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Fresno, California 93721

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Website Address: www.fresnocog.org

POLICY ADVISORY COMMITTEE AGENDA

Date: Friday, October 17, 2008
Time: 10:00 a.m.
Place: COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA

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.

Item	Description	Enclosure	Action*
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I. PUBLIC PRESENTATIONS

This portion of the meeting is reserved for persons wishing to address the PAC on items within its jurisdiction but not on this agenda. **Note: Prior to action by the PAC on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to 3 minutes.**

II. 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. Joint TTC/PAC Executive Minutes of September 12, 2008	Yes	Approve
B. West Area Transportation Planning Study Contract [TWEBSTER]	No	Approve
C. Air Quality and Programming Update [DAWSON, DEVERE-OKI]	No	Information
D. Farmland Conservation Model Program Update [SOBRADO]	No	Information
E. Congestion Management System Update [BITNER]	No	Information
F. Caltrans Planning Grant Awards [DANSBY]	No	Information
G. VRPA Technologies Contract Amendment [BESHEARS]	No	Approve
H. Status Report on Sacramento Lobbying Activities— Steve Samuelian, California Consulting LLC [DANSBY/SAMUELIAN]	Handout	Information
I. Monthly Legislative Update [DANSBY]	Yes	Information

III. ACTION / DISCUSSION ITEMS

A. San Joaquin Valley Blueprint, Resolution 2008-45 [STECK]	Yes	Approve
B. Valley-wide Air Quality Planning and Coordination Contract [DAWSON]	No	Approve
C. Measure "C" Extension Update [BOREN] 1. Regional Transportation Mitigation Fee (RTMF) Update	No	Info/Discussion
D. 2009 Washington D.C. "One Voice" Call for Projects [STECK]	Yes	Info/Discussion
E. Local Housing Element Issues [THOMPSON]	No	Info/Discussion

Member Agencies: The cities of Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, Selma & Fresno County

- F. FY 2008-09 Overall Work Program Amendment #2 [BESHEARS]
- G. Caltrans Monthly Report [CALTRANS]
- H. Video Conferencing Presentation [TWEBSTER]

No	Approve
No	Info/Discussion
Handout	Info/Discussion

IV. OTHER BUSINESS

- A. Items from Staff
- B. Items from Members

Lunch Meeting following PAC - Economic Development Corporation Update – Steve Geil

***Items listed as information still leave the option for guidance/direction actions by the Committee.**

****All enclosures are available on our website at www.fresnocog.org – Committees and Agendas**



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**POLICY ADVISORY COMMITTEE
ANNOTATED AGENDA**

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A. Joint TTC/PAC Executive Minutes of September 12, 2008

B. West Area Transportation Planning Study Contract [TWEBSTER]

Summary: On September 22, 2008, a selection panel, comprised of representatives from the City of Fresno, the County of Fresno and Fresno COG, interviewed two consultants to conduct the *West Area Transportation Circulation and Planning Study*. This five member panel unanimously selected Fehr & Peers to conduct the study.

The Contract names Fehr & Peers to conduct a study of the West Area which will examine 30 critical segments of roadway and 25 key intersections within a period of 42 weeks at a cost of \$98,583. Among other things, Fehr & Peers will examine current needs, mid-range needs (10 years) and long range needs (2025) for the area, then present a full range of priority options to a full committee of stakeholders. In addition, they will identify both traditional, as well as innovative potential funding mechanisms that may be available to finance priority projects.

Action: Staff and TTC recommend approval of a contract for Fehr & Peers to conduct the *West Area Transportation Circulation and Planning Study*. Direction may be given at the discretion of the Committee.

