

# COUNTY OF TULARE

## MEASURE R

(Required to Pass: 2/3 of votes cast)

### **TULARE COUNTY AND CITIES SAFE ROADS, TRAFFIC RELIEF, AIR QUALITY, POTHOLE REPAIR MEASURE -**

To Repair potholes, local streets/roads; improve highways, including 99, 65, 198, Tulare/Lindsay; improve school crossings/routes to protect children; expand elderly/disabled transit; reduce air pollution; qualify for matching state/federal funds; shall the Tulare County Transportation Authority enact a half-cent sales tax ordinance with guaranteed independent annual audits and citizens oversight which automatically expires in 30 years?

YES

NO

### **TULARE COUNTY ASSOCIATION OF GOVERNMENTS In Its Capacity as the TULARE COUNTY TRANSPORTATION AUTHORITY ORDINANCE NO. 2006-01**

AN ORDINANCE PERTAINING TO THE LEVY OF A RETAIL TRANSACTION AND USE TAX FOR TRANSPORTATION PURPOSES.

THE TULARE COUNTY ASSOCIATION OF GOVERNMENTS IN ITS CAPACITY AS THE TULARE COUNTY TRANSPORTATION AUTHORITY ORDAINS AS FOLLOWS:

Section 1. **PURPOSE:** The road, transportation and circulation systems within the incorporated and unincorporated territories of Tulare County are of regional concern and the quality of such systems have a direct impact on residents, visitors, agriculture, business, industry and general economy within the county.

Most of the roads and other infrastructure supporting transportation and circulation within the Tulare County regional were constructed in the early to middle part of the last century, well before the adoption of Proposition 13, which proposition significantly limited the main source of income to the County and Cities for infrastructure maintenance, improvement and expansion. The loss of income for this purpose has not been adequately made up by other sources, including monies from the State and United States governments, so as to allow needed maintenance, upgrading or safety improvements to the existing infrastructure or the construction of the new infrastructure that the County and Cities anticipate will be needed to meet the demands of the future.

Section 2. **SUMMARY:** This Ordinance provides for the imposition of a retail transaction and use tax of one-half percent for local transportation purposes for a period of thirty (30) years, the authority to issue limited tax bonds secured by such taxes, the administration of the tax proceeds and a county transportation expenditure plan.

Section 3. **DEFINITIONS:** The following definitions will apply to this ordinance:

A. "Authority" means the Tulare County Transportation Authority. The Tulare County Association of Governments Transportation Planning Agency has been designated to serve as the Authority under the provisions of the California Public Utilities Code section 180050 by the Tulare County Board of Supervisors in its Resolution No. 88-0548.

B. "County" means the County of Tulare.

C. "The Expenditure Plan" means the 2006 ½ CENT TRANSPORTATION SALES TAX MEASURE EXPENDITURE PLAN adopted by the Tulare County Association of Governments sitting as the Tulare County Transportation Authority in its Resolution No. 1630 as such plan may be amended from time to time in accordance with the provisions of Division 19 (commencing with section 180000) of the California Public Utilities Code, as such statutory provisions may be amended, renumbered or readopted from time to time. Such amendments may include, but are not limited to, amendments in response to incorporations or disincorporations or changes in City or County boundaries.

Section 4. **LEGAL BASIS:** This Ordinance is enacted and implemented pursuant to the provisions of Division 19 (commencing with section 180000) of the California Public Utilities Code and Part 1.6 (commencing with section 7251) of Division 2 of the California Revenue and Taxation Code, as such provisions may be amended, renumbered or readopted from time to time.

Section 5. **IMPOSITION OF RETAIL TRANSACTION AND USE TAX:** Upon voter approval of this Ordinance in the ballot measure described below, the Authority shall impose within the incorporated and unincorporated territory of Tulare County, a retail transaction and use tax (herein referred to as “the tax”) for transportation purposes in accordance with the provisions as provided in Division 19 (commencing with section 180000) of the California Public Utilities Code and Part 1.6 (commencing with section 7251) of Division 2 of the California Revenue and Taxation Code. The provisions of California Revenue and Taxation Code sections 7261 and 7262, as amended, renumbered or re-adopted from time to time are incorporated herein by reference as if set out in full.

Section 6. **TAX RATE AND DURATION:** The tax rate shall be one-half of one percent (0.5%) per dollar for a period of thirty (30) years commencing on the operative date of this ordinance. This tax shall be in addition to any other taxes authorized by law, including any existing or future state or local sales tax or transactions and use taxes.

Section 7. **PURPOSES FOR USE OF TAX:** The revenues derived from the tax shall be used for transportation purposes only and may include, but are not limited to, the administration of this Ordinance and the Expenditure Plan, including costs for initial and subsequent preparation and election, costs for legal actions related to the election, Ordinance and Expenditure Plan, and the costs and fees required for California State Board of Equalization services, and any and all costs and fees related to the transportation purposes set out in the Expenditure Plan. These purposes include expenditures for planning, environmental review, engineering and design costs, related special and expert consultant costs, and related right-of way acquisition and the administrative and legal costs associated therewith.

Section 8. **ALLOCATION:** After deduction of required State Board of Equalization fees and authorized administrative costs, revenues derived from the tax shall be allocated in accordance with the Expenditure Plan.

Section 9. **CONTRIBUTIONS FROM NEW DEVELOPMENT:** No revenue generated from this tax shall be used to replace fair share contribution from new development.

Section 10. **ADMINISTRATION OF PLANS:** The Authority shall impose and collect the tax, and shall administer the Expenditure Plan consistent with the provisions and priorities of the Expenditure Plan and consistent with the legal basis and authority cited herein.

Section 11. **MANDATED TAXPAYER SAFEGUARDS:** The following taxpayer safeguards set and described in detail in the expenditure are mandated and shall be implemented and followed throughout the life of this tax and period of collection.

A. **Citizens’ Oversight:** A Citizens’ Oversight Committee shall be formed as set out in Appendix C to the Expenditure Plan.

B. **Administrative Costs:** The Authority shall expend only that amount of funds derived from the tax that is necessary and reasonable to carry out its responsibilities for auditing, administrative expenses, staff support and contract services as provided in Appendix A of the Expenditure Plan. In no event, shall the funds expended annually for salaries and benefits of the Authority Staff exceed one percent (1%) of the annual net amount of the revenue raised by the tax.

C. **Maintenance of Effort:** The Authority, by enactment of this Ordinance, intends the additional funds provided government agencies by the tax measure to supplement existing local transportation revenues being used for street and highway purposes. This retail transaction and use tax revenue shall not be used to replace existing local road funding programs or to replace requirements for new development to provide for its own road needs. Under this Measure, funding priorities should be given to addressing current and future road and transit needs, easing congestion, improving roadway safety and mitigating environmental impacts associated with transportation demands.

Section 12. **BONDING AUTHORITY:** Upon voter approval of this Ordinance, the Tulare County Association of Governments in its capacity as the Authority shall have the authority and power, pursuant to Public Utilities Code section 180250 and following, as amended, renumbered or readopted from time to time, to sell or issue bonds or other evidence or instruments of indebtedness, including but not limited to, capital appreciations bonds, in the aggregate principal amount at any one time outstanding not to exceed the estimated proceeds of the tax as determined by the Expenditure Plan, and to secure such indebtedness solely by way of future collection of taxes for capital outlay expenditures for the purposes set forth in Sections 5, 6, 7, and 8 hereof, including the carrying out of transportation projects described in the Expenditure Plan.

Section 13. **ANNUAL APPROPRIATIONS LIMIT:** Upon voter approval of this Ordinance, the Tulare County Association of Governments, solely in its capacity as the Tulare County Transportation Authority, shall be subject to the government spending appropriations limit of \$100,000,000 as provided in Section 4 of Article XIII B of the California Constitution and California Public Utilities Code section 180202. The Authority appropriations shall be subject to this limitation through any initial partial year and then the first full year during which this tax is imposed and collected. In every subsequent year, the Authority appropriations limit shall be determined as provided in Section 1 of Article XIII B of the California Constitution.

Section 14. **ELECTION:** The Authority requests that the Tulare County Board of Supervisors call an election for the purpose of submitting the approval of this Ordinance and the imposition of this tax to the electors residing in the incorporated and unincorporated territories of Tulare County and consolidate the special election with Statewide General Election on November 7, 2006. The election shall be

called and conducted in the same manner as provided for by law for the conduct of elections by a county. The sample ballot to be mailed to the voters shall be the full proposition set out in attachment A and the voter informational handbook shall include this Ordinance and the entire Expenditure Plan. Two-thirds of the electors voting in such election must vote in favor of the proposition set out in Exhibit A in order for this Ordinance to become operative and to approve the imposition of this tax.

Section 15. **OPERATIVE DATES:** Subject to voter approval, this Ordinance shall be operative on the first day of the first calendar quarter commencing more than one hundred ten (110) days after the election and after the Tulare County Transportation Authority has entered into a contract with the State Board of Equalization to perform all functions incidental to the administration and operation of this Ordinance.

Section 16. **EXPENDITURE PLAN AMENDMENTS:** The Expenditure Plan may only be amended, if required, in accordance with the process set out in the Expenditure Plan and in California Public Utilities Code section 180207 as such section may be amended, renumbered or readopted from time to time. Until such amendments have been made pursuant to this process, the existing Expenditure Plan shall remain in full force and effect.

