



2035 Tulare St., Ste. 201 tel 559-233-4148  
Fresno, California 93721 fax 559-233-9645

[www.fresnocog.org](http://www.fresnocog.org)

**Fresno COG Policy Board**

**Special Meeting**

**Date: Thursday, July 7, 2022**  
**Time: 5:30 PM**  
**Place: Fresno City Hall Council Chambers**  
**2600 Fresno Street, second floor**  
**Fresno, CA 93721**

**Americans with Disabilities Act (ADA) Accommodations**

The Fresno COG offices and restrooms are ADA accessible. Representatives or individuals with disabilities should contact Fresno COG at (559) 233-4148, at least 3 days in advance, to request auxiliary aids and/or translation services necessary to participate in the public meeting / public hearing. If Fresno COG is unable to accommodate an auxiliary aid or translation request for a public hearing, after receiving proper notice, the hearing will be continued on a specified date when accommodations are available.

**THE REGULAR MEETING OF THE FRESNO COUNCIL OF GOVERNMENTS, WHICH WAS SCHEDULED FOR JUNE 30, 2022 AT 5:30 PM, HAS BEEN ADJOURNED TO JULY 7, 2022 AT 5:30 P.M. AT THE FRESNO CITY HALL, COUNCIL CHAMBERS, SECOND FLOOR, 2600 FRESNO ST., FRESNO, CA 93721 AND VIA ZOOM WEBINAR.**

**REGISTER IN ADVANCE FOR THIS WEBINAR:**

**[HTTPS://ZOOM.US/WEBINAR/REGISTER/WN\\_I8IYEW9GTISD-QLH2GI\\_HA](https://zoom.us/webinar/register/wn_i8iyew9gtisd-qlh2gi_ha)**

**IF YOU WISH TO ADDRESS THE COMMITTEE DURING THE PUBLIC COMMENT PORTION OF THE AGENDA, CLICK ON THE “REACTIONS” AT THE BOTTOM CENTER OF YOUR PC OR MAC SCREEN. SELECT THE HAND ICON, CLICK THE ICON TO “RAISE HAND”. YOUR DIGITAL HAND WILL NOW BE RAISED.**

**WHEN ON THE PHONE, IF YOU WISH TO ADDRESS THE COMMITTEE DURING THE PUBLIC COMMENT PORTION OF THE AGENDA, PRESS \*9 TO “RAISE HAND” AND WE WILL SELECT YOU FROM THE MEETING CUE.**

**THOSE ADDRESSING THE BOARD WILL BE ASKED TO STATE THEIR FIRST AND LAST NAME AND WHO THEY REPRESENT FOR THE RECORD.**

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

**IN THE INTERESTS OF ASSURING THAT ALL MEMBERS OF THE PUBLIC HAVE A FAIR OPPORTUNITY TO ADDRESS THE POLICY BOARD, PUBLIC COMMENT MAY BE LIMITED TO THREE MINUTES PER SPEAKER.**

**[COG POLICY BOARD agenda and annotated agenda in PDF format - ALL EXHIBITS ARE ATTACHED BELOW](#)**

**Exhibits:**

Fresno COG July 7, 2022 Agenda  Fresno COG July 7, 2022 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 Committee 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 Committee concerning the item before action is taken.

#### A. **Executive Minutes**

1. **Executive Minutes May 26, 2022 [APPROVE]**

**Exhibits:**

May 26, 2022 Board Minutes

2. **Executive Minutes June 9, 2022 [APPROVE]**

**Exhibits:**

June 9, 2022 Special Board Minutes

#### B. **Transportation Development Act (TDA) Claims**

1. **City of Coalinga Fiscal Year 2020-21 Transportation Development Act Claim (Les Beshears) [ACTION]**

**Exhibits:**

Coalinga Resolution  Coalinga TDA Claim

**Action:** Approve Resolution 2022-18 adopting the City of Coalinga's 2020-21 Transportation Development Act claims totaling \$958,997.

2. **City of Coalinga Fiscal Year 2021-22 Transportation Development Act Claims (Les Beshears) [ACTION]**

**Exhibits:**

Coalinga TDA Claim  Coalinga TDA Resolution

**Action:** Approve Resolution 2022-19 adopting the City of Coalinga's 2021-22 Transportation Development Act claims totaling \$816,111.

