

Fresno COG Policy Board

**Date:** Thursday, May 26, 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 MEETING 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 COMMITTEE 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 COMMITTEE 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 COMMITTEE 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 will follow Policy Board Meeting - Package Attached**

**Exhibits:**

 FCRTA Board Agenda

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

**I. 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 April 28, 2022 [APPROVE]**

**Exhibits:**

 April 28 2022 Minutes

B. **Third Quarterly Financial and Work Element Report (Les Beshears) [INFORMATION]**

**Exhibits:**

 2021-22 Third Quarter Report

C. **Contract Amendment for the Sixth-Cycle Regional Housing Need Allocation Plan (Meg Prince) [ACTION]**

**Summary:** In October 2020, Fresno COG contracted with PlaceWorks to develop the Sixth-Cycle Regional Housing Need Allocation (RHNA) Plan. Fresno COG dedicated a portion of its Regional Early Action Planning (REAP) 1.0 Grant Program funds to developing the RHNA Plan.

Due to additional data collection, analysis, and coordination required for the RHNA Plan, Fresno COG is requesting to amend the PlaceWorks contract to add \$11,000 of Fresno COG's REAP 1.0 funding, for a total contract amount of \$239,624.

**Action:** Staff, TTC, and PAC request that the Policy Board authorize the executive director to amend the existing contract with PlaceWorks for the Sixth-Cycle Regional Housing Need Allocation Plan for an additional \$11,000 for a total contract amount of \$239,624.

D. **Triennial Performance Audit (Robert Phipps) [ACTION]**

**Exhibits:**  City of Clovis TDA Triennial Audit    City of Fresno TDA Triennial Audit    FCRTA TDA Triennial Audit  
 Fresno COG TDA Triennial Audit    Fresno EOC TDA Triennial Audit

**Summary:** The Transportation Development Act's (TDA) Article 4 requires Fresno COG to conduct a triennial performance audit of its own administration and the three transit operators to which Fresno COG allocates funds: Fresno Area Express (FAX), City of Clovis Public Transit, and Fresno County Rural Transit Agency (FCRTA). Fresno COG also requires a triennial performance audit for the Consolidated Transportation Service Agencies (CTSA) within Fresno County to determine if AB 120's action plan goals are being met. During the audited period, the Fresno County Economic Commission (Fresno EOC) was co-designated with FAX and FCRTA as the CTSA, functioning as a fourth operator. The City of Clovis is the designated CTSA for that community.

The audits are intended to provide an independent, comprehensive review of the recipient's TDA funds, their management and use. It also provides an opportunity to review service efficiency and effectiveness, and to assure compliance with State requirements using TDA performance indicators. Final audit reports for all are attached to this item.

**Action:** Staff, the SSTAC and TTC/PAC recommend the Board accept the triennial performance audits for Fresno COG, FAX, City of Clovis Public Transit and Fresno EOC for the three-year period ending June 30, 2021.

E. **Measure C New Tech Multidisciplinary Advisory Group Application Availability (Braden Duran) [INFORMATION]**

**Summary:** On April 8, Fresno COG released a request for proposals (RFP) from eligible public agencies for advanced transit and transportation projects that have the potential for broad benefits to Fresno County residents and will assist the region in meeting its air quality goals. Fresno COG and the Fresno County Transportation Authority (FCTA) are proposing to fund projects of regional significance in the areas of research, development, demonstration, and deployment that will advance public transit and transportation.

The Multidisciplinary Advisory Group (New Tech MAG) will support Fresno COG staff by reviewing, evaluating, and recommending new technology project and program applications for funding. While the New Tech MAG will review, evaluate, and recommend project and program applications for funding, the final decisions will rest with Fresno COG's Policy Board and the Fresno County Transportation Authority.

