

**Fresno COG Policy Board  
MINUTES  
Thursday, March 30, 2023  
5:30 PM**

**Members Attending:**

Mayor Lynne Ashbeck, City of Clovis  
Mayor James Horn, City of Coalinga  
Mayor Felipe Perez, City of Firebaugh  
Mayor Daniel Parra, City of Fowler  
Councilmember Mike Karbassi, City of Fresno  
Mayor Rey Leon, City of Huron  
Mayor Pacheco, City of Kerman  
Mayor Pro Tem Brandon Pursell, City of Kingsburg  
Mayor Pro Tem Libertad Lopez, City of Mendota  
Mayor Pro Tem Gilbert Garcia, City of Orange Cove  
Mayor Alma Beltran, City of Parlier  
Mayor Matthew Tuttle, City of Reedley  
Mayor Frank Gonzalez, City of Sanger  
Mayor Scott Robertson, City of Selma  
Michael Navarro, Caltrans  
Tony Boren, Executive Director  
Bryan Rome, Legal Counsel

**Absent:**

Mayor Julia Hernandez, City of San Joaquin  
Supervisor Sal Quintero, County of Fresno

Supervisor Quintero (Fresno County) has joined via telephone. His attendance is not included in the quorum therefore his votes are not counted.

**Quorum:** At the start of the meeting, there were 13 members representing 83.20% of the population. There was a quorum to conduct business. (Clovis, Coalinga, Firebaugh, Fowler, Fresno City, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, Sanger, Selma). Members Huron, San Joaquin, Fresno County absent.

The meeting was called to order at 5:31 p.m. by Mayor Beltran (Parlier), Chair.

Mayor Leon (Huron) joined the meeting at 5:39pm.

**I. TRANSPORTATION CONSENT ITEMS**

- A. Executive Minutes of February 23, 2023 [APPROVE]**  
**B. Transportation Development Act TDA Claims (Les Beshears) - NONE**

- Chair Beltran asked if any member wished to pull any items.
- After an opportunity for public comment, Mayor Ashbeck (Clovis) moved, and Councilmember Karbassi (Fresno City) seconded to approve consent items.

**Vote: All in favor, no opposed.**  
**Absent: San Joaquin, Fowler.**  
**Motion passed by acclamation.**

## II. TRANSPORTATION ACTION/DISCUSSION ITEMS

### A. Measure C Expenditure Plan Amendment No. 7: Restore \$20 Million of Amendment 1 to Grade Separation Program (Tony Boren) [ACTION]

**Summary:** This item seeks to restore \$20 million of the \$24.5 million previously held in trust for the California High-Speed Rail Authority's (CHSRA) Heavy Maintenance Facility (HMF) to the Measure C Grade Separation Program and to allocate those funds to the City of Fresno's Blackstone/McKinley grade separation project. A background discussion follows.

The 2006 Measure C Expenditure Plan included an Alternative Transportation Program (ATP) that would provide an estimated \$102 million for Rail Consolidation, which would consist of moving the BNSF railroad alignment over to the Union Pacific Railroad alignment near State Route 99. It was anticipated that the \$102 million would merely be seed money for an effort that would run into hundreds of millions of dollars; therefore, the ballot also carried a provision that if rail consolidation was not imminent within 15 years, the money would be dedicated to grade separation projects instead.

In 2010, Fresno Council of Governments and the Fresno County Transportation Authority (FCTA) jointly approved Amendment No. 1 to the Measure C Expenditure Plan to reserve \$25 million of the ATP to incentivize a high-speed rail heavy maintenance facility (HMF) in Fresno. The amendment specifically provided that the California High-Speed Rail Authority (CHSRA) must designate the Fresno Works site as -the location for the HMF prior to receiving any of the \$25 million. This Amendment did not change the scope of the ATP. The remainder of the ATP funding was still reserved as seed money for rail consolidation; however, with CHSRA building its facilities directly adjacent to the UPRR alignment, rail consolidation became much more difficult and costly.

Between 2010 and 2020, HMF site selection at times appeared imminent but was postponed repeatedly for a variety of reasons. Three potential locations had been included in CHSRA's environmental documents, with Fresno Works as one candidate. In 2017, while CHSRA was actively acquiring right-of-way in Fresno County, FCOG and FCTA jointly modified Amendment No. 1 to provide \$500,000 of the \$25 million set aside for the High-Speed Rail Facilities Program to secure properties necessary for the Fresno site. Amendment No. 3 authorized those funds for land options for two years; however, the HMF decision was repeatedly postponed and the options expired unexecuted.

From 2017 through April 2020, FCTA, Fresno COG, and Fresno Economic Development Corporation (EDC) held discussions with CHSRA staff regarding the HMF. Initially, the need for a decision was driven largely by Measure C's property options. Later, as FCTA considered transitioning rail consolidation to the Grade Separation Program, a decision was necessary to determine how much ATP funding could be dedicated to the Blackstone/McKinley project. FCTA and others made it clear that once a decision was made to pursue the Blackstone/McKinley project, the \$24.5 million would not likely be available for the Fresno Works site.

As a part of the discussions among FCTA, Fresno COG, and EDC, CHSRA proposed other facilities be developed at the Fresno Works site in lieu of the HMF. These facilities could include a maintenance-of-way facility, a training center, a light maintenance facility (which could also serve as a trainset assembly facility) and the communications center. CHSRA claimed that these facilities would offer Fresno County more jobs in an earlier timeframe than the HMF, and that the HMF would not likely be needed or built for 15 years. EDC performed an

analysis of this proposal and concluded that there would be more near-term jobs, but fewer long-term jobs, and that the jobs associated with these alternative facilities would likely be less skilled than the HMF-associated jobs. In addition, Amendment No. 1 only allowed the money to be accessed for an HMF. These other facilities would not qualify and would require a subsequent amendment.

Consistent with the provisions in the Measure C Expenditure Plan, in April 2020 the FCTA Board authorized converting the Rail Consolidation Program to a Grade Separation Program and selected the Blackstone/McKinley grade crossing near Fresno City College as the highest-priority project. The Board also approved an initial \$6 million for preliminary engineering and environmental phases.

In August 2020, four months after the decision to fund the Blackstone/McKinley project, FCTA received a letter from CHSRA chief executive officer that proposed the Fresno Works site be used for the alternative facilities previously described.

In June 2021, the Fresno County Transportation Authority (FCTA) considered whether to rescind Amendment No. 1, making the \$24.5 million available to the Blackstone/McKinley project, or to provide some or all the \$24.5 million to HSR for the alternative facilities. At that time, the FCTA Board voted to request that Fresno COG begin the process to rescind Amendment #1, allowing the remaining \$24.5 million to be available for the City of Fresno’s Blackstone/McKinley project.

Subsequently, CAHSR CEO Brian Kelly met with Fresno City and County stakeholders to discuss the HMF and the other proposed facilities. Mr. Kelly reiterated that a HMF would not be required for many years, that operations suggest the most advantageous location for a HMF is near a terminal station rather than a midpoint station in order to avoid deadheading, and that the facilities proposed for Fresno and vicinity would meet many if not all of the job and other economic benefits anticipated by the HMF. Mr. Kelly requested that the stakeholders consider allocating at least some of the \$24.5 million to Fresno Works site to be utilized for these other CAHSR facilities.

The City of Fresno evaluated the costs associated with bring public utilities to the site and recommended that \$5 million of Amendment #1 funds be retained to help offset these utility costs, and that the remaining \$20 million be allocated back to the Grade Separation Program for the Blackstone McKinley Grade Separation Project. A timely decision on the \$20 million is required in order to avoid schedule delays to the Blackstone McKinley project.

**Timeline**

DATE	ACTIVITY
November 2006	Voters approve extending Measure C 20 years. Expenditure Plan includes estimated \$102 million for rail consolidation within the City of Fresno through the Alternative Transportation Program (ATP)
2010	High Speed Rail (HSR) requests proposals for potential Heavy Maintenance Facility (HMF) sites. FCTA and Fresno COG Boards approve Amendment #1 to the 2006 EP, setting aside \$25 million of ATP funding for the Fresno Works HMF site
May 2012	HSR completes environment clearance of the Madera to Fresno HSR alignment and begins right of way acquisition
April 2017	FCTA and Fresno COG Boards amend the 2006 Measure C EP to allocate \$500,000 of the \$25 million set aside by Amendment No. 1 for property

	options on parcels required for the Fresno Works proposed site of the HMF. City of Fresno obtains property options.
May 2018	City of Fresno extends property options one year
May 2019	Property options expire with no decision by HSR on the HMF site
2019	Staff begins the process to convert the ATP to a Grade Separation Program (GSP), consistent with provisions in the 2006 Expenditure Plan
December 2019	HSR begins discussions with FCTA, Fresno COG and Fresno Economic Development Corporation (EDC) on alternative uses of the Fresno Works site.
January-April 2020	FCTA and Fresno COG staff continue to impress upon HSR the need to make a decision on the HMF and other facilities prior to FCTA converting the ATP to a GSP. No decisions made or communicated by HSR
April 2020	FCTA Board converts the ATP to the GSP and approves funding for the Blackstone - McKinley Grade Separation Project
August 2020	HSR formalizes their proposal for alternative uses of the Fresno Works site with no mention of a HMF location
June 2021	FCTA Board considers the appropriate use of the remaining \$24.5 million reserved by Amendment No.1 and directs staff to work with Fresno COG to rescind Amendment No.1, making the \$24.5 million available for Blackstone/McKinley
December 2022	FCTA and Fresno COG staff prepare draft Amendment No. 7 to rescind Amendment No. 1
January 2023	CAHSR CEO Brian Kelly meets with Fresno area stakeholders to discuss alternative uses of the Fresno Works site
March 2023	<i>Fresno COG Policy Board to consider moving \$20 million from Amendment 1 back to the Grade Separation Program</i>
April 2023	<i>FCTA to consider approving COG Board Policy Board's recommended Expenditure Plan Amendment</i>
April 2023	<i>FCTA to consider amending the cooperative funding agreement with City of Fresno to allocate additional \$20 million to Blackstone/McKinley project to complete right-of-way acquisition and utility relocation.</i>

**Action:** Staff requests that the TTC/PAC recommend the Policy Board approve Amendment No. 7 to the 2006 Measure C Expenditure Plan, moving \$20 million from Amendment No. 1 back to the Grade Separation program to help fund the Blackstone McKinley project. Staff further recommends that the remaining \$4.5 million remain in Amendment #1 until such a time as utility service for the Fresno Works sites can be determined. Once that occurs, a separate amendment will be necessary to allow use of the \$4.5 million for site improvements for the proposed CAHSR campus to be located at the Fresno Works site.

- Mr. Boren (FCOG) shared a brief history of the original amendment along with elements of amendment no. 7.
- After an opportunity for public comment, Mayor Leon (Huron) motioned and Mayor Gonzalez (Sanger) seconded to approve Amendment No. 7.

**Votes: 13 yes.**

**Absent: Fowler, San Joaquin, Fresno County.**

**Motion passed.**

**B. Fresno County Microtransit Feasibility Study Consultant Selection (Juan Ramirez) [ACTION]**

**Summary:** Transit agencies in Fresno County have been exploring alternative mobility options to efficiently serve all areas in need of transit services. As a result, microtransit has emerged as a promising option to supplement, support or replace fixed route transit in geographic areas where it is challenging to provide fixed route transit. Often, high-frequency transit isn't within walking distance of where most people work and live. Microtransit can serve as a first/last mile option for connecting people to major transit services in the urban area. It can also serve as on-demand transportation for hard-to-serve rural and suburban areas.

Due to the dispersed land use patterns of Fresno County, transit planners and operators have begun considering complementary services to fixed-route transit. Microtransit emerges as a solution to fill in the gap for this situation. If microtransit is financially viable and implemented in Fresno County, many existing trips could be diverted from private auto to microtransit and/or public transportation. This would allow residents who lack access to transportation for jobs, medical services, and other daily necessities to have access. Public transit, in many cases, is especially critical for seniors and people with disabilities. Most importantly, this would result in a reduction in vehicle miles traveled while improving air quality and climate change conditions.

Fresno Council of Governments developed a request for proposals for a microtransit feasibility study in Fresno County. After reviewing the proposals, three of the consultants were invited to an interview with the scoring committee. The committee comprised one member from each of the following four agencies: Fresno County Rural Transit Agency (FCRTA), Fresno Area Express (FAX), Clovis Transit, and Fresno COG. Via Mobility LLC received the highest scores and was recommended to undertake the Fresno County Microtransit Feasibility Study. The firm has vast experience with transit planning and operation globally and has an extensive presence in providing transit service in California.

Attached is the scope of work for the study. The project will be launched in April and is expected to be completed within a year. Please contact project staff Juan Ramirez at [jramirez@fresnocog.org](mailto:jramirez@fresnocog.org) with any questions.

**Action:** Staff and the TTC/PAC recommend the Policy Board authorize the executive director to enter into a contract with Via Mobility LLC for an amount not to exceed \$240,807.93.

- Juan Ramirez (FCOG) described the process of the Microtransit Feasibility Study Consultant Selection.
- Mayor Ashbeck asked about the timeline.
- After an opportunity for public comment, Mayor Pacheco (Mendota) motioned and Mayor Leon (Huron) seconded to approve the action as recommended.

**Votes: 13 yes.**

**Absent: Fowler, Orange Cove, Fresno County.**

**Motion passed.**

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

- Michael Navarro (Caltrans) gave the following updates:
  - Cycle 2 for Clean California deadline is April 28 for grants. The last workshop will be held on April 3<sup>rd</sup> at 1:00pm.
  - Call for planning grant received 16 applications. \$7 million dollars in total of project request. Cycle 2 calls for projects in the Fall.
  - Projects:
    - SR 99 rehab project between Selma and Fowler. Floral ramp will be closed April 19<sup>th</sup> for a few months.
    - SB Manning/Second reduced to 2 lanes.

- Working on final designs in Firebaugh should be completed by June 2024.
  - Mendota roundabout ready to advertise this summer.
  - SR 41 project awarded RR construction.
- This item is informational only. No action is required.

### III. ADMINISTRATIVE CONSENT ITEMS

#### A. Regional Early Action Planning (REAP) Technical Assistance Contract - Estolano Advisors (Phipps) [ACTION]

**Summary:** Fresno COG serves as the fiscal agent for the San Joaquin Valley Regional Early Action Planning (REAP) Committee, which is responsible for distributing nearly \$19 million in state housing planning funds. Those funds are intended to assist member jurisdictions and regional planning agencies prepare for the sixth-cycle Regional Housing Needs Assessment (RHNA) process.

To date, approximately \$6 million has been reserved for tasks, activities and deliverables intended of a Valleywide scope and benefit among all eight counties. In that time, the Valleywide REAP program has delivered multiple projects designed to assist jurisdictions with the RHNA and updates to their individual housing elements. This includes a comprehensive housing report detailing an inventory of available residentially zoned land uses across all jurisdictions, along with demographic data, potential impediments to housing, best practices and recommendations.

Phase two of Valleywide activities, tasks and deliverables includes \$1.5 million in technical assistance work to assist jurisdictions in updating housing elements with Affirmatively Furthering Fair Housing (AFFH) requirements, zoning codes, infrastructure planning, GIS mapping and other assistance on an as-needed basis. Specifically, requests were issued for Valleywide AFFH assistance (by jurisdiction, on an as-needed basis).

Staff requested abbreviated proposals from its REAP consultant "bench" of firms that included rate sheets and additional detail on eligible planning activities for AFFH, to which three responded. To date, two have been contracted, including Mintier-Harnish and Raimi Associates (with Veronica Tam & Assoc.). Given the 70 potential Valley jurisdictions that could request AFFH assistance, Fresno COG proposes to add Estolano Advisors as an additional resource for technical help on an as-needed, time-and-materials basis.

**Action:** Staff and PAC recommend the Policy Board approve an on-call contract with Estolano Advisors for Valleywide AFFH technical assistance under the REAP program at a cost not to exceed \$125,000 and authorize the executive director to sign.

