

Fresno COG Policy Board**Executive Minutes**

Thursday, July 28, 2016

5:30 PM

COG Sequoia Conference Room

2035 Tulare St., Suite 201, Fresno, CA

Members Attending: Mayo Pro Tem Bob Whalen, City of Clovis
Mayor Ron Ramsey, City of Coalinga
Mayor David Cardenas, City of Fowler
Councilmember Clint Olivier, City of Fresno
Mayor Pro Tem Gary Yep, City of Kerman
Mayor Bruce Blayney, City of Kingsburg
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 Pro Tem Raul Cantu, City of Sanger
Mayor Pro Tem Amarpreet Dhaliwal, City of San Joaquin
Mayor Scott Robertson, City of Selma
Supervisor Henry Perea, County of Fresno

Gail Miller, Caltrans
Arthur Wille, County Counsel
Tony Boren, FCOG Executive Director

Absent: Mayor Freddy Valdez, City of Firebaugh
Mayor Sylvia Chavez, City of Huron

QUORUM: At the start of the meeting there were 12 members present representing 79.04% of the population and there was a quorum to conduct business. (Clovis, Fowler, Fresno City, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, Sanger, San Joaquin, Selma)

Mayor Dhaliwal (San Joaquin) Chair, called the meeting order at 5:35pm.

Sitting as the Fresno County Mayors Selection Committee (Includes the County)**Appointment of 2 Members to the Measure C Oversight Committee (Brenda Veenendaal) [APPOINT]**

Ms. Veenendaal (FCOG) reported that there are currently 2 vacancies on the committee to be filled, two applications were received from Destiny Rodrigues and Lee Delap.

Mr. Delap spoke to his credentials. Mayor Cardenas (Fowler) thanked him for his commitment to serve.

Following an expressed opportunity for public comment, a motion was made by Mayor Cardenas (Fowler) and seconded by Mayor Lopez (Orange Cove) to appoint 2 new members to the Measure C Citizen Oversight Committee. A vote was called for and the motion carried.

Fresno COG Sitting as the Transportation Policy Committee

I. TRANSPORTATION CONSENT ITEMS

- A. Executive Minutes of June 30, 2016 [APPROVE]
- B. 2016-17 Measure "C" Claims (Les Beshears) [APPROVE/ADOPT]
- C. Transportation Development Act Claims (Les Beshears) [APPROVE/ADOPT]
- D. End of Federal Fiscal Year E-76 and FTA Transfer Deadlines and Obligational Authority Updates (Chelsea Gonzales) [INFORMATION/DIRECTION]
- E. Active Transportation Program Cycle 3 Update (Chelsea Gonzales) [INFORMATION/DIRECTION]
- F. Proposition 84 Update (Rob Terry) [INFORMATION/DIRECTION]
- G. Circuit Planner and Circuit Engineer Report (Rob Terry) [INFORMATION/DIRECTION]
- H. Affordable Housing and Sustainable Communities (AHSC) Grant (Rob Terry) [INFORMATION/DISCUSSION]
- I. Fresno/Madera Origin-Destination Study Phase Two (Rob Terry) [ACCEPT/DISCUSSION]
- J. Caltrans FY 2016-17 Sustainable Transportation Planning Grant Awards (Rob Terry) [INFORMATION/DISCUSSION]

Mayo Pro Tem Whalen (Clovis) pulled item D.

5:37 Mayor Pro Tem Raul Cantu (Sanger) enters.

QUORUM: There were 12 members present representing 79.04% of the population.

Mr. Whalen (Clovis) asked for clarification on the unmet Obligational Authority Target. Ms. Gonzales (FCOG) provided an update on Item D stating that the Caltrans Obligational Authority (OA) report summarized in the Policy Board's annotated agenda item reflects all of the Requests for Authorization (RFAs) that were submitted to Caltrans by the end of May and subsequently processed by Caltrans as E-76's by the end of June. Agencies have a soft deadline of July 30, 2016 to submit all of their RFAs to Caltrans to ensure processing before the end of the fiscal year (September 30, 2016) and to count towards Fresno County's FY 15/16 OA Target. Therefore, there is still two months' worth of RFAs that have not yet been counted towards meeting the OA Target. Ms. Gonzales continued that based on all of the planned and expedited RFA submittals that Fresno County member agencies have indicated will occur by or before July 30, 2016, staff is expecting that Fresno County will meet or come close to meeting its FY 15/16 OA target.

