



2035 Tulare Street, Suite 201
Fresno, California 93721

Telephone: (559) 233-4148 ♦ Fax: (559) 233-9645
Website Address: www.fresnocog.org

**COUNCIL OF FRESNO COUNTY GOVERNMENTS
AGENDA**

Date: Thursday, July 30, 2009
Time: 5:30 p.m.
Place: COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA

*****Hardcopies of Website Enclosures will be available to Committee Members at the meeting.*****

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. PRESENTATIONS			
A. Public Presentations	This portion of the meeting is reserved for persons wishing to address the COG on items within its jurisdiction but not on this agenda. Note: Prior to action by the COG on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to 3 minutes.		
B. Presentation – Ron Hughes – Valley Vanpool Project			
C. Presentation – Jane Fortune, Executive Director – Tree Fresno Collaboration			
Fresno COG Sitting As the Transportation Policy Committee			
II. TRANSPORTATION 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.	Adoption of updates and changes to the Fresno County Human Services Coordinated Transportation Plan – RESOLUTION 2009-29 [SOBRADO]	Yes	Approve
B.	Environmental Impact Report Consultant Contract for 2011 Regional Transportation Plan [THOMPSON]	No	Approve
C.	2009 FTIP Amendment Update [DEVERE-OKI]	Yes	Information
III. TRANSPORTATION ACTION / DISCUSSION ITEMS			
A.	Blueprint Progress Report [STECK]	Yes	Accept
B.	Blueprint Awards Program – Call for Projects [STECK]	Website/ Yes	Info/Discussion
C.	Measure “C” Regional Transportation Mitigation Fee (RTMF) Program Update [BOREN]	No	Info/Discussion
D.	Caltrans Monthly Report [Caltrans]	No	Info/Discussion

Fresno COG Sitting As the Council of Fresno County Governments Policy Board

IV. REAFFIRM ALL ACTIONS TAKEN WHILE SITTING AS THE TRANSPORTATION POLICY 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

V. ADMINISTRATIVE 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. COG Executive Minutes of June 25, 2009 | Yes | Approve |
| B. Letter of Support for Sierra Gateway Senior Residence in Fresno [BOREN] | Yes | Approve |
| C. Amend the Public Transportation Infrastructure Study (PTIS) Consultant Contract [DOWNS] | No | Approve |
| D. Monthly Legislative Update [FAWCETT] | Yes | Information |

VI. ADMINISTRATIVE ACTION / DISCUSSION ITEMS

- | | | |
|--|---------|-----------------|
| A. Strategy Research Institute, Inc. (Dr. Gary Manross) Contract Renewal [BOREN] | Yes | Approve |
| B. San Joaquin Valley Regional Policy Council member appointment for City Representative to replace Councilmember Aguayo [BOREN] | No | Appoint |
| C. Appointment of Representative to California Transportation Commission [BOREN] | No | Appoint |
| D. SB 716 Update [BOREN/BESHEARS] | Yes | Info/Direction |
| E. Status Report on Sacramento Lobbying Activities— Steve Samuelian, California Consulting LLC [SAMUELIAN] | Handout | Info/Discussion |

Fresno COG Sitting As the Council of Fresno County Governments

VII. CLOSED SESSION

- A. Public Employee Performance Evaluation – Executive Director
- B. Possible Conference with Labor Negotiator (Government Code Section 54957.6)
Agency Negotiator (Board Member, to be chosen by COG Policy Board);
Unrepresented Employee: Executive Director

VIII. OPEN SESSION

- A. Discussion & Approval of Executive Director Employment Contract

IX. 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**



2035 Tulare Street, Suite 201
Fresno, California 93721

Telephone: (559) 233-4148 ♦ Fax: (559) 233-9645
Website Address: www.fresnocog.org

COUNCIL OF FRESNO COUNTY GOVERNMENTS ANNOTATED AGENDA

Date: Thursday, July 30, 2009
Time: 5:30 p.m.
Place: COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA

*****Hardcopies of Website Enclosures will be available to Committee Members at the meeting.*****

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.

