

**Fresno COG Policy Board  
MINUTES  
Thursday, October 26, 2017  
5:30 PM**

**Members Attending:**

Mayor Bob Whalen, City of Clovis  
Mayor Nathan Vosburg, City of Coalinga  
Mayor Brady Jenkins, City of Firebaugh  
Mayor David Cardenas, City of Fowler  
Mayor Lee Brand, City of Fresno  
Mayor Rhonda Armstrong, City of Kerman  
Mayor Michelle Roman, City of Kingsburg  
Councilmember Robert Silva, City of Mendota  
Mayor Victor Lopez, City of Orange Cove  
Councilmember Alma Beltran, City of Parlier  
Mayor Anita Betancourt, City of Reedley  
Mayor Pro Tem Amarpreet Dhaliwal, City of San Joaquin  
Mayor Frank Gonzalez, City of Sanger  
Mayor Michael Derr, City of Selma

Michael Navarro, Caltrans  
Arthur Wille, Legal Counsel  
Tony Boren, Executive Director

**Absent:**

Mayor Rey León, City of Huron  
Supervisor Sal Quintero, County of Fresno

**Quorum:** At the start of the meeting, there were 14 members representing 81.56% of the population. There was a quorum to conduct business. (Clovis, Coalinga, Firebaugh, Fowler, Fresno City, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, Selma).

The meeting was called to order at 5:33 p.m. by Mayor Pro Tem Dhaliwal (San Joaquin), Chair.

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

**I. TRANSPORTATION CONSENT ITEMS**

- B. City of Coalinga Fiscal Year 2016-17 Transportation Development Act Claim (Les Beshears) [APPROVE]
- C. City of Coalinga Fiscal Year 2017-18 Transportation Development Act Claim (Les Beshears) [APPROVE]
- D. City of Orange Cove FY 2017-18 Transportation Development Act Claim (Les Beshears) [APPROVE]
- E. Fiscal Year 2017-18 New Contracts and Contract Amendments
  - 1. State Route 99 Mountain View/Mendocino Interchange Study (Jennifer Soliz) [APPROVE]
  - 3. Regional Transportation Plan/Sustainable Communities Strategy Program Environmental Impact Report Contract Amendment (Trai Her-Cole) [APPROVE]
  - 4. Fresno COG Activity-Based Model Contract Amendment (Kristine Cai) [APPROVE]
- F. 2017 Fresno Council of Governments Transportation Planning Certification Review Final Report (Trai Her-Cole) [ACCEPT]
- H. Regional Transportation Plan Draft Action Element (Jennifer Soliz) [INFORMATION]

Mayor Vosburg (Coalinga) pulled Item I-A. Mayor Vosburg was not present at the September 28, 2017 meeting.

Mayor Armstrong (Kerman) pulled Item I-E-2 to recuse herself from the discussion and vote because she is an employee with Sebastian, Inc.

Mayor Betancourt (Reedley) pulled Item 1-G for discussion.

After an opportunity for public comment, Mayor Vosburg (Coalinga) motioned and Mayor Cardenas (Fowler) seconded to approve the balance of the consent agenda. The motion passed.

**A. Executive Minutes of September 28, 2017 [APPROVE]**

After an opportunity for public comment, Mayor Pro Tem Dhaliwal (San Joaquin) motioned and Mayor Armstrong (Kerman) seconded to approve the Executive Minutes of September 28, 2017. Mayor Vosburg (Coalinga) abstained. The motion passed.

**E. Fiscal Year 2017-18 New Contracts and Contract Amendments**

**2. Contract with Sebastian Inc. to Upgrade Audio Equipment (Trai Her-Cole) [APPROVE]**

After an opportunity for public comment, Mayor Cardenas (Fowler) motioned and Mayor Gonzalez (Sanger) seconded to authorize the Executive Director to enter into a contract with Sebastian in an amount not to exceed \$27,722 to upgrade the Sequoia Room's audio equipment. Mayor Armstrong (Kerman) recused herself from the discussion and vote. The motion passed.

