



CITIZEN OVERSIGHT COMMITTEE

Measure C Citizen Oversight Committee Meeting Executive Minutes

Date: Thursday, October 14, 2021

Time: 4:00 PM

Place: COG Ash Conference Room
2035 Tulare St., Suite 201, Fresno, CA

Members Present:

Sal Petrucelli, Public-at-Large
Gail Miller, Public-at-Large

Carla Stanley, _____
Bill Jordan, League of Women Voters

Absent:

Ronald Dressler, Public-at-Large
Destiny Rodriguez, Public-at-Large
Robert Allen, Selma District Chamber of Commerce

Others Attending:

Denise DiBenedetto, FCTA
Brenda Veenendaal, Fresno, COG
Stephanie Maxwell, Fresno, COG

Rhoshanda Cureton
Jake Martinez, Fresno COG

Sal Petrucelli called the meeting to order at 4:10

I. Presentations

About Presentations:

This portion of the meeting is reserved for persons wishing to address the Committee on items within its jurisdiction but not on this agenda.

None

II. Action Summary of August 12, 2021 Meeting of the Measure C Citizen Oversight Committee

Review and comment, comment with edits, the August 12, 2021 Measure C Citizen Oversight Committee Action Summary.

Due to lack of quorum, this item will be brought back at the next meeting.

III. Elect Citizen Oversight Committee Vice Chair

The Measure C Citizen Oversight Committee should elect a new co-chair to serve the committee during the 2021-2022 fiscal year.

Election of a co-chair to serve on the committee for the next fiscal year.

Due to lack of quorum, this item will be brought back at the next meeting.

IV. Fresno COG RTP Roundtable Representative Nominations and Approval

The Oversight Committee currently held a seat on the Fresno COG Regional Transportation Plan (RTP) Roundtable, a committee providing expertise and generating consensus on RTP development issues. The Roundtable is not currently meeting at this time. Most of their work was complete. However, should they choose to meet again prior to the adoption of Fresno COG's 2022 Regional Transportation Plan/Sustainable Communities Strategy Update, meetings were held once a month on the fourth Wednesday at 1:00 pm. COG's RTP Roundtable representative was Jim Hunter. The alternate was Bill Jordan.

Staff requested that both positions be reappointed (or reaffirmed) by the Oversight Committee membership.

Approve the Measure C Citizen Oversight Committee's RTP Roundtable representative and reaffirm the alternate appointments.

Due to not having a quorum, this item will be brought back at the next meeting.

V. AB 361 -- Future Committee Meeting Format (Brenda Veenendaal)

Brenda Veenendaal reported on this item. On September 15, Governor Newsom signed Assembly Bill (AB) 361, amending the Ralph M. Brown Act to allow local agency councils, boards, and committees to continue conducting public meetings remotely during a state of emergency after October 1, so long as they make specific findings every 30 days, and ensure conditions related to public participation are satisfied. Under the Brown Act, The Measure C Citizen Oversight Committee is considered "legislative bodies," according to the Fresno County Counsel's office.

Under the urgency legislation, a local agency may use the more "relaxed" Brown Act teleconferencing/videoconferencing requirements in any of the following circumstances:

- There was a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
- There was a proclaimed state of emergency, and the local agency's meeting is to determine, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees; or

- There was a proclaimed state of emergency, and the local agency has determined, by majority vote, that as a result of the emergency meeting in person would present an imminent risk to the health or safety of attendees.

AB 361 defines a “state of emergency” as a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act. Importantly, this includes the Governor's proclaimed state of emergency due to the COVID-19 pandemic.

To continue to rely on the relaxed video/teleconferencing provisions, the local agency must reconsider the circumstances of the state of emergency and make the following findings by majority vote, **every 30 days**:

- The state of emergency continues to directly impact the ability of members to meet safely in person; or
- State or local officials continue to impose or recommend measures to promote social distancing.

The recommended finding under this option would be that "The Measure C Citizen Oversight Committee, meeting during a proclaimed state of emergency, has determined by majority vote, pursuant to AB 361 subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees."

While the Committee had the option of using teleconferencing, as was available prior to COVID restrictions, the Brown Act requires: 1) a quorum of the legislative body to participate from within the boundaries of the agency's jurisdiction, 2) the public agency to post notice of each teleconference location, and 3) the public be allowed to address the legislative body from each teleconference location. These requirements place a significant burden on both Board members and staff.

Discussion and Committee direction.

Due to not having a quorum, this item will be brought back at the next meeting.

