

Fresno COG Policy Board
MINUTES
Thursday, October 25, 2018
5:30 PM

Members Attending:

Mayor Bob Whalen, City of Clovis
Mayor Nathan Vosburg, City of Coalinga
Mayor Felipe Perez, City of Firebaugh
Mayor David Cardenas, City of Fowler
Councilmember Clint Olivier, City of Fresno
Mayor Rey Leon, City of Huron
Mayor Rhonda Armstrong, City of Kerman
Mayor Michelle Roman, City of Kingsburg
Councilmember Robert Silva, City of Mendota
Mayor Victor Lopez, City of Orange Cove
Mayor Alma Beltran, City of Parlier
Councilmember Robert Beck, City of Reedley
Mayor Pro Tem Amarpreet Dhaliwal, City of San Joaquin
Mayor Frank Gonzalez, City of Sanger
Mayor Pro Tem Scott Robertson, City of Selma

Gail Miller, Caltrans
Kyle Roberson, Legal Counsel
Tony Boren, Executive Director

Absent:

Supervisor Sal Quintero, County of Fresno

The meeting was called to order at 5:31 p.m. by Mayor Pro Tem Dhaliwal (San Joaquin), Chair.

Fresno County Regional Transportation Mitigation Fee Agency - Meeting will follow the Policy Board meeting

Fresno County Rural Transit Agency Meeting Package - Meeting will follow Policy Board Meeting

Quorum: At the start of the meeting, there were 13 members representing 27.84% of the population. There was not a quorum to conduct business. (Clovis, Coalinga, Firebaugh, Fowler, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Reedley, San Joaquin, Sanger, Selma).

PLEDGE OF ALLEGIANCE

ITEM IV-A – OTHER ITEMS – Items from Staff, information item heard first.

IV. OTHER ITEMS

A. Items from Staff

- Mr. Boren (FCOG) introduced new employee Branden Duran, Assistant Regional Planner.
- Mr. Boren (FCOG) announced that the groundbreaking for State Route 269 Bridge will be on November 1, 2018.
- Mr. Boren (FCOG) announced that the dedication ceremony for the Mendota State Route 180 West Passing Lanes was held on October 19, 2018.

- Mr. Phipps (FCOG) reported that the Freeway Service Patrol current service provider quit without notice following a negative evaluation from the California Highway Patrol. Fresno COG may seek legal redress and will prepare a new RFP.
- Mr. Boren (FCOG) reported that the November Policy Board meeting will be November 15th.
- Mr. Phipps (FCOG) presented Conditions and Funding of Streets and Roads video. Mayor Vosburg (Coalinga) and Councilmember Olivier (Fresno City) voiced their opinion on Proposition 6. After a brief discussion, it was the consensus of the Policy Board that Fresno COG does not post the video on its website.

Quorum: City of Parlier and Fresno City entered. There were 15 members representing 82.26% of the population. There was a quorum to conduct business.

I. TRANSPORTATION CONSENT ITEMS

- A. Executive Minutes of September 27, 2018 [APPROVE]
- B. City of Sanger Transportation Development Act Claim (Les Beshears) [APPROVE]
- C. Fresno County Trails Master Plan Update (Peggy Arnest) [INFORMATION]
- D. Reverse Triangle Study Update (Braden Duran) [INFORMATION]
- E. Notice of Funding Opportunity for Fiscal Year 2018 Access and Mobility Partnership Grant (Trai Her-Cole) [INFORMATION]
- F. Senate Bill 35 Streamlined Ministerial Approval Process Draft Guidelines Released (Meg Prince) [INFORMATION]
- G. Senate Bill 2 Building Homes and Jobs Act - Planning Grants (Meg Prince) [INFORMATION]
- H. Fresno County Regional Transportation Network Vulnerability Assessment Update (Meg Prince) [INFORMATION]

After an opportunity for public comment, Mayor Cardenas (Fowler) motioned and Mayor Pro Tem Robertson (Selma) seconded to approve the consent agenda as presented. Coalinga and Huron abstain from Item I-A. The motion passed.

II. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. Highway Infrastructure Program (HIP) Funding Allocation Recommendation (Suzanne Martinez) [APPROVE]

Ms. Martinez (FCOG) reported that in June 2018, Fresno COG was notified that approximately \$2 billion in Highway Infrastructure Program (HIP) funds were set aside and apportioned for activities also eligible for Regional Surface Transportation Program (RSTP)/Surface Transportation Block Grant (STBG) funding. Of that \$2 billion, Fresno COG was apportioned \$2,438,180 in HIP funding that must be obligated by September 30, 2021, and expended by September 30, 2026. A fact sheet regarding the HIP funding is included as an attachment to this agenda item.

Due to the time sensitivity for obligating and expending these funds, instead of developing a separate call-for-projects that are specific to this HIP funding, staff proposes that this newly acquired HIP funding be allocated to projects that were submitted to the 2017-2018 RSTP/STBG call-for-projects. A spreadsheet is included with this agenda item detailing how staff proposes the allocation of this HIP funding.

In summary, staff proposes providing additional funding to four projects that were only partially funded during the 2017/2018 call-for-projects to make them whole. Staff also proposes to fully fund the next project on the list, as well as preliminary engineering for the next seven projects, as detailed in the attached spreadsheet.

The goal is to program the HIP funding on just one project, Fresno County's Jensen: Fig to Fruit Reconstruction project. Limiting the HIP funding to only one project is easier to track for obligation and expending deadlines. The RSTP/STBG funding that is discharged from this project would then be allocated to the rest of the projects on the list.

If approved, staff will program these project changes in the first amendment to the 2019 FTIP after December 2018.

After an opportunity for public comment, Councilmember Beck (Reedley) motioned and Mayor Lopez (Orange Cove) seconded to approve the allocation of HIP funding to 2017/2018 RSTP/STBG regional bid projects as presented. The motion passed.

B. Better Blackstone Design Challenge (Peggy Arnest) [APPROVE]

Ms. Arnest (FCOG) reported that the Better Blackstone Design Challenge Project follows-up on a number of recent projects focused on Blackstone Avenue in the City of Fresno. Fresno COG completed the Blackstone Corridor Transportation and Housing Study in 2017, which was designed to identify opportunities and tools to achieve the goals in the City of Fresno's General Plan for transforming Blackstone Avenue from an auto-oriented corridor to a multi-modal, mixed-use livable street through focused and strategic interventions.

Fresno COG is working on the Blackstone/Shaw Transportation Corridor Study to develop design concepts for complete-streets improvements that increase the range of public transit and serve the needs of all roadway users, particularly pedestrians. The study will also identify impacts on business opportunities and performance within the study area.

The Better Blackstone Design Challenge Project will develop architectural/urban designs and real estate analyses for eight design scenarios of mixed-use zoned blocks in specific activity center areas along the Blackstone BRT corridor surrounding the intersections of Blackstone at Shaw, Shields, Weldon and Olive Avenues. The recommendations will serve as a guide to direct investment in private development and public infrastructure. This project is relying on SB 1 funding. If Proposition 6 fails in November 2018, project funding will be secure. If Proposition 6 passes, another funding source will need to be secured.

Councilmember Olivier (Fresno City) stated that the City of Fresno supports this project and stands behind the work of Fresno Metro Ministries (FMM). Councilmember Olivier made a motion to approve.

Mayor Pro Tem Dhaliwal (San Joaquin) asked if this project was awarded by a Request for Proposals. Mr. Arnest responded that this project is formula funding from a Caltrans Sustainable Communities Planning Grant. Mayor Whalen (Clovis) asked if there is a metrics in the contract to measure success. Is the investment worth the product? Ms. Arnest responded that the contract has not been developed yet, but can be sure to build these specifics into the contract. Councilmember Beck (Reedley) asked what will happen if Proposition 6 passes? Mr. Beshears responded that if it passes we will not enter into a contract with FMM. Mayor Whalen stated that Blackstone does need to be renovated, but wants to know funding is being spent appropriately. He is concerned about the amount of the project, the lack of clarity of the project and the fact that this is a single source contract. Mr. Boren responded that at the PAC meeting Jennifer Clark, City of Fresno Planning Director pointed out that the City of Fresno does not have the bandwidth to do the project. FMM initiated the project and presented a proposal to the City of Fresno. Keith Berghold (FMM) addressed the Policy Board to provide more information about the project. Mr. Berghold makes reference to a thirty page proposal that provides very specific deliverables, in Caltrans format. The proposal had not been provided to the Policy Board, but would address member's questions and concerns.