3. **Fresno County Rural Transit Agency Fiscal Year 2022-23 Transportation Development Act Claims (Les Beshears) [ACTION]**

**Exhibits:**

FCRTA TDA Claim  FCRTA TDA Resolution

**Action:** Approve Resolution 2020-20 adopting the Fresno County Rural Transit Agency's 2022-23 Transportation Development Act claims totaling \$18,720,778.

4. **City of Kerman Fiscal Year 2022-23 Transportation Development Act Claims (Les Beshears) [ACTION]**

**Exhibits:**

Kerman TDA Claim  Kerman TDA Resolution

**Action:** Approve Resolution 2020-22 Adopting the City of Kerman's 2022-23 Transportation Development Act claims totaling \$1,009,633.

5. **City of Reedley Fiscal Year 2022-23 Transportation Development Act Claim (Les Beshears) [ACTION]**

**Exhibits:**
 Reedley TDA Resolution     Reedley TDA Claim

**Action:** Approve Resolution 2020-21 adopting the City of Reedley's 2022-23 Transportation Development Act Claims totaling \$1,520,594.

6. **City of Kingsburg 2022-23 TDA Claim (Les Beshears) [ACTION]**

**Exhibits:**
 Kingsburg TDA Resolution     Kingsburg TDA Claim

**Action:** Approve Resolution 2020-22 adopting the City of Kingsburg's 2022-23 Transportation Development Act claims totaling \$761,272.

C. **Appeals Procedure for the Sixth Cycle Regional Housing Need Allocation (Meg Prince) [ACTION]**

**Exhibits:**
 RHNA Methodology Resolution     RHNA Appeals Process

**Summary:** Pursuant to Government Code § 65584.05, any local jurisdictions within the Fresno County region, as well as the California Department of Housing and Community Development (HCD), may file an appeal to Fresno COG to modify the Regional Housing Need Allocation (RHNA) allocation of one or more jurisdictions in the Fresno COG RHNA Plan. The 45-day period to file an appeal will commence upon the release of the draft RHNA Plan, scheduled for July 1, 2022.

Fresno COG has prepared the attached, draft, Sixth-Cycle RHNA Appeals Procedure, in accordance with state law, outlining the basis of appeal, limitations on appeals, the appeal hearing procedure, and establishing a structure for a RHNA Appeals Committee.

If an appeal is filed, Fresno COG will request that the Fresno COG Policy Board -- at its Sept. 29 meeting -- appoint members to a RHNA Appeals Committee, which will undergo training and serve as the appeals hearing body. All decisions on RHNA appeals made by the RHNA Appeals Committee would be considered final and would not be reviewed in detail by the Fresno COG Policy Board.

**Action:** Staff, TTC, and PAC recommend the Policy Board accept the Draft RHNA Appeals Hearing Procedure.

D. **Measure C New Tech Program 2022 Request for Proposals (Braden Duran) [INFORMATION]**

**Summary:** Fresno COG is seeking proposals from eligible public agencies for advanced transit and transportation projects that offer potentially broad benefits to Fresno County residents and will assist the region in meeting its air quality goals.

Fresno COG and the Fresno County Transportation Authority (FCTA) are proposing to fund projects of regional significance in the areas of: research, development, demonstration, and deployment that will advance public transit and transportation. This cycle of Measure C's New Technology Reserve Program will make approximately **\$4.465 million** available for eligible new technology projects/programs.

For additional information please contact Braden Duran at [bduran@fresnocog.org](mailto:bduran@fresnocog.org) and/or visit [fresnocog.org/measure-c-new-technology-reserve-fund](https://fresnocog.org/measure-c-new-technology-reserve-fund). Proposals are due July 20.

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

E. **Fresno County Urban and Rural Consolidated Transportation Services Agency Operations Program and Budget, FY 2022-2023 (Todd Sobrado) [ACTION]**

**Exhibits:**
 Res 2022-24 Urban CTSA OPB     Res 2022-25 Rural CTSA OPB     Res 2022-23 FCRA Fax and Social Services Transportation

**Summary:** The Consolidated Transportation Services Agencies' (CTSA) Operations, Program and Budget (OPB) for fiscal year 2022-2023 provides an overview of how, and in what manner, the CTSA will be providing service over the next fiscal year.

