

Per California Code of Regulations, title 2, section 548.5, the following information will be posted to CalHR's Career Executive Assignment Action Proposals website for 30 calendar days when departments propose new CEA concepts or major revisions to existing CEA concepts. Presence of the department-submitted CEA Action Proposal information on CalHR's website does not indicate CalHR support for the proposal.

A. GENERAL INFORMATION

1. Date

May 10, 2016

2. Department

California Transportation Commission

3. Organizational Placement (Division/Branch/Office Name)

Executive Branch

4. CEA Position Title

Deputy Director - Transportation Programming

5. Summary of proposed position description and how it relates to the program's mission or purpose. (2-3 sentences)

The California Transportation Commission (Commission) is statutorily responsible for programming, allocating and reporting billions of dollars annually for the construction of highway, intercity passenger rail, active transportation, aeronautics, transit, and other transportation improvements throughout California. The Deputy Director carries out the Commission's responsibilities for programming, adopting, allocating, and reporting on projects funded through the \$4 billion State Transportation Improvement Program (STIP), the \$720 million Active Transportation Program (ATP) and other transportation programs. The proposed CEA will replace a position currently classified as the Assistant Executive Director (AED). The AED classification is an obsolete classification unique to the Commission. Converting this position to a CEA is necessary given the significant policy creation, program management and program oversight responsibilities of the position and associated statewide consequences that can have long-term repercussions for all Californians. This request is also consistent with the State's efforts to streamline the classification system.

6. Reports to: (Class Title/Level)

California Transportation Commission Chief Deputy Director, CEA C

7. Relationship with Department Director (Select one)

- Member of department's Executive Management Team, and has frequent contact with director on a wide range of department-wide issues.
- Not a member of department's Executive Management Team but has frequent contact with the Executive Management Team on policy issues.

(Explain):

8. Organizational Level (Select one)

- 1st 2nd 3rd 4th 5th (mega departments only - 17,001+ allocated positions)

B. SUMMARY OF REQUEST

9. What are the duties and responsibilities of the CEA position? Be specific and provide examples.

Serves as California's principle policy maker for the selection of projects to be funded or not to be funded with state and federal funds. Also is the principal policy maker for recommending allocations for and reporting on use of state and federal transportation funds to projects.

The Deputy Director manages the development of policies, guidelines, recommendations and administration of state transportation programs. Current ongoing transportation programs include, but are not limited to, the State Transportation Improvement Program (STIP), the State Highway Operation and Protection Program, Proposition 116 (Clean Air and Transportation Improvement Act of 1990), the Traffic Congestion Relief Program (TCRP), Proposition 1B (Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006), Proposition 1A (The Safe, Reliable Highway-Speed Passenger Train Bond Act of 2008), the Aeronautics Program, the Elderly and Disabled Specialized Transit Program, the Environmental Enhancement and Mitigation Program, and the Active Transportation Program (ATP).

Develops policy necessary to generate statewide guidelines for the programming of state and federal funds and ensures the funds are effectively directed to projects in accordance with statute. Solicits input from Caltrans, other state departments, Metropolitan Planning Organizations (MPO), Regional Transportation Planning Agencies (RTPA), County Transportation Commissions, local jurisdictions, transportation agencies, legislative staff, federal partners, and other interested parties when developing program policies, guidelines, and formulating recommendations for the programming and allocation of funds to transportation projects throughout the state.

Independently analyzes and disseminates input provided by Caltrans and other state departments, regional agencies, local jurisdictions, transportation agencies, legislative staff and other interested parties; develops policies and guidelines and presents recommended policies and guidelines at public hearings, Commission meetings and various other local and regional meetings, responds to issues raised, determines the validity of the issues, and revises the policies and/or guidelines as appropriate.

Interacts with all levels of public officials involved in planning, programming, funding, and delivering transportation projects. Responsible for reviewing, analyzing, and making policy recommendations at the highest level on the programming and allocation of funds to capital projects by consulting with local jurisdictions, conducting public hearings and formulating project funding approval recommendations to the Commission.

The Deputy Director must identify priorities for and critically evaluate project funding requests. The Deputy Director develops and presents recommendations for the Commission consideration in rescinding, delaying or programming project funding requests. The Deputy Director must use his/her expertise in transportation programming, knowledge of statewide and regional transportation needs and priorities, and communication with executives proposing projects to make the final determination of projects recommended to receive funding and projects to be delayed due to lack of resources.

Responsible for assuring that all available funds are fully programmed, allocated, and expended to maximize the benefit to the state and assure no net loss of funds to California.

Responsible for analyzing the demand for project allocations as compared to the anticipated funding, and developing allocation plans for Commission action, if necessary, to meter the allocation of funds.