I. PRESENTATIONS

A. Public Presentations

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

B. Presentation – Ron Hughes – Valley Vanpool Project

C. Presentation – Jane Fortune, Executive Director – Tree Fresno Collaboration

Fresno COG Sitting As the Transportation Policy Committee

II. TRANSPORTATION 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. Adoption of updates and changes to the Fresno County Human Services Coordinated Transportation Plan – RESOLUTION 2009-29 [SOBRADO]

Summary: On June 10, 2009, Fresno COG released a draft copy of the updated Fresno County Human Services Coordinated Transportation Plan for 45-day public review and comment. Updates and changes were made at the request of stakeholders. The Fresno County Human Services Coordinated Transportation Plan was initially adopted on January 24, 2008.

Proposed changes to the plan include:

- Page 20: Priority 7: Improve coordination by expanding agency participation in the CTSA
- The CHSTP recommendation is that the CTSA, COG, and SSTAC contact local area transit providers and human-service agencies and invite them to participate in the training programs. It is further recommended to continually recruit and grow new SSTAC members who are involved in transit-related activities as well as provide transit services to new agencies.

Proposed additions to the plan include:

- Page 23: Priority 17: Provide for transportation where public transportation is not available. In many cases public transportation is not offered at a time or to a location that many low-income workers need transit service, such as second and third shift jobs, or to low-density and/or newly developed areas where traditional transit service has not been established, or is too unproductive to serve using conventional methods. In addition, staggered shift times and days, overtime requirements, and seasonal work often make carpool and vanpool programs impractical.

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

- It is recommended that the COG, SSTAC and transit operators explore programs to address service to low-income commuters who do not have access to fixed-route service at times or to locations for commute trips.
- Page 30: Social Services Transportation Providers; Assisted Living/Care Homes/Clinics/ Rehabilitation Centers
- *WestCare California* – WestCare provides a wide spectrum of health and human services in both residential and outpatient environments. Our services include substance abuse and addiction treatment, case management, transitional housing, vocational counseling and health education programs. These services are available to adults, children, adolescents, and families.

No comments were received during the 45-day public review and comment period. Please address questions and comments to Todd Sobrado at (559) 233-4148.

Action: Staff, TTC and PAC recommend acceptance of the updates and changes made to the Fresno County Human Services Coordinated Transportation Plan, by adoption of Resolution 2009-29.

B. Environmental Impact Report Consultant Contract for 2011 Regional Transportation Plan [THOMPSON]

Summary: VRPA Technologies, Inc. prepared the Environmental Impact Report (EIR) for the most recent Regional Transportation Plan (RTP), adopted May 31, 2007. Because of the recent completion and certification of that EIR, staff believes that a new EIR for the 2011 RTP is not required; rather, a “Subsequent” EIR would likely be the appropriate environmental document although a final determination will not be made until such time as the Notice of Preparation is developed later this month or early August. Other options include a “Supplemental” EIR and an “Addendum” EIR. A Subsequent EIR is prepared for projects that change substantially due to new information, a changed project description, or changed circumstances within which the project would take place. Generally, new information requiring a Subsequent EIR would pertain to significant effects that were not previously analyzed. A subsequent EIR must receive the same circulation and review as the previous EIR.

VRPA has also assisted in the past with the development of an analysis framework consisting of measurable criteria in order to establish project priorities within the RTP. Because of their familiarity with this process, staff recommends VRPA be retained to evaluate and prioritize projects in the 2011 RTP.

Action: Staff, TTC and PAC recommend authorization for the Executive Director to contract with VRPA Technologies, Inc. in an amount not to exceed \$55,000 to prepare the appropriate environmental document, likely a “Subsequent” Environmental Impact Report, for the 2011 RTP and to evaluate and prioritize RTP candidate projects.

