

Fresno COG Policy Board
Thursday, May 28, 2020
5:30 PM

Members Attending:

Mayor Drew Bessinger, City of Clovis
Mayor Ron Lander, City of Coalinga
Mayor Elsa Lopez, City of Firebaugh
Mayor David Cardenas, City of Fowler
Councilmember Paul Caprioglio, City of Fresno
Mayor Pro Tem Gary Yep, City of Kerman
Mayor Michelle Roman, City of Kingsburg
Mayor Rolando Castro, City of Mendota
Mayor Victor Lopez, City of Orange Cove
Mayor Pro Tem Trinidad Pimentel, City of Parlier
Mayor Pro Tem Mary Fast, City of Reedley
Mayor Amarpreet Dhaliwal, City of San Joaquin
Mayor Frank Gonzalez, City of Sanger
Mayor Louis Franco, City of Selma
Michael Navarro, Caltrans
Bryan Rome, Legal Counsel
Tony Boren, Executive Director

Absent:

Mayor Rey Leon, City of Huron
Supervisor Sal Quintero, County of Fresno

Quorum: At the start of the meeting, there were 13 members representing 81.97% of the population. There was a quorum to conduct business. (Clovis, Coalinga, Firebaugh, Fowler, Fresno City, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, Selma).

The meeting was called to order at 5:37pm by Mayor Cardenas (Fowler), Chair.

I. TRANSPORTATION CONSENT ITEMS

- A. Executive Minutes of April 10, 2020 [APPROVE]
- B. County of Fresno Transportation Development Act Claim (Les Beshears) [APPROVE]
- C. Circuit Planner and Engineer - Update on Current Tasks (Braden Duran) [INFORMATION]
- D. Notice of Funding Availability Transit-Oriented Development Housing Program Round 4 (Trai Her-Cole) [INFORMATION]

After an opportunity for public comment, Mayor Bessinger (Clovis) motioned and Mayor Lander (Coalinga) seconded to approve the balance of the consent agenda as presented. A roll call vote was taken 13 yes, members Huron, San Joaquin and Fresno County absent. The motion passed.

II. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. Obligational Authority and Project Delivery Update (Jennifer Soliz) [INFORMATION]

Ms. Soliz (FCOG) reported that on April 1, 2020, Fresno COG staff submitted the federal fiscal year (FFY) 2019/20 Obligation Plan to Caltrans's Division of Local Assistance. This plan documents Fresno COG's estimated project delivery for the remainder of 2019/20. The obligational authority (OA) target for 2019/20 is \$27,758,441.

As of March 31, 2020, only \$7,418,221 or 26.7 percent of federal Congestion Mitigation Air Quality (CMAQ) program and Surface Transportation Block Grant (STBG) funding had been obligated, leaving our region with an estimated OA balance of \$20,340,220. The obligation plan outlines approximately \$18 million in additional, combined CMAQ and STBG, which is still short of the remaining OA target.

In April, COG staff met with all local agencies to discuss their obligation plans and any changes to programmed projects. Approximately \$3.9 million in projects will be delayed, and another \$2.5 million were expedited to offset those delays. These changes are reflected on the quarterly report attached. In January, staff reviewed the 2019/20 OA plan and determined the region was on track to exceed its OA target by 1 percent. With the delays and other changes, staff is now projecting a delivery rate of 93.9 percent.

The FFY ends September 30, 2020; however, as of May 1, the federal funds become available to the rest of the state on a first-come, first-served basis. Per Caltrans HQ and Local Assistance, the state is anticipating OA will be exhausted by mid-May. This is much earlier than we have seen in previous years, and projects not submitted to Caltrans for authorization by May 1 are at risk of being delayed.

It is the state's goal to exceed the OA target and, in August, receive additional federal funds redistributed from other states to projects pending authorization. We encourage all agencies to submit their Requests for Authorization as soon as possible to get in the queue for the funds that will become available. If projects do not receive authorization approval after August, they will be delayed to October 2020, the next federal fiscal year.

Please keep Fresno COG staff updated on any changes that could impact the region's project delivery plan.

This item was informational only; no further action was required

B. Regional Transportation Plan Roundtable Public-At-Large Applicant Selection (Brenda Veenendaal) [APPROVE]

Ms. Veenendaal (FCOG) reported that Fresno COG's Policy Board approved its 2022 Regional Transportation Plan (RTP) Roundtable positions in February 2020 with the caveat that all public-at-large applications be screened by COG staff, appointment recommendations be forwarded to the TTC and PAC for review and recommendation, and the Policy Board grant final approval at its May meeting. The first Roundtable meeting is scheduled for 2 p.m. on June 24.