To aid in project selection, the Policy Board has approved a formal process to solicit and accept members to sit on a New Tech MAG. **For this cycle, nominees are still needed from the following categories: City of Fresno, City of Clovis, west side cities, County of Fresno, Measure C Citizens Oversight Committee, FCTA, transit, business, education, and two public seats.**

The MAG application is available here: <https://www.fresnocog.org/measure-c-new-technology-reserve-fund/>. Interested members should fill out the application and send it to Braden Duran at [bduran@fresnocog.org](mailto:bduran@fresnocog.org) for Policy Board consideration. Applications are due by June 17. New Tech proposals will be considered for scoring in August, and MAG members should expect to be available for interviews for each proposal and any additional sessions needed during this month (which may be subject to change).

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

F. **Access for All Program Call for Projects (Suzanne Martinez) [INFORMATION]**

**Summary:** On April 21, staff released the Access for All (AFA) program call-for-projects. Fresno COG is seeking AFA program proposals from eligible entities to increase on-demand transportation service for people with disabilities within Fresno County. Eligible entities may apply for up to \$189,072. Funding is available from July 1, 2022 to June 30, 2023.

All proposals must be submitted no later than **5 p.m., Monday, May 23.**

For more information on the Access for All program, and to download the call for projects guidelines and application, visit <https://www.fresnocog.org/access-for-all/>.

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

G. **FY 2022-2023 Fresno COG Unmet Transit Needs Assessment Update (Todd Sobrado) [INFORMATION]**

**Exhibits:**

 DRAFT UTN Report

**Summary:** On Tuesday, April 14 the Social Service Transit Advisory Committee (SSTAC) approved Fresno COG's Unmet Transit Needs (UTN) Assessment for fiscal year 2022-23. On April 28, Fresno COG's Policy Board held its public hearing on the matter, drawing no public comments.

Public outreach is an essential part of the Unmet Transit Needs Assessment process. This year's public outreach consisted of six in-person public meetings: four in the urban area, two in rural areas (Fowler and Kerman), and three virtual events. One of the urban in-person meetings took place on a Saturday to enable transit riders who could not attend an event during the week to participate in a public meeting.

Public outreach for the UTN included flyers sent to the UTN mailing list, and an online survey. The survey ran all of March to receive comments from transit riders who could not attend any of the public meetings. The result was an extensive and meaningful public outreach process that incorporated both urban and rural communities.

The public outreach process generated 12 comments. Of the comments received, four were found to be unmet needs, with none found to be reasonable to meet. A summary of comments received includes:

- Comments about transit between colleges in the urban area.
- Feedback about service between FAX and Clovis
- Feedback about transit support of social services programs, and
- Comments about service between outlying rural communities and the Fresno metropolitan area.

The comments received, transit agency response, and the determination of unmet transit need is contained within the draft Unmet Transit Needs Assessment for Fiscal Year 2022-23 included within this agenda item. This item will return for final determination in June.

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

H. **Fiscal Year 2022-23 Local Transportation Fund (LTF) Final Estimates (Les Beshears) [APPROVE]**

**Exhibits:**

 2022 FINAL LTF Apportionment     2022 FINAL LTF Estimate

**Summary:** Preliminary Local Transportation Fund (LTF) estimates are released in February to provide local agencies with information to facilitate their budget process for the upcoming year. The final estimates have been adjusted for the Department of Finance 2022 population numbers and are now presented to the board for adoption. The County Auditor/Controller has estimated the fiscal year 2022-23 Local Transportation Funds (LTF) apportionment at \$52,000,000. This represents a \$9,100,000 (21 percent) increase from last year's estimate.

**Action:** Staff and TTC/PAC recommend approving Resolution 2022-13, adopting the Final 2022-23 LTF estimate. The Policy Board may provide additional direction at its discretion.

