

**POLICY ADVISORY COMMITTEE
AGENDA**

Date: Friday, March 13, 2009
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*
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.	PAC Executive Minutes of February 13, 2009	Yes	Approve
B.	FY 2008-09 Second Quarter Progress Report [BESHEARS]	Yes	Accept
C.	2007-08 COG Financial Audit [BESHEARS]	Yes	Accept
D.	FY 2008-09 Transportation Funding Claim – County of Fresno RESOLUTION 2009-07 [BESHEARS]	Yes	Approve
E.	FCRTA ITEM: Approval of Federal Transit Administration (FTA) Section 5311 Capital Assistance Grant for Preventative Maintenance and Associated Fleet Projects RESOLUTION 2009-02 PUBLIC HEARING 3/26/2009 [J.WEBSTER]	Yes	Approve
F.	FCRTA ITEM: Approval of Amended FY2008-09 Program of Projects to Reflect Inclusion of the FTA Section 5311 Capital Assistance Grant for Preventative Maintenance and Associated Fleet Projects [J.WEBSTER]	Yes	Approve
G.	San Joaquin Valley Transit Express Commute Study [DOWNS]	Yes	Information
H.	Smart Growth Implementation Assistance 2009 Request for Applications [THOMPSON]	No	Information
I.	High-Speed Rail Public Scoping Meeting [THOMPSON]	Yes	Information
J.	Local Government Commission: Implementing SB 375 Workshop Notice [DAWSON]	Yes	Information
K.	Monthly Legislative Update [DANSBY]	Yes	Information
L.	Status Report on Sacramento Lobbying Activities— Steve Samuelian, California Consulting LLC [SAMUELIAN]	Yes	Information

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

III. ACTION / DISCUSSION ITEMS

A. California Product Stewardship Council – Presentation on Toxic Waste Management [BOREN/GEDERT]	Yes	Info/Direction
B. 2008-09 Overall Work Program (OWP) Amendment #4 [BESHEARS]	No	Approve
C. Abandoned Vehicle Abatement (AVA) - Adjustment to Hourly Terms for the County of Fresno [THOMPSON]	No	Approve
D. Sacramento "One Voice" Update [BOREN]	Yes	Info/Discussion
E. American Recovery and Reinvestment Act of 2009 [DEVERE-OKI]	Yes	Approve
F. Continuation of the Public Review and Comment Period for the Model Farmland Conservation Program for Fresno County [SOBRADO]	No	Info/Discussion
G. Regional Transportation Mitigation Fee (RTMF) Update [BOREN]	Yes	Info/Discussion
H. Notice of Public Listening Session: Council of Fresno County Governments Federal Certification Review [BOREN]	Yes	Info/Discussion
I. San Joaquin Valley Regional Blueprint - Update [STECK]	Yes	Info/Discussion
J. Consider Holding Joint TTC/PAC Monthly Meetings [BOREN]	No	Direction
K. Caltrans Monthly Report [CALTRANS]	No	Info/Discussion

IV. OTHER BUSINESS

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

*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. PAC Executive Minutes of February 13, 2009

B. FY 2008-09 Second Quarter Progress Report [BESHEARS]

Summary: Included in your agenda packet is the FY 2008-09 Second Quarter Progress Report which details the work performed in each work element during the second quarter. A spreadsheet that shows expended funds will be handed out at the meeting.

Action: Accept the FY2008-09 Second Quarter Progress Report as presented.

C. 2007-08 COG Financial Audit [BESHEARS]

Summary: Dedekian, Small & Markarian have completed the 2007-08 COG Financial Audit. The report identifies no findings of non compliance and includes all reports required by state and federal funding agencies.

The Statement of Revenues, Expenditures and Changes in Fund Balance show revenues of \$5,349,688, expenditures of \$5,431,332, for a net decrease of \$84,644. Fund balances at end of year are \$1,563,562 of which \$1,426,123 is reserved for contractual encumbrances, \$90,333 designated for self insurance, and \$47,106 is unreserved.

