

Fresno COG Policy Board

**Date:** Thursday, March 24, 2022

**Time:** 5:30 PM

**Place:** *Via Zoom and at COG Sequoia Conference Room*

*2035 Tulare St., Ste 201*

**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.

**THE FRESNO COG POLICY BOARD WILL TAKE PLACE  
IN PERSON AT THE FRESNO COG SEQUOIA ROOM AND VIA ZOOM.**

**JOINING THE MEETING:**

**[HTTPS://US06WEB.ZOOM.US/J/82575190204?PWD=B29NEMHHS1MYBGZRRTBBCMXWM3Z3ZZ09](https://us06web.zoom.us/j/82575190204?pwd=B29NEMHHS1MYBGZRRTBBCMXWM3Z3ZZ09)**

**JOIN BY PHONE: (669) 900-6833**

**MEETING ID: 825 7519 0204**

**PASSCODE: 540533**

**IF YOU WISH TO ADDRESS THE POLICY BOARD DURING THE PUBLIC COMMENT PORTION OF THE AGENDA, CLICK ON THE "REACTIONS" AT THE BOTTOM CENTER OF YOUR PC OR MAC SCREEN. SELECT THE HAND ICON, CLICK THE ICON TO "RAISEHAND". YOUR DIGITAL HAND WILL NOW BE RAISED.**

**WHEN ON THE PHONE, IF YOU WISH TO ADDRESS THE POLICY BOARD DURING THE PUBLIC COMMENT PORTION OF THE AGENDA, PRESS \*9 TO "RAISEHAND" AND WE WILL SELECT YOU FROM THE MEETING CUE.**

**\*\*IF JOINING BY PHONE USE \*6 TO UNMUTE AND MUTE YOURSELF. WHEN JOINING THE MEETING ALL PARTICIPANTS ARE AUTOMATICALLY MUTED. DO NOT USE THE MUTE FUNCTION ON YOUR LAN LINE PHONE OR CELL PHONE.**

**THOSE ADDRESSING THE POLICY BOARD MUST STATE THEIR FIRST AND LAST NAME AND AGENCY FOR THE RECORD.**

**TO FACILITATE ELECTRONIC ACCESS, NO PERSON SHALL SPEAK UNTIL RECOGNIZED BY THE CHAIR.**

**Fresno County Rural Transit Agency Meeting Package - Meeting will follow Policy Board Meeting**

**Exhibits:**

FCRTA Packet

**FRESNO COG POLICY BOARD AGENDA AND ANNOTATED AGENDA IN PDF FORMATTING FOR PRINTING**

**Exhibits:**

Agenda  Annotated Agenda

## **In Memoriam: Mayor David Cardenas**

**Summary:** Saluting and celebrating the life of Fowler Mayor and Fresno COG Chairman David Cardenas, who passed suddenly on March 11 at age 67.

- Relocated to Fowler at age 14
- Married to wife Anna Cardenas for 41 years
- Father of Joseph David, Josephine and Michael Cardenas; grandfather to four
- Owned and operated Dave's Auto Service, which celebrated 40 years in business in 2021
- Parishoner, St. Lucy's Catholic Church in Fowler
- President of the Guadalupana Society at St. Lucy's
- City of Fowler Councilmember for 21 years
- Mayor, City of Fowler, for 12 years
- Member, Fowler Lion's Club
- Fresno COG Board member for 12 years
- Fresno COG Chairman for 4 years.

## **Sitting as the City Selection Committee (Excludes County of Fresno)**


### **1. Call Meeting to Order and Roll Call**

**Exhibits:**

 CSC Agenda

### **2. Approval of Resolution 2022-01 in the Matter of AB 361**


**Exhibits:**

 CSC Resolution 2022-01

Approve and adopt resolution finding that the City Selection Committee meeting is being held during a proclaimed state of emergency and determining that as a result of the proclaimed state of emergency, meeting in person would present an imminent risk to the health and safety of attendees and authorizing the City Selection Committee to conduct its meetings remotely in compliance with Government Code section 54953(e)

### **3. Approval of the January 27, 2022, Minutes**

**Exhibits:**

 January Minutes

### **4. CITY SELECTION COMMITTEE - CHAIR**

Appoint Chairman of the City Selection Committee, term effective March 24, 2022, replacing David Cardenas, who passed away on March 11, 2022. The term to expire April 3, 2023.

### **5. CITY SELECTION COMMITTEE - VICE CHAIR**

Appoint Vice Chairman of the City Selection Committee, term effective March 24, 2022, replacing Alfred Valdez, whose term will expire April 3, 2023. The term to expire April 3, 2023.

### **6. PUBLIC PRESENTATIONS**

This portion of the meeting is reserved for person desiring to address the City Selection Committee on any matter the committee has jurisdiction over which is not on this agenda.

