

Fresno COG Policy Board

Date: Thursday, April 29, 2021
Time: 5:30 PM
Place: Meeting via Zoom
COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA
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THE FRESNO COUNCIL OF GOVERNMENT OFFICES WILL NOT BE OPEN TO THE PUBLIC

OUT OF AN ABUNDANCE OF CAUTION REGARDING THE COVID-19 VIRUS FRESNO COG PUBLIC MEETINGS WILL BE CONDUCTED ELECTRONICALLY AND TELEPHONICALLY ONLY. ONLY LIMITED POLICY BOARD MEMBERS WILL BE PHYSICALLY PRESENT IN THE FRESNO COG SEQUOIA ROOM, THE FRESNO COG SEQUOIA ROOM WILL NOT BE OPEN TO THE PUBLIC. FRESNO COG REMAINS CLOSED TO THE PUBLIC.

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THOSE ADDRESSING POLICY BOARD MUST STATE THEIR FIRST AND LAST NAME AND AGENCY FOR THE RECORD.

TO FACILITATE ELECTRONIC ACCESS, NO PERSON SHALL SPEAK UNTIL RECOGNIZED BY THE CHAIR.

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

AGENDA AND ANNOTATED AGENDA IN PDF FORMATING FOR PRINTING

Exhibits:

Agenda Annotated Agenda

I. TRANSPORTATION CONSENT ITEMS

About Consent Items:

All items on the consent agenda are considered to be routine and non-controversial by COG staff and will be approved by one motion if no member of the Policy Board or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Policy Board concerning the item before action is taken.

A. Executive Minutes of March 25, 2021 [APPROVE]

Exhibits:

March Minutes

B. 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Environmental Impact Report (EIR) Notice for Preparation (Meg Prince) [INFORMATION]

Summary: On April 1, Fresno COG issued a notice of preparation (NOP) for the program environmental impact report (EIR) for the 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The NOP informs reviewers of the agency’s intent to prepare an EIR with a 30-day public comment period. A scoping meeting will be held at 10 a.m. on April 21 via Zoom video conference. The scoping meeting will provide a brief overview of the EIR process, the project and scope of the EIR, and an opportunity to obtain input from agencies and/or the public.

Below is the anticipated timeline for major milestones.

Milestone	Date
Notice of preparation comment period	April 1-May 3, 2021
NOP scoping meeting	April 21, 2021
Draft EIR released	March 2022
Final EIR certified	June 2022

The NOP is available for download on Fresno COG’s RTP website: planfresno.com.

Meg Prince can be contacted for questions or more information at mprince@fresnocog.org.

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

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

Exhibits:

FCOG FFY 20-21 OA Plan FY 20/21 Quarterly Report

Summary: On April 1, 2021, Fresno COG staff submitted the federal fiscal year (FFY) 2020/21 obligation plan to Caltrans' Division of Local Assistance. This plan documents Fresno COG's estimated project delivery for the remainder of 2020/21. The obligational authority (OA) target for 2020/21 is \$21,785,922.

As of Feb. 28, \$6,733,450 or 30.9 percent of federal Congestion Mitigation Air Quality (CMAQ) program and Surface Transportation Block Grant (STBG) funding has been obligated, leaving the region with an estimated OA balance of \$15,052,472. The obligation plan outlines approximately \$17.3 million in additional, combined CMAQ and STBG, which slightly exceeds our OA target but includes approximately \$3 million of delivery risk.

In February, COG staff met with all local agencies to discuss their obligation plans and any changes to programmed projects. Approximately \$3.2 million in projects will be delayed, and another \$3.8 million were expedited to offset those delays. These changes are reflected on the quarterly report attached.

The federal fiscal year ends Sept. 30; however, as of May 1, federal funds become available to the rest of the state on a first-come, first-served basis. 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. Fresno COG encourages all agencies to continue submitting their requests for authorization as soon as possible to ensure they are queued up for the funds that will become available. If projects do not receive authorization approval after August, they will be delayed to October, the beginning of the next federal fiscal year.