The proposed adoption is scheduled for Thurs., June 30 at the Fresno COG Policy Board meeting. The document will soon be available on the Fresno COG website [www.fresnocog.org](http://www.fresnocog.org).

**Action:** Staff, SSTAC, TTC and PAC recommend that the Fresno COG Policy Board approve Resolution 2022-24 for the Urban CTSA, and Resolution 2022-25 for the Rural CTSA, adopting the Urban and Rural Consolidated Transportation Service Agencies' Operations Program and Budget.

F. **Clovis Consolidated Transportation Services Agency Operations Program and Budget, FY 2022-2023 (Todd Sobrado) [ACTION]**

**Exhibits:**

Res 2022-23 Clovis OPB     2023 Clovis CTSA OPB     2023 Clovis CTSA OPB

**Summary:** The Clovis Consolidated Transportation Service Agency's (CTSA) Operations Program and Budget (OPB) FY 2022-2023 for the Clovis Urban area provides an overview of how, and in what manner, the Clovis Consolidated Transportation Services Agency will provide service over the next fiscal year.

The proposed adoption is scheduled for Thurs., June 30, at the Fresno COG Policy Board meeting. The document is available on the Fresno COG website [www.fresnocog.org](http://www.fresnocog.org).

**Action:** Staff, SSTAC, TTC and PAC recommend the Fresno COG Policy Board approve Resolution 2022-23 adopting the Clovis Consolidated Transportation Service Agencies' Operations Program and Budget.

G. **Reappointments for the Social Services Transportation Advisory Committee (Todd Sobrado) [ACTION]**

**Summary:** Fresno COG's Policy Board formed the Social Services Transportation Advisory Committee (SSTAC) in May 1988 to: respond to state legislation, coordinate social service transportation, assist the Board in identifying transit needs throughout Fresno County, review and recommend action for Fresno COG to address at its unmet transit needs hearing, and advise Fresno COG on any other transit issues. The Board appoints SSTAC members for two-year terms.

Nominated for reappointment to the Council are:

Amy Hance – General Services Manager, City of Clovis

Chenier Derrick – Paratransit Coordinator, Fresno Area Express

Transportation Development Act Article III, Section 99238 requires a minimum number of SSTAC members in specific categories. There is no maximum number specified, and in the interest of diversity, staff is seeking additional nominations. Specifically, staff is seeking members who represent minority groups, social service providers for seniors, and potential transit users.

**Action:** Staff, the TTC and PAC recommend the Policy Board reappoint Amy Hance and Chenier Derrick to the SSTAC.

H **Fresno County Rural Transit Agency 2022-23 Annual Budget (Moses Stites) [ACTION]**

**Exhibits:**

2022-07 FCRTA Resolution     2022-23 FCRTA Budget

**Summary:** Fresno County Rural Transit Agency's (FCRTA) budget has been prepared to reflect Fresno COG's Regional Transportation Plan (RTP) and the Short-Range Transit Plan (SRTP) for the rural Fresno County area 2022-2026. The document recommends programmed capital improvements and continuing existing intracity and fixed-route services. This year's budget has been developed to include continued review, comment and action during its 45-day review period. The budget, which may require

periodic amendments during the fiscal year, is available at [www.ruraltransit.org](http://www.ruraltransit.org).

**Action:** Staff and TTC/PAC recommend the Policy Board approve the fiscal year 2022-23 Fresno County Rural Transit Agency Budget and adopt FCRTA Resolution No. 2022-07.

I. **Temporary Buy America Waiver for Construction Materials (Robert Phipps) [INFORMATION]**

**Summary:** The U.S. Department of Transportation (DOT) has issued a temporary waiver of Buy America requirements for construction materials for projects funded under the Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL). To deliver projects "while ensuring robust adoption of Buy America standards," DOT has established a 180-day public interest waiver for construction materials between May 14 and Nov. 10. DOT is establishing this transitional waiver to prepare for compliance with the new Made in America standards for construction materials. During this period, DOT expects states, industry, and other partners to begin developing procedures to document compliance. DOT will "continue its engagement through the waiver period to ensure robust enforcement and compliance mechanisms and to rapidly encourage domestic sourcing of construction materials for transportation infrastructure improvements."