**G. RTP Financial Element - Project Scenarios/Revenue Projections Update (Suzanne Martinez) [INFORMATION]**

Mayor Betancourt (Reedley) asked how the Senate Bill 1 (SB 1) funds will be spent. Mr. Boren (FCOG) responded that this item relates to projects that have been submitted by member agencies. The City of Reedley's concern is related to an item that will be presented later in the agenda.

This item was information only. After an opportunity for public comment, Councilmember Silva (Mendota) motioned and Mayor Pro Tem Dhaliwal (San Joaquin) seconded to accept the information. The motion passed.

**II. TRANSPORTATION ACTION/DISCUSSION ITEMS**

**A. 2017 Fresno COG Active Transportation Program Augmentation – Metropolitan Planning Organization Component Funding Recommendations (Jennifer Soliz) [APPROVE]**

Ms. Soliz (FCOG) reported that Senate Bill 99 (Chapter 359, Statutes of 2013) and Assembly Bill 101 (Chapter 354, Statutes of 2013) consolidated multiple state and federal funding streams to create the Active Transportation Program (ATP), which encourages active modes, such as biking and walking.

ATP funds are separated into three main components: the statewide competitive program (managed by the state), the small urban and rural area competitive program (also managed by the state) and the large urbanized area competitive program [managed by metropolitan planning organizations (MPOs) - also known as the Regional Competitive ATP]. Eligible entities, such as Fresno COG's member agencies, can apply for projects through both the statewide and regional competitive solicitations. Under the 2017 ATP program (cycle 3), funding is available for fiscal years 2019-20 and 2020-21. Senate Bill (SB) 1 provides an additional \$2.09 million to the MPO component for fiscal years 2017-18 and 2018-19. Funding from the 2017 ATP Augmentation is only available to:

- Projects programmed in the adopted 2017 ATP that can be delivered earlier than currently programmed, or
- Projects that were not selected in the 2017 ATP, based on the MPO's 2017 ATP contingency list.

Agencies applying for augmentation funds for the Statewide Component were required to submit their projects to the California Transportation Commission by August 1, 2017 and to the MPO for the MPO Component by October 2, 2017. Below are the proposed SB 1 Augmentation MPO component funding recommendations. Upon Board adoption, they will be submitted to the CTC for final adoption at its December 2017 meeting.

Agency	Project Title	ATP Funding	Comments
Coalinga	Coalinga Safe Routes To Schools (SRTS) Sidewalk Gap Closure & Ped Improvements	\$1,109,000	Fund larger scoped project and advance project delivery from 19/20 and 20/21 to 17/18 and 18/19.
Sanger	Sanger Active Transportation Access	\$849,000	Fund larger scoped project and advance project delivery from 19/20 and 20/21 to 17/18 and 18/19.
Fresno PARCS	Fresno Pedestrian and Bike Safety Education Program	\$250,000	Advance project delivery from 19/20 to 18/19.
Mendota	Mendota Junior High SRTS	\$158,000	New project recommended for funding in 19/20.
Fowler	Golden State Boulevard Bike/Ped Trail from Adams to Clayton	\$242,000	New project recommended for funding in 19/20 and 20/21.
Fresno County-1	Biola Community Sidewalk	\$245,000	New project recommended for partial funding for PS&E phase in 20/21.
<b>Total ATP Funding</b>		<b>\$2,853,000</b>	

After an opportunity for public comment, Mayor Cardenas (Fowler) motioned and Mayor Armstrong (Kerman) seconded to approve the 2017 ATP Augmentation MPO component-recommended projects based on the cycle 3 contingency list. The motion passed.

**B. Senate Bill 1 Planning Grant - Fresno COG Project Proposal for the Formula Grant for FY2017-18 (Jennifer Soliz) [APPROVE]**

Ms. Soliz (FCOG) reported that Senate Bill 1 (SB 1) allocates \$25 million annually in planning grants to encourage local and regional multimodal transportation and land-use planning that advances Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) goals, reduces greenhouse gas (GHG) emissions and furthers other state goals. Of the \$25 million, \$12.5 million is set aside for a statewide competitive program, while the other \$12.5 million is administered by Metropolitan Planning Organizations (MPOs) on formula basis. Fresno COG will be receiving \$407,484 annually for this formula-based planning grant.