Section 17. **EFFECTIVE DATE:** The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof, and prior to the expiration of fifteen (15) days from the passage hereof shall be published once in the Times Delta, a newspaper printed and published in the County of Tulare, State of California, together with the names of the members of the governing Board of the Tulare County Association of Governments voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the members of the governing board of the Tulare County Association of Governments in its capacity as the Tulare County Transportation Authority on the 7<sup>th</sup> day of August, 2006, at a regular meeting of said board duly and regularly convened on said day by the following vote:

AYES: Ishida, Isherwood, Cox, Worthley, Maples, McKittrick, Boyer, Kimball, Hamilton, Ortega, Ritchie, McKinley,  
Zimmerman, Dunbar

NOES: Link

ABSENT: Macaulay

Tulare County Association of Governments  
In its Capacity as the  
Tulare County Transportation Authority  
s/ Chair Allen Ishida

ATTEST: GEORGE FINNEY  
Executive Secretary  
Tulare County Association of Governments

### **MEASURE EXPENDITURE PLAN**

#### **IMPARTIAL ANALYSIS BY COUNTY COUNSEL**

Upon voter approval, section 180201 of the Public Utilities Code authorizes a local transportation authority to enact an ordinance imposing a retail transactions and use tax to supplement existing local revenue for local transportation purposes and projects. In order for the tax to be approved, two-thirds of the electors voting on this measure must vote in favor of the ordinance.

If this measure is approved, Ordinance No. 2006-01 of the Tulare County Transportation Authority (“TCTA”) will be implemented, imposing a one-half (½) cent retail transactions and use tax countywide within Tulare County. The tax will be effective for thirty (30) years and may fund the construction, maintenance, improvement, and operation in Tulare County of streets, roads, and highways, and the construction, improvement, and operation of public transit systems as provided in the 2006 ½ Cent Transportation Sales Tax Measure Expenditure Plan (“Expenditure Plan”) adopted by the TCTA. The Expenditure Plan may be reviewed and amended annually pursuant to section 180207 of the Public Utilities Code. A citizens’ oversight committee shall be appointed to ensure that tax revenue is expended in accordance with the Expenditure Plan.

If this measure is approved, the ordinance will be operative but the one-half (½) cent retail transactions and use tax cannot be levied earlier than one hundred ten (110) days after the date of the election.

If this measure is approved, the TCTA will also be given authority to issue bonds in the future if needed to finance capital outlay expenditures, as may be provided for in the Expenditure Plan, payable from the proceeds of the retail transactions and use tax. Pursuant to Public Utilities Code section 180250(b), the maximum bonded indebtedness that may be outstanding at any one time cannot exceed the estimated proceeds of the tax, as determined by the Expenditure Plan.

The TCTA's annual spending appropriations limit will be set by the measure at one hundred million dollars (USD \$100,000,000). TCTA will be subject to this limitation during any initial partial year and the first full year when the tax is imposed and collected. Thereafter, the TCTA's appropriations limit shall be determined as provided by section 1 of Article XIII B of the California Constitution and other applicable laws.

This measure makes no change to existing laws but will add to existing laws a countywide ordinance imposing a one-half (½) cent retail transactions and use tax within Tulare County. The electors entitled to vote on this measure are the registered voters within Tulare County. If the measure is not approved by two-thirds of the votes cast on the measure, the measure will fail and the one-half (½) cent tax will not be imposed.

KATHLEEN BALES-LANGE  
Tulare County Counsel

By: Moses Diaz  
Deputy County Counsel

#### **ARGUMENT IN FAVOR OF MEASURE R**

Want to see your streets and potholes repaired? Vote **Yes on R**.

**Fact:** Hundreds of miles of Tulare County roads are falling apart and are badly congested.

**Fact:** Sacramento takes millions annually from Tulare County. Your gas tax money is repairing other people's roads. Vote YES on R for local control.

**Fact:** Unless we act now, our roads will get worse, making repairs more expensive.

**Yes on R** doubles the money available for highway and street repairs in Tulare County by qualifying us for hundreds of million of dollars in matching funds from state and federal governments.

**Yes on R** fixes local potholes and repairs and improves local streets and highways countywide – in the cities and rural areas – and creates jobs.

**Yes on R** improves our highways, including 99, 65, 198, Mooney Boulevard and the Tulare/Lindsay Highway.

**Yes on R** improves safety for our children by expanding school crossings, protecting them from speeding cars.

**Yes on R** expands elderly and disabled transit systems.

**Yes on R** improves public safety by shortening 9-1-1 response times, transporting victims to ERs before it's too late.

**Yes on R** reduces air pollution by adding clean fuel buses/vehicles, relieving traffic congestion, and building bike paths.

**Yes on R** is fiscally accountable, with an Expenditure Plan specifying projects in every city and community, and includes independent annual audits and Independent Citizens Oversight. All monies must be placed within a restricted Trust Fund. Every dime generated by Measure R stays in Tulare County – and WON'T go to Sacramento.

We won't have to wait years for improvements. Road repairs will begin within one year.

Join the Farm Bureau, our economic development organizations, police officers, firefighters, doctors, nurses, local City Councils and Chambers of Commerce -- **Vote Yes on R**. For projects in your area, visit [www.voteroadrepair.com](http://www.voteroadrepair.com)

s/ Phillip A. Cox, Tulare County Board of Supervisors District 3

s/ Scot Hillman, Co-Chairman Committee for Better Roads

s/ Keith Watkins, Tulare County Farm Bureau President

s/ J. Steven Worthley, Tulare County Board of Supervisors, Chairman

s/ Joseph T. McKittrick, Dinuba City Council Vice-Ma

**FINAL 2006 ½ CENT  
TRANSPORTATION SALES TAX  
MEASURE EXPENDITURE PLAN**

**PREPARED BY:**

TULARE COUNTY ASSOCIATION OF GOVERNMENTS  
5961 S. MOONEY BLVD.  
VISALIA, CA 93277

**ADOPTED BY:**

TULARE COUNTY TRANSPORTATION AUTHORITY  
JULY 24, 2006

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\* Page numbers modified from original Expenditure Plan to reflect page numbers in Voter Information Pamphlet

# Introduction

A Tulare County 1/2 Cent Transportation Sales Tax Expenditure Plan was prepared to:

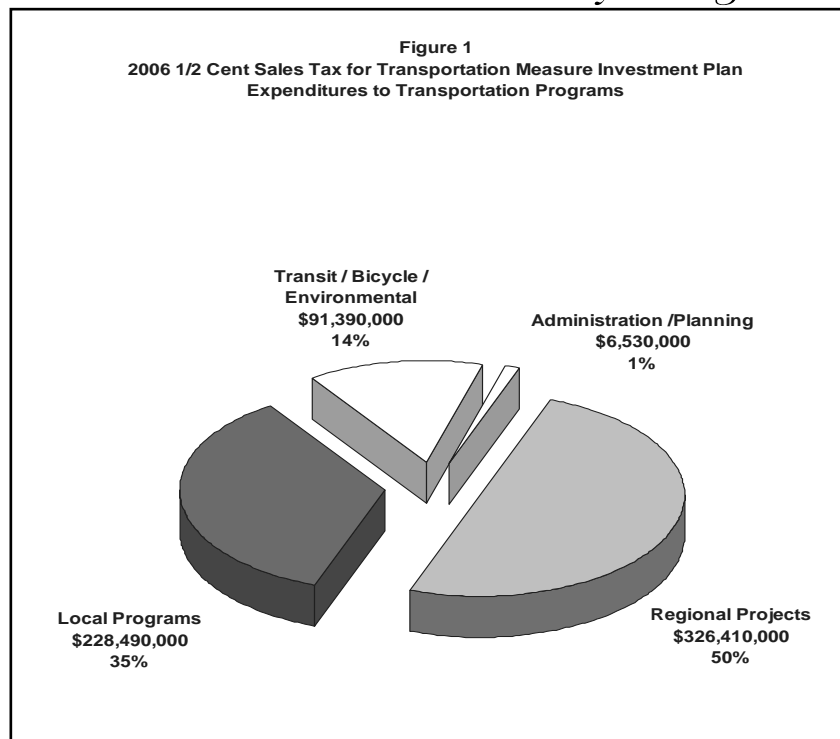
**Guide more than \$652 million in transportation fund expenditures generated through the approval of a Tulare County’s half-cent transportation sales tax over the next 30 years, if approved by voters in the November 2006 election.**

The Expenditure Plan, developed by the Tulare County Association of Governments (TCAG) and nine member agencies (Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia, Woodlake and the County of Tulare) representing diverse community interests, will address major regional transportation needs in Tulare County through the Year 2037 with the initiation of a ½ cent sales tax. TCAG considered established regional needs, projects identified by voters and input from all of the city/County member agencies. To ensure the Plan addressed transportation needs of all County residents, the Tulare County Association of Governments:

- Adhered to requirements contained in the Public Utilities Code 180000 et seq.;
- Reviewed other transportation sales tax measure programs recently passed in other counties (best practices review); and
- Reviewed established transportation needs in Tulare County.