Member Agencies: The cities of Clovis, Coalinga, Firebaugh, Fowler, Fresno, Huron, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, San Joaquin, Sanger, Selma & Fresno County

C. Air Quality and Programming Update [DAWSON, DEVERE-OKI]

Summary: On September 24, 2008 the Environmental Protection Agency signed the Federal Register notice approving the San Joaquin Valley Air Pollution Control District's *2007 PM10 Maintenance Plan and Request for Redesignation*. This action made the transportation conformity budgets included in the Plan available for use in transportation conformity determinations. The eight San Joaquin Valley Regional Transportation Planning Agencies can now proceed with processing formal amendments to reintroduce regionally significant projects back into their Federal Transportation Improvement Programs (FTIP). Fresno COG had twelve impacted projects which were awaiting this action. Staff will now begin work on the 2009 Conformity Determination and a Formal Amendment to both the FTIP and the Regional Transportation Plan to allow for the inclusion of these projects. Prior to this action Fresno COG had initiated work on Amendment #1 to the FTIP; with new budgets available, Amendment #1 has been formally withdrawn, and all work will be incorporated into a future amendment using the new transportation conformity budgets.

Action: Information item only. Direction may be given at the discretion of the Committee.

D. Farmland Conservation Model Program Update [SOBRADO]

Summary: The Farmland Conservation Model Program Advisory Committee will meet on Tuesday, October 14, 2008 to start the process of finalizing the Farmland Conservation Model Program Report. The advisory committee has met several times over the past couple of months to discuss the material that will be included in the final report currently in development. The Farmland Conservation Model Program will be completed by the end of December as scheduled.

Action: Information item only. Direction may be provided at the discretion of the Committee.

E. Congestion Management System Update [BITNER]

Summary: Federal transportation legislation (SAFETEA-LU) requires that each metropolitan planning area in the United States have what is called a Congestion Management Process, or CMP. The CMP is a regional program to address and manage congestion within Fresno County in order to facilitate the movement of people and goods.

As part of our efforts to be compliant with the planning requirements in SAFETEA-LU, Fresno COG has committed to review and update our Congestion Management System (CMS). Fresno COG is required to have a plan for developing a Congestion Management Process in place by our next Certification Review in March 2009.

The CMP is a broad, regional level planning tool designed to help manage congestion by identifying congested corridors and recommending multimodal strategies for congestion mitigation. The goal of the CMP is to provide information that helps transportation planners, professionals and others to understand the overall congestion climate in individual corridors and the region. Data on the congestion climate helps Fresno COG, in partnership with other agencies, to formulate congestion management strategies. Data and information from the CMP benefits the transportation planning process by helping the region focus limited federal transportation dollars where they can have the greatest impact.

Staff will be meeting with local agency staff and others in the coming months to develop a plan for our Congestion Management Process.

Action: Information item only. Direction may be provided at the discretion of the Committee.

F. Caltrans Planning Grant Awards [DANSBY]

Summary: Fresno COG received notice from Caltrans that we received the following two transportation planning grants for FY 2008-09 in partnership with the City of Fresno:

Grant Program: Transit Professional Development

Project Title: Central Valley Transit Professional Development

Amount: \$50,000
Description: The project will consist of three workshops in Fresno presented by worldwide experts in developing Transit Oriented Development. The workshops will provide transit planners and the development industry from the Valley with guideline processes from concept to end. These trainings will develop a comprehensive region-wide approach to facilitate mainstream adoption and provide a model for other regions. Fresno COG, the City of Fresno and other transportation and development agencies will work together to develop and coordinate the training workshops.

Grant Program: Partnership Planning
Project Title: Fresno, Madera, Tulare, Kings Counties Multi-Modal System Partnership
Amount: \$276,000
Description: The multi-county partnership will develop a consensus base among local entities to build a base of communication about a coordinated regional land use policies framework to implement any proposed high capacity, mass transit-based, multi-modal corridor system adopted in the Fresno Blueprint Process. Work products include:

- (1) Study regional land use policies necessary to protect and preserve corridors and right-of-way alignments representing the multi-modal system; and
- (2) Research and evaluate various types of regional agreements related to adopting alignments, coordinated land use and zoning, shared long-term governance, natural resources management, specific agricultural preservation plans, and funding strategies for all participating jurisdictions.

The City of Fresno will provide the required local cash match for the above projects.

