

**Fresno COG Policy Board
MINUTES
Thursday, January 31, 2019
5:30 PM**

Members Attending:

Mayor Bob Whalen, City of Clovis
Mayor Ron Lander, City of Coalinga
Mayor David Cardenas, City of Fowler
Mayor Pro Tem Gary Yep, City of Kerman
Mayor Michelle Roman, City of Kingsburg
Mayor Robert Silva, City of Mendota
Mayor Victor Lopez, City of Orange Cove
Mayor Alma Beltran, City of Parlier
Councilmember Robert Beck, City of Reedley
Councilmember Jose Ornelas, City of San Joaquin
Mayor Frank Gonzalez, City of Sanger
Mayor Scott Robertson, City of Selma
Supervisor Sal Quintero, County of Fresno

Gail Miller, Caltrans
Kyle Roberson, Legal Counsel
Tony Boren, Executive Director

Absent:

Mayor Marcia Sablan, City of Firebaugh
Mayor Lee Brand, City of Fresno
Mayor Rey Leon, City of Huron

The meeting was called to order at 5:38 p.m. by Mayor Cardenas (Fowler), Vice Chair.

Fresno County Rural Transit Agency Meeting Package - Meeting will follow Policy Board Meeting

Quorum: At the start of the meeting, there were 13 members representing 45.61% of the population. There was a quorum to conduct business. (Clovis, Coalinga, Fowler, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, Selma, Fresno County).

PLEDGE OF ALLEGIANCE

I. Sitting as the Fresno County Mayors City Selection Committee

1. Call Meeting to Order and Roll Call
2. Approval of the June 28, 2018 Minutes [APPROVE]
3. City Selection Committee [APPOINT]
4. City Selection Committee [APPOINT]
5. San Joaquin Valley Unified Air Pollution Control District CAC [APPOINT]
6. San Joaquin Valley Unified Air Pollution Control District CAC [APPOINT]
7. Airport Land Use Commission [APPOINT]
8. Airport Land Use Commission [APPOINT]
9. Public Presentations
10. Adjourn City Selection Committee

Fresno County Mayors City Selection Committee action summary minutes provided as a separate document.

Adjourn to Fresno COG Policy Board meeting at 5:51 p.m.

Fresno COG sitting as the Fresno Council of Governments Policy Board

Fresno COG Policy Board Appointments

Current:

Mayor Amarpreet Dhaliwal (San Joaquin) Chair

Mayor David Cardenas (Fowler) Vice Chair

City of San Joaquin elected Councilmember Jose Ornelas as the sitting Fresno COG Policy Board Member. Action needed to elect and Interim Chair and Vice Chair to serve until regular election of Policy Board Chair and Vice Chair in the month of March 2019.

Mayor Lopez (Orange Cove) nominated Mayor Cardenas (Fowler) for Policy Board Chair and Mayor Silva (Mendota) for Policy Board Vice Chair.

After an opportunity for public comment, Mayor Lopez (Orange Cove) motioned and Mayor Robertson (Selma) seconded to approve the election of Chair and Vice Chair to serve January 2019-March 2019. The motion passed.