C. 2009 FTIP Amendment Update [DEVERE-OKI]

Summary: Fresno COG has continued to approve Formal Amendments and Administrative Modifications related to project delivery in federal fiscal years 2008/09-2011/12. Below is information on current and ongoing Amendments and Administrative Modifications:

Status of Amendments and general information:

Amendment #9: Modified two American Recovery and Reinvestment Act (ARRA) transit projects, added two new Elderly and Disabled Specialized Transit Program (5310) projects, added one Prop 1B project transit project. – – Approved by Caltrans on June 17, 2009. Amendment is currently awaiting Federal Transit Administration approval.

Administrative Modification #10: Swapped State Transportation Improvement Program-Transportation Enhancement (TE) funds with ARRA TE funds on three projects, included miscellaneous project adjustments related to funding types/levels/agency information, addition of an information only project. – – Amendment was approved by Caltrans on June 19, 2009.

Amendment #11: Addition of two previously programmed projects, change out of one ARRA project, addition of a lump sum 130-Railroad Grade Crossing program, addition of new SHOPP Mandates/Collision Reduction projects. – – Currently available for public review and comment until July 13, 2009.

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

III. TRANSPORTATION ACTION / DISCUSSION ITEMS

A. Blueprint Progress Report [STECK]

Summary: On May 6th we released Fresno County's DRAFT Blueprint Progress Report for 45 day review. We extended the review period an additional month in order to provide a Spanish translation of the document. The Report is available on our website at www.fresnocog.org. The current version of the document reflects the April 1, 2009 actions of the San Joaquin Valley Regional Policy Council (two elected officials from each of the eight Valley counties). On that date, the Council reviewed the Valley COGs' collaborative work on the Blueprint and took the following actions:

- ✓ Adopted a list of Smart Growth Principles to be used as the basis of Blueprint planning in the San Joaquin Valley.
- ✓ Adopted Scenario B+ as the Preferred Blueprint Growth Scenario for the San Joaquin Valley to the year 2050. This preferred scenario will serve as guidance for the Valley's local jurisdictions with land use authority as they update their general plans.

Essentially, Scenario B+ includes the county level preferred scenarios submitted by each of the Valley COGs. The document will serve as guidance for future Blueprint efforts. While the Blueprint is a voluntary process, the anticipated positive outcomes of 'smart growth' make a compelling case for action.

Thus far we have received comments from the County Board of Supervisors and the Policy Advisory Committee. The enclosed memo summarizes the comments and the recommended edits have been made to the May 6th version of the Report.

Action: Staff, TTC and PAC recommend that the COG Policy Board accept the Blueprint Progress Report as edited.

B. Blueprint Awards Program – Call for Projects [STECK]

Summary: In an effort to highlight the Valley Blueprint and showcase existing "Blueprint-friendly" projects, the COGs have initiated an annual *San Joaquin Valley Blueprint Awards Program*. The purpose of the Awards Program is to encourage quality in planning and development and to increase the public's awareness of the SJV Blueprint planning process by recognizing outstanding achievements and practices. This awards program is intended to be the first of an ongoing event that will recognize and celebrate plans, policies, programs and projects that reflect the Blueprint Principles.

The program is sponsored by the San Joaquin Valley Regional Policy Council (representing the eight SJV COGs), the Central Section of Cal Chapter APA (American Planning Association), AIA (American Institute of Architects) San Joaquin Chapter and the Federal Reserve Bank of San Francisco.

Nominations are open to all jurisdictions within the eight San Joaquin Valley counties (Kern, Kings, Tulare, Fresno, Madera, Merced, Stanislaus, San Joaquin). The nomination package is available at www.valleyblueprint.org. Nominations must be received by August 21st. Awards will be presented by the Regional Policy Council at the Fall Policy Conference luncheon on October 2, 2009 in Fresno. For more information contact Barbara Steck at bjsteck@fresnocog.org

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

C. Measure "C" Regional Transportation Mitigation (RTMF) Fee Program Joint Powers Agency Update [Boren]

Summary: Over the last six weeks or so, Fresno COG staff and legal counsel have been working with your City Attorneys and County Counsel to develop a Joint Powers Agency Agreement to facilitate implementation of the Regional Transportation Mitigation Fee component of Measure "C". This agreement would allow the Mayors who serve on the COG Policy Board to also serve as the Governing Board of a Joint Powers Agency whose sole responsibility is to implement the Regional Transportation Mitigation Fee. Development of that agreement is now complete, with every City Attorney giving their pre-approval to the JPA Agreement as currently proposed. At this point in the process, Fresno COG will be scheduling a presentation before your City Council explaining the rationale and benefits behind formation of the JPA. Our consultant and I have developed a brief powerpoint presentation to explain the history and justification for why utilizing the JPA is the best approach for our member agencies.

