

## Fresno COG Policy Board

**Date:** Thursday, January 25, 2018  
**Time:** 5:30 PM  
**Place:** COG Sequoia Conference Room  
2035 Tulare St., Suite 201, Fresno, CA

### Americans with Disabilities Act (ADA) Accommodations

The Fresno COG offices and restrooms are ADA accessible. Representatives or individuals with disabilities should contact Fresno COG at (559) 233-4148, at least 3 days in advance, to request auxiliary aids and/or translation services necessary to participate in the public meeting / public hearing. If Fresno COG is unable to accommodate an auxiliary aid or translation request for a public hearing, after receiving proper notice, the hearing will be continued on a specified date when accommodations are available.

**AB23 REQUIREMENT: IN ACCORDANCE WITH THE BROWN ACT AND AB23 THE STIPEND AMOUNT PAID TO MEMBERS FOR ATTENDING THIS MEETING OF THE FRESNO COUNCIL OF GOVERNMENTS POLICY BOARD IS \$100**

### AGENDA AND ANNOTATED AGENDA IN PDF FORMAT FOR PRINTING

#### Exhibits:

Agenda  Annotated Agenda

### Fresno County Rural Transit Agency Meeting Package - Meeting will follow the Policy Board meeting

#### Exhibits:

FCRTA Agenda  FCRTA Packet

### Pledge of Allegiance

## I. PUBLIC PRESENTATIONS

- A. Medical Countermeasures and Emergency Preparedness (County of Fresno Department of Public Health) [INFORMATION]
- B. 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. **Note: Prior to action by the Policy Board on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to 3 minutes.**

## II. TRANSPORTATION CONSENT ITEMS

### About Consent

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 Policy Board 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 Policy Board concerning the item before action is taken.

A. **Executive Minutes of November 16, 2017**

**Exhibits:**

November Minutes

B. **Yosemite Area Regional Transportation System (YARTS) Contract Extension (Peggy Arnest) [APPROVE]**

**Summary:** Fresno COG wishes to extend Yosemite Area Regional Transportation System (YARTS) services beginning May 15, 2018 through September 15, 2018. YARTS has submitted a proposed budget for the extended services, which is attached to this item. All YARTS funding comes from the following sources: FTA 5307, Yosemite National Park, SJV Air Pollution Control District, FTA 5311(f), Federal Lands Access Program and farebox.

**Action:** Staff recommends extending the YARTS contract for the 2018 season (\$861,000).

C. **Purchase of Replacement FTA Section 5310 Van (Peggy Arnest) [APPROVE]**

**Summary:** Fresno COG purchased a commercial van for Fresno Economic Opportunities Commission (FEOC) in April 2016 with FTA Section 5310 funds to transport disabled and elderly persons. This van, driven by an FEOC employee, was in an accident on October 27, 2017 after which it was deemed to be a total loss by FEOC's vehicle insurance provider Nonprofits Insurance Alliance of CA.

Nonprofits Insurance Alliance of CA has offered FEOC a settlement of \$32,473.16. Creative Bus Sales has estimated replacement cost at \$45,122. FEOC has approved the replacement vehicle design and quote and has agreed to pay the difference of \$12,648.84. Fresno COG shall order a new van from Creative Bus Sales and have it delivered to FEOC at no additional cost to Fresno COG. FEOC has agreed to insure, maintain and operate the replacement van per the provisions of agreement FTA CA-16-X70.

**Action:** Staff, TTC and PAC recommend approving Fresno COG to order a new van and having it delivered to FEOC at no cost to Fresno COG.

D. **Circuit Planner and Circuit Engineer Report (Meg Prince) [INFORMATION]**

**Summary:** One-on-one meetings with each of the smaller cities (population under 50,000) by both the Circuit Planning Team (VRPA) and Circuit Engineering Team (Willdan) to identify project needs and activities concluded in October. More than 40 planning and engineering-related projects were identified. The firms have established prioritization criteria for both types of projects (planning and engineering) and ranked the projects based on the resulting scores. Both the Circuit Planner and Circuit Engineer have begun work on the top-scored projects.