In addition, Kern COG has been awarded an Environmental Justice grant through Caltrans for \$250,000 to work alongside the 8 Valley COGs to develop a Tribal Environmental Justice Transportation Report. The report will address tribal transportation issues and priorities, cultural preservation and heritage, tribal participation in the planning and project delivery process, and tribal environmental justice and long-range planning issues through the SJV Blueprint and Partnership processes. The outreach effort includes engaging approximately 30 California Indian tribes within the SJV.

Action: Information item only. Direction may be provided at the discretion of the Committee.

G. VRPA Technologies Contract Amendment [BESHEARS]

Summary: We have a contract with VPRA to provide Measure "C" planning and support. VPRA has been intricately involved in the Measure "C" planning process from the beginning, through the subcommittee meetings to place Measure "C" on the ballot, to the development of program implementation handbooks. The remaining task, the development of the Strategic Plan, incorporates the Regional Transportation Mitigation Fee into the Strategic Plan for delivering over a billion dollars of Highway Projects. Development of the Strategic Plan was delayed while the RTMF negotiations were underway. This contract amendment provides an additional \$24,502 to complete the Strategic Plan. This brings the total contract to \$122,000.

Action: Staff recommends Authorization of VPRA contract amendment #3 for \$24,502 for Measure "C" Expenditure Plan.

H. Status Report on Sacramento Lobbying Activities—Steve Samuelian, California Consulting LLC [DANSBY/SAMUELIAN]

Summary: Steve Samuelian from California Consulting will provide a verbal report to the Policy Board describing his work activities for the month of October.

Action: Information item only. Direction may be provided at the discretion of the Committee.

I. Monthly Legislative Update [DANSBY]

Summary: A report is included in your agenda package that includes current bills in the 2008 legislative session that are relevant to the Fresno COG.

- To locate current and past year **state bill information** go to the Official California Legislative Information webpage at: <http://www.leginfo.ca.gov/>
- To locate current and past year **federal bill information** go to THOMAS, The Library of Congress's bill information website (in the spirit of Thomas Jefferson) at: <http://thomas.loc.gov/>

As this agenda is prepared prior to September 30th, the last day for the Governor to sign or veto bills, it does not reflect all of his decisions. An updated report will be provided in November with the results of the legislative session.

In September, the Fresno COG Board voted to remove their opposition to **SB 375** in favor of a neutral position that reflects an understanding of the compromises Senator Steinberg has been willing to accept from the League of Cities, the California Association of Counties and the California Councils of Government as well as numerous environmental and business interest groups. Also, with the understanding that the greenhouse gas emissions targets prepared by the Air Resources Board will be allocated to the MPOs on a region-wide basis, not city specific.

It is still important to note that there will be need for clean up legislation next year to address remaining issues such as expanding CEQA streamlining to include transportation projects, and those developments better suited to rural environments; and ensuring that there is funding to be able to successfully perform the additional tasks required by SB 375. SB 732, also passed by the Legislature at the end of session, does help with some of the funding.

Also, in September, the Executive Director, on behalf of the Policy Board, sent a letter requesting the Governor veto SB 974, which seeks to collect a \$30 fee per TEU on container cargo moving through the Ports of Los Angeles, Long Beach, and Oakland to provide funding for projects that mitigate the burden of port-related operations on air quality. SB 974 does not acknowledge the San Joaquin Valley as a stakeholder in statewide goods movement efforts and as a region impacted by port-related air pollution and highway system impacts. SB 974 fails to provide any funding to help mitigate the air quality impacts from goods movement by trucks going to and from the ports through the San Joaquin Valley. The San Joaquin Valley has the worst ozone and particulate air pollution in the nation. The heavy duty diesel trucks on our corridors are a significant contributor to our Valley's air pollution problems and a good majority of those trucks are passing through on their way to other destinations such as the ports of Oakland and Los Angeles. Heavy-duty diesel trucks amount for more than 40 percent of the Valley's total emissions and funding is needed for air pollution mitigation projects such as replacing or retrofitting diesel engines. The position on SB 974 is consistent with our Legislative Platform. It has been our policy that the Director may communicate positions on legislation on behalf of the Board if they are consistent with our adopted Platform.