The full notice can be found at: <https://www.transportation.gov/sites/dot.gov/files/2022-05/Temporary%20Waiver%20of%20Buy%20America%20Requirements%20for%20Construction%20Materials.pdf>

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

J. **Federal Transit Administration Transit-Oriented Development Planning Pilot Program (Robert Phipps) [INFORMATION]**

**Summary:** The Federal Transit Administration (FTA) has issued a Notice of Funding Opportunity (NOFO) for the FY 2022 Pilot Program for Transit-Oriented Development Planning. The program is intended to support comprehensive and site-specific transit-oriented development (TOD) planning for new, fixed guideway and core capacity improvement projects. The deadline to submit an application is July 25, 2022.

The full NOFO may be found at: <https://www.govinfo.gov/content/pkg/FR-2022-05-26/pdf/2022-11336.pdf>

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

K. **Contracts**

1. **Regional Transportation Planning Agencies Valleywide Coordinator (Robert Phipps) [ACTION]**

**Summary:** Sigala, Inc. of Clovis has provided administrative support and coordination services to the San Joaquin Valley Regional Transportation Planning Agencies for the last 11 years. The duties include organizing and producing agendas and minutes for the Valley COG Directors group and San Joaquin Valley Regional Policy Council, assisting with special projects and initiatives, organizing the SJV Policy Conference, planning Valley Voice trips to Washington and Sacramento, and other duties as required.

At their May 2022 meeting, the Valley COG Directors voted to extend Sigala, Inc.'s contract through 2023 at a rate of \$125,000 plus expenses. This represents a zero net increase over 2022. While Fresno COG administers the contract, the cost is split on a pro-rata basis with each of the other seven Valley COGs.

**Action:** Staff and the PAC recommend the Policy Board approve an extension to Sigala, Inc.'s contract through June 30, 2023, at a rate not to exceed \$125,000 plus supported expenses.

2. **San Joaquin Valley Regional Early Action Planning (REAP) Technical Assistance Contracts (Robert Phipps) [ACTION]**

**Summary:** Fresno COG serves as the fiscal agent for the San Joaquin Valley Regional Early Action Planning (REAP) Committee, which is responsible for distributing nearly \$19 million in state housing planning funds. Those funds are intended to assist member jurisdictions and regional planning agencies prepare for the sixth-cycle Regional Housing Needs Assessment (RHNA)

process.

To date, approximately \$5.5 million has been reserved for tasks, activities and deliverables intended of a Valleywide scope and benefit among all eight counties.

Phase one of Valleywide activities, tasks and deliverables involved a comprehensive housing report covering all 80 SJV jurisdictions that detailed existing conditions, obstacles and impediments to new housing, potential solutions and recommendations. Additional report work is being handled through a separate, technical assistance contract with Mintier Harnish.

Mintier-Harnish: \$250,000

The Valleywide comprehensive housing report included a contract with Raimi Associates as well for data collection and packaging. Raimi, Assoc. is continuing to assemble U.S. Census-based datasets for each jurisdiction.

Raimi Associates: \$200,000

**Action:** Staff recommends two, separate actions:

1. Staff and the PAC recommend the Policy Board authorize the executive director to extend the contract with Mintier-Harnish through June 30, 2023.

2. Staff and the PAC recommend the Policy Board authorize the executive director to extend the contract with Raimi, Assoc. through June 30, 2023.

3. **Circuit Planner and Engineer Program Contract Renewal / Extension (Meg Prince) [ACTION]**

**Summary:** Since 2019, Rincon Consultants Inc., along with subconsultants Collins & Schoettler and VSCE, have served as Fresno COG's circuit planner and engineer. The circuit planner and engineer team provides planning and project delivery assistance to the smaller cities and the County, and works to complete smaller transportation-related projects that support the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

Circuit planner and engineer tasks have included feasibility studies, technical reports, intersection operations analyses, and active transportation and Safe Routes to Schools plans and studies. The circuit planner also provides grant-writing assistance for plans and projects that further RTP/SCS goals.

Staff is requesting authorization to amend the circuit planner and engineer contract to add \$100,000, as is typically granted each fiscal year. This recommendation is included in the adopted 2022/23 budget.

To submit a new project for consideration, or for more information on the program, contact Meg Prince at [mprince@fresnocog.org](mailto:mprince@fresnocog.org).

**Action:** Staff and PAC recommend the Policy Board authorize the executive director to extend the contract with Rincon Consultants Inc. and amend the contract to add \$100,000 for the Circuit Planner and Engineer Program.

