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Fresno COG Policy Board

Date: Thursday, October 24, 2013
Time: 5:30 PM
Place: COG Sequoia Conference Room
 2035 Tulare St., Suite 201, Fresno, CA

Americans with Disabilities Act (ADA) Accommodations

The Fresno COG offices and restrooms are ADA accessible. Representatives or individuals with disabilities should contact Fresno COG at (559) 233-4148, at least 3 days in advance, to request auxiliary aids and/or translation services necessary to participate in the public meeting / public hearing. If Fresno COG is unable to accommodate an auxiliary aid or translation request for a public hearing, after receiving proper notice, the hearing will be continued on a specified date when accommodations are available.

AB23 Requirement: In accordance with the Brown Act and AB23 the amount of stipend paid to members for attending this meeting of the Fresno Council of Governments Policy Board is \$100.

PLEASE TURN ON MICROPHONE BEFORE SPEAKING

4:30 PM - PRESENTATION: San Diego Association of Governments - Charles Stoll

At 4:30 pm - (prior to regular Board meeting) Mr. Charles Stoll, Planning Director of the San Diego Association of Governments (SANDAG), will be making a presentation regarding their RTP/SCS and the lawsuit associated with it. SANDAG was the first MPO in the State that developed and incorporated an SCS in the Regional Transportation Plan. Mr. Stoll will share their experience and lessons learned with us at the workshop.

FCRTA MEETING PACKAGE - MEETING WILL FOLLOW FRESNO COG POLICY BOARD MEETING AND RTMF MEETING

Exhibits:

October 24 2013 FCRTA Meeting Package

REGIONAL TRANSPORTATION MITIGATION FEE AGENCY MEETING PACKAGE (ALL POLICY BOARD MEMBERS)

Exhibits:

October 24 2013 RTMF Meeting Package Walmart Appeal

AGENDA AND ANNOTATED AGENDA IN PDF FORMAT FOR PRINTING

Fresno COG Sitting as the Transportation Policy Committee

5:30 PM - PRESENTATION: Scott Carson, FHWA - Fresno COG Certification Review

Exhibits:

I. TRANSPORTATION CONSENT ITEMS

About Consent Items:

All items on the consent agenda are considered to be routine and non-controversial by COG staff and will be approved by one motion if no member of the Committee or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Committee concerning the item before action is taken.

A. FY 2013-14 Transportation Funding Claims [Fawcett] [APPROVE]

Exhibits:

 ITEM I A

Summary: Approve FY 2013/14 Transportation Development Act Claim. The amount claimed for Local Transportation Funds (LTF) and State Transit Assistance (STA) funds are:

<u>Resolution #</u>	<u>Member Agency</u>	<u>Amt LTF</u>	<u>Amt STA</u>	<u>Grand Total</u>
2013-30	Parlier	\$443,117	\$78,273	\$521,460

Action: TTC/PAC recommend approval by resolution of the TDA Claim FY 2013/14 of the above listed member agency.

B. 2014 STIP Fund Estimates – Resolution 2013-29 [Beshears] [APPROVE]

Exhibits:

 ITEM I B

Summary: The California Transportation Commission (CTC) has adopted the 2014 STIP Fund Estimate. The estimates from 2012/13 through 2016/17 are consistent with the 2012 Estimate however the future years 2017/18 through 2019/20 are down \$8.5 million. This will not affect our current delivery objective, which is SR 180 – Smith to Frankwood, however it could affect the next major project on the waiting list, Veterans Blvd., which is currently scheduled for 2019/20 in our adopted Measure “C” program.

The STIP guidelines indicate the biennial program (2014/15 – 2015/16) is once again, over subscribed and request projects to move back. The SR 180 project is currently scheduled in 2016/17 and our strategy is to maintain that place, however Caltrans has indicated the design will be done a year early so in our submittal to the CTC we will propose the project is a candidate to advance should additional program capacity materialize during the shuffle. Caltrans is also requesting a revenue neutral adjustment between PS&E, ROW, and Construction that will be incorporated into the submittal.

We are requesting the next two years of Planning, Program & Monitoring allocations of \$322,000 per year. These funds will be incorporated in our annual Overall Work Program to cover staff work in development and monitoring of the Regional Transportation Plan and Federal Transportation Improvement Program.

