



CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Approving the Memorandum of Understanding between the City of Lodi and San Joaquin Council of Governments Regarding Future Transit Planning and Programming, and Authorizing the City Manager to Execute the Agreement

MEETING DATE: August 21, 2002

PREPARED BY: Public Works Director

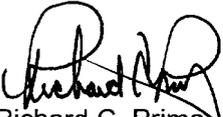
RECOMMENDED ACTION: That the City Council adopt a resolution approving the Memorandum of Understanding (MOU) between the City of Lodi and the San Joaquin Council of Governments (SJCOG) regarding future Transit Planning and Programming, and authorizing the City Manager to execute the agreement.

BACKGROUND INFORMATION: As a designated urban area that receives federal funding for the delivery of transit services, a Memorandum of Understanding between the City of Lodi and the Metropolitan Planning Organization (San Joaquin Council of Governments) is necessary.

Per Section 450.310, 23 CFR Ch. I (4-1-02 Edition) Metropolitan Planning Organization (MPO): Agreements, Paragraph (b), under this federal legislation states, "There shall be an agreement between the MPO and operators of publicly owned transit services which specifies cooperative procedures for carrying out transportation planning (including corridor and subarea studies) and programming as required by this subpart." Furthermore, Section 450.312 Paragraph (a) states, "The MPO in cooperation with the State and with operators of publicly owned transit services shall be responsible for carrying out the metropolitan transportation planning process. The MPO, State and transit operator(s) shall cooperatively determine their mutual responsibilities in the conduct of the planning process, including corridor refinement studies, described in 450.310 through 450.318. They shall cooperatively develop the unified planning work program, transportation plan, and transportation improvement program specified in 450.314 through 450.318. In addition, the development of the plan and TIP shall be coordinated with other providers of transportation, e.g., sponsors of regional airports, maritime port operators, rail freight operators, etc."

In fiscal year 2001, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) conducted a certification review of the metropolitan planning process for SJCOG. The certification report highly recommended that an MOU be developed between the transit operators. In addition, the recommendations stressed the need to prepare short-range transit plans for the use of development of sound financial and operation decisions in the transportation planning and programming process.

FUNDING: None required for this action.


Richard C. Prima, Jr.
Public Works Director

Prepared by Tiffani M. Fink, Transportation Manager
RCP/TMF/lm
Attachment
cc: Randy Hays , City Attorney
Julia Greene- SJCOG Executive Director

APPROVED:


H. Dixon Flynn -- City Manager

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
SAN JOAQUIN COUNCIL OF GOVERNMENTS
AND
CITY OF LODI

“Regarding the Coordination of Ongoing Transit Planning and Programming Federal Funds that Support the Ongoing and Future Deployment of Transit Services by the City of Lodi”.

This Memorandum of Understanding (MOU) is entered into between the SAN JOAQUIN COUNCIL OF GOVERNMENTS, hereinafter referred to as (SJCOG), and the CITY OF LODI, hereinafter referred to as (Lodi), a public transit operator, as of this ___ day of August 2002. The purpose of this MOU is to:

- 1) Foster a cooperative and mutually beneficial working relationship between SJCOG and Lodi for the provision of comprehensive, effective, and coordinated transit planning on behalf of the Lodi Grapeline public transportation system; and,
- 2) Delineate the transit planning responsibilities in coordination with the State of California for the purpose of programming federal funds within the SJCOG Federal Transportation Improvement Program (FTIP).