## Overview - Expenditure Plan: Where the money will go

Figure 1 provides an overview of the proposed Expenditure Plan that outlines where the funds will be spent and what categories of projects will be funded. The funding categories include Regional Projects, Local Projects, Transit/Bicycle/Environmental and Administration. The formulas and breakdown of the expenditures were approved by the Tulare County Association of Governments. The proposed 30-year Transportation Measure is expected to generate a total of \$652 million. Half of this amount is allocated for Regional Projects. The Regional projects are established from the adopted Regional Transportation Plan (RTP) approved by all member agencies in Tulare





County. The projects within the RTP were selected through a process that evaluated safety, performance measures and cost effectiveness. The Regional Transportation Plan is updated every two years with 25 years of transportation projects. Many of the projects provide benefits for multiple jurisdictions such as interchange improvements, regional widening projects and environmental mitigation measures.

Referencing Figure 1, the allocations consider the many diversified transportation needs of Tulare County and have the following components, as shown:

- 35% of the expected Transportation Measure funds are allocated to “Local Programs”. Due to the diverse needs of the cities and the County, the Local Programs category was created. The Local Programs category allows each of the member agencies to develop a priority list of projects based on community needs. This allows each jurisdiction, flexibility to determine local needs. This category will allow funding for projects ranging from “pot-hole repair”, road rehabilitation and freeway interchange improvements.
- 14% of the funds are directed to Transit, Bike/Pedestrian and Environmental projects. The program contains important projects to link the regional bike systems, provide increased transit service and an investment in environmental mitigation.
- The remaining 1% of the total expected Transportation Measure funding is directed to program implementation activities.

Details regarding the implementation of each of the programs are provided in Appendix A and B.

## *Responding to Public Needs*

Two-thirds (67%) voter approval is necessary to pass the Transportation Measure in November 2006. In order to ensure that Tulare County Association of Governments is on target with this Expenditure Plan, voters and community residents were initially surveyed to determine support for a new Transportation Measure. The Voters of Tulare County responded with strong support to impose a sales tax which would lead to transportation improvements in Tulare County.

Meeting the needs of Tulare County residents requires leveraging State and Federal expenditures with local resources. Even with passage of the Measure there will not be enough funding available to address the more than \$1.5 billion in transportation needs. The Transportation Measure will generate slightly more than \$652 million over the next 30 years to address a portion of this need. Therefore leveraging additional federal and state dollars, beyond what the region expects, is critical. Most State and Federal grants require a match. Agencies that pass transportation sales tax measures are referred to as “Self-Help” and can generate the revenues for a match. Similar measures throughout the Valley and California have been very successful in this regard. Such measures have been viewed as the most important transportation programs ever approved by voters in those counties. Tulare County needs to become a “Self-Help” County.

The cities, the County of Tulare, and TCAG worked together to develop the Expenditure plan categories of funding, the list of regional projects, list of transit/bike/environmental projects and other key components. Regional Projects were first based on the adopted Transportation Plan approved by all agencies. A list of other regional projects was prepared that could be funded if additional revenues were received. All of the cities and County worked together to develop the Regional Program distribution. In response to the public survey the cities and the County developed a list of bike, transit, and environmental projects.

## Annual Audit of Transportation Measure Programs

The Transportation Measure expenditures and accounts of the local agencies and the Authority will be audited on an annual basis by an independent audit firm retained by Tulare County Association of Governments. Appendix A provides additional detail regarding the Transportation Measure audit process.

### Citizen Oversight

To inform the public and to ensure that the Transportation Measure revenues and expenditures are spent as promised to the public, a Citizens' Oversight Committee would be formed by TCAG as part of the new Transportation Measure. Details regarding the Committee are provided in Appendix C.

## *Anticipated Measure Revenues*

If voters approve the Transportation Measure on November 7, 2006, they will allow TCAG to impose a ½ cent retail transaction and use tax for 30 years (between April 1, 2007 and March 31, 2037). The Transportation Measure Sales Tax will:

***Provide \$652.8 million in new revenues for transportation improvements according to financial projections through the year 2037.***

This estimate considers current sales tax receipts (with no growth rate in sales tax proceeds) through March 2037. Since the project funding is shown in current dollars, the projected revenues are shown in current dollars. The allocation of projected sales tax revenues to specific types of transportation funding programs and improvement projects is described in the following sections of this Expenditure Plan. A Strategic/Work Plan detailing current transportation projects will be updated every two (2) years to adjust the projection of sales tax receipts, ensuring that the projections are consistent with future expenditures and promises made in this initial Expenditure Plan. TCAG will have the option of issuing bonds to deliver Transportation Measure projects and programs contained in this Expenditure Plan to reduce project costs by delivering them earlier.

## *Road Map for the Work Plan: What We Will Do*

Through many weeks of intense discussion and hard work, the following Transportation Measure funding program commitments were developed by the Tulare County Association of Governments and member agencies. TCAG realized that providing funds for all modes of transportation would meet the quality of life intent of the new Transportation Measure. This would in turn enable agencies within Tulare County to address the needs of residents, businesses, and major industries over the 30-year life of the Transportation Measure. The Expenditure Plan will:

***Provide funds for regional road improvements, public transit, rehabilitate existing roads and other transportation programs that improve mobility and air quality within the County and each of the cities.***

Expenditure Plan programs are detailed in Tables 1 through 4. Implementing Guidelines for each of the four (4) Expenditure programs described on the next page are contained in Appendix B.

**REGIONAL PROJECTS (Regional Transportation Program) - \$326.4 million or 50%.**

Authorizes major new projects to:

- Improve freeway interchanges
- Add additional lanes
- Increase safety
- Improve and reconstruct major commute corridors

1

These projects provide for the movement of goods, services, and people throughout Tulare County. Major highlights of this Program include the funding of Regional projects through out the County. There are two phases. Phase 1 contains projects planned to be funded in the first 15 years and Phase 2 are projects expected to be funded in years 16 through 30. A map showing the regional Projects for Phase 1 may be found on Figure 2.

Funds can be used for all phases of project development and implementation. Projects in both Phase 1 and Phase 2 are expected to be completed within the life of the Transportation Measure. This funding program requires matching funds from the State Transportation Improvement Program (STIP) administered locally through TCAG. If funding is received beyond revenue projections in the first 15 years, projects from the Phase 2 list would be advanced.

**LOCAL TRANSPORTATION PROGRAM - \$228.4 million or 35%.**

The goal is to improve each individual city's and the County's local transportation systems.

***\$35% or \$7.6 million a year*** has been guaranteed for local determined projects. Each City and the County will receive funding based on a formula using population, maintained miles, and vehicles miles traveled. The funding will help cities and the County to meet scheduled maintenance needs and to rehabilitate their aging transportation systems.

Potential uses include:

- Pothole repair
- Repave streets
- Bridge repair or replacement
- Traffic signals
- Add additional lanes to existing streets and roads
- Improve sidewalks
- Separate street traffic from rail traffic

2

The local agencies in Tulare County know what their needs are and how best to address those needs.

Funds can be used for all phases of project development and implementation. The County of Tulare would use the Local Transportation Program funds to create a "Farm to Market" program. Specific Local Transportation Program highlights and implementing guidelines are described in Appendix B.

**TRANSIT/BIKES/ENVIRONMENTAL MITIGATION PROGRAM (Multi-Modal Transportation Program) - \$91.3 million or 14%.**

The goal of this program is to expand or enhance public transit programs that address the transit dependent population, improve mobility through the construction of bike lanes and have a demonstrated ability to get people out of their cars and improve air quality and environment. This funding program requires matching funds from the Congestion Mitigation and Air Quality (CMAQ) and Transportation Enhancement (TE) Programs administered locally through TCAG. To accomplish this important goal:

3

Funding is provided to transit agencies within the County to expand transit services. Funding would be provided for regional bike routes through out the County. Other uses include:

New routes to enhance existing transit service  
Low emission buses  
Night and weekend service  
Bus shelters and other capital improvements  
Safer access to public transit services  
Regional bike routes  
Environmental Mitigation  
Preliminary Light Rail investment

Specific Transit Enhancement Program highlights and implementing guidelines are also described in Appendix B.

#### ADMINISTRATION AND PLANNING PROGRAM - \$6.5 million or 1%.

Transportation Measure funding is provided to TCAG to:

- Prepare Strategic/Work Plan updates
- Develop funding allocation requirements
- Administer and conduct specified activities identified in the other three (3) programs described above
- Prepare Annual Transportation Measure Report and contract for an independent audit

4

## Expenditure Plan Projects

This section identifies priority regional street and highway improvement projects to be implemented over the life of the Measure or by the year 2037. The projects would be funded with Measure, State Transportation Improvement Program (STIP), and/or other transportation funding.

Phase 1 capacity increasing street and road projects to be addressed in this Program are included in Table 1 and graphically displayed in Figure 2. Phase 2 projects are included in Table 2. Phase 1 projects are projected for funding for the first 15 years of the Measure and Phase 2 projects are projected to be funded in years 16 through 30. These projects will be funded using:

- Measure funding (approximately **\$324 million**).
- A portion of State Transportation Improvement Program (STIP) funding expected over the 30-year Measure or approximately **\$587 million**. (*conservatively estimated based on recent state funding history*)
- Other sources including local contributions totaling **\$2.9 million**

These funding sources together result in slightly more than **\$903 million** available for Phase 1 and Phase 2 Regional projects. Phase 2 projects are considered for advancement if additional funding is available and the projects are amended in to the current Regional Transportation Plan. During preparation of the biennial Strategic/Work Plan Updates, TCAG will develop a detailed improvement program that specifies the timing and delivery of projects or funding order considering project cost benefit, project readiness, and funding availability. A description of funding commitments and implementing guidelines for the Regional Program are provided in **Appendix B**.