We are also deprogramming the \$3.29 million 2015/16 TE Reserve per CTC guidelines observing the TE program was discontinued in MAP 21 and the CTC anticipates the program will be fully wound down in the current year.

Action: TTC, PAC and Staff recommend approval of Resolution 2013-29.

C. Prop 84 Update [Terry] [INFORMATION]

Summary: (Prop 84 Round 1) Following is a brief report on the status of Round 1 activities:

- (Task 1) Valley-wide SCS Outreach (Valley Visions) continues, with public workshops being conducted on the individual COG level throughout all eight counties in-line with the media outreach plan. Materials related to the outreach campaign have been made available in multiple languages, with consistent efforts to outreach to environmental justice communities throughout the Valley. Fresno COG has organized and conducted approximately thirty public workshops/presentations relating to our individual RTP/SCS process over the past year.

For any questions regarding Fresno COG and Valley-wide SCS Outreach activities, please contact Brenda Veenendaal at (559) 233-4148 Ext. 219 or via email at brendav@fresnocog.org.

- (Task 2) Blueprint Integration (BPI) outreach and circuit planning activities to the 46 valley cities with populations under 50,000 concluded in June of 2013. 40 of the 46 cities coordinated assistance efforts with their respective circuit planning team, with the six electing not to participate doing so based upon their lack of staffing and/or project needs. All thirteen eligible cities in Fresno County participated and received circuit planning services through Land Use Associates. Products delivered ranged from Bicycle Transportation Plans, Blueprint General Plan/Zoning Ordinance Self-Audit's and Residential Design Guidelines.

For any questions regarding Blueprint Integration efforts, please contact Rob Terry at (559) 233-4148 Ext. 222 or via email at rterry@fresnocog.org.

- (Task 3) Greenprint – Details can be found under the Transportation Consent Greenprint item found on this agenda.

For any questions regarding the Greenprint, please contact Clark Thompson at (559) 233-4148 Ext. 203 or via email at clarkt@fresnocog.org.

(Prop 84 Round 2) COG Staff has been continually coordinating with Department of Conservation (DOC) and Strategic Growth Council (SGC) representatives to enter into the valley-wide Round 2 contract. SCS Implementation and Greenprint Integration activities for Round 2 have recently been determined, and now allow for contractual agreements to be pursued. Fresno COG officially submitted the contract to DOC for their review and approval in the month of September, with funding availability estimated for late 2013. Round 2 activities will be separated into the three task areas of (1) Greenprint Integration (\$400,000), (2) Model Land Use Re-validation (\$450,000); and (3) SCS Implementation (\$150,000). Fresno COG will serve as the lead agency, similar to the organization of Round 1 activities.

For any questions regarding Prop 84 Round 2 activities and timelines, please contact Rob Terry at (559) 233-4148 Ext. 222 or via email at rterry@fresnocog.org.

(Prop 84 Round 3) The SGC recently announced proposed changes to the Prop 84 Sustainable Communities Planning Grant Guidelines, which would be in effect for Round 3 applications. Fresno COG staff attended SGC coordinated workshops in the month of July to discuss these proposed changes. Major changes include the three focus areas (Sustainable Development Implementation, Sustainable Community Planning in Transit Priority Planning Areas, and Collaborative Community Planning in Preparation for High Speed Rail) and their eligible applicants; a greater focus on funding projects for Environmental Justice Communities; and a refined focus on GHG reduction activities and measurements. Final Draft guidelines became available on October 25, 2013; with SGC approval set for November 5, 2013. Solicitation for Round 3 applications is anticipated to take place shortly thereafter. Fresno COG staff has been discussing potential strategies for Round 3 applications with other COG staff throughout the valley, and will keep the Boards/Committees apprised of potential actions.

Action: This is an informational item. Direction may be provided at the discretion of the Policy Board.

D. **Greenprint Update [Thompson] [INFORMATION]**

Exhibits:

ITEM ID

Summary: An important meeting for the Greenprint project will be held Thursday, October 24 beginning at 1:00 p.m. in the Fresno COG Sequoia Conference Room. The meeting will be held in

conjunction with the fall meeting of the Tulare Basin Working Group and will focus on ways the Greenprint can best inform the work of the TBWG members and their organizations encompassing the counties of Kern, Tulare, Kings, and Fresno. More information will be forthcoming but please make note of this meeting and share with others.