Please contact staff person, Jennifer Dansby, if you have any questions regarding the listed bills in your agenda packet or if you require a more in-depth analysis of any particular bill.

Action: Information item only. Direction may be provided at the discretion of the Committee.

III. ACTION / DISCUSSION ITEMS

A. San Joaquin Valley Blueprint, Resolution 2008-45 [STECK]

Summary: At this time, the primary focus of the San Joaquin Valley Blueprint planning process is the synthesis of the preferred growth concepts from each of the eight COGs in the Valley into a Valleywide alternative scenario for further comparison purposes. Between now and November, U.C.

Davis will be working with the COGs to develop Valleywide growth scenarios to compare with the Valleywide status quo. (This is similar to the process that we completed at the county level in May of this year.) A chart illustrating the Blueprint planning process is included in your agenda package.

In addition, Fresno COG will be taking on the responsibility of lead agency for the eight Valley COGs Blueprint planning activities. As a result, we are in the process of filing a grant application for fourth year funding for the San Joaquin Valley Blueprint. Each of the eight COG partners needs to pass a resolution to include with the application in support of continued participation in the California Regional Blueprint Planning Program.

Action: Staff and TTC recommend approval of Resolution 2008-45 in support of fourth year participation in the California Regional Blueprint Planning Process.

B. Valley-wide Air Quality Planning and Coordination Contract [DAWSON]

Summary: The Council of Fresno County Governments has historically coordinated air quality issues on behalf of the eight Regional Planning Agencies (RPA) in the San Joaquin Valley. In 2004, Fresno COG entered into two separate contracts to provide technical air quality planning, modeling and policy services to facilitate consistency, compliance, and coordination in Valley-wide regional air quality planning issues. This coordination of effort involves not only the eight San Joaquin Valley Regional Planning Agencies, but also includes Caltrans (Headquarters, and Districts 6 and 10) Federal Highway Administration, Federal Transit Administration, the San Joaquin Valley Unified Air Pollution Control District, the California Air Resources Board, the Environmental Protection Agency as well as local transportation entities. These contracts will expire on December 31, 2008.

On August 28, 2008 a Request for Proposals to provide continuing *Valley-wide Air Quality Planning and Coordination Services* was released. On September 18, 2008 proposals were received from Michael Brandman Associates (\$124,965) and Cari Anderson Consulting (\$ 124,641.80). A proposal selection committee comprised of staff representing Fresno COG, San Joaquin COG, Tulare CAG, and Kern COG was established to evaluate the proposals and to recommend a preferred proposal.

Each member of the proposal evaluation committee independently reviewed and scored the proposals using a proposal evaluation form. The scores were submitted to Fresno COG for averaging, using the "one COG, one vote" rule. The proposal evaluation committee then met on September 29, 2008 to discuss the results and recommended the selection of the consulting team of Cari Anderson Consulting as the preferred proposal. On October 6, 2008 the eight RPA Directors approved the selection of the proposal submitted by Cari Anderson Consulting.

The contract was budgeted for \$125,000, which is the same amount budgeted in the 2004 contracts. The RPA Directors recognize that in the ever changing and evolving area of air quality planning and transportation conformity, additional tasks not evident at the time this contract is awarded may be required. At the direction of the RPA Directors, an additional \$25,000 is carried in the budget to cover this contingency. The total amount of \$150,000 is therefore budgeted for the first year with \$35,304 as Fresno COG's prorated share. Should the contingency fund not be used, the fund will be carried over into the next year. In that case Fresno COG's prorated portion will be \$29,420.

Action: Staff and TTC recommend the COG Policy Board authorize the Executive Director to enter into a contract with Cari Anderson Consulting to provide Valley-wide Air Quality Planning and Coordination Services.