I. **Fiscal Year 2022-23 State Transit Assistance (STA) Final Estimates (Les Beshears) [APPROVE]**

**Exhibits:**

 2022 FINAL STA Apportionment Reso     2022 FINAL STA Estimate

**Summary:** Preliminary State Transit Assistance (STA) estimates are released in February to provide local agencies with information to facilitate their budget process for the upcoming year. The final estimates have been adjusted for the Department of Finance 2022 population numbers and are now presented to the board for adoption. The State Controller's Office has estimated the fiscal year 2022-23 State Transit Assistance (STA) apportionment at \$11,274,114. This represents a \$2,924,412 (35 percent) increase from last year's estimate.

**Action:** Staff, the TTC and PAC recommend the Board approve Resolution 2022-14 adopting the Final 2022-23 LTF estimate. The Policy Board may provide additional direction at its discretion.

J. **Fiscal Year 2022-23 State of Good Repair (SGR) Final Estimates (Les Beshears) [APPROVE]**

**Exhibits:**

 2022 SGR Reso     2022 FINAL SGR Estimate

**Summary:** Preliminary State of Good Repair (SGR) estimates are released in February to provide local agencies with information to facilitate their budget process for the upcoming year. The final estimates have been adjusted for the Department of Finance 2022 population numbers and are now presented to the board for adoption. The State Controller's Office has estimated the fiscal year 2022-23 State of Good Repair (SGR) apportionment at \$1,856,930. This is up \$71,122 (4 percent) from last year's estimate.

**Action:** Staff, TTC and PAC recommend approving Resolution 2022-15 adopting the Final 2022-23 LTF estimate. The Policy Board may provide additional direction at its discretion.

K. **San Joaquin Valley Regional Broadband Consortium Request for Qualifications for Prospective Partners (Robert Phipps) [INFORMATION]**

**Summary:** The San Joaquin Valley Regional Broadband Consortium (SJVRBC), in collaboration with the California Emerging Technology Fund (CETF) as co-sponsor of #SanJoaquinValleyNetwork, has issued a request for qualifications for prospective partners (RFQPP) from interested parties to submit proposals for deploying high-speed Internet infrastructure—referred to generically as “broadband” and including both wireline and wireless networks—throughout the San Joaquin Valley. SJVRBC seeks organizations comfortable working as partners or collaborators to increase knowledge of the unserved and underserved residents and improve access to broadband in the San Joaquin Valley.

Expressions of interest are due on June 6. Local jurisdiction staff can find more information, including the RFQPP on the Consortium's website at <https://www.sanjoaquinvalleynetwork.org/>

**Action:** Information

II. **TRANSPORTATION ACTION/DISCUSSION ITEMS**

A. **Regional Early Action Planning Grant Program of 2021 (REAP 2.0) Advance Application (Meg Prince) [APPROVE]**

**Exhibits:**

 2022 REAP 2.0 Advance App Reso

**Summary:** The Regional Early Action Planning Grant Program of 2021 (REAP 2.0) builds off REAP 1.0, but expands the program focus by integrating housing and climate goals, and allowing for broader planning and implementation investments, including infrastructure that supports future housing development. The California Department of Housing and Community Development (HCD) administers REAP 2.0 in collaboration with the Office of Planning and Research (OPR), the Strategic Growth Council (SGC), and the State Air Resources Board (CARB).

Funded by \$500 million of Coronavirus State and Local Fiscal Recovery Funds of 2021 (SLFRF) and \$100 million from the State General Fund, REAP 2.0 intends to make funding available to metropolitan planning organizations (MPOs) and other regional entities for transformative planning and implementation activities that meet housing goals and reduce per capita vehicle miles traveled.

Fresno COG is eligible for \$13.6 million in formula funding. COGs may submit an advance application to request up to 10 percent of the funding available to it through the program in advance of a full funding request. The advance funding must be used for regional engagement, education, and outreach in the development of the full funding application.

Fresno COG is drafting the advance application to submit in early June. The advance application will include a request of up to 10 percent of \$13.5 million for administration, program development, targeted outreach to disadvantaged and historically underserved communities, and interregional engagement for developing the full application.

