



**1503 N. IMPERIAL AVE., SUITE 104
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4410**

MANAGEMENT COMMITTEE AGENDA

**ICTC OFFICES
1503 N. Imperial Ave., Suite 104
El Centro, CA 92243**

**Wednesday, September 14, 2022
10:30 A.M.**

CHAIR: NICK WELLS

VICE CHAIR: MIGUEL FIGUEROA

In compliance with the Brown Act and Government Code Section 54957.5, agenda materials distributed 72 hours prior to the meeting, which are public records relating to open session agenda items, will be available for inspection by members of the public prior to the meeting on the Commission's website: www.imperialctc.org.

In compliance with the Americans with Disabilities Act, Government Code Section 54954.2, Executive Order N-29-20, and the Federal Transit Administration Title VI, please contact the Secretary to the Commission at (760) 592-4494 if special assistance is needed to participate in a Management Committee meeting, including accessibility and translation services. Assistance is provided free of charge. Notification of at least 48 hours prior to the meeting time will assist staff in assuring reasonable arrangements can be made to provide assistance at the meeting.

To Join by Zoom Meeting click on the following link:

<https://us06web.zoom.us/j/88163344489?pwd=cVVtZ3hBSXE0d2VDZFhBcFVrOk9mUT09>

To Join by Phone, Dial 669-444-9171

Meeting ID: 881 6334 4489 and Passcode: 098597

I. CALL TO ORDER AND ROLL CALL

II. ACTION CALENDAR

- A. Adopt resolution authorizing remote teleconference meetings in accordance with Assembly Bill 361 Page 4

With ICTC Counsel's direction, the Executive Director forwards this item to the Management Committee for review and approval after public comment, if any:

1. Approve the resolution of the Imperial County Transportation Commission authorizing remote meetings in accordance with the provisions of the State Assembly Bill (AB) 361.
2. Authorize the Chairperson to sign the resolution.

III. EMERGENCY ITEMS

- A. Discussion/Action of emergency items, if necessary.

**CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND,
IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL**

IV. PUBLIC COMMENTS

This is an opportunity for members of the public to address the Management Committee on any subject matter within the Commission’s jurisdiction, but not an item on the agenda. Any action taken because of a public comment shall be limited to direction to staff. In compliance with the Assembly Bill 361, the meeting will be held remotely and in person. Each speaker should contact the Secretary to the Commission at (760) 592-4494 or by email to crستيرma@imperialctc.org. When addressing the Committee, state your name for the record prior to providing your comments. Please address the Committee as a whole, through the Chairperson. Individuals will be given three (3) minutes to address the Committee; groups or topics will be given a maximum of fifteen (15) minutes. Public comments will be limited to a maximum of 30 minutes. If additional time is required for public comments, they will be heard at the end of the meeting. Please remember to follow the Public Comment Code of Conduct.

V. CONSENT CALENDAR

- A. Approval of Management Committee Draft Minutes: August 10, 2022 Page 7-14
- B. Receive and File:
 - 1. ICTC TAC Minutes: June 23, 2022
- C. 2023 Active Transportation Program Regional Guidelines and 20 Point Scoring Methodology Page 16

It is requested that the Management Committee forward this item to the Commission for review and approval after public comment, if any:

- 1. Approve the following methodology for assigning points of the 2023 Active Transportation Program Regional Guidelines:
 - a. 20 points for projects that have been identified in an adopted local and/or regional plan; and
 - b. Zero points for projects that have not been identified in an adopted local and/or regional plan.

VI. REPORTS

- A. ICTC / LTA / IVRMA Executive Director
 - ICTC Executive Director Report Page 19
- B. Southern California Association of Governments
 - See attached report Page 24
- C. California Department of Transportation – District 11
 - See attached report Page 29
- D. Committee Member Reports

VII. INFORMATION CALENDAR

- A. Updates on the Southern Border Broadband Consortium (SBBC) and the Brawley Transit Corridor Brownfield Assessment Projects
 - Presentation by Imperial Valley Economic Development Corporation (IVEDC) Staff

VIII. ACTION CALENDAR

- A. Imperial Valley Resource Management Agency (IVRMA) - Amendment to the Joint Powers Agreement Page 38

It is requested that the Management Committee forward this item to the Commission for review and approval after public comment, if any:

- 1. Approve the Amendment to IVRMA Joint Powers Agreement.
- 2. Authorize the Chairperson to sign the agreement.

- B. Extension of the ICTC Lease and Sublease Agreements – 1503 N. Imperial Ave., Suite 104, El Centro, CA 92243, Addendum 4 Page 61

It is requested that the Management Committee forward this item to the Commission for review and approval after public comment, if any:

- 1. Approve the fourth amendment of the current lease and sub-lease agreements with Pico Group, LLC for the property on 1503 N. Imperial Ave., Suite 104 in El Centro; and authorize the Executive Director to execute the lease agreement.
- 2. Authorize the Executive Director to sign the sub-lease amendments between ICTC and SCAG with same terms as the original agreement.

- C. Proposed Distribution plan for the 2020 Cycle 3 and 2022 Cycle 4 Local Partnership Formulaic Program (LPP) Page 66

It is requested that the Management Committee forward this item to the Commission for review and approval after public comment, if any:

- 1. Approve Proposed Distribution Plan for the Local Partnership Formulaic Program funds;
 - a. Cycle 3 Option #2 2 Flat Distribution Plan
 - b. Cycle 4 Option #2 2 Flat Distribution Plan
 - c. Authorize staff to open Call for Projects for the Local Partnership Formulaic Program Cycle 3 and Cycle 4
- 2. Authorize staff to submit the recommended projects to the California Transportation Commission (CTC).

IX. NEXT MEETING DATE AND PLACE

- A. The next Management Committee Meeting is scheduled for Wednesday, October 12, 2022, at 10:30 a.m. location to be determined and via zoom meeting.

X. ADJOURNMENT

- A. Motion to Adjourn

**RESOLUTION OF THE IMPERIAL COUNTY TRANSPORTATION COMMISSION
AUTHORIZING REMOTE MEETINGS IN ACCORDANCE WITH THE PROVISIONS
OF STATE ASSEMBLY BILL 361.**

RESOLUTION NO. _____

WHEREAS, the County of Imperial is committed to preserving and nurturing public access and participation in meetings of the Imperial County Transportation Commission and other public meetings subject to the Ralph M. Brown Act (“Brown Act”); and

WHEREAS, with the adoption of State Assembly Bill 361 (“AB 361”), section 54963(e) of the California Government Code was amended to make provisions for remote teleconferencing participation in meetings by members of a local legislative body, without compliance with the requirements of 54953(b)(3) of the California Government Code, subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to section 8625 of the California Government Code, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in section 8558 of the California Government Code; and

WHEREAS, on March 4, 2020, the Governor proclaimed pursuant to his authority under 8625 of the California Government Code, that a state of emergency exists with regard to the novel coronavirus (a disease now known as COVID-19); and

WHEREAS, on June 4, 2021, the Governor clarified that the “reopening” of California on June 15, 2021, did not include any change to the proclaimed state of emergency or the powers exercised thereunder; and

WHEREAS, as of the date of this Resolution, neither the Governor nor the Legislature have exercised their respective powers pursuant to section 8629 of the California Government Code to lift the state of emergency, either by proclamation or by concurrent resolution in the State Legislature; and

WHEREAS, the Local Health Officer for the County of Imperial has recommended that the local legislative bodies that are subject to the Brown Act continue to meet remotely when possible, and that social distancing continues to provide a means by which to reduce the transmission of COVID-19; and

WHEREAS, Imperial County Transportation Commission believes that it is in the best interest of the public to continue holding remote meetings during the existing state of emergency in accordance with the requirements of AB 361.

NOW, THEREFORE, the Imperial County Transportation Commission resolves as follows:

- (1) The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.
- (2) A proclaimed state of emergency exists as a result of the COVID-19 pandemic.
- (3) The Local Health Officer recommends that all local legislative bodies local legislative bodies that are subject to the Brown Act continue to meet remotely when possible, and that social distancing continues to provide a means by which to reduce the transmission of COVID-19
- (4) The staff of the Imperial County Transportation Commission are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including implementing social distancing measures at meetings, and conducting meetings in accordance with section 54953(e) of the California Government Code, and other applicable provisions of the Brown Act.
- (5) This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of thirty (30) days from adoption of the Resolution or such time the Imperial County Transportation Commission takes action to extend the time during which it may continue to meet remotely without compliance with section 54953(b)(3) of the California Government Code.

PASSED AND ADOPTED by the Imperial County Transportation Commission, County of Imperial, State of California, this _____, by the following roll call vote:

Agency	Yes	No	Abstain	Absent
Brawley				
Calexico				
Calipatria				
El Centro				
Holtville				
Imperial				
Westmorland				
County of Imperial				
County of Imperial				
Imperial Irrigation District				

NICK WELLS
 Management Committee Chair

ATTEST:

CRISTI LERMA
 Secretary to the Commission

V. CONSENT CALENDAR

- A. Approval of Management Committee Draft Minutes:
August 10, 2022
- B. Receive and File:
 - 1. ICTC TAC Minutes: June 23, 2022

**IMPERIAL COUNTY TRANSPORTATION COMMISSION
MANAGEMENT COMMITTEE
MINUTES OF August 10, 2022
10:30 a.m.**

VOTING MEMBERS PRESENT:

City of Brawley	Tyler Salcido
City of Calexico	Esperanza Colio-Warren
City of Calipatria	Rom Medina
City of El Centro	Marcela Piedra
City of Holtville	Nick Wells
City of Imperial	Dennis Morita
County of Imperial	Miguel Figueroa
County of Imperial	Rebecca Terrazas-Baxter
Imperial Irrigation District	Ismael Gomez
City of Westmorland	Absent
ICTC	David Aguirre

STAFF PRESENT: Cristi Lerma, Angela Delgadillo, Daveline Villasenor

OTHERS PRESENT: David Salgado: SCAG, Daniel Hernandez: Caltrans, Ben Guerrero: Caltrans

The following minutes are listed as they were acted upon by the Imperial County Transportation Commission Management Committee and as listed on the agenda for the meeting held Wednesday, August 10, 2022, together with staff reports and related documents attached thereto and incorporated therein by reference.

I. CALL TO ORDER AND ROLL CALL

Chair Nick wells called the meeting to order at 10:30 a.m., roll call was taken, and a quorum was present.

II. ACTION CALENDAR

A. Adopt resolution authorizing remote teleconference meetings in accordance with Assembly Bill 361

1. Approved the resolution of the Imperial County Transportation Commission authorizing remote meetings in accordance with the provisions of the State Assembly Bill (AB) 361.
2. Authorized the Chairperson to sign the resolution.

A motion was made by [Morita](#) seconded by [Colio-Warren](#) to approve this item; Roll call was taken:

Agency	Roll Call
City of Brawley	Yes
City of Calipatria	Absent
City of Calexico	Yes
City of El Centro	Absent
City of Holtville	Yes
City of Imperial	Yes
County of Imperial Figueroa	Yes
County of Imperial Terrazas-Baxter	Yes

City of Westmorland	Absent
Imperial Irrigation District	Absent

Motion carried unanimously.

III. EMERGENCY ITEMS

There were none.

IV. PUBLIC COMMENTS

There were none.

V. CONSENT ITEMS

A motion was made by [Salcido](#) seconded by [Colio-Warren](#) to approve the consent calendar as presented; Roll call was taken:

Agency	Roll Call
City of Brawley	Yes
City of Calipatria	Absent
City of Calexico	Yes
City of El Centro	Absent
City of Holtville	Yes
City of Imperial	Yes
County of Imperial Figueroa	Yes
County of Imperial Terrazas-Baxter	Yes
City of Westmorland	Absent
Imperial Irrigation District	Yes

Motion carried unanimously.

VI. REPORTS

A. ICTC Executive Director

- Mr. Aguirre had the following updates:
 - o IVRMA has been working with all member agencies towards completing an amendment to the existing IVRMA JPA. It is anticipated that the member agencies will approve the amended JPA via individual board action in the August to early September 2022 timeframe and the IVRMA board will approve the amended JPA at the September 2022 board meeting. IVRMA is attempting to amend the JPA prior to the October reporting deadline.
 - o The ICTC in its capacity as the Regional Transportation Planning Agency is responsible to lead the Long-Range Transportation Plan (LRTP) in Imperial County. The last update to the LRTP was conducted in 2013. ICTC staff completed a Request for Proposal (RFP) to prepare a full update of the Imperial County LRTP. Michael Baker International was the selected consultant. This project is ongoing and will be for about 6 months to a year.
 - o Calexico East Port of Entry Bridge Widening Project is underway. The design portion is complete. The project began construction in March 2022 and is scheduled for completion in 2023. Currently contractor is working on north and south tunnels.
 - o The Free Fares Program grant was approved for \$492K which would cover about 9 months of free fares for transit riders.
 - o Caltrans will be giving updates at the council meeting for the City of Calexico for the State Route 98 Widening from Ollie to Rockwood project.

- B. Southern California Association of Governments (SCAG)
- Mr. Salgado had the following updates:
 - o The 33rd Annual Demographic Workshop, co-hosted by SCAG and the University of Southern California, will be held virtually on the afternoons of Wednesday, Sept. 14, and Wednesday, Sept. 21. Please check scag.ca.gov/demographics for updates.
 - o REAP 2.0: SCAG will be hosted virtual focus groups and listening sessions to seek feedback on core objectives driving the development of the housing supportive infrastructure program and prioritization of projects.
 - o The Regional Data Platform (RDP) is a revolutionary system for collaborative data sharing and planning designed to facilitate better planning at all levels – from cities and counties of all sizes up to the region. One-on-one meetings will be set up with all agencies for the 2024 Connect SoCal.
 - o GIS Training: There has been discussion about providing GIS training in the Imperial Valley. The last training provided by GIS was about 5 years ago. There is opportunity for basic and more technical training that pertains to some of the programs from different cities.
 - o Yoli Viviana Sanchez, Imperial County Health Department, will be giving a brief presentation to the TAC focusing on Walktober and a few basic resources and steps to take for planning the walk to school events.
- C. Caltrans Department of Transportation – District 11
- Mr. Guerrero had the following updates:
 - o Mr. Guerrero provided a link to register for the Local Assistance Training on September 8, 2022 at 8:30 a.m.- 11:30 a.m. via zoom.
 - o [CTAP - Local Assistance Training Day \(csus.edu\)](http://csus.edu)
 - Mr. Hernandez had the following updates:
 - o The SR-98 Widening Project is still ongoing. Construction for stage 1 of the SR-98 widening between Rockwood Avenue and Ollie Avenue is underway but has been paused due to extenuating circumstances.
 - o Construction activities are expected to resume in the coming weeks. Stage 2 is estimated to start in fall 2022. The project is expected to be substantially “Provide a safe and reliable transportation network that serves all people and respects the environment” completed and open to traffic in early 2023. The total project cost is estimated at \$8.2 million.
 - o Ms. Colio-Warren questioned if there will be a presentation given to the Council of City of Calexico on August 17, 2022 about updates on this project.
 - o Mr. Hernandez stated that he will let headquarters know and he will be giving the update.
 - o Bridge Investment Program (BIP): The U.S. Department of Transportation (USDOT) issued a first notice of funding opportunity (NOFO) for the Bridge Investment Program (BIP) on June 10, 2022. BIP funding is separate from, and supplemental to, the \$5.3 billion in bridge
 - o Bridge Projects (projects with eligible costs less than \$100 million) due September 8, 2022.
- D. Committee Member Reports
- There were no updates.

VII. ACTION CALENDAR

- A. Imperial County Long Range Transportation Plan – First Amendment to Agreement for Services – Michael Baker International

It was requested that the Management Committee forward this item to the Commission for review and approval after public comment, if any:

1. Approve the First Amendment to Agreement for Services for the Imperial County Long Range Transportation Plan – to Michael Baker International in the amount of \$24,396.60.
2. Authorize the Chairperson to sign the Services Agreement.

A motion was made by [Morita](#) seconded by [Terrazas-Baxter](#) to approve Action A. Roll call was taken:

Agency	Roll Call
City of Brawley	Yes
City of Calipatria	Yes
City of Calexico	Yes
City of El Centro	Yes
City of Holtville	Yes
City of Imperial	Yes
County of Imperial Figueroa	Absent
County of Imperial Terrazas-Baxter	Yes
City of Westmorland	Absent
Imperial Irrigation District	Absent

Motion carried unanimously.

