

**Policy Advisory Committee  
MINUTES  
Friday, October 11, 2019  
10:00 AM**

**Members Present**

Jean Rousseau, Fresno County  
Luke Serpa, City of Clovis  
Wilma Quan, City of Fresno  
Alexander Henderson, City of Kingsburg  
Nicole Zieba, City of Reedley  
Elizabeth Nunez, City of San Joaquin  
Teresa Gallavan, City of Selma  
David Padilla, Caltrans  
Tony Boren, Fresno COG

The meeting was called to order at 10:05 a.m. by Mr. Rousseau (Fresno County), Chair. With seven members present, there was a quorum to conduct business.

**I. TRANSPORTATION CONSENT ITEMS**

- A. Executive Minutes of September 13, 2019 [APPROVE]
- B. City of Selma Transportation Development Act Claim (Les Beshears) [APPROVE]
- C. Transportation Network Vulnerability Assessment – Vulnerability Assessment Summary Memo [INFORMATION] (Meg Prince)
- D. Caltrans 2019 FTA Section 5310 funding for Small Urban and Rural projects (Peggy Arnest) [APPROVE]

After an opportunity for public comment, Mr. Serpa (Clovis) motioned and Mr. Henderson (Kingsburg) seconded to approve the consent agenda as presented. The motion passed.

**II. TRANSPORTATION ACTION/DISCUSSION ITEMS**

**A. 2019 Fresno Regional Transportation Innovations Summit (Robert Phipps) [INFORMATION]**

Mr. Phipps (FCOG) reported that Fresno COG and the Fresno State Transportation Institute are planning the 2019 Fresno Regional Transportation Innovations Summit to be held from 8 a.m. to 6 p.m. Wednesday, Oct. 23, 2019. This joint venture will provide an opportunity to become familiar with the latest in advanced, clean transportation technology through an up-close and personal experience. It also brings together businesses and individuals that have invested in cleaner transportation technology, to share their successes and challenges with the community.

Summit topics include the latest on: Transportation technology, Electric vehicles, chargers and incentives, Autonomous vehicles, Electric aviation, High-speed rail impacts, Housing/transportation connection, Public health & transportation, Transit innovations, New technology studies, SB 743 and Transportation safety. Other summit activities include tours, nine breakout sessions, informational and vehicle displays, a Summit "After-Party" and the 2019 Fresno Regional Transportation Innovations Summit Awards presentation.

Fresno COG and the Fresno State Transportation Institute are also soliciting sponsorship support. To date, the following sponsorships have been confirmed: Mark Thomas, Fresno County Transportation Authority, Measure C, Envision Solar, Creative Bus Sales, LG Electric, Sigala, Inc., Martens Chevrolet, Renew Auto, RCOM and Safety Vision.

This item was informational only; no further action was required

**B. Multi-jurisdictional Pavement Management Program Final Report (Kristine Cai) [ACCEPT]**

Ms. Cai (FCOG) reported that Fresno COG allocated SB 1 formula planning funds to develop a Multi-Jurisdictional Pavement Management Program for nine local cities within the region that do not have such a program in place. These cities are: Firebaugh, Mendota, San Joaquin, Coalinga, Huron, Orange Cove, Selma, Fowler and Kingsburg. A Pavement Management Program is designed to provide objective information and useful data for analysis so local governments can make more consistent, cost-effective and defensible decisions about preserving a pavement network. With the Pavement Management Program, the cities will be able to prioritize roadway improvements and better manage their roadway repair and maintenance.

The Multi-Jurisdictional Pavement Management Program provided each of the nine cities with a free year of StreetSaver software. The consultant also: conducted a pavement condition assessment, set up the program, calculated the pavement condition index (PCI), provided cost estimates for different maintenance treatments, trained local staff, and conducted budget scenarios analysis for all the nice cities. A report for each of the individual cities and can be found at: <https://www.fresnocog.org/multi-jurisdictional-pavement-management-system/>. Finally, the consultant conducted a regional pavement analysis to help us understand pavement conditions in general, as well as funding needs for roadway maintenance in Fresno County.

Margo Yapp, representing NCE, the consultant selected to develop the Multi-Jurisdictional Pavement Management Program, made a short presentation to the Committee regarding the program.

After an opportunity for public comment, Mr. Henderson (Kingsburg) motioned and Mr. Serpa (Clovis) seconded to recommend the Policy Board accept the final report for the Fresno County Multi-Jurisdictional Pavement Management Program.

**C. Regional Transportation Mitigation Nexus Fee 5-Year Update (Les Beshears) [APPROVE]**

Mr. Beshears (FCOG) reported The Fresno County Transportation Authority levies the Regional Transportation Mitigation Fee (RTMF) countywide per the 2007 Measure C extension, which Fresno COG administers. Fresno COG is performing a statutory update to the program, which could change the fee structure. WSP (formerly Parsons Brinkerhoff) is providing the technical expertise for this update.