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

D. Caltrans Monthly Report

Summary: Caltrans staff will provide an update on Caltrans activities

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

Fresno COG Sitting As the Council of Fresno County Governments Policy Board

IV. REAFFIRM ALL ACTIONS TAKEN WHILE SITTING AS THE TRANSPORTATION POLICY COMMITTEE

V. ADMINISTRATIVE 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. COG Executive Minutes of June 25, 2009

B. Letter of Support for Sierra Gateway Senior Residence in Fresno [BOREN]

Summary: A request has been received from Chris Hunt, Housing Manager of Sierra Gateway Senior Residence for a letter of support to be sent to the U. S. Department of Housing and Urban Development from the Fresno COG Board to support Southern California Presbyterian Homes application to develop more affordable housing for seniors in Fresno. A copy of the request is enclosed in the meeting package.

Action: Recommend staff send letter of support to the U. S. Department of Housing and Urban Development.

C. Amend the Public Transportation Infrastructure Study (PTIS) Consultant Contract [Downs]

Summary: Bus Rapid Transit (BRT) planning is underway as part of the existing scope of services contracted for the Public Transportation Infrastructure Study (PTIS). In order to more fully develop and refine the BRT corridor planning efforts to meet Federal Transportation Administration (FTA) requirements for a Very Small Starts grant, Fresno Area Express (FAX) wishes to increase the BRT planning scope of services by \$200,000. A budget amendment recognizing \$200,000 in 5307 FAX planning funds would be included in the Fresno COG's OWP.

A separate scope of service will be developed to accommodate the BRT work, and existing PTIS contract will be amended to reflect the \$200,000 increase.

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

D. Monthly Legislative Update [FAWCETT]

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, Laural Fawcett, if you have any questions.

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

VI. ADMINISTRATIVE ACTION / DISCUSSION ITEMS

A. Strategy Research Institute, Inc. (Dr. Gary Manross) Contract Renewal [BOREN]

Summary: Strategy Research Institute (SRI) provides a variety of services to Fresno COG, all of which are detailed in a memo included as an attachment within your Board packet. In general, over the past year SRI Inc. has been participating in a number of significant projects that COG is involved with, these include: Consensus building efforts related to the Measure "C" RTMF, Consensus building as it relates to the Transit Consolidation effort identified in Measure "C", relationship building between Native American tribes and

Fresno COG as required by environmental justice regulations, consensus building efforts related to adoption of the Farmland Model Conservation Program, and providing a human resource function for Fresno COG as it relates to developing evaluation criteria for personnel evaluation. Staff is also working with SRI on identifying ways that SRI can provide assistance in the areas of public affairs and public relations, as well as enhancing our lobbying efforts at both the state and federal levels. One additional benefit that goes with the COG monthly retainer fee of \$6,000 a month is that it allows the COG or member agencies to contract for additional SRI's services at a discounted price.

The Policy Advisory Committee voted their support (10 yes/1 abstention) for extending California Consulting Inc.'s contract based on the terms identified. At the June COG Policy Board meeting, the item was tabled at the request of Mayor Swearengin. The request was based on a desire to see a more detailed Scope of Work for SRI's services, and a set of work product deliverables. SRI has now revised the Work Program (attached) and the deliverable products associated with that plan.

Action: Staff and the Policy Advisory Committee recommend extending Strategy Research Institute Inc.'s contract for the period July 1, 2009 through June 30, 2010 in the amount of \$72,000.