The most recent meeting of the Greenprint Steering Committee was held on September 17. The Steering Committee has recently approved several amendments to the contract with the Information Center for the Environment at UC Davis (ICE/UCD). These include a further description of outreach activities, including the retention of a professional workshop facilitator. Three recommendations have been received for the facilitator position. Also, an editor will be retained for report and other media writing, editing, design, and production. Four recommendations have been received for the editor position.

The Steering Committee chair and vice-chair, the project manager for the Greenprint project, and consultants from UC Davis will conduct interviews and select the individual or firm for each position. Enclosed Exhibit A-1 dated September 9, 2013 to Amendment II to Agreement for Contractor Services further describes these positions and also the additional task for the UC Davis consultants to solicit input from qualified experts to validate and interpret the data and maps compiled as part of the Greenprint project.

Action: Information item. Direction may be provided at the discretion of the Policy Board.

E. **AB 1371 – Mandating Three Feet of Clearance when Passing a Bicyclist [Thompson]**
[INFORMATION]

Summary: AB 1371 (Bradford) is a new state law that requires motorists to give three feet of clearance when passing a bicyclist. While this new law is welcomed by cyclists, there are concerns as to how it will play out on narrow foothill and other backroads. The law, which won't go into effect until mid-September, 2014 is intended to better protect cyclists from aggressive drivers. The sharing of the road by bicycles and motor vehicles has become a growing issue, coinciding with a rise in the number of cyclists. The law was authored by Assemblyman Steven Bradford (D-Gardena) and sponsored by the City of Los Angeles, where former mayor Antonio Villaraigosa broke his elbow while cycling from a collision with a taxi.

Proponents of the bill said it will help remove ambiguity in current law, which requires motorists to keep a safe distance when passing a bicyclist, but doesn't specify how far that is. At least 22 states and the District of Columbia define a safe passing distance as a buffer of at least three feet, according to the legislative analysis. A violation of the new requirement would be punishable by fines starting at \$35. If unsafe passing results in a crash that injures the bicyclist, the driver could face a \$220 fine. The new law allows some flexibility for motorists, basically stating that if drivers can't leave a cushion of three feet, they can slow to "a reasonable and prudent speed" and pass if it does not endanger the cyclist.

Action: Information item. Information may be provided at the discretion of the Policy Board.

F. **Monthly Grant/Call for Project Reminders [INFORMATION]**

For the latest information on grants, contact Ishmael Herrera at isherrera@csufresno.edu

II. **TRANSPORTATION ACTION / DISCUSSION ITEMS**

A. **RTP Monthly Update (Scenario Comparisons) [Steck/Cai] [INFO/APPROVE]**

Exhibits:

 ITEM II A 1  ITEM II A 2  ITEM II A 3

1. Monthly Update

Summary: Staff continues to work on the Regional Transportation Plan, which is now scheduled for adoption by the Fresno COG Policy Board in June 2014.

At September's joint TTC/PAC meeting, the committees recommended that the **Sustainable Communities Strategy Draft Scenarios** agenda item be tabled until October for further review. In the interim, TTC/PAC suggested that staff should continue to analyze the Coalition of Community Based Organizations' submittal of a 4th alternative SCS Scenario as well as convene a workshop for member agencies, LAFCo and the school districts to discuss the SCS scenarios and their implications. Staff has scheduled that joint workshop for October 23rd at 10:00 AM in COG's Sequoia conference room, using a "Go to Meeting" call in format for convenience.

Both the RTP Roundtable and the Transportation Technical Committee (TTC) made recommendation for Scenario B at their last meetings. The Policy Advisory Committee (PAC) and Policy Board have postponed their decisions until November to give the local agencies the opportunity to take the issue before their individual boards for direction during October and early November (prior to the November 8th PAC meeting).

In discussions with our member agencies, the issue of HOW the vote will be taken has been raised. Typically, a motion is made for a decision and if seconded, the vote is taken. There is some thought that on this item, the Board may want to vote on all four scenarios to determine if (1) there is a clear preference of over 50%; or (2) there should be a "runoff" of the top two vote getters. Staff believes that this suggestion bears further discussion by the board and would like direction on how the Board would prefer to conduct the vote.

