

Fresno COG Policy Board

Date: Thursday, April 25, 2019
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 AN ANNOTATED AGENDA IN PDF FORMATING FOR PRINTING

Exhibits:

Agenda Annotated Agenda

Fresno County Rural Transit Agency Meeting Package - Meeting will follw Policy Board meeting

Exhibits:

FCRTA Packet

PLEDGE OF ALLEGIANCE

SCHEDULED PRESENTATION

A. Community Choice Energy (Woody Hastings/Destiney Rodriguez) [INFORMATION]

I. Sitting as the Fresno County Mayors City Selection Committee

1. Call Meeting to Order and Roll Call
2. Approval of the January 31, 2019 Minutes [APPROVE]
3. AIRPORT LAND USE COMMISSION [APPOINT]
4. AIRPORT LAND USE COMMISSION [APPOINT]
5. LOCAL AGENCY FORMATION COMMISSION (LAFCo) [APPOINT]
6. LOCAL AGENCY FORMATION COMMISSION (LAFCo) [APPOINT]
7. TRANSPORTATION AUTHORITY [APPOINT]
8. PUBLIC PRESENTATIONS
9. ADJOURN CITY SELECTION COMMITTEE

II. 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 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 March 28, 2019 [APPROVE]

Exhibits:

March Minutes

B. County of Fresno Transportation Development Act Claim (Les Beshears) [APPROVE]

Exhibits:

County TDA Claim Resolution 2019-06

Action: Approve Resolution 2019-06 adopting the County of Fresno's 2018-19 Transportation Development Act claim for \$7,327,747.

C. 2019-20 Local Streets and Roads Project Lists Due to CTC May 1, 2019 (Jennifer Soliz) [INFORMATION]

Exhibits:

LS&R Funding Checklist LS&R Schedule LS&R Sample Resolution

Summary: Prior to receiving an apportionment from SB 1's Road Maintenance and Rehabilitation Account (RMRA), a city or county must submit to the California Transportation Commission (CTC) an adopted list of projects proposed with these funds by **May 1 of each year**. The attached checklist provides additional assistance to cities and counties with adopting and submitting their project lists to the CTC, per Streets and Highways Code (SHC) Section 2034(a)(1). The 2019 Local Streets and Roads Funding Program Reporting Guidelines and additional program materials are available on the Local Streets and Roads Program web page. (<http://www.catc.ca.gov/programs/sb1/l srp/>)

All projects proposed to receive funding must be adopted by resolution at a regular public meeting each fiscal year. The adopted list of proposed projects should, at a minimum, include any new projects to be funded with that fiscal year's apportionment and any projects previously listed that will continue to receive funding in the coming fiscal year (i.e. multi-year funded projects). At a minimum, the proposed project details must include the elements mandated by SHC 2034 (a)(1): description, location, schedule for completion and useful life elements.

While the online tool CalSMART requires more project information than required for project adoption, there must be a clear connection between the proposed projects and those entered online. The standard project list format that was created in CalSMART will be the only submittal method accepted for funding eligibility.

All cities and counties will have an opportunity to identify changes to their project list in the Annual Project Expenditure Report, due to the CTC on October 1 each year.

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

D. Notice of Funding Availability - SB 2 Planning Grants Program (Meg Prince) [INFORMATION]

Summary: The California Department of Housing and Community Development (HCD) has released the SB 2 Planning Grants Program notice of funding availability (NOFA) for approximately \$123 million.

The Planning Grants Program provides one-time, over-the-counter grants to local governments to update a variety of planning documents and processes that streamline housing approvals and accelerate housing production.

Over-the-counter applications will be accepted for an eight-month period ending on **November 30, 2019**.

As part of the Planning Grants Program, HCD, in coordination with the Governor's Office of Planning and Research, will work with a team led by Placeworks to provide local technical assistance (TA) to applicants throughout the application period. The TA team will work closely with regions, sub-regions, and counties to help jurisdictions identify activities and provide tools that will accelerate housing production. For more information, email sb2planninggrant@hcd.ca.gov.

To learn more, register to attend one of HCD's NOFA workshops, or visit the SB 2 Planning Grants [webpage](#) for more information.

