



2035 Tulare St., Ste. 201 tel 559-233-4148  
Fresno, California 93721 fax 559-233-9645

[www.fresnocog.org](http://www.fresnocog.org)

**Fresno COG Policy Board**

**Executive Minutes**

**Date: Thursday, March 20, 2014**

**Time: 5:30 PM**

**Place: COG Sequoia Conference Room**

**2035 Tulare St., Suite 201, Fresno, CA**

**Members Attending:**

- Mayor Lynne Ashbeck, City of Clovis
- Councilmember Ron Lander, City of Coalinga
- Councilmember Marcia Sablan, City of Firebaugh
- Mayor David Cardenas, City of Fowler
- Mayor Sylvia Chavez, City of Huron
- Mayor Gary Yep, City of Kerman
- Mayor Chet Reilly, City of Kingsburg
- Mayor Robert Silva, City of Mendota
- Mayor Gabriel Jimenez, City of Orange Cove
- Mayor Armando Lopez, City of Parlier
- Mayor Robert Beck, City of Reedley
- Mayor Kenneth Grey, City of Selma
- Supervisor Judith Case McNairy, County of Fresno

- Joanne Striebich, Caltrans
- Arthur Wille, Legal Counsel
- Tony Boren, Executive Director

**Absent:**

- Mayor Ashley Swearengin, City of Fresno
- Mayor Amarpreet Dhaliwal, City of San Joaquin
- Mayor Joshua Mitchell, City of Sanger

(See attachment for Others Attending)

Mayor Cardenas, Vice Chair, called the meeting to order at 5:34 pm.

**QUORUM:** At the start of the meeting there were 13 members present representing 43.57% of the population and there was a quorum to conduct business. (Clovis, Coalinga, Firebaugh, Fowler, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, Selma and Fresno County)

**PRESENTATION - Update on Fresno COG Highway Litter Cleanup**

Lauren Dawson (FCOG) noted that Fresno COG was asked by the Fresno County Grand Jury and instructed by the Policy Board to formulate an approach to controlling litter along the highways of Fresno County.

In response to the request by the Fresno County Grand Jury, the Keep Fresno County Beautiful application for affiliation with the Keep America Beautiful organization was transmitted on December 23, 2013.

A presentation highlighting the approach used by the Keep Bakersfield Beautiful coalition in both cleaning up highway litter and providing meaningful jobs for clients of the Bakersfield Homeless Center was made by Sal Moretti, Superintendent, City of Bakersfield Public Works Department, Solid Waste Division and John Enriquez, founding member of Keep Bakersfield Beautiful.

This was an information item and required no further action by the Policy Board.

### **Fresno COG Sitting as the Transportation Policy Committee**

#### **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] [INFO/APPROVE]
- B. Adoption of New Mode Choice Model and Land Use Projections for Fresno County [Bitner] [APPROVE/ADOPT]
- C. Regional Transportation Plan (RTP) Update (2 Items) [Steck] [INFORMATION]
- D. California Transportation Infrastructure Priorities (CTIP) and the State Smart Transportation Initiative (SSTI): Assessment and Recommendations [Garza] [INFORMATION]
- E. Prop 84 Update [Terry] [INFORMATION]
- F. State Route 198 Corridor Preservation and Improvement Strategic Plan [Garza] [INFORMATION]
- G. Measure "C" Regional Transportation Program Biennial Update [Beshears] [INFORMATION]
- H. Greenprint Update [Thompson] [INFORMATION]
- I. Monthly Grant/Call for Project/Request for Proposals Reminder [Garza] [INFORMATION]

For a complete summary of these items, please see the March 20, 2014 Annotated Agenda.

Following an expressed opportunity for public comment, a motion was made by Mayor Chavez (Huron) and seconded by Mayor Yep (Kerman) to approve the Transportation Consent Items as presented. A vote was called for and the motion carried.