WITNESSES THAT:

WHEREAS, with the incorporation of Lodi as a General Law city on December 6, 1906; and,

WHEREAS, Lodi as an urbanized area, is a public transportation provider that applies for and receives Federal Transit Administration (FTA) 5307 funding for capital, operating, and planning assistance for the delivery of mass transportation; and,

WHEREAS, all powers of the City are vested in the City Council, which is empowered to perform all duties of and obligations of the City as imposed by State law; and,

WHEREAS, SJCOG is a joint powers agency, created in 1968 by the County of San Joaquin and the cities of Stockton, Lodi, Manteca, Tracy, Ripon, and Escalon. In 1991, the newly incorporated City of Lathrop signed onto the Joint Powers Agreement; and,

WHEREAS, SJCOG is the Regional Transportation Planning Agency (RTPA) and the Metropolitan Planning Agency (MPO), for San Joaquin County and,

WHEREAS, SJCOG has developed a committee structure that advises the SJCOG Board on all planning and policy questions. These committees include the Technical Advisory Committee (TAC), the Management and Finance Committee (M&FC), the Citizens Advisory Committee (CAC), and the Social Services Transportation Advisory Committee (SSTAC); and,

WHEREAS, the Federal Transportation Equity Act for the 21st Century (TEA-21) requires MPOs to work cooperatively with public transit operators to develop Regional Transportation Plans (RTPs) and Transportation Improvement Programs (TIPs) for urbanized areas. These plans and programs are intended to further the national interest to encourage and promote the safe and efficient management,

operation, and development of surface transportation systems. These systems should serve the mobility of people and freight, and foster economic growth and development within and through urbanized areas, while minimizing transportation-related fuel consumption and air pollution.

NOW, THEREFORE, in consideration of the mutual benefits to the parties hereto, and in consideration of the covenants and conditions herein contained, the parties agrees as follows:

SECTION 1: Cooperative Relationship

1.1 Communication

SJCOG and Lodi rely upon a cooperative relationship to foster comprehensive regional transit planning which feeds directly into State and national planning. A critical component of this relationship involves open and productive communication, which leads to setting project priorities and federal funding needs.

SJCOG is required to update the FTIP every even numbered year. The need to ensure responsive communication between the two parties is imperative in order to meet this federal programming mandate.

The Executive Director of SJCOG and the City Manager of Lodi are the primary individuals responsible for ensuring that the provisions specified in this MOU are followed through.

1.2 Representation on SJCOG Board and Committees

Lodi shall:

- a) Designate a representative and alternate from the Lodi City Council to represent Lodi as a member on the SJCOG Board of Directors.
- b) Appoint two (2) representatives and alternate to serve as a voting member of the SJCOG Technical Advisory Committee.
- c) Appoint, by the SJCOG Board representative from the City of Lodi, one (1) citizen representative to serve as a voting member of the SJCOG Citizens Advisory Committee.
- d) Appoint one (1) representative and alternate to serve as a voting member of the SJCOG Social Services Transportation Advisory Committee.

SECTION 2: Transit Planning

2.1 Short-Range Transit Plan

By July 1, 2003, in accordance with the planning regulations and FTA guidance, Lodi will prepare a five (5) year Short-Range Transit Plan to support sound financial and operational decision-making in the transit planning and programming process. Consistent with the Short-Range Transit Plan, Lodi will provide a draft list of projects for federal transit funding. The list shall:

- a) Identify and describe the scope of the specific projects which respond to ongoing and increased transit demands. These needs are to include Americans with Disabilities Act (ADA) and Transportation Control Measure (TCM) type and sufficient detail (design, concept, and scope) to permit air quality conformity analysis performed by SJCOG.
- b) Qualitatively and quantitatively support basis the project that responds to the transit needs.
- c) Identify the amount and type of federal and non-federal funds required supporting the projects for each year represented in the plan. In addition, this plan needs to include all discretionary funding estimates for the FTIP.

2.2 Long-Range Transit Plan

In conjunction with the Short-Range Transit Plan, Lodi will develop a Long-Range Transit Plan. The Plan should assess the transportation needs of Lodi and sets forth improvements necessary to address those needs over a twenty (20) year period and updated every five (5) years consistent with the Short Range Transit Plan.

In accordance with the planning regulations and FTA guidance, the Plan at a minimum should address the following:

- a) Existing transit framework.
- b) Trends and projections.
- c) Market framework.
- d) System improvement strategies with time frames.
- e) Resource/funding framework.
- f) Public Participation Process.

