

**Fresno COG Policy Board**

**Executive Minutes**

**Date: Thursday, April 30, 2015**  
**Time: 5:30 PM**  
**Place: COG Sequoia Conference Room**  
**2035 Tulare St., Suite 201, Fresno, CA**

Members Attending:

Mayor Nathan Magsig, City of Clovis  
Mayor Ron Ramsey, City of Coalinga  
Mayor Craig Knight, City of Firebaugh  
Mayor David Cardenas, City of Fowler  
Mayor Sylvia Chavez, City of Huron  
Mayor Stephen Hill, City of Kerman  
Mayor Robert Silva, City of Mendota  
Mayor Victor Lopez, City of Orange Cove  
Mayor Pro Tem Raul Villanueva, City of Parlier  
Councilmember Robert Beck, City of Reedley  
Mayor Amarpreet Dhaliwal, City of San Joaquin  
Mayor Scott Robertson, City of Selma  
Supervisor Buddy Mendez, County of Fresno

Gail Miller, Caltrans  
Arthur Wille, Legal Counsel  
Tony Boren, Executive Director

Absent:

Mayor Ashley Swearengin, City of Fresno  
Mayor Chet Reilly, City of Kingsburg  
Mayor Joshua Mitchell, City of Sanger

**QUORUM:** At the start of the meeting there were 13 members present representing 42.72% of the population and there was a quorum to conduct business. (Clovis, Coalinga, Firebaugh, Fowler, Huron, Kerman, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Selma, Fresno County)

Mayor Dhaliwal (San Joaquin) Chair, called the meeting to order at 5:31 p.m.

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

**A. PRESENTATION - HERO PROGRAM [Perea] [INFORMATION]**

At the request of Supervisor Perea, John Law with Renovate America, Inc. made a short presentation regarding the HERO program.

**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 2014-15 Transportation Funding Claims [Fawcett] [INFORMATION]
- B. Appointments to the Fresno COG Social Services Transportation Advisory Council (SSTAC) [Long] [APPROVE]
- C. Unmet Transit Needs Update [Long] [INFORMATION]
- D. State Route 198 Corridor Preservation and Improvement Strategic Plan – 1st Public Outreach Meeting: May 14th in Huron [Garza] [INFORMATION]
- E. Highway Safety Improvement Program Policy Updates and Cycle 7 Call for Projects [Chargin] [INFORMATION]
- F. Fresno COG 2015 CMP Update Kick-off Meeting: [Han/Cai] [INFORMATION]
- G. FHWA’s Bicycle-Pedestrian Count Technology Pilot Program [Cai] [INFORMATION]
- H. Prop 84/Greenprint Update [Terry] [INFORMATION]
- I. Cap and Trade Update [Terry] [INFORMATION]
- J. Keep Fresno County Beautiful Updates [Dawson] [INFORMATION]
- K. Alternative Fuels Updates [Dawson] [INFORMATION]
- L. Monthly Grant/Call for Project reminders [Chargin] [INFORMATION]

For a complete summary of these items, please see the April 30, 2015 Annotated Agenda.

Following an expressed opportunity for public comment, a motion was made by Mayor Silva (Mendota) and seconded by Mayor Chavez (Huron) 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 Fourth Funding Cycle Project Applications [Cai] [APPROVE]**

Kristine Cai (FCOG) presented the item. Ms. Cai explained that 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 \$888,800 available for the 4th funding cycle.



The City of Fresno has submitted 2 applications for the 4th funding cycle, Fulton Mall Reconstruction Project Match at \$780,343, and the Met Block Development Offsite Improvements project at \$108,457. Both projects previously received funding in preceding funding cycles. The TOD Scoring Committee met on March 10, and recommended approval of the two applications for their requested funding.

Ms. Cai stated that TTC/PAC and staff recommend approval of the Fulton Mall Reconstruction Project Match for \$780,343; and the Met Block Development Offsite Improvements for \$108,457.

Jeff Roberts, Granville Homes, spoke in support of the staff recommendation.

Following an expressed opportunity for public comment, a motion was made by Mayor Ramsey (Coalinga) and seconded by Mayor Lopez (Orange Cove) to approve the Fulton Mall Reconstruction Project Match for \$780,343; and the Met Block Development Offsite Improvements for \$108,457. A vote was called for and the motion carried.