HCD is anticipated to release the final REAP 2.0 program guidelines in June 2022, which will provide additional clarification on the eligible uses of funds. The draft REAP 2.0 program guidelines and additional resources are available on HCD's REAP webpage: <https://www.hcd.ca.gov/regional-early-action-planning>.

Please contact Meg Prince at [mprince@fresnocog.org](mailto:mprince@fresnocog.org) with any questions.

**Action:** Staff, TTC, and PAC request that the Policy Board approve Resolution 2022-12, authorizing Fresno COG to submit a REAP 2.0 advance application.

B. **2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Public Review and Hearing (Kristine Cai) [PUBLIC HEARING]**

**Summary:** Fresno COG released the following draft documents on April 15 for a 55-day public review:



- The 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS)
- The Environmental Impact Report (EIR) for the 2022 RTP/SCS
- The 2023 Federal Transportation Improvement Plan (FTIP)
- The Conformity Analysis for the 2023 FTIP and 2022 RTP/SCS

The Policy Board will hold a public hearing for these documents during its regular meeting at 5:30 p.m. on May 26. Staff held additional public hearings to receive comments regarding the SCS at:

- 5 p.m. May 3 - Selma Senior Community Center, 1710 Tucker St, Selma, CA
- 5:30 p.m. May 19 - Kerman Community Center, 15101 W Kearney Blvd., Kerman, CA
- 12 p.m. noon May 17 - Virtual Meeting via Zoom
- 6 p.m. May 24 - Virtual Meeting via Zoom

Zoom links are available at [PlanFresno.com](https://www.planfresno.com).

Public comments are welcomed at the hearings or may be submitted in writing by 5 p.m., June 10 to Kristine Cai at [kcai@fresnocog.org](mailto:kcai@fresnocog.org).

After public comments are incorporated, the Policy Board is scheduled to adopt all four documents on July 28.

**Action:** Open public hearing, receive comments, and close the public hearing. The Policy Board may provide additional direction at its discretion.

#### C. Freeway Service Patrol Contract Approval (Suzanne Martinez) [APPROVE]

##### **Exhibits:**

 FSP Beat Map

**Summary:** The Freeway Service Patrol (FSP) has been in continuous operation on segments of the metropolitan area freeway system since September 1993 -- nearly 30 years. FSP is intended to promote smooth traffic flow during peak commute periods by removing disabled vehicles and vehicles involved in minor accidents. The current towing contract ends on June 30. A Request for Proposal (RFP) for towing service for the next five-year period beginning July 1 and ending June 30, 2027 was issued on Feb. 23. It was mailed to all 55 towing companies on the California Highway Patrol Fresno County Tow Rotation List and posted on the Fresno COG website.

Upon request from the California Highway Patrol, the contract will now consist of five patrolling beats instead four. The patrolling distance on Highway 99 has been extended south to American Avenue from its previous southern endpoint at Jensen Avenue due to increased traffic congestion near the Amazon Fulfillment Center off Central Avenue. As a result of the extended patrolling distance, the Highway 99 beat has now been split in two separate beats.

Other aspects of the program remain unchanged. The five beats continue service Monday through Friday (excluding holidays) from 7 to 9 a.m., and from 3:30 to 6:30 p.m. each day.

Staff received only one proposal. Historically, few towing companies have submitted proposals, possibly because of the program's strict requirements. In particular, these requirements include the financial resources necessary to purchase and equip the required trucks, and retaining drivers who can pass background checks and meet other qualifications.

Reyna Towing, the current FSP towing provider, is proposing an hourly rate of \$117 for 6,250 hours of service per year (five hours/day/beat x five beats x 250 days/year = 6,250 hours/year). The \$117.00/hour rate represents a 27% increase over the current contract's hourly rate, but is consistent with the increased percentages for this program across the state.