Please keep Fresno COG staff updated on any changes that could impact the region's project delivery plan. Contact Jennifer Soliz at 559-233-4148 ext. 223 or jsoliz@fresnocog.org with any questions regarding fiscal year deadlines or the process of obligating project funds.

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

D. **Quarterly Update on the Fresno-Madera State Route 41 and Avenue 9 Sustainable Corridors Study (Braden Duran) [INFORMATION]**

Summary: Fresno COG, in partnership with Madera County Transportation Commission (MCTC), is conducting a study to determine State Route 41's future transportation needs in the City of Fresno, as well as the southern segment in Madera County. In addition, the study is analyzing future transportation needs along the Avenue 9 corridor in Madera County between SR 41 and SR 99.

The study will recommend sustainable improvements to address residents' transportation needs in both counties for issues such as: mobility, access, safety, and connectivity for all modes of travel, including automobiles, transit, walking, and rolling/cycling.

This project began in July 2020 and is anticipated to conclude in July.

Over the last quarter, consultants IBI Group (along with BluePoint Planning and RSG) have completed multiple tasks.

- RSG has completed the bi-county model and is analyzing future-year alternative scenarios with IBI Group.
- IBI Group has started to develop sustainable corridor transportation improvements and management strategies in conjunction with input from the project steering committee, public outreach, and bi-county model results.
- Fresno COG and MCTC hosted an open house/workshop via Zoom in February and had over 40 participants.
- The open house interactive activity was then developed into two online surveys, which 250 residents from both Fresno and Madera counties completed during March.

The online information center is live throughout the project, and can be accessed at: https://www.ibiviz.com/41_9InfoCenter/

Key milestones for the next quarter include: finalizing the sustainable corridor transportation improvements and management strategies, finishing the bi-county model future year runs, developing the draft plan, public review for the draft plan, and having the fourth and fifth steering committee

meetings. Fresno COG staff is providing quarterly updates for the duration of this project.

All study information and documents can be accessed from: <https://www.fresnocog.org/project/fresno-madera-state-route-41-and-avenue-9-sustainable-corridors-study/>

Action: Information. The Policy Board may provide further direction at its discretion.

E. **DRAFT Big Sandy Rancheria Extreme Weather and Natural Disaster Emergency Evacuation Plan (Trai Her-Cole)** **[INFORMATION]**

Summary: In 2019, Big Sandy Rancheria (BSR), in partnership with Fresno COG, was awarded a Caltrans Adaptation Planning Grant to develop an Extreme Weather and Natural Disaster Emergency Evacuation Plan (BSREVAC).

The BSREVAC addresses moving community members and visitors away from disasters, emergency threats, and situations affecting Big Sandy Rancheria. This Plan is a key component of the Big Sandy Rancheria Emergency Management Program (EMP). The EMP serves as the framework for coordinating and responding to all emergencies and disasters within the Tribe's jurisdiction. This Plan complies with state law and state and federal emergency planning guidance, including the Standardized Emergency Management System (SEMS), National Incident Management System (NIMS), and the Incident Command System (ICS).

The draft Plan ranks hazards, identifies critical infrastructure and adaptation strategies, and includes a transportation analysis of existing emergency evacuation routes and new proposed routes. In addition, it provides an emergency operations plan detailing service coordination, including evacuee transportation, communication protocol, a resident checklist and post-evacuation considerations.

The draft Extreme Weather and Natural Disaster Emergency Evacuation Plan is available for public review at <https://www.fresnocog.org/project/special-studies/>.

For questions or comments, please contact Trai Her-Cole at traih@fresnocog.org.

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

F. **Regional Safety Plan Existing Conditions Report (Trai Her-Cole/Santosh Bhattarai)** **[INFORMATION]**

Summary: In September 2020, Fresno COG and Kittelson and Associates kicked off the Regional Safety Plan (RSP) to assist the region achieve a safer transportation system for all motorized and non-motorized travelers by reducing fatalities and serious injuries.