4. **Program Environmental Impact Report (PEIR) for the 2022 RTP/SCS Contract Extension (Meg Prince) [ACTION]**

**Summary:** Fresno COG employs VRPA Technologies, Inc. to develop a program environmental impact report (PEIR) for the 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). The existing contract is not to exceed \$173,491.42. Staff is requesting that this contract be extended into fiscal year 2022-23, as the document is expected to be finalized and certified in July 2022.

**Action:** Staff and PAC recommend the Policy Board authorize the executive director to extend the contract with VRPA Technologies Inc. through June 30, 2023.

5. **Legal Services for Regional Transportation Plan/Sustainable Communities Strategy,**


**Program Environmental Impact Report, and Regional Housing Need Allocation Plan Contract Extension (Meg Prince) [ACTION]**

**Summary:** Fresno COG has an existing contract with Best Best & Krieger (BB&K) for legal counsel relating to the 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), the environmental impact report for the 2022 RTP/SCS, and the Sixth-Cycle Regional Housing Need Allocation (RHNA) Plan. The existing contract is not to exceed \$75,000. Staff is requesting that this contract be extended into fiscal year 2022-23 to cover the period during which those documents will be finalized and adopted/certified.

**Action:** Staff and PAC recommend the Policy Board authorize the executive director to extend the contract with Best Best and Krieger through June 30, 2023.

6. **Modeling On-Call Contract with RSG (Kristine Cai) [ACTION]**

**Exhibits:**

 Exhibit A on Call 07-2022

**Summary:** Fresno COG's activity-based model (ABM) is a cutting-edge travel demand forecasting model that has been used to develop plans such as the RTP/SCS, conduct air quality conformity analyses, and analyze traffic and VMT impacts projects. The ABM is an essential planning tool for COG and the region.

Fresno COG has maintained an on-call contract with RSG, who built the ABM for Fresno COG and has been providing technical assistance to Fresno COG modeling staff. The RSG team helps COG staff troubleshoot the model, provides training, and fixes any bugs related to the code.

Attached please find the scope of work for the on-call contract with RSG for FY22-23.

**Action:** Staff and PAC recommend that the Policy Board authorize the executive director to enter into a contract with RSG for an amount not to exceed \$20,000.

7. **CA Inland Port System Planning Phase 4 Contract (Braden Duran) [ACTION]**

**Summary:** Fresno COG continues to manage the California Inland Port System Project. The first three feasibility studies/planning phases and the final Regional Infrastructure Accelerator (RIA) phase (known internally as Phase 5) have been completed or are proceeding this year with funding mainly from seaport and air district local funds, state grants (with matching SJV MPO/RTPAs funds), and federal grants.

To bridge the Phase 3 planning work and RIA Phase 5 "project delivery" work, the Fresno COG Policy Board approved roughly \$640,000 of carryover federal planning (PL) funds to be used for portions of Phase 4 project planning. These funds will help identify sites for San Joaquin Valley TradePorts (the anchors to the Inland Port System) and for establishing the delivery entity, which is mainly happening in the RIA project phase.

This project calls for a tightly choreographed workplan to weave three project phases together and allow work to continue simultaneously and with the necessary speed to begin implementation by 2024, in line with state and USDOT expectations. Consequently, Fresno COG staff is recommending a contract with GLDPartners specifically using these federal PL funds. Work completed under this contract would complement the work already started in Phase 3 and the RIA phase, also under GLDPartners. Fresno COG would retain some funds for administration.

**Action:** Staff and PAC recommend the Policy Board authorize the executive director to enter into a contract with GLDPartners for an amount not to exceed \$630,000.

8. **Golden State Boulevard Project Contract Extension (Pankaj Joshi) [ACTION]**

**Summary:** In April 2016, Fresno COG contracted with Mark Thomas for design engineering services on the Golden State Boulevard (GSB) project, as approved in the Measure C expenditure plan. The GSB project has progressed to the 100% design phase.

In February, the Policy Board authorized an additional \$240,132 for work the Union Pacific Railroad

(UPRR) requires. The project is being phased to proceed with construction while UPRR is reviewing the final plans that affect railroad right-of-way.