II. TRANSPORTATION CONSENT ITEMS

- A. Executive Minutes of November 2, 2018 [APPROVE]
- B. Fresno Area Express Transportation Development Act Claim (Les Beshears) [APPROVE]
- C. Fiscal Year 2018-19 Overall Work Program Amendment No. 3 (Les Beshears) [APPROVE]
- D. 2019 Federal Transportation Improvement Program Amendment No. 3 / 2018 Regional Transportation Plan Amendment No. 1 / 2015 Ozone Conformity Analysis (Suzanne Martinez) [INFORMATION]
- E. Final Senate Bill 35 Streamlined Ministerial Approval Process Guidelines (Meg Prince) [INFORMATION]
- F. Federal Railroad Administration Fiscal Year 2019 Federal-State Partnership for State of Good Repair Notice of Funding Opportunity (Meg Prince) [INFORMATION]
- G. Affordable Housing Sustainable Communities (AHSC) Technical Assistance Memorandum of Understanding (Meg Prince) [APPROVE]
- H. Fresno County Political District Maps (Trai Her-Cole) [INFORMATION]
- I. 2019 Environmental Justice Small Grant Solicitation (Trai Her-Cole) [INFORMATION]
- J. Fiscal Year 2019 Brownfields Multipurpose, Assessment, and Cleanup Grant Request for Proposals (Trai Her-Cole) [INFORMATION]
- K. Electric Vehicle Charging Infrastructure Network Plan (Trai Her- Cole) [INFORMATION]
- L. Housing and Urban Development Fiscal Year 2018 and 2019 Community Compass Technical Assistance and Capacity Building Program NOFA (Trai Her-Cole) [INFORMATION]
- M. Triennial Performance Audit Consultant Selection (Suzanne Martinez) [APPROVE]
- N. Annual Progress Reports Technical Assistance (Meg Prince) [INFORMATION]
- P. Urban Greening Program Concept Proposal Solicitation (Trai Her-Cole) [INFORMATION]
- Q. Environmental Protection Administration Fiscal Year 2019 Clean Diesel Funding Assistance Program Request for Application (Trai Her-Cole) [INFORMATION]
- R. Department of Transportation Fiscal Year 2019 INFRA Grant Program Notice of Funding Opportunity (NOFO) (Trai Her-Cole) [INFORMATION]
- S. Department of Transportation Fiscal Year 2019 Automated Driving System Demonstration Grants Notice of Funding Opportunity (Trai Her-Cole) [INFORMATION]
- T. Obligational Authority and Project Delivery Update (Suzanne Martinez) [INFORMATION]

Mayor Lopez (Orange Cove) pulled Item I-O for discussion.

After an opportunity for public comment, Mayor Pro Tem Yep (Kerman) motioned and Mayor Lopez (Orange Cove) seconded to approve the balance of the consent agenda as presented. The motion passed.

- O. Community Development Block Grant Program for Non-Entitlement Jurisdictions: Notice of Funding Availability (Trai Her-Cole) [INFORMATION]

Ms. Her-Cole reported that the California Department of Housing and Community Development (HCD) is pleased to announce the availability of \$29.6 million in federal Community Development Block Grant (CDBG) funding allocated for funding year 2018 to the state from the U.S. Department of Housing and Urban Development (HUD), pursuant to the Housing and Community Development Act of 1974, as amended.

This NOFA only applies to CDBG non-entitlement cities and counties applying for funding under the Community Development (CD) Allocation and Special Allocations for Economic Development (ED), Colonia, and Native American communities that are non-federally recognized tribes.

The submittal deadline for 2018 Program NOFA applications and required attachments has been extended to no later than 5:00 p.m. Pacific Standard Time on February 26, 2019 (Tuesday). More information is available at <http://www.hcd.ca.gov/grants-funding/nofas/docs/2018/2018-CDBG-NOFA-F.pdf>.

This item was informational only; no further action was required.

III. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. Fresno COG Tribal Consultation Plan (Trai Her-Cole) [APPROVE]

Ms. Her-Cole (FCOG) reported that Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (November 6, 2000), requires regular and meaning coordination with federally recognized tribes. Title 23 CFR part 450 requires MPO to consult, as appropriate, with state and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation. Furthermore, FTA, FHWA and Caltrans have all recommended that Fresno COG developed a Tribal Consultation Plan. The attached Tribal Consultation Plan outlines the minimum protocol for conducting government-to-government consultation regarding planning and programming activities with tribes, identifies strategies for outreach and specific documents that require tribal coordination.

The three federally recognized tribes in Fresno County are Big Sandy Rancheria of California, Cold Springs Rancheria of Mono Indians of California, and Table Mountain Rancheria of California. Although consultation is not mandated for non-federally recognized tribes, this does not preclude Fresno COG from consulting with local, non-federally recognized tribes when plans or activities might impact cultural values or the community.

In preparation of this document, FCOG staff reached out to all three tribes and met with two (Table Mountain and Big Sandy) to discuss infrastructure and priority safety needs, pipeline projects, collaboration and partnerships for funding requests. Fresno COG staff strives to continue to conduct extensive outreach to the tribes, provide an update and maintain an active positive line of communication. The strategies outlined in the consultation plan are further implemented through Fresno COG's Public Participation Plan for engaging disadvantaged communities and Title VI Limited English Proficiency Plan. The plan will be included as an appendix to the FCOG Overall Work Program (OWP). Outreach and engagement will be documented and updated annually as part OWP under Work Element 313 and each year thereafter.