- VIII. The next meeting is scheduled for **September 14, 2022, at 10:30 a.m.** tentatively in the City of Calexico and via Zoom Meeting.

IX. ADJOURNMENT

- A. Meeting adjourned at 11:15 a.m.



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TECHNICAL ADVISORY COMMITTEE
DRAFT MINUTES

June 23, 2022

Present:

Guillermo Sillas	City of Brawley
Adriana Anguis	City of Holtville
Abraham Campos	City of El Centro
Lily Falomir	City of Calexico
Veronica Atondo	County of Imperial
Jesus Villegas	City of Imperial
Ramiro Barajas	City of Westmorland
Ismael Gomez	Imperial Irrigation District

Others:

David Aguirre	ICTC
Virginia Mendoza	ICTC
Marlene Flores	ICTC
Angela Delgadillo	ICTC
Phillip Ramirez	City of Brawley
Juan Manuel Cabrera	City of Brawley
Andrea Montano	City of Brawley
Felix De Leon	City of El Centro
Andres Miramontez	City of El Centro
Christian Rodriguez	City of El Centro
Angel Hernandez	City of El Centro
Alex Chavez	City of Holtville
Marco Coronel	City of Imperial
John Gay	County of Imperial
Nicole Falvey	Caltrans
Alex Araiza	Caltrans
Rafael Reyes	Caltrans
David Salgado	SCAG
Alisha James	SCAG
Jacob Noonan	SCAG
Jessica Reyes Juarez	SCAG

1. The meeting was called to order at 10:04 a.m. A quorum was present, and introductions were made. There were no public comments made.
2. Adopted resolution authorizing remote teleconference meeting in accordance with Assembly Bill 361. ICTC requested a motion to adopt. (Atondo/Campos). **Motion Carried.**
3. A *motion* was made to adopt the minutes for May 26, 2022 (Atondo/Anguis) **Motion Carried.**
4. **AB 1383 Discussion:**
(Presented by: David Aguirre, ICTC)
 - Mr. Aguirre stated to please disregard this item. It has already been discussed in the IVRMA TAC Meeting.
5. **SCAG REAP 2.0 Presentation:**
(Presented by: Jacob Noonan, SCAG)
 - REAP 2.0 Grant was created in AB140 last fiscal year (2021-2022)
 - There is \$600 million statewide available
 - \$246 million is going to SCAG region's formula
 - Funds need to be obligated by June 2024 and it was expended by June 2026
 - Funds are for transformative planning focused on realizing Connect SoCal
 - The objective is to leverage activities that can be implemented quickly and in line with community-driven, pandemic recovery
 - Outreach and public comment April-May 2022; proposed adoption July 2022
 - REAP 2.0 Application Timeline:
 - Early Application-Submitted May 2022
 - Actions: Outreach and Engagement for Program Development
 - Full Application: must be submitted by December 2022
 - Proposed Programs: Early Action Initiatives Housing Supportive Infrastructure CTC Partnerships
 - Some outreach that has been done are SCAG Policy Committee Engagement, COG outreach, public agency engagement, public opinion survey, and public convenings
 - Some next steps are virtual focus groups, listening sessions, industry forum, and one on one meetings
 - If there are any more questions regarding SCAG REAP 2.0, please contact Alisha James, james@scag.ca.gov or David Salgado, salgado@scag.ca.gov
6. **CRRSAA Funds Update:**
(Presented by: Marlene Flores)
 - Marlene Flores gave a brief update and congratulated that all imperial projects have been approved by CTC in the May 19th meeting.
 - See below the link for CRRSAA process
 - <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/crrsaa/crrsaa-process>
 - Please work with Caltrans District 11 Representative to submit all documents:
 - CTC approval page
 - Allocation Form: State Form, LAPM 25A attached
 - ePPR
7. **Caltrans Updates / Announcements:**
(Presented by: Rafael Reyes & Alex Araiza)
 - As part of the Calexico West POE Expansion project, SR-98 and Cesar Chavez Blvd were widened and improved to serve the expansion to the west

- The project is expected to be “Provide a safe and reliable transportation network that serves all people and respects the environment” substantially completed and open to traffic in late 2022. The total project cost is estimated at \$8.2 million.
- David Aguirre, ICTC, commented that if Caltrans can conduct updates to the council of Calexico to know the progress taking place.
- Various members from the group stated a concern of the SR-98 Widening Project regarding traffic control and adjusting the flow of traffic.
- Clean California Projects: District 11 will be delivering projects funded by the Clean California Grant Program. They include bus shelter improvements in Niland(SR111), and bus shelter installations in Calipatria(SR111), Brawley(SR86) and Holtville(SR115).
- Additionally, median island improvements in El Centro(SR86) and a gateway beautification project at SR-7/Nina Lee Rd just north of the Calexico Port of Entry are also included as part of this effort. The projects are expected to be completed by July 2023.
- Alex Araiza shared with the group that the D11 CAT Plan has completed its final review phase and is on track to be completed in summer 2022. Caltrans will feature the completed plan and products on a new webpage that will launch this summer as well.
- Bridge Investment Program (BIP): Applications Due Soon!
- The U.S. Department of Transportation (USDOT) issued a first notice of funding opportunity (NOFO) for the Bridge Investment Program (BIP) on June 10, 2022.
- BIP funding is separate from, and supplemental to, the \$5.3 billion in bridge formula funding distributed nationwide earlier this year.
- This NOFO seeks applications for three categories: 1. Planning Projects due July 25, 2022. 2. Bridge Projects (projects with eligible costs less than \$100 million) due September 8, 2022. 3. Large Bridge Projects (projects with eligible costs exceeding \$100 million) due August 9, 2022
- On May 24, 2022 the INACTIVE and Future Inactive list was updated. Action is required by the County of Imperial, as well as these two cities: Brawley and El Centro.
- For more information, please contact Rafael Reyes at rafael.reyes@dot.ca.gov or Alex Araiza at alexander.araiza@dot.ca.gov

8. SCAG Updates / Announcements:

(Presented by: David Salgado)

- Mr. Salgado shared an email from a one-on-one Local Data Exchange Meeting with SCAG staff.
- For more information regarding the Local Data Exchange Meeting please contact, list@scag.ca.gov or David Salgado, salgado@scag.ca.gov
- SCAG President Jan Harnik had the pleasure of hosting a recent meeting with Senate Transportation Committee Chair Lena Gonzalez (D-Long Beach) to discuss our region’s housing and transportation budget priorities, such as the Regional Council’s support for an augmentation to the Infill Infrastructure Grant program and using budget surplus dollars to fully fund the Active Transportation Program”
- Mr. Salgado shared with the group a presentation regarding (Economic) Forecast for Imperial County presented by Michael Bracken, Managing Partner & Chief Economist, and the REAP 2.0 presentation presented by Jacob Noonan.

9. Cities and County Planning / Public Works Updates:

- No updates were given during the meeting.

10. ICTC Updates / Announcements

(Presented by ICTC Staff)

a. Transit Planning Updates

- In the process of pursuing Federal Transit Funding to reinstate the free fare program that was ongoing during the pandemic.

b. Transportation Planning Updates

1. CMAQ & STBG Programming Status

- Projects were programmed under Amendment #21-25.
- Once FTIP Formal Amendment gives their approval by: SCAG, Caltrans and FHWA, local agencies can move forward.

2. FY 21/22 Federal & State Project Obligation Status

11. General Discussion / New Business

1. Going Dark in July

Next TAC meeting will be August 25, 2022 via Zoom at ICTC offices

12. Meeting adjourned at 11:56 a.m.

V. CONSENT CALENDAR

- C. 2023 Active Transportation Program Regional Guidelines and 20 Point Scoring Methodology
 - 1. Approve the following methodology for assigning points of the 2023 Active Transportation Program Regional Guidelines:
 - a. 20 points for projects that have been identified in an adopted local and/or regional plan; and
 - b. Zero points for projects that have not been identified in an adopted local and/or regional plan.



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September 9, 2022

ICTC Management Committee
Imperial County Transportation Commission
1503 N. Imperial Ave., Suite 104
El Centro, CA 92243

SUBJECT: 2023 Active Transportation Program Regional Guidelines and 20 Point Scoring Methodology

Dear Committee Members:

Imperial County Transportation Commission (ICTC) staff has been working with staff from the Southern California Association of Governments (SCAG) in the review of the Active Transportation Program (ATP) guidelines. The ATP is funded from various federal and state funds including the federal Transportation Alternatives Program (TAP), the Highway Safety Improvement Program (HSIP), State Highway Account, and Safe Routes to Schools (SR2S).

As a part of Senate Bill (SB) 1, the 2023 ATP Cycle 6 Call for Projects at the state level is expected to include about \$1.1billion funding made up of Federal funding, State SB1 and State Highway Account (SHA) funding. The funding programming years include FY2023/2024, FY2024/2025 FY2025/2026 and FY2026/2027 funding years.

Per the 2023 guidelines issued by the California Transportation Commission (CTC), the program is divided into state and regional shares. Project applications that are not selected for funding from the state's share of the funds will be passed on to the other Metropolitan Planning Organizations (MPOs) for consideration for regional share funding.

The goals of the ATP are to:

- Increase the proportion of trips accomplished by biking and walking;
- Increase the safety and mobility of non-motorized users;
- Advance the active transportation efforts of regional agencies to achieve greenhouse gas reductions goals as established pursuant to SB 375;
- Enhance public health, including reduction of childhood obesity through the use of programs including, but not limited to, projects eligible for Safe Routes to School Program funding;
- Ensure that disadvantaged communities (DAC) fully share in the benefits of the program; and
- Provide a broad spectrum of projects to benefit many types of active transportation users.

**CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND,
IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL**

Per the 2023 ATP Statewide Guidelines, Regional Program funding must be administered by Metropolitan Planning Organizations (MPOs) working with Regional Planning Agencies and Transportation Commissions like ICTC to recommend projects receiving ATP Regional funds.

In this sixth call for projects of ATP funds, SCAG does not intend to host a separate Call for Projects. Caltrans will instead forward grant proposals from the SCAG region that were not awarded funding at the statewide selection round for consideration in the Regional Program. Therefore, all project applications must meet the state's criteria and be submitted to Caltrans first. Imperial received a total of five (5) applications during Cycle 6. Imperial County has an approximate ATP Regional fund amount of \$1.2 million.

ICTC is responsible for scoring from within Imperial County for their consistency with plans adopted by local and regional governments within the county.

Assigning a methodology for assigning the twenty (20) points needs to be completed by ICTC. During past cycles, ICTC has established point scoring methodology with guidance of SCAG. For ATP Cycle six (6) ICTC staff is recommending the following scoring methodology: 20 points for projects that have been identified in an adopted local and/or regional plan; zero points for projects that have not been identified in an adopted local and/or regional plan.

The Technical Advisory Committee met on August 25, 2022, and forward the following to the ICTC Management Committee and the Commission for review and approval after public comments, if any:

1. Approve the following methodology for assigning points of the 2023 Active Transportation Program Regional Guidelines:
 - a. 20 points for projects that have been identified in an adopted local and/or regional plan; and
 - b. Zero points for projects that have not been identified in an adopted local and/or regional plan.

Sincerely,



VIRGINIA MENDOZA
Program Manager

VI. REPORTS

- A. ICTC/LTA/IVRMA EXECUTIVE DIRECTOR REPORT
- B. SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS REPORT
- C. CALIFORNIA DEPARTMENT OF TRANSPORTATION-DISTRICT 11
- D. COMMITTEE MEMBER REPORTS



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Memorandum

Date: August 2, 2022
To: ICTC Management Committee Members
From: David Aguirre, Interim Executive Director
Re: Executive Director's Report

The following is a summary of the Executive Director's Report for the ICTC Management Committee meeting on September 14, 2022.

- 1) **State Route 86 (Northbound) Border Patrol Checkpoint:** State Route 86 (Northbound) Border Patrol Checkpoint: In August 2017 following a year of coordination, Caltrans, the County of Imperial and ICTC met with CBP management and operations staff achieved consensus for a new conceptual alternative prepared by Caltrans. The LTA Board met on September 27, 2017, staff presented the Board with a fund request for \$1.3 million from the 5% Regional Highway Set-Aside from the Measure D allocations. A Consultant Agreement with AECOM for design and construction engineering was approved by the LTA on February 28, 2018. Following our ICTC Board meeting in late September 2020, ICTC has initiated a traffic study as required by Caltrans. Design work has been delayed due to Border Patrol's concern related to their ability to provide additional funding necessary to meet their operational requirements. Discussions have been on-going through to this week of March 15, 2021. On Wednesday, March 17, 2021 ICTC received confirmation from Border Patrol Headquarters in Washington D.C. that they wish to proceed with the original Canopy Design that is similar to Interstate 8 Pine Valley Checkpoint.

As discussed and confirmed with Border Patrol, ICTC will only provide the remaining funds we had available (February 2021) of approximately \$1 million to complete the traffic study, 100% design plans, and construction of the canopy, lighting related to the canopy, and traffic related improvements required by Caltrans. Border Patrol has committed to paying for all other construction related costs and Border Patrol will lead the construction contract. Border Patrol, Caltrans and ICTC are having bi-monthly meetings toward completing design plans and Caltrans Permits with a goal to begin construction in early 2023 with construction completed in approximately six months after construction begins.

- 2) **Funding for Phase II of the Calexico West Port of Entry:** As previously noted, Congress authorized \$98 million for Phase 1. The U.S. General Services Administration (GSA) began construction for Phase 1 in December 2015 with completion now scheduled for July 2018. Phase 2A was awarded in the amount of \$191million and will include six additional northbound privately-owned vehicle (POV) inspection lanes, permanent southbound POV inspection, expanded secondary inspection and adding a pre-primary canopy, new administration building, and employee parking structure. *Funding for phase 2B was awarded in the amount of \$103.4 million. Work for phase 2B will include demolition of the old port building and construction of the new pedestrian building. The total estimated investment for the Calexico West POE improvements are \$416.2 million.*

- 3) **Surface Transportation Block Grant Program (STBG) and Congestion Mitigation and Air Quality Program (CMAQ) 2022 Call for Projects – FFY 2022/2023 to FFY 2024/2025:** The STBG and CMAQ Call for Projects began on November 18, 2021. The approved 2022 CMAQ & STBG Guidelines are posted on the ICTC website at <http://www.imperialctc.org/call-for-projects/>. Applications were submitted on Friday, February 25, 2022 to ICTC office. All agencies submitted with the exception of the City of Westmorland and IID. A total of 10 STBG and 11 CMAQ applications were received by ICTC. Funding requests exceed the CMAQ and STBG amounts available for the three (3) fiscal years.

Program	Total Amount Available	Amount Requested by All Applicants
CMAQ	\$5,222,306	\$9,136,697
STBG	\$7,706,117	\$16,640,508

Technical staff representing all the cities and county participated in a scoring and ranking meeting on March 17, 2022, at the ICTC offices. This item was approved by the Commission on April, 27, 2022. *ICTC staff worked with local agency staff and programmed all approved projects in the Federal Transportation Improvement Program (FTIP). Additionally in response to the Federal Highway Administration (FHWA) corrective action of future CMAQ and STBG funds, ICTC staff will be working with local agency staff to discuss programming of FFY 2025/2026 CMAQ and STBG funds. A separate action item for FFY 2025/2026 CMAQ and STBG funding was presented to ICTC TAC in August 25, 2022 for initial direction. Direction was given to ICTC staff to begin project selection recommendation beginning with TAC on October 27, 2022.*

- 4) **IVRMA – Joint Powers Agreement (JPA) Amendment:** *IVRMA has been working with all member agencies towards completing various amendments to the existing IVRMA JPA. The proposed amendments include required newly adopted legislation language and the expansion of services that the IVRMA is anticipated to provide to the member agencies. The Final Draft document has been circulated to all member agencies for review and comment. It is anticipated that the member agencies will approve the amended JPA via individual board action in the month of September 2022 and the IVRMA board will approve the amended JPA at the September 2022 board meeting. IVRMA is attempting to amend the JPA prior to the October reporting deadline.*
- 5) **Imperial Mexicali Binational Alliance (IMBA):** *The September 8, 2022, IMBA meeting was held in the City of Calexico and included updates on Calexico East Port of Entry Bridge Widening project, Calexico West Port of Entry Phase 2A and 2B, Lithium Valley, education, Calexico East Port of Entry Gateway project. The next IMBA meeting is scheduled for November 10, 2022, in the City of Calexico. The meeting will be available via Zoom and in-person.*
- 6) **Regional Active Transportation Program:** *ICTC staff has been working with staff from the Southern California Association of Governments (SCAG) in the development of the Active Transportation Program (ATP) guidelines. The ATP is funded from various federal and state funds including the federal Transportation Alternatives Program (TAP), the Highway Safety Improvement Program (HSIP), State Highway Account, and Safe Routes to Schools (SR2S). The approved California Transportation Commission 2023 ATP (Cycle 6) program guidelines divide the funds into state and regional shares. State funds are available through a competitive application process. Applicants that are unsuccessful at the state level are considered for regional funds. Regional ATP funds are administered by the Metropolitan Planning Organizations (MPO). SCAG is Imperial County’s MPO. Per SCAG’s 2023 ATP Regional Guidelines, county transportation commissions may assign up to 20 points to each statewide project application deemed consistent and meeting eligibility requirements. ICTC staff will present the draft scoring methodology to the ICTC TAC in August 25, 2022. If approved, this item will be presented to the management and commission of ICTC.*
- 7) **2022 Long Range Transportation Plan:** The ICTC in its capacity as the Regional Transportation Planning Agency is responsible to lead the Long Range Transportation Plan (LRTP) in Imperial County. The last update to the LRTP was conducted in 2013. ICTC staff completed a Request for Proposal (RFP) to prepare a full update of the Imperial County LRTP. Michael Baker International was the selected consultant. The goal of the LRTP is to provide the following:
- Identify and promote the relationship between the transportation system to existing and future land use and

community comprehensive plans and programs.