Following an expressed opportunity for public comment, a motion was made by Mayor Lopez (Orange Cove) and seconded by Mayor Pro Tem Yep (Kerman) 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. Federal Aid Earmark Repurpose Projects (Les Beshears) [APPROVE/ADOPT]

Mr. Beshears (FCOG) reported that in May staff advised the board that FHWA had issued guidance to repurpose a list of old Demo projects that have been on the books for years. For various reasons the initial projects associated with these federal earmarks were completed leaving funding on the table. If the dollars are left unspent, future Congress may choose to reappropriate the funds. Staff has met with the project sponsors and Caltrans to determine a suitable list of projects to direct the earmark funds to, that fits FHWA's repurposing criteria and is consistent with the intent of the initial federal earmarks. The list recommends putting \$1,891,149 on SR 180 East

between Smith and Frankwood, \$224,764 on American Ave. between SR 99 and Clovis Avenue, and \$181,234 on a Traffic Signal at Marks and Nielsen, North of the SR 180/Marks Interchange.

Mayor Robertson (Selma) asked if the additional 1.8M would advance the STIP funding for the project. Mr. Beshears (FOG) stated that the additional funding would reduce the amount needed from Measure C, but STIP funding will still be needed.

Mayor Pro Tem Dhaliwal (San Joaquin) asked if funding will be available for the 269 Bridge project.

Mr. Beshears (FCOG) stated that prioritization for measure funds were SR 180, Golden State and then 269 Bridge. Planning and engineering for SR 180 is complete and ready to be constructed if the 35M from STIP is received.

5:45 City of Coalinga enters.

QUORUM: There were 13 members present representing 80.73% of the population.

Following an expressed opportunity for public comment, a motion was made by Mayor Silva (Mendota) and seconded by Mayor Robertson (Selma) to adopt Resolution 2016-21 designating the list of projects eligible for repurposing. A vote was called for and the motion passed.

B. 2016/17 Overall Work Program Amendment #1 (Les Beshears) [APPROVE/ADOPT]

Mr. Beshears (FCOG) stated the FCOG was awarded 2 grants for WE – 123 Sustainable Communities Public Transit and WE- 124 Business Commute Optimization, in kind for this project will be provided by the two universities. The amendment also includes a correction to a typographical error in the approved WE 311.

Following an expressed opportunity for public comment, a motion was made by Councilmember Beck (Reedley) and seconded by Mayor Pro Tem Yep (Kerman) to approve the 2016/17 Overall Work Program Amendment #1 increasing the budget by \$733,725. A vote was called for and the motion passed.

C. 2016 Fresno COG Public Participation Plan Approval (Brenda Veenendaal) [APPROVE]

Ms. Veenendaal (FCOG) reported that Fresno COG has updated the Public Participation Plan (PPP) in compliance with Federal and State legislation. The updated Draft 2016 Fresno COG Public Participation Plan was released for 45-day public review and comment on Friday, May 13, 2016. It has been available online on the Fresno COG website, in hard copy at the Fresno COG Office or via email by request. The Public Review and Comment Period was opened for 49 days, concluding on June 30, 2016 following a Public Hearing on the document held at the Fresno COG Policy Board meeting. The Final Draft 2016 Fresno COG Public Participation Plan is available for review on the Fresno COG website. The Final Draft 2016 Fresno COG Public Participation Plan (PPP) includes changes in response to a total of three comment letters received during the comment period, and are included as Appendix E.

Following an expressed opportunity for public comment, a motion was made to approve the 2016 Fresno COG Public Participation Plan was made by Mayor Blayney (Kingsburg), seconded by Mayor Lopez (Orange Cove). A vote was called for and the motion passed.

D. Local Street/ Road Rehabilitation and Maintenance Funding Crisis (Tony Boren) [DISCUSSION/DIRECTION]

Mr. Boren (FCOG) gave a presentation on the local streets and road maintenance/rehabilitation funding crisis facing California's cities and counties. He identified the transportation funding crisis and the critical importance of a well maintained and properly functioning local street and road network, and the short and long term "consequences and costs" associated with not addressing the problem. He discussed the proposed funding solution to create a local street/road maintenance and rehabilitation sales tax measure similar to Measure "C" and the next steps required. The length and amount of the measure has yet to be determined. Polling to gauge the public's support will help to further define the details.

Mayor Cardenas (Fowler) stated that the FCTA previously discussed funding sources need to complete the regional priority projects as there are shovel ready projects that ready for construction. Further delay in construction adds to the cost of the projected in the long run. Mr. Cardenas expressed support to move forward with the proposal.

There was a discussion regarding the miles of roads that needs to be maintained in the City of Clovis. Mayor Pro Tem Whalen (Clovis) stated that the City of Clovis would not benefit from this measure as they already set aside funding to continuously maintain the conditions of the roads.

Mayor Pro Tem Yep (Kerman) suggested that the two measures run concurrently so taxpayers don't feel overburdened. The City of Kerman tried to pass a sales tax and failed because there wasn't enough research and data done to see if there was public support. He emphasized that this tax should be for local streets repairs only and not for other amenities.

Mayor Robertson (Selma) commented that funding from the State is not a dependable source, the City of Selma has two measures on the ballot and residents do feel over taxed; however, he was supportive moving forward in gathering data.

6:25 Fresno County enters the meeting.

QUORUM: There were 14 members present representing 98.47% of the population.

