

TRANSPORTATION TECHNICAL COMMITTEE

Executive Minutes

Friday, April 15, 2016 at 8:30 AM
COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA

Members Present:

Jennifer Clark, City of Fresno
Stephenie Frederick, League of Women Voters
Ben Gallegos, City of Firebaugh
Cristian Gonzalez, City of Mendota
Debbie Hunsaker, Fresno Chamber of Commerce
Mohammad Khorsand, Fresno County
Brian Marshall, City of Fresno
Renee Mathis, City of Clovis
Scott Mozier, City of Fresno
John Mulligan, City of Sanger

David Padilla, Caltrans
Nicolas Don Paladino, Fresno Cycling
Art Penson, EOC
John Robertson, City of Reedley
Jim Schadd, City of Fresno
Steve Son, County of Fresno
Moses Stites, FCRTA
David Weisser, City of Fowler
Tony Boren, FCOG

Meeting was called to order by Ms. Clark (Fresno City), Chair.

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. Executive Minutes of March 11, 2016 [APPROVE]
- B. Proposition 84 Update (Rob Terry) [INFORMATION]
- C. Fresno/Madera Study Update (Rob Terry) [INFORMATION/DIRECTION]
- D. I-5/SR-99 Goods Movement Study Update (Rob Terry) [INFORMATION/DIRECTION]
- E. SJV Goods Movement Sustainable Implementation Plan Update (Rob Terry) [INFORMATION/DIRECTION]
- F. Circuit Planner and Circuit Engineer Report (Rob Terry) [INFORMATION/DIRECTION]
- G. Fresno COG Title VI Program Update (Peggy Arnest) [APPROVE]
- H. Measure C New Technology Reserve Fund Multidisciplinary Advisory Group Membership (Peggy Arnest) [APPROVE]
- I. Caltrans Division of Aeronautics Grant Application (Brenda Veenendaal) [APPROVE]
- J. Active Transportation Program (Chelsea Gonzales) [INFORMATION/DIRECTION]
- K. FASTLANE Grant Application Submittal (Rob Terry) [INFORMATION]
- L. Surplus Property/Equipment Notification (Rob Terry) [INFORMATION]
- M. California State Bike & Pedestrian Plan Regional Forums (Kristine Cai) [INFORMATION]
- N. Cap and Trade Update (Rob Terry) [INFORMATION/DIRECTION]
- O. Monthly Grant/Call for Projects/Request for Proposals (Chelsea Gonzales) [INFORMATION/DIRECTION]

Following an expressed opportunity for public comment, a motion was made by Mr. Khorsand (Fresno County) and seconded by Ms. Mathis (Clovis) to recommend approval of the Transportation Consent Items as presented. A vote was called for and the motion carried.

II. TRANSPORTATION ACTION / DISCUSSION ITEMS

A. Measure C TOD Program Cycle V Funding Applications (Kristine Cai) [APPROVE]

Ms. Cai reported that the Measure C TOD program is now in the 5th funding cycle, there is \$851,794 available. However, City of Fresno has requested to relinquish \$510,715 in unutilized TOD funds approved in the previous cycles, and return \$510,715 back to the TOD program. City of Fresno's request is pending approval from the Fresno County Transportation Authority (FCTA), and is expected to be processed at the next FCTA Board meeting in May 2016. If approved by the FCTA Board, there could be a total of \$1,362,509 available for programming for the 5th funding cycle.

The Call for Projects for the 5th funding cycle was issued in January 2016, and four applications were received:

1. **Fulton Mall Reconstruction Project Match:** The Fulton Mall Reconstruction Project Match was approved for \$1.8 million by the Fresno COG Policy Board and the FCTA Board as a multi-year project in 2014. The City of Fresno has received \$1,205,343 for this project, and is applying for \$425,897 for the 5th funding cycle. The TOD funds will provide part of the required non-federal construction funds for the Fulton Mall Reconstruction project.
2. **LEDE/Former Met Block Development Project:** The City of Fresno is applying for \$225,527 on behalf of Granville Homes for the underground utility work for the LEDE, formerly the Met Block Development project located at Van Ness and Stanislaus street. This project received \$121,342 in 2014 and \$108,457 in 2015.
3. **South Stadium Project:** The City of Fresno is applying for \$711,085 on behalf of Noyan Frazier Capital LLC for the South Stadium project located on the northwest corner of Fulton and Inyo Streets in downtown Fresno. The TOD funds will be spent on constructing off-site improvements including reconstruction of Inyo Street from H Street to Van Ness Avenue with wider sidewalks and a Class II bike lane; reconstructing Van Ness Avenue from Ventura Street to Tulare Street with wider sidewalks and a bike lane, and repaving Home Run Alley from Inyo to Tulare Street with permeable paving.
4. **Clovis Civic Center North:** The City of Clovis is applying for \$100,000 to prepare a traffic analysis and environmental documents for the Clovis Civic Center North project, which is a mixed use development of a Senior Center, a library branch and a transit hub for two transit lines operated by City of Clovis.