**Table 1  
Summary of Regional Projects – Phase 1 (Years 1-15)**

Project	Limits	Description	Total
SR-63	Packwood Creek to SR-198	Widen to 6 lanes	\$19,000,000
Road 80	Avenue 304 to Avenue 340	Widen to 4 lanes	\$16,000,000
	Avenue 340 to Avenue 380	Widen to 4 lanes	\$22,500,000
	Avenue 380 to Avenue 416	Widen to 4 lanes	\$21,600,000
Road 108	phase 1/Tulare limits	Widen to 4 lanes	\$4,000,000
	phase 2/Visalia limits	Widen to 4 lanes	\$4,000,000
	phase3/County limits	Widen to 4 lanes	\$14,000,000
Plaza Drive	SR-198 to Ave 304	Widen to 4/6 lanes	\$14,000,000
Avenue 416	Road 56 signal	Signal	\$1,300,000
	Euclid to Snyder	Widen to 4 lanes	\$9,000,000
	Road 64 to Road 72	Widen to 4 lanes	\$11,400,000
	Road 32 to Road 64	Widen to 4 lanes	\$30,000,000
	Kings River Bridge	Widen to 4 lanes	\$10,000,000
SR-65	Phase 1/Ave 96 to SR-190	Widen to 4 lanes	\$36,500,000
	Phase 2/Ave 56 to Ave 96	Widen to 4 lanes	\$20,000,000
	Phase 3/C. line to Ave 56	Widen to 4 lanes	\$36,000,000
SR-65 (Spruce)	SR-137 to SR-198	Widen to 4 lanes	\$100,000,000
Scranton/Indiana	Scranton/Indiana	Widen to 4 lanes	\$3,000,000
Caldwell Ave	SR-99 to Mooney Blvd.	Widen to 4 lanes	\$15,000,000
	Santa Fe to Orange Ave	Widen to 4 lanes	\$40,000,000
SR-216 (Houston)	Lovers Lane to Ave 152	Widen to 4 lanes	\$15,000,000
Betty Drive Widening	SR-99 to Road 80	Widen to 4 lanes	\$7,000,000
Betty Drive/SR-99	I/C improvements	Major I/C improvements	\$37,000,000
Caldwell Ave/SR-99	I/C improvements	Major I/C improvements	\$25,000,000
Cartmill/SR-99	I/C improvements	Major I/C improvements	\$25,000,000
SR-190	SR-99 to SR-65	Passing lanes	\$10,000,000
Total Regional Projects			\$546,300,000

Notes:

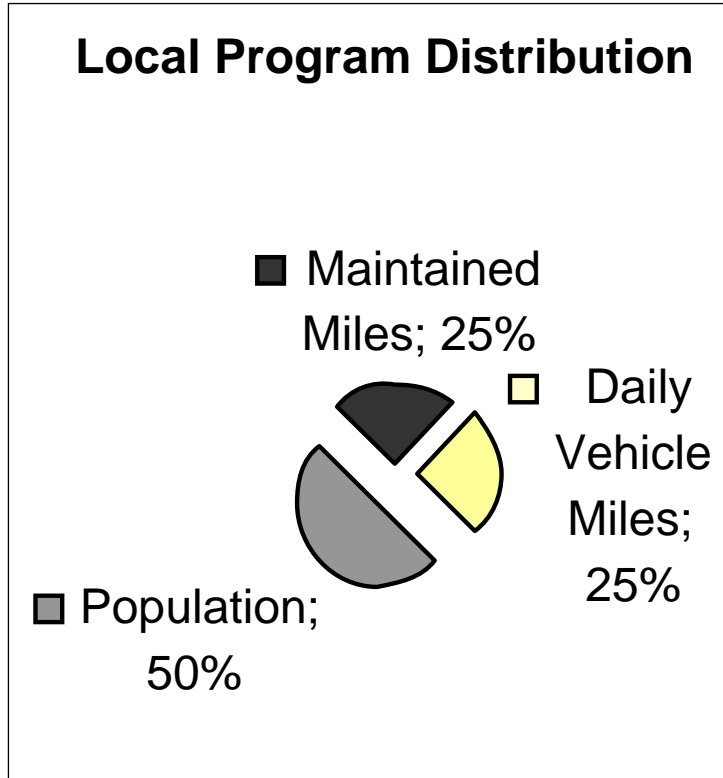
1. The projects are not listed by priority
2. The projects have been approved by TCAG (cities/County) in the adopted 2004 RTP
3. Projects shown are the adopted regional projects for 30 years

**Table 2**

<b>Summary of Potential Regional Projects – Phase 2 (Years 15-30)</b>			
<b>Project</b>	<b>Limits</b>	<b>Description</b>	<b>Total</b>
<b>Additional Project Requests</b>			
Riggin Ave.	Road 80 to SR-63	Widen to 4 lanes	\$14,000,000
Alta Avenue	Sequoia to Avenue 432	Widen to 4 lanes	\$6,000,000
SR-190	SR-99 to SR-65 (Various locations)	Widen to 4 lanes	\$60,000,000
<b>Subtotal widening Requests</b>			<b>\$80,000,000</b>
AgriCenter/SR-99	I/C improvements	New I/C	\$17,000,000
Paige/SR-99	I/C improvements	I/C improvements	\$25,000,000
SR-99 (south county)	various I/C improvements	I/C improvements	\$6,000,000
Shirk Street/SR-198	I/C improvements	I/C improvements	\$9,000,000
Akers Street/SR-198	I/C improvements	I/C improvements	\$1,500,000
Visalia 198 corridor	I/C improvements	I/C improvements	\$20,000,000
Lovers Lane/SR-198	I/C improvements	I/C improvements	\$18,500,000
Ave 148/SR-198	I/C improvements	New I/C	\$25,000,000
Farmersville Blvd/SR-198	I/C improvements	I/C improvements	\$30,000,000
Main Street/SR-190	I/C improvements	all phases	\$18,000,000
N. Grand./SR-65	I/C improvements	all phases	\$20,000,000
<b>Subtotal Interchanges</b>			<b>\$190,000,000</b>
Synchronization	various agencies & locations	PS&E,ROW,CON	\$5,000,000
Visalia Synchronization	various locations	PS&E,ROW,CON	\$9,600,000
Visalia Signals (7)	various locations	PS&E,ROW,CON	\$1,400,000
Rural Signals (8)	various locations	PS&E,ROW,CON	\$3,081,250
<b>Subtotal signals/Synchronization Requests</b>			<b>\$19,081,250</b>
Rural (County) Various	Bridge improvements (County)	all phases	\$17,000,000
McAuliff/SR-198	over crossing	all phases	\$14,000,000
Ben Maddox/SR-198	over crossing	all phases	\$2,800,000
Santa Fe/SR-198	over crossing	all phases	\$12,600,000
Betty Drive/RR	I/C improvements	all phases	\$15,000,000
J Street/RR	over crossing	all phases	\$16,000,000
<b>Subtotal Overcrossings/Bridges</b>			<b>\$77,400,000</b>
<b>Subtotal Project Costs:</b>			<b>\$366,481,250</b>

Notes:

1. The projects are not listed by priority
2. All Tier II projects listed above meet the 2004 Regional Transportation Plan (RTP) criteria for a Regional Project
3. Tier II projects may be funded if additional funding is available and the projects are amended in to the RTP



**Table 3  
Tulare County Agency Demographics**

Agency	Population		Maintained Miles		Daily Vehicle Miles	
	1/1/2006	%		%	(1,000s)	%
Dinuba	19,578	4.65%	59.28	1.54%	126.99	2.69%
Exeter	10,634	2.53%	37.89	0.98%	55.49	1.18%
Farmersville	10,416	2.48%	26.18	0.68%	51.71	1.10%
Lindsay	11,185	2.66%	29.77	0.77%	59.68	1.26%
Porterville	45,220	10.75%	152.79	3.97%	374.06	7.92%
Tulare	51,477	12.24%	152.49	3.96%	374.51	7.93%
Visalia	111,168	26.43%	309.06	8.02%	1,187.00	25.14%
Woodlake	7,305	1.74%	19.79	0.51%	15.93	0.34%
Non-Incorp.	153,636	36.53%	3,064.85	79.56%	2,475.73	52.44%
<b>TOTALS:</b>	<b>420,619</b>	<b>100.00%</b>	<b>3,852.10</b>	<b>100.00%</b>	<b>4,721.10</b>	<b>100.00%</b>

1. Population is based on California Department of Finance Annual estimates
2. Maintained Miles are obtained from the most recent California Public Road Data book published by Caltrans
3. Daily Vehicle Miles of Travel (1,000) are obtained from the most recent California Public Road Data book published by Caltrans
4. All three formula components will be updated on an annual basis