The existing conditions report is now available for public review. The report provides an overview of existing roadway safety practices, policies and/or initiatives. It also documents multimodal roadway safety performance across both incorporated and unincorporated Fresno County. The analysis and findings point to the types of crashes and contributing factors that, if addressed, would lead to the greatest improvements in roadway safety. As such, the findings will be used to inform strategies (e.g., countermeasures, education program, enforcement strategies) to make strides in improving roadway safety.

The report provides a breakdown of key findings for road users, and severity, seasonality and weather impact, collision types, locations, and primary collision factors, pedestrian and bicycle collisions. A detail list of the highest incident locations by jurisdiction is included in the appendix.

The next steps for the Regional Safety Plan will focus on two efforts: One will identify strategies that address the recurring regional crash trends and patterns. Those strategies will include engineering countermeasures, enforcement strategies, as well as the development of an education program. The other effort will select 20 priority locations across the region that will be used as illustrative safety project opportunities to explore funding and implementation options.

While the additional technical work above continues forward to inform the RSP's development, there will be ongoing public engagement to gather input about the public's experiences and observations related to roadway safety. This information will be integrated into the considerations and recommendations for the safety strategies. Ultimately, the technical work and community input will be integrated into a Regional Safety Plan that can be used to guide policies, plans and projects in

improving roadway safety.

The Regional Safety Plan Existing Conditions Report is available at: <https://www.fresnocog.org/project/special-studies/>

For questions or more information, contact Trai Her-Cole at traih@fresnocog.org or Santosh Bhattarai bhattarai@fresnocog.org.

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

G. **Authorizing Resolution 2021-22 for YARTS Federal Transit Administration (FTA) Section 5311(f) Funding with Caltrans (Peggy Arnest) [APPROVE]**

Exhibits:

Resolution 2021-13

Summary: For Fresno COG to apply for Federal Transit Administration (FTA) grants to run YARTS on State Route 41, Caltrans is requesting a resolution authorizing Fresno COG staff to execute and file applications, all certifications of assurance, contracts or agreements, and submit and approve a request for reimbursement.

Action: Staff and TTC/PAC request the Policy Board approve Resolution 2021-13 authorizing Fresno COG staff to submit and approve all necessary documents for FTA Section 5311(f) funding with Caltrans.

II. **TRANSPORTATION ACTION/DISCUSSION ITEMS**

A. **2021 Unmet Transit Needs: Public Hearing (Todd Sobrado) [ACTION]**

Summary: The 2021 Unmet Transit Needs Assessment Public Hearing will be held on Thursday, April 29, 2021, at the regularly scheduled Fresno COG Policy Board meeting. The hearing is being held for staff and the transit agencies to address any public comments received prior to the Fresno COG Policy Board taking action on the report at the June 24, 2021 meeting.

Action: Open the public hearing, receive comments, and close the public hearing. The Board may provide additional direction at its discretion.

B. **Measure C Transit-Oriented Development (TOD) Program Ninth Cycle Funding Recommendation (Kristine Cai/Trai Her Cole) [APPROVE]**

Summary: The Transit-Oriented Development Infrastructure for Infill Development (TOD) Program was created as part of the 2006 Measure C Extension Plan. It was designed to boost transit ridership and encourage transit-supportive land uses, such as compact development and mixed uses. The TOD program is estimated to generate \$16.9 million during the Measure's 20-year lifespan. There is approximately \$910,000 available in the program for the ninth funding cycle. There are three sub-programs under which projects can be funded:

1. Capital Improvement Program: Infrastructure improvements that support transit-oriented development
2. Planning Program: Planning activities to support vibrant and livable communities through investment on transit-oriented development.
3. Housing Infill Incentive Program: To offset impact fees for qualifying residential development in a transit-oriented development setting.

Fresno COG received two funding applications for the ninth cycle:

1. Downtown Selma Revitalization and Strategic Plan: City of Selma requested \$167,000 to complete downtown mixed-use overlay zone process, form a Downtown Selma Business Improvement District (BID) and develop a Downtown Selma Strategic Plan.

2. Merced Street Reconnection Project: City of Fresno submitted a multi-year funding application for \$1,138,000 to re-establish a 600-foot segment of Merced Street, between H Street and Congo Alley, as well as the 230-foot northerly extension of Broadway from its terminus at the Broadway connector roadway to intersect with the Merced Avenue extension. The three-year funding requests are: \$425,000 (2021), \$425,000 (2022) and \$288,000 (2023).