The TOD Scoring Committee met on March 10th and made recommendations on two levels of funding scenarios depending upon the FCTA Board's action on the City of Fresno's request to relinquish \$510,715 back to the TOD program:

Option A with \$851,794: The Scoring Committee recommended funding the Fulton Mall Reconstruction Match project with \$425,897 and the South Stadium project with the remaining \$425,897.

Option B with \$1,362,509: The Scoring Committee recommended funding the Fulton Mall Reconstruction Match project with \$425,897, the South Stadium project with \$711,085, and the LEDE project with \$225,527. Staff recommended the TTC approve the TOD scoring committee's recommendation for the 5th funding cycle.

Ms. Mathis (Clovis) asked if there will be an opportunity to open up the funding to the other cities. Ms. Cai (FCOG) stated that the measure stipulates that after the 5th funding cycle, the application should be opened to the projects outside of the 3 designated priority areas. The TOD TAC met in early March to begin discussing the update of the TOD guidelines; however, there was very low member turnout. Ms. Cai encouraged all cities to participate in the upcoming meetings. The City of Fresno has proposed that the PTIS be updated before any of the guidelines are changed; however, there is not enough funding available to do a full update to the PTIS. FCOG has applied to the Caltrans Sustainable Transportation Planning Grant to develop a long range regional transit plan, which will include all the updated general plans, new socio-economic data and short term transit plans and will generate scenarios for the transit system(s) in the County. The long range regional transit plan, if funded, will cover most of the PTIS update.

Mr. Roberts (Granville Homes) spoke in support of LEDE/Former Met Block Development Project.

Following an expressed opportunity for public comment, a motion to approve the TOD Scoring Committee's funding recommendations for the fifth funding cycle was made with the caveat that the TOD Technical Advisory Committee work towards opening up the TOD program to the entire region starting from funding Cycle VI by revising the language and the scoring criteria in the existing guidelines. Motion was made by Ms. Mathis (Clovis), and seconded by Mr. Khorsand (Fresno County). A vote was called for and the motion carried.

B. Consideration of Using Measure "C" Rail Consolidation Program Funding to Loan to the Local Transportation Trails Program (Les Beshears) [ADVISE]

Mr. Mozier (Fresno City) presented the Fresno Metro Trail project (see the annotated agenda online for full presentation). Mr. Mozier highlighted elements of the proposal such as the vision of the project, the location and feasibility studies that have been completed, funding proposal and cash flow.

Mr. Beshears (FCOG) reported that The Measure "C" Expenditure Plan approved by the voters in 2006 states that "the Rail Consolidation fund will revert to Grade Separation projects if Rail Consolidation does not occur within 15 years and it directs Fresno COG to conduct a review of the program after 10 years" (by year 2017). The FCTA has the final authority over this issue and has requested that the FCOG provide comments in an advisory capacity. The City of Fresno (Fresno) has indicated that the project can be phased on a "pay as you go" approach; however, Fresno wishes to construct the entire project as soon as possible to take advantage of inflationary savings and provide the trail's amenities to the community as soon as possible. Unfortunately, Fresno does not have enough cash flow in their annual allocation of Measure "C" Local Transportation Trails funding to construct the entire \$9.5 million trail. With this in mind, Fresno put together a request to Fresno COG that would allow them to borrow "their own" future trail formula allocations in an amount totaling \$7.3 million. The program is projected to generate \$89M, \$45M was reserved for the high speed station, leaving a balance of \$40M for grade separation projects; however, the evaluation of the program has not been done yet so the impacts are unknown.