- Provide guidance to promote the improvement of multi-modal transportation circulation of people and goods, using both motorized and non-motorized transportation modes, new technologies and infrastructure facilities.
- Recommendations and guidance to provide a safe, efficient, accessible, socially equitable and cost-effective transportation system.
- Ensure compliance with state and federal transportation planning regulations
- Develop recommendations that ensure environmentally sustainable planning practices.

The consultant team continues to work on the existing conditions technical memorandum. The first TAC meeting was held on March 30, 2022, that was attended by a diverse stakeholder group comprised of local, regional, environmental justice groups and economic development organizations. In addition, an all-day event with six (6) subgroup meetings was held on April 6, 2022, that encompassed subgroups for:

- Highways and Local Roadways
- Border and Goods Movement
- Pedestrian, Bicycles and Microbility
- Transit and Paratransit / Senior and Disabled Service
- Environmental and Environmental Justice
- Developers / Economic Development / Small Business Liaison

The Consultant continues to work on the transportation issues and strategies task under review by ICTC staff. A TAC meeting is scheduled for Thursday, September 22, 2022.

- 8) **Calexico Intermodal Transportation Center (ITC):** A new Intermodal Transportation Center in the City of Calexico has been part of ICTC's long range transit planning. The new Calexico ITC will serve as a regional mobility hub that will accommodate bus bays for Imperial Valley Transit in addition to the City of Calexico's private transit operators, taxis and farm labor buses. ICTC received a Congestion Mitigation and Air Quality federal program fund to complete the environmental and design plans of the new Calexico ITC. ICTC staff is in the process of completing the contract award for a consultant firm that will complete the environmental and design phase. Currently, ICTC staff is completing the Caltrans award review process with multiple Caltrans' departments. The ICTC Board adopted the agreement with Psomas on September 26, 2018. Environmental phase has been completed. *Design was completed in the month of April 2022 and Right of Way Acquisition is underway. ICTC is exploring funding opportunities to complete the required construction efforts.*
- 9) **Calexico East Port of Entry Bridge Widening Project:** The Project proposes to widen the bridge over the All-American Canal at the U.S./Mexico border approximately 0.7 miles south of State Route (SR) 7. The project proposes to widen the existing structure by adding four-lanes: Two New Northbound Auto Lanes and Two New Northbound Commercial Vehicle Lanes. In May 2018, Caltrans and ICTC received \$3,000,000 from the California Transportation Commission and the Trade Corridor Enhancement Program (TCEP) to complete the Project Approval and Environmental Document (PA/ED) for the project. In June 2018, Caltrans completed a Project Initiation Document (PID). In Fall of 2018, the PA/ED phase was initiated by Caltrans, technical studies for the National Environment Policy Act (NEPA) document under Caltrans as the NEPA lead are in progress and is scheduled for completion in May 2020. In December 2018, ICTC was awarded \$20 million under the U.S. Department of Transportation's BUILD discretionary grant program to complete the Design-Build construction phase. *The design portion of the project is complete. The project construction is underway, and construction is anticipated to be completed in early 2023.*
- 10) **Potential Bus Stop in Calipatria:** ICTC has evaluated all of its fixed route service routes to attempt to provide service to the east side of Calipatria. Staff conducted time trials as well utilized several types of buses to verify buses would not have issues with other existing stops within proposed routes. Potential stops for the area include a stop along Commercial Avenue and potentially another stop near Alexandria Street. Staff is proposing to utilize its IVC Express route to potentially service the area. ICTC and City staff have begun coordination to implement infrastructure associated with the bus stop(s). *ICTC has begun utilizing the IVC Express route to service both bus stops along the east side (intersection of Bonita Place and Commercial Avenue) and (intersection of Alexandria Street and Brown Avenue) of Calipatria. The City of Calipatria has begun engaging its engineering team to review applicable infrastructure needs.*

- 11) **Imperial Valley Transit (IVT) FREE FARES PROGRAM:** On August 7, 2020, the Imperial County Transportation Commission (ICTC) announced the implementation of a **Free Fares Program** for various Imperial Valley Transit (IVT) services. Eligible services include IVT Fixed Route, IVT Circulators (Blue, Green and Gold Lines), IVT ACCESS and IVT RIDE (EL Centro, Imperial, Heber, Brawley, Calexico, Westshores). All passengers are eligible to benefit from the Free Fares Program. The fares are subsidized by a State of California grant and fare contributions to IVT RIDE passengers by the County of Imperial's Area Agency for the Aging (AAA). *ICTC was able to secure a new grant to provide free fares for all of its transit programs. ICTC is currently working on program rollout.*

- 12) **State Route 98 Widening from Ollie to Rockwood:** As part of the Calexico West POE Expansion project, SR-98 and Cesar Chavez Boulevard were widened and improved to serve the expansion to the west. Caltrans' SR-98 work between VV Williams and Ollie Avenue was completed in March 2018, and the Cesar Chavez Blvd. Widening was completed in October 2019. Caltrans has completed the design and right of way phase for SR-98 Widening between Rockwood Avenue and Ollie Avenue. On June 24, 2020, CTC authorized construction funding. The total project cost is estimated at \$7 million using a combination of 2016 Earmark Repurposing, Demonstration, Traffic Congestion Relief, ICTC and local funds. *The construction start date was delayed to due to environmental impacts and other utility projects in progress within the project area. Construction of the project began on August 6, 2021. The existing contractor of the project has been removed. Caltrans has secured a new temporary contractor to complete the project improvements from Ollie Avenue to Highway 111. Caltrans is coordinating the acquisition of a new contractor to complete the remaining portions of the project.*

- 13) **State and Federal Local funding Obligations:** Projects programmed in programmed in Federal Fiscal Year (FFY) 2019/2020 were fully obligated according to Caltrans Local Assistance. Beginning October 1, 2020, agencies can move forward with request for authorization (RFA) for Congestion Mitigation Air Quality (CMAQ), Surface Transportation Block Grant program (STBG) programmed in FFY 2020/2021. Other state funding also included in the Federal Transportation Improvement Program (FTIP) include the Active Transportation Program (ATP).

- 14) **2018 Trade Corridor Enhancement Program:** The Trade Corridor Enhancement Program (TCEP), created by Senate Bill (SB) 1 (Beall, Chapter 5, Statutes of 2017), provides approximately \$300 million annually for infrastructure improvements on federally designated Trade Corridors of National and Regional Significance, on the Primary Freight Network, and along other corridors that have a high volume of freight movement. ICTC in partnership with Caltrans and the San Diego Association of Governments (SANDAG) were successful in receiving TCEP funds for Advanced Technology Corridors at the California-Mexico Ports of Entry (POE). The goal project is to implement Intelligent Transportation System (ITS) strategies that will improve border travel delays. Some of the ITS strategies will include Bluetooth and Wi-Fi readers to help track vehicle delays, as well as implement changeable message signs on State Routes to inform border travelers of POE delays. Caltrans will serve as the implementing agency of this project and has an estimated completion date of early 2020. *Caltrans has initiated the environmental phase and preliminary design of the project. TCEP funds will be used in collaboration with the BUILD grant award for the design and construction phases. ICTC made a request for allocation from the California Transportation Commission (CTC) for the \$7.5 million for design and construction at their June 23, 2021 meeting.*

- 15) **State Legislation for Transportation Funding – SB 1 Road Maintenance and Rehabilitation Account (RMRA):** *According to the California League of Cities, overall local streets and roads allocations to cities and counties from the Highway Users Tax Account (HUTA) and the Road Maintenance and Rehabilitation Account (RMRA) are projected to climb 14.8% in the current fiscal year, 2021-22, above last year, reflecting a rebound from peak impacts of the pandemic in 2020. For the budget year 2022-23, allocations are projected to grow 10.8% over the current year. This presumes that if the scheduled July 1 cost-of-living fuel tax increase is suspended, the Legislature will backfill any revenue impacts to local governments as leaders have pledged. The estimates are based on new statewide tax revenue estimates released by the California Department of Finance with the Governor's 2022-23 Proposed Budget. The county estimates were prepared in collaboration with the California State Association of Counties.*

For RMRA remittance advice by cities visit: https://www.sco.ca.gov/ard_payments_rmra_cities.html

For RMRA remittance advice by counties visit: https://www.sco.ca.gov/ard_payments_rmra_counties.html

- 16) **State Legislation for Transportation Funding – SB 1 Local Partnership Program (LPP):** *Local Partnership Program is comprised of formulaic program and competitive programs. The Local Partnership Formulaic Program (LPFP) funds share distributions for Cycle 3 are in the amount of \$1,549,000. Cycle 3 LPFP funds must be programmed and allocated in FY 2022-2023 and before June 30, 2023. The Program guidelines require a 50% match, project nomination forms must be collected by ICTC and submitted to the California Transportation Commission (CTC) for programming approval. Subsequently, the cities/county must submit allocation request to the CTC for use of funds. A one time extension is allowed for allocation approval by the CTC for up to 12 months. If both programming, allocation, and/or time extension is approved by June 30, 2023, funds will lapse.*

ICTC staff is preparing to initiate the funding distribution discussion with member agency staff at the TAC meeting in August 25, 2022. Upon review and recommendations received by TAC members, project nomination forms will be gathered and presented to the ICTC Management and Commission in the September or October meetings.

The following is the link to the 2019 Local Partnership Program guidelines:

http://catc.ca.gov/programs/sb1/lpp/docs/062719+Amended_LPP%20Guidelines.pdf

17) **Partnerships with IVEDC:**

- **Southern Border Broadband Consortium (SBBC):** SBBC continues to work with local stakeholders to identify, prioritize and advance broadband infrastructure and improvement projects; facilitate and promote broadband education community wide using survey data; work with the Boys and Girls Club of IV and the Workforce Development Board to create Digital Literacy Centers throughout Imperial County; and develop a preferred scenario for 98% deployment in Imperial County and present to the California Advanced Service Fund and the CPUC. *As of February 17, 2022 a total of \$109,369.48 have been submitted and approved for reimbursement. The remaining grant balance is \$340,630.52 out of the original \$450,000 grant award.*
- **The Brawley Transit Corridor Brownfield Assessment:** ICTC in partnership with IVEDC received a U.S. Environmental Protection Agency (EPA) Brownfields Communitywide Assessment Grant award of \$300,000 from the Environmental Protection Agency’s Brownfields Assessment Program. This assessment is focused along the transit circulator route within the 13-mile Imperial Valley Transit’s (IVTs) Brawley Gold Line Transit Route and the Brawley Transit Center that serves as the IVTs North Imperial County transfer terminal. The commercial corridors in the target assessment area include over 100 known commercial properties and suspected historical gas station sites with known or suspected underground tanks in the target area. ICTC is the fiscal agent and has developed an MOU which will define roles and responsibilities (Audits, Administration and Project Management) of ICTC and IVEDC. SCS Engineers Tasks include the Quality Assurance Project Plan (QAPP) and project management plan as required by EPA. *As of February 17, 2022, there is a remaining grant balance of \$67,922. Of the \$67,922, \$63,717 is the remaining contract balance for SCS Engineers.*

18) **Meetings attended on behalf of ICTC:**

- Various Weekly Reoccurring Calexico East POE Bridge Widening Project Meetings
- Various Weekly Project Specific Meetings
- August 24, 2022 – ICTC Commission Meeting at the ICTC Offices and via zoom meeting
- August 25, 2022 – ICTC TAC Meeting at the ICTC Offices and via zoom meeting
- August 25, 2022 – IVRMA TAC Meeting at the ICTC Offices and via zoom meeting
- September 1, 2022 – SCAG Regional Council Meeting via zoom meeting
- September 7, 2022 – ICTC SCAG Meeting at the ICTC Offices and via zoom meeting
- September 8, 2022 – Imperial Mexicali Binational Alliance Meeting in the City of Calexico



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Memorandum

Date: September 14, 2022
To: ICTC Management Committee Meeting
From: David Salgado, Regional Affairs Officer (RAO)
Re: **Southern California Association of Government's (SCAG) Report**

The following is a summary of the SCAG Executive Director's Report and/or Federal and State Legislature Staff Report for the Imperial County Transportation Commission Management Committee meeting for the month of September 2022.

1. 33rd ANNUAL DEMOGRAPHIC WORKSHOP

The 33rd Annual Demographic Workshop, co-hosted by SCAG and the University of Southern California, will be held virtually on the afternoons of Wednesday, Sept. 14, and Wednesday, Sept. 21. This year's workshop will explore the demographic trends that have and have not bounced back following the COVID-19 pandemic, how different populations have experienced the rebound in different ways, and the impact of remote work and other emerging trends in our cities. More information will be available soon. Please check scag.ca.gov/demographics for updates.

2. REAP 2.0 HOUSING SUPPORTIVE INFRASTRUCTURE DEVELOPMENT PROGRAM OUTREACH

SCAG staff have kicked off an extensive outreach program for development of the Regional Early Action Planning (REAP) 2.0 housing supportive infrastructure program. In June, SCAG hosted a series of one-on-one meetings, listening sessions and presentations to solicit stakeholder input on proposed program areas, core objectives, and prioritization of projects. Through coordination with subregional councils of governments, SCAG staff engaged with city and county planning staff at regularly scheduled planning director meetings and working groups. To help identify existing efforts, funding gaps and need for technical assistance, SCAG hosted two listening sessions open to staff of local cities and counties and engaged key tribal government representatives as well. To solicit feedback from the housing development community, SCAG launched focused outreach efforts targeting community-based organizations, housing trusts, developers, tribal governments, community land trusts and housing authorities. Outreach efforts will continue throughout summer and early fall, in support of SCAG's full REAP 2.0 funding application due in December 2022. DRAFT Guidelines are set for review and release later this fall. More information on SCAG's REAP 2.0 programs is available at scag.ca.gov/reap2021.

3. SCAG SUSTAINABLE COMMUNITIES PROGRAM (SCP) CALL 4! CIVIC ENGAGEMENT, EQUITY, & ENVIRONMENTAL JUSTICE

The fourth Sustainable Communities Program (SCP) Call for Applications is anticipated to be released in Fall 2022, with a focus on Civic Engagement, Equity, and Environmental Justice. Due to the availability of new funding sources for this program, the guidelines for Call 4 are still in development. More information can be found here: <https://scag.ca.gov/scp>

4. SCAG PARTNERS WITH SANDAG TO HOST HOUSING POLICY FORUM ON EQUITABLE HOMEOWNERSHIP

On Aug. 2, SCAG held its third Housing Policy Forum on Equitable Homeownership in collaboration with the San Diego Association of Governments (SANDAG) with over 260 attendees. The forum provided an overview of the State of homeownership in California presented by Adam Briones, CEO of California Community Builders. A panel of housing practitioners shared emerging programs and best practices for diverse homeownership, including the CA Dream for All Program and the African American Homeownership Program. We were also joined by local housing leaders from the SCAG and SANDAG regions that presented case studies on homeownership solutions, alternative housing models and the role that lenders can play in helping residents finance a home.