The teams will move through the list from top to bottom, working on up to three projects at a time. Additional projects will be added to the bottom as projects are completed. This list is fluid and is intended to provide general direction for the teams. Throughout the process, this list may change, as priorities and/or time sensitive projects require attention amongst the agencies.

Below is an update on each of the active circuit planning and engineering projects. Activities that are completed, considered inactive, on the wait list or placed on hold by their respective agency, are not included below.

**Planning-related** projects include:

1. City of Fowler – Golden State Realignment Study Phase 2. Identifying potential funding sources and other resources for longer-term actions needed in the Phase 2 Golden State Boulevard Realignment and Design Study.
2. City of Orange Cove – Assistance with grant applications for bicycle and pedestrian projects.

**Engineering-related** projects include:

1. City of Reedley – Assistance with CMAQ Lifeline Application.

A couple of projects are pending additional information before moving forward. More updates will be provided next month.

Staff can provide details on the status of individual projects, as requested. Please contact Meg Prince at (559) 233-4148 Ext. 203 with any questions, comments or concerns regarding either the circuit planning or circuit engineering programs, or via email at [mprince@fresnocog.org](mailto:mprince@fresnocog.org).

**Action:** Information only. The Board may provide direction at its discretion.

**E. Obligational Authority Delivery (Jennifer Soliz) [INFORMATION]**

**Exhibits:**

 Delivery Report

**Summary:** On April 3, 2017, Fresno COG submitted the Federal Fiscal Year (FFY) 2016-17 Obligation Plan to Caltrans Local Assistance. This plan documents Fresno COG's estimated schedule for project and fund delivery for FFY 2016-17 (October 1, 2016 through September 30, 2017).

Total obligational authority (OA) for all federal funding sources in FFY 2016-17 would have been \$23,754,620; however, last year's OA was over delivered by \$1,480,350, so that amount was deducted from this year's OA target. In addition, there is an estimated oversight adjustment of \$515,453 based on the FFY 2017 advance apportionments and is also subtracted from this year's OA, leaving **\$21,758,817** as the projected FFY 2016-17 OA target.

The FFY ended on September 30, 2015 and Fresno COG's local agencies delivered **\$26,306,608** worth of projects for the Congestion Mitigation & Air Quality Program (CMAQ) and the Regional Surface Transportation Program (RSTP). Enclosed is the final OA delivery report from Caltrans. This report indicates that the Fresno County region was successful in delivering 120.9 percent of the RSTP and CMAQ OA delivery target assigned to our region, over delivering by \$3,060,500. The balance will carry over to the next FFY giving the Fresno County region a head start in delivery. Fresno COG staff is confident that local agencies will continue to meet their OA target.

Fresno COG would like to thank all project sponsors, city and county staff and Caltrans Local Assistance staff for their hard work and collaboration in this regional effort.

**Action:** Information only. The Board may provide direction at its discretion.

**F. California Transportation Commission 2017 Annual Report (Jennifer Soliz) [INFORMATION]**

**Exhibits:**

 Annual Report Summary

**Summary:** As required under Government Code Section 14535 and Section 9795, the California Transportation Commission's (Commission) 2017 Annual Report was presented to the Legislature in December. This report summarizes the Commission's accomplishments in the past year and offers specific recommendations for the Legislature to consider. These recommendations include addressing impacts from disruptive transportation technologies, promoting effective partnerships to improve the relationship between the state and its partners, as well as important legacy recommendations that have yet to be enacted from previous annual reports but are still relevant to address the state's transportation needs.