At the March 2016 FCTA meeting, the Fresno County Auditor-Controller's staff advised against the loan concept because sales tax receipts are subject to volatility. He pointed out that there is no guarantee the loans will be paid back on schedule. Should every city choose to advance their program allocation, there would be a shortfall of funds available.

The TTC also questioned if FCTA had ever allowed any member agency to borrow across category lines as is being requested. With the exception of the PTIS Loan in 2008, which was allowed specifically to correct an oversight by the Measure C Steering committee when the ballot was framed, FCTA has strictly enforced their "cash basis" policy and has not advanced cash or made loans.

Mr. Boren (FCOG) commented that the word "dangerous" stated in the annotated agenda should be restated to better reflect that this action could have the potential for some unintended consequences.

Mr. Son (Fresno County) asked for clarification on the County Counsel's position regarding the legality of the loan program and stated this action could create precedence and may not meet the intent of the voters.

Mr. Mulligan (Sanger) commented that a loan program would not be most beneficial to the smaller cities as they are more dependent upon the annual allocations for projects.

Ms. Mathis (Clovis) commented that Fresno has committed to repay the loan by 2022 and does not see this action as precedence setting. She added that the program should be opened to all cities with grade separation projects. Ms. Mathis also stated that Clovis would like to include performance measures, and it should be set up as a reimbursement and not a cash advance in the agreement.

There was discussion regarding the availability of funds for other projects if the amount requested is loaned out, reimbursement versus a cash advance. Mr. Beshears stated that the FCTA will have to develop the guidelines for how the loan is set up.

Mr. Paladino (Cycling) stated support for the project; however, expressed reservations that the loan program deviates from the expenditure plan and does not follow the intent of the program.

Mr. Mozier (Fresno City) responded to a question regarding maintenance for the trail, stating that the pilot program approved by the Board and FCTA included funding for maintenance for 5 years; however, the City of Fresno is committed to maintaining the trail thereafter.

Mr. Boren (FCOG) pointed out that Mr. Prandini (BIA) could not attend the meeting, but submitted his comments to the committee via email. A handout was distributed (see the annotated agenda for a copy of his written comment).

Mr. Wright (Public Member) spoke in support of the trails project and state that creative methods of funding would help to develop a trail project which was the intent of the measure.

Mr. Boren (FCOG) stated that he has received emails from the County Administrator (CAO) and two city managers who were supportive of the concept. Mr. Son asked for clarification, he was not aware that the county's position had changed. Mr. Wooley (Clovis) made comments in support of the project and confirmed that based on an email received, the County has expressed their support for this project.

A motion to recommend approval of the loan program, with repayment to be made in full with interest by 2022, include performance measures, executed through a reimbursement agreement, conduct the Rail Consolidation Feasibility Study, and explore options to open up funding to all cities was made by Ms. Mathis (Clovis), and seconded by Ms. Frederick (League). A vote was called for and the motion carried 10-5.

C. Obligational Authority (Chelsea Gonzales) [INFORMATION/DIRECTION]

Ms. Gonzales (FCOG) reported that on April 1, 2016, Fresno COG submitted the Federal Fiscal Year (FFY) 2015/16 Obligation Plan to Caltrans Local Assistance. This plan documents Fresno COG's estimated schedule for project and fund delivery for FFY 2015/16 (October 1, 2015 through September 30, 2016).

As of February 29, 2016, \$1,522,274 of CMAQ and RSTP has been obligated, which reduced our 2015/16 Obligational Authority (OA) Target balance to \$21,449,096. Our region should deliver a total of \$22,971,370 of OA to comply with the "Use It or Lose It" provisions of AB 1012 enacted in October 1999. The obligation plan submitted by the local agencies outlines the delivery of \$14,010,345 in combined CMAQ and RSTP, which is \$7,438,751 below our Target OA.

Fresno COG will continue working with each member agencies to see if there are additional project funds that can be obligated before the end of the FFY 15/16 to reduce this \$7.4MM gap in meeting our OA target as much as possible.

This was an informational item, no future action was required.

D. Prop 84 Task 1 - Greenprint (Clark Thompson) [ACTION]

Mr. Thompson (FCOG) reported that the overall goal of the Greenprint project is to provide local and other governmental agencies, private organizations, and the public with improved planning information to better address the current and future economic and environmental needs of the San Joaquin Valley's eight counties. The RFP for Greenprint Demonstration Projects was released March 2 with a deadline for proposal submittal on April 29. Demonstration Projects are intended to illustrate the real-world utility and value of the spatial data compiled in Phase I of the Greenprint project.