**B. Transportation Project Ag Mitigation Ad-Hoc Committee [Terry] [REAFFIRM]**

Rob Terry (FCOG) reported that at the March 25, 2015 Policy Board Meeting, each Policy Board member was given a copy of the "Fresno COG Ag Mitigation Ad-hoc Committee White Paper", which details the history and formation of the Committee; intended to update new Board members, and to serve as a platform to receive clarification on the overall scope of the Committee from the Board. Staff asked the Board to review the whitepaper with their respective staff members prior to the April Board meeting, and be prepared to provide firm clarification regarding the bounds of the Committee and ultimate deliverables desired by the Board as part of their April agenda. During the April TTC/PAC meetings, COG staff further requested that members of the TTC and PAC ensure they engage in such conversations with their Policy Board representatives prior to the April Board meeting. Prior to the adoption of the RTP/SCS last year, the TTC, PAC, and PAC Sub-committee established to consider the three SCS Implementation Strategies (including the formation of the Ad-hoc Committee), provided unanimous consensus that the activities of the Ad-hoc Committee address only the impacts on agricultural lands associated with transportation projects. During their March and April meetings this year, the TTC and PAC again voiced support for such direction.

Mr. Terry stated that TTC/PAC recommends the Policy Board provide re-affirmation of their original direction, in-line with the Pac Sub-Committee and full PAC recommendation, for the Ad-hoc Committee to "...identify potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities," for consideration by individual local agencies.

Jeff Roberts (Granville Homes) spoke during public presentation on the item, stating that he sits on the Ad Hoc committee, that there are quite a few new members on the committee, and that reaffirmation of what the Ad Hoc committee should be focusing on was a good idea.

Following an expressed opportunity for public comment, a motion was made by Mayor Magsig (Clovis) and seconded by Mayor Cardenas (Fowler) to approve the re-affirmation of the board's original direction, for the Ad-hoc Committee to "...identify potential policies and actions to minimize the loss of farmland associated with the construction of transportation facilities," for consideration by individual local agencies. A vote was called for and the motion carried.

**C. Obligational Authority [Garza] [INFORMATION]**

Melissa Garza (FCOG) reported that on April 3, 2015 Fresno COG submitted the 2014/15 Obligation Plan to Caltrans Local Assistance. This plan documents Fresno COG's estimated schedule for project and fund delivery for federal fiscal year (FFY) 2014/15 (October 1, 2014 through September 30, 2015). The overall total Obligational Authority (OA) for CMAQ and RSTP in FFY 2014/15 would have been \$23,199,366; however, last year's OA was under delivered by \$22,920, and that amount was added to this year's OA, leaving \$22,796,493 as the projected FFY 2014/15 Obligational Authority Target after oversight adjustment.

As of March 31, 2015, \$5,980,684 had been obligated which reduced the 2014/15 Obligational Authority Target balance to **\$16,815,810**. The Fresno region should deliver a total of \$22,796,493 of OA to comply with the "Use It or Lose It" provisions of AB 1012 enacted in October 1999. The revised obligation plan submitted by the local agencies outlines the delivery of **\$15,888,882** as of April 1, 2015 in combined CMAQ and RSTP, which combined with what was already delivered, Fresno would have expected to under deliver \$926,927 of the Target OA. However, over the past month, COG staff and staff of the various Cities were able to identify additional projects so that Fresno would not be in an under-delivery situation.

This was an information item and required no further action by the Policy Board. Staff will provide updates as available.

**D. 2015 Active Transportation Program (ATP) (Cycle 2) [Garza] [INFORMATION]**

Melissa Garza (FCOG) reported that Active Transportation Program (ATP) funds are separated into three main components: the statewide competitive program, the small urban and rural area competitive program (to be managed by the state), and the large urbanized area competitive program (managed by the Metropolitan Planning Organizations (MPO) - also known as the Regional Competitive ATP). Large MPO's, such as Fresno COG, have the option of developing their own policies, procedures, and project selection criteria that differ from those adopted by the CTC, provided they are approved by the CTC.

Fresno COG developed regional guidelines, criteria and a supplemental application for Cycle 1. However, with the changes in the statewide guidelines, the Multidisciplinary Advisory Group (MAG) will continue to meet and discuss possible changes to the Fresno COG regional guidelines and consistency with the state's guidelines. The group met on March 12<sup>th</sup>, April 8<sup>th</sup>, and April 29<sup>th</sup> to review and discuss the updates to the regional guidelines, criteria, and application. They also revisited several items that were previously approved as part of Cycle 1. It was decided that Fresno COG would mirror the State's process, where matching funds won't be required, but additional points would be given when scoring the application if a match is present.