Location	Date and Time
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Sacramento

California Department of Housing and
Community Development

2020 West El Camino Avenue	April 10, 2019
Sacramento, CA 95833	1:00 p.m. – 4:00 p.m.
Room 402	

Redding

Redding City Hall

777 Cypress Avenue	April 11, 2019
Redding, CA 96001	10:00 a.m. – 1:00 p.m.
City Council Chambers	

Los Angeles

Southern California Association of
Governments

900 Wilshire Blvd. Suite 1700	April 25, 2019
Los Angeles, CA 90017	10:00 a.m. – 2:00 p.m.
Regional Council Room	

HCD Webinar

May 1, 2019
1:00 p.m. – 4:00 p.m.

Action: Information. The Policy Board may provide additional direction at its discretion.

E. **2019 FTA Section 5310, Enhanced Mobility of Seniors and Individuals with Disabilities Program Application Released for the Fresno/Clovis Urbanized Area (Peggy Arnest) [INFORMATION]**

Exhibits:

Application

Summary: Fresno COG receives FTA Section 5310 Program funds for the Fresno Metropolitan Area, which provides capital and operating assistance for transportation projects that meet the needs of seniors and individuals with disabilities. The funds may be used for projects where public mass transportation services are otherwise unavailable, insufficient or inappropriate; that exceed the requirements of the ADA; that improve access to fixed-route service and; that provide alternatives to public transportation.

Fresno COG released an application for Section 5310 funding in the Fresno/Clovis urbanized area on April 11, 2019. The deadline for applications is May 16, 2019. Approximately **\$745,658** will be available for **traditional capital** projects and approximately **\$82,851** for **other capital and operating** projects, for a total of **\$828,509**. For more information, see <http://www.fresnocog.org/fresno-cog-administered-grant-programs> or contact Peggy Arnest at parnest@fresnocog.org or 559-724-9218.

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

F. **Fiscal Year 2019 Innovations in Transit Public Safety Notice of Funding Opportunity (Trai Her-Cole) [INFORMATION]**

Summary: The Federal Transit Administration will award \$2 million under the Public Transportation Innovation Program for fiscal year 2019. There is a non-federal cost share of at least 20 percent.

The application deadline is **May 28, 2019**.

The program supports innovative projects that address public safety threats on transit systems to reduce human trafficking occurring on transit systems, protect operators from risk of assault, and reduce crime in vehicles and facilities. Eligible applicants include state, local, and tribal governments; public transit agencies; non-profit organizations; or a consortium of those aforementioned entities.

FTA will host an informational webinar for prospective applicants on Tuesday, April 16, 2019, on how to apply.

For more information, please see the Full notice of funding opportunity or the Human Trafficking Awareness and Public Safety Initiative Website. Contact Dakisha Spratling at FTAPublicSafety@dot.gov or (202) 366-2530 with questions.

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

G. **Easement and Planning Grant Application (Trai Her-Cole) [INFORMATION]**

Summary: The California Department of Conservation has issued the 2018-19 Sustainable Agricultural Land Conservation Planning Grant, whose intent is to protect agricultural lands under threat of conversion.

Agricultural Conservation Easement applications must be preceded by a pre-proposal, whose deadline is April 17. All other full applications are due September 13 for the following investment types:

1. Agricultural Conservation Easements – Grants to protect important agricultural lands under threat of conversion through voluntary, permanent agricultural conservation easements.
2. Sustainable Agricultural Lands Conservation Planning Grants to develop and implement plans for protecting agricultural lands at risk of conversion to non-agricultural uses.

Planning grants are limited to \$250,000 each. There is no maximum amount for easement grants.

Program guidelines and application may be found at: <https://www.conservation.ca.gov/dlrp/grant-programs/SALCP/Pages/Application%20Information.aspx>

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

H. Fiscal Year 2019 Low-No Emission Notice of Funding (Trai Her-Cole) [INFORMATION]

Exhibits:

 Grant Opportunity

Summary: The Federal Transit Agency will award an estimated \$85 million for the FY 2019 Low- or No-Emission Competitive program to state and local governments for zero-emission and low-emission transit buses and supporting facilities. Under the Fixing America's Surface Transportation (FAST) Act, \$55 million per year is available until fiscal year 2020.

Eligible projects include:

- purchasing or leasing low- or no-emission buses
- acquiring low- or no-emission buses with a leased power source
- constructing or leasing facilities and related equipment (including intelligent technology and software) for low- or no-emission buses
- constructing new public transportation facilities to accommodate low- or no-emission buses
- rehabilitating or improving existing public transportation facilities to accommodate low- or no-emission buses

For more information, please see the [full FY 2019 notice of funding opportunity](#) . Contact Trai Her-Cole, Associate Regional Planner, at traih@fresnocog.org or (559) 233-4148 x205 with any questions.