### **7. ADJOURNMENT**

## Sitting as the Fresno Council of Governments Policy Board

### I. BOARD APPOINTMENTS

#### A. Board Officer Appointments (Tony Boren) [ACTION]

**Summary:** In cases where the Board Chair position has been vacated suddenly, Fresno COG convention has been to fill the chair position via interim appointment until the term naturally expires. The next regular officer election is scheduled for July 28. In the event the vice chair is elevated to Board chair, the Board will need to also appoint an interim vice chair.

Fresno COG Policy Board Officers:

- Mayor David Cardenas (Fowler) Chair
- Councilmember Michelle Roman (Kingsburg) Vice Chair

**Action:** Appoint/install new Board chair and potentially, vice chair, to complete 2021-22 term through July 28.

#### B. Appointment: Measure C Renewal Executive Committee (Tony Boren) [ACTION]

**Summary:** Fresno COG Board members hold four seats on the Measure C Renewal Executive Committee. Those members represent two each from Fresno County's east side and west side. The membership includes:

- Vacant (formerly David Cardenas) (Eastside representative)
- Rolando Castro (Westside representative)
- Eli Ontiveros, Sanger (Eastside representative)
- Gary Yep, Kerman (Westside representative)

**Action:** Appoint one Eastside representative to complete the term of Fowler Mayor David Cardenas.

#### C. Appointment: San Joaquin Valley Regional Policy Council (Robert Phipps) [ACTION]

**Summary:** Fresno COG holds two seats on the San Joaquin Valley Regional Policy Council. This advisory body comprises two members from each of the eight Valley metropolitan planning organizations (MPOs) and works to find consensus on issues of common concern to communicate policy positions with a unified voice whenever possible.

The SJV COG Directors group serve as staff support to the Council, which generally meets once a quarter, including policy advocacy trips to Sacramento and Washington, D.C. on an annual basis.

Kerman Mayor Gary Yep and Fowler Mayor David Cardenas represent Fresno COG on the Policy Council.

**Action:** Appoint one member to the San Joaquin Valley Policy Council to replace Fowler Mayor David Cardenas.

#### D. Appointment: California Association of Councils of Governments' Board of Directors - Alternate Seat (Robert Phipps) [ACTION]

**Summary:** Fresno COG holds one primary and one alternate seat on the California Association of Councils of Governments' (CalCOG) Board of Directors. This non-profit, professional organization represents both metropolitan planning organizations (MPOs) and regional transportation planning agencies (RTPAs) on a statewide basis, advocating for legislative positions, providing staff training, and helping to foster better communication between and among COGs in general.

Kerman Mayor Gary Yep serves as the Fresno COG's primary Board member and Fowler Mayor David

Cardenas held the alternate's post.

**Action:** Appoint one member to the CalCOG Board of Directors as an alternate to replace Fowler Mayor David Cardenas.

## 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 Feb. 24, 2022 [APPROVE]

##### **Exhibits:**

January Minutes

#### B. Title VI Program with Limited English Proficiency Plan (Robert Phipps) [ACTION]

##### **Exhibits:**

Resolution 2022-05

**Summary:** Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." (42 U.S.C. Section 2000d).

The Federal Transit Administration (FTA) requires that all direct recipients document compliance of Title VI requirements and guidelines by submitting a Title VI Program to their FTA regional civil rights officer once every three years.

Fresno COG's latest update is due April 1. The draft 2022 Title VI Program has been updated pursuant to FTA's 2012 Circular 4702.1B. The full document with appendices is available through this link: [https://www.fresnocog.org/wp-content/uploads/2022/03/2-16-22\\_Title-VI-Plan.pdf](https://www.fresnocog.org/wp-content/uploads/2022/03/2-16-22_Title-VI-Plan.pdf).

**Action:** Staff, TTC and PAC recommend the Board approve Resolution 2022-05 to adopt the 2022 Fresno COG Title VI Program.

#### C. Upcoming Central Valley Listening Session Regarding Gov. Newsom's FY22-23 Freight Budget (Braden Duran) [INFORMATION]

**Summary:** Fresno COG and the California State Transportation Agency (CalSTA) have partnered to host a listening session on Gov. Newsom's FY22-23 freight budget. This listening session mirrors similar sessions being held statewide. Local stakeholders are encouraged to provide input on the freight budget with a focus on San Joaquin Valley priorities and projects. The session will be held at 3 p.m. April 12. It will be held virtually via Zoom, and advanced registration is encouraged.

Contact Braden Duran at [bduran@fresnocog.org](mailto:bduran@fresnocog.org) or 559-233-4148 Ext 217 with any questions.