The Fresno COG Regional Competitive ATP will cover three additional years of funding, FY 16-17 through FY 18-19. Based on the CTC's Fund Estimates, it is anticipated that \$1.3 million/year will be available for our Fresno COG Regional Call (\$3.9 million total), keeping in mind that FCOG must meet the disadvantage community threshold of at least 25% of the program funds to benefit projects in disadvantaged communities. Also, it was determined that **the Call for Projects for the Region will be initiated on June 26<sup>th</sup> and will close on August 7<sup>th</sup>**. This would allow the MAG to start reviewing the applications in August and reviewing the 2<sup>nd</sup> batch of applications that were not successful at the state

level in September. The group will convene on **Sept. 23<sup>rd</sup>** to score and deliberate on the recommended program of projects.

Ms. Garza stated that the final recommended guidelines would be available at the next meeting.

This was an information item and required no further action by the Policy Board. Staff will provide updates as available.

**E. National Park Transit Update [Terry] [INFORMATION]**

Upcoming Kick-off Activities, including ribbon-cutting, etc., will be announced in early May, in anticipation of the May 23, 2015 (Memorial Day Weekend) launch of the National Parks Demonstration Transit Service to Yosemite and Sequoia-Kings Canyon National Parks. Elected Officials from throughout the Valley, as well as the media will be in attendance.

As part of the effort to actively seek funding to support operations during and beyond the two year demonstration period, official actions are required for 5311(f) grant applications currently in process. Such items will be brought before TTC/PAC and the Policy Board for recommendation and approval during the May meetings..

Rob Terry (FCOG) presented the item. Mr. Terry announced that kick-off activities would commence for the launch of the National Parks Demonstration Transit Service to Yosemite and Sequoia-Kings Canyon National Parks. Staff did not have exact dates yet, but it would occur the week of Memorial Day weekend, as the projected launch date is May 23, 2015. It is anticipated that Elected Officials from throughout the Valley, as well as the media will be in attendance. He also stated that staff is continuing to identify ongoing funding for the program and are working on a 5311(f) grant application

Mayor Chavez (Huron) expressed her concern that Fresno was not a voting member of YARTS. Tony Boren, Executive Director (FCOG) explained that it is a pilot project at this point, but that if this program becomes permanent, then Fresno would likely have the opportunity for voting members on the Board.

This was an information item and required no further action by the Policy Board. Staff will provide updates as available.

**F. Caltrans Report [Caltrans] [INFORMATION]**

Gail Miller, Caltrans, gave an update at the Policy Board meeting. The Quarterly Update was included. Ms. Miller highlighted several projects currently in progress in Fresno.

Mayor Chavez (Huron) stated that she was glad to see that the route 269 bridge project was back on the schedule because it has been 20 years now since 7 members of the Huron community were lost when the bridge collapsed.

This was an information item and required no further action by the Policy Board. Staff will provide updates as available.



**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 Councilmember Beck (Reedley) and seconded by Mayor Lopez (Orange Cove) to reaffirm all actions taken as the Transportation Policy Committee. A vote was called for and the motion carried.

**IV. ADMINISTRATIVE CONSENT ITEMS**

**About Consent Items:**

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- A. Executive Minutes of March 26, 2015 [APPROVE]
- B. Monthly Legislative Update [Garza] [INFORMATION]

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

**V. ADMINISTRATIVE ACTION / DISCUSSION ITEMS**

- A. **Support Position for Assembly Bill 156 (Perea) and Assembly Bill 1043 (Salas) [Garza] [SUPPORT] [Garza] [APPROVE]**

**1. Assembly Bill 156 (Perea):**

Melissa Garza (FCOG) reported that The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation. Existing law requires the California Environmental Protection Agency to identify disadvantaged communities and requires the Department of Finance, in consultation with the state board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. Existing law requires the 3-year investment plan to allocate a minimum of 25% of the available moneys in the fund to projects that provide benefits to disadvantaged communities.

Ms. Garza further reported that AB156 (Perea) would require the state board to establish a comprehensive technical assistance program, upon the appropriation of moneys from the Greenhouse

Gas Reduction Fund, for eligible applicants to assist disadvantaged communities. Staff recommends support for AB 156 (Perea).

A motion was made by Mayor Silva (Mendota) and seconded by Mayor Lopez (Orange Cove) support Assembly Bill 156 (Perea). A vote was called for and the motion carried.

## **2. Assembly Bill 1043 (Salas)**

Melissa Garza (FCOG) reported that existing law requires certain transportation funds made available for transportation capital improvement projects be programmed and expended in specified amounts for interregional improvements and regional improvements. Existing law specifies the state highway routes that are included in the interregional road system and the state highway routes that are eligible interregional and inter-county routes.

