice, Long & Epperson). This agreement expires June 30, 2018.

DISCUSSION

Attached is a Draft Request for Proposals (RFP). Staff propose to issue this RFP with responses due in May. The Commission would be given the opportunity to interview the top respondents in conjunction with your June 11 meeting.

ALTERNATIVES

Commission to provide direction to staff.

Attachment



LASSEN COUNTY TRANSPORTATION COMMISSION

REQUEST FOR PROPOSALS

for

Outside General Counsel

Request for Proposals

The Lassen County Transportation Commission (Commission) is requesting proposals from qualified firms who are currently licensed to practice law in California and qualified to provide legal services as Outside General Counsel to the Commission.

The Commission is the Regional Transportation Planning Agency (RTPA) for Lassen County. The Commission is responsible for regional transportation planning in Lassen County as defined under Section 29535 of the California Government Code.

This solicitation is for the three Fiscal Year period beginning July 1, 2018 and ending June 30, 2021.

This three-year contract shall be subject to the satisfactory negotiation of terms (including a price acceptable to both the Commission and the selected firm), and the annual availability of an appropriation).

At its sole discretion, the Commission may extend the agreement by up to two years, in 1-year increments.

To be considered, an original plus six (6) copies of the proposal, and one electronic copy (PDF), must be delivered in a sealed container, addressed as follows.

Matthew C. Boyer, Executive Secretary
Lassen County Transportation Commission
1631 Alhambra Boulevard, Suite 100
Sacramento, CA 95816

Proposals must be received by **4:00 pm on Friday May 4, 2018** and clearly marked **“LEGAL SERVICES PROPOSAL”**. The Commission reserves the right to reject any or all proposals submitted.

Scope of Services

It is the intent of the Commission to contract with an experienced and qualified law firm to serve as Outside General Counsel, serving as the legal advisor to the Commissioners, Executive

Secretary and staff on all matters. Legal services to be provided include both general representation and services in specific specialized areas of legal practice, as needed.

The General Counsel is expected to have a wide variety of experience and expertise in order to advise the Commission and provide legal services in a number of areas including, but not limited to the following.

Administrative Law - Provide legal analysis and advice on Federal, State, Regional and Local agency rules and regulations related to transportation planning, programming, and related matters.

Environmental Law – Provide advice on National Environmental Policy Act and California Environmental Quality Act compliance. Provide advice on Federal and State environmental issues such as air quality, water quality, solid waste disposal, hazardous waste and toxic regulatory enforcement and permitting matters, as necessary.

Contracts - Provide procurement support in developing and/or reviewing procurement processes and documents for materials, equipment and services, professional services contracts, design services and construction projects. Provide advice on bid protest procedures and compliance with Federal and state procurement laws.

Claims and Litigation – Prepare necessary documents and provide legal representation in court, as required, to initiate and prosecute or respond to claims or lawsuits.

Proposal Content

Technical Proposal – The technical proposal must be prepared and organized to include the elements listed below in order. Although the Commission is not specifying a page limit, clarity and conciseness are essential and will be considered during the Proposal evaluation.

1. **Cover Letter** – The cover letter should describe the firm’s interest and convey an understanding of and commitment to provide the nature of the services sought by the Commission.
2. **Proposed Services** – The response should outline how the Prosper plans to deliver the Scope of Services, any information or assistance that it expects from the Commission to complete the work and other services or specialties that may distinguish the abilities of the Proposer.
3. **Proposer’s Qualifications and Experience** - Describe the firm’s history, organization, qualifications, experience and areas of law served by the firm. Please emphasize the specific qualifications and experience applicable to serving in capacities similar to the Commission’s requirements.
4. **Lead Counsel/Team Qualifications and Experience** - Identify and describe the representative of the firm who will serve as the primary lead counsel. Additionally,

- identify and describe other members of the team that may serve as backup lead counsel or support. Discuss the role and responsibilities of each assigned representative intended for this engagement. Please include biographical resumes to describe experience, specific areas of legal expertise, law school accreditation, and related professional affiliations for each assigned representative.
5. **References** – Provide the contact information of three clients that the Commission may contact as a reference for the firm and lead counsel.
 6. **Project/Account Management Procedures** – Describe your firm’s policies and systems for managing client work to ensure that a quality product is delivered in the needed timeframe at a reasonable price. Describe your firm’s system for tracking and billing time for services provided and any overview or oversight procedures in reviewing and/or adjusting these billings.
 7. **Cost Proposal** – Provide the proposed hourly rates for legal services, differentiated by Partner, Associate Attorney, Paralegal/Clerk, etc. Identify and describe the type of out-of-pocket expenses or other items your firm would seek reimbursement for and the expected annual range for these expenses. Identify and describe any other fees or administration rates that may apply for the use of outside counsel or any other circumstance.
 8. **Conflicts** – Specify any existing or pending engagements that might represent and actual or perceived conflict of interest, relative to assuming the role of Outside General Counsel to the Commission for the period July 1, 2018 through June 30, 2021.