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

#### D. Call for Nominations - 2022 San Joaquin Valley Blueprint Awards (Robert Phipps) [INFORMATION]

##### **Exhibits:**

**Summary:** Fresno COG and the American Planning Association California-Central Section have opened the 2022 San Joaquin Valley Blueprint Awards' call for nominations. The program encourages quality in planning and development by recognizing outstanding achievements and practices in the built environment. In recognizing and celebrating projects that reflect the Blueprint principles, the program hopes to provide visual examples of attractive, functional and environmentally friendly projects that could have relevance throughout the Valley.

Awards will be presented at the 15<sup>th</sup> annual San Joaquin Valley Spring Policy Conference in a luncheon ceremony on May 12 at the Clovis Veterans Memorial District.

The full nomination packet and award criteria are available at: [https://sjvcogs.org/wp-content/uploads/2022/02/2022-Blueprint-Awards\\_Call-for-Nominations.pdf](https://sjvcogs.org/wp-content/uploads/2022/02/2022-Blueprint-Awards_Call-for-Nominations.pdf)

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

E. **San Joaquin Valley 15th Annual Policy Conference (Robert Phipps) [INFORMATION]**

**Exhibits:**

Conference Flyer     Sponsorship Form

**Summary:** Fresno COG will host the 15th annual San Joaquin Valley Regional Policy Conference Wednesday through Friday, May 11-13, at the Clovis Veterans Memorial District in downtown Clovis.

The conference will offer multiple opportunities for attendees to explore the charms of Old Town Clovis, beginning with a reception hosted by QK at 5:30 p.m. Wed., May 11 in Centennial Plaza. Thursday will include a full day of plenary sessions, breakout workshops and tours of Clovis' trail system, "tiny homes" examples, and other highlights via trolley. The annual Blueprint awards, honoring outstanding individuals, developments and planning projects, will be celebrated with a gala luncheon. A conference flyer and sponsorship form are attached to this staff report.

Elected officials are especially welcomed for the two-day event to hear topics including the future of State Route 99, state and federal funding opportunities, Valleywide housing issues and other critical issues in the planning realm. Registration is available through [sjvcogs.org/events](https://sjvcogs.org/events). While sponsorships are still being solicited, the sponsor list includes: Mark Thomas, AECOM, Mintier Harnish, Michael Baker, QK Inc., the California Partnership for the San Joaquin Valley and the San Joaquin Regional Rail Commission.

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

F. **Apprenticeship Building American Grant Program (Robert Phipps) [INFORMATION]**

**Exhibits:**

ABA Grant Memo

**Summary:** The U.S. Department of Labor (DOL) Employment and Training Administration (ETA) has issued a notice of funding opportunity (NOFO) for the 2022 Apprenticeship Building American (ABA) Grant Program as part of the Registered Apprenticeship Program (RAP).

The program is designed to expand the number of apprenticeship programs and apprenticeships offered under RAP, diversify the workforce in industries using RAP, and increase access to RAPs in underrepresented and underserved communities. There is \$113 million in estimated total program funding. DOL expects to award between 20 to 30 grants. Award sizes range from \$1 million to \$8 million each. The anticipated project period begins July 1. There is no cost share requirement. The deadline to submit an application is April 25. DOL will post a pre-recorded prospective applicant webinar. Please see the attached grant memo for more information on the opportunity.

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

III. **TRANSPORTATION ACTION/DISCUSSION ITEMS**

A. **California Inland Port Project Presentation (Braden Duran/Tony Boren) [ACTION]**

**Summary:** Staff will provide a presentation on the California Inland Port Project and FY22-23 State budget request.

**Action:** Staff and the Executive Director recommends the Policy Board approve the Governor's FY 2022/23 budget request as identified in the California Inland Port Project presentation.

B. **California Inland Port Project Regional Infrastructure Accelerator Phase Consultant Selection (Braden Duran) [APPROVE]**

**Summary:** Fresno COG, acting as project manager on behalf of multiple State partners, is leading the effort to develop the California Inland Port Project.

The Inland Port is envisioned as a public-private platform to help transform California's logistics network into the cleanest, most sophisticated supply chain in the world. The Port system would establish higher efficiencies through new strategic mobility hubs, sustainable technologies, and business partnerships. It will be a multi-modal network of integrated clean and automated truck, rail, and cargo facilities underpinning a next-generation ecosystem of goods movement and radically boosting California's economic competitiveness.

This approach would be a paradigm shift and serve to: cut greenhouse gases, improve air quality, reduce road congestion, increase traffic safety, increase investment and jobs, and shape California's extraordinarily large intrastate freight movement system as the most advanced in the world.

This "system of projects" is designated as an emerging project under an agreement by the California State Transportation Agency (CalSTA) and the United States Department of Transportation (USDOT) due to its long-term benefits to help the supply chain crisis.

USDOT has designated the project a Regional Infrastructure Accelerator (RIA) under a new demonstration program, and will provide \$1 million in funding for continued planning work.