Fresno COG is now seeking a scope and budget amendment to better utilize the remaining grant dollars and deliver a more impactful and meaningful long-term product. Amendment No. 1 to the Fresno COG Agreement for Contractor Services with Mintier Harnish dated December 17, 2014 will reduce the basic fee from \$189,983 to \$159,628. This will provide for funding in the amount of \$15,000 to contract with Conservation Biology Institute (CBI) to host Greenprint geospatial information on the Data Basin* platform, provide access to the information for local agencies and other entities, and provide training. The contract with CBI will be "sole sourced" on the basis that only they provide the Data

Basin platform. The remaining additional \$15,355 from the Mintier Harnish contract reduction will be available for the Demonstration Projects, bringing that total amount to \$194,457.

Following an expressed opportunity for public comment, a motion was made by Ms. Hunsaker (Chamber), seconded by Mr. Stites (FCRTA) to recommend to the Policy Board to authorize the Executive Director to execute Amendment No. 1 to the Agreement for Contractor Services with Mintier Harnish dated December 17, 2014 reducing the contract by \$30,355 to \$159,628. And, recommend the Policy Board authorize the Fresno COG Executive Director to enter into a sole sourced contract with Conservation Biology Institute for the amount not to exceed \$15,000.

E. FHWA Earmark Repurposing (Melissa Garza) [INFORMATION/DISCUSSION]

Ms. Garza (FCOG) reported that the Federal Highway Administration (FHWA) issued a key set of documents on March 8, 2016 that instructs state departments of transportation on how to redirect about \$3 billion in old, unused congressional earmark funds and sets up a process for them to possibly tap into more. In the Fresno area, there are close to 3M dollars that may be available for repurposing. That is, any earmark that was designated on or before September 30, 2005, and is less than 10% obligated or closed. If more than 10% of the funds have been obligated the project must be fully completed and closed out. State agencies may obligate the money to other projects within 50 miles of the original earmarked project. Staff is working closely with Caltrans and an earmark repurpose workgroup met in Sacramento on April 14, 2016 to discuss the process that will be developed for California.

This was an informational item, no future action was required.

III. OTHER BUSINESS

A. Items from Staff

- STIP Update (Melissa Garza)
Ms. Garza reported that CTC staff will release their official STIP recommendation on April 22nd for adoption at the May 18/19 CTC meeting; however, on April 13th staff received unofficial notification that the CTC has reviewed and considered FCOG's revised RTIP submittal and will likely recommend that the Construction phase of the SR 180 East project not be deleted from the 2016 STIP but rather be programmed in FY 18/19. The right-of-way phase for the SR 180 West Landscape project will likely be delayed to FY 19/20 and construction to FY 20/21
- Mr. Boren (FCOG) announced the installation of a new phone system and carpet for the FCOG office. He also, announced the retirement of John Downs at the end of April.

B. Items from Members

There were no items from the committee members

IV. PUBLIC PRESENTATIONS

Public Presentations

Tristan Shamp (California Consulting) spoke regarding the services they provide related to statewide grants.

V. PRESENTATIONS

JOINT Transportation Technical Committee / Policy Advisory Committee

The TTC and the PAC will meet as a joint Committee to consider scheduled public presentations brought before the Committees. This portion of the meeting is scheduled to begin at 10:00 a.m.

A. Caltrans Update [CALTRANS]

Respectfully submitted,

A handwritten signature in blue ink that reads "Tony Boren". The signature is written in a cursive style and is positioned to the left of a large, light blue, dotted rectangular area.

Tony Boren, Executive Director

COG Staff:

Peggy Arnest
Les Beshears
Kristine Cai
Melissa Garza
Chelsea Gonzales
Kai Han
Trai Her
Jeff Long
Rob Terry
Clark Thompson
Muyi Zhou

Members of the Public

Jeff Roberts, Granville Homes
Tristen Shamp, CA Consulting
Shelby McNab, Fresno City
John Wright, Public Member
Darrell Unruh, Public Member
Carolos Trejo, CHP
Precision Civil Engineering
Lupe Perez, Fresno City