Reviews requests for funding allocations and recommends allocations to the Commission. This includes evaluation of requests to advance funds programmed in future years to the current year; extend the timeline for construction contract award, contract completion, expend local or other funds for later reimbursement with state funds, and other complex funding requests. Ensures transparent and accountable reporting of billions programmed and allocated by the Commission at public hearings, public workshops, public meetings, on-going reporting, interaction with the media and annual reporting to the Legislature and Administration.

While the Deputy Director does not supervise a large staff, the Deputy Director is required to work with and utilize Caltrans staff to accomplish assigned responsibilities. Specifically, Government code section 14512 states "The Commission may request the department [Caltrans]...to perform such work as the Commission deems necessary to carry out its duties and responsibilities. The Commission shall consider the expertise and resources available to the department for the purpose of carrying out its duties and responsibilities." As a result the Deputy Director functions more like an agency Deputy Secretary than the supervisor of a large staff at a state department.

B. SUMMARY OF REQUEST (continued)

10. How critical is the program's mission or purpose to the department's mission as a whole? Include a description of the degree to which the program is critical to the department's mission.

- Program is directly related to department's primary mission and is critical to achieving the department's goals.
- Program is indirectly related to department's primary mission.
- Program plays a supporting role in achieving department's mission (i.e., budget, personnel, other admin functions).

Description: The Deputy Director's work is critical to the Commission's statutory requirement to program and allocate funds for various transportation related projects throughout California. For example, Government Code Section 14529 requires the Commission to biennially adopt and submit to the Legislature and Governor a multi-year STIP, which sets forth the plan for project allocations over a five year period for state highway improvements, intercity rail, and regional highway and transit improvements.

Another example is set forth in Streets and Highways Code 2380, et seq. This statute requires the Commission to adopt the guidelines and selection criteria for, and define the types of projects eligible to be funded through the competitive ATP (\$120 million annually) following at least two public hearings. Streets and Highways Code further requires the Commission to adopt a program of projects to receive allocations for the ATP not later than April 1 of each odd-numbered year, but may alternatively elect to adopt a program annually.

All programs under the purview of the Commission call for public hearings, allocation of funds and reporting on program performance to the Legislature. The Deputy Director is essential to ensuring the Commission meets its statutorily required programming, allocating and reporting requirements.

B. SUMMARY OF REQUEST (continued)

11. Describe what has changed that makes this request necessary. Explain how the change justifies the current request. Be specific and provide examples.

The role of the Commission and the Deputy Director has significantly evolved over the years. Since the civil service AED classification was created, the Commission has been charged with administering an increasingly more complex STIP and new programs such as the ATP. Specifically, the Commission is now charged with the administration of more complex and competitive programs with specific performance outcomes and accountability requirements. These functions require the Deputy Director to have specialized and diverse policy making skills and abilities and a proven knowledge in developing and implementing multimodal transportation projects with innovative financing plans and delivery methods.

The Deputy Director is directly responsible to the Executive Director and Chief Deputy Director for the successful development and implementation of statewide polices, guidelines, and recommendations on programming and allocating state and federal transportation funds that support the mission of the Commission and the delivery of a statewide transportation system. A lack of accurate policy, guidelines and program development could result in violation of law, loss of federal funding, unwise investment of limited funding, and a loss of credibility with the Legislature, Administration, the Federal Highway Administration, and metropolitan and regional planning agencies.

This position is an ongoing critical and vital component in delivering the state's transportation program. Failure to perform this function impacts the Commission's mission with impacts to all Californians. The Deputy Director's recommendations and advice significantly impact the state's transportation system, the state's economy, and services to the public. The Deputy Director interacts with all levels of federal, state, local/regional transportation entities as well as the general public. Policy decisions and recommendations the Deputy Director makes directly affect the expenditure of state, federal and local funds, therefore the consequence of error is very high since the function of the position is essential to the mission of the Commission.

C. ROLE IN POLICY INFLUENCE

12. Provide 3-5 specific examples of policy areas over which the CEA position will be the principle policy maker. Each example should cite a policy that would have an identifiable impact. Include a description of the statewide impact of the assigned program.