Fresno COG is planning to submit two programs/projects for FY 2017-18.

The first is the Sustainable Infrastructure Planning Grant Program for \$160,278, which will fund planning projects that help implement the SCS and address disadvantaged communities' needs. The Sustainable Infrastructure Planning Grant Program is one of the three SCS implementation programs directed by the Policy Board to be developed during the 2014 RTP/SCS adoption process. The program is competitive, and staff is working with a subcommittee to develop detailed guidelines, which will be presented to the TTC/PAC and the Policy Board for approval before a call for projects is issued in early 2018.

The second project is still being decided and will be brought back to the Board for approval.

Mr. Boren (FCOG) reported that this is the item that speaks to Mayor Betancourt's concerns. The second project was driven by Caltrans asking how Fresno COG would spend the first quarter funds of \$400,000. A Pavement Management System (PMS) was proposed for the eight member agencies that do not have the system. At the Policy Advisory Committee (PAC) meeting there was discussion that some of the member agencies have already spent their own resources for a PMS and it didn't seem fair that if member agencies are not putting forth the effort, why propose doing it for them? The item was tabled for Fresno COG to discuss further with the member agencies and bring back a proposal the Committee could support.

Both TTC and PAC recommended approval to fund the Sustainable Infrastructure Planning Grant program with \$160,278.

After an opportunity for public comment, Mayor Derr (Selma) motioned and Mayor Armstrong (Kerman) seconded to approve \$160,278 for the Sustainable Infrastructure Planning Grant program with funding from the SB1 formula planning grant for FY 2017-18. The motion passed.

**C. Fiscal Year 2017-18 Overall Work Program Amendment No. 1 (Les Beshears) [APPROVE]**

Mayor Armstrong (Kerman) is an employee of Sebastian, Inc. She recused herself from the discussion and vote.

Mr. Beshears (FCOG) reported:

Work Element 110 – At the City of Kingsburg and Tulare County's request, Caltrans has agreed to perform a planning study to explore a new interchange on State Route (SR) 99 at Mendocino/ Mountain View. Fresno COG has been asked to partner on this \$90,000 study, with each participant contributing \$30,000.

Work Element 111 – In the process of developing the activity-based model, staff needs to acquire origins-and-destination data that RSG will supply for \$25,200.

Work Element 170 – In response to various letters from advocacy groups involved in Fresno COG's Regional Transportation Program (RTP) update, county counsel has recommended increasing the contract with Best, Best & Krieger, LLC, which subcontracts through VPRA to provide advice pertaining to the Regional Transportation Plan (RTP) Environmental Impact Report. Staff proposes increasing the budget for Best, Best & Krieger, LLC by \$25,000.

Work Element 310 – Pursuant to a grant by the Strategic Growth Council, San Joaquin COG has allocated \$4,750 to Fresno COG to participate in the Affordable Housing Sustainable Communities Technical Assistance program.

Work Element 910 – Sebastian Corporation has proposed a \$27,722 upgrade to the audio equipment in the Sequoia conference room, which includes replacing speakers, microphones and cabling to eliminate the audible distortion. The revised cabling arrangement will cross over the walkway at one point with a covered ramp to eliminate the multiple carpet covered wires that must currently be navigated.

After an opportunity for public comment, Councilmember Silva (Mendota) motioned and Mayor Brand (Fresno City) seconded to authorizing fiscal year 2017-18 Overall Work Program and Budget Amendment No. 1 in the amount of \$112,672. Mayor Armstrong (Kerman) recused herself from the discussion and vote. The motion passed.

**D. Congestion Management Process (CMP) Update Final Report (Kai Han) [APPROVE]**

Mr. Han (FCOG) reported that in response to Federal Highway Administration (FHWA) comments, Fresno COG started its Congestion Management Process (CMP) update in 2015. Working with the CMP steering committee -- comprising representatives from member agencies, transit agencies, Caltrans, FHWA and stakeholders -- COG staff updated the CMP network, developed new travel-time-based performance measures and the Single Occupancy Vehicle (SOV) project analysis methodology. An online congestion monitoring dashboard was also developed as part of the update to analyze both historical and real-time traffic conditions. FHWA plans to showcase the online dashboard in its national newsletter. The attached final draft CMP report includes a detailed description of these new enhancements, which have all been reviewed and approved by the CMP steering committee. A live demonstration of the online tool was demonstrated.