**Table 4  
Summary of Local Program Distribution**

	Total Annual	Total 10 years	Total 20 years	Total 30 years	% of Total
Dinuba	\$257,768	\$2,577,684	\$5,155,367	\$7,733,051	3.38%
Exeter	\$137,384	\$1,373,839	\$2,747,677	\$4,121,516	1.80%
Farmersville	\$128,098	\$1,280,976	\$2,561,951	\$3,842,927	1.68%
Lindsay	\$140,049	\$1,400,486	\$2,800,972	\$4,201,459	1.84%
Porterville	\$635,786	\$6,357,863	\$12,715,725	\$19,073,588	8.35%
Tulare	\$692,468	\$6,924,677	\$13,849,354	\$20,774,031	9.09%
Visalia	\$1,637,959	\$16,379,586	\$32,759,172	\$49,138,758	21.51%
Woodlake	\$82,343	\$823,430	\$1,646,861	\$2,470,291	1.08%
Non-Incorp.	\$3,904,358	\$39,043,582	\$78,087,164	\$117,130,746	51.26%
	<b>\$7,616,212</b>	<b>\$76,162,122</b>	<b>\$152,324,245</b>	<b>\$228,486,367</b>	<b>100%</b>

Notes:

1. Amounts shown are in current dollars

**\$7,616,212**



**Table 5  
Summary of Transit/Bike/Environmental Projects**

Agency	Project	Total	Agency	Project	Total
<b>Transit</b>			<b>Bike/Pedestrian Projects</b>		
Porterville	CNG Buses (2)	\$600,000	Lindsay -	Ped walkway/Bike Phase 3 Downtown	\$3,900,000 \$2,800,000
Dinuba	Route expansion (50k a year)	\$1,500,000	Tulare-	Santa Fe Bike - lights	\$2,000,000
Visalia	Service expansion (684k a year)	\$20,520,000		Santa Fe Bike - trail head	\$2,000,000
	Transit Center expansion	\$1,000,000		Bike Arterial crossings	\$1,000,000
County	Service expansion (500k a year)	\$15,000,000	Visalia	St John's River Path	\$2,000,000
	CNG Buses (4)	\$1,200,000		Cameron Creek path	\$4,500,000
Tulare	Minor Transit improvements	\$300,000		K Street Bike path	\$1,500,000
	operations (100k a year)	\$3,000,000		Packwood Creek	\$1,500,000
Farmersville	transit center (minor)	\$250,000		Modoc Creek	\$1,500,000
Lindsay	Route expansion (100k a year)	\$3,000,000		Mill Creek	\$5,000,000
	transit center (minor)	\$250,000		Goshen Enhancement	\$3,000,000
	CNG Buses (2)	\$400,000		K Road along SJ rail line	\$4,500,000
Woodlake	Route expansion (50k a year)	\$1,500,000		SJ river to Ave 272	\$6,000,000
Exeter	(part of Visalia Urbanized Area)		County	Regional Bike Path improvements	\$5,000,000
Farmersville	(part of Visalia Urbanized Area)		Exeter	Bike/ped improvements	\$1,000,000
Regional Light Rail ROW preservation		\$10,000,000	Porterville	Bike/ped improvements	\$5,000,000
<b>Total</b>		\$58,520,000	Tulare/Visalia	Santa Fe Gap Connection	\$3,000,000
			Regional	K Road to Exeter	\$16,000,000
			<b>Total</b>		<b>\$71,200,000</b>
			<b>Environmental Projects</b>		
				Regional Mitigation Banking Program	\$2,000,000
				Woodlake Area Mitigation banking program (results in \$100,000 a year for environmental)	\$1,000,000
				<b>Total</b>	<b>\$3,000,000</b>
					<b>\$132,720,000</b>

Notes:

1. The projects are not listed by priority
2. There is not a Tier I/II for the Transit/Bike/Environmental category

## Project Commitments – Other Programs

In addition to the Regional Program of projects, the Transportation Measure will provide additional funding for a wide range of projects determined based on agency need. Table 3 shows the projected revenue distribution for the Local Programs. Each Agency will have different types of transportation projects. Examples of projects would include “pot-hole” repair, road rehabilitation, adding travel lanes, interchange improvements and other transportation related projects.

The County of Tulare will use the Local Program funding to create a “Farm to Market” program and for other road improvements to existing, community, local unincorporated roads. Figure 3 is a map showing potential or candidate projects for road rehabilitation. The projects are geographically distributed to all parts of the County. The map is shown for illustrative purposes. The County of Tulare will also create a “Local Community Road Improvement Program.” The Local Community Road Improvement Program would provide funding for transportation improvements in unincorporated communities. A partial list of the communities is shown below:

- Alpaugh
- Cutler-Orosi
- Ducor
- Earlimart
- East Orosi
- East Porterville
- Goshen
- Ivanhoe
- Lemon Cove
- London
- Pixley
- Poplar/Cotton Center
- Richgrove
- Other smaller communities such as Allensworth, Oak Ranch, and Waukena
- Springville
- Strathmore
- Terra Bella
- Tipton
- Traver
- Woodville

The other projects the County may potentially use the Local Program funding for include: “Pot-hole” repair, bridge repair, installation of traffic signals and transportation safety projects. The County will evaluate annually the Local Program funded projects and prioritize based on local needs.

The City of Visalia would use the Local Program funding provided through a transportation sales tax augmentation to implement the City’s circulation element, and, at Council discretion, may use some of the funds to conduct on-going street maintenance.

Exactly how the City would use the funds could depend on the implementation policies of the tax including but not limited to the amount and rate of project funds generated by the tax, the criteria and priorities used to select the Tier II projects to be funded by the project portion of the sales tax, the financing options allowable under the provisions of the sales tax program, the reimbursement policies of the sales tax program, the availability of grants, bond funds, matching funds, private sector participation, federal earmarks and other types of available funding, what the impact such new monies will have on project prioritization, how cost overruns and revenue shortfalls will be addressed, how projects that impact state highways and/or other jurisdictions will be addressed through the implementation plan, and other factors yet to be determined.

Visalia’s share of the Local Program funds could yield \$49.1 million in current dollars. The projects that would assist with the implementation of the City of Visalia’s circulation element and therefore could be funded by the Local Program portion of the tax could include, some, but not all of the following:

- \*Signal Light Synchronization (\$9.6 million, est.)
- \*Interchange improvements at Lovers Lane and State Highway 198 (\$18.5 million, est.)
- \*Interchange improvements at Shirk and State Highway 198 (\$9 million, est.)
- \*Interchange improvements at Akers and State Highway 198 (\$1.5 million, est.)
- \*Interchange improvements at Downtown Visalia (State Highway 63) and State Highway 198 (\$20 million, est.)
- \*Street maintenance (Est. \$500,000/annually over 30 years or \$15 million)

Should additional monies become available, or if funding for the above projects comes from another source, some of the following elements of the City of Visalia's transportation system could be funded; however, there is not expected to be enough money from the sales tax augmentation Local Program funds to pay for these critical needs:

- \*New interchange at Road 148 and State Highway 198 (\$25 million, est.)
- \*Santa Fe Street from Caldwell Avenue to Riggin Avenue, including overcrossing (\$12.6 million)
- \*Overcrossing improvements at Ben Maddox and State Highway 198 (\$2.8 million, est.)
- \*Overcrossing improvements at McAuliff and State Highway 198 (\$14 million est.)
- \*Shirk Street improvements & widening from Highway 198 to Riggin (\$9 million)
- \*Caldwell widening from State Route 99 to Mooney Blvd and Santa Fe Street to Road 156 (\$12.6 million)
- \*Goshen Avenue realignment to intersect at Lovers Lane and Mill Creek Parkway (\$4 million)

(All estimates are in current dollars; estimated figures noted are the unfunded portions of the projects after the 2007/08 fiscal year.)

The City of Farmersville candidate projects include: traffic signal and intersection improvements to the intersections of Walnut & Freedom Drive and Farmersville & Noble Drive. Other potential uses for Local Program funding in Farmersville include street reconstruction and overlay projects. The City will evaluate annually the Local Program funded projects and prioritize based on local needs.

The City of Exeter candidate projects include: road widening with curb and gutter to Filbert Street, Glaze Street, and 3<sup>rd</sup> Street. The City will evaluate annually the Local Program funded projects and prioritize based on local needs.

Other Tulare County cities would have candidate projects that could include "pot-hole" repair, road rehabilitation, adding travel lanes, interchange improvements and other transportation related projects. The cities will evaluate annually the Local Program funded projects and prioritize based on local needs.

**Table 4** provides a list of multi-modal transportation projects. Many of these projects will be identified and implemented by the local agencies to address specific needs or will be developed in accordance with implementing guidelines included in **Appendix B**. Examples include: Mass Transit Improvements, regional Bike trails, and contributions to environmental banking.

## *For Further Information:*

Contact the Tulare County Association of Governments to inquire about the Measure process, discuss the candidate projects and programs contained in this Plan, or to inquire about the next steps in the Measure process.