## II. TRANSPORTATION ACTION / DISCUSSION ITEMS

### A. Measure C Transit Oriented Development (TOD) Program Third Funding Cycle Project Applications [Cai] [APPROVE]

Mike Bitner (FCOG) presented this item. The Measure C Transit Oriented Infrastructure for In-fill Development (TOD) program was created to encourage and support higher density and mixed use development with proximity to major transit stations. The Measure C TOD program will generate \$17.4 million during the 20 year life-span based on the estimation in December 2012. There is about \$850,000 available for the third funding cycle.

The Fresno COG Policy Board and the Fresno County Transportation Authority approved last month City of Fresno's application for \$1.8 million for the Fulton Mall Reconstruction Project Match. The funding for the Fulton Mall project which will be spread over 5 funding cycles.

Fresno COG received two additional applications afterwards. They are Broadway Development Offsite Improvements for \$303,658; Met Block Development Offsite Improvement for \$229,799.

The TOD Scoring Committee reviewed the 2 additional applications on March 11.

Mr. Bitner explained that since there is about \$97,000 more than anticipated when the Call for Projects was issued in early December, that is, there is \$850,000 available in the third funding cycle, the TOD Scoring Committee recommended that the Fulton Mall Reconstruction project be funded for \$425,000; the Broadway Development Offsite Improvement for \$303,658; the Met Block Development Offsite Improvement for \$121,342 for the third funding cycle.

Public Comments were received from the following:

Mary Savala, League of Women Voters, pointed out that the FCTA Board has not approved the Fulton Mall project construction project as of yet. It approved the concept of the Fulton Mall Multi Year Funded project but it would have to come back for specific approval once the City had exact numbers.

Elliott Balch, City of Fresno, explained that the City of Fresno approved the resolution in February. The item will be taken to the FCTA Board for final approval in April.

Jeff Roberts, Granville Homes, commented offering support of the projects.

Following the expressed opportunity for public comment, a motion was made by Mayor Lopez (Parlier) and seconded by Mayor Chavez (Huron) to approve \$425,000 for the Fulton Mall Reconstruction project; \$303,658 for the Broadway Development Offsite Improvement; \$121,342 for the Met Block Development Offsite Improvement for the Measure C TOD program third funding cycle. A vote was called for and the motion carried.

**B. Blueprint Integration – Infill Development Feasibility Analysis [Terry][APPROVE]**

Barbara Steck, Deputy Director presented this item. Ms. Steck noted that Fresno COG submitted a Caltrans Partnership Planning Grant to analyze in-fill development feasibility within Fresno County in various locations. Due to the timing of this Caltrans grant; which (if approved) does not allow for funds to be available until February of 2015, the Blueprint Project Managers recommended using the remaining funds of \$42,941.07 from Task 2 of Prop. 84 Round 1 to allow for additional upfront tasks that could be utilized to identify valley appropriate pro-formas, design preferences, and other preparatory information that would allow for better selection of sample project locations within the future Infill Housing Feasibility Study. Such pre-analysis activities would be completed by June 30, 2014. At their February 6th meeting, the COG Directors unanimously supported the allocation of funds to support this study. As such, an RFP for consultant services related to the analysis was scheduled released on February 7th, 2014.

During their March meeting, the PAC directed staff to ensure that the proposed pre-analysis activities include the delivery of a list identifying challenges and constraints that apply to all local agencies (such as standard fees, etc.); as well as those challenges and constraints that affect communities differently due to their population or geographic location. Staff will ensure that such analysis is provided, as directed.

Following a brief discussion and opportunity for public comment a motion was made to authorize the Executive Director to enter into a contract for the Infill Development Viability Analysis with EPS, not to exceed the amount of \$41,290, as indicated in the consultant's proposal. A vote was called for and the motion carried.

**C. Contract for San Joaquin Valley MPO Transportation Model Improvements [Bitner] [APPROVE]**

Mike Bitner (FCOG) reported that Fresno COG is the lead MPO for San Joaquin Valley modeling. The San Joaquin Valley MPOs were recently awarded a Proposition 84 Round 2 grant in the amount of \$300,000 for additional model improvements to each of the San Joaquin Valley MPO transportation models.