After an opportunity for public comment, Councilmember Olivier (Fresno City) motioned and Mayor Cardenas (Fowler) seconded to authorize the Fresno COG Executive Director to enter into a sole-source contract with Fresno Metro Ministry to conduct the Better Blackstone Design Challenge Project for an amount not to exceed \$153,998.

C. Measure C Transit Oriented Development (TOD) Program Review (Trai Her Cole) [APPROVE]

Ms. Her-Cole (FCOG) reported that in 2017, Fresno COG's Policy Board and the Fresno County Transportation Authority (FCTA) Board approved revised TOD Program Policies and Guidelines to allow all jurisdictions in Fresno County to compete under the program. In the revised guidelines, separate density requirements were developed for the Fresno-Clovis Metro Area and the rest of the county. The transit requirement was lowered to include Clovis Transit and Fresno County Rural Transit in addition to all FAX routes. The boards established a minimum average score of 70 points to ensure quality projects were being funded. Under the 2017 Guidelines, the TOD program cycle 6 (2018) funded three projects, which were sponsored respectively by the City of Fresno, City of Clovis and City of Kingsburg.

When approving the revised guidelines in 2017, the Fresno COG Policy Board and the FCTA Board directed that a review be conducted to assess the efficiency of the 2017 revised guidelines after the sixth (2018) funding cycle is concluded. The TOD Technical Advisory Committee has recommended adding the following language in the guidelines to address project delivery issues:

"Grant recipients must enter into a cooperative agreement with their sponsoring agencies (if applicable) and the Fresno County Transportation Authority within one year of funding approval by the Fresno COG Policy Board and the FCTA Board for their prospective projects. Recipients unable to enter an agreement with FCTA within a year may ask the FCTA Board for an extension. If no extension is requested or granted, identified funds will revert to the TOD subprogram. Recipients must also make every reasonable effort to meet the project delivery schedule as indicated in their application. If unforeseen circumstances impact project delivery by more than 12 months beyond the submitted schedule, the recipient must obtain a time extension from the FCTA Board."

After an opportunity for public comment, Mayor Pro Tem Robertson (Selma) motioned and Councilmember Olivier (Fresno City) seconded to approve the 2018 TOD Program Policies and Guidelines with the additional language for project delivery. The motion passed.

D. Climate Change/Senate Bill 375 Update (Seth Scott) [INFORMATION]

Mr. Scott (FCOG) reported that Assembly Bill 32, the California Global Warming Solutions Act of 2006, required California to reduce greenhouse gas emissions (GHG) to 1990 levels by 2020. Senate Bill 32 codified the GHG reduction target for 2030 and requires the State to slash GHG emissions to 40 percent lower than the 1990 level.

In July 2018, the California Air Resources Board (CARB) released an inventory report that indicated the State reached the 2020 goal in 2016, four years ahead of schedule. However, according to the report, most of the GHG emissions drop came from renewable energy growth such as solar rooftops and power plants. The transportation sector, which produces the highest percentage of GHG, instead increased its emissions in 2016 due to the strengthening economy and cheap gasoline prices. According to CARB, the 2030 target will be a lot harder to reach. CARB's 2017 Scoping Plan shows a 6 percent gap in reaching the 2030 targets. CARB will be working with governments at various levels to try to come up with policies and programs to close that gap.