### **Tulare County Association of Governments**

5961 S. Mooney Blvd

Visalia, CA 93277

Ph: (559) 733-6291 Fax: (559) 733-6720

*Visit the TCAG website at <http://www.tularecog.org/> for more information, to sign up for our email list, and to receive updates on Measure planning activities.*

Figure 2 – Phase 1 Regional Projects

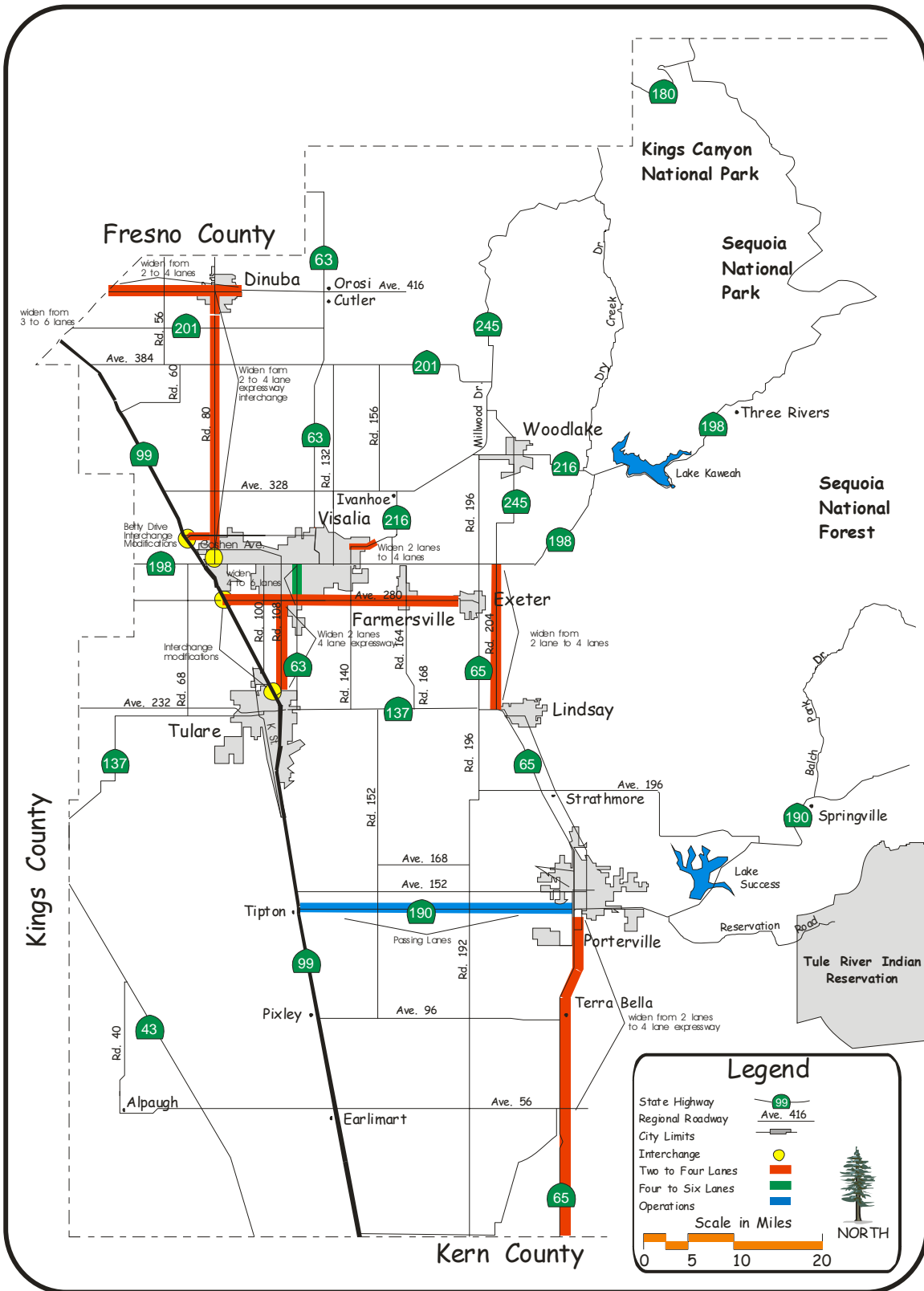
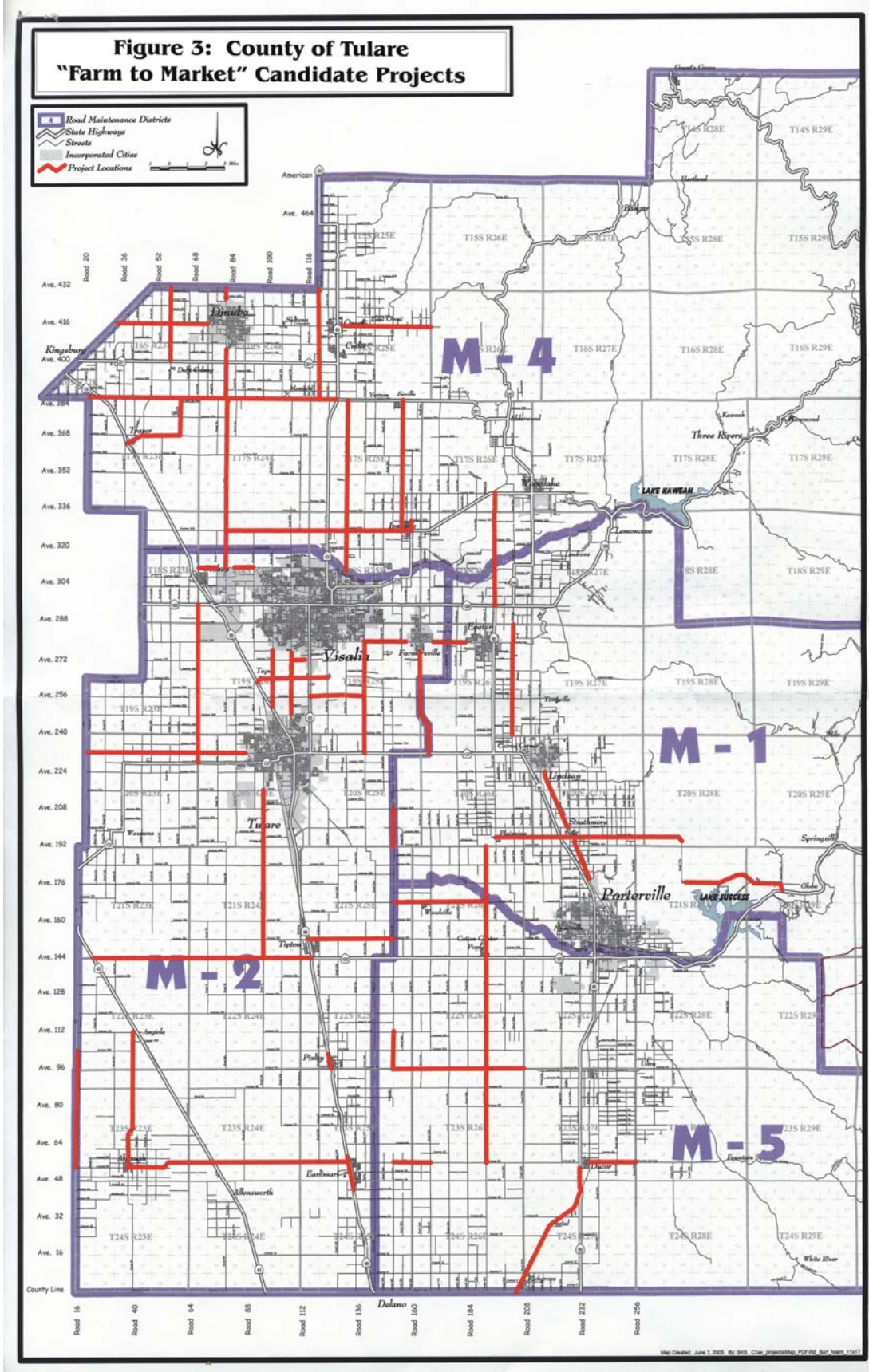


Figure 3 – County of Tulare candidate “Farm to Market” projects



# APPENDICES

## Appendix A - Plan Administration

### **Governing Board and Organizational Structure**

A description of the Tulare County Association of Governments and its organizational structure related to the sales tax follows. The structure is consistent with the enabling legislation.

#### **Tulare County Transportation Authority Structure under the Measure Program**

The Tulare County Association of Governments (TCAG) will be the Tulare County Transportation Authority and administer the Measure Program in compliance with Public Utilities Code PUC 180000 et seq. If the Measure is approved by Tulare County voters in November 2006, the Authority will be responsible for administering the Measure Programs in accordance with plans and programs outlined in this and subsequent updates of this Plan. In addition, this Plan includes provision for a Citizens' Oversight Committee. Details regarding the Committee are contained in Appendix C. The Strategic/Work Plan will continue to be prepared by TCAG and approved by its Policy Board and by the Authority.

PUC 180000 includes provisions regarding the number of members on the Authority Board. Specifically, the Authority will be represented by thirteen (13) members including:

- Five (5) members of the Board of Supervisors
- One (1) member representing each of the eight cities in Tulare County: Dinuba, Exeter, Farmersville, Lindsay, Porterville, Tulare, Visalia and Woodlake consisting of members of the city council appointed by the city council

The three (3) at-large members of TCAG will not participate as members of the Authority in accordance with the intent of PUC 180051. Alternates to the regular members of the authority may participate in accordance with the TCAG By-Laws.

