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**FRESNO COUNTY RURAL TRANSIT AGENCY (FCRTA)
MEETING AGENDA**

DATE: Thursday, January 26, 2023
TIME: 5:30pm, **AFTER** the Fresno Council of Governments (FCOG) Meeting
PLACE: FCOG / FCRTA Offices and Zoom Webinar
Sequoia Conference Room
2035 Tulare Street, Suite 201
Fresno, CA 93721
*(Corner of Tulare and Van Ness Ave. - above Club One
Park in Underground Garage - Entrance off Tulare & Van Ness Ave.
Exit Elevator on Tulare St., Turn Left, Enter Lobby Door,
Up Elevator to Second Floor, Left to Sequoia Conference Room)*

Americans with Disabilities Act (ADA) Accommodation

The Fresno COG / FCRTA offices and restrooms are ADA accessible. Individuals with disabilities may call (559-233-4148) / FCRTA (559-233-6789) 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 / FCRTA are 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.

AB 23 Requirement: In accordance with the Brown Act and AB23 the amount of stipend paid to members of the Board of Directors for attending this meeting of the Fresno County Rural Transit Agency, is \$50.00.

THE FRESNO COUNCIL OF GOVERNMENTS AND FRESNO COUNTY RURAL TRANSIT AGENCY BOARD MEETINGS WILL TAKE PLACE IN PERSON AT THE FRESNO COG SEQUOIA ROOM AND VIA ZOOM.

TO JOIN THE ZOOM WEBINAR:

https://us06web.zoom.us/webinar/register/WN_vv7cFs-CSfe3ahNQ_0HtRQ

JOIN BY PHONE: (669) 900-6833

MEETING ID: 857 5447 3375

If you wish to join by phone, please enter the meeting ID FOLLOWED BY THE # SIGN. No Passcode is needed.

If you wish to address the Board during the public comment portion of the agenda, click on the "Reactions" Button at the bottom center of your computer screen. Select the Hand icon, click the icon to "Raise Hand". Your digital hand will now be raised and staff will prompt you to unmute. When on the phone, if you wish to address the board during the public comment portion of the agenda, Press *9 to "Raise Hand" and we will select you from the meeting cue and prompt you to unmute. 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 Landline phone or cell phone.

Those addressing the BOARD must state their first and last name and ANY AFFILIATED agency for the record. To facilitate electronic access, no person shall speak until recognized by the Chair.

1. ROLL CALL

Public Presentations - This portion of the meeting is reserved for persons wishing to address the FCRTA Board on items within its jurisdiction but not on this Agenda. NOTE: The public may also comment on any Agenda item, as they are presented, prior to action by the FCRTA Board.

2. OFFICER ELECTIONS

A. Chair

B. Vice Chair

3. CONSENT ITEMS

A. Approve Minutes of December 15, 2022 [ATTACHMENT]

B. Approve Minutes of January 12, 2023 [ATTACHMENT]

C. Transit Feasibility Study Consultant Selection [APPROVE]

Summary: FCRTA was awarded for \$274,299 in funding through the Caltrans Sustainable Communities Transportation Planning Grant Program. The project includes a transit feasibility study along Golden State Boulevard. The project includes an evaluation of the physical/financial feasibility of developing a light rail, bus rapid transit (BRT), or monorail that utilizes existing medians/shoulders along Golden State Boulevard to connect Southern Fresno County with the cities of Malaga, Fowler, Selma, and Kingsburg, with extensions to Southwest and downtown Fresno, Sanger, Parlier, Reedley and Orange Cove. The study would evaluate multiple alternatives, including light rail, bus rapid transit (BRT), and monorail, to determine which alternative would best serve the corridor. FCRTA released an RFP on November 29, 2022 for consultant services for this project and received 2 proposals on January 3, 2023 from EXP and Walker Consultants. A scoring committee met on January 11, 2023 consisting of FCRTA, Clovis Transit and FAX and recommended Walker Consultants for this project. The consultant agreement is available on the FCRTA website www.ruraltransit.org.

Action: Staff recommends Board approval of Walker Consultants as the consultant for the FCRTA Transit Feasibility Study and authorize the General Manager to enter into an agreement with Walker Consultants in the amount not to exceed \$274,225.

D. AB 361 – Board Meeting Format [ACTION]

Summary: On Sept. 15, 2021, Governor Newsom signed Assembly Bill (AB) 361, amending the Ralph M. Brown Act to allow local agency councils, boards and committees to continue conducting public meetings remotely during a state of emergency after Oct. 1, 2021, so long as they make specific findings every 30 days, and ensure conditions related to public participation are satisfied. Under the Brown Act, the Policy Board, FCRTA Board, TTC and PAC and other Fresno COG committees are considered "legislative bodies," according to the Fresno County Counsel's office. Under the urgency legislation, a local agency may use the more "relaxed" Brown Act teleconferencing/videoconferencing requirements in any of the following circumstances:

- There is a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
- There is a proclaimed state of emergency, and the local agency's meeting is to determine, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or
- There is a proclaimed state of emergency, and the local agency has determined, by majority vote, that as a result of the emergency meeting in person would present an imminent risk to the health or safety of attendees.

AB 361 defines a "state of emergency" as a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act. Importantly, this includes the Governor's proclaimed state of emergency due to the COVID-19 pandemic. To continue to rely on the relaxed video/teleconferencing provisions, the local agency must reconsider the circumstances of the state of emergency and make the following findings by majority vote, **every 30 days**:

- The state of emergency continues to directly impact the ability of members to meet safely in person; or
- State or local officials continue to impose or recommend measures to promote social distancing.