After an opportunity for public comment, Councilmember Beck (Reedley) motioned and Mayor Pro Tem Yep (Kerman) seconded to approve the Fresno COG Tribal Consultation Plan. The motion passed

B. Fresno County Regional Transportation Network Vulnerability Assessment Consultant Selection (Meg Prince) [APPROVE]

Ms. Prince (FCOG) reported that Fresno COG was awarded a 2018-19 Caltrans Adaptation Planning Grant to develop a Fresno County Regional Transportation Network Vulnerability Assessment (TNVA). The TNVA will identify areas of the multimodal transportation network that are vulnerable to potential impacts of climate change and recommend resiliency strategies for future capital projects, general plans, policies, and other efforts.

Fresno COG released an RFP on September 17, 2018 for consultant services and received three proposals. A consultant selection committee comprising representatives from the City of Fresno, Fresno County Department of Public Health, City of Reedley, Fresno County Rural Transit Agency, and California Rural Legal Assistance interviewed the two top scoring consultants on November 5, 2018 and unanimously chose WSP Inc. as the preferred consultant. WSP is a leader in adapting transportation systems to climate change at the national, state, and regional level.

Additionally, Fresno COG is seeking representatives interested in participating in a Vulnerability Assessment Working Group to assist in producing the assessment. Please contact Meg Prince, Associate Regional Planner, at mprince@fresnocog.org or (559) 233-4148 x203 for more information.

Ms. Prince informed the PAC that TTC made the recommendation that the Scope only be open to public agencies, and that she would confirm with Caltrans to amend the Scope.

After an opportunity for public comment, Mayor Lander (Coalinga) motioned and Mayor Robertson (Selma) seconded to approve WSP Inc. as the consultant for the Fresno County Regional Transportation Network Vulnerability Assessment, and authorize Fresno COG's Executive Director to enter into a contract with WSP for an amount not to exceed \$215,471.99. The motion passed.

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

Ms. Martinez reported that Fresno COG's most recent Freeway Service Patrol (FSP) contractor abruptly resigned in October 2018, sparking the need to re-advertise an FSP request for proposals (RFP).

Fresno COG issued a request for proposals (RFP) for Freeway Service Patrol towing service on November 8, 2018, for the 40-month period beginning March 4, 2019, and ending June 30, 2022. It was mailed to 60 towing companies on the California Highway Patrol Fresno County Tow Rotation List and posted on the Fresno COG website.

The previous contract covered a five-year period. This contract will provide FSP service for the remaining months in the previous contract. One slight change introduces a requirement for GPS tracking of the FSP fleet. Other aspects of the program remain unchanged. There will still be four beats along each of the major freeways in the City of Fresno: SR 41, 99, 168 and 180, running Monday through Friday (excluding holidays) that will provide service during peak traffic congestion, from 7 a.m. to 9 a.m., and from 3:30 p.m. to 6:30 p.m.

The following companies submitted a proposal by the November 8, 2018 deadline:

- Reyna Towing
- All Knight Towing

The FSP partners' selection committee (Fresno COG, Caltrans District 6, and the California Highway Patrol, plus a member from the private sector) interviewed both companies on Thursday, December 13, 2018, and recommended Reyna Towing based on enthusiasm, company strength and experience, and provision for all-new trucks. The contract shall not exceed \$1,534,560 for the 40y-month period.

After an opportunity for public comment, Councilmember Beck (Reedley) motioned and Mayor Pro Tem Yep (Kerman) seconded to authorize the Executive Director to sign a contract with Reyna Towing for an amount not to exceed \$1,534,560 for the period March 4, 2019, through June 30, 2022. The motion passed.

Mr. Francisco Hernandez, All Knight Towing thanked the Policy Board for opportunity to respond to the RFP.

Mayor Robertson (Selma) stated that he personally knows the respondent and provided a letter of recommendation, as a private citizen. He disclosed that he has no monetary gain. Mayor Robertson asked Legal Counsel if he needed to recuse himself. Mr. Roberson (Legal Counsel) confirmed Mayor Robertson did not need to recuse himself.