Previously, in 2010, Fresno lead the San Joaquin Valley in a project that updated each of the valley models to be more sensitive to smart growth in order to meet the requirements of SB 375 and successfully model our Sustainable Communities Strategies (SCS). That project was complete in 2012.

Due to the timing of the original Valley Model Improvement Plan, many data sources possessing great value to understand and model travel behavior were not available. Because of that older data sources were used to supplement data for the base year, making calibration and validation difficult due to the economic downturn after the 2001/2003 California Household Travel Survey (CHTS) and 2000 census were collected but before model validation efforts began. These round two improvements take advantage of the most recent US Census and California Household Travel Survey data and the model structure enhancements developed in the first round of model improvements. (For a complete summary of this item, please see the March 20, 2014 Annotated Agenda.)

On February 19, 2014 a selection committee consisting of transportation modelers from each of the 8 Valley MPOs met to review and score the proposals. The selection committee unanimously recommended Fehr & Peers for the model improvement contract.

Fehr & Peers has extensive expertise in travel demand modeling and are developers of the "4 D" modeling process used to analyze interactions between land use and transportation. They were the prime developers of the previous mentioned San Joaquin Valley model improvements.

The consultant team includes:

- **Fehr & Peers** – Project management, training, data review and analysis, model development and documentation.
- **Citilabs** – Speed network enhancements and economic land use forecasting
- **Economic Development Research (EDR) Group** – Economic Analysis
- **AirSage** – Provider of travel pattern and origin-destination data
- **Inrix** – GPS speed data
- **CoStar** – Real estate information on current and historic jobs/housing trends

Funding for the project is entirely from Proposition 84 Round 2 funds. These funds were awarded to the San Joaquin Valley MPOs for model development and data gathering to meet the requirements of SB 375.

Supervisor Case McNairy (County) questioned the higher cost. Mr. Bitner explained that Fehr & Peers has agreed to do more than the original scope of work.

Following an expressed opportunity for public comment, a motion was made by Mayor Beck (Reedley) and seconded by Mayor Yep (Kerman) to authorize the Fresno COG Executive Director to enter into a contractual agreement with the Fehr & Peers consultant team in the amount of \$299,765 dollars. A vote was called for and the motion carried.

**QUORUM:** Mayor Yep (Kerman) left at 6:11 pm. There were 12 members present representing 42.09% of the population.

**D. Active Transportation Program (ATP) Update [Garza][INFORMATION]**

Les Beshears (FCOG) reported that on September 26, 2013, Governor Brown signed legislation creating the Active Transportation Program (ATP) (Senate Bill 99, Chapter 359 and Assembly Bill 101, Chapter 354). The ATP consolidates existing federal and state transportation programs, including the Transportation Alternatives Program (TAP), Bicycle Transportation Account (BTA), and State Safe Routes to School (SR2S), into a single program with a focus on active transportation and encouraging increased use of active modes of transportation like biking and walking.

This new program will divide approximately \$120 million per year between the state and regions according to guidelines developed by the California Transportation Commission (CTC). Consistent with the federal TAP requirements, the Draft ATP Guidelines distributes the total annual funding capacity

between three separate programs with 10% to small urban/rural areas, 40% to Metropolitan Planning Organizations (MPO) in urban areas with populations greater than 200,000 and 50% going to a statewide program. All funds will be awarded through a competitive process. There are \$3.9 million available for Fresno COG to award of which \$983,000 (25%) must benefit disadvantaged communities. The State (Caltrans) will manage the competitive selection process for the statewide and small urban/rural programs.