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

I. AARP Community Challenge Grant (Trai Her-Cole) [INFORMATION]

Summary: AARP invites applications for quick-action projects that can help communities become more livable. Applications are now being accepted for small grants to improve housing, transportation, public space, smart cities and other community elements.

AARP Community Challenge grants can be used to support the following types of projects. Project types described below will be prioritized over those that support ongoing programming or events:

- Permanent physical improvements in the community
- Temporary demonstrations that lead to long-term change
- New, innovative programming or services

The application and complete grant information can be found at AARP.org/CommunityChallenge. Contact Trai Her-Cole, Associate Regional Planner, at traih@fresnocog.org or (559) 233-4148 x205 with any questions.

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

J. Obligation Authority and Project Delivery Update (Jennifer Soliz) [INFORMATION]

Summary: On April 1, 2019, Fresno COG submitted the federal fiscal year (FFY) 2018/19 Obligation Plan to Caltrans Local Assistance. This plan documents Fresno COG's estimated schedule for project and fund delivery for FFY 18/19. The overall total obligational authority (OA) for all federal funding sources in FFY 18/19 was \$23,244,125.

As of February 28, 2019, \$4,198,620 or 17.9 percent of Congestion Mitigation Air Quality (CMAQ) and Surface Transportation Block Grant (STBG) funding has been obligated, leaving our region with an estimated OA balance of \$19,228,356. The obligation plan submitted by the local agencies outlines \$18,123,301 in combined CMAQ and STBG, which is \$1,105,055 short to our target OA.

Agencies with projects scheduled in the Federal Transportation Improvement Program's (FTIP) later years can take advantage of the expedited project selection procedures (EPSP) to deliver their projects early. Post programming adjustments will also count towards our region's OA delivery, and agencies may use unused CMAQ and STBG discretionary (lifeline) balances if available. If our region is successful at delivering more than its OA target, we might be eligible to capture additional funds during the statewide open obligation period. Toll credits may be applicable for project phases that have not

been obligated at 100 percent federal reimbursement if residual federal funds are available. Furthermore, if funds need to be reprogrammed and financial capacity is not available, it is possible that projects can become substantially delayed if moved to the outer years of the FTIP.

Member agencies are asked to please keep Fresno COG staff updated on any changes to programmed projects that could possibly impact the region's project delivery plan. Contact Jennifer Soliz at 559-233-4148 ext. 223 or jsoliz@fresnocog.org with any questions.

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

III. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. GoGo Grandparent Update (Donna Blocker) [APPROVE]

Exhibits:

Taxi Scrip Report GoGo Grandparent Report

Summary: In November 2018, Fresno COG's Taxi Scrip program began a six-month pilot program with GoGo Grandparent to provide telephone-based access to mobile application services Uber and Lyft. During the first four months of the pilot program, staff received overwhelmingly positive feedback with the help of 50+ volunteers who received 945 rides as of April 1, 2019. Staff proposes to extend the pilot program through June 30, 2019, and to launch a rebranded GoGo Grandparent/Measure C Senior Scrip partnership service as of July 1, 2019. No additional funding is required for the pilot extension because the original budget approved by the Fresno COG Policy Board envisioned 90+ volunteers. This new service option would complement the already existing Senior Scrip taxi partnership service.

Staff has provided two reports for the Committee's review:

Report No. 1 Taxi Scrip Survey Response

- This survey was originally sent in August 2018 to 5,526 seniors to assess overall satisfaction with the current Taxi Scrip Program and the willingness to try a TNC service provider such as Lyft and Uber.

Report No. 2 GoGo Grandparent Pilot Volunteer Response

- This survey assesses the pilot program's functions and overall satisfaction using service providers Lyft and Uber via GoGo Grandparent. Note: Pilot volunteers were chosen from the original Taxi Scrip survey respondents.

COG Staff is confident that the pilot program has provided seniors a workable electronic service option as requested by the Board. GoGo Grandparent makes it possible to provide service for urban and rural area seniors without requiring a smartphone or credit card.

Action: Staff, TTC and PAC recommend the Policy Board approve extending the GoGo Grandparent pilot program through June 30, 2019, with an official launch of the full-time GoGo Grandparent Senior Scrip service option on July 1, 2019.