The report indicates that during fiscal year (FY) 2016-17, the Commission allocated more than \$5.2 billion in state and federal transportation funding, helping to generate almost 94,000 private and public sector jobs and contributing to a construction program in excess of \$9.2 billion in state-administered construction contracts. The commission adopted the 2018 State Transportation Improvement Program (STIP) guidelines and approved the STIP fund estimate with \$2.2 billion in new funding available for high priority highway, rail, transit, bicycle and pedestrian projects over the next five years. The Commission also adopted the 2017 Active Transportation Program (ATP), programming \$264 million to 122 projects.

This past year, the Legislature passed and the Governor signed Senate Bill (SB) 1, also known as the Road Repair and Accountability Act of 2017, increasing transportation funding and instituting much-needed reforms to improve accountability, transparency and efficiency. Enclosed is the California Transportation Commission's 2017 Annual Report summary. An electronic copy of the entire 2017 Annual Report can also be found on the Commission's website at [www.catc.ca.gov](http://www.catc.ca.gov).

**Action:** Information only. The Board may provide direction at its discretion.

**G. 2019 Active Transportation Program Cycle 4 Update (Jennifer Soliz) [INFORMATION]**

**Summary:** Senate Bill 99 (Chapter 359, Statutes of 2013) and Assembly Bill 101 (Chapter 354, Statutes of 2013) created the Active Transportation Program (ATP) to encourage active transportation modes. The ATP consolidated various transportation programs into a single program and was originally funded at about \$123 million a year from a combination of state and federal funds. Most recently, Senate Bill 1, the Road Repair and Accountability Act of 2017 (Chapter 20, Statutes of 2017) added approximately \$100 million per year to the ATP. This will nearly double available funds for the Active Transportation Program.

Statewide guidelines for the 2019 ATP Cycle 4 are being developed. The California Transportation Commission anticipates adopting the guidelines and fund estimates in March 2018. More information on the 2019 ATP can be found on the Commission's website at <http://catc.ca.gov/programs/atp/>.

Regional 2019 ATP Cycle 4 workshops will kick off early next month. For any questions regarding the 2019 ATP, please contact Jennifer Soliz at 559-233-4148 ext. 223 or [jsoliz@fresnocog.org](mailto:jsoliz@fresnocog.org).

**Action:** Information only. The Board may provide direction at its discretion.

**H. Draft Fresno County Airport Land Use Compatibility Plan Release (Brenda Veenendaal) [INFORMATION]**

**Summary:** The Draft Fresno County Airport Land Use Compatibility Plan Update (ALUCP) will be released for public review and comment on January 10, 2018 on Fresno COG's website at <https://www.fresnocog.org/project/airport-land-use-commission-fresno-county/>.

In December, Fresno COG staff reviewed the administrative draft with the Fresno County Airport Land Use Commission (ALUC) and the project development team. All comments and edits have been incorporated into the latest document.

In 2017, Fresno COG received funding from the Department of Transportation's State Aeronautics program to develop a unified ALUCP. This plan combines all eight existing airport compatibility plans into one document, adding an additional chapter to address the land-use compatibility issues and requirements from the Lemoore Naval Air Station. Many of the adopted Fresno Airport Land Use Compatibility Policy Plans are out of date, with some dating back to 1983, and must be brought into compliance with the State Aeronautics Act. It is crucial to provide updated, unified tools for consistency review findings on plans and projects adjacent to Fresno County's airports. The plan is expected to be completed in late 2018.

The ALUC reviews plans and projects to determine land-use consistency with the ALUCP for noise, safety, airspace protection, aviation easement and protection. ALUC consistency reviews of land uses and land-use changes, rezoning applications, zoning ordinance text amendments, airport master plans and building regulations proposed are required when plans or projects are located within airport influence areas.