2.3 Planning Assistance

SJCOG shall provide input into the development of Lodi's transit planning documents for example, the Long-Range Plan Update, Short-Range Transit Plan, High Capacity Transit Corridor Alternative Analysis, and Clean Air Option for Transit Vehicles Update. In addition, SJCOG will work cooperatively with and support Lodi in its efforts to generate planning and forecasting information needed to establish and maintain the Short and Long-Range Transit Plans. This includes, but is not limited to, the following:

- a) Obtain and analyze data from various sources to develop concrete demographic, growth, and use assumptions for the purpose of transit forecasting and development.
- b) Assist in securing funds to conduct transit demand studies and in-depth analysis.
- c) Assist Lodi in obtaining state and federal funding of projects consistent with the SJCOG RTP.

2.4 FTIP Programming Criteria

As part of the FTIP updating process, projects are programmed on behalf of all transit providers receiving federal funds into the FTIP. Consensus by all stakeholders involved regarding the criteria used for the programming of federal funds within the SJCOG FTIP is essential. SJCOG and Lodi agree to employ the following selection criteria to establish priorities for transit funding:

- a) Project purpose and need.
- b) Anticipated benefits.
- c) Degree in which project will improve transit accessibility.
- d) Degree in which project will improve transit on time performance.
- e) Air quality benefits.
- f) Overall cost effectiveness.
- g) Leveraging other funding sources.

2.5 Regional Planning

SJCOG will provide a forum wherein the development of public transit service in the Region will be accomplished. As part of the coordinated regional transportation system, SJCOG will promote the

continuing, cooperative, and consistent planning of the transportation system in the City of Lodi and its relationship with the regional and interregional transit network.

SJCOG will be responsible for the development of regional planning documents such as the RTP, the Regional Transit Systems Plan, and the Analysis and Determination of Unmet Transit Needs. Lodi will provide input into the development of these regional planning documents.

As a critical part of the regional planning process, Lodi will assist SJCOG with efforts to achieve regional goals including the attainment of federal air quality standards.

2.6 Applications for Transit Funding

Lodi will prepare applications to FTA for transit funding. Lodi will submit draft applications to SJCOG prior to submittal to FTA. SJCOG will review the accuracy of application, consistency of projects with FTIP programming, and prepare a letter of concurrence if information is accurate. Lodi's applications for federal funding shall be consistent with the SJCOG Regional Transportation Plan. Lodi shall work with SJCOG to develop consistent funding requests from all potential transit funding sources.

SECTION 3: FTIP Project Monitoring & Maintenance

3.1 Progress Reporting

SJCOG will be responsible for tracking the overall progress of all projects in the FTIP. A mid-year report will be produced for the SJCOG Board of Directors review that identifies those transit projects that have been obligated and those that are behind schedule. In addition, as per the TEA-21, SJCOG will produce an annual listings of projects for which federal funds have been obligated in the proceeding year and will ensure that it is made available for public review.

Lodi will assist SJCOG's effort to track the overall progress of FTIP projects by submitting quarterly reports that address the status of each project receiving federal funds. At a minimum, the quarterly report will include:

- a) Identification and correlate projects to individual categories as identified in the FTIP (e.g., Operations, Planning, Capital Purchase, Facility Maintenance, Planning).
- b) Document the stage of project deployment.
- c) If project is behind schedule, the reasons for the delay.
- d) Status of amount of federal obligated, received, and used to support project.
- e) Identify the need for FTIP amendment.

In addition to monitoring project deployment, Lodi will provide SJCOG with a copy of all documents/products produced as an end result from all planning activities exercised thirty (30) days after the end of each fiscal year. These results will be used by SJCOG to ensure that 5307 funds were used accordingly as per FTA's request.