Action: Staff recommends acceptance of the 2007-08 COG Financial Audit.

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

D. FY 2008-09 Transportation Funding Claim – County of Fresno RESOLUTION 2009-07 [BESHEARS]

Summary: 2008-09 Transportation Development Act Claims. The amounts claimed for Local Transportation Funds (LTF) and State Transit Assistance (STA) funds are:

Jurisdiction	LTF Fund:	STA Fund:	Total Funds:
County of Fresno	\$6,153,530	\$1,693,223	\$7,846,753

Staff has reviewed the claims and find the amounts consistent with apportionments previously approved by the Board.

Action: Staff recommends approval of the funding claims by adopting Resolution 2009-07.

E. FCRTA ITEM: Approval of Federal Transit Administration (FTA) Section 5311 Capital Assistance Grant for Preventative Maintenance and Associated Fleet Projects RESOLUTION 2009-02 – PUBLIC HEARING 3/26/2009 [J.WEBSTER]

Summary: The FCRTA staff is preparing a Capital Assistance Grant Application to secure the Federal Apportionment to the State of California through Caltrans to Fresno County for the “American Recovery and Reinvestment Act of 2009” economic stimulus funds. The rules, regulations, fund estimates and Application Form continue to be developed. Staff intends to submit a Grant Application before the latest deadline of April 17th. The initial funding estimate was \$1,672,590, but it has been revised to \$1,719,468, and may yet change again before it is finalized. The Application will be for “Preventative Maintenance and Associate Fleet Projects”. A scheduled Public Hearing has been legally noticed in the Fresno Bee (2/19/09 - Attachment) before the FCRTA Board of Directors on March 26, 2009. Following a staff presentation there will be an expressed opportunity for public comment, both orally and in writing, before the Board may take action to approve the Application, for further processing.

Action: The FCRTA General Manager recommends conducting the Public Hearing as scheduled, receive comments from the public, and take action on Resolution 2009-02 to approve the submittal of the application to Caltrans for processing.

F. FCRTA ITEM: Approval of Amended FY2008-09 Program of Projects to Reflect Inclusion of the FTA Section 5311 Capital Assistance Grant for Preventative Maintenance and Associated Fleet Projects [J.WEBSTER]

Summary: The previously submitted “Program of Projects”, as contained in the Fresno COG’s Federal Transportation Improvement Program (FTIP) needs to be amended to reflect the inclusion of FCRTA’s Section 5311 Capital Grant Application for Fresno County’s Apportionment of the “American Recovery and Reinvestment Act of 2009” economic stimulus funds (Attachment).

Action: The FCRTA General Manager recommends approval of the amended “Program of Projects” for submittal to the Fresno COG for inclusion into the next amended FTIP.

G. San Joaquin Valley Transit Express Commute Study [Downs]

Summary: The Merced County Association of Governments (MCAG) has been coordinating the San Joaquin Valley Express Transit Study with regional partners including the Counties of Kern, Kings, Tulare, Fresno, Madera, Stanislaus and San Joaquin. The San Joaquin Valley Express Transit Study is designed to identify markets that can support inter-county commuter express transit service within the San Joaquin Valley region, and between the San Joaquin Valley and its neighbors.

The San Joaquin Valley Express Transit Study seeks to identify strong markets for inter-county commute travel in the region, and to provide cost-effective recommendations for improved commute choices in these markets. By providing a broader array of commute options, the policy recommendations in this study may also result in decreased single-occupancy vehicle trips, reduced congestion, and improving air quality in the Valley. While the scope of the study is limited to inter-county commute travel, many of the principles and service models described in this report may also apply to the many very long intra-county commutes that the study does not explicitly consider.

The San Joaquin Valley is a large and diverse region. Making transportation investments cost effective will depend on deploying the right type of transportation service for the right market. This report recommends that the San Joaquin Valley explore a mix of ridesharing, vanpool, bus, and rail

services. The outcomes of the two previous analyses conducted for this project, the Existing Conditions and Case Studies Report and the Travel Demand Analysis Report, identified several key corridors in the region that would derive maximum benefit from new transportation investments. The corridors include:

- The northern SR 99 corridor, extending from Merced through Modesto, Stockton, Lodi, and continuing to Sacramento.
- The northern SR 99 corridor to the Bay Area.
- The Cities of Madera and Visalia to the City of Fresno.
- The Commute market between northern Los Angeles County and Edwards Air Force Base in eastern Kern County.

