

BEFORE THE  
**FRESNO COUNCIL OF GOVERNMENTS**  
**RESOLUTION NO. 2017-24**

**II C.**

IN THE MATTER OF:  
**MEASURE C EXPENDITURE PLAN**

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RESOLUTION OF APPROVAL OF  
MEASURE C EXPENDITURE PLAN,  
PEDESTRIAN/TRAILS FACILITIES  
PROGRAM AMENDMENT #2A

WHEREAS, the November 7, 2006 Measure C ballot that was approved by the voters created a Pedestrian/Trails Facilities Program (Program) and provided the funds may be used for new construction of pedestrian /bicycle trails and for the development of the Master Plan as well as retrofitting pedestrian/trails within the circulation system that existed as of January 2007 or the date of adoption of the Master Plan; and

WHEREAS, on January 29, 2015 and February 25, 2015, the Fresno COG and Fresno County Transportation Authority (FCTA) respectively adopted Amendment No. 2 to the Measure C Expenditure Plan to include additional provisions to allow eligibility for limited maintenance on new trail projects funded in whole or in part with non-Measure C trail funds on a one-year trial basis; and

WHEREAS, Amendment No. 2 expired at the end of the one-year trial period, however, the FCTA wishes to reinstate the prior modifications to the Program retroactively to February 25, 2015; and

NOW, THEREFORE, BE IT RESOLVED, the amended provisions of the Program provide that if a local agency builds a new trail or a new extension of an existing trail using non-Measure Trail funds, the local agency will qualify to use Measure C trails funds for "Ongoing Maintenance" of up to 20% within maximums of the cost of the non-Measure C Trail funds used to construct the project and subject to all of the following provisions.

- a. The project must be consistent with the local jurisdiction circulation element and adopted trail master plan.
- b. The project must be developed to meet AASHTO or California State Guidelines.
- c. The local jurisdiction must agree to maintain the new trail (segment) for a minimum of twenty years.
- d. Only the non-Measure C Trail funds capital cost of new trail projects or existing trails that have been extended may be used to determine the eligible "Ongoing Maintenance" threshold.
- e. Measure C Trails funds used for "Ongoing Maintenance" must be expended only on the project used to determine eligibility.
- f. The eligible "Ongoing Maintenance" threshold shall not exceed the lower of 20% of the non-Measure C construction cost or \$10,000 per mile per year for a maximum of five years (i.e., \$50,000 per mile maximum).
- g. If the local agency can find other ways to support the maintenance efforts the during the five year period the eligibility can be extended beyond five years, however the 20% of non-Measure C Trails construction costs or \$50,000 per mile maximum remains. Local agencies shall account for cumulative "Ongoing Maintenance" in such a way to facilitate the annual audit.
- h. Projects encumbered subject to these provisions during the period from February 25, 2015 to the adoption of this resolution by the Transportation Authority shall retain eligibility for the entire 20% of non-Measure C Trail construction cost or \$50,000 per mile "Ongoing Maintenance" maximum.

Example: A two (2) mile trail costing \$250,000 per mile (\$500,000 total) using funds other than Measure C Trail money would be eligible to use up to \$100,00 in "Ongoing maintenance" funds from the Measure C Trail account (20% of \$250,000 = \$50,000 X 2 miles = \$100,000 total maintenance). Note, if project cost were greater than \$250,000 per mile the maximum eligible "Ongoing Maintenance" would still be \$100K.

Ongoing Maintenance is defined as including:

- Tree and shrub trimming, tree stake retying, replacement or removal
- Fertilizing and weed control chemicals and their application
- Weed removal
- Pot holes, breaks in the asphalt surface, or tree root uplifting
- Irrigation system repair and upkeep (repair breaks, missing heads)
- Repair or reset timers
- Replace or repair stolen or damaged wires
- Litter removal
- Replace burned out light bulbs.

Ongoing Maintenance does not include:

- Resurfacing of asphalt except to do spot repairs from things such as a broken water line.
- Restriping any median lines
- Installing or replacing signing
- Paying for the cost of water or electricity
- Maintenance at adjacent trail heads or parks

THE FOREGOING RESOLUTION was passed and adopted by the Fresno Council of Governments this 27<sup>th</sup> day of July , 2017.

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Signed: \_\_\_\_\_  
Amarpreet Dhaliwal, Chair

I hereby certify that the foregoing is a true copy of a resolution of the Fresno Council of Governments duly adopted at a regular meeting dated above.

Signed: \_\_\_\_\_  
Tony Boren, Executive Director