D. 2019 Safety Performance Targets (Lang Yu) [APPROVE]

Mr. Yu reported that the Moving Ahead for Progress in the 21st Century (MAP-21) and the Fixing America's Surface Transportation Act (FAST Act) require metropolitan planning organizations (MPOs) to set targets for a series of transportation-related performance measures. Last year, the 2018 safety targets (PM1) were established and approved, which were included in the 2018 Regional Transportation Plan (RTP). Since it is an annual target, Fresno COG's 2019 safety performance targets need to be set by February 2019 for the following five performance measures:

- Number of fatalities
- Rate of fatalities per 100 million vehicle miles traveled (VMT)
- Number of serious injuries
- Rate of serious injuries per 100 million VMT
- Number of non-motorized fatalities and serious injuries

Fresno COG organized a safety target subcommittee to discuss the target options and recommendations. City of Fresno, City of Clovis, County of Fresno and Caltrans attended the committee meeting. Three options were discussed including using the state's target, evidence-based targets and maintain 2017 level. Upon analysis of recent trends, the committee recommended supporting the statewide targets for 2018 for all five safety performance measures. The statewide target is an aspirational goal consistent with the California Strategic Highway Safety Plan (SHSP), aiming for a 3 percent annual reduction for fatalities and 1.5 percent annual reduction for serious injuries. Staff will make a short presentation to demonstrate the recent trends and target options.

Mayor Whalen (Clovis) asked if there is any consequence if the target is not met. Mr. Yu responded that there is currently no penalty to Fresno COG, but Caltrans would receive a penalty.

After an opportunity for public comment, Mayor Beltran (Parlier) motioned and Mayor Lopez (Orange Cove) seconded to approve the statewide targets for all five safety performance measures for 2019. The motion passed.

E. Measure C Transit-Oriented Development Program Cycle VII Call for Projects (Kristine Cai/Trai Her-Cole) [INFORMATION]

Ms. Cai (FCOG) reported that Measure C's Transit-Oriented Development (TOD) Program was established to boost transit ridership and encourage transit-supportive land use, such as higher-density development and mixed uses. TOD program projects serve as models that reduce vehicle trips, improve air quality and provide access to physical activity opportunities through integrated land use and transportation.

The TOD program is estimated to receive \$16.9 million over its 20-year lifespan, with approximately \$850,000 accrued annually. More than \$7 million has been granted to projects for the last six funding cycles since 2012. In 2017, both the Fresno COG Policy Board and the Fresno County Transportation Authority Board approved the revised TOD program guidelines that allow the jurisdictions from the entire county to compete for the funding. Language addressing project delivery was added in 2018. The revised TOD Program policies and guidelines are attached for your reference and can be found on Fresno COG's website at <https://www.fresnocog.org/measure-c-transit-oriented-development>

The TOD program Cycle VII call for projects opens on January 11, 2019, and applications are due on February 28, 2019. There is approximately \$2 million available for Cycle VII. Attached is the application package.

This item was informational only; no further action was required.

F. Senate Bill 743 Local Assistance Program (Kristine Cai) [INFORMATION]

Ms. Cai (FCOG) reported that Senate Bill 743 (SB 743) requires that level of service (LOS) be replaced under existing California Environmental Quality Act (CEQA) law with a metric that can promote greenhouse gas emission reduction, help develop a multi-modal transportation system and a rich variety of land use development. The Governor's Office of Planning & Research (OPR) recommended vehicle miles traveled (VMT) as the metric to measure the transportation impacts under CEQA. The CEQA guideline updates have been approved in December 2018. SB 743 is expected to take effect statewide on July 1, 2020. The switch from LOS to VMT will have profound impacts on how local governments and other public agencies approve land use and transportation projects.

To better assist local governments in Fresno County with the SB 743 implementation, Fresno COG has developed a SB 743 Local Assistance Program intended to ease the transition to the VMT metric. Fresno COG hosted an SB 743 workshop on January 8, 2019, to address the guidelines and the implementation process. Several speakers who have been extensively involved in the process shared their perspectives and experiences. Fresno COG has reserved SB 1 formula planning funding to potentially develop a set of regional guidelines for SB 743 implementation should the member agencies request it. The regional guidelines will be customizable and adaptable by cities of different sizes. Fresno COG's modeling staff will be able to provide assistance for VMT calculation when the cities/County decides on the metric and thresholds for their jurisdictions.

Both TTC and PAC directed COG staff to develop regional guidelines to assist local governments in the SB 743 implementation.

This item was informational only; no further action was required.