Both the Transportation Authority and Mitigation Fee Agency (Fresno COG) Boards must adopt the update by January 1, 2020, to continue the fee. To meet that deadline, the first committee meeting was convened on January 17, 2019, to give the consultant direction. A subcommittee meeting was convened on July 3, 2019, to review WSP's initial recommendations, which were conveyed to the Board in September. A follow-up subcommittee was held on October 3, 2019, to finalize the recommendations.

The first recommendation was to extend the planning horizon for the fee program to 2035 in order to be consistent with Fresno COG's normal planning horizon and the legal and financial environment which the mitigation fees exist. By expanding the planning horizon early, development is not unnecessarily burdened by high project costs that will benefit future development.

The second recommendation is to use the software platform Synchro for intersection-specific analysis and to include the City of Fresno's estimates for the South Industrial Priority Area instead of the Sustainable Communities Strategy's land use assumptions. Fresno COG's traffic model is not designed to perform intersection-specific analysis and Synchro is a standard engineering tool for most common traffic analysis situations. This recommendation makes the State Route 99 North/Cedar interchange eligible for the fee calculation.

The third recommendation is to continue using ITE floor-space ratios. The ITE method has been standard industry practice and is consistent with the original nexus and 2015 update.

Including State Route 99 North/Cedar in the fee calculation increases eligible project costs 40 percent; however, the average fee increases 34 percent because the composition of various fee categories has changed and trip generation varies among categories. In addition, the residential rate increases 32 percent from \$1,637 to \$2,159, which is significantly lower than the five other mitigation fees in the San Joaquin Valley. The second-lowest residential fee in the Valley is not quite double Fresno's proposed fee and the highest fee is over six times greater.

WSP's draft report is being released for public review and this item will return in November for approval.

This item was informational only; no further action was required

#### **D. Safer Affordable Fuel Efficient Vehicle Rule Update (Kristine Cai) [INFORMATION]**

Ms. Cai (FCOG) reported that earlier this year, Fresno COG's Board and Committees were notified of the upcoming Safer Affordable Fuel Efficient (SAFE) Vehicles Rule, which has now been partly finalized as of September 19, 2019.

The Environmental Protection Agency (EPA) and National Highway Traffic Safety Administration (NHTSA) have decided to withdraw the 2013 California Clean Act waiver, which invalidates the statewide EMFAC (emissions factors) model. EMFAC is the air quality model developed and used exclusively in California. The EPA and NHTSA are still working on the second part of the SAFE Vehicles Rule, which would roll back the Corporate Average Fuel Economy (CAFÉ) and greenhouse gas vehicle emissions standards established under the Obama Administration. This is due to be finalized before the end of the year. California, 22 other states, the District of Columbia, and the cities of Los Angeles and New York have filed a lawsuit for permanent injunctive relief, and the lawsuit is forecasted to work its way up to the U.S. Supreme Court on an undetermined timeline.

The final rule regarding California's waiver will take effect on November 26, 2019, with no grace period for transportation conformity. The final rule will have severe impact on California's ability to deliver transportation projects. The EMFAC model makes assumptions about cleaner cars traveling on our transportation system. Once the SAFE rule is implemented, the EMFAC model could not take credits for such assumptions, and the California Air Resources Board will have to redevelop the model.

\Without a valid air quality model, local transportation agencies such as Fresno COG would not be able to demonstrate air quality conformity, which is required under the Clean Air Act. As a result, transportation agencies will not be able to update their Regional Transportation Plans (RTP) or Federal Transportation Improvement Programs (FTIP) if any new capacity-increasing projects are proposed.

This will affect member agencies' ability to specifically add new capacity-increasing projects that are not already included in the 2018 RTP/2019 FTIP project listings, nor will Fresno COG be able to modify any projects on the 2018 RTP/2019 FTIP lists that require a scope change or updated "open to traffic" date.

Fresno COG is closely following the SAFE Vehicles Rule and its impacts, and staff will share the latest information with our committees and policy board as necessary. For questions related to the SAFE Rule, please reach out to Kristine Cai or Braden Duran, and for its impact to project delivery, please reach out to Suzanne Martinez or Jennifer Soliz.

This item was informational only; no further action was required

### **III. ADMINISTRATIVE CONSENT ITEMS**

#### **About Consent Items**

##### **A. Monthly Legislative Report (Robert Phipps) [INFORMATION]**

After an opportunity for public comment, Mr. Serpa (Clovis) motioned and Ms. Nunez (San Joaquin) seconded to approve the consent agenda as presented. The motion passed.

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

#### **A. Assembly Bill 101 - San Joaquin Valley Housing Working Group (Robert Phipps) [INFORMATION]**

Mr. Phipps (FCOG) reported that at its September meeting, the City Selection Committee appointed Mayor Pro Tem Gary Yep, City of Kerman, to serve as the Fresno region's small-city representative to a statutorily established San Joaquin Valley "working group" whose mission will be to allocate \$125 million in new housing planning funds through Fresno COG.

The Committee tabled an appointment of the large-city representative, from either Fresno or Clovis, until its October 30 meeting. In addition, Fresno COG awaits a formal decision from the County of Fresno on the third member, who must be a County Supervisor.