The selection committee, comprising a representative of each of the FSP partners -- the California Highway Patrol, Caltrans and the Fresno COG -- unanimously recommended that Reyna Towing continue to provide FSP towing service for the next five-year period. This recommendation is based on several factors:

- Reyna Towing has provided consistent excellent service during the three years they have been the FSP towing provider. There have been no penalties assessed against them and survey responses

- are highly complementary of the service provided and the drivers who provide the service.
- They are financially strong, purchasing five new trucks for the service including the required back-up truck.
- They have a team of experienced drivers that have been with the program and will continue with the program.

**Action:** Staff recommends that TTC/PAC authorize the Fresno COG Executive Director to enter into a contractual agreement with Reyna Towing in an amount not to exceed \$731,250.00/year for five years beginning July 1, 2022 and ending June 30, 2027.

D. **2023 Regional Active Transportation Program (ATP) Cycle 6 Guidelines, Resolution 2022-11 (Suzanne Martinez) [APPROVE]**

**Exhibits:**

☒ 2023 DRAFT ATP Guidelines    ☒ Cycle 6 ATP Fund Estimate    ☒ FINAL ATP Supplemental Application    ☒ 2023 ATP Guidelines Reso

**Summary:** The State established the Active Transportation Program (ATP) in September 2013. ATP funding is distributed as follows:

- Fifty percent to the State for a statewide competitive program (“Statewide Competitive ATP”);
- Ten percent to the small urban and rural area competitive program, managed by the State; and
- Forty percent to the large urbanized area competitive program, with funding distributed by population and managed by the Metropolitan Planning Organization (“Regional ATP”).

Fresno COG is responsible for developing guidelines for the regional ATP and for recommending projects to the California Transportation Commission. The Regional ATP Guidelines substantially follow those of the CTC but include some differences based on the region’s priorities. Fresno COG developed the guidelines in consultation with Fresno COG’s ATP Multidisciplinary Advisory Group (MAG), which includes representatives from Caltrans, other government agencies, and active transportation stakeholder organizations with expertise in public health and pedestrian and bicycle issues, including Safe Routes to School programs. The California Transportation Commission (CTC) is scheduled to approve the guidelines at its June meeting.

The California Transportation Commission (CTC) adopted final 2023 ATP Guidelines on March 16. There were only relatively minor changes at the statewide level from cycle 5 to cycle 6, consisting of new and revised language in various program categories. Considerable program changes include:

- Revisions to Quick Build project requirements
- Applicants requesting ‘disadvantaged community’ status using National School Lunch Program must use 2019-2020 data.
- New language included requiring project design and selection explanations for projects near high traffic volume roadways that describe project air pollution exposure mitigation measures

A few minor differences remain between the statewide guidelines and Fresno COG’s regional guidelines. These differences include:

- Revise the ‘maximum funding encouraged’ amount from \$2 million to \$3.5 million or less per project.
- No minimum funding requirement
- Quick Build projects are not eligible
- Eliminate scoring criteria for medium- and large-sized infrastructure projects and score all projects using the small infrastructure criteria
- Allow applicants to submit scalability plans for medium or large infrastructure projects submitted to the state.

Fresno COG will hold a supplemental call-for-projects using the Regional ATP scoring criteria and have a regional scoring committee. Applicants may apply for either the State ATP program or Regional ATP program, or both. Fresno COG encourages all ATP projects to be submitted to the State ATP competitive program, although it is not required. Projects not selected for programming in the statewide competition must be considered in the regional competition.

The statewide competitive call for projects is now open, and applications will be due to Caltrans on June 15. Once CTC approves the Regional ATP Guidelines (June 29-30), the regional call for projects will open, with applications due Nov. 18. Regional ATP documents are included for review and approval and will be posted to [fresnocog.org](http://fresnocog.org). Enclosures for this item include:

- Resolution 2022-11
- Final Draft Regional ATP Guidelines
- Fund estimate
- Supplemental application

The electronic ATP Cycle 6 applications and other guidance documents can be found at: <https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/active-transportation-program/cycle6>. Please contact Suzanne Martinez via email at [smartinez@fresnocog.org](mailto:smartinez@fresnocog.org) or via phone at 559-233-4148 ext. 240 with any questions.