The TOD Scoring Committee met on March 17 and recommended \$167,000 for the Downtown Selma Revitalization & Strategic Plan project, and \$743,000 for City of Fresno's Merced Street Reconnection project. The Scoring Committee encouraged City of Fresno staff to return next year or apply to other funding sources for the remaining money needed for the Merced Street Reconnection project.

Action: Staff and TTC/PAC recommend that the Policy Board approve that the City of Selma be awarded \$167,000 for the Downtown Selma Revitalization & Strategic Plan project, and the City of Fresno be awarded \$743,000 for the Merced Street Reconnection project for the TOD Cycle Nine.

C. **Fresno County Regional Trails Plan (Peggy Arnest) [ACCEPT]**

Summary: Fresno County and Fresno COG have developed the 2021 Fresno County Regional Trails Master Plan Update (Plan), the result of over a year of community engagement, detailed analyses of existing conditions, trail system planning and project prioritization. This Plan builds upon the 2018 Fresno County Regional Active Transportation Plan, which focused on both on- and off-street walking and bicycling facilities throughout the county. Unlike its 2018 predecessor, this Plan is exclusively focused on shared-use paths and unpaved hiking trails within the unincorporated areas of Fresno County. This document will be combined with the County bicycle master plan to create the County of Fresno Active Transportation Master Plan.

The Plan is centered around five major goals, including:

Livability: Enhance livability by integrating trail systems into community activity

Connectivity: Develop an accessible and well-connected system of trail routes in urban, rural, and open space areas

Mobility: Create active transportation options for recreational and utilitarian trips

Collaboration: Collaborate with local jurisdictions, organizations, and the community to plan, coordinate, implement and maintain a countywide trail system

Economic Development: Leverage economic development opportunities for local businesses and tourism by increasing trail use

The Plan provides a comprehensive vision for trails projects and priorities in both the near- and long-term. Trail recommendations were informed by: input received from community members, stakeholders, and COG and County staff; and best practices in trail planning.

The Plan includes a detailed implementation strategy – including project prioritization, potential funding and partnership opportunities, and resources for trail construction and maintenance – to foster efficient, timely, and effective execution of Plan recommendations. By using this Plan as a blueprint, Fresno County will be well-equipped to carry out future expansions and ongoing maintenance of its trail system.

Plan and appendices can be viewed here:

<https://www.fresnocog.org/project/active-transportation/>

Action: Staff and TTC/PAC request the that Policy Board accept the Fresno County Regional Trails Plan.

D. **Access for All Program: Local Access Fund Administrator (Trai Her-Cole) [APPROVE]**

Exhibits:

 Resolution 2021-16

Summary: The California Public Utilities Commission (CPUC) created the Transportation Network

Company (TNC) Access for All Program to implement Senate Bill (SB) 1376 (Hill: 2018), which directed CPUC to address accessibility services for people with disabilities, including wheelchair users who need a wheelchair-accessible vehicle (WAV) through an on-demand, app-based service such as Uber or Lyft.

The program is funded by a \$0.10 fee collected from every TNC trip and is redistributed to each MPO region to develop programs that incentivize transportation services for people with disabilities, including wheelchair-accessible vehicles/rides. Fresno COG is estimated to receive \$90,000 annually from this fund. This first cycle will have approximately \$200,000 to \$300,000 (due to funding accumulation over multiple years).

On April 2, 2021, CPUC released the application and [Program Overview & Requirements for Access Fund Administrators](#). The application is due May 1.

Access fund administrators are required to:

- Maintain a webpage and include information on SB 1376 and the access provider application process
- Make a good faith effort to reach out to the local disability community to get their input during the planning process of the Local Access Fund Administrators program.
- Screen applications based on eligibility requirements outlined in the “Eligibility Requirements for Access Providers” and “TNCs as Access Providers”
- Establish a process for access provider competitive solicitation
- Contract with access providers
- Develop a process to collect the required data from access providers
- Submit consolidated quarterly report
- Submit annual and other quarterly reports to ensure progress toward the program's broader goals and objectives, and SB 1376.