5. SCAG PUBLISHES NEW FEASIBILITY STUDY FOR MOBILITY-AS-A-SERVICE

Mobility-as-a-Service, or MaaS, integrates different transportation options into a single mobility platform that provides competitive alternatives over private vehicles to promote universal basic mobility, encourage mode shift, and foster sustainable travel choices. MaaS was identified as a Key Connection in Connect SoCal, studying the feasibility of implementing a MaaS system in the region has been a priority for SCAG. The result of SCAG’s study is a white paper exploring policy issues and building blocks for MaaS, and the critical steps that will advance the region towards a truly integrated transportation system. The white paper identifies certain areas within the SCAG region as having high potential to be pilot project candidates for successful MaaS implementation. The findings and recommendations set the stage for policy discussions for the Connect SoCal 2024 update. For questions regarding MaaS, please contact Priscilla Freduah-Agyemang at agyemang@scag.ca.gov.

6. LOCAL DATA EXCHANGE PROCESS FOR CONNECT SOCIAL 2024

SCAG’s Local Data Exchange, or LDX, is a foundational step in developing Connect SoCal 2024, SCAG’s next Regional Transportation Plan/Sustainable Communities Strategy. The objective of the LDX process is to engage with the 191 cities and six counties that make up our region to develop the Forecasted Regional Development Pattern and seek input on other elements of the plan.

Over the course of 2022, SCAG Local Information Services Team (LIST) plans to meet one-on-one (approximately 90 minutes) with all local jurisdictions to discuss the maps in their local context, provide background on the development of Connect SoCal 2024, and provide training on available tools in the Regional Data Platform to local jurisdictions. To date, LIST members have met one-on-one for LDX meetings with 90 jurisdictions in the region. Detailed information about the LDX process can be found in a letter that was sent via email to all City Managers and Planning Directors on May 23 from Sarah Jepson, SCAG Planning Director. For Imperial, Los Angeles and Ventura County jurisdictions, please select a meeting time at your earliest convenience. Please reach out to LIST at list@scag.ca.gov for any questions.

7. FEDERAL CERTIFICATION REVIEW NEARLY COMPLETE

As a federally designated metropolitan planning organization and transportation management agency, SCAG undergoes a certification process every four years. The certification review process, conducted by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), encompasses all areas of SCAG’s business including, but not limited to, SCAG’s planning and programming processes, organization structure, policy board, planning boundary, contracts and procurement processes, public participation plan, etc.

After a review process that included a desk audit, site visits, extensive interviews and a public listening session, the federal agencies issued a report of findings in July. FHWA and FTA found that SCAG’s metropolitan planning process meets federal requirements, with one corrective action and several recommendations. (The corrective action pertains to the prioritization and selection of projects funded with Congestion Mitigation and Air Quality and Surface Transportation Block Grant funds, including SCAG’s role.) SCAG staff, in coordination with transportation stakeholders, has initiated actions to address the corrective action and FHWA/FTA recommendations. Final reporting of findings and issuance of certification is anticipated very shortly.

8. SCAG LEADERSHIP MEETS WITH STATE DIRECTOR OF HOUSING

On Aug. 10, senior SCAG staff travelled to Sacramento to meet with Gustavo Velasquez, Director of California’s Department of Housing and Community Development, and his executive team. This visit allowed us to share the impressive progress of the Regional Early Action Planning (REAP) program to date and set the stage for the REAP 2.0 program currently under development.

Key themes and projects that Director Velasquez and his team were particularly interested in further exploring include: working on increasing engagement with community-based organizations, subregional housing trust funds, technical assistance to public agencies in support of development of



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publicly owned land, strategies for preserving housing units with expiring covenants, and SCAG resources like the Regional Data Platform and the Housing Element Parcel Tool.

The success of this meeting will help SCAG maintain positive relations with the state and bolster future partnership on implementing the Regional Housing Needs Allocation and other housing programs.

9. SCAG LOCAL GIS TRAININGS

SCAG GIS Specialist Javier Aguilar was in Imperial County on July 27 and 28 to meet with stakeholders and partners in an effort to understand GIS Training needs and expectations in Imperial County. Javier met with representatives from the City of El Centro, Holtville, and Imperial County Workforce Development. The Imperial County Workforce Development Board/Training Room was identified as an ideal space to conduct in-person trainings for local SCAG member agency staff. SCAG will coordinate closely with local stakeholders to ensure any trainings provided meet staff needs. Please feel free to contact SCAG staff with any questions or if you wish to provide feedback regarding the opportunity.

10. GO HUMAN UPDATE

SCAG’s Go Human campaign selected 26 projects – spread throughout all six counties in the SCAG region – to receive an award as part of its Mini-Grant Program to fund community-driven traffic safety engagement projects. SCAG released its call for applications for the Mini-Grants Program in March 2022 and receiving 37 applications by the deadline. SCAG intends to conditionally award up to \$15,000 per project, totaling \$350,000, to these community-led traffic safety projects to implement safety and engagement strategies between June and August 2022. A full list of awarded projects will be available on the Go Human blog in the coming days. Additionally, SCAG can still support potential Walk-to-School events as October is National Walk to School Month. SCAG will be supporting

11. REAP UPDATE

REAP 1.0 PROGRAM HIGHLIGHTS

With program implementation well underway for the Regional Early Action Planning Grants (REAP) 2019 program, SCAG has seen some notable successes in the recent months, with almost 60 projects having kicked off by March 2022. These projects include housing element technical assistance, accessory dwelling unit (ADU) analysis, model ordinance templates, affirmatively furthering fair housing (AFFH) analysis, surplus land inventories, housing-supportive infrastructure inventories, and outreach and education across various projects.

The Call for Collaboration, which funds community-based organizations’ (CBO) local planning and



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housing initiatives by promoting community-driven, equitable growth strategies, has kicked off all projects and has thus far increased involvement of CBOs and advocacy groups in housing element development.

The Sustainable Communities Program’s (SCP) Housing and Sustainable Development call for projects included 12 project “bundles” for 24 jurisdictions, with eight projects kicked off and four additional projects in the procurement process.

California Department of Transportation



To: ICTC Management Committee

Date: September 2022

From: GUSTAVO DALLARDA
Caltrans District 11 Director

Subject: **DISTRICT DIRECTOR'S REPORT**

CONSTRUCTION

1. **I-8/Imperial Avenue Interchange:** The project includes installing two ramps that will provide direct access to southbound Imperial Avenue which will provide connectivity to southern El Centro. The interchange was opened to traffic on December 21st. The community identifier installation was completed on February 8.



The contractor will continue with plant establishment and close out activities through 2023.

<https://dot.ca.gov/caltrans-near-me/district-11/current-projects/i8-imp-interchange>

2. **SR-98 Widening Project:** As part of the Calexico West POE Expansion project, SR-98 and Cesar Chavez Blvd were widened and improved to serve the expansion to the west. SR-98 work between VV Williams and Ollie Avenue was completed in March 2018, and the Cesar Chavez Blvd widening was completed in October 2019 by the City of Calexico. Construction for stage 1 of the SR-98 widening between Rockwood Avenue and Ollie Avenue is underway. The target completion date for Stage 1 is mid-November. Stage 2 target start date is pending negotiations between Caltrans and stakeholders

with the intent to minimize disruptions to local businesses during the holiday season. The total project cost is estimated at \$8.2 million.

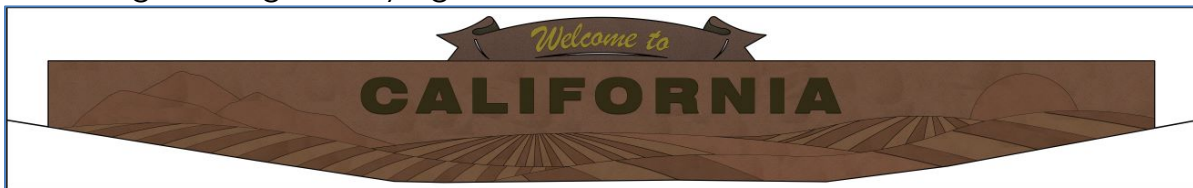
3. **SR-111 Niland Geysers/Mud Pot:** The SR-111 Niland Geysers/Mud Pot continues to be active. The caldera is approximately 9 feet from the SR-111 edge of traveled way, another smaller caldera recently appeared a few feet to the north-east of the original and is active. Water from the Mud Pot continues free-flowing through the subsurface drainage installed in 2019. The original temporary detour road was opened to traffic in August of 2020. Due to the Mud Pot's unpredictable change in direction, a revised detour was required. The revised detour was completed on April 30, 2021. The detour will remain in place as the mud pot moves beyond the original freeway.

<https://www.youtube.com/watch?v=Ek1buV2HA68>

4. **I-8 Colorado River Bridge Rehab:** This project is located near the Arizona border on I-8. The scope includes replacement of bearing pads, portions of the concrete pavement on the bridge deck and approach slabs. Part of work footprint straddles the California/Arizona border. Detours are expected and will be announced prior to commencement of work. Construction is expected to start in early 2023 and estimated completion is early 2024. The total project cost is estimated at \$11.1 million.

PROJECT DELIVERY

1. **Clean California Projects:** District 11 will be delivering projects funded by the Clean California Grant Program. They include bus shelter improvements in Niland (SR111), and bus shelter installations in Calipatria (SR111), Brawley (SR86) and Holtville (SR115). Additionally, median island improvements in El Centro (SR86) and a gateway beautification project at SR-7/Nina Lee Rd just north of the Calexico Port of Entry are also included as part of this effort. The projects are expected to be completed by July 2023. Below is a conceptual rendering of the gateway sign.



2. **I-8, SR-78 Bridge Rehab at Various Locations:** The project scope includes 4 bridge locations on I-8 at Brock Research Center Rd, All American Canal (left/right) Bridges and at Winterhaven Dr/4th Ave. The 2 locations on SR-78 are at Palo Verde Drain and Palo Verde Outfall bridges near Palo Verde. The project is currently in design and is expected to go out to bid in fall 2022 with construction estimated to start in early 2023. Total estimated cost is \$13.2 million.

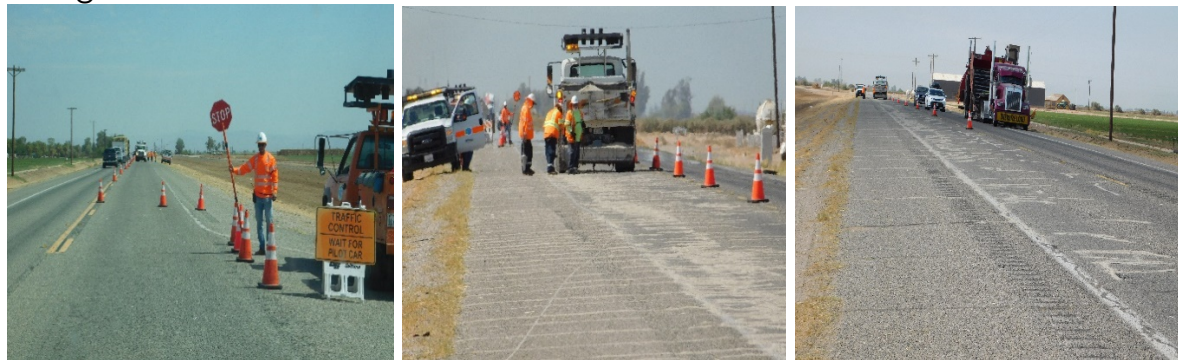
- SR-186 All-American Canal Bridge:** This project proposes to construct a new bridge over the All-American Canal (AAC). The new bridge will improve safety and better facilitate international and interregional movement of people, goods and services. A 2019 feasibility study proposed 8 alternatives including a no-build option. The following stakeholders have been identified, Fort Yuma Quechan Indian Tribe, US BIA, US BOR, IID, International Boundary and Water Commission, County of Imperial, Union Pacific Railroad and US GSA. *Project Milestones: Project Approval/Environmental Clearance 6/2024. The Anticipated funding fiscal year for construction is 2025/26.*

MAINTENANCE AND TRAFFIC OPERATIONS

- The Clean CA crew has been steadily working on litter abatement efforts for the past several months. The priorities have been the city gateways and SR-86 from the Border Checkpoint to Riverside County line. The crew began work on SR86 in March of 2022 and as of July has picked up 1345 cubic yards of litter from the outside shoulders (border checkpoint to Riverside County line). The combined effort for all other routes (I-8, SR78, SR98, SR111, SR115) was 564 Cu yds as of July. The Clean CA Crews are now cleaning the SR-86 center median with lane closures of the #1 lanes in each direction for safety. They will continue to work on the city gateways as needed.



- El Centro Traveled Way Crew – Sweeping I-8/SR111, brush control SR111, crack sealing SR115



- El Centro Functional/Marking Crew – Sign/landscape maintenance, striping and school crossings SR98 in Calexico



4. Midway Traveled Way Crew – Crack sealing SR98, profile grinding I-8



5. Brawley Traveled Way Crew – Sweeping/brush control and crack sealing SR86



6. El Centro Clean CA Crew – Litter control/landscaping activities SR86 near County line



7. **SR-86/Customs & Border Protection Checkpoint Expansion:** AECOM has submitted a revised concept plan with a standard acceleration lane from the secondary inspection facility and it has been approved. AECOM is expected to submit revised design plans with the approved concept soon. The environmental studies are being prepared by ICTC and will soon be sent for review. Caltrans will assist ICTC in coordinating upcoming meetings.

An environmental document as well all other appropriate studies will be needed to finalize the project. A series of permits will be required for existing traffic control at the checkpoint, for the inspection operations and equipment within the facility, and for a temporary checkpoint while the project is in construction. A new Freeway Maintenance Agreement will be required for the portion of the existing canopy that is within Caltrans ROW.

PLANNING AND LOCAL ASSISTANCE

1. **District 11 Active Transportation Plan:** The D11 Active Transportation Plan Summary Report has been completed and is available to view or download as PDF. In addition, a GIS Story Map site has also been created as a companion to the Summary Report. The Story Map provides an interactive way to view the existing conditions and needs for people walking and biking in District 11 (San Diego and Imperial Counties). The primary outputs of the Active Transportation Plan are lists and maps of location-based needs, prioritized highway segments and crossings. Both the Summary Report and Story Map can be viewed using the following links, respectively.
 - * <https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/active-transportation-complete-streets/caltrans-reconnecting-communities-program/district11-finalreport-a11y.pdf>
 - * <https://storymaps.arcgis.com/stories/807af02be4084bb1bb1854a112b56d5c>
2. **Project Study Report: Forrester Road Improvements** - This study will propose improvements to Forrester Road from I-8 to the SR 78 intersection in the City of Westmorland. This is a critical goods movement corridor that handles a high volume of interregional and local agricultural trucks and anticipated volumes will continue to increase. Caltrans and ICTC are preparing a PSR spearheaded by a Technical Working Group (TWG) that includes the County of Imperial, the Imperial Irrigation District (IID), and the cities of El Centro, Westmorland, Imperial, and Brawley. To address the needs of this corridor, likely improvements will include shoulder widening, passing lanes, intersection improvements, multimodal elements, and a bypass to the city of Westmorland.
3. **Local Assistance:**

New District Local Assistance Engineer (DLAE)

Please welcome the Caltrans District 11 Local Assistance Engineer (DLAE) *Bryan Ott*. He resumes this role as a permanent assignment and looks forward to continued collaboration on State and federal aid funding opportunities.

Highway Safety Improvement Program: Applications Due September 12, 2022

The Highway Safety Improvement Program (HSIP) Cycle 11 applications are due electronically to Caltrans by September 12, 2022. Please use the following link to access additional information.