Partnering with the Build America Bureau and the USDOT will widen the pipeline of Inland Port projects eligible for federal Transportation Infrastructure Finance and Innovation Act and/or Railroad Rehabilitation & Improvement Financing programs, which, in turn, will help leverage substantial local and private co-investment.

This RIA-funded Phase Five planning work would include design and preliminary engineering on the intermodal hubs, environmental analyses, developing the pipeline for project funding, and examine implementation. Specifically, this phase would consider an implementing entity, including best practices, legal structure, governance funding, and financing options.

The application, submitted in March 2021, received immense support from partners around the state, and was awarded late last year. This project was one of five that USDOT selected nationwide as the inaugural recipients.

There is no local match required for this award and this phase is 100% federally funded.

### **CONSULTANT SELECTION**

Fresno COG released a request for proposals in 2021 for Phase Three understanding that the selected team would concurrently work on the separate RIA phase due to overlap in work tasks.

The Policy Board approved the Phase Three contract in January. The selected team, led by Global Logistics Development Partners (GLDPartners), brings expertise in key areas critical for the RIA phase, including: ports and rail, logistics, public private partnership (P3) structures, environmental strategy, and transportation planning and engineering. GLDPartners has been involved with the project since Phase One in 2017 and has project-critical, institutional knowledge.

**Action:** Staff, TTC, and PAC recommend the Policy Board authorize the executive director to enter into a contract with GLDPartners for an amount not to exceed \$960,000 to conduct the RIA Phase Five of the California Inland Port Project.

C. **Fresno Council of Governments 2021-22 Overall Work Program Amendment No. 5 (Les Beshears)** **[ACTION]**

**Exhibits:**

Resolution 2022-04

**Summary:** Fresno COG received an additional \$289,662 in FHWA PL, and \$52,318 less than anticipated in FTA 5303 under final federal appropriations for the fiscal year beginning October 2021. Caltrans requires the additional funding to be programmed in the Overall Work Program by May 2022.

Work Element (WE) 112 – Regional Traffic Monitoring

Work Element (WE) 114 – Intelligent Transportation Systems

Work Element (WE) 170 – Regional Transportation Plan

Staff proposes an administrative transfer to shift federal funds among WE 112, 114 and 170 and maximize federal planning carryover. Heavy emphasis on completing the Regional Transportation Plan in 2021-22 warrants transferring \$52,318 of the additional FHWA PL to WE 170. This is in addition to transferring FTA 5303 funds from WE 112 and WE 114 to recognize the decrease in current year apportionment so the scope and total funding for all three work elements remain unchanged.

Work Element 174 California Inland Port Feasibility Study Phase Four – After accounting for the \$52,318 decrease in FTA 5303 (above) the remaining, additional \$237,345 in FHWA PL funds are programmed to open Phase 4 of the California Inland Port Study. FCOG will program an additional \$402,659 in FHWA PL anticipated in 2022-23 and is negotiating with the State Transportation Agency to apply for federal grants to fund the balance of this \$2 million phase of the project. Contracts will only be let for the amount secured by a funding agreement.

Work Element 175 California Inland Port Feasibility Study Phase Five – Fresno COG received a \$1 million Federal Accelerator Grant for Phase 5. Approximately \$960,000 will be used for the study and \$40,000 is reserved for staff administration.

**Action:** Approve Resolution 2022-04 adopting Fresno Council of Governments 2021-22 Overall Work Program Amendment No. 5, increasing the budget \$3 million to \$40,783,219.

D. **Measure C Renewal Update (Tony Boren)** **[INFORMATION]**

**Summary:** Staff will provide a short update on the Measure C renewal process and timeline.

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

E. **Caltrans Report (Caltrans)** **[INFORMATION]**

IV. **ADMINISTRATIVE CONSENT ITEMS**

**About Consent Items:**

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V. **ADMINISTRATIVE ACTION/DISCUSSION ITEMS**

A. **Special Meeting April 11, 2022 - AB 361 findings for April Policy Board Meeting (Robert Phipps)** **[ACTION]**

**Summary:** Owing to the Cesar Chavez holiday on March 31, Fresno COG accelerated its Policy Board meeting date by a week to March 24. Doing so, however, put the gap between the March and April meetings beyond the 30 days allowed under AB 361 requirements for issuing findings necessary to continue the Board's video conferencing practice during COVID-19 emergency conditions.

As a result, Fresno COG will require a special meeting, proposed for 5:30 p.m. Mon., April 11, to issue findings necessary to hold the regular April 28 Policy Board meeting via Zoom.

**Action:** Approve a special Policy Board meeting for **5:30 p.m. Mon. April 11** to consider COVID-related findings necessary to allow for videoconferencing during the April 28 Policy Board meeting under AB 361.

## VI. 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 three minutes.**