On February 6, 2014, Fresno COG met with the "Programming Subcommittee" to discuss the ATP draft guidelines, timeline, and recommendations for the MPO portion of the funds. Per the Draft 2014 ATP Guidelines and schedule, the Fresno COG region will have two separate opportunities to fund ATP eligible projects. The first is as part of the statewide program and the second is as part of Fresno COG's own MPO competitive funding program. With the statewide program preceding the MPO programs, Fresno COG will be seeking to work with local agencies and active transportation interest groups to advance candidate projects for the statewide program call for projects that will begin on March 21, 2014. This may include convening a new multidisciplinary ATP advisory committee that will ultimately be required to support the selection of projects through Fresno COG's MPO competitive funding program. The subcommittee made the following recommendations:

1. Recommended that the Fresno COG competitive ATP program NOT require a minimum project cost, even though the State is expected to require a minimum total project cost of \$250,000 for the statewide call.
2. Require that ALL applicants provide a local match, which is different than the State's proposed process.
3. No set-aside for the development of Active Transportation Plans. The state has proposed a set-aside of 5% for the first funding cycle to fund Active Transportation Plans. It is the intent of the California Transportation Commission to require that all applicants have an Active Transportation Plan in place in order to qualify for funding in future cycles. Because of this anticipated requirement, the subcommittee recommended that Fresno COG fund and develop a "Regional Active Transportation Plan" so that all member agencies can benefit and qualify for future funding.
4. Review the state's proposed draft application and utilize, as much as possible, that application for the MPO competitive process so that applicants do not have to create and submit a whole new application. Due to limited agency resources, streamlining the state's effort with the MPO's efforts will be beneficial.

For detailed information, please review the enclosures that include the presentation provided at the programming subcommittee meeting, the Draft 2014 ATP Guidelines, and the State's Draft Application. For a complete summary of this item, please see the March 20, 2014 Annotated Agenda.

**Timelines:**

- Commission adopts Active Transportation Program Guidelines March 20, 2014

- Call for statewide projects March 21, 2014-May 21, 2014
- TENTATIVE: Fresno COG release Call for Projects for MPO portion of the funding: June 26, 2014
- Commission adopts statewide and rural/small urban portions of the program August 20, 2014
- Commission adopts MPO selected projects November 2014

**Next Steps:**

Develop a multidisciplinary ATP advisory committee that includes representation from school districts, Caltrans, local jurisdictions, community members, etc., who will develop the project evaluation criteria and will select projects for funding.

Mr. Beshears urged the member agencies to apply to the state. There was a brief discussion about the types of projects that are eligible. This was an information item, staff will report back to the Board.

**E. Consideration of Proposal by City of Fresno to Amend Measure “C” Expenditure Plan [Boren]  
[INFO/DIRECTION]**

Tony Boren, Executive Director, reported that Fresno COG staff received a request from the City of Fresno asking that the Fresno Council of Governments consider amending the existing Measure “C” Expenditure Plan. The purpose of the amendment would be to eliminate both the Rail Consolidation and New Technology program components of the current Expenditure Plan and redirect those monies to a *Street Maintenance* fund that would be allocated to our member agencies on a formula basis. The formula utilized would be the one that is currently used by the Fresno County Transportation Authority (FCTA) for its current allocation of Measure “C” local funds. The formula is (*population + road miles + a guaranteed annual minimum of \$100,000 for each of our 16 member agencies.*) Included as an attachment is a spreadsheet that summarizes the amount of funding that would go to each of Fresno COG’s member agencies over the remaining life of the Measure (approximately 12 years).

In order to initially determine if there might be regional consensus on such an amendment , Fresno COG staff convened a meeting on February 26th with several of our member agency City Managers (Clovis, County of Fresno, City of Fresno, Coalinga (representing the west side cities) and Sanger (representing the east side cities). After lengthy discussion regarding the pros and cons of such an amendment, there was unanimous agreement that the idea had merit, and that a logical first step would be to conduct a public opinion survey throughout Fresno County to gauge the public’s support for such an amendment.

Additional issues discussed included recognition that amending the Measure “C” Expenditure Plan runs the risk of breaching the trust established with Fresno County voters who included the New Technology and Rail Consolidation programs when they voted in support of the Measure in 2006; the importance of obtaining input from the Measure “C” Citizens Oversight Committee ; the overwhelming unmet need for street maintenance funding to preserve the existing transportation infrastructure investment in all of our communities; the leveraging benefits of maintenance and rehabilitation projects (spend \$1 now to avoid spending \$5 later); and the fact that street maintenance was identified as the highest priority by Fresno County voters when approving Measure “C” in 2006 and in recent polling conducted for our 2014 Regional Transportation Plan.