3.2 FTIP Amendments

SJCOG's Executive Director will exercise the authority delegated to process minor administrative amendments, involving for example, changes in the project scope, shifting of federal funds between project phases within the triennial element of the FTIP.

As a part of the quarterly progress report, or sooner if required, Lodi will alert SJCOG as to the need for amending the FTIP. In general, reasons for FTIP amendment includes e.g., funding shortfalls, delays in project deployment, and/or new projects that need to be included to the document. Other controls may need to be established to foster consistent communication to ensure the FTIP is amended in a timely fashion.

SECTION 4: MOU Amendment

This MOU may be may be amended by the written consent of both parties.

SECTION 5: MOU Termination

Either party upon thirty (30) days written notification to the other may terminate this MOU.

SECTION 6: Authorization of MOU

By signature, we agree that the responsibilities outlined in this MOU foster healthy collaboration for the purpose of fostering transit planning and programming federal funds within the SJCOG Federal Transportation Improvement Program.

| | | | |
|-------------------|------|--------------------------|------|
| _____ | Date | _____ | Date |
| DIXON FLYNN | | JULIA E. GREENE | |
| Lodi City Manager | | SJCOG Executive Director | |

APPROVE AS TO FORM:

RANDALL A. HAYS Date
City Attorney, City of Lodi

RESOLUTION NO. 2002-176

A RESOLUTION OF THE LODI CITY COUNCIL APPROVING
THE MEMORANDUM OF UNDERSTANDING BETWEEN THE
CITY OF LODI AND THE SAN JOAQUIN COUNCIL OF
GOVERNMENTS REGARDING FUTURE TRANSIT PLANNING
AND PROGRAMMING, AND FURTHER AUTHORIZING THE
CITY MANAGER TO EXECUTE THE AGREEMENT
ON BEHALF OF THE CITY OF LODI

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NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the Memorandum of Understanding between the City of Lodi and the San Joaquin Council of Governments regarding future Transit Planning and Programming; and

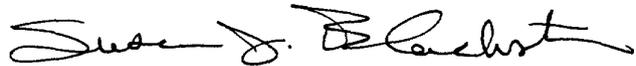
BE IT FURTHER RESOLVED, that the City Council hereby authorizes the City Manager to execute the Memorandum of Understanding on behalf of the City of Lodi.

Dated: August 21, 2002

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I hereby certify that Resolution No. 2002-176 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 21, 2002, by the following vote:

- AYES: COUNCIL MEMBERS – Hitchcock, Howard, Land, Nakanishi, and Mayor Pennino
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk

CITY COUNCIL

PHILLIP A. PENNINO, Mayor
SUSAN HITCHCOCK
Mayor Pro Tempore
EMILY HOWARD
KEITH LAND
ALAN S. NAKANISHI

CITY OF LODI
PUBLIC WORKS DEPARTMENT

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H. DIXON FLYNN
City Manager
SUSAN J. BLACKSTON
City Clerk
RANDALL A. HAYS
City Attorney
RICHARD C. PRIMA, JR.
Public Works Director

August 15, 2002

Ms. Julia Greene, Executive Director
San Joaquin Council of Governments
6 S. El Dorado St., Ste. 400
Stockton, CA 95202

SUBJECT: Adopt Resolution Approving the Memorandum of Understanding between the City of Lodi and San Joaquin Council of Governments Regarding Future Transit Planning and Programming, and Authorizing the City Manager to Execute the Agreement

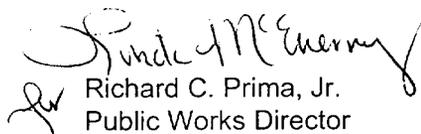
Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, August 21, 2002. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public is given an opportunity to address items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Susan Blackston, City Clerk, at 333-6702.

If you have any questions about the item itself, please call Tiffani Fink, Transportation Manager, at 333-6800, ext. 2678.


Richard C. Prima, Jr.
Public Works Director

RCP/lm
Enclosure
cc: City Clerk

NCSJCOGMOU