Extra work will be done to break the project into two phases. This includes separating the plansets for all regions into Phase 1 and Phase 2. In addition, Fresno County also requested to perform an Aerially Deposited Lead (ADL) soils testing for the project area, although the Environmental document did not identify the need to perform ADL. This also includes the Structural design of the two city of Fowler monument signs. These additional works will result in \$169,465.12 cost increase to the existing contract with Mark Thomas.

Since approval of the design is still pending from CPUC and extra works described above are necessary, the contract with Mark Thomas will need to be extended into the next fiscal year with an additional fee of \$169,465.12 for the extra work.

**Action:** Staff and PAC recommend the Policy Board authorize the executive director to extend the contract with Mark Thomas through June 30, 2023 and increase the cost by \$169,465.12 to \$4,786,946.45.

#### L. **AB 361 - COVID Contingency Board/Committee Meeting Format (Robert Phipps) [ACTION]**

**Summary:** On Sept. 15, 2021, 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 Oct. 1, 2021, so long as they make specific findings every 30 days, and ensure conditions related to public participation are satisfied. Under the Brown Act, the Policy Board, TTC and PAC and other Fresno COG committees are 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 is a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing; or
- There is 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 is 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 Board, 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 has 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.



**Action:** Staff recommends two actions:

1) That the Policy Board issue the following findings: (a) The Board has reconsidered the circumstances of the state of emergency; and (b) As a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

2) Reaffirm Resolution 2022-01 from Jan. 6, authorize the Board and subordinate legislative bodies to conduct their meetings in accordance with remote participation by teleconference in the manner provided by Government Code section 54953, subd. (e) through August 6, and direct staff to continue providing video/teleconferencing provisions for all Fresno COG committee and Board meetings through August 6.

## II. TRANSPORTATION ACTION/DISCUSSION ITEMS

### A. Consideration of Measure C Renewal Expenditure Plan (Tony Boren) [ACTION]

**Exhibits:**

- Measure C Renewal Allocation Presentation     MC3 Implementing Guidelines     MC3 Expenditure Plan Final     MC Renewal Expenditure Plan Resolution

**Summary:** As has been discussed with the TTC/PAC and Fresno COG Policy Board, since late 2019, Fresno COG and Fresno County Transportation Authority staff in collaboration with a team of professional consultants (VRPA Technologies/Jeffrey Scott and Associates, Props and Measures) have been engaged in a vigorous regional planning process to develop a Measure C Renewal Expenditure Plan for Fresno County voter's consideration in 2022. While our current Measure C (1/2 cent sales tax for transportation purposes) does not expire until July 1, 2027, there has been strong recognition at the staff and policy levels that there would be some significant advantages to seeking an early reauthorization of Measure C prior to its termination. Fresno COG staff will be giving a detailed PowerPoint presentation on the Measure C Renewal Expenditure Plan and the process to produce that plan. Consequently, this annotated staff report will briefly highlight some of the major considerations/benefits/planning processes used to develop the new Expenditure Plan. The complete Measure C Renewal Expenditure Plan and the related PowerPoint presentation can be found on Fresno COG's Measure C Renewal webpage at this link: [Measure C Renewal Plan Development Process - Fresno Council of Governments \(fresnocog.org\)](#). The expenditure plan will be available after June 6th.

Following the Fresno COG Policy Board's action, the FCTA will be asked to consider and approve the Expenditure Plan at its July 20 meeting. Following FCTA Board approval, the plan will be presented to the Fresno County Board of Supervisors for approval and inclusion on the November 2022 ballot.

#### Measure C Renewal "Regional" Planning Process

- Fresno County region- 6,000 sq. miles/6,637 road miles
- Current population-1,023,358

#### 15 Incorporated Cities

- Fresno - Population-546,770-53.26%
- Clovis - Population- 121,834-11.87%

#### 13 Small Rural Incorporated Cities

- Population range -4,145-23,000
- Seven eastside cities-population 11.97%
- Six westside cities-population 6.32%

#### Fresno County-Unincorporated

- Population-170,067
- Population % -16.56
- Unincorporated communities within incorporated cities-Fig Garden/Sunnyside/Mayfair/Tarpey,

- Thirty-four “disadvantaged” unincorporated communities:
  - Eastside-Del Rey, Tombstone, Calwa, Malaga,
  - Westside-Easton, Caruthers, Raisin City Bowles, Cantura Creek, Lanare, Tranquility, West Park