B. Fresno County Regional Long-Range Transit Plan (Kristine Cai) [APPROVE]

Summary: Fresno COG has been working with transit operators and concerned stakeholders on developing the first regional Long-Range Transit Plan (LRTP) in Fresno County in the last two years. Funded by Caltrans' Sustainable Communities Planning grant, the LRTP aims to develop a long-range vision for public transportation in the region and guide future investment in the public transit system.

The plan envisions "A responsive, integrated and welcoming public transportation system that is safe, affordable, uses innovative technologies, provides equitable access, enhances regional and local mobility, and provides sustainable transportation options." Through a collaborative process, the plan identified strategies and potential projects that will address the region's transit needs and help move it toward achieving the vision. Although fiscally unconstrained, the plan will provide critical input into the

future Regional Transportation Plan/Sustainable Communities Strategies (RTP/SCS) process.

A Steering Committee -- which comprised representatives from the three major transit operators, local governments, community organizations and other stakeholders -- provided guidance throughout the process. A public review process was conducted for the draft report, and comments were received from Caltrans and California Rural Legal Assistance (CRLA). Responses to those comments are included as part of the appendix of the draft final report, available at <https://www.fresnocog.org/regional-long-range-transit-plan/>.

The governing boards of the three major transit agencies, Fresno Area Express (FAX), Clovis Transit, and Fresno County Rural Transit Agency (FCRTA) have endorsed/accepted the draft final LRTP report.

A short presentation will be delivered to the Policy Board.

Action: Staff and TTC/PAC recommend the Policy Board approve the Fresno County Regional Long Range Transit Plan.

C. 2019 Unmet Transit Needs Process April Update (Todd Sobrado) [INFORMATION]

Summary: Last month, Fresno COG presented an update on the 2019 Unmet Transit Needs process. In the interim, staff has completed the public outreach and is drafting the written report.

Staff will be holding the public hearing for the 2019 Unmet Transit Needs process at the June 2019 Policy Board meeting at 5:30 p.m. on Thursday, June 27, 2019.

As of this writing:

- All comments received to date have been discussed and evaluated by the Social Services Transportation Advisory Council (SSTAC).
- SSTAC has received two comment letters that are being addressed.

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

D. Housing Legislation Update (Meg Prince/Trai Her-Cole) [INFORMATION]

Summary: Staff will provide an update on recent draft housing legislation.

Housing Planning and Production Grants Draft Trailer Bill

Governor Newsom's office released draft language for a budget trailer bill on March 11 that proposes to engage local and regional agencies in a three-year process to revamp the Regional Housing Needs Assessment (RHNA) process and provide \$250 million for local housing planning and \$500 million in "free money" to local government that meet housing goals.

In his draft budget trailer language, Newsom made the following proposals:

- The California Department of Housing and Community Development (HCD) will create new, short-term goals for new housing production across all regions and jurisdictions. Targets will be based on the sum of three years of a county's annualized regional housing needs allocation, to be achieved in calendar years 2020 and 2021.
- \$250 million in housing planning money will go to regions and local governments.
 - \$125 million will go to regions (presumably councils of governments) to develop regional action plans to assist jurisdictions in meeting short- and long-term housing goals. HCD will make these funds available by August 2019, and action plans are due no later than December 31, 2020.
 - \$125 million will be available directly for jurisdictions to assist in activities related to meeting short- and long-term housing goals.
- An additional \$500 million will be available through the "Production and Process Improvement Reward Program" for regions or counties that have demonstrated progress towards increased

housing production. These funds may be used for general purposes.

- By December 31, 2022, HCD and the Governor's Office of Planning and Research will propose an improved RHNA process and methodology that promotes and streamlines housing development.
- Most controversially, by December 31, 2022, HCD, OPR, and the California State Transportation Agency will propose a way to link housing element compliance and production goals to transportation funds. Beginning July 1, 2023, Road Maintenance and Rehabilitation Program funds may be withheld from a jurisdiction that does not have a compliant housing element and has not zoned or entitled for its annual housing goals.

The full draft trailer bill language is available on the Department of Finance's website: http://www.dof.ca.gov/Budget/Trailer_Bill_Language/documents/HousingPlanningandProductionGrants.pdf

AB 1568 (McCarty) Housing law compliance: withholding of transportation funds.

This bill would require the Department of Housing and Community Development (HCD) to notify the Controller of any city or county out of compliance with housing element laws (state law). This bill would, commencing in 2022–23, prohibit cities and counties from being found in violation of state law to remain eligible for Road Maintenance and Rehabilitation Program (RMRA) apportionments. For each city and county in violation, RMRA funds would be withheld.