Right to Reject

The Commission reserves the right to reject any and all proposals received in response to this RFP. A contract for the accepted proposal will be drafted based upon the factors described in this RFP.

Possibility of Interviews

The Commission may choose to interview one or more respondents to this RFP. Interviews will be held Monday, June 11, in the afternoon, in Susanville, California. Respondents are expected to maintain their availability on this date.

Notification of Award

It is expected that a decision selecting the successful firm will be made within four (4) weeks of the closing date for the receipt of proposals. Upon conclusion of final negotiations with the successful firm, all Offerors submitting proposals in response to the Request for Proposal will be informed, in writing, of the name of the successful consultant.



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

1631 ALHAMBRA BOULEVARD
SUITE 100
SACRAMENTO, CA 95816

Matthew C. Boyer, Executive Secretary
Matthew C. Boyer & Associates

PH: (530) 953-8857

Staff Report

To: Lassen County Transportation Commission

AGENDA ITEM 4.15

Date: March 31, 2018

From: Matthew C. Boyer, Executive Secretary

A handwritten signature in blue ink, appearing to read "Matthew C. Boyer", is placed to the right of the "From:" line.

Subject: Skyline Boulevard – Phase 2

REQUESTED ACTION

BY MOTION, provide direction to staff.

PAST ACTION

Previously, over the course of several actions and many years, the Commission has programmed funding for the Skyline Boulevard project.

DISCUSSION

At your March 12 meeting Commissioner Hemphill requested information about options the Commission might have to de-programming the construction funding for the Skyline Boulevard Phase 2 project. Currently, the Commission has programmed \$6.8 of its Regional Improvement Program (RIP) funds towards the construction phase of the project.

Staff has researched recent Commission discussions and actions, and also obtained a general understanding of actions that have occurred over the many years.

Last year the Commission had extensive conversations about the whether to continue investing in the project. In general, the range of perspectives expressed at that time are still valid.

- Completing Skyline Phase 2 provides parallel capacity to existing State Route 36 and may generate some economic development opportunities.
 - Deprogramming construction funds at this time may trigger the equivalent of a breach of contract related to prior State/Federal transportation funds that were invested in the project development (environmental studies and approvals, design, right-of-way acquisition, etc.).
 - While the purpose and need for the project remains the same as it did at the on-set a variety of economic and transportation circumstances have changed. Looking forward, those circumstances may or may not return.
-

Staff also met with Caltrans, District 2 Local Assistance in March to get detailed answers about the risks of un-programming construction funds at this time and the process to seek administrative relief.

Through several meetings and discussions with Caltrans staff during the week of March 26, the following information was obtained.

- Occasionally, projects are terminated during project development. This typically happens when during the normal course of project development an unforeseen circumstance is encountered. Caltrans Local Assistance does not believe a qualifying recent event exists for the Skyline Phase 2 project.
- The circumstance of considering discontinuing a project at this time is unusual enough that there is not an explicitly prescribed process. Staff has requested additional clarification on that process, should the Commission choose to this course.
- If no administrative relief is granted a minimum of \$1,010,000 in costs to date would be subject to repayment. A portion of the prior costs were expended by the City (slightly under \$150,000) and that would be subject to repayment, with the balance ‘owed’ by the County.
- Options for the source of the repayment may be limited. Most transportation funds are available for purposes of making a transportation improvement, and not to settle administrative debt, so worst case these repayments could need to come from unrestricted revenues.
- The timing is particularly awkward for a couple reasons.
 - The project is programmed for funding in Fiscal Year 2018/19 and the State has just adopted the State Transportation Improvement Program (STIP), include the Commission’s request to increase construction funding from \$3.9 million to \$6.8 million.
 - The California Transportation Commission cannot delete the project from the STIP after July 1, 2018. Because STIP amendments require 30-day notices, and are typically process through a series of steps, there a only a few remaining days to request a STIP amendment and that would require a special meeting of the LCTC to consider such an action.
 - Separate from the question that has arisen... the project is under a separate timeline to have funding obligated through a series of steps that includes a “vote” or allocation of funds at the August 2018 California Transportation Commission meeting, so taking an action to defer a final decision is not possible.