**Action:** Staff and the MAG request that TTC/PAC recommend the Policy Board approve Resolution 2022-11 adopting the Fresno COG Regional Competitive Active Transportation Program Guidelines.

E. **FINAL 2022-23 Fresno COG Overall Work Program and Budget (Robert Phipps) [ACTION]**

**Exhibits:**

 2022-23 FINAL OWP     2022-23 FINAL OWP Exec Summary

**Summary:** The fiscal year 2022-23 Overall Work Program (OWP), totaling \$48,152,677, is submitted for Board consideration and adoption. The proposed budget increased \$12.49 million from last year, largely attributable to \$7.8 million in anticipated funding from the Regional Early Action Plan (REAP) funds provided by the California Department of Housing and Community Development. Operational revenues remain intact, reserves are adequate, and the agency continues to operate within the bounds of prudent management.

The proposed budget increased \$2.04 million from the draft budget that was released for review in February. Approximately \$2 million of this is attributed to the new WE 174 Inland Port Feasibility Phase IV. In addition, \$226,896 in State Road Maintenance and Rehabilitation Account funding from WE 166 (Transit On-Board Survey) was transferred to WE 177 (Regional Microtransit Feasibility Study), and WE 940 (Freeway Service Patrol) was increased \$41,250 pursuant to a formal request-for-proposals process.

In addition to the nearly \$8 million in anticipated REAP funding, Fresno COG's member agencies agreed to contribute \$2 million to fund a multijurisdictional housing element. Another significant factor explaining the increase is that the budget contains fully funded, multi-year projects, and as these "one-time" funds are spent they are not reflected in subsequent years' budgets. Generally, operating expenses are not affected this way.

Federal revenues increased 5 percent (\$598,000). Included in this is \$337,753 in additional FHWA Planning funds, which was programmed in the newly created WE 174 Inland Port Feasibility Phase IV. The budget also includes a new \$1 million federal Accelerator Grant (RIA) to provide for phase three of the California Inland Port. Meanwhile, FTA 5310 apportionments decreased \$771,000, reflecting newly purchased buses distributed to transit operators last year.

State revenues increased 80 percent, primarily due to the REAP grant.

Local revenues increased 26 percent (\$3.7 million), largely due to financial commitments for the multijurisdictional housing element

**Staffing & Benefits:**

There are no new Fresno COG planning positions included in this year's proposed budget; however, several positions turned over last year, reflecting younger employees at lower salary and benefit rates. Contingencies are carried for merit-based salary increases as well as for anticipated health insurance increases. The overall proposed budget for salaries increased by 3 percent and benefits by 1 percent.

**Consulting**



The overall consulting budget is \$16.5 million, an increase of \$5.4 million. New consulting projects and other direct cost are discussed more fully in the executive memo provided in the agenda.

The OWP is available for review [here](#).

**Action:** Staff requests that the TTC and PAC recommend the Policy Board approve the FINAL 2022-23 Overall Work Program and budget.

F. **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 Committee may provide additional direction at its discretion.

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

III. **ADMINISTRATIVE CONSENT ITEMS**

**About Consent Items:**

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A. **2022 Fresno County Homeless Priorities (Robert Phipps) [ACTION]**

**Exhibits:**

 2022 County of Fresno Homelessness Priorities

**Summary:** In March, Fresno County's Board of Supervisors approved a resolution identifying multiple priority actions intended to serve as the basis for a plan to address homelessness countywide. County officials with the departments of Public Health, Behavioral Health and Social Services developed the seven priorities in consultation with city staff throughout the county. The priorities include: outreach, relocation and sanitation, transportation, safe shelters/triage centers, transitional and affordable housing, wrap-around services, and job placement and training.