Timeline:

January 10, 2018 - ALUCP Update Public Draft released for public review and comment

January 24, 2018 - Project Development Team meeting and public workshop on ALUCP Update Public Draft

February 10, 2018 - Comments due to Fresno COG on ALUCP Update Public Draft

**Action:** Information only. The Board may provide direction at its discretion.

I. **Environmental Justice (EJ) Small Grants Notice of Funding Availability (Trai Her-Cole)**  
**[INFORMATION]**

**Summary:** The California Environmental Protection Agency (CalEPA) Environmental Justice (EJ) Small Grants Program offers funding opportunities to assist eligible non-profit community organizations and federally-recognized Tribal governments address EJ issues in areas disproportionately affected by environmental pollution and hazards. The EJ Small Grants are awarded on a competitive basis.

**New Funding Available for 2018**

**Maximum Available Per Project.** The maximum grant amount is \$50,000.

**Grant Term.** 12 months.

**Application Deadline:** February 28, 2018.

**Eligibility.** Eligible applicants are limited to non-profit entities or federally recognized Tribal governments. A “non-profit entity” is defined as any corporation, trust, association, cooperative, or other organization that meets all of the following criteria:

1. Operates primarily for scientific, educational, service, charitable or other similar purposes in the public interest.
2. Not organized primarily for profit.
3. Uses its net proceeds to maintain, improve, or expand, or any combination thereof, its operations.
4. Is a tax-exempt organization under federal Internal Revenue Code Section 501 (c)(3), or is able to provide evidence that the State of California recognizes the organizations as a non-profit entity.

“Environmental justice” is defined in Government Code section 65040.12 as “the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.”

Grants will be awarded on a competitive basis for projects that are based in communities with the most significant exposure to pollution. Projects will be prioritized by those addressing the most significant exposure(s) to pollution, including projects that address one or more of the following goals:

1. Improving access to safe and clean water.
2. Addressing climate change impacts through community-led solutions.
3. Reducing the potential for exposure to pesticides and toxic chemicals.
4. Promoting community capacity building — improving communities’ and tribes’ understanding of the technical and procedural aspects of environmental decision-making.
5. Promoting community-based research that protects and enhances public health and the environment.
6. Addressing cumulative impacts through collaboration between community-based organizations and local government.

To apply for the upcoming 2018 EJ Grant Cycle, submit an application to the CalEPA EJ Grant Program for consideration on or before the **February 28, 2018** application deadline. Application & instructions are available at <https://calepa.ca.gov/envjustice/funding>.

For any additional information, contact Trai Her-Cole at [traih@fresnocog.org](mailto:traih@fresnocog.org).

**Action:** Information only. The Board may provide direction at its discretion.

J. **Hazard Mitigation Grant Program - Notice of Interest (Trai Her-Cole) [INFORMATION]**

**Summary:** The California Governor’s Office of Emergency Services (CalOES) is offering a new funding opportunity available through the Hazard Mitigation Grant Program (HMGP) as a result of a presidentially declared disaster for the October 2017 wildfires. HMGP funds eligible project and planning activities for eligible subapplicants.

Notices of Interest (NOI) for eligible hazard-mitigation project and planning activities are due no later than **January 30, 2018**. The NOI can be submitted electronically via Cal OES's HMGP web page, here: <http://www.caloes.ca.gov/cal-oes-divisions/recovery/disaster-mitigation-technical-support/404-hazard-mitigation-grant-program>. Instructions are attached and available on the webpage.

Eligibility requirements include:

- Must be an eligible subapplicant (State agency, local government (city, county, special districts), federally recognized tribes, and private nonprofit organizations)
- Subapplicants **MUST** have a FEMA approved and adopted Local Hazard Mitigation Plan to be eligible for project funding
- 75 percent Federal cost share/25 percent local cost share - State does not contribute to local cost share.
- Projects are limited to a maximum of \$5 million Federal share requested.
- Projects must be completed (including closeout) within 36-month performance period.
- **NO CONSTRUCTION prior to FEMA approval.** HMGP does not fund projects that are in progress or projects that have already been completed.