The ultimate selection for the preferred SCS Scenario by the Policy Board will enable the RTP to move forward to the Draft RTP and EIR phase of the process. Additional information and documents are available online at www.fresnocog.org/rtp

2. SCS Scenario Descriptions and Performance Measures on Scenarios A, B, C, D [Cai] [ACTION]

Summary: In the last 12 months, under the guidance of the RTP Roundtable, Fresno COG staff developed 3 scenarios (Scenarios A, B, and C) with combined land use and transportation elements, and performed technical analysis for these 3 scenarios. In addition, the Coalition of Community Based Organizations has proposed a fourth scenario (Scenario D) that staff has been directed by TTC/PAC to include in the mix. There is an enclosure with the agenda that describes these four SCS Scenarios:

1. Public Input from November 2012 Workshop – Proposed by Public
2. Current Planning Assumptions – Proposed by Member Agencies
3. Foothill Growth to City of Fresno – Proposed by RTP Roundtable
4. Foothill Growth to Existing Communities – Proposed by Coalition of Community Organizations

Staff will provide a presentation of the four scenarios and their associated performance measures to the Policy Board. Enclosures are provided for this agenda item. Discussion on the alternatives will help in the decision making process. The Policy Board will be asked to select a preferred scenario next month at the November 21st Board meeting.

Action: This is an information item. Direction may be given at the discretion of the Policy Board.

B. Caltrans Report [CALTRANS]

Exhibits:

ITEM II B

Summary: Caltrans staff will provide a verbal update.

Action: This is an information item. Direction may be given at the discretion of the Policy Board.

Fresno COG Sitting as the Fresno Council of Governments Policy Board

III. REAFFIRM ALL ACTIONS TAKEN WHILE SITTING AS THE TRANSPORTATION POLICY COMMITTEE

IV. **ADMINISTRATIVE CONSENT ITEMS**

About Consent Items:

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A. **Executive Minutes of September 26, 2013 [APPROVE]**

Exhibits:

ITEM IV A

B. **FY 2012-13 Fourth Quarter Progress Report [Beshears] [ACCEPT]**

Exhibits:

ITEM IV B

Summary: The FY 2012-13 Fresno COG Fourth Quarter Progress Report is included for review and acceptance.

Action: TTC/PAC and Staff recommend acceptance of the FY2012-13 Fresno COG Fourth Quarter Progress Report.

C. **Monthly Legislative Update [Garza] [INFORMATION]**

Summary: To locate current and past year **state bill information** go to the Official California Legislative Information webpage at: <http://www.leginfo.ca.gov/>

To locate current and past year federal bill information go to THOMAS, The Library of Congress's bill information website (in the spirit of Thomas Jefferson) at: <http://thomas.loc.gov/>

Please contact staff person, Melissa Garza, if you have any questions or comments.

D. **Fresno COG One Voice 2014 Kickoff [Garza] [INFORMATION]**

Washington, DC One Voice 2014

Save the Date: Fresno COG will kick off the 2014 Fresno COG One Voice with a meeting scheduled for Tuesday, October 29, 2013 at 3:00 PM in the Sequoia Room. The 2014 One Voice trip is scheduled for April 5th-10th, 2014, and it will mark the 12th official planned visit to Washington, D.C. Fresno COG staff recommended moving the date from February/March to April to try to avoid extreme weather conditions, such as snow storms. The One Voice committee will establish a steering committee for the 2013/2014 fiscal year program to review and guide the selection of regional priorities and projects that will benefit from regulatory reform. We will continue to work with the Fresno COG DC lobbyist, Len Simon from Simon and Co. Fresno COG would like to encourage all policy board members, member agency staff, and community groups to participate in the planning and selection process.

Lastly, Fresno COG and the "One Voice" delegation are grateful to have received several financial contributions for the 2013 advocacy efforts and look forward to continued commitment and support again in 2014. The sponsorships allow us to continue to improve our efforts in reaching our regional goals. If you are interested in participating in the planning process, the trip, or you want to learn more on how to become a One Voice Sponsor, please contact Melissa Garza at mgarza@fresnocog.org.