C. Measure "C" Extension Update [BOREN]

1. Regional Transportation Mitigation Fee (RTMF) Update [BOREN]

Summary: At its August 28, 2008 meeting, the Fresno COG Policy Board voted unanimously to support Regional Transportation Mitigation Fee Option 2 (\$1,727 per new single family house) as identified in the PB Americas Inc. Final Report. This recommendation was forwarded to the Fresno County Transportation Authority (FCTA) Policy Board for consideration at their September 10, 2008 meeting. Unfortunately, due to quorum issues, the FCTA was unable to take action on a preferred option. However direction was given to FCTA and COG staff to work with the Building

Industry Association to determine if any of their technical issues with the RTMF study could be resolved prior to their next FCTA Policy Board meeting.

A workshop was held with the BIA on September 29, 2008 in an effort to work through some of the technical issues raised by the BIA. While limited progress was made in resolving the issues, the BIA did inform the Steering Committee that they would be holding a membership meeting on October 2, 2008 to determine if there was a willingness to move from their current position of support for Option 5 (\$621 per new single family house), to another option.

On October 2, 2008 BIA President Mike Prandini informed Fresno COG and the Fresno County Transportation Authority that the BIA membership had changed from its original support of Option 5 and are now in support of Option 2 (\$1,727 per new single family house) with a three year "phasing in" of the RTMF fee in the following manner:

- Year 2009--\$1,200
- Year 2010--\$1,450
- Year 2011--\$1,727

It is understood that the pro-rata phasing that applies to residential development will also apply to commercial and industrial development as well.

In addition, the BIA requested that the FCTA direct the RTMF consultant (PB Americas Inc.) to work with the BIA to resolve issues related to assumption and cost differences and that the fee be revisited every two years at the same time the Measure "C" Expenditure Plan is updated.

In addition, Jeff Reid representing the Central California Development Council, a coalition of commercial and industrial developers, has requested that specific language be inserted into the Policy Board resolutions to ensure that RTMF fees on commercial and industrial users be administered on a per square foot basis consistent with Table 27 in the Regional Transportation Mitigation Fee Final Report.

A conference call with the RTMF Steering Committee was held Tuesday afternoon to discuss the phase-in alternative suggested by the BIA. At the end of the discussion there was unanimous support by the RTMF Steering Committee to support the BIA's proposal.

In order to avoid "bouncing this issue back and forth" between the COG and FCTA, Ron Peterson (FCTA Executive Director), Tony Boren (COG Executive Director) and COG legal counsel, Kevin Briggs, felt the prudent approach would be to have a joint meeting between the two Policy boards to resolve the issue.

The joint meeting of the Fresno COG Policy Board and the FCTA Policy Board was held on October 9, 2008. Each of the Boards voted to support Option 2 with the phase-in as recommended by the BIA and RTMF Steering Committee.

Action: Information/discussion item. Direction may be provided at the discretion of the Committee.

D. 2009 Washington D.C. "One Voice" Call for Projects [STECK]

Summary: The 2009 "One Voice" trip will take place February 7-12, 2009. In preparation, we have been in communication with our D.C. lobbyist, Simon & Company, to discuss their recommendations for project selection. As noted in last month's annotated agenda, Simon & Company advised:

"... we would urge you once again to carefully choose projects that are regional in scope, but remain within the \$2 – 3 million request range. We would also urge you to consider only four appropriations projects for the 2009 program, with a special emphasis on the reauthorization of SAFETEA-LU..."

COG staff will continue to confer with Simon & Company regarding our approach to project selection and reauthorization and keep our member agencies informed. We have also scheduled a "One

Voice" committee meeting to discuss how we might approach policy issues and regulatory reform. That meeting will take place on October 29th at 4:00 PM in the COG Sequoia room.