Funds would be available to MPOs by Sept. 30, 2021. If approved by the Board, Fresno COG would proceed with developing a program and start soliciting for access providers. All funds must be obligated by July 2022 and expended by June 2023.

Should Fresno COG decline to serve as the fund administrator, the CPUC would solicit a statewide administrator to oversee the program. The details of that process have not been shared and will be developed local fund administrator application period closes. All funds generated from Fresno County would have to be allocated to providers serving Fresno County. Any unused funding would be carried over to the next year.

Fresno COG recognizes that due to the complex reporting criteria, operational infrastructure capabilities, safety/driver training requirements, and insurance coverages, its role as administrator would require partnerships with other agencies that already have procedures in place to meet the program criteria. Fresno COG discussed the potential funding from this program with rural and urban transit providers and has determined that the funds may be used to further support existing services to the disabled community to expand wheelchair-accessible trips with a social services emphasis.

For any questions regarding this program, please contact Trai Her-Cole at traih@fresnocog.org.

Action: Staff, TTC and PAC recommend the Policy Board approve Resolution 2021-16, authorizing Fresno COG to be certified as the local access fund administrator for the Access for All Program for Fresno County.

E. Legislative Update (Trai Her-Cole) [INFORMATION/DISCUSSION]

Exhibits: RTP Bill Comparison SB 261 Opposition Letter SB 640 Becker Support Letter NARC Biden Plan Summary

Summary: The 2021-2022 Legislative session includes several bills that directly impact the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) process and pose some significant challenges to regional and local agencies should they pass in their current form.

Below are highlights from each bill. Please see the attached spreadsheet that provides a comparison of

the three RTP-specific bills.

- SB 261 (Allen) Regional Transportation Plans: Sustainable Communities Strategy (Oppose)

This bill would require that the sustainable communities strategy be developed to additionally achieve greenhouse gas emission reduction targets for the automobile and light truck sector for 2045 and 2050 and vehicle miles traveled reduction targets for 2035, 2045, and 2050. The bill would make various changes to integrate those additional targets into regional transportation plans, including a requirement for local agencies to report to MPOs biennially on various metrics that demonstrate implementation strategies of the region's SCS. See attached letter of opposition.

- AB 1147 (Friedman) Regional Transportation Plan: Active Transportation Program

This bill would require the Strategic Growth Council to convene key partners to assist the council in completing an overview of the California Transportation Plan and all sustainable communities strategies on how implementation will influence the statewide integrated multimodal transportation system, including to assess barriers to achieving state and regional greenhouse gas emissions reduction targets. It would create the Sustainable Communities Strategy Block Grant Program to provide block grants to each MPO with an approved 2035 Target Action Plan, and require each MPO submit data to the state board that delineates how transportation funds have been spent in relation to the sustainable communities strategy, including the amount of transportation funding committed and spent for each transportation mode and the correlation between transportation spending and any increase or decrease in vehicle miles traveled. It would also require identification of significant local land use decisions and transportation projects that interfere with the region's greenhouse gas emissions reduction targets, including, but not limited to, zoning or other ordinances or policies that would prevent the land use plan from being implemented.

- SB 475 (Cortese) Transportation Planning: Sustainable Communities Strategy

This bill would require the State Air Resources Board in coordination with the Department of Housing and Community Development to issue new guidelines on sustainable communities strategies. The bill would require the Air Resources Board to appoint the State-Regional Collaborative for Climate, Equity, and Resilience, consisting of representatives of various entities. The State-Regional Collaborative would be tasked with producing a quantitative tool for MPOs to use in evaluating a transportation plan's consistency with long-range GHG reduction targets and recommend guidelines for MPOs to use when crafting long-range strategies that integrate state goals related to climate resilience and social equity. This bill provides no new funding, but does specify that regions without approved SCSs are ineligible for certain funding sources.