The recommended finding under this option would be that "The Board, meeting during a proclaimed state of emergency, has determined by majority vote, pursuant to AB 361 subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees." While the Board has the option of using teleconferencing, as was available prior to COVID restrictions, the Brown Act requires: 1) a quorum of the legislative body to participate from within the boundaries of the agency's jurisdiction, 2) the public agency to post notice of each teleconference location, and 3) the public be allowed to address the legislative body from each teleconference location. These requirements place a significant burden on both Board members and staff. Also, on Oct. 17, Gov. Newsom announced that he would be ending the COVID state of emergency on Feb. 28, 2023, which will necessitate at least a quorum of Board members present to conduct business beginning with the March 23, 2023 meeting.

Action: Staff recommends two actions:

- 1) That the Board issue the following findings: (a) The Board has reconsidered the circumstances of the state of emergency; and (b) As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- 2) Reaffirm Resolution 2022-01 from Jan. 6, authorize the Board and subordinate legislative bodies to conduct their meetings in accordance with remote participation by teleconference in the manner provided by Government Code section 54953, subd. (e) through Feb. 23, 2023, and direct staff to continue providing video/teleconferencing provisions for all Fresno COG committee and Board meetings through Feb. 23, 2023.

4. OTHER BUSINESS

A. Items from staff.

B. Items from members.

5. ADJOURNMENT

FRESNO COUNTY RURAL TRANSIT AGENCY (FCRTA)

ITEM 3A

Minutes

Thursday, December 15, 2022 at 5:30 P.M FCRTA Meeting
COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA

Members Attending:

Mayor Ron Ramsey, City of Coalinga
Mayor Gary Yep, City of Kerman
Councilmember, Michelle Roman, City of Kingsburg
Councilmember Daniel Parra, City of Fowler
Mayor Alma Beltran, City of Parlier
Mayor Mary Fast, City of Reedley
Mayor Scott Robertson, City of Selma
Mayor Rey Leon, City of Huron
Mayor Victor Martinez, City of Mendota
Mayor Eli Ontiveros, City of Sanger

Moses Stites, General Manager
Janelle Del Campo, Operations Manager
Bryan Rome, County Counsel
Denise Flores, FCOG

Absent:

Supervisor Sal Quintero, Fresno County
Mayor Victor Lopez, City of Orange Cove
Mayor Brady Jenkins, City of Firebaugh
Mayor Julia Hernandez, City of San Joaquin

1. **ROLL CALL** — Meeting called to order 5:34 p.m.

Public Presentations - This portion of the meeting is reserved for persons wishing to address the FCRTA Board on items within its jurisdiction but not on this Agenda.

NOTE: The public may also comment on any Agenda item, as they are presented, prior to action by the FCRTA Board.

2. **CONSENT ITEMS**

- A. **Minutes of October 27, 2022 Meeting [ATTACHMENT]**
- B. **Amendment I to the Design Build Agreement with Zumwalt Construction [APPROVE]**
- C. **AB 361-Board Meeting Format [ACTION]**

A motion was made by Mayor Ramsey (Coalinga) and second by Mayor Beltran (Parlier). A vote was called, and motion carried.

3. **OTHER ITEMS**

A. **Items from Staff**

Moses informed the Board that FCRTA released a Request for Proposal (RFP) for a Transit Feasibility Study to evaluate the feasibility of a light rail or BRT along the State Route 99 from Kingsburg to downtown Fresno. Proposals are due on January 3, 2023.

B. Items from Members

None Reported.

4. ADJOURNMENT @ 5:41P.M.

Respectfully submitted,

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

Moses Stites
General Manager

FRESNO COUNTY RURAL TRANSIT AGENCY (FCRTA)

ITEM 3B

Minutes

Thursday, January 12, 2023 at 5:30 P.M FCRTA Meeting
COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA

Members Attending:

Mayor James Horn, City of Coalinga
Mayor Maria Pacheco, City of Kerman
Councilmember, Laura North, City of Kingsburg
Mayor Daniel Parra, City of Fowler
Mayor Alma Beltran, City of Parlier
Mayor Scott Robertson, City of Selma
Mayor Rey Leon, City of Huron
Mayor Victor Martinez, City of Mendota
Mayor Felipe Perez, City of Firebaugh
Mayor Julia Hernandez, City of San Joaquin

Moses Stites, General Manager
Janelle Del Campo, Operations Manager
Bryan Rome, County Counsel
Denise Flores, FCOG

Absent:

Supervisor Sal Quintero, Fresno County
Mayor Mary Fast, City of Reedley
Mayor Diana Guerra-Silva, City of Orange Cove
Mayor Frank Gonzalez, City of Sanger

1. **ROLL CALL** — Meeting called to order 5:40 p.m.
Public Presentations - This portion of the meeting is reserved for persons wishing to address the FCRTA Board on items within its jurisdiction but not on this Agenda.
NOTE: The public may also comment on any Agenda item, as they are presented, prior to action by the FCRTA Board.

2. **CONSENT ITEMS**

- A. **AB 361-Board Meeting Format [ACTION]**

- A motion was made by Mayor Robertson (Selma) and second by Mayor Parra (Fowler). A vote was called, and motion carried.

3. **OTHER ITEMS**

- A. **Items from Staff**

- None Reported.

- B. **Items from Members**

None Reported.

4. ADJOURNMENT @ 5:45P.M.

Respectfully submitted,



Moses Stites
General Manager