B. San Joaquin Valley Regional Policy Council member appointment for City Representative to replace Councilmember Aguayo [BOREN]

Summary: Councilmember Rico Aguayo of Fowler and Fresno County Supervisor Judy Case have been serving as representatives for Fresno COG on the San Joaquin Valley Policy Council since its inception in 2006. The Policy Council is charged with identifying transportation issues and developing policies that impact all eight San Joaquin Valley counties. Some of the activities the SJV Policy Council are involved with include: Coordination with the California Partnership for the San Joaquin Valley; State Route 99 coordination; High Speed Rail Planning; Goods Movement planning; SB 375 coordination and a host of other issues that cross jurisdictional boundaries and impact the San Joaquin Valley.

In an effort to offer equal opportunity to all COG Policy board members, Councilmember Aguayo has requested that the Fresno COG Policy Board consider appointing another member to fill his position on the Policy Council. The length of term is open-ended.

Action: Consider appointing another COG Policy Board member to serve on the San Joaquin Valley Policy Council.

C. Appointment of Representative to California Transportation Commission [BOREN]

Summary: With the recent passing of Kirk Lindsey of Modesto, a vacancy now exists on the California Transportation Commission. For the last decade, Mr. Lindsey has done an outstanding job of representing the San Joaquin Valley on transportation issues before the Commission. In order for the San Joaquin Valley to continue to be effective in a statewide forum such as the California Transportation Commission, it is imperative that we identify strong candidates who will represent the views and values of the San Joaquin Valley as it pertains to matters of transportation. Appointments to the California Transportation Commission are made by the Governor.

Action: Identify and nominate a replacement for Commissioner Kirk Lindsey on the California Transportation Commission.

D. SB 716 (Wolk) Update and Reconsideration of Opposition [BOREN/BESHEARS]

Summary: Proposed SB 716 amends the Public Utilities Code to require counties to use more Local Transportation Funds (LTF) for transit at the expense of streets and roads. Last month the COG Policy Board took formal opposition to this legislation, and a letter was sent to Senator Wolk to that effect. Subsequently staff, accompanied by California Consulting, met with Senator Wolk and legislative aid Art Bauer where compromises to the proposed legislation were discussed. Following our efforts, San Joaquin COG held discussions with the Senator and secured additional considerations. A detailed analysis of the proposed changes is included in the Board package. The amendments under discussion stipulate that Non Urbanized areas (population less than 50,000) may continue to make claims for Article 8 Streets and Roads. Urbanized areas (population greater than 50,000) must use an increasing amount of available funds for transit on a sliding scale.

- 50,000 - 74,999 - Must use 33.3% for transit

- 75,000 - 100,000 - Must use 66.7% for transit
- 100,00 and greater - Must use 100% for transit

The changes will not go into effect until 2015. Since the City of Fresno uses all of their LTF for transit, they are not affected. The City of Clovis with a current population of 95,278 is affected, however, they are presently using more than 66.7% of their LTF for transit. The remaining rural cities and the county retain their ability to claim Article 8 Streets & Roads. However, there are two urban clusters in the county that may be affected by the change in the future. The Reedley/Dinuba urbanized cluster, combined population 46,960, is getting close to the threshold and it is possible they could pass the threshold by the next census. The Selma/Fowler/Kingsburg urban cluster, combined population 40,113, probably won't reach the threshold in the 2010 census but may reach it by the 2020 census.

Kern, Merced, and Tulare COGs are on record as opposing the proposed legislation. San Joaquin COG initially opposed the legislation, but relented upon getting a commitment from Wolk's staff to phase in the change on a sliding scale. Senator Wolk has requested that our opposition be reconsidered in light of the proposed amendments.

Action: The item is presented for Board discussion and action if appropriate.

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

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

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

VII. CLOSED SESSION

- A. Public Employee Performance Evaluation – Executive Director
- B. Possible Conference with Labor Negotiator (Government Code Section 54957.6)
Agency Negotiator (Board Member, to be chosen by COG Policy Board);
Unrepresented Employee: Executive Director

VIII. OPEN SESSION

- A. Discussion & Approval Executive Director Employment Contract

IX. 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**