<https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/highway-safety-improvement-program/apply-now>

California Transportation Commission (CTC) Allocation Requests

Please review the attached schedule of deadlines to send requests for California Transportation Commission (CTC) allocation at the *December 7-8, 2022 CTC meeting*. Caltrans District 11 must receive all documents at least two months prior to the preferred CTC meeting date. *Friday, October 7, 2022 is the deadline for the December 7-8, 2022 CTC meeting.*

RELINQUISHMENTS

1. **SR-86** from *SR-111 to Countryside Dr, West Ralph Rd to Calle Estrella*, and just east of *Brandt Rd to SR-78*. Relinquishment to County of Imperial, estimated completion 2026. (#11 on Status Map)
2. **SR-86** from *Countryside Dr to Treshill Rd*. Relinquishment to City of El Centro, estimated completion 2026. (#12 on Status Map)

**2022 PREPARATION SCHEDULE
CALIFORNIA TRANSPORTATION COMMISSION (CTC) MEETINGS
AGENDA ITEM(S) DUE DATES**

Prepared by:
OFFICE OF CTC LIAISON
DIVISION OF FINANCIAL PROGRAMMING
CALIFORNIA DEPARTMENT OF TRANSPORTATION

As of:
August 2021

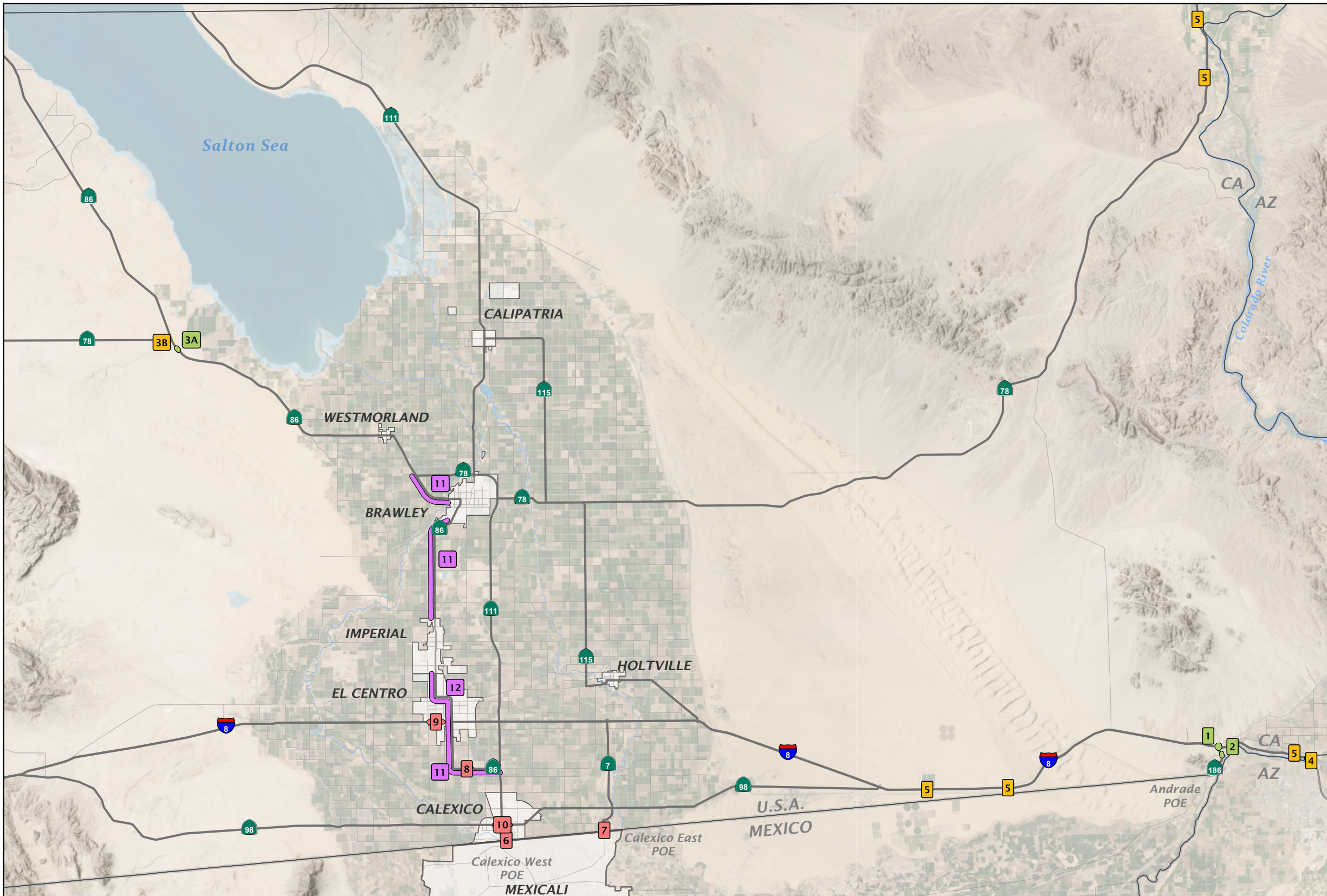
<p align="center">2022 California Transportation Commission (CTC) Meeting Schedule</p>	<p align="center">Local Agency Submits Off System Funds Requests, Program Amendments, and Time Extensions to Caltrans Districts</p>	<p align="center">District Submits Off System and On System Requests to HQ Divisions</p>	<p align="center">HQ Divisions Submit Final Off System and On System Requests to Budgets</p>	<p align="center">Final Agenda Language Due From HQ Divisions to Office of CTC Liaison</p>	<p align="center">Final Book Items Due from HQ Divisions to Office of CTC Liaison</p>
<p align="center">Date and Location:</p>	<p align="center">10:00 AM District & CTC</p>	<p align="center">10:00 AM HQ Divisions</p>	<p align="center">5:00 PM Email to HQ Budgets</p>	<p align="center">10:00AM Email to CTC Liaison</p>	<p align="center">10:00 AM Email to CTC Liaison OCTCL Email: CTCLiaison@dot.ca.gov</p>
Jan 26-27 - Sacramento	Mon, Nov 29, 21	Mon, Dec 6, 21	Fri, Dec 10, '21	Fri, Dec 17, '21	Fri, Dec 17, '21
Mar 16-17 - San Diego	Tue, Jan 18, 22	Mon, Jan 24, 22	Mon, Jan 31, '22	Wed, Feb 9, '22	Thu, Feb 10, '22
May 18-19 - Central Valley	Mon, Mar 21, 22	Mon, Mar 28, 22	Mon, Apr 4, '22	Wed, Apr 13, '22	Thu, Apr 14, '22
June 29-30 - Sacramento	Mon, May 2, 22	Mon, May 9, 22	Mon, May 16, '22	Wed, May 25, '22	Thu, May 26, '22
Aug 17-18 - Bay Area	Mon, Jun 20, 22	Mon, Jun 27, 22	Tue, Jul 5, '22	Wed, Jul 13, '22	Thu, Jul 14, '22
Oct 12-13 - Santa Barbara	Mon, Aug 15, 22	Mon, Aug 22, 22	Mon, Aug 29, '22	Wed, Sep 7, '22	Thu, Sep 8, '22
Dec 7-8 - Riverside	Mon, Oct 10, 22	Mon, Oct 17, 22	Mon, Oct 24, '22	Wed, Nov 2, '22	Thu, Nov 3, '22

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

Moved - Christmas
Moved - July 4

Moved - Christmas

Moved - Christmas



ENVIRONMENTAL

1. SR-186/I-8 Quechan Interchange Improvements*
Complete Dec 2022
2. SR-186 All-American Canal Bridge
Complete Mar 2023
- 3A. SR-86 USBP Checkpoint Canopy*
Complete Fall 2022

DESIGN

- 3B. SR-86 USBP Checkpoint Canopy*
Complete Fall 2022
4. I-8 Colorado River Viaduct
Complete April 2021; Begin Construction Early 2023
5. Bridge Rehab Projects on I-8 and SR-78
Ready to List Complete June 2022; Begin Construction early 2023

CONSTRUCTION

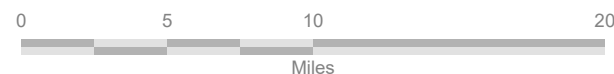
6. SR-111 Pavement Rehabilitation, Border to SR-98
Complete late September 2022
7. Calexico East POE Bridge Widening
Design/Build Begin Mar 2021; Complete June 2023
8. SR-86/Dogwood Road Intersection Improvements County Permit*
Complete Oct 2022
9. I-8/Imperial Ave Interchange Improvements
Open to Traffic Dec 2021; Complete March 2023
10. SR-98 Widening Phase 1C Ollie Ave to Rockwood Ave
Complete early 2023

RELINQUISHMENT

11. SR-86 Relinquishment to County of Imperial
Date Estimate 2026
12. SR-86 Relinquishment to City of El Centro
Date Estimate 2026

* The California Department of Transportation (Caltrans) is a partner in this study/projects, although not the lead agency.

- █ Environmental
- █ Design
- █ Construction
- █ Relinquishment



:Project funded by Senate Bill 1

Abbreviations:

GSA: General Services Administration

36: Port of Entry

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Questions can be directed to (619) 688-6699
ct.public.information.d11@dot.ca.gov

Date: 08/17/2022



VIII. ACTION CALENDAR

- A. Imperial Valley Resource Management Agency (IVRMA) - Amendment to the Joint Powers Agreement
 - 1. Approve the Amendment to IVRMA Joint Powers Agreement.
 - 2. Authorize the Chairperson to sign the agreement.

IMPERIAL VALLEY RESOURCE MANAGEMENT AGENCY

SERVING THE CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO,
HOLTVILLE, IMPERIAL, WESTMORLAND AND COUNTY OF IMPERIAL



September 8, 2022

**IVRMA
BOARD MEMBERS**

CHAIR

Maria Nava-Froelich
City of Calipatria

VICE-CHAIR

Mike Goodsell
City of Holtville

George Nava
City of Brawley

Raul Urena
City of Calexico

Cheryl Viegas-Walker
City of El Centro

Robert Amparano
City of Imperial

Ana Beltran
City of Westmorland

Ryan Kelley
County of Imperial

Luis Plancarte
County of Imperial

David Aguirre
*Imperial County
Transportation
Commission (ICTC)
Administrator*

Daveline Villaseñor
Project Manager

ICTC Management Committee
Imperial Valley Resource Management Agency
1503 N. Imperial Ave. Suite 104
El Centro, CA 92243

SUBJECT: Imperial Valley Resource Management Agency (IVRMA) -
Amendment to the Joint Powers Agreement

Dear Committee Members:

The Imperial Valley Resource Management Agency (IVRMA) was formed on February 6, 2008 by and between the County of Imperial, city of El Centro, city of Imperial, city of Calexico, city of Brawley, city of Calipatria, city of Holtville and city of Westmorland (Members). The formation was completed by the adoption of a Joint Powers Agreement (JPA) between all of the Members. IVRMA was formed to assist all of the Members with compliance efforts with the California Integrated Waste Management Act of 1989 and all regulations adopted under the legislation. IVRMA's primary responsibilities include but are not limited to completion of outreach efforts pertaining to recycling and solid waste disposal, management and operation of household hazardous waste facilities, coordination with the Department of Resources, Recycling and Recovery (CalRecycle), and completion of reporting efforts.

The recent adoption of SB 1383 (Short Lived Climate Pollution Reduction Law) requires that all IVRMA Members develop an organic waste recycling program. The program requires that the Members implement an organic waste diversion program which includes organic waste collection services, public education and outreach, reporting and recordkeeping, capacity planning and procurement of recovered organic waste products amongst other items. The Members have requested that IVRMA assist with a variety of the requirements associated with the adoption of SB 1383. As a result, it is necessary to amend the existing IVRMA JPA to expand the abilities and services of IVRMA to assist with compliance efforts.

The Members and CalRecycle have held several meetings to review the proposed amendment to the JPA. Each of the Members has forwarded the proposed amendment to the JPA to its respective legal counsel for comments and approval. IVRMA has also forwarded the proposed amendment to CalRecycle for review and approval. Each of the Members and IVRMA is anticipated to adopt the proposed amendment at their respective council/board meetings during the month of September. The adoption of the proposed amendment in the month of September would allow IVRMA to assist with compliance reporting due in early October. IVRMA incorporated the anticipated cost for additional outreach efforts associated with SB 1383 in its FY22-23 budget. All additional services such as capacity planning, monitoring, record keeping and reporting will likely require additional funding by the Members.

It is requested that the ICTC Management Committee forward this item to the IVRMA Board for their review and approval after public comment, if any:

1. Approve the Amendment to IVRMA Joint Powers Agreement.
2. Authorize the Chairperson to sign the agreement.

Sincerely,



David Aguirre
Interim Executive Director

DA/cl



**IMPERIAL VALLEY RESOURCE
MANAGEMENT AGENCY (IVRMA)
AMENDED AND RESTATED JOINT
POWERS FORMATION AGREEMENT**

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IMPERIAL VALLEY RESOURCE MANAGEMENT AGENCY AMENDED AND RESTATED JOINT POWERS FORMATION AGREEMENT

THIS AMENDED AND RESTATED JOINT POWERS AGREEMENT (“AGREEMENT”) of the IMPERIAL VALLEY RESOURCE MANAGEMENT AGENCY (IVRMA) is made and entered into with an effective date of -----, by and between the COUNTY OF IMPERIAL, a political subdivision of the State of California, the CITY OF BRAWLEY, the CITY OF CALEXICO, the CITY OF CALIPATRIA, the CITY OF EL CENTRO, the CITY OF HOLTVILLE, the CITY OF IMPERIAL, and the CITY OF WESTMORLAND, municipal corporations, referred to hereinafter as “MEMBER (S)” and IVRMA will be referred to hereinafter as “AGENCY”.

RECITALS

WHEREAS, MEMBERS are responsible for the health and safety of their citizens, and to that end regulate Solid Waste, Recyclable Material, and Organic Material Collection in areas under their jurisdiction, they award franchises for Collection to private organizations, all of which are referred to as Hauler.

WHEREAS, MEMBERS find it in their mutual economic interest to address Solid Waste and Recycling issues on a regional level so that the costs for planning and implementing Solid Waste and Recycling programs are based on a fair and equitable allocation system that considers all the relevant factors and shares Solid Waste Diversion percentages to meet the waste reduction mandates of the California Department of Resources, Recycling and Recovery (CalRecycle) formerly known as the California Integrated Waste Management Board CIWMB, as a region.

WHEREAS, the California Joint Exercise of Powers Law (Government Code section 6500, et seq.) permits two or more public agencies to exercise jointly any power that the agencies could exercise separately and also grants certain additional powers to a Joint Powers Authority.

WHEREAS, MEMBERS desire to establish and confer upon a separate legal entity, the AGENCY, the powers necessary to enable coordination of economical and regional source reduction recycling of SOLID WASTE to meet the diversion requirements mandated by the California Integrated Waste Management Act (ACT), including the monitoring and reporting of source reduction recycling information. to achieve their waste Diversion goals, to comply with the California Integrated Waste Management Act, and arrange for the Disposal of remaining Solid Waste.

WHEREAS, on February 6, 2008 an agreement was executed by and between the Imperial Valley Resource Management Agency Members (Members) forming a joint powers authority pursuant to the

provisions of the Joint Exercise of Powers Act (Government Code Sections 6500 et. seq for the purpose of providing coordination of economical and regional source reduction recycling of solid waste (hereinafter referred to as the “2008 IVRMA Agreement”); and

WHEREAS, pursuant to the 2008 IVRMA Agreement the power to perform the responsibilities of the joint powers authority was vested in the Agency Board of Directors (BOARD); and

WHEREAS, each of the parties expressly represents and acknowledges that it desires to amend the 2008 IVRMA Agreement as provided herein and that the terms of this amendment are incorporated by reference into this AGREEMENT ; and

WHEREAS, the parties expressly designate the Agency Board the authority to ensure and oversee compliance with and enforcement of Senate Bill 1383, on behalf of each party hereto; and

WHEREAS, the MEMBERS also expressly designate and desire for the Agency to ensure and oversee compliance with Assembly Bill 1826 and Assembly Bill 341 on behalf of each party hereto.

WHEREAS, Senate Bill 1383 (Lara, 2016) was signed into law and establishes methane emissions reduction goals of 50 percent in the level of the statewide landfill disposal of organic waste from the 2014 level by 2020 and 75 percent by 2025; and,

WHEREAS, the Department of Resources Recycling and Recovery (CalRecycle) has developed regulations in Title 14 Division 7, Chapter 12 of the California Code of Regulations to implement the goals in Senate Bill 1383 (Senate Bill 1383 regulations;) and

WHEREAS, Senate Bill 1383 regulations require jurisdictions to implement an organic waste diversion program that includes providing organic waste collection services to businesses and residences, edible food recovery goals, public education and outreach, contamination monitoring and sampling activities, recordkeeping and reporting, organic and edible food recovery, infrastructure capacity planning, procurement of recovered organic waste products, and enforcement; and

WHEREAS, Assembly Bill 1826 (Chesbro, 2014) (Recycling of Commercial Organic Waste (MORE)) was signed into law and established the requirement for jurisdictions to implement an organic waste recycling program to divert commercial organic waste; and

WHEREAS, Assembly Bill 341 (Chesbro, 2011) (Recycling of Commercial Solid Waste (MCR)) was signed into law and established requirements for jurisdictions to implement a commercial solid waste recycling program designed to divert commercial solid waste; and

WHEREAS, CalRecycle developed regulations in Title 14, Division 7, Chapter 9.1 to implement the goals of the MCR law; and

WHEREFORE, the Agency continues the Joint Powers Authority now known as the Imperial

Valley Resource Management Agency to own, finance, administer, monitor, and operate based on the compliance under the ACT.

