



2035 Tulare Street, Suite 201
Fresno, California 93721

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Website Address: www.fresnocog.org

AGENDA

TRANSPORTATION TECHNICAL COMMITTEE

Date: Friday, November 6, 2009

NOTE TIME CHANGE: Time: 8:30 a.m.

POLICY ADVISORY COMMITTEE

Date: Friday, November 6, 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*
Transportation Technical Committee			
The Transportation Technical Committee (TTC) will consider Items I – IV prior to the Policy Advisory Committee (PAC) Meeting. This portion of the meeting is scheduled to begin at 8:30 a.m.			
I.	PUBLIC PRESENTATIONS		
This portion of the meeting is reserved for persons wishing to address the TTC on items within its jurisdiction but not on this agenda. Note: Prior to action by the TTC on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to 3 minutes.			
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.	TTC/PAC Executive Minutes of October 6, 2009	Yes	Approve
B.	2009-10 Transportation Funding Claims – [BESHEARS]	No	Info/Approve
C.	Cooperative Project Agreement with the Fresno County Transportation Authority (FCTA) for Golden State Corridor Economic Development Infrastructure Improvements – Resolution 2009-42 [DAWSON]	Handout	Approve
D.	Public Transportation to National Parks Study RFP [DOWNS]	website	Information
E.	Regional Transportation Plan (RTP) Candidate Projects [THOMPSON]	No	Information
F.	FCRTA Items [WEBSTER]		
	1. Termination of Juvenile Justice Campus Transit Demonstration Services on November 13, 2009	Yes	Approve
	2. Receipt of FCRTA's American Recovery and Investment Act (ARRA) Grant Contract	No	Information
	3. Progress Report of FCRTA's Attempts to Secure Compressed Natural Gas Slow-Fill Pumps for its Fleet Vehicles	Yes	Direction
III.	TRANSPORTATION ACTION / DISCUSSION ITEMS		
A.	Measure "C" Update: Amendment # 1 to Regional Transportation Plan – Short Term Regional Transportation Program –PUBLIC HEARING: November 19, 2009 [BESHEARS]	Yes	Approve
B.	Consultant Selection – Fresno County Heavy Maintenance Facility Planning Study [THOMPSON]	Handout	Approve
C.	2010 State Transportation Improvement Program Update	No	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

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|---------------------------|---|---------|-----------------|
| [BOREN/DEVERE-OKI] | | | |
| D. | Results of 2009 Regional Surface Transportation/Congestion Mitigation Air Quality Programs Scoring Process [DAWSON/DEVERE-OKI] | Handout | Approve |
| E. | Request to Review/Comment on Joint Powers Agreement – CalVANS, A Public Transit Agency [LAUCHNER] | Yes | Info/Discussion |
| F. | Launching of SB 375 Efforts in Fresno County [CAI] | No | Information |
| G. | Programming Delivery Update [BESHEARS/DEVERE-OKI] | Yes | Information |

IV. OTHER BUSINESS

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

JOINT Transportation Technical Committee / Policy Advisory Committee

The TTC and the PAC will meet as a joint Committee to consider scheduled public presentations brought before the Committees. This portion of the meeting is scheduled to begin at 10:00 a.m.

V. PRESENTATIONS

- A. **Presentation - Williamson Act repercussions, solar projects (will make presentation at COG Board on November 19th) – Carmine Iadarola**
- B. **Presentation by the San Joaquin Valley Air Pollution Control District – Tom Jordan**
- C. **Caltrans Monthly Report**

Policy Advisory Committee

The Policy Advisory Committee will consider all Transportation and Administrative Items on the Agenda

VI. 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.**

VII. TRANSPORTATION CONSENT ITEMS

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| A. | TTC/PAC Executive Minutes of October 6, 2009 | Yes | Approve |
| B. | 2009-10 Transportation Funding Claims – [BESHEARS] | No | Info/Approve |
| C. | Cooperative Project Agreement with the Fresno County Transportation Authority (FCTA) for Golden State Corridor Economic Development Infrastructure Improvements – Resolution 2009-42 [DAWSON] | Handout | Approve |
| D. | Public Transportation to National Parks Study RFP [DOWNS] | website | Information |
| E. | Regional Transportation Plan (RTP) Candidate Projects [THOMPSON] | No | Information |
| F. | FCRTA Items [WEBSTER] | | |
| | 1. Termination of Juvenile Justice Campus Transit Demonstration Services on November 13, 2009 | Yes | Approve |
| | 2. Receipt of FCRTA's American Recovery and Investment Act (ARRA) Grant Contract | No | Information |
| | 3. Progress Report of FCRTA's Attempts to Secure Compressed Natural Gas Slow-Fill Pumps for its Fleet Vehicles | Yes | Direction |

VIII. TRANSPORTATION ACTION / DISCUSSION ITEMS

- | | | |
|---|---------|-------------|
| A. Measure "C" Update: Amendment # 1 to Regional Transportation Plan – Short Term Regional Transportation Program – PUBLIC HEARING: November 19, 2009 [BESHEARS] | Yes | Approve |
| B. Consultant Selection – Fresno County Heavy Maintenance Facility Planning Study [THOMPSON] | Handout | Approve |
| C. 2010 State Transportation Improvement Program Update [BOREN/DEVERE-OKI] | No | Information |
| D. Results of 2009 Regional Surface Transportation/Congestion Mitigation Air Quality Programs Scoring Process [DAWSON/DEVERE-OKI] | Handout | Approve |
| E. Request to Review/Comment on Joint Powers Agreement – CalVANS, A Public Transit Agency [LAUCHNER] | Yes | Approve |
| F. Launching of SB 375 Efforts in Fresno County [CAI] | No | Information |
| G. Programming Delivery Update [BESHEARS/DEVERE-OKI] | Yes | Information |

IX. ADMINISTRATIVE CONSENT ITEMS

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- | | | |
|--|---------|-------------|
| A. 2009/10 Overall Work Program Amendment #3 [BESHEARS] | No | Authorize |
| B. FY 2007, 2008 and 2009 Triennial Performance Audit [BESHEARS] | No | Authorize |
| C. Declaration of Surplus Inventory [BESHEARS] | Yes | Authorize |
| D. Legislative Update [FAWCETT] | Yes | Information |
| E. