

Policy Advisory Committee
MINUTES
Friday, May 10, 2024
10:00 AM

The meeting was held at FCOG Sequoia Conference Room.

Ryan Burnett, City of Clovis
Pio Martin, City of Firebaugh
Eric Rocha, City of Fowler
Nicholas Mascia, City of Fresno
John Jansons, City of Kerman
Nicole Zieba, City of Reedley
Nathan Olson, City of Sanger
Elizabeth Cabrera, City of San Joaquin
Jerome Keene, City of Selma
David Padilla, Caltrans District 6
Robert Phipps, FCOG
Moses Stites, FCRTA

The meeting was called to order at 10:00 a.m. by Mr. Jansons (Kerman), Chair. With 9 members present, there was a quorum to conduct business.

JOINT Transportation Technical/Policy Advisory Committee

A. Caltrans Report (Caltrans) [INFORMATION]

David Padilla reported the following:

- Hope to have grants submitted to headquarters by next week.
- H6 Cycle-12 projects estimate 300 million. Application deadline is September 9th.

I. TRANSPORTATION CONSENT ITEMS

- A. Executive Minutes of April 12, 2024 [APPROVE]**
B. Third Quarterly FY 24 Work Element and Financial Report (Les Beshears) [APPROVE]
C. Federal Transit Administration FY 2024 Apportionments (Matthew Shimizu) [INFORMATION]
D. Fiscal Year 2024-25 Local Transportation Fund (LTF) Preliminary Estimates (Les Beshears) [ACTION]
E. Fiscal Year 2024-25 State Transit Assistance (STA) Final Estimates (Les Beshears) [ACTION]
F. Fiscal Year 2024-25 State of Good Repair (SGR) Final Estimates (Les Beshears) [ACTION]
G. FY 2024-2025 Fresno COG Annual Unmet Transit Needs Update (Todd Sobrado) [INFORMATION]
H. Release of Measure C New Technology Reserve Program 2024 Grant Application (Simran Jhutti) [INFORMATION]
I. SB 125 Transit and Intercity Rail Capital Program (TIRCP) and Zero-Emission Transit Capital Program (ZETCP) Project Package (Jennifer Rodriguez) [ACTION]
J. 2024-25 Through 2026-27 Disadvantaged Business Enterprise (DBE) Goal (Les Beshears) [INFORMATION]
K. Draft 2023 Federal Transportation Improvement Program (FTIP) Amendment No. 17, Draft 2022 Regional Transportation Plan (RTP) Amendment No. 3, and Draft 2024 Air Quality Conformity Analysis for Interagency Consultation and Public Review (Ofelia Abundez) [INFORMATION]

- Mr. Jansons called for any items wishing to be pulled by members or the public.
- After an opportunity for public comment, Mr. Mascia (City of Fresno) motioned, and Ms. Cabrera (San Joaquin) seconded to approve the consent agenda items A-K as presented.

**All in Favor, no opposed.
Motion passed.**

II. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. **Fresno County Regional Active Transportation Plan Negative Declaration Adoption (Jennifer Rodriguez) [ACTION]**

Summary: Fresno COG developed a Regional Active Transportation Plan (R-ATP) to provide a comprehensive document outlining the future of walking and bicycling in Fresno County. The R-ATP was developed in coordination with Fresno COG’s member agencies, the general public, and stakeholder groups, such as local bicycling groups, walking advocates, educational institutions, and disadvantaged communities.

The R-ATP is intended to help Fresno COG’s member agencies better compete for funding sources to support ATPs and to satisfy California Transportation Commission (CTC) requirements. The cities of Clovis, Fresno, Reedley, and Selma have recently prepared or will soon complete their own ATPs. The participating agencies in this R-ATP update are: Coalinga, Firebaugh, Fowler, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Sanger, San Joaquin and the County of Fresno, each of which can rely on the R-ATP to satisfy CTC requirements.

One of the project’s main goals is to detail a potential network of safe and attractive trails, sidewalks, and bikeways that connect Fresno County residents to key destinations—especially local schools, parks, and transit. The networks include: shared-use paths, bike lanes, and routes, sidewalks, and crosswalk improvements. Other goals are to create a network of regional bikeways that allow bicyclists to safely ride between cities and other regional destinations, and to increase regional walking and bicycling trips by creating user-friendly facilities.

The draft Regional ATP was published for public comment Feb. 8 through March 20. The draft R-ATP was presented to TTC/PAC and the Board in February.

Due to the file size, a link to the Fresno County R-ATP Update can be found here:

Active Transportation - Fresno Council of Governments (fresnocog.org)

The first four chapters contain:

Introduction
Existing Conditions
Planned Networks and Program
Implementation

Chapters 5-16 are devoted to each jurisdiction’s status and future plans. Chapter 17 includes community connections that describe the conditions and future plans for walking and bicycling connections among incorporated and unincorporated communities in Fresno County and with other counties.

The Appendix contains:

- (A) Plan conformance with the CTC’s ATP guidelines
- (B) Public participation
- (C) Relationship to other plans and policies
- (D) Projects, priorities, and cost estimates
- (E) Funding sources

- (F) Fact sheets
- (G) Safe routes to school inventory
- (H) Jurisdictional resolutions

A Program Initial Study/Negative Declaration, in accordance with the California Environmental Quality Act (CEQA), was prepared for the R-ATP. The CEQA document was released for a 30-day public review on April 11 and will end May 13. The R-ATP contains various programs, policies, and recommendations that pertain to bicycle and pedestrian facilities in Fresno County. Projects are identified at a conceptual level for the Fresno County R-ATP. Specific development is not being proposed under the regional plan, and adopting the CEQA document would not authorize any development.

Action: Staff requests TTC/PAC recommend the Policy Board adopt the Negative Declaration for the Fresno County Regional Active Transportation Plan through Resolution 2024-13.

- Jennifer Rodriguez (FCOG) presented on the Regional Active Transportation Plan.
- After an opportunity for public comment, Ms. Cabrera (San Joaquin) motioned, and Mr. Burnett (Clovis) seconded to approve the item as presented.

**All in Favor, no opposed.
Motion passed.**

B. Fresno County Regional Active Transportation Plan Adoption (Jennifer Rodriguez) [ACTION]

Summary: A description of the Fresno County Regional Active Transportation Plan (R-ATP) is included in the item above. The R-ATP includes all the elements the California Transportation Commission (CTC) requires for ATPs, as well as a separate chapter for the County and each of the 11 cities involved. The draft plan was available for public review between Feb. 8 and March 20. The CEQA document was released for a 30-day public review on April 11 and will end May 13.

Action: Staff requests TTC/PAC recommend the Board approve Resolution 2024-14, adopting the Fresno County Regional Active Transportation Plan.

- Jennifer Rodriguez (FCOG) gave an update on the plan adoption.
- After an opportunity for public comment, Mr. Burnett (Clovis) motioned, and Mr. Olson (Sanger) seconded to approve the item as presented.

**All in Favor, no opposed.
Motion passed.**

C. 2026 Regional Transportation Plan Roundtable (Brenda Thomas) [INFORMATION]

Summary: As Fresno COG embarks on the 2026 Regional Transportation Plan (RTP) update, it is once again time to form the RTP Roundtable. The Roundtable supports Fresno COG staff and COG's standing committees in developing the 2026 RTP and Sustainable Communities Strategy (SCS). It is vital to the process that the Roundtable generates consensus about the plans, based upon the input of an informed and active, local constituency. While the Roundtable will provide comments and input on issues related to the 2026 RTP/SCS, the final decisions on RTP content will be the Policy Board's responsibility.

COG staff released the RTP Roundtable application for appointment on May 6 for those positions that are not appointed by a local or public agency. The first Roundtable is scheduled for June 26. There are 40 positions that must be filled: 16 seats that allow for one staff person from each member agency; 21 seats open to a variety of agencies and interest groups, and three "public-at-large" seats. A list of the Roundtable positions is attached.

RTP Roundtable applications are due to Fresno COG by June 5 as indicated on the attached form.

Action: Information. The TTC/PAC/Policy Board may provide additional direction at its discretion.

- Brenda Thomas (FCOG) gave information on the RTP Roundtable.

Information only, no action needed.

D. CalVans Joint Powers Authority (JPA) Amendment (Brenda Thomas) [ACTION]

Summary: Fresno COG has been a member in good standing of the CalVans Joint Powers Authority (JPA) for several years, and subsidizes numerous CalVans vanpools through the Measure C Ag Worker Vanpool program. Recently, CalVans updated its Joint Powers Agreement, which is attached in redline and clean formats. CalVans requests that all members return the signed JPA by the end of May so that it may execute and file an "Amendment of a Joint Powers Agreement" with the State of California by July 1.

Attached is an Amended and Restated Agreement to Form Joint Powers Authority for the California Vanpool Authority. The REDLINE version is compared to the current Joint Powers Agreement for CalVans. For ease of review, staff has included the most notable changes from the last version, along with a brief description or explanation of the change.

Article I, General Provisions, Section 2 of the Joint Powers Agreement amended in its entirety to read as follows:

2. Boundaries.

"The boundaries of the Transit Authority shall be the same as the collective geographic boundaries of the Member Agencies, however, nothing herein shall prevent or prohibit the Transit Authority from operating or providing its services outside of Transit Authority boundaries."

Discussion: This change is included to give the Authority flexibility as to whether it will operate. This allows the Authority to operate outside of the jurisdictional boundaries of its members.

Article II, Organization, Section 5 of the Joint Powers Agreement amended in its entirety to read as follows:

5. Meetings.

"The Board shall by resolution establish the date, time, and place for regular meetings. Special meetings may be called by either the Chair of the Board or the Executive Director as otherwise allowed by law. All meetings of the Board shall be in conformance with the Ralph M. Brown Act (California Government Code Sections 64950, et seq.), as will meetings of its committees, if any, to the extent required by law. The Board may hold meetings in any fashion and utilizing any technology, including but not limited to telephone, video conference, or other permissible technology under the Ralph M. Brown Act. The Board of Directors may establish from time-to-time compensation, reimbursement or a fee to be paid to those Directors who appear at any meeting of the Board or any committee."

Discussion: This change provides flexibility, as allowed by law, for the Authority to have teleconference or video meetings because of the Authority's jurisdictional reach being statewide.

Article II, Organization, Section 8 of the Joint Powers Agreement amended in its entirety to read as follows:

8. Supermajority Vote.

"Notwithstanding Article II, Section 7, the following matters require a Supermajority Vote. A Supermajority Vote means 2/3 vote of the Board members present at any meeting at which a quorum is present:

The borrowing of funds or otherwise incurring any debt on behalf of the Transit Authority outside the everyday operations of the Transit Agency.

Voluntarily permitting a lien to be placed on any equipment, assets, or property of the Transit Authority."

Discussion: Requires these certain items to be subject to a 2/3 vote. Other matters are decided by simple majority.

Article II, Organization, Section 10 of the Joint Powers Agreement is amended in its entirety to read as follows:

10. Committees.

"Notwithstanding Article II, Section 9 above, The Board of Directors may establish, from time to time, an Executive Committee, a Legislative Committee, and a Nominating Committee. These committees may be established by a majority vote of the Board, and any rules, procedures, and direction shall be provided by

the Board to such committees."

Discussion: This section is new and allows for certain committees to be established.

"Article III, Finances, Section 1 (c) of the Joint Powers Agreement is amended in its entirety to read as follows:

(c) Member Agencies may contract with or assist the Transit Authority with obtaining federal, state, or other public funds or payments, as may be available;

Any advance made in accordance with paragraph (c) of this Section 1 shall be repaid in the manner agreed to by the advancing Member Agency and the Board, at the time the advance is made. Nothing herein shall prohibit the receipt or acceptance of donations by or from non-Member Agencies as determined from time to time by the Board."

Discussion: This Section provides for the Authority to seek available Federal, State or public funds. It also allows for donations from non-member agencies. Recently, Authority clients have offered to donate vehicles for ownership and use by the Authority under certain conditions.

Article IV, Miscellaneous, Section 3 of the Joint Powers Agreement is amended in its entirety to read as follows:

3. Withdrawal.

"A Member Agency may withdraw from the Transit Authority by filing its written notice of withdrawal with the Executive Director 180 days before the actual withdrawal. Such a withdrawal shall be effective on the last day of the 180 days. The withdrawal of a Member Agency shall not in any way discharge, impair, or modify the voluntarily assumed obligations of the withdrawn Member Agency in existence as of the effective date of its withdrawal.

Withdrawal of a Member Agency shall not affect the remaining Member Agencies, nor shall such withdrawal change or impact where the Transit Authority can provide services or otherwise operate."

Discussion: The change in this Section clarifies that if a member agency withdraws, that does not automatically result in the Authority being prohibited from operating in that jurisdiction.

Action: Staff requests that TTC/PAC recommend the Fresno COG Policy Board Chairperson and Legal Counsel sign the updated Joint Powers Agreement on behalf of the agency.

- Brenda Thomas (FCOG) gave a summary on the JPA amendment.
- After an opportunity for public comment, Ms. Zieba (Reedley) motioned, and Mr. Olson (Sanger) seconded to approve the item as presented.

All in Favor, no opposed.

Motion passed.

III. ADMINISTRATIVE CONSENT ITEMS

A. RTP Public Outreach Firm Proposal (Brenda Thomas) [ACTION]

Summary: Fresno Council of Governments (Fresno COG) released a request for proposals (RFP) in February searching for qualified consultants to work with staff and a diverse group of regionwide stakeholders and the community to develop and implement a comprehensive and progressive overall multimedia program during the 2024-2025 Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS) update.

Staff received and scored two proposals, and recommends that Southwest Strategies be awarded the \$150,000 contract. The outreach consultant will work with Fresno COG staff to develop materials, publicize and obtain community input for the Fall 2024 Transportation Needs outreach effort and the Spring 2025 Sustainable Communities Strategy Scenario outreach efforts. They will also create communications, social media posts and other graphics in a variety of languages for use throughout the RTP update process via social media platforms, email, online and other traditional media as budget allows.

In addition, the consultant will work with staff to schedule and attend pre-set meetings/workshops, create presentations, and facilitate the RTP mini grant program.

Action: Staff requests that the TTC/PAC recommend the Policy Board authorize the executive director to enter into contract with Southwest Strategies in an amount not to exceed \$150,000.

- Mr. Jansons called for any items wishing to be pulled by members or the public.
- After an opportunity for public comment, Ms. Cabrera (San Joaquin) motioned, and Ms. Zieba (Reedley) seconded to approve the consent agenda item A as presented.

**All in Favor, no opposed.
Motion passed.**

IV. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

- None.

V. OTHER ITEMS

A. Items from Staff

- None.

B. Items from Members

- John Jansons (Kerman) – welcomed Nathan Olson to the Committee and thanked Caltrans District 6 for their work on the roundabout project in Kerman.

VI. PUBLIC PRESENTATIONS

A. Public Presentations

- None.

VII. ADJOURNMENT

The meeting was adjourned at 10:22 a.m.

Respectfully submitted,



Robert Phipps, Interim Executive Director

Public:

None

Staff:

Denise Flores, Robert Phipps, Jennifer Rodriguez, Brenda Thomas, Janelle Del Campo, Ofelia Abundez, Les Beshears.