

**Policy Advisory Committee
MINUTES
Friday, May 13, 2022
10 AM**

Meeting held via Zoom.

John Holt, City of Clovis
Scott Mozier, City of Fresno
John Kunkel, City of Huron
John Jansons, City of Kerman
Cristian Gonzalez, Mendota
Matt Flood, City of San Joaquin
Rob Terry, City of Selma
Christopher Xiong, Caltrans
Tony Boren, Fresno COG

The meeting was called to order at 10:04 a.m. by Mr. Holt (Clovis), Chair.

- A. Caltrans Report** (Christopher Xiong)
No report/updates

I. TRANSPORTATION CONSENT ITEMS

- A. Executive Minutes of April 8, 2022 [APPROVE]
- B. Executive Minutes of April 8, 2022 [APPROVE]
- C. Third Quarterly Financial and Work Element Report (Les Beshears) [INFORMATION]
- D. Contract Amendment for the Sixth-Cycle Regional Housing Need Allocation Plan (Meg Prince) [APPROVE]
- E. Triennial Performance Audit (Robert Phipps) [ACCEPT]
- F. Measure C New Tech Multidisciplinary Advisory Group Application Availability (Braden Duran) [INFORMATION]
- G. Access for All Program Call for Projects (Suzanne Martinez) [INFORMATION]
- H. FY 2022-2023 Fresno COG Unmet Transit Needs Assessment Update (Todd Sobrado) [INFORMATION]
- I. Fiscal Year 2022-23 Local Transportation Fund (LTF) Final Estimates (Les Beshears) [APPROVE]
- J. Fiscal Year 2022-23 State Transit Assistance (STA) Final Estimates (Les Beshears) [APPROVE]
- K. Fiscal Year 2022-23 State of Good Repair (SGR) Final Estimates (Les Beshears) [APPROVE]
After an opportunity for public comment, Mr. Kunkel (Huron) motioned and. Gonzalez (Mendota), seconded to approve the consent agenda as presented. The motion passed.

II. TRANSPORTATION ACTION/DISCUSSION ITEMS

- A. Regional Early Action Planning Grant Program of 2021 (Meg Prince) [ACTION]**

Ms. Prince (Fresno COG) reported that 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-earlyaction-planning>.

After an opportunity for public comment, Mr. Gonzalez (Mendota) motioned to approve, and Mr. Kunkel (Huron) provided a second that the TTC/PAC recommend the Policy Board approve Resolution 2022-12, authorizing Fresno COG to submit a REAP 2.0 advance application.

B. Release of 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Documents and Public Hearing (Kristine Cai) (Information)

Ms. Prince reported that 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 will host additional public workshops 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

In addition, staff will host two virtual public hearings via Zoom at noon on May 17 and at 6 p.m., May 24. Zoom links will be available at 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. After public comments are incorporated, the Policy Board is scheduled to adopt all four documents on July 28.

Chairman Holt offered opportunity for public comment. This was an information item only.

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

Robert Phipps reported: 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 backup truck. They have a team of experienced drivers that have been with the program and will continue with the program.

After an opportunity for public comment, Mr. Kunkel (Huron) motioned to approve, and Mr. Flood (San Joaquin) provided a second that Staff recommend the 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]

Robert Phipps reported that 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. 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 or via phone at 559-233-4148 ext. 240 with any questions.

After an opportunity for public comment, Mr. Mozier (Fresno) motioned to approve, and Mr. Terry (Selma) provided a second 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]

Robert Phipps reported that 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 "onetime" 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.

After an opportunity for public comment, Mr. Kunkel (Huron) motioned and Mr. Gonzalez (Mendota) provided a second, that the TTC recommend the Policy Board approve the FINAL 2022-23 Overall Work Program and budget.

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

Robert Phipps reported that both the Measure C Technical Working Group (TWG) and Executive Committee (EC) have approved an allocation plan for the Measure. The EC will still need to consider the 30-year timeline as one of its last items before adjourning. The TWG will still need to review and consider a draft expenditure plan that will go to voters in November. All items and issues associated with the Measure renewal will next go through the Fresno COG committee process and Policy Board before moving on to the Fresno County Transportation Authority Board in July and the Board of Supervisors in August.

Chairman Holt provided an opportunity for public comment. This was an information item only.

III. ADMINISTRATIVE CONSET ITEMS

None

IV. ADMINISTRATIVE DISCUSSION ITEMS

None

V. OTHER ITEMS

A. Items from Staff

Robert Phipps thanked Jeaneen Cervantes for her five years of service with Fresno COG. He also mentioned the San Joaquin Valley Broadband Network request for proposals for partnership, specifically to the City of Huron, which has previously expressed interest.

B. Items from Members

There were no items from Members.

IV. PUBLIC PRESENTATIONS

A. **Public Presentations**

There were no public presentations.

The meeting was adjourned at 10:41 a.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Tony Boren". The signature is written in a cursive, flowing style.

Tony Boren

Public:

Staff:

Robert Phipps, Meg Prince, Jeaneen Cervantes