G. Caltrans Report (CALTRANS) [INFORMATION]

Ms. Miller (Caltrans) reported:

- State Route (SR) 99 realignment to accommodate High Speed Rail. The contractor will have two daytime Saturday ramp closures of the southbound 99 Golden State off ramp to finish paving off ramp after the adjacent retaining wall is complete. Scheduled completion is anticipated for the end of March a ribbon cutting ceremony scheduled for Friday, February 19, 2019, at 10:00am.
- Kings Canyon Expressway SR 180 Segment 3; structure work is nearing completion at four locations, China Slew, Kings River, Cameron Slew and Bird Slew. Grating work is progressing west of the Kings River. The project is on schedule. SR 180 concrete base and paving is scheduled January. A detour was implemented this month and is working well.
- San Joaquin River Bridge seismic retrofit. All work is complete except for final restriping. The end of construction is scheduled to be complete by the end of this year.
- Caltrans is working with the City of Fresno and the County of Madera on the relinquishment of the bridge. To relinquish it to the City and County of Fresno.
- There will be four new projects coming up.

1. Interstate 5 – Pavement preservation from Tuolumne Avenue crossing to north of the State Route 33 and Interstate 5 separation. This is a SHOPP project. The project will begin then go into winter suspension and will continue in the spring. Completion is anticipated for summer 2019.
2. State Route 269 Bridge – Construction began mid-January. There is temporary detour that is planned to be constructed in February.
3. Shaver to Huntington – Asphalt overlay on 168. Project is winter suspension and will begin when weather is better. Anticipated completion is summer 2019.
4. Shepherd/168 – Rumble strips. Project was awarded and construction will begin when the weather is better.

There is going to be charging stations in Fresno, Tulare and Kern Counties along State Route 99 and Interstate 5 at various locations. This project was heard at CTC this week.

This item is informational only, no further action was required.

IV. ADMINISTRATIVE CONSENT ITEMS

- A. 2019-20 Draft Overall Work Program (Robert Phipps) [INFORMATION]
- B. DRAFT 2019 Fresno Council of Governments Legislative Platform (Trai Her-Cole) [INFORMATION/DISCUSSION]
- C. Monthly Legislative Report (Trai Her-Cole) [INFORMATION]

After an opportunity for public comment, Councilmember Beck (Reedley) motioned and Mayor Robertson (Selma) seconded to approve the consent agenda as presented. The motion passed.

V. ADMINISTRATIVE ACTION/DICUSSION ITEMS

A. Appointments to Committees (Tony Boren) [APPOINT]

1. CalVans Board Joint Powers Public Transportation Agency

Appoint one (1) Primary Member to the CalVans Board, effective immediately, to fill the vacancy of Rey Leon, for an indefinite term.

Mayor Scott Robertson (Selma) volunteered to sit on the CalVans Board. Councilmember Beck (Reedley) nominated Mayor Scott Robertson.

After an opportunity for public comment, Councilmember Beck (Reedley) motioned and Mayor Pro Tem Yep (Kerman) seconded to appoint Mayor Scott Robertson to the CalVans Board. The motion passed.

VI. OTHER ITEMS

A. Items from Staff

There were no items from staff

B. Items from Members

- **Mayor Lopez (Orange Cove) reported that there is a new shopping center in his City and a contest was held to name the shopping center. A ten year old resident won the contest. The shopping center is named Sequoia View Shopping Center.**
- **Mayor Roman (Kingsburg) reported that she sits as Chair of the Board to the Zoo Authority Measure Z. The report will be released in the coming months. Board members showed interest in having the report presented to the whole Policy Board at a future meeting.**
- **Mayor Silva (Mendota) reported that the Redevelopment Agency Oversight Board met last week and it is progressing. By resolutions, eight cities resolved.**

VII. PUBLIC PRESENTATIONS

A. Public Presentations

There were no public presentations.

The meeting was adjourned to FCRTA at 7:16 p.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Tony Boren". The signature is written in a cursive style with a large, sweeping initial 'T'.

Tony Boren

Public

Evelyn Espinosa, MCTC

Francisco Hernandez, All Knight Towing

Staff

Robert Phipps

Kristine Cai

Les Beshears

Meg Prince

Trai Her-Cole

Lang Yu

Suzanne Martinez

Moses Stites

Janelle Del Campo

Jeanee Cervantes