Should the Fresno COG Policy Board find that the proposed amendment warrants public polling, the next step in our two-step amendment process would be for the FCTA to schedule the item for their consideration. In the event the FCTA concurred that there was value to polling the public on the proposed amendment, Fresno COG staff would bring on a pollster to conduct the survey. Once the survey is complete, Fresno COG staff would bring the results back to the Fresno COG TTC/PAC/Board and the FCTA for direction on moving forward with the actual Measure "C" amendment.

At TTC and PAC the consensus was generally favorable for proceeding with the poll with two notable exceptions.

The representative for the Bicycling community, who is also a member of the Measure "C" Oversight committee, was skeptical of the need for an amendment pointing out that the ballot provided direction on how the proceeds of the New Tech and Rail consolidation programs would be used should the program objectives be deemed infeasible. Specifically, the ballot language setting up the New Tech and Rail consolidation programs recommended that if the sub-category does not resonate with the voters in a follow-up poll, or if during the biennial Expenditure Plan update a detailed evaluation of the feasibility and likelihood of implementing such a system after ten years is not eminent, or if construction is not eminent in fifteen years, the funds could be redirected. For New Tech the funds would revert back to the Expenditure Plan update process to be allocated where the need is greatest. For the Rail Consolidation program, funds would revert to grade separation projects that coordinate with transit improvements and provide the greatest amount of congestion relief and air quality benefit.

The representative for the League of Women Voters, who is also a member of the Measure "C" Oversight committee, pointedly reminded the committee the Ballot Measure was overwhelmingly approved by voters after a previous attempt failed. The failed attempt was primarily a Street and Road measure, however the second attempt that was successful emphasized Transit and Air Quality. The League was categorically opposed to the proposed amendment, stating that the New Tech and Rail Consolidation programs were Transit and Air Quality programs and any attempt to change them should redirect the funding to a Transit or Air Quality objective.

Two other comments were received from the public. One commenter pointed out that streets and highways continued to be built and since the existing infrastructure could not be maintained with available resources, the problem only increases unless expansion is stopped. The other commenter pointed out the need to construct and repair sidewalks as well as pot holes.

Mr. Boren reported that this proposal was taken to the Measure C Citizen Oversight Committee on March 17<sup>th</sup>. The consensus of the Oversight Committee was that they were not in favor of a change to the current programs.

Mayor Ashbeck (Clovis) pointed out that after 10 years money goes back into the Plan for redistribution. Mayor Ashbeck felt that doing a survey at this point was costly and that there would be an education process needed since the Measure was approved in 2006 and many people would not know what Measure C is. Public input is needed but by other means than a survey.



Several mayors voiced their concerns with the proposed amendment to redirect funds from the programs that the voters voted for. They felt that the voters had given direction when the measure was passed.

Public Comments:

Mary Savala, League of Women Voters, Measure C Oversight Committee Chair, addressed the Board. Ms. Savala pointed out that in reviewing the Member Agency Reporting Forms the Committee has seen that many agencies are not spending the funds they are currently receiving from Measure C. Ms. Savala questioned why additional funds were needed when the member agencies were not spending what they have received. Ms. Savala was against any amendment.

Scott Mozier, City of Fresno, commented on the number of requests the City of Fresno receives for street maintenance.

Mike Wells, Coalition for Clean Air and Barry Mast, also commented.

Mayor Cardenas then brought the matter back to the Board members. He suggested that if this was not a time sensitive matter that discussion should also take place at FCTA and that the member agencies should take to their councils for input.

Mayor Reilly (Kingsburg) felt that the voters were most informed about Measure C when they voted for it and was not inclined to override what was voted for. The funds will become available at sometime in the future.

Following the discussion, the Board directed staff to continue the item for 60 days to give the members a chance to take this item to their councils. Staff will prepare a fact sheet for the Board members to take to their councils. A vote was called for and was agreed to with a "no" vote from Kingsburg.

**F. Caltrans Report [CALTRANS]**

Joanne Striebich, Caltrans gave a brief update of current Caltrans activities. The Caltrans Quarterly Report was included as an exhibit.