The timeline we are following for the 2009 project selection process is as follows:

- Kick-off Meeting – Thursday, September 11, 2008 @ 1:30 PM at COG
- Mail/Email Call for Projects – Monday, September 22, 2008
- Deadline for project submittal – Friday, October 10, 2008
- Project Selection Committee Meeting – Wednesday, October 22, 2008
- Policy/Regulatory Reform discussion – Wednesday, October 29th @ 4:00 PM
- COG Policy Board Approval of Project List – Thursday, November 20, 2008

Action: Information/discussion item. Direction may be provided at the discretion of the Committee.

E. Local Housing Element Issues [THOMPSON]

Summary: The Fresno COG is responsible for preparing the Regional Housing Needs Allocation (RHNA) Plan for Fresno County. The RHNA Plan allocates Fresno County's total Housing Construction Need to its individual jurisdictions. Jurisdictions must then identify adequate sites in their Housing Elements to accommodate their allocation.

The Fresno COG has recently facilitated several meetings with staff and consultants of local agencies who have prepared, or will soon be preparing, new Housing Elements. The original request to involve the COG came from the City of Clovis. Clovis was struggling to respond to comments from the State Department of Housing and Community Development (HCD) on its draft Housing Element and wanted to know if other jurisdictions in Fresno County were experiencing similar difficulties. If so, the potential for some form of joint action could be explored.

Particular issues of concern identified by several Fresno County jurisdictions can be grouped together as follows:

- HCD Attitudes and Assumptions
- Zoning and Annexation Challenges
- Special Districts and Interagency Agreements
- Funding
- Conflicting Goals
- Current RHNA Plan Allocations/Preparing for the Next RHNA Plan Cycle

Three meetings have been held to date, including one last Friday with Fresno LAFCo. That meeting was held to discuss local LAFCo annexation policies and regulations. These policies and regulations are particularly important in Fresno County because many jurisdictions must utilize part or all of the area within their Sphere of Influence to accommodate their allocation. On Thursday, October 30, representatives from HCD will attend a luncheon meeting at Fresno COG beginning at 12:30 to discuss and hopefully move to a resolution of the identified issues. Interested persons are encouraged to attend this meeting.

Action: Information/discussion item. Direction may be provided at the discretion of the Committee.

F. FY 2008-09 Overall Work Program (OWP) Amendment #2 [BESHEARS]

Summary:

Work Element 124 Transit Professional Development

This \$56,500 project will consist of three workshops in Fresno presented by world wide experts, to develop a comprehensive region-wide approach to Transit Oriented Development. The project is funded with a \$50,000 grant from Caltrans and \$6,500 match provided by the City of Fresno.

Work Element 313 Environmental Justice

The Valley Transportation Agency directors submitted a joint application to develop a Tribal Environmental Justice Transportation Report. This \$306,600 project is carried in Kern Council of Governments budget. The grant amount is \$250,000 with the \$27,000 match being provided by the eight valley COGs. Our share of the match, to be funded with local funds, is \$6,100.

Action: Staff recommends the approval of the 2008/09 Overall Work Program Amendment #2 increasing the budget \$62,600 for two Caltrans Transportation Grants.

G. Caltrans Monthly Report [CALTRANS]

Summary: Caltrans staff will provide an update on Caltrans activities.

Action: Information/discussion item. Direction may be provided at the discretion of the Committee.

H. Video Conferencing Presentation [TWEBSTER]

Summary: In May 2008, Fresno COG entered into a contract with local telecommunications contractor, Sebastian Communications Inc., (formerly KerTel Communications Inc.) to purchase and install a videoconferencing system. This system is part of a valleywide effort to use technology to save money and reduce vehicle miles traveled (VMT). Phase One of the videoconferencing system installation, which includes point-to-point systems in the Ash and Sequoia Rooms has been completed.

Phase Two will include the programming of multipoint unit to connect up to 20 multipoint sessions (end users) at a time, as well as bring operational the remaining Valley COGs. Currently, Fresno COG, San Joaquin COG, and the Merced County Association of Governments have operational systems.

Action: Information/discussion item. Direction may be provided at the discretion of the Committee.

IV. OTHER BUSINESS

A. Items from Staff

B. Items from Members

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