Ms. Garza further reported that AB1043 (Salas) would include State Highway Route 43 as an eligible interregional and inter-county route. Fresno COG previously supported the same bill when it was introduced in 2013, and staff recommends continued support for AB 1043 (Salas).

A motion was made by Mayor Hill (Kerman) and seconded by Mayor Lopez (Orange Cove) support Assembly Bill 1043 (Salas). A vote was called for and the motion carried.

### **B. Appointment of Alternate for San Joaquin Valley Regional Policy Council – replacing Councilmember Lynne Ashbeck [Boren] [APPOINT]**

Tony Boren, Executive Director (FCOG), presented the item, stating that an alternate was needed for the San Joaquin Valley (SJV) Regional Policy Council.

Mayor Nathan Magsig volunteered to be the alternate for the SJV Regional Policy Council.

A motion was made by Mayor Magsig (Clovis) and seconded by Mayor Chavez (Huron) to appoint Mayor Nathan Magsig as the Alternate for the San Joaquin Valley Regional Policy Council. A vote was called for and the motion carried.

### **C. Washington D.C. One Voice Report [Boren/Garza/Veenendaal] [INFORMATION]**

Melissa Garza (FCOG) reported that the Annual Fresno COG One Voice trip to Washington D.C. for elected officials, was held April 11<sup>th</sup> -16<sup>th</sup>, 2015. This trip provided an opportunity for a delegation of local public and private representatives to expand upon the relationships with Congressional representatives and federal staff members, while advocating for legislative relief for priorities of regional significance. There were 25 delegates who participated in the 2015 One Voice trip to Washington, DC.

A number of meetings were held with the San Joaquin Valley Congressional delegation, Federal Agency leadership, and White House personnel. Fresno COG's number one priority was Water Policy; however, an array of other regional priorities were presented and discussed with Federal officials.



Ms. Garza also reported that the delegation received a commitment from Congressman Valadao to writing a letter to the California Water Commission and Governor Brown about the importance of building the CalFed Storage Projects. A commitment was also received from Congressman Valadao for establishing a drip program for those that don't own the land that they farm.

Mayor Silva (Mendota) thanked staff for the hard work putting the trip together, and reported that Sarah Moffit from Senator Feinstein's office came to speak with him regarding water and let him know that she was sent by Senator Feinstein specifically because of the requests made by the One Voice delegation.

Tony Boren, Executive Director (FCOG) commented on the item. He stated that in the near term, any additional water coming to the Valley will have to come from the Governor and we have to put the recommend the Governor to supply that. He also stated that we have to work to assure that the some of the \$2.7 Billion that was allocated for storage projects within the recently passed Water Bond is used for storage projects here in the Valley and California, and not diverted to other non-storage water projects. Mr. Boren commented on an Op-Ed piece he wrote for the Fresno Bee on the water topic, and that it was published. Lastly, he stated that highlighting the real human impacts that that water drought has caused will go a long way in getting the attention of the rest of the country about how important the need is to act on the water issue.

Chair Dhaliwal commented that Governor Brown was due to make an announcement about reinvigorating the Delta.

Jeff Roberts, Granville Homes, spoke during the public presentation portion of the item. He stated that he has been on the One Voice trip for the last 10 years, that it is nice to see some validation from the trip, and that he wanted to thank staff for their hard work.

Melissa Garza asked if Board members had reviewed the letter from the Water Coalition. She asked that if Board members were ready to sign on in support of the letter, the signature sheet would be passed around.

The letter was signed and will be forwarded.

**VI. OTHER BUSINESS**

**A. Items from Staff**

None

**B. Items from Members**

None

**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.

No public presentations.

A motion was made by Councilmember Beck (Reedley) and seconded by Mayor Cardenas (Fowler) to adjourn the meeting. A vote was called for and the motion carried.

Respectfully submitted,

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

Tony Boren, Executive Director

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Others Attending:

John Law, Renovate America  
Robert Bendorf, Renovate America  
Daniel Hartman, AECOM  
Jeff Roberts, Granville Homes

Lydia Zabrycki, Quad Knopf  
Moses Stites, FCRTA  
Israel Lara Jr, City of Parlier  
Juan Mouiaian, City of Parlier

COG Staff:

Mike Bitner  
Les Beshears  
Melissa Garza  
Rob Terry  
Kristine Cai

Lauren Dawson  
Suzanne Martinez  
Jeff Long  
Brenda Veenendaal