Other bills of note include:

- AB 786 (Cervantes) California Transportation Commission: executive director. (Oppose)

This bill would require the executive director of the California Transportation Commission to be appointed by the Governor, subject to confirmation by the Senate, and subject to removal at the Governor's discretion. An opposition letter will be forthcoming.

- SB 640 (Becker) Transportation financing: jointly proposed projects (Support)

This bill would authorize cities and counties to jointly submit to the commission a list of proposed projects to be funded by the cities and counties' apportionments of those funds, as specified. The bill would require that funds apportioned jointly to cities and counties be available for expenditure for three full fiscal years after the apportionment. See attached letter of support.

At the federal level, as most are aware, on March 31 the White House released a detailed summary of President Biden's \$2.3 trillion federal investment plan, the "American Jobs Plan." The plan includes \$571 billion in additional spending on transportation infrastructure and \$361 billion in spending on other types of infrastructure. The plan prioritizes addressing long-standing and persistent racial injustice. The plan targets 40 percent of the benefits of climate and clean infrastructure investments to disadvantaged communities. And, the plan invests in rural communities and communities impacted by the market-based transition to clean energy.

As indicated by the National Association of Regional Councils summary (see attached) the surface transportation funding contained in the bill is not for a reauthorization package but is above and beyond funding through the FAST Act authorization. In a call with stakeholders, USDOT also indicated these

funds would be performance-based and not distributed by formula.

A White House fact sheet is available at <https://www.whitehouse.gov/briefing-room/statements-releases/2021/03/31/fact-sheet-the-american-jobs-plan/>


In addition, members of Congress requested submissions for member-designated projects (earmarks) for the next surface transportation bill. FCTA and Fresno COG have submitted the State Route 41 Excelsior Corridor Gap Closure Project, which is designed to reduce the number of deadly and severe accidents occurring from the Excelsior Avenue undercrossing to roughly one mile north of Elkhorn Avenue in unincorporated Fresno and Kings counties. This is the only remaining segment of two-lane highway between the City of Fresno and the City of Lemoore. Caltrans has initiated an interim safety project to install temporary K-rail barrier along the centerline in order to preclude passing and prevent head-on collisions until the facility can be expanded to four-lanes. The project provides a comprehensive long-term solution to the various safety problems along this route segment.

Fresno COG will continue to monitor all listed bill and the “American Jobs Plans as they move through the committee process. For questions or comments, please contact Trai Her-Cole at traih@fresnocog.org.

Action: Information and discussion. The Policy Board may provide additional direction at its discretion.

F. **Consideration of Amendment No. 6 to the 2006 Measure C Expenditure Plan -- State Route 41 South Elkhorn Avenue to Excelsior Avenue (Les Beshears)** **[INFORMATION]**

Exhibits:

 Fact Sheet

Summary: There has been significant attention in the local media over the last several months regarding serious accidents along the two-lane portion of State Route (SR) 41 South near the Kings County line. SR 41 is at least four lanes from the Fresno/Madera County line in the north to SR 198 in Kings County to the south, with the notable exception of a six-mile gap from Elkhorn Avenue (Fresno County) to Excelsior Avenue (Kings County). Beyond the cross-over, fatal accidents on the SR 41 mainline highway, the intersections of Elkhorn Avenue and Mt. Whitney Avenue have higher-than-expected accident rates as well.

This public interest has led to high-level discussions between the California State Transportation Agency (CalSTA), the California Transportation Commission (CTC), Caltrans, FCTA and Fresno COG to develop a funding strategy to construct a SR 41 South project to address these safety concerns. The state is anxious to partner with the Fresno region to develop a comprehensive funding plan that would include considerable state funding and a significant regional funding contribution. The situation has led the FCTA Board to request Fresno COG consider an amendment to the 2006 Measure C Expenditure Plan to add SR 41 South as a candidate for Measure C funding on the Rural Tier I list. This amendment would allow Measure C funds to be used to advance state or federal funds that become available in future funding cycles. The construction estimate, including capital and support costs, is \$61 million.