This was an information item and required no further action by 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**

A motion was made by Mayor Chavez (Huron) and seconded by Mayor Ashbeck (Clovis) to reaffirm all actions taken while sitting as the Transportation Policy Committee. A vote was called for and the motion carried.

#### **IV. ADMINISTRATIVE 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. Executive Minutes of February 27, 2014 [APPROVE]
- B. Fresno COG 2014 One Voice – April 5-10, 2014 [Garza] [INFORMATION]
- C. County-Wide Multi-Jurisdictional Housing Element- Request for Proposal (RFP) Release [Monge] [INFORMATION]
- D. Monthly Legislative Update [Garza] [INFORMATION]

For a complete summary of these items, please see the March 20, 2014 Annotated Agenda.

Following an expressed opportunity for public comment, a motion was made by Mayor Reilly (Kingsburg) and seconded by Mayor Chavez (Huron) to approve the Administrative Consent Items as approved. A vote was called for and the motion carried.

#### **V. ADMINISTRATIVE ACTION / DISCUSSION ITEMS**

##### **A. Water Update [Boren] [DISCUSSION/DIRECTION]**

Mr. Boren noted that the events held during the week in Firebaugh and Fresno were well attended. Mr. Boren also pointed out that the water issue is the top priority in the requests for this year's One Voice endeavor.

Mayor Silva (Mendota) reported on the meetings that will be held in Sacramento on March 27<sup>th</sup>.

Mayor Ashbeck (Clovis) commended Mayor Silva and others on their work on this issue.

#### **VI. ELECTION OF CHAIR AND VICE CHAIR**

Tony Boren opened the nominations for Chair. Mayor Chavez (Huron) made a motion that the Board reappoint Mayor Dhaliwal (San Joaquin), Chair and Mayor Cardenas (Fowler), Vice Chair. The motion was seconded by Supervisor Case McNairy (County). A vote was called for and the motion carried.

#### **VII. OTHER BUSINESS**

##### **A. Items from Staff**

1. All Form 700 (Conflict of Interest) due by March meeting.

**B. Items from Members**

None.

**VIII. PRESENTATIONS**

**A. PUBLIC PRESENTATIONS**

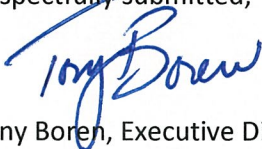
This portion of the meeting is reserved for persons wishing to address the Policy Board on items within its jurisdiction but not on this agenda.

Danny Vartan, American Lung Association in California, referred to a handout that was available for the members outlining their work and informed the Board of the upcoming Respiratory Rally on May 10<sup>th</sup> at Saint Agnes Medical Center.

There were no other public presentations.

There being no further business, the meeting was adjourned to the Fresno County Regional Transportation Mitigation Fee Agency meeting.

Respectfully submitted,

A handwritten signature in blue ink that reads "Tony Boren". The signature is written in a cursive style with a large, stylized initial "T".

Tony Boren, Executive Director

\md

**Others Attending:**

John Enriquez, Keep Bakersfield Beautiful  
Igur Montgomery, Keep Bakersfield Beautiful  
Danny Vartan, ALA in CA  
Jeff Roberts, Granville Homes  
Bob Hillison, Caswell Bell Hillison  
Art Penson, City of Fresno  
John Liu, Caltrans  
Elliott Balch, City of Fresno  
Scott Mozier, City of Fresno

Mary Savala, League of Women Voters  
Sherri Martin, FCTA  
Steven Spencer, Spencer Enterprises  
Kimberly Mayhew, Caswell Bell Hillison  
Keith Bergthold, Fresno Metro Ministries  
Mike Wells, Coalition for Clean Air  
Barry Mast, Fresno resident  
Jeffrey D. Webster, FCRTA  
Moses Stites, FCRTA

**Fresno COG Staff:**

Barbara Steck  
Mike Bitner  
Kathy Chung  
Les Beshears  
Lauren Dawson  
Clark Thompson  
Marla Day