Action: Information. Direction may be provided at the discretion of the Policy Board.

E. **Fresno COG 2013 Sacramento One Voice [Garza] [INFORMATION]**

Summary: Over the past several years, the Fresno COG has embarked upon an annual “One Voice” advocacy visit to Sacramento. Elected officials, public administrators and regional stakeholders from the public and private sectors travel to Sacramento to seek regulatory relief and state funding for issues and projects of regional significance within Fresno County. However, the 2013 Sacramento One Voice trip that was scheduled for April 2013 was cancelled in part because the Fresno COG Policy Board agreed that in order to have a successful trip, additional elected official participation and representation was needed. Because it is crucial to continue the conversations about the importance of Fresno COG’s regional priorities, an alternative measure was established, and since April, Fresno COG has engaged in “Legislative Friday” sessions in which we invite our members to meet with us here in the District. Many elected officials from our Policy Board would love to travel to Sacramento but are unable to because of scheduling conflicts or lack of funding. This is a great way to extend an opportunity to meet with our Members of the Legislature and to share and educate them, as well as State agency leaders about our regional priorities. Positive feedback has been given in regards to the sessions, and all sessions have been well attended by elected officials, city staff, and COG partners. Many Policy Board members have recommended that these sessions continue because it gives them more scheduling flexibility which increases their availability to participate.

Action: Information. Direction may be provided at the discretion of the Policy Board.

V. ADMINISTRATIVE ACTION / DISCUSSION ITEMS

A. Fresno COG Regional Housing Needs Allocation (RHNA) Methodology [Monge] [INFORMATION] PUBLIC HEARING

Exhibits:

 ITEM V A

Summary: The Fresno COG 2013 Regional Housing Needs Allocation (RHNA) process has been underway since February of this year commencing with the formation and meeting of a RHNA Technical Committee. The RHNA Technical Committee recently developed and agreed upon a RHNA Methodology that will be used to allocate the RHNA numbers to FCOG member agencies in January of 2014. The methodology as recommended by the RHNA Technical Committee is enclosed and was released for its 60-day public review on September 13, 2013. A public hearing will be held during the regular Policy Board meeting on October 24, 2013. After the public review period is closed on November 13, 2013 the methodology will be submitted to the FCOG Policy Board for approval at their November meeting. Following approval of the RHNA Methodology, the draft RHNA numbers will be issued.

Action: This is an information item. Direction may be given at the discretion of the Policy Board.

B. Ventura/Kings Canyon Corridor Revitalization Project Contract Award [Arnest][AUTHORIZE]

Exhibits:

 ITEM V B 2  ITEM V B 1

Summary: The Overall Work Program (OWP) includes Work Element 314, the Ventura/Kings Canyon Corridor Revitalization Project. This project is completely funded by an Environmental Justice Transportation Planning Grant awarded through Caltrans.

On March 28, 2013, an RFP was released seeking qualified consultants with experience in preparing complete streets design. The purpose of the Ventura/Kings Canyon Corridor Revitalization Project is to develop a community-based vision for the corridor including a complete streets concept to improve mobility for business customers and encourage financial investment along the Ventura/Kings Canyon Corridor from First Street to Peach Avenue. This project will utilize work efforts and data collection to date and be supportive of the current planning in the area including those associated with the Bus Rapid Transit System and the City of Fresno’s General Plan Update.

Fresno COG received eight proposals. Proposals were received from:

1. MW Steele Group- San Diego, CA;
2. PMC World - Rancho Cordova, CA

3. Community Design + Architecture - Oakland, CA;
4. Quad Knopf - Fresno, CA;
5. The Planning Center - Berkeley, CA;
6. URS Corp.- Fresno, CA;
7. Mogavero Notestine Associates - Sacramento, CA;
8. Wallace Roberts & Todd - San Francisco.