SECTION 1. DEFINITIONS

The terms defined in this Section that are capitalized in this AGREEMENT have the following meanings:

"ACT" means the California Integrated Waste Management Act of 1989 (California Public Resources Code Sections 40000 et seq.) and all regulations adopted under that legislation, as that legislation and those regulations may be amended from time to time.

"AGREEMENT" means this joint exercise of powers agreement, as it may be amended from time to time.

"AGENCY" means the Imperial Valley Resource Management Agency, a joint exercise of powers authority created by the MEMBERS pursuant to this AGREEMENT.

"AUDITOR" means the auditor for the agency.

"BOARD" means the BOARD of DIRECTORS of the AGENCY consisting of one member from the cities of Brawley, Calexico, Calipatria, El Centro, Holtville, Imperial, Westmorland and two members of the County of Imperial Board of Supervisors.

"CALRECYCLE" means the California Department of Resources, Recycling and Recovery previously known as the CIWMB.

"CIWMB" means the California Integrated Waste Management Board created under the provisions of the CIWMA, whose duties include implementing the CIWMA.

"DIRECTOR" means the Agency representative appointee of a MEMBER of the BOARD

"DISPOSAL" means the ultimate disposition of Solid Waste received by HAULER at a Facility in Full Regulatory Compliance.

"DIVERSION" means the separation of materials from the overall Solid Waste stream and whose disposition is for reuse or Recycling and not landfill disposal.

"FACILITY/FACILITIES" means any site, existing or planned, owned or leased, and constructed, maintained, operated, or used for purposes of performing under this Agreement and includes any future Facility.

"FISCAL YEAR" means the period commencing on each July 1 and ending on the following June 30.

"GOVERNMENT CODE" means Articles 1, 2 and 4 of Chapter 5 of Division 7 of Title 1 of the California Government Code (California Government Code Sections 6500 et seq.) and all regulations adopted under that legislation, as that legislation and those regulations may be amended from time to time.

"HAULER" means an Exclusive Franchised Hauler, Permitted Haulers and/or Licensed Haulers providing Residential, Commercial, and/or Industrial Waste collection services to generators within the service areas.

"HOUSEHOLD HAZARDOUS WASTE ELEMENT" or "HHWE" means the element prepared pursuant to the ACT, which identifies a program for the safe collection, recycling, treatment and disposal of hazardous wastes which are generated by households within a jurisdiction and which should be separated from the SOLID WASTE stream.

"LANDFILL" means any parcel of duly licensed and certified as a sanitary landfill which may be owned or leased or to which the member agencies contribute, including any accessory facilities related thereto.

"LEGISLATION" means any code, ordinance, resolution, or any other forms or enactment of the Agencies or any Member which now exists or which may here as be adopted which constitutes law or regulation.

"MANAGER" means the person, MEMBER agency of firm hired or contracted by the BOARD as the AGENCY's administrative officer to manage the affairs of the AGENCY and to affect the policies of the BOARD.

"MEMBER" means any of the governing bodies of the signatories to this AGREEMENT and "MEMBERS" means all of the governing bodies of the signatories to this AGREEMENT.

"NON-DISPOSAL FACILITY ELEMENT" or NDFE means the element that describes new facilities and the expansion of existing facilities, which will be needed to implement a jurisdiction's SRRE.

"SERVICE AREA" means those incorporated areas within the cities of Brawley, Calexico, Calipatria, El Centro, Imperial, Holtville and Westmorland and those unincorporated areas within the County of Imperial.

"SOLID WASTE" refers to garbage, refuse, sludges and other discarded solid materials resulting from residential activities, and industrial and commercial operations. This term generally includes used oil. This term generally does not include solids or dissolved material in domestic sewage or other significant pollutants in water such as silt, dissolved or suspended solids in industrial wastewater effluents, dissolved materials in irrigation return flows or other common water pollutants. However, if any of these materials are separated from the water that carries them, then they generally are considered SOLID WASTE. For regulatory purposes, hazardous waste is a subset of SOLID WASTE.

"SOURCE REDUCTION AND RECYCLING ELEMENT" or "SRRE" means the element prepared pursuant to the ACT, which includes a program for management of SOLID WASTE generated within a jurisdiction, consistent with the California Integrated Waste Management Board's waste management hierarchy.

"TERM" means the period of time

SECTION 2. PURPOSE

- 2.1 General. The AGENCY is formed for the purpose of providing coordination of economical and regional source reduction recycling of SOLID WASTE to meet the diversion requirements mandated by the ACT, including the monitoring and reporting of source reduction recycling information.
- 2.2 Regional Agency Pursuant to Section 40970 et al. of the ACT. The AGENCY shall act as a regional agency as defined in the ACT to implement the ACT within the SERVICE AREA. The AGENCY, and not the MEMBERS, is responsible for compliance with Article I (commencing with Section 41780) of Chapter 6 of the ACT.

- 2.3 Common and Additional Powers. The AGENCY's purpose also includes the establishment of the AGENCY as an independent joint powers entity to enable the MEMBERS to jointly exercise the common powers of the MEMBERS set forth in Section 2.1 and for the exercise of such additional powers as are conferred under Section 7 or conferred by the GOVERNMENT CODE upon all joint powers' authorities.
- 2.4 This AGREEMENT is entered into pursuant to the Act for the purpose of the Members maintaining an existing Regional Agency to collectively monitor post-collection services and disposal and diversion of Hazardous Waste for determining compliance with the Act and (i) plan, study, recommend, and have the authority to recommend proper solid waste management activities and programs consistent with the Act, (ii) to enable it to report and track programs under the Act on a regional basis, (iii) address future diversion mandates, to allow for efficient operation of diversion programs on a region-wide basis, and (iv) to allow for the development of Regional Integrated Waste Management Plans including a Source Reduction and Recycling Element (SRRE), Household Hazardous Waste Element (HHWE), and Non-Disposal Facility Element (NDFE).
- 2.5 The Members are each empowered by the laws of the State of California to exercise the powers specified in this Agreement, to comply with the provisions of the Act and other laws. These common powers shall be exercised for the benefit of any one or more of the Members or otherwise in the manner set forth in this AGREEMENT.

SECTION 3. CONTINUATION OF AUTHORITY

- 3.1 Continuation. Pursuant to the Act, the MEMBERS continue the public entity known as the Imperial Valley Resource Management Agency.
- 3.2 Separate Entity. The AGENCY shall be a public entity separate from the MEMBERS.
- 3.3 Assets, Rights, and Liabilities. The assets, rights, debts, liabilities, and obligations of the Agency shall not constitute assets, rights, debts, liabilities, or obligations of any of the Members. However, nothing in this AGREEMENT shall prevent the Agency from separately contracting for, or assuming responsibility for, specific debts, liabilities, or obligations of the AGENCY, provided that both the Board and that Agency approve such contract or assumption.

SECTION 4. BOUNDARIES

- 4.1 Service Area. The AGENCY shall exercise its powers within its Service Area. If a MEMBER withdraws from the AGENCY, the boundary of the AGENCY shall be modified to exclude the area of the withdrawing MEMBER. Such withdrawal and redrawing of boundaries shall not prevent any Facilities from being located outside of the boundary of the Service Area.

SECTION 5. FORMATION/ORGANIZATION

- 5.1 The MEMBERS, pursuant to the GOVERNMENT CODE, do hereby form, establish and create the Imperial Valley Resource Management Agency, it being understood that the BOARD shall be entitled to change the AGENCY's name from time to time if it so chooses. The AGENCY shall constitute a public entity separate and distinct from the MEMBERS thereof.
- 5.2 Composition. The AGENCY shall be composed of the Cities of Brawley, Calexico, Calipatria, El Centro, Holtville, Imperial, Westmorland and the County of Imperial (those unincorporated areas within the County of Imperial).

- 5.3 Name. The official name of the AGENCY shall be the "Imperial Valley Resource Management Agency whose address shall be 300 S. Imperial Avenue Suite 6, El Centro CA 92243
- 5.4 Board. The AGENCY shall be governed by the Board, which shall exercise or oversee the exercise of all powers and authority on its behalf. The Board shall meet not less than once yearly and all meetings shall be called, noticed, and conducted subject to the Brown Act. The power of the AGENCY is vested in its BOARD. The composition, and voting power of the members of the BOARD shall be as follows:

	<u>Directors</u>	<u>Voting Ballots</u>	<u>Population</u>
City of Brawley	1	1	27,320
City of Calexico	1	1	40,714
City of Calipatria	1	1	3,646
City of El Centro	1	1	44,693
City of Holtville	1	1	6,779
City of Imperial	1	1	19,929
City of Westmorland	1	1	2,461
County of Imperial	2	2	<u>35,331</u>
TOTAL	9	9	180,873

- 5.5 Member Agency Directors.
- a. Member Agency Directors. Each MEMBER shall appoint its representative(s) to the BOARD and at least one person as an alternate to serve in the case of absence or conflict on the part of the appointed DIRECTOR. Each DIRECTOR and alternate shall be an elected or managerial officer appointed by the governing body of the MEMBER. **Unless otherwise determined by the governing body of the Member, the representative to the Board shall be the same person(s) that represents the Member on the Imperial County Transportation Commission.**
 - b. If a DIRECTOR or alternate ceases holding any such elected or managerial position, he or she shall then cease to serve as a DIRECTOR or alternate.
 - c. The appointing MEMBER shall fill vacancies within thirty (30) days of the occurrence thereof. The AGENCY and the BOARD shall be entitled to rely on a written notice from the City Clerk (in the case of the cities) and the Clerk of the Board of Supervisors (in the case of the County) as conclusive evidence of the appointment and removal of the DIRECTORS and/or alternates representing that MEMBER. All designations must be placed on file with the Clerk of the AGENCY to be effective. All DIRECTORS serve solely at the pleasure of the appointing MEMBERS.
- 5.6 Voting. The affirmative vote of a majority of the voting power of the AGENCY as a whole (**five (5)** affirmative votes) shall be required to approve an act of the AGENCY.
- 5.7 Quorum. A majority of the DIRECTORS present (**five (5)**) shall constitute a quorum for the transaction of business of the BOARD except that if there is less than a majority of DIRECTORS present to constitute a quorum, then a quorum may consist of the MEMBERS present if the total populations of the MEMBERS present total fifty-one percent (51%) of the entire MEMBER

population. If neither roll call results in a quorum, then the DIRECTOR(s) who are present, or the MANAGER, must adjourn any meeting for lack of a quorum.

- 5.8 Officers, Committees, Rules. The AGENCY may designate such officers, establish such committees and adopt such rules as may be necessary or convenient to conduct its affairs.
- 5.9 Meetings. Regular meetings of the AGENCY shall be held at least four (4) times each FISCAL YEAR, at such times and places as may be established by the AGENCY by resolution. All meetings of the AGENCY, including regular, adjourned regular and special meetings shall be called, noticed, held and conducted in accordance with the provisions of The Ralph M. Brown Act (California Government Code Section 54950 et seq.).
- 5.10 Compensation. No member of the AGENCY's BOARD shall receive any compensation unless expressly provided by resolution of the AGENCY and with approval of a majority of the MEMBERS' governing bodies.
- 5.11 By laws. The BOARD, from time to time, may adopt bylaws for the conduct of the AGENCY's affairs, provided that they are not inconsistent with this AGREEMENT.

SECTION 6. PERSONNEL AND ADMINISTRATION

- 6.1 Employees. The AGENCY may have its own employees or may contract with a MEMBER or firm for the furnishing of any necessary staff services associated with or required by the AGENCY.
- 6.2 MANAGER. Except and until the AGENCY exercises its option to obtain other employees or contractors, the MANAGER of the AGENCY shall be the Executive Director of the Imperial County Transportation Commission or his/her designee. The Executive Director of the, Imperial County Transportation Commission or his/her designee, shall contract with the AGENCY for services and shall serve until such time as the AGENCY exercises its option to obtain other employees or contractors. The MANAGER shall serve as the Purchasing Agent of the AGENCY.
- 6.3 Support Services. Except and until the AGENCY exercises its option under the GOVERNMENT CODE and Section 6.1 of the AGREEMENT, the Imperial County Transportation Commission will provide support services to the AGENCY including all legal, financial, accounting, audits, data processing, secretarial, purchasing and personnel services. The Imperial County Transportation Commission Auditor's shall be the Auditor and Treasurer for the AGENCY pursuant to the GOVERNMENT CODE. The AGENCY's MEMBERS shall mutually establish the scope of support services to be provided by the Imperial County Transportation Commission annually. The cost for such services shall be included in the AGENCY's annual budget referred to in Section 8.1 and shall be in a not-to-exceed amount to be determined mutually by the MEMBERS.

SECTION 7. POWERS

- 7.1 Approved Powers. To the full extent permitted by applicable law (including specifically the ACT and the GOVERNMENT CODE), the AGENCY is authorized, in its own name, to do all acts necessary or convenient for the exercise of such powers enumerated in the ACT or that each MEMBER could exercise separately including, without limitation, any and all of the following:

- a. To provide for the implementation of the requirements of the ACT for the MEMBERS, as a regional agency pursuant to the ACT, including the following:
 - i. Acquire, improve, hold, lease, and dispose of real and personal property of all types.
 - ii. Review local ordinances and resolutions to ensure consistency with the ACT;
 - iii. Adopt, review, revise and recommend updates, including those necessary due to any additions or changes to State or Federal law, of the SRRE, HHWE, and NDFE of the AGENCY to meet the requirements of the ACT;
 - iv. Monitor and implement the AGENCY SRRE, HHWE and NDFE and make findings as to nonconformance as required by the ACT;
 - v. Each MEMBER shall be responsible to implement the AGENCY SRRE, HHWE, SLCP and NDFE as stated in the AGENCY SRRE, HHWE, and NDFE which are incorporated by reference;

- b. To assist with the development and implementation of a countywide Integrated Waste Management Plan and other documents representing the interests of all Members, and in that regard is empowered by the MEMBERS to:
 - i. Review and recommend updates to the countywide siting element and the countywide summary plan.
 - ii. Inform the MEMBERS of new or revised planning criteria adopted for use within each of the: MEMBER's jurisdiction;
 - iii. Review the countywide hazardous waste management plan;
 - iv. Participate in any other regional waste management efforts, such as household hazardous waste collection events;
 - v. Plan, design, and implement programs that address the Processing and Diversion requirements of the CIWMA.
 - vi. Educate the public about Solid Waste, Organic Waste, Compost Diversion, and Recycling matters
 - vii. To sue and be sued;
 - viii. To employ agents, employees and to contract professional services
 - ix. To incur debts, liabilities and obligations
 - x. To reimburse the: MEMBER(S) for the costs of special services provided to the AGENCY
 - xi. To make and enter into contracts, including contracts with any: MEMBER, and to assume existing contracts made by any MEMBER
 - xii. To apply for and accept grants, advances, and contributions
 - xiii. To make plans and conduct studies
 - xiv. To coordinate efforts with established local, regional, and State waste management agencies
 - xv. To provide annual reporting to each of the MEMBERS
 - xvi. To review and make recommendations on pending SOLID WASTE and household hazardous waste legislation
 - xvii. To represent the AGENCY in all source reduction recycling and hazardous waste issues affecting the MEMBERS
 - xviii. To assist with the development of local markets for recycled products and provide resources for information concerning product availability; and
 - xix. To conduct or contract for household hazardous waste events and activities
 - xx. Coordinate with CalRecycle as required.
 - xxi. Operate Household Hazardous Waste Programs ("HHWP"), including the

following:

1. Act as the HHWP public agency permittee;
 2. Determine the desired level of service after consultation with Members and communicate desired levels to all HHWP contractors;
 3. Manage HHW budget and monitor Contractor's HHW costs for consistency with the approved budget;
 4. Manage contract for HHW Facility and any satellite or mobile events;
 5. Confirm and report that expected levels of service are being maintained;
 6. Operate a motor oil recycling program, design and distribute all related public information in English and Spanish, ensure compliance and coordinate events;
- xxii. Implementation of outreach, monitoring, and reporting for Integrated Waste Management Act AB939, which includes, SREE, HHWE, AB341 MCR, AB1826 MORE, and SB1383, as further defined in this AGREEMENT.
- c. To act as the delegate on behalf of each party to this AGREEMENT for the responsibilities for compliance with the provisions of Senate Bill 1383 (Public Resources Code section 42652-42654) and the corresponding regulations in Title 14 of the California Code of Regulations, Division 7, Chapter 12 and "Assembly Bill 1826 (Public Resources Code sections 42649.8-24649.87)" to the extent allowed by law, except as noted below. These delegated responsibilities, include, but are not limited to:
- i. Advisor to MEMBERS in support of MEMBERS establishing, administering, implementing and/or operating all state mandated Senate Bill 1383 programs. The programs are to be managed by the MEMBERS within their jurisdiction. Such programs include, but are not limited to organic waste management, education and outreach, monitoring, inspection, and record keeping programs. Such compliance shall also include conducting organic waste capacity planning, as required by law and compliance with CalGreen Building Standards and the Model Water Efficient Landscape Ordinance. AGENCY shall report to CalRecycle on MEMBER programs as required by law.
 - ii. Establishing, administering, and implementing the edible food recovery requirements of Senate Bill 1383 regulations. Such duties shall include, but are not limited to, coordination with MEMBERS: assessment of existing capacity for edible food recovery, assist with establishing a food recovery program, and education and outreach to all businesses, residents, commercial edible food generators, and any other entities or parties required by law.
 - iii. Coordinating with CalRecycle and any other state or federal entities in assessing, and ensuring compliance with the CalRecycle procurement and pollution reduction targets for each party.
 - iv. AGENCY will not perform any duties under Senate Bill (SB) 1383 Lara, Chapter 395, Statutes of 2016, Inspection and Enforcement.
- d. To act as delegate on behalf of each party to this Agreement for compliance with Assembly Bill 341, (Public Resources Code sections 42649-42649.7) and the corresponding regulations in Title 14, Division 7, Chapter 9.1 Such compliance shall be on behalf of each party to this AGREEMENT to the extent allowed by law and shall include, but is not limited to:
- i. Advisor to MEMBERS on requirements of identification and monitoring of businesses, education and outreach, notification of non-compliant businesses.
 - ii. AGENCY shall report the progress achieved in implementing the program in the Annual Report required by Public Resources Code Section 41821, et seq.