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

E. Circuit Planner and Engineer Program Fiscal Year 2019-20 (Meg Prince) [INFORMATION]

Summary: The Fresno COG Circuit Planner and Circuit Engineer programs are intended to provide technical assistance to Fresno COG member agencies. Such assistance could include, but is not limited to, planning studies, project deliveries, grant applications, environmental documents, engineering services, etc.

The Circuit Planner program has been available since 2012, initially funded with Proposition 84 funds, and the Circuit Engineer program was instated in 2015. Since 2015, VRPA Technologies has served as the Circuit Planner and Willdan Engineering as the Circuit Engineer.

Fresno COG is proposing to release a request for proposals (RFP) in May for a combined Circuit Planner and Engineer program for Fiscal Year 2019-20 with a total contract amount of \$100,000. Teams of planning and engineering firms, or firms that provide both types of services, will be encouraged to submit proposals. Combining the programs could provide flexibility in funding, depending on the needs of the member agencies.

If you have questions about the program or a potential project in mind, please contact Meg Prince, Associate Regional Planner, at mprince@fresnocog.org or (559) 233-4148 x203.

Action: Information. The Policy Board may provide additional direction at its discretion.

F. California's Clean Air Act Preemption Waiver Initial Update (Braden Duran) [INFORMATION]

Summary: In August 2018, the National Highway Traffic Safety Administration (NHTSA) and U.S. Environmental Protection Agency jointly proposed the Safe-Affordable Fuel Efficient Vehicle Rule (SAFE) to withdraw California's Clean Air Act preemption waiver (allowing California to establish its own vehicle fuel economy and emissions standards) and roll back Corporate Average Fuel Economy (CAFE) standards. The rule's finalization is expected this summer.

NHTSA's action, if finalized, would invalidate EMFAC2014, California's transportation emissions modeling software. EMFAC contains emissions reduction assumptions for the California Air Resources Board's (CARB) Advanced Clean Cars (ACC) regulations. The SAFE Vehicle Rule would revoke CARB's authority to include emissions reductions from ACC regulations in EMFAC, invalidating the software and California's State Implementation Plan (SIP). Without EMFAC and a valid SIP, MPOs in nonattainment areas cannot demonstrate air quality conformity under the Clean Air Act. A conformity finding is necessary to approve new Regional Transportation Plans (RTP), Transportation Improvement Programs (TIP) or RTP/TIP amendments for projects not exempt from regional or project level

conformity. These are the Fresno region's regionally significant projects. It is anticipated that finalization of this rule will significantly limit COG's ability to manage the TIP and non-exempt project delivery processes.

As we await the final ruling, MPOs, Caltrans, CARB, and the CTC are working together to bring a face to this issue through our federal Congressional delegation. If this rule is finalized, MPOs will work with Caltrans and ARB to develop an action plan. If not resolved in a timely manner, this rule will likely have project delivery impacts on the regions as soon as November/December 2019.

Action: Information. The Policy Board may provide additional direction at its discretion.

G. **Caltrans Report (CALTRANS) [INFORMATION]**

IV. **ADMINISTRATIVE CONSENT ITEMS**

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A. **Regional Clearinghouse (Jennifer Soliz) [APPROVE]**

Exhibits:

Regional Clearinghouse

Summary: The agenda package includes this month's Clearinghouse Calendar containing "Project Notification and Review Reports" for grant proposals.

	Project	Applicant
1.	Head Start and Early Head Start 2018 Refunding Application (Year 3 of Year 5 Cycle)	Fresno EOC

Action: Per Board procedure, unless an item is pulled from the Consent Calendar, authorization is provided for staff to forward any comments received, or any Committee/Board comments generated as a result of this informational item, to the appropriate agency.

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

Summary: Attached is the most recent legislative report for the California State Legislature 2019-20 session and a federal report from Simon and Company. To locate current and past-year state bill information, go to the Official California Legislative Information webpage at leginfo.ca.gov/

To locate current and past-year federal bill information go to THOMAS, the Library of Congress's bill information website at <http://thomas.loc.gov/>

Action: Information. The Policy Board may provide further direction at its discretion.

V. **ADMINISTRATIVE ACTION/DICUSSION ITEMS**

OTHER ITEMS

- A. **Items from Staff**

- B. **Items from Members**

VII. PUBLIC PRESENTATIONS

- A. **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.**