A proposal selection committee comprised of Jeff Long, Senior Regional Planner from Fresno Area Express; Sophia Pagoulatos, Supervising Planner from the City of Fresno Planning Department; Jill Gormley, Assistant Traffic Engineering Manager from the City of Fresno Public Works Department; and Peggy Arnest from Fresno COG evaluated the proposals and interviewed six of the eight proposing teams. The selection committee is recommending The Planning Center and their associated team of sub-consultants for this process. Their selection was also supported by the Transportation Technical Committee and the Policy Advisory Committee. Not only did their proposal rank the highest in terms of technical merit, they also had the highest rated interview score. One of the strong points identified by the Scoring Committee was their local outreach team member, Rios & Company. Outreach to the Environmental Justice community is a large part of this of this project and Rios & Co. is very familiar with the community (both business and residential) because of their current involvement with the BRT and FAX GAP analysis. Additionally, the Center for New Americans and Centro La Familia will be working with the Rios & Company to engage hard-to-reach populations and traditionally underserved communities. Furthermore, given the nature of this Environmental Justice grant and the focus on community outreach, another three Community Based Organizations were added to the Planning Center team to strengthen the outreach to both the business and residential environmental justice populations.

On July 22, 2013, Fresno COG received a formal appeal letter from the Wallace, Roberts and Todd firm stating dissatisfaction with the selection process outcome. Upon receipt of the letter, the Fresno COG Executive Director met with the Scoring Committee to get their thoughts and perspectives on the issues raised by the WR&T appeal letter. After thoughtful consideration, the Executive Director denied the appeal as outlined in a letter to the WR&T team dated August 19, 2013 which is included in your packet.

Action: Staff, TTC and PAC recommend the Fresno COG Policy Board authorize the Executive Director to negotiate a scope of services and to enter into a contract with The Planning Center not to exceed \$246,000 to conduct the Ventura/Kings Canyon Corridor Revitalization Project.

C. **FY 2014 Legislative Platform [Garza] [APPROVE]**

Exhibits:

 ITEM V C

Summary: The Legislative Platform is a document that includes the advocacy priorities of the Fresno COG in state and federal legislative matters. It represents a unified voice when communicating legislative priorities to our state and federal lawmakers as well as to relevant state and federal agencies. It also provides guidance to the Fresno COG staff and the lobbying partners when advocating on behalf of the Policy Board.

Several additions have been made to the FY 2014 Legislative Platform. These include an enhanced Economic Development section that adds support for incentives for hard hit areas in place of the former enterprise zone program, replacement legislation for an improved program to take the place of the Redevelopment Authority and continued support for the Enhanced Economic Development Rate before the PUC. The Local and Regional Planning section now includes a discussion in support of the Integration of Land Use and Transportation Planning. The Platform will be emailed to the Committee members prior to the meeting.

Action: PAC and Staff recommend approval of the FY2014 Legislative Platform.

D. **Legislative Friday Sessions: Mark your Calendar- Senator Andy Vidak, November 8th [Garza] [INFORMATION]**

Summary: In April, Fresno COG hosted a meeting with Assemblymember Jim Patterson followed by Assemblymember Henry T. Perea in June. In the month of August Fresno COG focused on

infrastructure issues and hosted a joint Water Supply Infrastructure Tour of the Proposed Temperance Flat Dam Site in partnership with the California Latino Water Coalition as well as a Transportation Infrastructure Panel Discussion with California Transportation leaders that included California Transportation Commissioner Darius Assemi, California Transportation Commission Executive Director Andre Boutros and Caltrans Director Malcolm Dougherty.

The next Legislative Friday Session will be with newly elected 16th District Senator, Andy Vidak. Senator Vidak is very interested in jobs, reliable and affordable water, reliable and affordable energy, and more local control. The meeting will be held on November 8th from 2-4 PM in the Fresno COG Sequoia Room. Please mark your calendars and take advantage of this opportunity to meet with your new Senator. For more information, please contact Melissa Garza at mgarza@fresnocog.org

Action: Information.

VI. OTHER BUSINESS

A. Items from Staff

1. CPUC update
2. NOVEMBER MEETINGS - TTC AND PAC MEETINGS NOVEMBER 8TH. POLICY BOARD ON NOVEMBER 21ST.

B. Items from Members

VII. PRESENTATIONS

A. PUBLIC PRESENTATIONS

This portion of the meeting is reserved for persons wishing to address the Policy Board on items within its jurisdiction but not on this agenda. **Note: Prior to action by the Policy Board on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to 3 minutes.**