- 7.2 Limitations. Such powers shall be exercised subject only to the limitations set forth in this AGREEMENT, applicable law and such restrictions upon the manner of exercising such powers as are imposed by law upon the MANAGER for the AGENCY in the exercise of similar powers.
- 7.3 Possible Future Responsibilities and Duties. Upon future approval and agreement by all of the MEMBERS, the AGENCY may conduct other related waste management responsibilities and duties as amended or developed outside agreement, Section 10 and/or Section 11.
- 7.4 Individual MEMBER Services. Upon approval of the AGENCY and the governing body of a MEMBER, the AGENCY may contract to provide services individually for that MEMBER, pursuant to Section 10 of this AGREEMENT.

SECTION 8. FINANCIAL MATTERS

- 8.1 Budget. A budget for the AGENCY shall be adopted by the BOARD for the ensuing FISCAL YEAR prior to June 30 of each year. The budget shall include sufficient detail to constitute an operating guideline. It shall also include the anticipated sources of funds, and the anticipated expenditures to be made for the operations of the AGENCY including, but not limited to, actions related to implementing the ACT. Approval of the budget by the BOARD shall constitute authority for the MANAGER to expend funds for the purposes outlined in the approved budget, subject to the availability of funds on hand as determined by the Auditor; provided that this shall not be construed to limit the power of the BOARD to modify the budget in whatever manner it deems appropriate and instruct the MANAGER accordingly.
- 8.2 Membership. Membership in the AGENCY is contingent upon timely payment of membership fees and other fees, as determined by the AGENCY. If a MEMBER hereto fails to pay its fees, as determined by the AGENCY, said MEMBER shall be deemed to have withdrawn from the AGENCY.
- 8.3 Membership Fees. Twenty-five percent (25%) of the annual project cost will be distributed in **eight (8)** equal parts. Seventy-five percent (75%) of the annual project cost will be distributed based upon the MEMBERS' percentage of population to the total population within the County of Imperial. Total population will include the population of the **seven (7)** cities and the unincorporated area of the County of Imperial. The population figures to be utilized will be those as determined by the State Department of Finance in May of each FISCAL YEAR.
- 8.4 Membership Penalties and Delinquency. A ten percent (10%) penalty shall be assessed to a MEMBER for failure to pay membership fee within ninety (90) days of receiving invoice from the AGENCY. A MEMBER shall be deemed delinquent for failure to pay membership fees within six (6) months of receiving invoice from the AGENCY and shall be withdrawn from AGENCY at that time.
- 8.5 Competitive Purchases. The BOARD shall establish procedures and policies to ensure competitive prices for the purchase of goods and services to the extent necessary. Formal bidding shall not be necessary except to the extent required by law for general law counties.
- 8.6 Accountability. The AGENCY shall be strictly accountable to all MEMBERS for all receipts and disbursements. The AGENCY may not obligate itself beyond the monies due to it under

this AGREEMENT plus any monies on hand or irrevocably pledged to its support from other sources.

- 8.7 Debts, Liabilities and Obligations. The debts, liabilities and obligations of the AGENCY shall be solely the obligation of the AGENCY and not the debts, liabilities and obligations of the MEMBERS or its officers or employees except as required by the GOVERNMENT CODE.
- 8.8 Audit. The AGENCY shall cause an annual audit to be prepared and filed to the extent required by the GOVERNMENT CODE.
- 8.9 Regional Agency Planning Civil Penalties. Any civil penalties that are imposed pursuant to the ACT will be apportioned by the AGENCY. The AGENCY shall review the civil penalty and determine one of the following concerning the payment of the penalty:
- a. That the AGENCY shall pay the entirety of the penalty; or
 - b. That an individual MEMBER is responsible for the assessment of the civil penalty and that the penalty shall be therefore imposed upon that MEMBER for payment of the penalty; or
 - c. That multiple MEMBERS, but not all MEMBERS, are responsible for the assessment of the civil penalty and that the penalty shall be therefore allocated equally and imposed upon those responsible MEMBERS.
- d. Before assessing the MEMBER or MEMBERS with any civil penalty as provided in this Section 8.9, the AGENCY shall provide the MEMBER or MEMBERS determined to be responsible for the assessment with at least fifteen (15) days written notice regarding the MEMBER's or MEMBERS' responsibility, which notice shall include the basis for determining the MEMBER's or MEMBERS' proportional responsibility and the opportunity for a hearing before the BOARD. Such notice shall be made to the MEMBER or MEMBERS and deemed complete as provided in Section 12.6 of this AGREEMENT.

SECTION 9. WITHDRAWAL AND/OR TERMINATION

- 9.1 Withdrawal. A MEMBER may not withdraw from the AGENCY unless it has entered into an agreement with the AGENCY, at least ninety (90) days prior to the end of the fiscal year permitting a MEMBER to withdraw and specifying the terms and impact of its withdrawal, which approval shall not be unreasonably withheld. No withdrawal shall be effective unless and until the AGENCY and the MEMBER comply with any then-applicable requirements of law relating to changes in the composition of entities such as the AGENCY.
- a. A MEMBER which has withdrawn from the AGENCY shall not be liable for the payment of further membership fees falling due beyond the date of withdrawal and shall have no right to reimbursement on any monies including membership fees and grant funding previously paid to the AGENCY on their behalf. The AGENCY may authorize a reimbursement if in its judgement such reimbursement is fair and equitable and can be done without jeopardy to the operation of the AGENCY.
- 9.2 Continuance of AGENCY Upon a Withdrawal. Upon withdrawal of any MEMBER, the remaining MEMBERS shall determine, by majority vote, whether the AGENCY shall continue in existence or be terminated.

- 9.3 Member Re-Admission Into AGENCY. A MEMBER which has withdrawn from the AGENCY may request re-admission into the AGENCY. The MEMBER shall be liable for all applicable membership fees and other fees as determined by the AGENCY. Re- admission into the AGENCY is contingent upon affirmative vote of a majority of the voting power of the AGENCY as a whole (four (4) affirmative votes).
- 9.4 Physical Asset Distribution Upon Termination. In the event that the AGENCY is terminated, any physical assets remaining shall be sold and, after all liabilities, encumbrances and liens have been paid, the proceeds of the sale shall be allocated proportionately to the MEMBERS based on their percentage of population to the total population within the County of Imperial. The population figures to be utilized will be those as determined by the State Department of Finance in May of each fiscal year.
- 9.5 Funds of the AGENCY. All revenues shall become funds of the AGENCY. No revenues shall be returned to a withdrawing MEMBER unless the AGENCY as a whole dissolve, in which case, any remaining funds shall be distributed according to Section 9.6.
- 9.6 Assets. Subject to the then-applicable requirements of the ACT and/or the GOVERNMENT CODE, upon termination of the AGENCY, the assets of the AGENCY remaining after payment of or adequate provision for all debts, liabilities and obligations of the AGENCY shall be divided among the MEMBERS in accordance with an unanimous agreement among them or, in the absence of such an agreement, in proportion to the total tonnage of SOLID WASTE each MEMBER generated. Any assets that are not conveniently divisible shall be sold at a duly- noticed public auction, in which case the net proceeds from the sale shall be divided among the MEMBERS in accordance with that agreement or, in the absence of such an agreement, those same proportions. In-kind contributions shall be returned to the donating MEMBER.
- 9.7 Effective Date of Termination. No termination shall be effective unless and until the AGENCY and MEMBERS comply with any then-applicable requirements of the GOVERNMENT CODE and/or the ACT relating to changes in the composition of entities such as the AGENCY.
- 9.8 Regional Agency Compliance Upon termination, each MEMBER shall be responsible for implementing Senate Bill 1383, Assembly Bill 1826 and/or Assembly Bill 341 and corresponding regulations. Each MEMBER shall also be responsible for complying with the requirements of the ACT within their respective jurisdictional boundaries in accordance with the programs set out in the AGENCY SRRE, HHWE, and NDFE.

SECTION 10. AMENDMENTS

- 10.1 Amendments: Amendments to this AGREEMENT shall be made only with the consent of two-thirds (2/3) existing MEMBERS at the time of the amendment without regard to voting power; any such consent shall be in the form of duly authorized resolutions of the MEMBERS' respective governing bodies. Notwithstanding the foregoing, no amendment shall require any MEMBER to contribute any funds to the AGENCY or become directly or contingently liable for any debts, liabilities or obligations of the AGENCY without the consent of that MEMBER evidenced in a written instrument signed by a duly authorized representative of that MEMBER.

SECTION 11. CONTRACTS OUTSIDE THIS AGREEMENT

- 11.1 This document contains the complete AGREEMENT concerning the implementation of the Regional AGENCY and the pertaining MEMBERS and shall, as of the effective date hereof, shall not supersede all other agreements between the parties. Parties may develop outside agreements to provide AGENCY with additional powers in relation to this AGREEMENT. All outside agreements between different jurisdictions MEMBERS and AGENCY will not supersede this AGREEMENT and shall remain in effect as is. All Outside agreements shall remain between the AGENCY and the pertaining jurisdiction MEMBERS. The parties stipulate that neither of them has made any representation with respect to the subject matter of this AGREEMENT or any representations including the execution and delivery hereof, except such representations are specifically set forth herein and each of the parties hereto acknowledges that any payments or representations that may have heretofore been made by either of them to the other are of no effect and that neither of them has relied thereon upon connection with him or its dealings with the other.

SECTION 12. MISCELLANEOUS

- 12.1 Term and Continuance. The AGENCY became effective **February 6, 2008** and this AGREEMENT shall continue until rescinded, renegotiated according to Section 10.1, or terminated.
- 12.2 Severability. Should any part, term or provision of this AGREEMENT be decided by a final judgment of a court or arbitrator to be illegal or in conflict with any law of the State of California or otherwise be unenforceable or ineffectual, the validity of its remaining parts, terms and provisions shall be not be affected.
- 12.3 No Conflicts. Unless otherwise required by law, during the term of this AGREEMENT, no MEMBER shall exercise any power or undertake any act that conflicts with or is inconsistent with the powers or objectives of the AGENCY.
- 12.4 Effective Dates. The term of any amendment to this AGREEMENT becomes effective as of the date that the BOARD, by resolution, adopts the amendment.
- 12.5 Filings. The MANAGER shall file all required notices with the Secretary of State in accordance with the GOVERNMENT CODE and any other applicable State and Federal laws, as such may be amended from time to time.
- 12.6 Notices. All notices which any MEMBER or the AGENCY may wish to give in connection with this AGREEMENT shall be in writing and shall be served by personal delivery during usual business hours at the principal office of the MEMBER or AGENCY, to an officer or person apparently in charge of that office, or by depositing the same in the United States mail, postage prepaid, and addressed to the MEMBER or AGENCY at its principal office, or to such other address as the AGENCY or MEMBER may designate from time to time by written notice given to the other MEMBERS in the manner specified in this Section. Service of notice pursuant to this Section shall be deemed complete on the day of service by personal delivery (but 24 hours after such delivery in the case of notices of special meetings of the BOARD) or three (3) days after mailing if deposited in the United States mail.

Until changed by written notice to the AGENCY and the MEMBERS, notice shall be delivered as follows:

COUNTY OF IMPERIAL:	Clerk of the Board of Supervisors 940 Main Street, El Centro, CA 92243
CITY OF BRAWLEY:	Clerk of the Brawley City Council 383 Main Street Brawley, CA 92227
CITY OF CALEXICO:	Clerk of the Calexico City Council 608 Heber Avenue Calexico, CA 92231
CITY OF CALIPATRIA:	Clerk of the Calipatria City Council 125 North Park Avenue Calipatria, CA 92233
CITY OF EL CENTRO:	Clerk of the El Centro City Council 1275 Main Street El Centro, CA 92243
CITY OF HOLTVILLE:	Clerk of the Holtville City Council 121 West 5 th Street Holtville, CA 92250
CITY OF IMPERIAL:	Clerk of the Imperial City Council 420 South Imperial Avenue Imperial, CA 92251
CITY OF WESTMORLAND:	Clerk of the Westmorland City Council 355 South Center Street Westmorland, CA 92281
AGENCY:	Imperial Valley Resource Management Agency Executive Director 1503 N. Imperial Ave., Suite 104 El Centro CA 92243

12.7 Successors and Assigns. This AGREEMENT shall be binding upon and shall inure to the benefit of the permitted successors and assigns of the MEMBERS. However, no MEMBER shall assign any of its rights under this AGREEMENT except to a duly-formed public entity organized and existing under the laws of the State of California and then only when approved in accordance with this AGREEMENT. No assignment shall be effective unless and until the AGENCY, the MEMBERS and the proposed assignee comply with all then-applicable requirements of the GOVERNMENT CODE and the ACT relating to changes in the composition of entities such as the AGENCY.

- 12.8 Section Headings. All section headings contained in this AGREEMENT are for convenience and reference. They are not intended to define or limit the scope of any provision of this AGREEMENT.
- 12.9 Dispute Resolution. All disputes that arise in connection with the interpretation or performance of this AGREEMENT shall be resolved in a court of law. Any action brought by any MEMBER with respect to this AGREEMENT shall be brought in a court of competent jurisdiction within Imperial County.
- 12.10 Law to Govern. It is understood and agreed by the MEMBERS that the law of the State of California shall govern the rights, obligations, duties and liabilities of the parties to this AGREEMENT and shall govern the interpretation of this AGREEMENT.
- 12.11 Entirety. The MEMBERS agree that this AGREEMENT represents the full and entire agreement between the MEMBERS hereto with respect to matters covered herein. This AGREEMENT supersedes any and all other communications, representations, proposals, understandings or agreements, either written or oral, between the MEMBERS hereto with respect to such subject matter.
- 12.12 Waiver. A waiver of any breach of any provision of this AGREEMENT shall not constitute or operate as a waiver of any other breach of such provision or of any other provision, nor shall any failure to enforce any provision hereof operate as a waiver of such provision or of any other provision.
- 12.13 Indemnification. Each AGENCY indemnifies and holds the others harmless in proportion to their comparative fault as established under California law.
- 12.14 Counterparts. This AGREEMENT may be executed in counterparts, providing that each MEMBER receives an AGREEMENT originally executed by each other MEMBER.
- 12.15 Execution. Each MEMBER shall execute and return two copies of this AGREEMENT to the MANAGER within sixty (60) days of the date first hereinabove written. No MEMBER shall be bound by this AGREEMENT unless and until all MEMBERS comply with this provision. In the event that less than all MEMBERS execute and return two copies of this AGREEMENT within the time required herein, the MANAGER shall poll all complying MEMBERS to determine they agree to assume the proportionate share of the non-complying MEMBER's share of the costs apportioned to such non-complying MEMBER. Failure of each complying MEMBER to agree to assume its proportionate share of the non-complying MEMBER's share of costs within fifteen (15) days of being polled shall void all signatures and this AGREEMENT shall be no force and effect.