Mayor Vosburg (Coalinga) asked where the data comes from. Mr. Han responded that the data is from the data companies Here and Inrix. The data is collected by probes. Iteris is the consultant that created the dashboard. Mr. Boren (FCOG) credited Ms. Cai and Mr. Han for their work. The dashboard is getting national recognition. Mayor Roman (Kingsburg) asked how cities could access the data. Mr. Han responded that it is an automated process to request log-in access.

After opportunity for public comment, Mayor Gonzalez (Sanger) motioned and Mayor Roman (Kingsburg) seconded to approve of the final Congestion Management Process report. The motion passed.

**E. Regional Transportation Plan Progress (Kristine Cai)**

**1. Comment Letters from Stakeholder Groups (Kristine Cai/Robert Phipps) [INFORMATION]**

Ms. Cai (FCOG) reported that Fresno COG has received two comment letters in September from several community groups raising issues and concerns regarding environmental justice, affordable housing, public participation, etc. Fresno COG met with Leadership Council, California Rural Legal Assistance and Community Equity Coalition partners and agreed to include some language in the Policy Element from the existing laws and regulations and to include two additional indicators in the EJ analysis. A question is being included in the October outreach survey regarding impacts

from the SCS scenarios. The Leadership Counsel has agreed to research the existing Title IV and EJ regulations for language about historical discriminatory practices. Fresno COG's responses to each letter are being reviewed by legal counsel and when complete they will be circulated to the RTP Roundtable, TTC, PAC and Policy Board.

This item is informational only, no further action was required.

**2. Draft Policy Element: Updated Text Regarding Protected Populations (Jennifer Soliz) [APPROVE]**

Ms. Soliz (FCOG) reported the RTP Roundtable, TTC, PAC and Policy Board have each approved the 2018 RTP's Draft Policy Element in August and September. Since then, two community-based organizations have submitted comment letters requesting that the Element be updated to identify the specific groups of people that are protected by federal and state statutes.

Based on this request, staff has updated Goal B and Objective B.1 under Section 6.3.1 General Transportation Goals. The updated text is in bold as follows:

**B. Goal: Improved mobility and accessibility for all, including the protected populations in accordance with federal and state statutes.**

**Title VI of the federal Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.**

**California Government Code §11135 prohibits discrimination on the basis of sex, race, color, religion, ancestry, national origin, ethnic group identification, age, mental disability, physical disability, medical condition, genetic information, marital status or sexual orientation by any agency that is funded directly by the state or receives any financial assistance from the state.**

**B.1 Objective: To incorporate principles for environmental justice into transportation planning and implementation decisions.**

**Presidential Executive Order 12898 - Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations - focuses federal attention on the environmental and human health effects of federal actions on minority and low-income populations with the goal of achieving environmental protection for all communities.**

Staff is requesting approval from the Board to update the text under Goal B as shown above.

Mayor Vosburg (Coalinga) asked how one section can prohibit discrimination and another focus on minorities. Mr. Wille (Legal Counsel) responded that the intent is to comply with local state and federal laws. Ms. Cai responded that the goal of the Environmental Justice regulations are to make sure the impact of the RTP does not produce unfair, disparate impacts on minority groups.

After an opportunity for public comment, Mayor Beltran (Parlier) motioned and Mayor Lopez (Orange Cove) seconded to approve the updated Draft Policy Element. The motion passed.

**3. Sustainable Communities Strategy Fall 2017 Outreach (Brenda Veenendaal) [INFORMATION]**

Ms. Veenendaal (FCOG) reported that Fresno COG has released the four Sustainable Communities Strategy (SCS) scenarios for public review and selection of a preferred SCS scenario. Each scenario includes a regional transportation project list that mirrors its priorities.

Fresno COG staff has developed an outreach strategy that includes scenario presentations and an opportunity for all participants to select a scenario preference. The effort launched on October 7 at two events where Fresno COG hosted informational booths. Fresno COG staff and mini-grant recipients have 16 events and 12 presentations scheduled through October 29.