SB 375 is one of the many programs the State developed to implement AB 32 and SB 32 goals. The MPOs are charged with developing Sustainable Communities Strategies (SCS) to lower GHG emissions from travel. In light of the 6 percent gap, CARB adopted higher GHG reduction targets for all 18 MPOs in the State in spring 2018. SB 375 authorizes CARB to update GHG targets for the MPOs at least every eight years. Staff expects that CARB will push the targets higher during every update, which will make it harder and harder for the regions to achieve them, with ever-increasing pressure on land use decisions, considering that most of the SCSes are based on local general plans.

In addition, SB 150, passed in 2017, requires CARB to monitor whether the regions are making progress in SCS implementation and to determine whether the regions will be able to achieve the targets that were demonstrated in the plans. CARB staff is working with MPOs in producing the first SB 150 report to the legislature.

CARB is also in the process of updating the SCS review guidelines, which will be applied in the third round of SCSes statewide, which will be the 2022 RTP/SCS for Fresno region. MPOs, including Fresno COG, are working closely with the CARB to ensure that the law is followed and no unnecessary, additional regulatory burdens are added to the regions.

Mayor Leon (Huron) asked what percentage of GHG does transportation represent. Mr. Phipps responded that transportation represents 40 percent. Mr. Boren stated that CARB is asking and will continue to ask member agencies to do more.

This item was informational only; no further action was required.

E. Caltrans Report (CALTRANS) [INFORMATION]

Ms. Miller (Caltrans) reported:

- State Route (SR) 99 realignment to accommodate High Speed Rail between Clinton and Ashlan Avenue. The northbound onramp to Golden State is closed and is scheduled to reopen the first week of November. The contractor has a 55 hour closure for southbound SR 99 on ramp, northbound SR 99 off ramp to and from Golden State Boulevard to shift traffic onto the new alignment from October 26 through October 28.
- Kings Canyon Expressway SR 180 Segment 3; structure work is progressing at four locations, China Slew, Kings River, Cameron Slew and Bird Slew. Grating work is continuing west of the Kings River. The project is on

schedule. SR 180 concrete pavement is scheduled for early November. Three traffic shifts are anticipated in mid-October and possible closure of Oliver and Rio Vista in late October and early November.

- San Joaquin River Bridge seismic retrofit. Carbon fiber strips of barrier rail, bike and guard railing are complete. Remaining work includes repaving the bridge approaches, installing joint seals, erosion control, irrigation, one-way traffic control utilizing the traffic signal system. The contractor remains on schedule. Work is anticipated to be complete by the end of this year.

This item is informational only, no further action was required.

III. ADMINISTRATIVE CONSENT ITEMS

A. Legislative Report (Trai Her-Cole) [INFORMATION]

After an opportunity for public comment, Mayor Cardenas (Fowler) motioned and Mayor Leon (Huron) seconded to approve the consent agenda as presented. The motion passed.

IV. ADMINISTRATIVE ACTION/DICUSSION ITEMS

A. Overall Work Program Amendment No. 2 (Les Beshears) [APPROVE]

Mr. Beshears (FCOG) reported:

Work Element 110 – Regional Streets and Roads – The initial budget programs \$30,000 for Fresno COG’s share of a \$90,000 State Route 99/Mendocino study conducted in partnership with Tulare County, and the cities of Kingsburg and Selma. Fresno COG agreed to administer the study. The \$60,000 contribution from participating members will be programmed.

Work Element 115 – Regional Transportation Mitigation Fee (RTMF) – The statutory five-year update to the Regional Transportation Mitigation Fee Nexus is due in January 2020. Staff recommends budgeting \$105,000 to get started on the update. The Fresno County Transportation Authority will pay for the update from RTMF fee collection proceeds.

Work Element 123 – Long Range Transit Plan – The Board authorized this FTA 5304 project in 2017-18. Staff initially estimated \$150,000 would carry into this budget year but is adjusting that estimate to the actual cost incurred, increasing this work element \$29,566.

Work Element 124 – Commute Options – The Board authorized this FTA 5304 project in 2017-18. Staff initially estimated \$230,533 would carry into this budget year but is adjusting that estimate to the actual cost incurred, decreasing this work element \$16,177.