CalOES will review NOIs and will notify subapplicants regarding eligibility by March 1, 2018. Subapplicants that receive notification of an eligible NOI will be invited to a two-day subapplication development workshop that will include detailed program information, guidance, and information about FEMA's benefit-cost analysis tool. Full subapplications will be due to CalOES by July 1, 2018.

Please contact Trai Her-Cole at [traih@fresnocog.org](mailto:traih@fresnocog.org) with any questions.

**Action:** Information only. The Board may provide direction at its discretion.

K. **Environmental Justice Collaborative Problem-Solving Program Fiscal Year 2018 Request for Proposals (Trai Her-Cole) [INFORMATION]**

**Summary:** Fiscal year 2018 request for proposals (RFPs) for the Environmental Justice Collaborative Problem-Solving Cooperative Agreement Program will close on **February 16, 2018**.

The Environmental Justice Collaborative Problem-Solving (EJCPS) Cooperative Agreement Program provides funding to support community-based organizations in their efforts to collaborate and partner with local stakeholder groups (e.g., local businesses and industry, local government, medical providers, and academia) as they develop and implement solutions that address environmental and/or public health issues for underserved communities.

Eligible projects must use the Environmental Justice Collaborative Problem-Solving Model to support their collaborative efforts during the project period. Applying organizations should have a direct connection to the underserved community impacted by the environmental harms and risks detailed in the work plan.

**SPECIAL CONSIDERATION:** For the 2018 opportunity, the EJCPS program will give special consideration to high-ranking proposals to be performed in rural areas as defined by the program.

**FUNDING/AWARDS:** The total estimated funding for this competitive opportunity is approximately \$1,200,000. Environmental Protection Agency (EPA) anticipates awarding one cooperative agreement of \$120,000 within each of the 10 EPA regions, subject to fund availability, the quality of proposals received and other applicable considerations. Funded assistance agreements will have a two-year project period. Applicants should plan for projects to start September 1, 2018.

The full RFP can be found at [https://www.epa.gov/sites/production/files/2017-11/documents/ej\\_collaborative\\_problem\\_solving\\_agreement\\_-\\_fy18\\_request\\_for\\_proposals.pdf](https://www.epa.gov/sites/production/files/2017-11/documents/ej_collaborative_problem_solving_agreement_-_fy18_request_for_proposals.pdf)

**Action:** Information only. The Board may provide direction at its discretion.

III. **TRANSPORTATION ACTION/DISCUSSION ITEMS**

A. **Senate Bill 1 State of Good Repair Program (Les Beshears) [APPROVE]**

**Exhibits:**

Certification & Assurances     Authorized Agent     Resolution 2018-01

**Summary:** The State Controller has released estimates for the SB 1 State of Good Repair program and Caltrans has issued guidelines. The program will work similarly to the State Transit Assistance program that Fresno COG already administers; however, it will be restricted to transit capital projects only and there are additional reporting requirements.

Funding to the Fresno County region for the first year is estimated to be \$1,517,695. Transit operators are required to submit an authorization resolution, certifications and assurances of compliance and a list of eligible projects to Caltrans by January 31, 2018. In subsequent years all administration will be through the Metropolitan Planning Organization (Fresno COG) but in this first year, transit operators are allowed to submit directly to Caltrans. Failure to meet the January 31 deadline could result in a loss of funds.

**Action:** Authorize Resolution 2018-01 designating the Fresno COG Executive Director as grant administrator for the SB1 State of Good Repair program.

**B. Federal Demonstration Fund Repurposing Memorandum of Understanding with Caltrans (Les Beshears) [APPROVE]**

**Summary:** In 2016, Caltrans and Federal Highway Administration (FHWA) identified old, inactive earmark grants and allowed agencies to “repurpose” unencumbered balances. Caltrans identified \$1.891 million in unobligated federal demonstration funds available for repurposing that was originally dedicated to State Route (SR) 180.