The Measure C renewal planning process consisted of a two-prong strategy led by two committees with different membership compositions and responsibilities:

### **Technical Working Group (TWG)**

Responsibilities:

- Identify funding needs, available funding, and funding gaps by mode
- Help develop preliminary recommendations to the Executive Committee
- Forward draft TWG products to Executive Committee for review and feedback
- Provide information and feedback to other related stakeholders
- Project identification, prioritization and recommendations

### **Executive Committee (EC)**

Responsibilities:

- Understand current & future transportation needs
- Review surveys and develop funding recommendations
- Provide Information & feedback to other related stakeholders/community leaders
- Assist with preparing the draft & final Measure C extension Expenditure Plan that best meets mobility needs and will have voter support

The Measure C Renewal Expenditure Plan was developed following a set of five “guiding principles” adopted by both the TWG and the EC. These specific principles were:

1. Stewardship
2. Flexibility
3. Air quality and climate resiliency
4. Equity
5. Sustainability & resource conservation

In addition, there are several significant themes in this Expenditure Plan including “Fix it First”, “No Neighborhood Left Behind”, “Improve Transportation Safety”, and “Promises Made, Promises Kept.” For over 35 years Measure C has kept its promises of delivering high priority transportation improvements and services throughout Fresno County. Staff believes that this track record has led to the exceptionally high level of voter support reflected in the two surveys conducted to date.

### **Public Engagement Strategies**

- Fourteen community meetings
- Door-to-door; 1,070 Spanish responses
  - Cantua Creek, Lanare, Tranquility, Orange Cove, Parlier, Kerman, Caruthers, Biola, Hmong community, Coalinga, Del Rey, Five Points, Huron, Sanger, Kingsburg, San Joaquin, Punjabi community
  - Community events
  - Virtual meetings
  - Online & in-person surveys: 2,800 surveys, 2,000 comments
  - Two public opinion surveys - statistically valid surveys - just short of 5,500 responses

FCTA/Fresno COG staff believe the Measure C Renewal Expenditure Plan balances the inherently varied transportation interests of different stakeholders and represents the necessary regional consensus to garner support from two-thirds (66.7%) of Fresno County voters in 2022.

### **“Why now in 2022? “Why not wait until 2024?”**

There are several reasons that proceeding in 2022 makes sense. These include:

- Recent surveying shows incredibly high voter support for a Measure C renewal.
  - Voter support for Measure C renewal is at 80% countywide.
  - Even when presented with negative arguments, voter support remains well in the 70% range.
  - Surveying demonstrates that voter opposition - “definitely no” is very low at about 10%. Statewide surveying average generally runs about 20%.
  - Due to ever shifting political winds, there is no guarantee that same support would be present in 2024 or beyond.
    - Voter approval in 2022 would allow the FCTA and local agencies to borrow or bond against future revenues generated to begin street/road pavement needs now
    - The sooner the necessary street/road repairs and associated transportation projects identified in the Measure C renewal plan can begin, the lower the cost will be. This is particularly true in times of high inflation. Obtaining voter approval in 2022 will allow the benefits to be experienced by the public much sooner.
    - Waiting another two years is not likely to change residents’ perception of their transportation needs.
    - The proposed Measure C Renewal Expenditure Plan is well considered and reflects the views of transportation professionals at both the regional and local levels, as well as the 15 cities, the County of Fresno and the general public.
    - The Expenditure Plan reflects substantial public and private sector input..
    - The Measure C Renewal Expenditure Plan is targeted toward Fresno County voters’ highest transportation needs and includes significant local control with maximum flexibility at the local level.
    - The apparent goal of those opposed to a 2022 ballot measure is to shift elected officials’ decision-making authority away to non-elected community-based organizations (CBOs).
    - The Measure C Renewal Expenditure Plan is designed to give maximum local control to those elected officials chosen by voters in their community
    - Voters’ transportation priorities are immediate needs. We owe it Fresno County residents to move forward now. Delaying voter consideration beyond 2022 makes no fiscal or policy sense.