Work Element 146 – Better Blackstone Design Challenge – This Senate Bill 1-funded work element provides \$153,998 for the Better Blackstone design project.

Work Element 147 – County Trail Master Plan – This Senate Bill 1-funded work element provides \$153,999 to conduct a Fresno County Trail Master Plan update.

Work Element 150 – Other Modal Element & Work Element 310 Intergovernmental – The County of Fresno was initially planning to fund a significant part of the County Trail Master plan using internal staff, costing \$50,000 in county support costs, which is typically programmed in Work Element 310. This was transferred to Work Element 150 – Other Modal Elements; however, now that SB 1 grant funding for an expanded scope is available, residual county support costs are being transferred back to Work Element 310.

Work Element 152 – High-Speed Rail Planning – The prior year budget included \$120,000 for developing the City of Fresno’s High-Speed Rail Station Plan. This adjustment carries over \$75,000 in Measure C Planning funds to complete the project.

After an opportunity for public comment, Mayor Lopez (Orange Cove) motioned and Mayor Leon (Huron) seconded to adopt the 2018-19 Overall Work Program Amendment No. 2, which increases the budget by \$558,002.

B. 2019 One Voice Priorities Call for Projects (Robert Phipps) [INFORMATION]

Mr. Phipps (FCOG) reported that Fresno COG is issuing its 2019 One Voice D.C. call for regional priorities. Each priority should include a strong transportation nexus or component. Please submit any proposed regional priorities using the attached white paper template. Submit all information needed to educate federal elected officials, administration staff and other decision-makers regarding the priority's requests and significance to the region, as well as any maps, photos or other visuals available. All proposed recommendations must be submitted to rphipps@fresnocog.org by 4:30 p.m. Friday, November 16, 2018.

Those planning to resubmit a previous year's priority for consideration should provide an updated white paper for review and consideration. Staff strongly encourages the submittal of new regional priorities as well. The Steering Committee will review and select the 2019 priorities and recommend a regional priority listing for February or March 2019 approval by the Fresno COG Policy Board.

Those submitting more than one regional priority for consideration should identify them by order of priority.

This item was informational only; no further action was required.

V. CLOSED SESSION

A. Public Employee Performance Evaluation - Executive Director (Government Code section 54957)

VI. OPEN SESSION

A. Discussion and Approval of Executive Director Employment Contract

Mayor Pro Tem Robertson (Selma) reported that the recommendation of the Policy Board subcommittee is based on Mr. Boren's performance and payroll disparity between the populations of the COG that Mr. Boren administers as opposed to populations of other COGs which have smaller population, but higher salaries for their Executive Directors. Fresno COG is the ninth largest COG in California, but Mr. Boren's salary ranks as the 16th lowest amongst other COGs. In order to bring Mr. Boren's salary back into parity, the subcommittee recommends a 4 percent increase each year, over the next three years, for a total of 12 percent.

After an opportunity for public comment, Mayor Lopez (Orange Cove) motioned and Mayor Vosburg (Coalinga) seconded to approve subcommittee recommendation and authorize the Policy Board Chair to sign the contract on Policy Board's behalf.

VII. OTHER ITEMS

A. Items from Staff

Item heard at the start of the meeting.

B. Items from Members

There were no items from members.

VIII. PUBLIC PRESENTATIONS

A. Public Presentations

There were no public presentations

Mayor Lopez (Orange Cove) motioned and Mayor Pro Tem Robertson (Selma) seconded to adjourn to Fresno County Regional Transportation Mitigation Fee Agency at 7:08 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Tony Boren". The signature is written in a cursive, flowing style.

Tony Boren

Public

Keith Bergthold, Fresno Metro Ministries

Staff

Les Beshears

Robert Phipps

Peggy Arnest

Trai Her-Cole

Meg Prince

Suzanne Martinez

Braden Duran

Seth Scott

Moses Stites

Janelle Del Campo

Jeanee Cervantes