In response to these immediate safety concerns, Caltrans has programmed projects in the 2020 State Highway Operations/Protection Program (SHOPP) to improve these intersections. Caltrans has also agreed to place a temporary concrete barrier on the centerline of State Route 41 to prevent head-on collisions. Together, these safety projects total approximately \$21 million. Caltrans also has a \$17 million candidate project to rehabilitate the pavement within this two-lane segment. Collectively these projects total about \$38 million in SHOPP funding.

SR 41 South was a major focus of the original 1986 Measure C Expenditure Plan. In fact, the 2006 Measure C Expenditure Plan constructed 16 miles of four-lane freeway and expressway from the southern portion of the Fresno-Clovis Metropolitan Area (North Avenue) to Elkhorn Avenue. In 2006, when the Measure C Extension was passed, only this six-mile gap remained uncompleted. At that time, Caltrans committed to completing this gap closure with Interregional Transportation Improvement Program (ITIP) funds. Due to this commitment, the project was not included in the 2006 Measure C Expenditure Plan. However, as Caltrans was the lead agency for this segment of SR 41 South, it continued work on the environmental document and final design, which was completed in 2010.

Unfortunately, further Caltrans efforts were suspended when the project was dropped from the State Transportation Improvement Program (STIP) due to a significant decline in State revenues following the 2008 economic recession.

Over the past decade, Fresno COG and FCTA staff have been working with Caltrans to gather the funding necessary to complete this gap. The region was successful in obtaining \$6 million in Interregional Transportation Improvement Program (ITIP) funding and \$2 million in Regional Transportation Improvement Program (RTIP) funding for right-of-way (ROW) acquisition in the 2018 STIP. The current construction estimate, including capital and support costs, is \$61 million. No additional funding was added in the 2020 STIP, but without ROW acquisition complete, it was not critical to obtain additional funding at that time. In response to the growing safety concerns, FCTA and Fresno COG staff re-initiated discussions with Caltrans about accelerating construction.

While FCTA and FCOG staff believe completion of this gap is a state responsibility, it is clear that the state is unlikely to do so without a local contribution. Staff has been discussing these possibilities with Caltrans and the CTC. Because the project was not included in the 2006 Expenditure Plan, it is not currently eligible for Measure C (Rural Program) funding; however, it is eligible for local RTIP funding should the Fresno COG Policy Board provide that direction.

The RTIP will have funds available in the future to help match the state funds, but they are not available for at least five years. If the region is to solve the safety problems in a timely manner, funding cannot wait that long. Further, the longer it takes to fully fund the project, the more expensive it will be and less likely the state will be willing to contribute SHOPP funding, considering that some safety improvements will have already been completed.

Measure C does not have surplus rural funds available for the SR 41 project (were it eligible), but does have funding on deposit and set aside for projects that are not yet ready for construction. If the SR 41 project were amended into the 2006 Expenditure Plan, those funds could be applied toward the SR 41 regional match. By the time the current Measure C projects are ready for the funds, the RTIP money will be available to backfill the funding used on SR 41. In other words, amending the project into the 2006 Expenditure Plan allows Measure C to “loan” money to the project. This “loan” will then be repaid by the RTIP at the time funds are needed for the existing Measure C projects already in the Expenditure Plan.

From an administrative perspective, this strategy is a win/win for the region. It allows the region to provide the funds necessary to match the state funding while at the same time protecting the current Measure C Rural projects not yet built. It also holds the promise of bringing additional state funding to the project where it currently does not exist. More importantly, it accelerates completion of this much-needed safety project.

In summary, amending the SR 41 project into the 2006 Measure C Expenditure Plan would accomplish five goals:

1. Solves the route’s safety issues in a timely manner without the "throw-away" costs associated with the interim projects Caltrans is currently pursuing.
2. Completes the last four-lane gap project on SR 41 within Fresno County and most of Kings County.
3. Meets the need for a commitment of regional match funds to obtain the necessary ITIP funding.
4. Allows for purchasing right-of-way in advance of final environmental clearance, helping to accelerate the overall delivery schedule. ITIP and RTIP funding cannot be used for this purpose.
5. Protects existing Measure C projects.

