



**DATE:**            **NOVEMBER 15, 2018**

**MEMO TO:**    **TRANSIT OPERATORS COMMITTEE**  
**TRANSPORTATION TECHNICAL ADVISORY COMMITTEE**

**FROM:**         **PETER DE HAAN, PROGRAMMING DIRECTOR**

**SUBJECT:**     **PROGRAMMING OF CMAQ PROJECTS**

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**RECOMMENDATION:**

- Beyond what was approved last month, recommend VCTC approve the programming of three additional project cost increases, for VCTC and Oxnard, for a total of \$671,371.
- Recommend VCTC approve a loan of \$2,800,000 in CMAQ apportionment to the San Bernardino County Transportation Authority, with repayment after the FY 2019/20 apportionment becomes available, and with the proviso that staff could later loan more CMAQ should the opportunity remain available and unanticipated changes cause the forecasted September 30, 2019 unobligated balance to remain above \$0.

**BACKGROUND:**

As discussed last month, the federal FAST Act provides for a rescission based on the unobligated apportionment balance at the end of FY 2018/19. Any remaining unobligated CMAQ balance is subject to a proportional share in the rescission scheduled in the FAST Act. The actual proportion of the unobligated balances to be rescinded will be based on the nationwide unobligated balance, which will not be known until that time. As a result, VCTC should consider how to reduce the Ventura County unobligated CMAQ balance to minimize the impact of the rescission on the county. For transit projects, for purposes of lowering the unobligated balance a project is considered obligated when the funds are transferred to FTA.

VCTC had requested information from local agencies regarding which existing projects will be obligated in FY 2018/19, projects from the approved CMAQ Shelf List that can be obligated by September 30<sup>th</sup>, or projects previously approved in VCTC calls for projects that have

encountered cost increases. Based on the responses, if all currently-approved CMAQ projects anticipated to be obligated in FY 2018/19 are in fact obligated according to the submitted schedules, the estimated balance at the end of the fiscal year will be \$9,814,000, as calculated in Attachment B.

At last month's meetings, the Committees approved a total of \$6,588,512 in additional CMAQ funds to projects that were either on the shelf list or had been approved in a prior call for projects but had experienced cost increases, with all the funds identified as ready to be obligated in FY 2018/19. The written agenda item recommended that the remaining balance be loaned to the San Bernardino County Transportation Authority, and TRANSCOM approved that recommendation, but at the TTAC meeting staff requested that the loan approval be deferred to allow more time to consider additional Ventura County projects. The Commission agenda for November included an item to approve the \$6,588,512 in programming recommended by staff and the Committees.

**DISCUSSION:**

The Attachment summarizes the revised plan for obligating the complete CMAQ balance in FY 2018/19. There have been three projects added, shown in bold italics, with cost increases totaling \$671,371. Of the increased amount, \$500,000 is for operating costs for the new VCTC Intercity East/West line, with the cost increase being associated with the higher costs of VCTC's revised operations contract with RATP-DEV.

Staff recommends that the remaining estimated unobligated CMAQ balance be loaned to the San Bernardino County Transportation Authority which has indicated it can obligate the funds in early FY 2018/19. One issue for TTAC consideration in particular is whether the recommended loan amount of \$2,800,000 should be increased to cover for potential bicycle/pedestrian project delivery slippage. Given the need for all agencies to reduce balances to avoid the rescission, it is likely that there will be a relatively short availability for the loan to San Bernardino County.