The Roundtable supports Fresno COG staff and COG standing committees in developing the 2022 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 2022 RTP/SCS, the final decisions on RTP content will be the Policy Board's responsibility.

COG staff released the RTP Roundtable application on March 3, 2020, for those positions that are not appointed by a local or public agency. Three public-at-large applications were received for review and approval, and have been attached. The applicants are:

- Gail Miller, retired, Caltrans
- Jim Hunter, Senior Managing Consultant (semi-retired) for Knowledge Solutions Group
- Sal Petrucelli, retired, Longs Drugs/CVS Pharmacy management (application to follow)

After an opportunity for public comment, Mayor Beltran (Parlier) motioned and Mayor Pro Tem Fast (Reedley) seconded to approve the recommended RTP Roundtable's public-at-large appointments. A roll call vote was taken 13 yes, members Huron, San Joaquin and Fresno County absent. The motion passed.

Quorum: San Joaquin joined, there were 14 members present representing 82.38% of the population.

C. Fresno COG's Draft 2020 Public Participation Plan – Public Hearing (Brenda Veenendaal) [ACTION]

Ms. Veenendaal (FCOG) reported that Fresno Council of Governments released its draft 2020 Public Participation Plan (PPP) for a 45-day public review and comment period from March 3, 2020 through April 17, 2020. In addition, a public hearing was scheduled and publicly noticed for the March 2020 Policy Board meeting. However, due to the COVID 19 pandemic, the March board meeting was cancelled. The PPP public hearing was renoticed for May 2020. Fresno COG publicized the public review and comment period, as well as the public hearing, as follows:

- Fresno Bee public notices published on April 22, 2020 and March 3, 2020
- Vida En El Valle public notices published on April 29, 2020 and March 11, 2020
- Coming Up At Fresno COG enewsletter articles requesting feedback, providing links to the PPP documents and notification of the public comment period and public hearing were sent out on February 6, March 9, April 16, and May 11 to more than 3,000 subscribers. The average open rate on the enewsletters is 22 percent.
- The draft document and all public notices were published at fresnocog.org on March 3, 2020 and remain on the Get Involved webpage today
- Notice of the 45-day review period and public hearings was published on TTC, PAC and Policy Board agendas during the months of March, April and May 2020.

To date, no comments have been received regarding the plan.

As publicly noticed, comments are welcomed at the May public hearing or may be submitted in writing for Policy Board consideration via mail or email to Brenda Veenendaal prior to the hearing date:

The PPP is a plan intended to give Fresno COG's Policy Board and staff guidance in providing for public involvement and interagency consultation early and often during the regional planning process. It contains policies, guidelines, processes and procedures Fresno COG commits to implementing while seeking and fostering open public involvement during the decision-making process, regarding all matters within discretion. The PPP also identifies opportunities to be involved in the metropolitan transportation planning process.

After addressing all submitted comments, the Policy Board will consider adopting, by resolution, the 2020 Public Participation Plan on June 25, 2020. All documents are available for review or download at www.fresnocog.org or in hard copy at Fresno COG's offices.

Public hearing was opened for public comment. There were no public comments. The public hearing was closed.

D. FINAL 2020-21 Overall Work Program and Budget (Robert Phipps) [APPROVE]

Mr. Phipps (FCOG) reported that the fiscal year (FY) 2020-21 Overall Work Program (OWP), totaling \$21,737,779, is submitted for approval. The proposed budget increased \$1,524,545 from last year.

Federal revenues decreased 19 percent (\$1,137,460). FTA 5304 decreased \$269,372, reflecting progress on the Better Blackstone Challenge. Projects funded by FTA Section 5310 Enhanced Mobility of Seniors & Individuals with Disabilities program decreased \$494,705 reflecting programmed bus procurements for transit agencies while FTA Section 5316 & FTA Section 5317 were reduced by \$156,281 as grants funded by the discontinued JARC and New Freedom program are closed out. Federal planning funds decreased \$349,461 as carryover FHWA PL and FTA 5303 balances are spent down.

State revenues increased 257 percent (\$4,588,834). The largest portion of this increase centers around the State Regional Early Action Planning Program (REAP) which provides \$4,749,860 to Fresno and Central Valley MPOs to develop a Valleywide plan for housing. Also, STIP planning funds (\$399,000) were reinstated in the 2018 STIP to fund FCOG's stewardship of the multi-million dollar federal aid projects allocated to local agencies in Fresno County. State Highway account, SPR, and RMRA funding all decreased a total of \$569,421, reflecting progress on programmed projects.

Local revenues decreased 15 percent (\$1,834,556), reflecting drawdowns on Measure C funded projects such as the significant design phase of the Golden State corridor, Fresno State Transportation Institute, and FCRTA electric vehicle purchases.