The 24-member working group, comprising three members from each of the eight San Joaquin Valley counties, is mandated under AB 101, which Gov. Newsom signed this past summer. The bill apportions \$1.7 billion in state funding to help expedite housing construction.

Of that total, \$250 million was set aside for planning assistance to cities, counties and councils of government in anticipation of the Regional Housing Needs Assessment (RHNA) cycle six. Of the \$250 million, the state Department of Housing and Community Development (HCD) will apportion half directly to local jurisdictions. The other \$125 million will be passed through COGs following the working group's application and recommendations. The San Joaquin Valley's share of this program is estimated at \$20 million, with Fresno's share anticipated in the \$5 million range.

Eligible expenditures include: updating general plans and housing elements; zoning sufficient land to address the newest housing apportionments; infrastructure support planning for new housing; housing trust funds and; a variety of other eligible expenses.

The Valleywide working group must be established no later than November 30, 2019. HCD must receive an extensive application detailing how the working group intends to use the funding by January 2021, complete with a robust public involvement process. Clean-up language in AB 113, which has not yet been approved, allows for regions to receive up to 25 percent of available monies in advance to assist with the application process for the remaining 75 percent.

HCD is expected to have program guidelines in place by December. Staff anticipates that the working group will be supported by a technical advisory committee comprising city managers, public works directors, for-profit and non-profit organizations, housing advocates, and other stakeholders.

This item was informational only; no further action was required

## **B. Governor Newsom Administration Executive Order - Transportation (Robert Phipps) [INFORMATION]**

Mr. Phipps (FCOG) reported that multiple recent directives and discussions at the state level suggest that the Newsom administration will be going to considerable lengths in the coming months to reverse a statewide increase in vehicle miles traveled (VMT), a key component under SB 375 and SB 743 toward helping California reach its goal to reduce greenhouse gas emissions 80 percent below 1990 levels by 2050.

On September 20, Gov. Newsom issued a wide-ranging executive order – described as "landmark" in a press release – that generally calls on the state to leverage its \$700 billion pension investment portfolio and assets to advance California's climate leadership.

Among the specific directives, the State Transportation Agency (CalSTA) has been ordered to "invest its annual portfolio of \$5 billion toward construction, operations and maintenance to help reverse the trend of increased fuel consumption and reduce greenhouse gas emissions associated with the transportation sector.

"CalSTA, in consultation with the Department of Finance, is also directed to align transportation spending, programming and mitigation with the state's climate goals to achieve the objectives of the state's Climate Change Scoping Plan, where feasible. Specifically, the Governor is ordering a focus for transportation investments near housing, and on managing congestion through innovative strategies that encourage alternatives to driving."

This action is in line with the Governor's budget talks for the next fiscal year that appear to be focusing on reducing capital highway funding. On October 1, the California Transportation Commission unveiled the most recent Interregional Transportation Improvement Program (ITIP) estimates for 2020, which dramatically reduced capital highway investments in the San Joaquin Valley.

While the effect on the Fresno region was relatively minor, the estimate fully deleted two widening projects along State Route 99 in adjacent Tulare and Madera counties, as well as delaying a third major widening project along State Route 46 in Kern County. State funding for intercity rail increased.

In Sacramento, transportation officials are indicating that the executive order will likely result in increased scrutiny from Caltrans on the VMT reduction metric codified in SB 743, which substitutes VMT for level-of-service (traffic congestion) as the defining metric for prioritizing capital highway projects.

In addition, there appears to be interest coalescing around amending SB 375, ostensibly to better ensure local land use plans are compatible with regional Sustainable Communities Strategies such as those found in Fresno COG's 2018 Regional Transportation Plan. Fresno COG has formally requested to serve on an ad-hoc committee through CalCOG that will examine potential amendments.

This item was informational only; no further action was required

## V. OTHER ITEMS

### A. Items from Staff

- Ms. Cervantes (FCOG) reported that the October Board Meeting will be held Wednesday, October 30 at 5:30 p.m.
- Mr. Boren reported that Fresno COG Board and FCTA Board approved moving forward with the reauthorization of Measure C.
- Mr. Boren reported that Fresno COG and FCTA are both writing letters to the CTC opposing taking money away from SR99.

### B. Items from Members

- Ms. Zieba (Reedley) reported that she and Joseph Oldham took a trip to Seattle to meet with Boeing executive regarding electric planes. A Boeing executive visited the valley and we will be the global pilot project of flight simulators in schools.
- Mr. Rousseau (Fresno County) reported that the County has money for homelessness that will be used in the rural communities.

## VI. PUBLIC PRESENTATIONS

### A. Public Presentations –

There were no public presentations.

The meeting adjourned at 11:41 a.m.

Respectfully submitted,



Tony Boren

### Public

Margot Yapp, NCE

### Staff:

Les Beshears

Kristine Cai

Robert Phipps

Jennifer Soliz

Meg Prince

Peggy Arnest

Moses Stites

Janelle Del Campo

Jeaneen Cervantes