The report discusses the following transportation opportunities:

Summary of Proposed Services:

Proposed Service	Key Travel Corridor			
	Northern SR 99 Corridor, to Sacramento	Northern SR 99 Corridor to the Bay Area	Madera and Visalia to the City of Fresno	Northern LA County to Eastern Kern County
Ridesharing/TDM	X	X	X	X
Vanpool	X	X	X	X
Commuter Express Bus	X	X		
Commuter Rail Improvements	X	X		

A copy of the full report is included in your package.

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

H. Smart Growth Implementation Assistance 2009 Request for Applications [THOMPSON]

Summary: The Development, Community, and Environment Division in EPA's Office of Policy, Economics, and Innovation is seeking applications for technical assistance from communities that want to incorporate smart growth in their future development to meet environmental and other community goals. Eligible entities are tribal, local, regional and state governments, and nonprofit organizations that have a demonstrated partnership with a governmental entity. Applications are due at 5:00 p.m. EST, April 23, 2009. EPA has identified some key areas in which communities are likely to benefit from technical assistance:

- Climate change (both mitigation of and adaptation to)
- Green job development
- Corridor redevelopment
- Green building development
- Suburban retrofitting
- Disaster resiliency

Proposals are not limited to requests for technical assistance in only these thematic areas. Other topics for assistance are welcome and encouraged, provided they demonstrate cutting-edge challenges and the possibility of replicable solutions. Selected communities or states will receive assistance in the form of a multi-day visit from a team of experts organized by EPA and other national partners to work with local leaders. EPA plans to assist three to five communities over a period of twelve months. The Agency anticipates announcing the selected communities in fall of 2009.

For more information and application materials, visit http://epa.gov/smartgrowth/2009/sqia_rfa.htm.

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

I. High-Speed Rail Public Scoping Meeting [THOMPSON]

Summary: The High-Speed Rail Authority will host several public scoping meetings along the project segment between Merced and Bakersfield. The meeting in Fresno will be held Wednesday, **March 25, 2009** between 3:00 and 7:00 p.m. at the Fresno Convention Center Exhibit Hall (848 M Street). The meeting is an open-house format, without formal presentations. The enclosure for this item describes what "scoping" is and its relationship to the environmental process. During the scoping process the public, as well as city, county, state, and federal agencies have an opportunity to provide comments on project alternatives and environmental impacts to be evaluated in the EIR/EIS. Public

scoping comments for the project segment between Merced and Bakersfield will be accepted until Friday, April 10, 2009.

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

J. Local Government Commission: Implementing SB 375 Workshop Notice [DAWSON]

Summary: On May 7, 2009 in Fresno, the Local Government Commission is offering a workshop co-hosted by the Governor's Office of Planning and Research and Senator Darrell Steinberg titled: *Implementing SB 375: What Local Governments Need to Know About Climate Change Legislation*. AB 32 and SB 375 create a framework to help California meet the challenges of climate change. Information on the workshop, the agenda, and registration details are included in your packet. The Council of Fresno County Governments is a sponsor of the workshop. Further information can be found at: <http://lgc.org/events/sb375.html>

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

K. Monthly Legislative Update [DANSBY]

Summary: A report is included in your agenda package that includes current bills in the 2009 legislative session that are relevant to the 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/>

Please contact staff person, Jennifer Dansby, if you have any questions.

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

L. Status Report on Sacramento Lobbying Activities—Samuelian, California Consulting LLC [BOREN]

Summary: Steve Samuelian of California Consulting Inc will provide a written and verbal report to the Policy Board this month on his consulting activities for the COG during the month of March.

In your agenda packet is Steve's report from the month of February.