Staff activity surrounding the Measure C III reauthorization will also be a major initiative for 2020-21.

Staffing & Benefits: There are no new Fresno COG planning positions included in this year's proposed budget. FCRTA reclassified an Administrative Assistant position to Operations Manager and added an accounting position. Contingencies are carried for merit-based salary increases as well as contingencies for anticipated health insurance increases. The overall proposed budget for salaries increased by 8 percent and benefits by 11 percent.

Overhead Accounts: Overhead accounts increased by 4 percent (\$18,793 total) reflecting increases in computer supplies (\$5,000), building maintenance (\$1,000), and travel (\$11,500). The office lease also was adjusted up \$8,937 per the existing contract. Another \$7,644 in audit expenses were reallocated to a direct program.

Consulting: The overall consulting budget is \$4.8 million, which is a decrease of \$744,846 corresponding to projects associated with revenue reductions discussed above regarding multi-year projects. Some of those include the Eastside Corridor Study and the Fresno-Madera Sustainable Corridor Study along State Route 41.

After an opportunity for public comment, Mayor Beltran (Parlier) motioned and Mayor Franco (Selma) seconded to recommend the Policy Board approve Fresno Council of Governments' final Fiscal Year 2020-21 Overall Work Program and budget. A roll call vote was taken 13 yes, members Huron, Orange Cove and Fresno County absent. The motion passed.

E. Caltrans Report (Caltrans) [INFORMATION]

Mr. Navarro (Caltrans) reported:

- Caltrans Director Sharri Bender-Ehlert announced her retirement. Her last day will be June 30.
- COVID-19 has not affected projects, bids are still going out and construction continues.
- 2020 SHOPP was approved on May 13th.
- Kings Canyon Expressway SR 180 Segment 3; Major traffic shift took place. The project is estimated to be completed by September.
- City of Kingsburg SR 99 rehabilitation - Construction started in April and is anticipated to end in spring 2021.

III. ADMINISTRATIVE CONSENT ITEMS

A. Monthly Legislative Report (Trai Her-Cole) [INFORMATION]

After an opportunity for public comment, Mayor Pro Tem Yep (Kerman) motioned and Mayor Dhaliwal (San Joaquin) seconded to approve the balance of the consent agenda as presented. A roll call vote was taken 13 yes, members Huron, Orange Cove and Fresno County absent. The motion passed.

IV. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. Senate Bill 1291 Support Letter (Robert Phipps) [APPROVE]

Mr. Phipps (FCOG) reported that two new variables have combined in recent months that add considerable pressure to regional agencies' normal Federal Transportation Improvement Program (FTIP) development. Senate Bill 1291 (Beall) will address that pressure by delaying until 2022 the State's requirement to produce a new FTIP on a two-year cycle.

Under Part 2 of the Federal government's Safe, Affordable, Fuel Efficient (SAFE) rule, changes in fuel efficiencies create variables to modeling factors needed to make air conformity determinations. If conformity cannot be determined, billions of dollars in transportation projects—including rail and transit projects—will be at risk as soon as October.

Secondly, the FTIP process requires tremendous work and coordination with local jurisdictions. To get the needed approvals by September, much of the advance work needs to be done in May, June, and July. This year, those timelines are particularly difficult. Like most agencies, Fresno COG is having difficulty completing all the steps required while sheltering in place. Given the significant consequences if an FTIP is not completed by October 1, it would be prudent to suspend the state requirement this year.

SB 1291 recognizes these unforeseen hurdles and addresses them by delaying the more stringent State requirement to produce an FTIP on a two-year cycle rather than the Federal government's more lenient four-year cycle. Importantly, the bill does nothing to impede the Federal cycle, which would next occur in 2022.

Staff recommends the Board approve a support position for SB 1291. A letter to Senator Beall detailing Fresno COG's support is attached.

After an opportunity for public comment, Mayor Roman (Kingsburg) motioned and Mayor Pro Tem Fast (Reedley) seconded to support position for SB 1291 and authorize the Chairman to sign a letter of support. A roll call vote was taken 13 yes, members Huron, Orange Cove and Fresno County absent. The motion passed.

V. OTHER ITEMS

A. Items from Staff

There were no items from Staff.

B. Items from Members

There were no items from Members.

VI. PUBLIC PRESENTATIONS

A. Public Presentations –

There were no public presentations.

Councilmember Caprioglio (Fresno City) motioned and Mayor Roman (Kingsburg) seconded to adjourn the meeting. A roll call vote was taken 13 yes, members Huron, Orange Cove, and Fresno County absent. The motion passed.

The meeting was adjourned to FCRTA at 6:35 p.m.

Respectfully submitted,



Tony Boren