#### B. Valleywide Regional Early Action Planning (REAP) Coordinator Contract Extension (Robert Phipps) [ACTION]

**Summary:** The San Joaquin Valley Regional Planning Agencies Executive Directors Committee (COG Directors) is responsible for all Valleywide Regional Early Action Plan (REAP) administrative work. Collectively, the eight Valley COGs are eligible to receive approximately \$18.5 million through California's REAP program for local jurisdiction housing planning assistance.

Of that \$18.5 million, HCD has designated \$6 million for tasks, activities and deliverables that are Valleywide in scope, as opposed to any specific region or county. Some of those activities and deliverables will include a Valleywide inventory of housing stock, available land, and obstacles endemic to housing production; a zoning code template; a catalog of best practices for housing planning, as well as other deliverables.

The COG Directors review and recommend contracts, funding arrangements and other administrative matters relevant to the SJV REAP program. The California Housing and Community Development Department (HCD) required the SJV COGs and their elected REAP Committee to appoint a “fiscal agent” for the REAP funding, which Fresno COG accepted. Fresno COG is responsible for administering revenues and entering into contracts on the REAP Committee’s behalf. Following legislative action as part of the 2021 State budget, HCD extended the term for REAP program administration by a full year through Dec. 31, 2024.

Michael Sigala with Sigala, Inc. of Clovis has been serving as the REAP program manager since October 2020 under a \$314,200 contract with Fresno COG. Similarly, Fresno COG holds a second contract with Sigala, Inc. totaling \$125,000 for Valleywide coordination, the cost of which is split among all eight regional planning agencies.

Sigala's REAP scope of work originally envisioned a 28-month term, which ended in February. Staff and the COG Directors propose to extend Sigala, Inc.'s contract by an additional 23 months at the same monthly amount in the original contact (approximately \$11,000/mo.) through June 30, 2025. This should provide ample time to wrap up all REAP spending, invoicing and reporting requirements. The cost would not exceed \$250,000 and would come from the Valleywide share of REAP funding.

**Action:** Staff and PAC recommend the Policy Board approve a contract extension with Sigala, Inc. for REAP program management through June 30, 2025 at a cost not to exceed \$250,000.

- Chair Beltran asked if any member wished to pull any items.
- After an opportunity for public comment, Mayor Ashbeck (Clovis) moved, and Mayor Leon (Huron) seconded to approve consent items A-B as presented.

**Votes: 13 yes.**

**Absent: Fowler, Orange Cove, and Fresno County.**

**Motion Passed.**

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

- None.

#### **V. OTHER ITEMS**

##### **A. Items from Staff**

- Kristine Cai (FCOG) gave an update on Safe Routes to Schools. The plan is to organize a taskforce and invite community groups, stakeholders, etc.

##### **B. Items from Members**

- Supervisor Quintero (Fresno County) announced the County of Fresno event at the Fresno Fairgrounds celebrating the best of Fresno County. Saturday, April 22, 2023 from 10am-2pm. Tickets are free.

#### **VI. PUBLIC PRESENTATIONS**

##### **A. Public Presentations**

- Veronica Garibay, Leadership Counsel – asked the board to agendize a discussion about Measure C on the Board agenda.
- Litia Becebrid, Fresno community member - the rains have made the roads worse. If you hit a pothole or the conditions on cars get bad because of the roads. Please consider the south and rural areas.
- Sandra Solido, Fresno Communities – encouraged to hear conversations about safe routes to schools. Invite to engage with coalition to improve roads and transportation.
- Kato Prado, Leadership Institute – teens wanted to sit with elders to learn what was going on. Would like to have their voices heard. Asking staff to agendize a public discussion on Measure C.

## VII. ADJOURNMENT

- The meeting was adjourned at 7:36 p.m.

Respectfully submitted,



Tony Boren

Public:

Kay Bertken  
Marianne Kast  
Bill Jordan  
Melissa Blau  
Cassie Scholz  
Kato Prado  
Edna Collins  
Guadalupe Balfron  
Litia Becebrid

Staff:

Denise Flores; Kai Han; Kristine Cai; Moses Stites; Janelle Del Campo; Juan Ramirez, Christina White.