Policy decisions and recommendations of the Deputy Director directly affect the implementation of transportation projects and the expenditure of state, federal and local funds. The programming decisions of this position have a significant impact on Californians across the state. Examples include:

1. Due to the decrease in anticipated revenues as a result of the reduction in the price-based excise tax to take effect July 1, 2016, the Commission is faced with the difficult task of having to address a \$1.5 billion funding shortfall including the deletion of \$754 million in currently programmed STIP projects affecting all counties in California. In addition to deleting planned projects, it is necessary to delay projects valued at \$755 million into the last two years of the 2016 STIP period, which covers the five fiscal years 2016-17 through 2020-21. The Deputy Director requested regions to identify projects that could be deleted and delayed in order to meet the \$754 million target as well as delay sufficient projects to the last two years of the STIP. The revised proposals included \$515 million in deletions, short of the \$754 million deletion target by \$239 million. Also insufficient project delays were proposed. As a result, the Deputy Director is responsible for addressing the difficult decision to recommend additional projects for deletion and delay to meet the financial constraints of the STIP programming consistent with state law. The Deputy Director developed, communicated, and carried out a policy framework for the recommended deletions and delays to be considered by the Commission for adopting the STIP. In other recent STIP cycles, the Deputy Director was responsible for recommendations on the funding of up to \$1.2 billion in new projects and the delay of nearly \$1 billion in projects.

2. The Deputy Director is responsible for analyzing the demand for project allocations as compared to the anticipated funding, and developing allocation plans, if necessary, to meter the allocation of funds. In the 2015-16 fiscal year, when funding was \$150 million below earlier estimates, the Deputy Director recommended a plan, subsequently adopted by the Commission, for prioritizing the types of projects that would receive allocations and the type of projects that would be delayed. In prior years, allocation plans were needed to guide the delay of as much as \$370 million in funding for ready-to-go projects. The impact of these project delays is felt across California.

3. The TCRP was approved in 2000 which committed \$4.9 billion to the program and programmed 141 specific projects. Shortly after the TCRP was established, various statues were enacted to loan or delay the receipt of funds to other efforts. Over time a portion of the funds have been returned to the program. These events required the Deputy Director to work with Caltrans and the regions to establish statewide policy and an allocation plan to prioritize the projects into two Tiers and meter the funds. Currently, the majority of the Tier one projects have been funded. Most recently, legislation has approve the return of \$148 million to the program. The Deputy Director will be responsible for collaborating with Caltrans and the regions in creating additional policy on how best to use the \$148 million as it is not sufficient to cover the existing projects. Additionally, given the program has not been fully funded since inception, the Deputy Director also will be responsible for making recommendations on the future of the program given the instability of the program since inception, which leads to priority projects being delayed or not built at all.

4. The Deputy Director develops statewide policies and recommendations regarding the implementation of federal funds which fall under the Commissions purview. The two largest federally funded transportation programs are the Federal Regional Surface Transportation Program and the Congestion Mitigation and Air Quality Program. The Deputy Director makes recommendations to the Commission on more than \$1 billion in federal funding annually.

5. The Deputy Director recently amended the STIP Guidelines to call for projects that further the goals of adopted Regional Transportation Plans and their Sustainable Communities Strategies based on Governor's Executive Orders and Legislation.

C. ROLE IN POLICY INFLUENCE (continued)

13. What is the CEA position's scope and nature of decision-making authority?

The Deputy Director performs a critical role in developing sensitive and complex policies and guideline recommendations for advising the Commission's Executive Director and Commission. The Commission requires that the Deputy Director possess the necessary skills and expertise to work alongside Executive Directors of State, Region, Local, and other entities to understand statewide project needs, financial constraints, specific project requirements, etc. Policy decisions and recommendations directly affect the implementation of transportation projects and the expenditure of billions in state, federal and local funds. During the 2014-15 fiscal year alone, transportation programs falling within the Commission's purview were valued in excess of \$25 billion and the Commission allocated over \$4.6 billion in state and federal transportation funding. Ineffective policies can lead to an inefficient transportation system, project implementation delays, increased project expenditures, and potential loss of funding. Failure to fund the most important projects can lead to increased congestion and greenhouse gas emissions, increased travel time, safety concerns, and other serious consequences to California's economy and quality of life. The Deputy Director exercises independent decision making in developing individual transportation programs and in making recommendations for the programming and allocation of funds.

14. Will the CEA position be developing and implementing new policy, or interpreting and implementing existing policy? How?

The Deputy Director must develop and implement new or update existing policy on a regular basis. Commission programs are adopted biennially and, with each programming cycle, policies and guidelines to inform the programming process are developed based on statewide policies, governor's executive orders, Commission direction, legislation, and other factors. In addition, as new laws are enacted, the Deputy Director must incorporate new statutory requirements in existing processes or implement a new program as required. For example, the ATP was enacted in 2014 requiring implementation of new policies. As we look to the future, with the recently enacted Federal Transportation Act, it is anticipated that the Deputy Director will develop new statewide policies to implement this Act, such as the \$100 million annual appropriation to the National Highway Freight Program.