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

III. ACTION / DISCUSSION ITEMS

A. California Product Stewardship Council – Presentation on Toxic Waste Management [BOREN/GEDERT]

Summary: Staff received a request from the California Product Stewardship Council (CPSC), an association of local governments, to present information on the Extended Producer Responsibility strategy to the PAC and Policy Board. The mission of the CPSC is to:

"shift California's product waste management system from one focused on government funded and ratepayer financed waste diversion to one that relies on producer responsibility in order to reduce public costs and drive improvements in product design that promote environmental sustainability".

Bob Gedert, representing the CPSC, will make a presentation to the PAC and request that our Policy Board adopt a resolution in support of Extended Producer Responsibility, also known as Product Stewardship. If the Policy Board so chooses, there is also an opportunity to pledge a financial contribution to CPSC for their work efforts.

More detailed information on the California Product Stewardship Council and the Extended Producer Responsibility can be found in your agenda package.

Action: Staff seeks direction from the PAC and the Policy Board for a resolution of support for the California Product Stewardship Council and Extended Producer Responsibility.

B. 2008-09 Overall Work Program (OWP) Amendment #4 [BESHEARS]

Summary: Work Element 813 Blueprint Planning - Valley Wide

Merced COG has administrated previous three Blueprint grants for the San Joaquin Valley MPO's. Fresno COG will be taking over the lead role during the fourth year implementation phase. Merced will continue administrating the third year grant. The eight Valley COGs applied for and were awarded a \$1,350,000 grant to provide the fourth year planning process. A \$337,500 match is required to be split among the valley COGs. Our share of the grant is \$177,971 and our match is \$79,435. \$650,000 of the grant has been set aside for consulting and administration.

Action: Approve 2008-09 OWP Amendment #4 increasing the budget \$1,687,500 for the fourth year Blueprint Planning Grant.

C. Abandoned Vehicle Abatement (AVA) – Adjustment to Hourly Terms for the County of Fresno [THOMPSON]

Summary: The Fresno County Abandoned Vehicle Abatement Program standard hourly terms are currently two hours for voluntary abatements and four hours for towed abatements. These standard terms reflect the approximate amount of time necessary to administer the two types of abatements. However, the reality for the unincorporated County program is that considerably more travel and, therefore, more travel time are required than for the city programs. While the County has two Community Service Officers dedicated to their AVA program, each CSO is responsible for a very extensive land area, far more than any city. It is therefore appropriate that the hourly terms for Fresno County's AVA Program be increased to three hours for voluntary abatements and five hours for towed abatements to reflect the additional time needed to administer the program. This matter has been reviewed by the AVA Working Group, which supports the proposed adjustment. This increase will contribute to the added viability of one of the County's already most viable programs and will further provide for the additional expenditure of AVA revenues.

Action: Staff recommends approval of the proposed adjustment to the County of Fresno's hourly terms.

D. Sacramento "One Voice" Update [BOREN]

Summary: The 5th annual Sacramento "One Voice" advocacy trip is scheduled for March 9th and 10th. A list of confirmed trip attendees is enclosed.

The Policy Board, at their February meeting, approved the enclosed list of "One Voice" advocacy issues to discuss during the meetings in Sacramento. A trip agenda is included in your packet.

Staff will provide a verbal report to the PAC and Board on the "One Voice" trip.

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

E. American Recovery and Reinvestment Act of 2009 [DEVERE-OKI]

Summary: President Obama has signed the American Recovery and Reinvestment Act of 2009 (ARRA) that provides significant new funding for transportation infrastructure. In order for a surface transportation infrastructure project or transit project to be eligible for this Federal funding, it must be included in the Federal Transportation Improvement Program (FTIP).