ALTERNATIVES

Commission to provide direction to staff.

2018 PREPARATION SCHEDULE
CALIFORNIA TRANSPORTATION COMMISSION (CTC) MEETINGS
AGENDA ITEM(S) DUE DATES

Prepared by:
OFFICE OF CTC LIAISON
DIVISION OF TRANSPORTATION PROGRAMMING
CALIFORNIA DEPARTMENT OF TRANSPORTATION
<http://www.dot.ca.gov/hq/transprog/ctcliaison.htm>

Effective:
September 2017

2018 California Transportation Commission (CTC) Meeting Schedule	Local Agency Submits Off System Funds Requests, Program Amendments, and Time Extensions to Caltrans Districts (and CTC Staff for Prop 116 Rail)	District Submits Off System and On System Requests to HQ Divisions	HQ Divisions Submit Final Off System and On System Requests to Budgets	Final Agenda Language Due From HQ Divisions to Office of CTC Liaison	Final Book Items Due from HQ Divisions to Office of CTC Liaison
Date and Location:	10:00 AM District & CTC	10:00 AM HQ Divisions/ Funds Request email	5:00 PM Budgets	10:00 AM CTC Liaison	10:00 AM CTC Liaison
Jan 31 - Feb 1 - Sacramento Area	Mon, Dec 4, 17	Mon, Dec 11, 17	Mon, Dec 18, '17	Thu, Dec 28, '17	Thu, Jan 4, '18
March 21-22 - Los Angeles	Mon, Jan 22, 18	Mon, Jan 29, 18	Mon, Feb 5, '18	Wed, Feb 14, '18	Thu, Feb 22, '18
May 16-17 - San Diego	Mon, Mar 19, 18	Mon, Mar 26, 18	Mon, Apr 2, '18	Wed, Apr 11, '18	Thu, Apr 19, '18
June 27-28 - Sacramento Area	Mon, Apr 30, 18	Mon, May 7, 18	Mon, May 14, '18	Wed, May 23, '18	Thu, May 31, '18
August 15-16 - San Francisco	Mon, Jun 18, 18	Mon, Jun 25, 18	Mon, Jul 2, '18	Wed, Jul 11, '18	Thu, Jul 19, '18
October 17-18 - Central Valley	Mon, Aug 20, 18	Mon, Aug 27, 18	Tue, Sep 4, '18	Wed, Sep 12, '18	Thu, Sep 20, '18
December 5-6 - Riverside	Mon, Oct 8, 18	Mon, Oct 15, 18	Mon, Oct 22, '18	Wed, Oct 31, '18	Thu, Nov 8, '18

Holiday - Labor Day

* No Scheduled Meeting in: February, April, July, September and November



LASSEN COUNTY TRANSPORTATION COMMISSION
REGIONAL TRANSPORTATION PLANING AGENCY

1631 ALHAMBRA BOULEVARD
SUITE 100
SACRAMENTO, CA 95816

Matthew C. Boyer, Executive Secretary
Matthew C. Boyer & Associates

PH: (530) 953-8857

Staff Report

To: Lassen County Transportation Commission

AGENDA ITEM 4.16

Date: March 31, 2018

From: Matthew C. Boyer, Executive Secretary

A handwritten signature in blue ink, appearing to read "Matthew C. Boyer", is placed over the printed name.

Subject: Independent Audit Reports for Fiscal Year 2016/17

REQUESTED ACTION

BY MOTION, receive and file the Fiscal Year 2016/2017 Audit Reports.

PAST ACTION

Each year, the Commission receives Independent Audits for the LCTC Operating Budget, for Transportation Development Act programs (Local Transportation Fund and State Transit Assistance Fund), and for funds held in trust.

In Spring 2018 the Commission hired Donald R. Reynolds CPA of Redding, California to produce audits for three fiscal years, starting with the 2016/17 Fiscal Year ended June 30, 2016.

DISCUSSION

Mr. Don Reynolds will present the audits at your meetings. Copies of the audits will be sent under separate cover, in advance of the meeting.

ALTERNATIVES

Commission to provide direction to staff.