IN WITNESS WHEREOF, the MEMBERS have executed this Amendment on the days and years written hereinbelow and approved by the IVRMA Board on the day and year first written above.

**IMPERIAL VALLEY RESOURCE
MANAGEMENT AGENCY**

By: MARIA NAVA-FROELICH
Chair of the Board of Directors

ATTEST:

By: CRISTI LERMA
Secretary to IVRMA

APPROVED AS TO FORM:

Eric Havens
County Counsel

IMPERIAL VALLEY RESOURCE MANAGEMENT AGENCY
Signature Page

By: _____
Name:
City of El Centro
Date: _____

By: _____
Name:
City of Calexico
Date: _____

By: _____
Name:
City of Brawley
Date: _____

By: _____
Name:
County of Imperial
Date: _____

By: _____
Name:
City of Calipatria
Date: _____

By: _____
Name:
City of Westmorland
Date: _____

By: _____
Name:
City of Holtville
Date: _____

By: _____
Name:
City of Imperial
Date: _____

VIII. ACTION CALENDAR

- B. Extension of the ICTC Lease and Sublease Agreements – 1503 N. Imperial Ave., Suite 104, El Centro, CA 92243, Addendum 4
1. Approve the fourth amendment of the current lease and sub-lease agreements with Pico Group, LLC for the property on 1503 N. Imperial Ave., Suite 104 in El Centro; and authorize the Executive Director to execute the lease agreement.
 2. Authorize the Executive Director to sign the sub-lease amendments between ICTC and SCAG with same terms as the original agreement.



1503 N. IMPERIAL AVENUE, SUITE 104
EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4410

September 6, 2022

ICTC Management Committee
Imperial County Transportation Commission
1503 N. Imperial Ave., Suite 104
El Centro, CA 92243

SUBJECT: Extension of the ICTC Lease and Sublease Agreements – 1503 N. Imperial Ave., Suite 104, El Centro, CA 92243, Addendum 4

Dear Committee Members:

On November 29, 2017, the Commission approved a lease for three years plus two (2) one-year options with Pico Group, LLC and the sublease with Southern California Association of Governments (SCAG) containing the same terms for the property at 1503 N. Imperial Ave., Suite 104 in El Centro. On October 26, 2021, the Commission approved the request for the second one-year extension and requested an additional one-year option be authorized for the existing lease and sub-lease agreements.

ICTC is requesting approval to exercise the one-year option for the existing lease and sub-lease agreements. There are no changes to the rent schedule therefore, the monthly amounts will remain the same as agreed in the original lease and sub-lease. The proposed agreement will expire on December 31, 2023.

Attached are the original lease and sub-lease documents, and draft amendments for the extension to the lease and sub-lease agreements.

ICTC staff forwards this item, after counsel review, to the ICTC Management Committee for your review and approval to forward onto the Commission after public comment, if any:

1. Approve the fourth amendment of the current lease and sub-lease agreements with Pico Group, LLC for the property on 1503 N. Imperial Ave., Suite 104 in El Centro; and authorize the Executive Director to execute the lease agreement.
2. Authorize the Executive Director to sign the sub-lease amendments between ICTC and SCAG with same terms as the original agreement.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Aguirre', is written over a light blue horizontal line.

DAVID AGUIRRE
Interim Executive Director

Attachments
DA/cl

CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND, IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL

T: Projects\ICTC\ICTC Lease and Sublease Ext #2 MC



CALIFORNIA ASSOCIATION OF REALTORS®

ADDENDUM No. 4
(C.A.R. Form ADM, Revised 12/21)



The following terms and conditions are hereby incorporated in and made a part of the Purchase Agreement, OR Residential Lease or Month-to-Month Rental Agreement, Transfer Disclosure Statement (Note: An amendment to the TDS may give the Buyer a right to rescind), Other **Commercial Lease**, dated **November 9, 2017**, on property known as **1503 N Imperial Ave # 104-106**,

in which **El Centro, CA 92243-6301** ("Property/Premises"), in which **Imperial County Transportation Commission** is referred to as ("Buyer/Tenant") and **PICO GROUP LLC** is referred to as ("Seller/Landlord").

Buyer/Tenant and Seller/Landlord are referred to as the "Parties."

Original "Commercial Lease" agreement dated 11/19/17 has been extended from 12/31/22 through 12/31/23

Tenant and Landlord have agreed to allow tenant the option to exercise an additional, 1 year extension option through 12/31/24, with a monthly rent payment of \$7181.85.

All other terms and conditions to remain the same and in full force.

The foregoing terms and conditions are hereby agreed to, and the undersigned acknowledge receipt of a copy of this Addendum.

Buyer/Tenant _____ Date _____

Imperial County Transportation Commission

Buyer/Tenant _____ Date _____

Seller/Landlord  _____ Date **7/11/2022**

PICO GROUP LLC

Seller/Landlord _____ Date _____

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ADM REVISED 12/21 (PAGE 1 OF 1)

ADDENDUM (ADM PAGE 1 OF 1)

1 **FOURTH AMENDMENT TO SUBLEASE AGREEMENT**

2 **Southern California Association of Governments**

3 This FOURTH AMENDMENT TO SUBLEASE AGREEMENT (“Fourth Amendment”), made
4 and entered into effective this ____ day of _____, 2022, by and between the **IMPERIAL**
5 **COUNTY TRANSPORTATION COMMISSION** (“ICTC”), and **SOUTHERN CALIFORNIA**
6 **ASSOCIATION OF GOVERNMENTS** (“SUBTENANT”) (individually, “Party,” collectively,
7 “Parties”), shall be as follows:

8 **WITNESSETH**

9 **WHEREAS**, ICTC and SUBTENANT entered into that certain Sublease Agreement on
10 November 29, 2017 through Minute Order No. A(1) as first amended on December 13, 2017 through
11 Minute Order No. A(1), second amended on October 28, 2020 through Minute Order No. 6(C), and third
12 amended on September 29, 2021 through Minute Order No. 4(D) (“Sublease”); and

13 **WHEREAS**, the Third Amendment amended Section 4.1 as follows:

14 “The term of this Sublease shall be for a period of five (5) years concurrent with that of the
15 Master Lease, but may be extended for two (2) one (1) year option periods by mutual written agreement
16 of the Parties.” ; and

17 **WHEREAS**, the Sublease is set to expire on December 31, 2022; and

18 **WHEREAS**, ICTC and SUBTENANT desire to exercise the first of two (2) one (1) year
19 extension option periods to extend the Sublease for an additional one (1) year to expire on December 31,
20 2023; and

21 **WHEREAS**, the Parties agree to enter into this Fourth Amendment to Sublease Agreement.

22 **NOW THEREFORE**, and in consideration of the promises and payments herein set forth, the
23 parties have and hereby agree as follows:

- 24 1. The first of two (2) one (1) year extension option periods is hereby exercised and the
25 Sublease is extended for an additional one (1) year to expire on December 31, 2023.
26 2. All other terms and conditions of the Sublease are and will remain in full force and effect.

27 ///

28 ///

1 **IN WITNESS WHEREOF**, the Parties hereto have caused this Fourth Amendment to be
2 executed the day and year first above written.

3
4 **IMPERIAL COUNTY TRANSPORTATION SUBTENANT**
5 **COMMISSION**

6
7 By: _____
8 DAVID AGUIRRE
 Interim Executive Director

By: _____
CINDY GIRALDO
CFO

9 Date: _____

Date: _____

10 **ATTEST:**

11
12 By: _____
13 CRISTI LERMA
 Secretary to the Commission

14 **APPROVED AS TO FORM:**

15
16
17 By: _____
 Eric Havens
 County Counsel

VIII. ACTION CALENDAR

- C. Proposed Distribution plan for the 2020 Cycle 3 and 2022 Cycle 4 Local Partnership Formulaic Program (LPP)
 - 1. Approve Proposed Distribution Plan for the Local Partnership Formulaic Program funds;
 - a. Cycle 3 Option #2 2 Flat Distribution Plan
 - b. Cycle 4 Option #2 2 Flat Distribution Plan
 - c. Authorize staff to open Call for Projects for the Local Partnership Formulaic Program Cycle 3 and Cycle 4
 - 2. Authorize staff to submit the recommended projects to the California Transportation Commission (CTC).



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EL CENTRO, CA 92243-2875
PHONE: (760) 592-4494
FAX: (760) 592-4410

September 9, 2022

ICTC Management Committee
Imperial County Transportation Commission
1503 N. Imperial Ave Suite 104
El Centro, CA 92243

SUBJECT: Proposed Distribution plan for the 2020 Cycle 3 & 2022 Cycle 4 Local Partnership Formulaic Program (LPP)

Dear Committee Members:

The Imperial County Transportation Commission (ICTC) has received revenue information for the 2020 Cycle 3 and 2022 Cycle 4 Local Partnership Formulaic Program (LPP). There is a total of **\$1,549,000** available for Cycle 3 which includes three Fiscal Years (Fiscal Year 2020-21 through Fiscal Year 2022/23) and a total of **\$1,032,000** for Cycle 4 for Fiscal Years 2023/24 and 2024/25 for the Imperial County Region.

The purpose of the Local Partnership Program is to provide funding to counties, cities, districts, and regional transportation agencies in which voters have approved fees or taxes dedicated solely to transportation improvements or that have imposed fees, including uniform developer fees, dedicated solely to transportation improvements. Consistent with Senate Bill 1, the Commission intends this program to balance the need to direct increased revenue to the state's highest transportation needs while fairly distributing the economic impact of increased funding.

2020 Program Cycle 3			2022 Program Cycle 4	
FY 2020/2021	FY 2021/2022	FY 2022/2023	FY 2023/2024	FY 2024/2025
\$507	\$535	\$507	\$516	\$516
Total Available: \$1,549,000			Total Available: \$1,032,000	

For Cycle 3 and Cycle 4, ICTC staff is proposing options to TAC members for the distribution of these funds. The distribution calculations proposed are Option 1- Population and Maintained Mileage Based Distribution and Option 2- Using a Flat Distribution in addition to Population and Maintained Mileage. The proposed distribution is similar to the Local Transportation Authority (LTA) formula distribution. ICTC staff prepared two possible distribution options for consideration.

**CITIES OF BRAWLEY, CALEXICO, CALIPATRIA, EL CENTRO, HOLTVILLE, IMPERIAL, WESTMORLAND,
IMPERIAL IRRIGATION DISTRICT AND COUNTY OF IMPERIAL**

The following are the Proposed Distribution Plan options for the LPP funds:

Cycle 3 Population and Maintained Mileage Based Distribution Plan Option #1

JURISDICTION	2021 TOTAL POPULATION	2021 MAINTAINED MILEAGE	SUB TOTAL ALLOCATION	TOTAL ALLOCATION
Brawley	27,320	87.47	\$196,985.68	\$196,985.68
Calexico	40,714	102.70	\$290,738.43	\$290,738.43
Calipatria	3,646	23.30	\$27,475.34	\$27,475.34
El Centro	44,693	136.51	\$321,578.59	\$321,578.59
Holtville	6,345	23.77	\$46,102.05	\$46,102.05
Imperial	19,884	80.55	\$145,093.27	\$145,093.27
Westmorland	2,338	9.19	\$17,031.65	\$17,031.65
Imperial County	35,083	2,572.15	\$503,994.98	\$503,994.98
Total	180,023	3,035.64	\$1,548,999.99	\$1,548,999.99

Cycle 3 Flat Distribution Option #2

JURISDICTION	2021 TOTAL POPULATION	2021 MAINTAINED MILEAGE	FLAT ALLOCATION	ALLOCATION	TOTAL ALLOCATION
Brawley	27,320	87.47	\$12,500.00	\$184,268.72	\$196,768.72
Calexico	40,714	102.70	\$12,500.00	\$271,969.01	\$284,469.01
Calipatria	3,646	23.30	\$12,500.00	\$25,701.59	\$38,201.59
El Centro	44,693	136.51	\$12,500.00	\$300,818.19	\$313,318.19
Holtville	6,345	23.77	\$12,500.00	\$43,125.80	\$55,625.80
Imperial	19,884	80.55	\$12,500.00	\$135,726.38	\$148,226.38
Westmorland	2,338	9.19	\$12,500.00	\$15,932.13	\$28,432.13
Imperial County	35,083	2,572.15	\$12,500.00	\$471,458.18	\$483,958.18
Total	180,023	3,035.64	\$100,000.00	\$1,449,000.00	\$1,549,000.00

Cycle 3 funds have to be programmed and allocated by June 30, 2023.

Cycle 4 Population and Maintained Mileage Based Distribution Plan Option #1

JURISDICTION	2021 TOTAL POPULATION	2021 MAINTAINED MILEAGE	SUB TOTAL ALLOCATION	TOTAL ALLOCATION
Brawley	27,320	87.47	\$131,239.01	\$131,239.01
Calexico	40,714	102.70	\$193,700.49	\$193,700.49
Calipatria	3,646	23.30	\$18,305.07	\$18,305.07
El Centro	44,693	136.51	\$214,247.33	\$214,247.33
Holtville	6,345	23.77	\$30,714.86	\$30,714.86
Imperial	19,884	80.55	\$96,666.40	\$96,666.40
Westmorland	2,338	9.19	\$11,347.11	\$11,347.11
Imperial County	35,083	2,572.15	\$335,779.74	\$335,779.74
Total	180,023	3,035.64	\$1,032,000.01	\$1,032,000.01

Cycle 4 Flat Distribution Option #2

JURISDICTION	2021 TOTAL POPULATION	2021 MAINTAINED MILEAGE	FLAT ALLOCATION	ALLOCATION	TOTAL ALLOCATION
Brawley	27,320	87.47	\$12,500.00	\$118,522.05	\$131,022.05
Calexico	40,714	102.70	\$12,500.00	\$174,931.07	\$187,431.07
Calipatria	3,646	23.30	\$12,500.00	\$16,531.32	\$29,031.32
El Centro	44,693	136.51	\$12,500.00	\$193,486.93	\$205,986.93
Holtville	6,345	23.77	\$12,500.00	\$27,738.61	\$40,238.61
Imperial	19,884	80.55	\$12,500.00	\$87,299.50	\$99,799.50
Westmorland	2,338	9.19	\$12,500.00	\$10,247.58	\$22,747.58
Imperial County	35,083	2,572.15	\$12,500.00	\$303,242.94	\$315,742.94
Total	180,023	3,035.64	\$100,000.00	\$932,000.00	\$1,032,000.00

Please note, *Cycle 3 funds have to be programmed and allocated by June 30, 2023.* Therefore, project proposals need to be separated between both cycles in order to meet the programming and allocation deadlines associated with each. In addition, Cycle 4 guidelines are anticipated to be approved the August California Transportation Commission (CTC) meeting. Once the Cycle 4 guidelines get approved, we can submit projects as early as August 18, 2022. Keep in mind that LLP funds require a 50% non-state fund match. The match requirement allows the use of local and federal funds as a match. Any fund that requires CTC approval, can not be used as match towards LPP funds.

ICTC staff developed the Proposed Distribution Plan Options for the LPP funds for discussion and recommendation by TAC members. On August 25, 2022, members of the ICTC TAC reviewed the Proposed Distribution Plan Options for LPP funds. TAC members were able to agree to move forward with **Option #2- Flat Distribution Plan** for both Cycle 3 and Cycle 4 with the intention of forwarding this item to the ICTC Management Committee and Commission.

The Technical Advisory Committee met on August 25, 2022, and forwards this item to the Management Committee for review and consideration. It is requested that the Management Committee forward this item to the Commission for review and approval after public comment, if any:

1. Approve Proposed Distribution Plan for the Local Partnership Formulaic Program funds;
 - a. Cycle 3 Option #2 2 Flat Distribution Plan
 - b. Cycle 4 Option #2 2 Flat Distribution Plan
 - c. Authorize staff to open Call for Projects for the Local Partnership Formulaic Program Cycle 3 and Cycle 4
2. Authorize staff to submit the recommended projects to the California Transportation Commission (CTC).

Sincerely,



VIRGINIA MENDOZA
 Program Manager

VM/mf
 Attachment