### **Plan Update, Approval Process, and Expenditure Plan Amendments**

#### **Plan Review and approval process**

There are three primary reports/plans that are referenced as follows:

1. The Expenditure Plan – The Expenditure Plan is approved by the voters and may be amended once a year as outlined below.
2. The Annual report – The Annual report is prepared each year by the Citizen's Oversight Committee to provide review how sales tax receipts are being spent and publicize the results
3. Bi-Annual Strategic/Work Plan – Prepared every two years to outline project expenditures. The Strategic Plan will be timed to coincide with the development of the Bi-annual State Transportation Improvement Program development.

In compliance with schedules mandated in federal and state law, TCAG regularly prepares a new long-range transportation plan (RTP) that updates and renews a list of candidate projects for all transportation modes (streets, highways, public transportation, bikeways, aviation, etc.). If funds are available for any projects beyond those now listed Table 1 in this Expenditure Plan, they will be drawn from that list. TCAG will have the option of issuing bonds to deliver Measure projects and programs contained in this Expenditure Plan to reduce project costs by delivering them earlier.

All updates of the Expenditure Plan will be subject to public review and public hearings. While these candidate projects may change and priorities for funding may occur, there are more than enough project needs within the County to be addressed using all types of funding, including Measure funds. It will be vital during development of each Expenditure Plan Update to consider financing all transportation modes in order to insure a balanced and efficient transportation system. All of the projects and programs included in this Expenditure Plan are considered essential to meet the transportation needs of Tulare County.



### **Amendments to the Expenditure Plan**

The TCAG Board may annually review and propose amendments to the Expenditure Plan to provide for the use of additional Federal, State and local funds, to account for unexpected revenues, or to take into consideration unforeseen circumstances. In order to react to changes in funding and/or priorities, an amendment to the plan can be proposed. Amendments will require the same voting requirements that TCAG used to adopt the original Expenditure Plan.

### **Bi-Annual Strategic/Work Plan**

The following steps will be taken by TCAG to prepare and adopt this and future Strategic Plan/biennial updates of the Transportation Measure Strategic/Work Plan. This will include a financial plan that coincides with the development of the State Transportation Improvement Program (STIP).

- TCAG staff working with member agencies and affected stakeholders will develop the Draft Strategic/Work Plan, and will update it every two years
- The TCAG Policy Board receives the Draft Strategic/Work Plan and its updates and schedules public hearings to review the Plan
- The TCAG Policy Board adopts the Strategic/Work Plan

### **Independent Financial Audits**

If the Measure is approved by the voters, TCAG would conduct independent financial audits consistent with PUC 180000 et seq.

### **Implementing Guidelines**

#### **Administration Program: - 1% of the Measure**

There are a number of processes that TCAG must also perform to support the Measure Program including maintenance of the Expenditure Plan and development of requirements associated with:

- Each of the proposed allocation programs
- The identification and prioritization of projects

It is recommended that TCAG be allocated 1% of sales tax revenue to address important activities. Activities of TCAG are described below:

- Prepare Annual Work Program and Budget
- Develop the Allocation Program requirements including focused studies needed to implement Measure programs
- Prepare the Strategic/Work Plan every two years
- Develop the priority list of regional capacity increasing and rehabilitation projects
- Conduct an independent audit of Measure programs and funds on an annual basis
- Conduct an on-going public outreach program
- Issue bonds to deliver Measure projects and programs contained in this Strategic/Work Plan to save project costs by delivering them earlier
- Allocate Measure proceeds to the local jurisdictions consistent with the Program requirements

### **Bonding and Financing**

TCAG will have the authority to bond and use other financing mechanisms, including, when more advantageous economically, loans from banks and other financial lending institutions, for the purposes of expediting the delivery of transportation projects and programs and to provide economies of scale. Bonds or loans, if issued, will be paid with the proceeds of the transportation sales tax. The costs and risks associated with the bonding and loans will be presented in Strategic/Work Plan, and will be subject to public comment before any bond sale or loan application is approved.

TCAG will also be able to use other means to accelerate the delivery of projects and programs, including partnering with other COGS, the State of California, the Federal Government, and other government agencies, federal authorization funds, federal earmarks, partnering with private entities, seeking outside grants and matching or leveraging tax receipts to the maximum extent possible.

Local agencies may choose to advance funds for a project, either a project specified in the plan, or a project for which they plan to use their local agency Local Program funds, and to receive reimbursement for that advancement in accordance with the plan. The fund advancement and reimbursement projections must be approved by TCAG in accordance with the voting requirements, prior to proceeding with the project.

### **Contingency Fund**

TCAG will also have the ability to set aside a contingency fund of up to 5% of the annual receipts from the tax.

Revenues to fund the contingency may be accumulated through the following: revenues exceed projections or a project's cost is lower than anticipated resulting in excess funds.

In the event that actual revenues in any given year are less than the budgeted revenues, the TCAG Board may use the contingency fund to make up the difference between the budgeted revenues and the actual revenues. The contingency fund may also be used to fund projects where the actual cost exceeds projections.

### **Accountability**

All business of TCAG will be conducted in an open and public meeting process in accordance with the California Brown Act. TCAG will approve all spending plans described in this document and will ensure that adequate public involvement has been included in the preparation of all spending plans. TCAG will be required to hire an independent auditor who will annually audit all sales tax expenditures, ensuring that expenditures are made in accordance with the plan, and with prudent, established accounting regulations and practices.

### **Other Guidelines**

This plan is guided by principles that ensure that the revenue generated by the transportation sales tax is spent in the most efficient and effective manner possible, consistent with the desires of the voters of Tulare County. The principles outlines in this section provide flexibility needed to address issues that may arise during the life of the plan.

1. TCAG will fund both regional and local projects, and will also provide funds to local agencies to address special and localized needs.
2. TCAG is charged with a fiduciary duty in administering the transportation sales tax proceeds in accordance with the applicable laws and this Expenditure Plan. Receipt of these tax proceeds may be subject to appropriate terms and conditions as determined by TCAG in its reasonable discretion, including, but not limited to, the right to require recipients to execute funding agreements and the right to audit recipients' use of the tax proceeds.
3. The monies collected through TCAG shall be accounted for and invested separately, unless and until the funds are turned over to a local agency in accordance with the plan. At such time, the local agency shall keep a separate accounting of the monies and any and all expenditures to ensure that the monies are spent in accordance with the approved expenditure plan.



4. All meetings of TCAG will be conducted in public accordance to state law, through publicly noticed meetings. The annual budget of TCAG, annual work plan, biennial Strategic/Work Plan, and annual report will all be prepared for public scrutiny. The interests of the public will further be protected by the Citizens' Oversight Committee described in this Plan.
5. Under no circumstances may the proceeds of this transportation sales tax be applied to any purpose other than for transportation improvements benefiting Tulare County and its member agencies. The funds may not be used for any transportation projects or programs other than those specified in this Plan without an amendment of the Expenditure Plan.
6. Actual revenues may be higher or lower than expected in this Plan, due to changes in receipts and/or matching or leveraging capability. Estimates of actual revenue will be programmed annually by the TCAG during its annual budget process.
7. The actual requirements for funds in a specific program could be higher or lower than expected due to changes in funding outside of this transportation sales tax, or due to changes in project costs or feasibility. Should the need for funds for any program/project be less than the amount to be allocated by the sales tax, or should any project become infeasible for any reason, funds will first be considered for reprogramming to other programs or projects in the same urban area in accordance with voting described above at a noticed public hearing. Should the need for funds in the entire area be less than the amount to be allocated by the transportation sales tax, the TCAG Board may amend the Expenditure Plan to reallocate funds to the other projects following its procedures for a plan amendment.
8. All projects funded with these transportation sales tax funds will be required to complete appropriate California Environmental Quality Act (CEQA) and other environmental review as required.
9. Funds may be accumulated by TCAG or by recipient agencies over a period of time to pay for larger and long-term projects. All interest income generated by these proceeds will accrue to the specific fund/project intended. If accumulated for a general purpose, the proceeds will be used for the transportation purposes described in the Expenditure Plan.
10. TCAG will have the capability of loaning transportation sales tax receipts at prevailing interest rates to other member agencies for the implementation of needed transportation projects, provided that a guaranteed revenue stream is devoted to repay such a loan over a maximum amount of time, and provided that the loan will not interfere with the implementation of programs or projects defined in the Expenditure Plan. Loaning of funds requires TCAG Board approval.
11. Matching or leveraging of outside funding sources is strongly encouraged. Any additional transportation sales tax revenues made available through their replacement by matching funds will be spent based on the principles outlined previously in these guidelines. A member agency may elect to advance Tier I Regional Project using local funds. The agency would be eligible for repayment for the amount advanced (with no interest) subject to TCAG approval of the advancement and the year of reimbursement.
12. For Transit/Bike/Pedestrian projects shown on Table 5, obtaining outside funding or grants is encouraged. For every dollar of sales tax funding saved by an agency through obtaining outside grants, 50% will be provided to that agency's Local Program fund. (Excludes: CMAQ, TEA, FTA 5307, and FTA 5311 or other state/federal grant administered through TCAG). The other 50% would be placed in the Local Program fund to be distributed among all agencies. Examples of eligible grants include but are not limited to: State of California Bike Lane Account funding, Federal Recreation trials Program, and Federal Transit Administration new starts program.