The Fresno County Administrator's Office, through Homelessness Liaison Sonia De La Rosa, requests Fresno COG's support for the County's homelessness priorities by resolution.

**Action:** Approve Resolution 2022-16 supporting the County of Fresno's 2022 homelessness priorities.

IV. **ADMINISTRATIVE ACTION/DISCUSSION ITEMS**

A. **Return to In-Person Meetings (Robert Phipps) [ACTION]**

**Summary:** Owing to falling COVID case rates of the omicron variant, the State of California on Feb. 15 rescinded mask mandates that had been instituted for most indoor locations and activities since December 2021. In Fresno County, case rates, which were peaking around Jan. 22, began a precipitous decline on Jan. 29.

In the meantime, at least eight city councils in the Fresno County region have resumed in-person or "hybrid" meetings that allow for in-person attendance: Clovis, Coalinga, Fresno, Kingsburg, Parlier, Reedley, Sanger and Selma. Of those eight, Coalinga, Kingsburg and Parlier are holding meetings entirely in person. In addition, the County's Board of Supervisors has been meeting entirely in person since the expiration of the Governor's executive order suspending certain parts of the Brown Act.

As the COVID pandemic has alternately spiked and receded, Fresno COG Board members have inquired about the timeline for returning to in-person meetings. While AB 361 provides a mechanism for continuing remote, video, or teleconferencing meetings, the law's language is permissive and not mandatory. The Board is free to resume in-person meetings at its discretion.

Conversely, the option to continue allowing remote attendance of members and the public for Board and committee meetings remains viable. The conditions from AB 361 would still apply, including the requirement to make specific findings every 30 days. The findings that the Board would need to make are as follow:

- (A) The legislative body has reconsidered the circumstances of the state of emergency.
- (B) Any of the following circumstances exist:
  - (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.
  - (ii) State or local officials continue to impose or recommend measures to promote social distancing.

The Board may make the first finding because California's state of emergency has not been rescinded. An effort in the Legislature to end the state of emergency was ultimately blocked in March.

The second required finding may be met in either of two ways, in the Board's discretion. Staff believes that the circumstances described below can support either of those two alternatives:

1. The Board may identify an impact to safety. While the number of cases has certainly declined from the peak in January, there are still new cases and hospitalizations. As of May 2022, the County has reported a slight trend up. (<https://www.co.fresno.ca.us/departments/public-health/covid-19>)
2. The Board may rely on State recommendations to promote social distancing. The State need not "impose" measures to promote social distancing, it may also "recommend" such measures in order for the Board to make the finding. For example, the State's COVID-19 website still makes the following recommendation: "Wear a mask to keep from spreading the virus to those with no defense, like the immune-compromised and children under 5." (<https://covid19.ca.gov/safely-reopening/>)

Meanwhile, there is still pending legislation to amend the Brown Act and allow for permanent telecommuting for public meetings. For example, AB 1944 would allow legislative bodies to teleconference meetings from remote locations (within specified limits), provided the public could access those meetings to address the body via a videostream. This bill was ordered to a third reading on May 5.

Should the Policy Board opt to continue issuing findings in accordance with AB 361, staff will need to schedule a special meeting on June 2 or 9 to accommodate the regular June 30 meeting, since that date is more than 30 days away from its May 26 meeting. Such a special meeting can be held entirely remotely under AB 361.

**Action:** Discussion and action, to either: a) discontinue allowing remote attendance and resume in-person meetings, or b) continue issuing findings under AB 361 to allow remote attendance by Board members and the public for Board and committee meetings through June, and select either June 2 or June 9 for a special meeting for that purpose.

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## V. OTHER ITEMS

### A. Items from Staff

### B. Items from Members

## VI. 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.**