Mayor Lopez (Orange Cove), Mayor Silva (Mendota) and Mayor Ramsey (Coalinga) concurred and supports staffs request to research if there is public support.

Councilmember Olivier (Fresno City) opposes the idea of an additional tax. He expressed concern that the State may end up dictating the funds collected, and that cities should further lobby the state to provide additional funding for maintenance.

Mayor Dhaliwal (San Joaquin) commented that local dollars from this measure would operate like Measure C where the local agencies have control of the funding.

Mayor Pro Tem Whalen (Clovis) expressed opposition to the proposal stating that tying the new measure to Measure C could tarnish the Measure C brand.

Councilmember Beck (Reedley) commented that the funds raised by the new tax measure could cause the State to reduce or no longer fund projects because the region would be self-funded.

Mayor Cardenas (Fowler) commented that staff should be sensitive to associating the new measure with Measure C and encourages discussions to continue with the FCTA new director.

Supervisor Perea (Fresno County) and Mayor Dhaliwal (San Joaquin) stated that discussions regarding how the funds are administered are premature, and expressed support for staff's request to reach out to the stakeholders.

Mr. Whalen (Clovis) asked for clarification on how staff will proceed with the outreach.

Mr. Boren (FCOG) stated staff will make presentations to key groups to socialite feedback, then staff would return to the board with a summary of comments received and action if any is necessary.

Mayor Pro Tem Whalen (Clovis) made a motion to direct staff to engage in public outreach for the new 2027 Measure C that would include funding for maintenance of local roads and not as a new or separate sales tax measure.

Motion seconded by Mayor Blayney (Kingsburg)

A vote was called for. The motion failed with 2-Yes, 12-No with Fresno City and Clovis voting yes.

Councilmember Olivier (Fresno City) did not feel this issue was covered adequately as press was not invited and should require more public participation.

Supervisor Perea (Fresno County) made a motion, seconded by Mayor Robertson (Selma) to approve the staff's recommendation to move forward with public outreach but not to authorize funding for consulting services for polling. A vote was called for, the item fails with 11-Yes, 3-No with City of Clovis, Fresno and Kingsburg voting no.

Mayor Blayney (Kingsburg) made a motion, seconded by Mayor Pro Tem Yep (Kerman) to table the item and return at a later date. A vote was called, motion passed.

Fresno COG Sitting as the Fresno Council of Governments Policy Board

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

Following an expressed opportunity for public comment, a motion was made by Mayor Ramsey (Coalinga) and seconded by Mayor Cardenas (Fowler) to reaffirm all actions taken while sitting as the Transportation Policy Committee. A vote was called for and the motion passed.

IV. ADMINISTRATIVE CONSENT ITEMS

A. Clearinghouse (Peggy Arnest) [APPROVE]

B. Legislative Update (Brenda Veenendaal) [INFORMATION]

Following an expressed opportunity for public comment, a motion was made by Mayor Pro Tem Yep (Kerman) and seconded by Mayor Ramsey (Coalinga) to approve the administrative consent items as presented. A vote was called for and the motion passed.

V. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. One Voice Follow-up Letters to Federal Agencies and Congressional Representation (Brenda Veenendaal) [APPROVE]

Ms. Veenendaal (FCOG) provided an overview of the letters of support as a follow up to the One Voice Trip.

Following an expressed opportunity for public comment, a motion was made by Mayor Cardenas (Fowler) and seconded by Mayor Lopez (Orange Cove) to approve all proposed letters of support. A vote was called for and the motion passed.

VI. OTHER BUSINESS

A. Items from Staff

No items

B. Items from Members

1. Recognition of the November 1984 Anti-Sikh Violence in India as "Genocide" (Mayor Dhaliwal) [APPROVE]

Mr. Pureet Singh (Jakara) and Mr. Preet Singh (Sikh Temple) gave a presentation regarding the history and significance of the November 1984 Anti-Sikh Violence in India.

Mayor Silva (Mendota) commented that although this item is not transportation related, he would support the resolution.

Mayor Pro Tem Yep (Kerman) stated that the Kerman City Council unanimously voted to support this resolution however he would be abstaining from the vote as this item is not transportation related. The City of Clovis concurred and will also be abstaining.

Following an expressed opportunity for public comment, a motion was made by Mayor Dhaliwal (San Joaquin) and seconded by Supervisor Perea (Fresno County) to support Resolution 2016-28. A vote was called for and the motion passed with City of Clovis and Kerman abstaining.

Mayor Blayney (Kingsburg) stated that a movement to divide California into thirds is gaining support and traction. He encouraged FCOG to consider the potential opportunities this could create for the region.

VII. PUBLIC PRESENTATIONS

No public presentations.

Meeting Adjourn

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

Staff

Rob Terry
Brenda Veenendaal
Chelsea Gonzales
Les Beshears
Trai Her-Cole

Members of the Public

Pureet Singh (Jakara)
Preet Singh (Sikh Temple)
Lee Delap