As part of Fresno COG's first effort to position the region to utilize these funds, a revenue only amendment was processed. This amendment, Formal Amendment #4, was released for public review and subsequently approved by the Executive Director of Fresno COG, as authorized by the Policy Board. This amendment added Fresno's estimated share of \$47 million in Federal Highway Administration (FHWA) funding and \$11.9 million in Federal Transit Administration funding into the FTIP. These amounts are preliminary estimates that were provided by Caltrans and will be revised. Only a portion of this of the estimated \$47 million in FHWA funding will be suballocated to Fresno COG for local level distribution (subject to a 1 year obligation deadline). This exact amount is still being determined and staff continues to follow ongoing dialogue at the state and federal level on this topic. Presently, staff is assuming this amount is \$18 million per Caltrans estimate.

A meeting of the SAFETEA-LU Programming Steering Committee was held on February 17, 2009. At this meeting, the Committee discussed potential options on how to allocate the Stimulus Funds. The

preferred option of the group was to provide a base level of funding to each member agency of \$160,000 and using a pro rata share, based on population, divided the rest of the funds up to the estimated sub allocated share of \$18 million. At the February Policy Board meeting, staff was directed to follow this approach and to bring a back a list of locally selected ARRA projects that can be amended into the FTIP. This list will be handed out at the PAC meeting.

Action: Support of the locally selected ARRA project list. Direction may be provided at the discretion of the Committee.

F. Continuation of Public Review and Comment Period of the Model Farmland Conservation Program for Fresno County [SOBRADO]

Summary: In January 2009, Fresno COG released the draft Farmland Conservation Model Program for Fresno County for 45-day public review and comment. Due to the interest in the program, Fresno COG is extending the public review and comment period in order to give the public sufficient time to address all of their concerns.

Questions can be addressed to Todd Sobrado at (559) 233-4148.

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

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

Summary: Enclosed in your package are the recently completed RTMF Draft Nexus Study, a sample Ordinance and the RTMF Administrative manual. County Counsel is currently studying legal issues surrounding the process. Staff will provide an update at the meeting.

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

H. Notice of Public Listening Session: Council of Fresno County Governments Federal Certification Review [BOREN]

Summary: A Public hearing is scheduled for Wednesday, March 25, 2009 to receive input on how to improve the region's transportation planning process.

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) will be conducting the certification review and evaluation of the region's transportation planning process carried out by the Council of Fresno County Governments (Fresno COG) and its partners. Every four years the FHWA and FTA jointly conduct this review. As part of the review, the public is invited to comment on the transportation planning process at public meeting on Wednesday, March 25, 2009 from 5:30 pm to 7:30 p.m. here at Council of Fresno County Governments, 2035 Tulare Street, Suite 201, Fresno, California. The meeting notice is enclosed in the agenda packet.

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

I. San Joaquin Valley Regional Blueprint - Update [STECK]

Summary: Valleywide Blueprint scenarios are currently being vetted with a variety stakeholder groups. The scenarios will be presented to the Regional Policy Council (two elected officials from each of the eight Valley COGS) on Friday, March 27th here at Fresno COG. At that time we anticipate that the Policy Council will endorse one of the four options being considered. The preferred scenario will then be taken back to each of the Valley COGs where it will be considered with their member agencies (the 62 cities and 8 counties within the Valley). The ultimate goal is to have the principles from the Blueprint be integrated into local general plans.

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

J. Consider Holding Joint TTC/PAC Monthly Meetings [BOREN]

Summary: Fresno COG currently holds three meetings per month to process agenda items: the Transportation Technical Committee (TTC) on the first Wednesday at 8:30 AM; the Policy Advisory Committee (PAC) on the third Friday at 10:00 AM and the Policy Board on the last Thursday of the month at 5:30 PM. With the advent of improved video teleconferencing technologies and the COGs intent to integrate conservation methods into our processes, we are suggesting that we consider combining our monthly TTC and PAC meetings. This move would save time and money and result in

a more efficient COG process. City managers would still be welcomed to hold their PAC luncheons (or breakfasts) either before or after the joint TTC/PAC meeting. Suggested times are:

- The first Wednesday of the month at 8:30 AM
- The third Friday of the month at 8:30 AM
- The third Friday of the month at 10:00 AM

Action: Staff requests direction from PAC on scheduling joint TTC/PAC meetings.

K. 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.

IV. OTHER BUSINESS

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