VI. Measure C Renewal Update (Staff)

Denise DiBenedetto and Brenda Veenendaal gave a report on the Measure C Expenditure Plan renewal effort underway. Information regarding the renewal was located online [at this link](#).

This was an information item.

VII. Measure C COC Local Agency Budget form review (Brenda Veenendaal)

Each fiscal year the Citizen Oversight Committee (COC) asks all local agencies receiving Measure C Local Transportation Pass-Through Funds to complete a reporting of how they expect to spend the current year's Measure C Local Program allocations. The request goes out to local agencies via a form that staff updates and emails out each year.

To date, the following required Local Agency Budget Forms were completed and returned for COC review by local agencies: City of Coalinga

- City of Coalinga
- City of Firebaugh
- City of Kerman
- City of Parlier
- City of Reedley
- Fresno County Rural Transit Agency

Review, approve and recommend action.

Due to lack of quorum, this item will be brought back at the next meeting.

VIII. FY2018-19 Measure C Local Agencies Audit Reports (Denise DiBenedetto)

Denise DiBenedetto reported on this item. Price Paige & Company Accountancy Corporation was retained by the Authority to perform the audit of finances on all local agencies receiving Measure C Extension revenue as required in the 2006 Measure C Extension Expenditure Plan. The firm completed their analysis and submitted the final report for fiscal year ending June 30, 2019 audit of finances, which had been provided in your board packet. In summary the firm stated that overall, local agencies continue to adhere to the record keeping and reporting requirements, as well as expending Measure C funds in accordance with provisions of the Measure C Transportation Sales Tax Extension. The agencies included in this report are two of a small number of the remaining agencies that are still in process of their audits at this time. Any agencies remaining will be brought forward at a future meeting.

This was an information Item.

IX. FY2021-22 Measure C Extension Local Transportation Program Certification and Claims (Denise DiBenedetto)

Each year pursuant to the adopted Fresno County Transportation Authority procedures for the administration of Measure C Extension Funds for Local Transportation Pass-Through Projects and Programs, local agencies were required to submit their Certification and Claim(s) along with their Council approved Resolution. The following agencies submitted their claims for FY2021/22:

City of Clovis, City of Coalinga, City of Firebaugh, City of Fowler, City of Fresno, FAX & Airports, City of Huron, City of Kerman, City of Kingsburg, City of Mendota, City of Orange Cove, City of Parlier, City of Reedley, City of San Joaquin, City of Sanger, City of Selma, County of Fresno, FCRTA, FCOG

This represents all 18 agencies for FY21/22 Measure C Extension Certification and Claims.

The committee reviewed and commented on the items.

IX. Item IX Attachments Continued

X. FY20-21 Measure C Extension Local Transportation Program Expenditure Reports (Denise DiBenedetto)

Denise DiBenedetto reported on this item. Pursuant to the adopted Fresno County Transportation Authority procedures for administration of Measure C Extension Funds for Local Transportation Pass-Through Projects and Programs, and Short-Term Regional Transportation Program projects, local agencies were required to submit their Measure C Extension Expenditure Report(s) for the fiscal year 2020-21:

- City of Kerman
- FCOG
- City of Fresno Airports
- City of Fresno
- FAX

The agencies above had met the Measure C Extension Reporting Deadline Requirement for FY20-21. The reports were audited by Price Paige Company Accountancy Corporation for accuracy and compliance. The results of those audits will be presented to the committee once they have been completed.

This was an information Item.

XI. Items from Members

- Status report on the Fresno COG RTP Roundtable and RTP update progress from COC representative Bill Jordan

XII. Items from Staff

A. Upcoming 2021 COC meeting dates - please reserve these dates from 4-6:00 pm:

- November 11, 2021 meeting moved to November 10, 2021 due to Veterans Day Holiday
- December 9, 2021

B. Items for the next agenda

All items that were skipped will be on the next agenda.

C. Upcoming Meetings of other related Boards/Committee

- Fresno COG Transportation Technical Committee - Friday, October 8, 2021 at 8:30 AM
- Fresno COG Policy Advisory Committee - Friday, October 8, 2021 at 10:00 AM
- Measure C Executive Committee an Technical Working Group Joint Meeting - October 26, 2021 at 5 PM Open House, 6 PM meeting
- Fresno COG Policy Board - Thursday, October 28, 2021 at 5:30 PM

Adjourned

A motion was made by Bill Jordan and seconded by Ron Dressler to adjourn the meeting at 5:55 pm.
A vote was called for and the motion carried.