### Duration of Measure C Renewal - 30 years vs. 20 Years

- Revenue projections: 20-year - \$4 billion  
30-year - \$6.8 billion
- Achieving a Countywide pavement condition index (PCI) of 70 would take nearly 90% of a 20-year MC3
- With a 30-year measure, a 70 PCI would take about 50% of the renewal funds
- A 30-year measure allows sufficient revenues to achieve a “good” PCI, defined as 70 out of 100, along with substantial funding for other important transportation facilities and services, including public transit and active transportation
- Surveying indicates that both durations -- 20-year or 30-year – enjoy widespread voter support: 80+%

### **Measure C Renewal Expenditure Plan Highlights include:**

- About \$6.84 billion in new revenue over 30 years for transportation improvements
- Slightly more than one-half of the revenue, \$3.5 billion, dedicated to **Local and Neighborhood Street Repair and Maintenance**. Fixing local streets has over 80% support in the two public surveys and is consistently the highest priority within all communities and areas of the County, cutting across all demographic and economic categories. It is also the top priority for nearly all the people who have attended public meetings and participated in on-line and in-person surveys. This level of funding is sufficient to raise the countywide average PCI to 70, which is within the good category. Further, the plan will require that each agency spend a minimum of 30% of their

pavement repair funds in disadvantaged areas (as defined by CalEnviroScreen 4.0) until certain criteria is met.

- Over \$800 million will be dedicated to **Urban and Rural Public Transit**, more than double what transit will receive through the current measure. Keeping transit fares low for students, seniors, veterans, and the disabled also scored high in two surveys.
- Just under \$1 billion in the **Major Roads and Highways Safety Improvements and Congestion Relief Program** will focus on reducing and avoiding congestion, improving safety, and reducing greenhouse gases (GHG) and improving air quality. This funding is almost exclusively for modifications to the existing system, not for expansion. The Regional Program in the current measure used 30% of the overall funding, but in this measure, it is one half that amount at just under 15%.
- **Safe Bikes and Pedestrians** will receive approximately \$75 million, which may be the smallest program in the new measure; however, there are significant funding opportunities through non-Measure C sources resulting in well over 95% of the overall need in this category being met.
- \$144 million is dedicated to **Environmental Sustainability**, including: transit-oriented development, alternative fueling facilities, clean-air vehicles, and new technology projects. This program is a bit of a misnomer, as it implies that only these funds are being invested in these sustainability projects. In fact, environmental sustainability is built in to all of the other programs. This Environment Sustainability Program is over and above the funding in the other program categories.
- Lastly, \$1.2 billion is dedicated to the **Local Control Program**. Local Control allows each agency to address its highest priority transportation needs not specifically addressed in one of these categories; or, an agency can supplement any of the previously mentioned categories depending on where the highest need lies.

Under this proposed Measure C3, administrative expenses have been reduced from 1.5% to 1.25%.

Besides the flexibility built into the Local Choice and other programs, this measure focuses on the first 15 years rather than trying to predict the 30-year need. This plan provides for a comprehensive review of the programs' successes or shortcomings near the measure's midpoint. That midpoint review will also re-evaluate the then-current needs and can make program or project adjustments at that time if the needs have changed.

"Local control" of Measure C funding is built into all of these programs. **Local and Neighborhood Street Repair and Maintenance, Urban and Rural Transit, Safe Bikes and Pedestrians**, and the **Local Choice Programs** are all under local control – each elected body will determine how and where those funds are invested. The **Major Roads and Highways Safety Improvement and Congestion Relief** project lists can be found on the Fresno COG renewal webpage linked above, and were all developed with input from each of the 16 local agencies in Fresno County. **Environmental Sustainability** will be a competitive program with funding recommendations made by committees that will all contain public agency staff.

This plan also provides enhanced accountability measures. First, the Citizens Oversight Committee will be retained and enhanced. Second, each program category will have performance indicators to help the FCTA evaluate if the Measure C funds are being invested efficiently and effectively.

Similarly, the plan contains key principles to make sure that the transportation benefits provided by Measure C are shared equitably throughout Fresno County.

**Action:** Fresno COG staff, along with the Measure C Technical Working Group, Executive Committee, TTC and PAC recommend the Policy Board approve the draft Measure C Renewal Expenditure Plan as presented, and move the Expenditure Plan forward to the Fresno County Transportation Authority for its consideration.

### III. OTHER ITEMS

A. Items from StaffB. Items from MembersIV. PUBLIC PRESENTATIONSA. Public 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. **Note: Prior to action by the Committee on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to three minutes.**