Consistent with the earmark’s original intent, the Board adopted resolution 2016-21 requesting that Caltrans and FHWA program the funding on the segment of SR 180 now under construction. Caltrans and FHWA subsequently approved this choice; however, when Caltrans listed the project, bids came in higher than anticipated. Rather than rebid the contract in a potentially inflationary environment, staff proposed that Caltrans use a combination of State Transportation Improvement Program (STIP) G12 and contingency reserved in the Measure C cooperative agreements to accept the bid and begin construction.

When staff produced the recently adopted Measure C Regional Transportation Plan, this strategy was calibrated into the plan assumptions to restore the Measure’s contingency, resulting in minimal local Measure funds. Caltrans now requests that Fresno COG authorize drawing down the federal funds through a memorandum of understanding (MOU).

**Action:** Authorize the Executive Director to execute a MOU with Caltrans providing \$1.891 million in federal demonstration funds to SR 180 – Trimmer to Frankwood.

**C. Measure C Transit Oriented Infrastructure for In-fill Program (TOD) Program Cycle VI Call for Project (Kristine Cai/Trai-Her-Cole) (Information)**

**Exhibits:**

TOD Funding Application     TOD Program Policies and Guidelines

**Summary:** Measure C’s Transit-Oriented Development (TOD) Program was established to boost transit ridership and encourage transit-supportive land use, such as higher-density development and mixed uses. TOD program projects serve as models that reduce vehicle trips, improve air quality and provide access to physical activity opportunities through integrated land use and transportation.

The TOD program is estimated to receive \$16.9 million over its 20-year lifespan, with approximately \$864,880 is accrued annually. More than \$6 million has been granted to projects for the last five funding cycles since 2012. In summer 2017, both the Fresno COG Policy Board and the Fresno County Transportation Authority Board approved the revised TOD program guidelines that allow the jurisdictions from the entire county to compete for the funding. The revised TOD Program Policies and Guidelines are attached for your reference.

The TOD program Cycle VI call for projects opens on January 12, 2018, and applications are due on **February 28, 2018**. There is \$1,500,000 available for Cycle VI. Attached is the application package.



**Action:** Information only. The Board may provide direction at its discretion.

D. **Caltrans Update (CALTRANS) [INFORMATION]**

IV. **ADMINISTRATIVE CONSENT ITEMS**

**About Consent**

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A. **2018 Legislative Platform (Trai Her-Cole) [APPROVE]**

**Exhibits:**

 2018 Legislative Platform

**Summary:** The Legislative Platform includes Fresno COG's advocacy priorities in state and federal legislative matters. It represents a unified voice when communicating legislative priorities to our state and federal lawmakers, as well as to relevant state and federal agencies. It also provides guidance to the Fresno COG staff and lobbying partners when advocating on behalf of the Policy Board.

The 2017 Legislative Platform was circulated for input to help inform the 2018 Legislative Platform. Two additional points have been included to: support SB 1 funding implementation and; advocate for funding distributions based on CalEnviroScreen's determination of disadvantaged communities. The 2018 Legislative Platform is enclosed and reflects the most current priorities for advocacy during the 2018 state and federal legislative session.

**Action:** Staff and PAC recommend approval the 2018 Legislative Platform. The Board may provide additional direction at its discretion.

B. **Monthly Legislative Report (Trai Her-Cole) [INFORMATION]**

**Exhibits:**

 Legislative Report

To locate current and past year state bill information go to the Official California Legislative Information webpage at: <http://www.leginfo.ca.gov/>

To locate current and past year federal bill information go to THOMAS, The Library of Congress's bill information website (in the spirit of Thomas Jefferson) at: <http://thomas.loc.gov/>

Please contact staff person, Trai Her-Cole, if you have any questions or comments.

V. **ADMINISTRATIVE ACTION/DISCUSSION ITEMS**

VI. **OTHER BUSINESS**

A. **Items from Staff**

B. **Items from Members**