13. For 'Regional Projects' shown on Tables 1 and 2, obtaining third party grants by member agencies is encouraged so as to leverage sales tax revenue and expedite completion of projects. All funds generated by such third party grants solicited for specific regional projects shall be applied solely to those projects. TCAG will give preference to use the savings resulting from said grants toward other regional projects which primarily benefit the member agency responsible for obtaining said grants. Grants, as applied to the foregoing, do not include STIP funds.
  
14. New incorporated cities or new transit agencies or services that come into existence in Tulare County during the life of the Expenditure Plan could be considered as eligible recipients of funds through a Plan Amendment, and an additional position created on the governing board.

# Appendix B – Implementing Guidelines

The following Implementing Guidelines are intended to “guide” development and implementation of the measure program for Tulare County. Each of the three (3) transportation funding programs is described below. Implementing Guidelines for the fourth program (Administration/Planning Program) are described in Appendix A.

## 1. Regional Project Program (Regional Transportation Program)- 50% of the Measure

The Expenditure objectives are to:

- Provide additional funds to make up anticipated shortfalls to meet regional street and highway improvement needs
- Leverage Local Program state and federal funding from the California Transportation Commission (CTC)
- Accelerate delivery of street and highway projects that may otherwise be delayed because of other funding shortages

The program would provide funds for:

- Additional lane capacity on existing regional streets and highways
- Major Interchange improvements
- Other improvements which improve mobility performance on the regional system

Eligible expenditures for Phase 1 and Phase 2 projects would include all recognized project phases including:

- Planning and environmental analysis
- Preliminary engineering
- Design
- Right-of-way acquisition and relocation
- Utilities relocation
- Construction & Construction Engineering

In addition to Transportation Measure funds, the Regional Projects Program would require the partial allocation of State Transportation Improvement Program funds available to Tulare County to regional capacity increasing projects. These funding sources together result in slightly more than **\$903 million** available for Phase 1 and Phase 2. Phase 2 projects are considered for advancement if additional funding is available and the projects are amended in to the current Regional Transportation Plan. During preparation of the biennial Strategic/Work Plan Updates, TCAG will develop a detailed improvement program that specifies the timing and delivery of projects or funding order considering project cost benefit, project readiness, and funding availability.

## 2. Local Transportation Program - 35% of the Measure

This program would augment:

- Existing local, state, and federal funds for local streets and roads
- Any other form of transportation that provides funding for transportation projects of significance to local agencies
- Local Transportation Impact Fees

The improvements in this category are not limited to just the concept of rehabilitation. The funding is available to all jurisdictions to address their respective needs. This program will provide "flexible funding" for:

- Meeting scheduled maintenance needs
- Rehabilitating the aging local system
- Pot hole repair
- Signals
- Safety Improvements
- Bridge replacement
- New local road capacity
- Maintenance and rehabilitation projects
- Separate street traffic from increasing rail traffic (railroad grade separations)
- Signal Synchronization
- Other improvements directly or indirectly related to transportation

As with the Regional Projects Program, funds could be used for all needed phases of project development and implementation.

## 3. Transit/Bikes/Environmental Mitigation Program (Public Transportation Program) – 14% of Measure

The program would include funding augmentation to existing transit operators to maintain basic transit services to meet the needs of:

- Public transit
- Those who are unable to drive
- Those who choose an alternative to the use of private automobiles for work and shopping trips

The program includes funding for:

- Bicycle projects
- Pedestrian improvements
- Environmental Mitigation
- Light Rail

The Environmental Mitigation funds would be applied to an environmental mitigation bank that would encompass the projects and programs that may be funded with Measure assistance. This program would also reduce the time and significant delays associated with the current process of securing approval of affected resource agencies.

As with the Regional Projects Program, funds could be used for all needed phases of project development and implementation. In addition to Measure funds, the Regional Projects Program would require the partial allocation of Regional CMAQ/TE funding administered through TCAG. These funding sources together result in slightly more than **\$132 million** available for Transit/Bikes/Environmental projects.

# Appendix C – Citizens’ Oversight Committee

## Committee Purpose

To provide input on implementation of the plan, and to advise the TCAG Board if and when the plan needs to be augmented and to ensure that the funds are being spent in accordance with the plan.

To inform the public and to ensure that the Transportation Measure (Measure) funding program revenues and expenditures are spent as promised to the public.

## Administrative Issues

### **Committee Formation**

- The Committee will be formed within six (6) months upon approval of the Measure by the voters of Tulare County in November 2006
- The Citizens’ Oversight Committee (Committee) shall not be amended out of the Expenditure Plan
- Meetings will commence when Measure revenues are recommended for expenditure; including Strategic/Work Plan updates

### **Selection and Duties of Committee Chair and Vice Chair**

- The Committee shall select a Chair and Vice Chair from the members, each of whom shall serve a one (1) year term
- The duties of the Chair will be to call meetings, set agendas, and preside over meetings
- The duties of the Vice Chair will be to perform the same duties described above in the absence of the Chair

### **Committee Meetings**

- The Committee will hold one formal meeting annually, with additional meetings scheduled as needed by the Committee.
- All Committee meetings must be held in compliance with the Brown Act
- All meetings will be conducted per “Robert’s Rules of Order”

### **Subcommittee Requirements**

- Subcommittees: the Committee may elect to form subcommittees to perform specific parts of its purpose.
- All subcommittees shall have an odd number of members

## Committee Membership, Selection, and Quorum

### **Membership & Selection**

The Committee will be designed to reflect the diversity of the County. The Committee will consist of 16 members. Each organization represented on the Citizens’ Oversight Committee will nominate its representative; with final appointments approved by the governing board of the TCAG. The membership shall be as follows:

\*One member will be appointed by each City and the County. (Total of 9)

\*One representative from a major private sector Tulare County employer, nominated by the Tulare County Economic Development Corporation

\*One representative from the building industry, nominated by the Tulare County Building Industry Association.

\*One representative from the agriculture industry, nominated by the Tulare County Farm Bureau

\*One representative from the Hispanic community, nominated by the Tulare Kings Hispanic Chamber of Commerce

\*One representative from an advocacy group representing bicyclists and pedestrians, and/or transit.

\*One member who is a professional in the field of audit, finance and/or budgeting with a minimum of five years in a relevant and senior decision-making position in the public or private sector.

\*One representative from an environmental advocacy group

- In the case of the final three representatives, applications from citizens from Tulare County who are over the age of 18 will be solicited and accepted and the representatives will be selected by the other 13 seated Board members, subject to final approval by TCAG.

### **Quorum**

- A Quorum will be no less than nine (9) members of the Committee
- An action item of the Committee may be approved by a simple majority of those present, as long as the quorum requirement is met.

### **Term of Membership**

- Terms of membership will be for two (2) years. No member may serve more than 8 years
- Members may be reimbursed for authorized expenses, but not be compensated for their service on the Committee
- In an effort to maintain Committee member consistency, during the first two (2) years of the Committee, terms will be staggered with 8 of the members to serve a one-year term, 8 of the members to serve a two-year term. The length of the first terms will be determined via random selection.
- Proxy voting will not be permitted

### **Eligibility**

- U.S. citizen 18 years of age or older who resides in Tulare County
- Not an elected official at any level of government
- Not a public employee at any State, County or local city agencies
- Must submit an annual statement of financial disclosure consistent with Fair Political Practices Commission (FPPC) rules and regulations and filed with the Authority

### **Staffing**

- TCAG will staff the Committee and provide technical and administrative assistance to support and publicize the Committee's activities.
- TCAG services and any necessary outside services will be paid using the TCAG's Measure Administration Program revenues
- Expert staff will be requested to provide information and make presentations to the Committee, as needed

### **Responsibilities**

The Committee may receive, review and recommend any action or revision to plans, programs, audits or projects that is within the scope of its purpose stated above. Specific responsibilities include:

- Receive, review, inspect, and recommend action on independent financial and performance audits related to the Measure

- Receive, review, and recommend action on other periodic reports, studies and plans from responsible agencies. Such reports, studies and plans must be directly related to Measure programs, revenues, or expenditures
- Review and comment upon Measure expenditures to ensure that they are consistent with the Expenditure Plan
- Annually review how sales tax receipts are being spent and publicize the results
- Present Committee recommendations, findings, and requests to the public and TCAG in a formal annual report to inform Tulare County residents how funds are being spent.
- The Committee will have full access to the TCAG independent auditor and will have the authority to request and review specific information, with the understanding that the Committee will rely upon data, processes and studies available from TCAG, and other relevant data generated by reputable sources. It is understood; that TCAG will be continuously striving to improve the reliability of data and to update analytical and modeling processes and that the Committee will be kept abreast of any such efforts, and is invited to participate in development of such updates in a review capacity.

The Committee will assist TCAG in taking advantage of changing situations with technical and transportation developments in the future. Therefore, the provisions regarding the Committee make up, processes and protocols are viewed through 2037 based upon a 2007 perspective, and are not meant to be unduly restrictive on the TCAG and the Committee's roles and responsibilities.