Various strategies are being examined to fill the funding shortfall, but the financial reality is the state ITIP is significantly oversubscribed and state officials have made it clear perfecting a funding plan to close the gap will require significant regional resources. In order to aggressively pursue available federal and state funding sources, the SR 41 project must be amended into the 2006 Measure C Expenditure Plan Rural Tier 1 list of regional projects.

To ensure that the remaining projects on the Rural Tier1 list -- Golden State Boulevard, SR 99 interchange at American Avenue and the SR 180 W connection to I-5 -- are not impacted, several funding strategies are being analyzed. Each of the strategies involves generating additional federal and state revenues to supplant Measure C revenue, thereby “holding harmless” our remaining Measure C Rural Tier 1 projects. Some of the strategies being considered to leverage additional state and federal funding include, but are not limited to:

ITIP – The ITIP is funded by 25% of the overall STIP program revenues. The projects are programmed

by Caltrans with CTC approval required. Caltrans identifies ITIP projects on the state highway system in consultation with regions. The 2022 STIP development process will begin in June when the CTC releases its fund estimate. Presently, funding levels are unknown, but ongoing discussions with Caltrans/CTC staff to negotiate an appropriate state ITIP commitment to the project is in process. By placing the project in the Measure C Expenditure Plan, the region will be signaling to the CTC that we intend to hit the ground running when the STIP estimates do come out and the negotiation intensifies.

RTIP – This is Fresno COG’s regional share of the STIP. In the 2020 STIP, staff programmed anticipated available funding out to FY 2024-25 on the South Fresno Interchange (SR 99 North/Cedar and American Avenue interchanges), leaving a small contingency for SR 41 South. The fund estimates for the 2020 STIP implied there may be an additional \$10 million available in the out years beyond the county target. This funding could be programmed on the South Fresno interchanges to supplant existing Measure C funding, or any additional STIP that might be realized could be programmed directly on SR 41 South. When the 2022 STIP estimates come out in June, staff will have a better idea of how the 2020 estimates panned out and how much new money will be incorporated into our regional target. The STIP cycle occurs every two years, so there will be at least three more cycles to augment the Measure C funding plan and shore up existing Tier I projects before the current Measure sunsets in FY 2026/27.

Federal COVID Relief – Part of the funding will be distributed through Caltrans and part through the Regional MPOs. Statewide discussions are underway on how this distribution will take place. Once the CTC approves guidelines, regional agencies will be able to determine how best to use those funds.

Federal/State Grants/Earmarks- Fresno COG and FCTA will continue to pursue funding for the SR 41 project from existing federal and state grants programs where appropriate. These include potential earmarks, as well as the federal BUILD and INFRA programs, and various SB 1 funding sources at the state level.

Future Federal Infrastructure Funding- President Biden has just released his draft \$2.3 trillion “American Jobs Plan” proposal which would invest in infrastructure of all types -- transportation, broadband Internet, affordable housing, water, electricity transmission, schools, electric vehicles, etc. This funding may eventually present funding opportunities for the SR 41 project.

Measure C “3” Funding- Fresno COG and FCTA staff are engaged in a regional planning process that will seek voter approval for an early renewal of Measure C. If that renewal effort is successful, the SR 41 South gap project could be funded through that mechanism.

This item is being presented to the Fresno COG Board this month as “information/discussion” with a formal Board action on the proposed Amendment No. 6 scheduled for May.

Action: Information and discussion. The Policy Board may provide additional direction at its discretion.

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

III. ADMINISTRATIVE CONSENT ITEMS

About Consent Items:

All items on the consent agenda are considered to be routine and non-controversial by COG staff and will be approved by one motion if no member of the Policy Board or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Policy Board concerning the item before action is taken.

IV. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. Measure C Renewal Update (Tony Boren) **[INFORMATION]**

Fresno COG staff will be providing a verbal update on our Measure C Renewal process.

V. **OTHER ITEMS**

A. **Items from Staff**

B. **Items from Members**

VI. **PUBLIC PRESENTATIONS**

A. **Public Presentations**

This portion of the meeting is reserved for persons wishing to address the Policy Board on items within its jurisdiction but not on this agenda. **Note: Prior to action by the Policy Board on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to three minutes.**