Staff is looking for additional rural events, opportunities for full presentations and better means to advertise the online, interactive survey that will be available in English and Spanish. This outreach cycle will run from October 7 through November 9, 2017.

This item is informational only, no further action was required.

#### **F. Caltrans Report (CALTRANS) [INFORMATION]**

Mr. Navarro (Caltrans) reported:

- The Auberry Road Roundabout is complete; finishing touches on the landscape are being completed. The roundabout is open to traffic.
- The groundbreaking for State Route 180 Segment 3 was a couple of weeks ago. The project is moving forward and the contractor is working on plans to construct the bridges over the water channel. The next steps will be to review the plans by various regulatory agencies and Caltrans.
- The Mendota passing lane on State Route 180 has been awarded and began construction last week.
- Bids were opened on October 4 for the State Route 41 auxiliary lanes from M Street to the Tulare overcrossing. The bids are coming in higher than original estimates. Caltrans expects to have the contract awarded in December with construction starting in the spring.
- The supplemental environmental document is out for public circulation on the State Route 269 bridge. Circulation should end in late November with the document estimated to be completed in early December. Army Corp of Engineers approval for the 404 permit is expected next month.
- Senate Bill 1 Planning grants were due on October 20. District 6 is reviewing the grant applications. The review and rankings are due by next Friday for final review in Sacramento. Headquarters will consider the rankings and award notices will go out in December.

Mayor Vosburg (Coalinga) asked when the anticipated start for the SR 269 bridge will be. Mr. Navarro responded that the focus is getting through the environmental permitting process. Optimistically, construction will begin in the spring.

#### **Fresno COG Sitting as the Fresno Council of Governments Policy Board**

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

After an opportunity for public comment, Mayor Cardenas (Fowler) motioned and Mayor Brand (Fresno City) seconded to reaffirm all actions taken while sitting at the Transportation Policy committee. The motion passed.

#### **IV. ADMINISTRATIVE CONSENT ITEMS**

##### **A. Monthly Legislative Update (Trai Her-Cole) [INFORMATION]**

After an opportunity for public comment, Mayor Lopez (Orange Cove) Beltran (Parlier) motioned and Mayor Beltran (Parlier) seconded to approve the consent agenda as presented. The motion passed.

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

##### **A. Senate Bill 1 Update (Tony Boren) [INFORMATION]**

Mr. Boren (FCOG) reported that Senate Bill 1 (SB 1) passed and will take effect November 1. We will all pay \$0.12 more at the pump. Beginning the first of the year, vehicle registrations will include a transportation improvement fee that will range from \$25-\$150, depending on the vehicle's value. SB1 will raise \$5.2 billion a year in perpetuity. There is a movement to repeal SB 1.

This item is informational only, no further action was required.

#### **VI. OTHER BUSINESS**

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

- Mr. Boren (FCOG) reported that due to the Thanksgiving holiday the next Policy Board meeting will be November 16, 2017.

##### **B. Items from Members**

- Mayor Lopez (Orange Cove) asked that the Board take a moment of silence for former Mayor Andrew Benitez, City of Parlier who passed away Saturday.

- Councilmember Silva (Mendota) reported that a group traveled to Sacramento and met with the California Water Coalition. The Temperance Flat project was submitted and meets the criteria to receive funding.
- Mayor Whalen (Clovis) asked if staff had an update on the Central Valley Forestry Corps priority that was taken on the 2017 One Voice trip. Ms. Her-Cole (FCOG) responded that additional funding is being sought to finalize the program and she would provide an update of all projects and priorities at next month's meeting.

## **VII. PUBLIC PRESENTATIONS**

### **A. Public Presentations**

There were no public presentations.

Adjourn to FCRTA at 6:35p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Tony Boren".

Tony Boren

### Public

No public present

### Staff

Robert Phipps

Les Beshears

Kristine Cai

Kai Han

Brenda Veenendaal

Trai Her-Cole

Jennifer Soliz

Suzanne Martinez

Jeaneen Cervantes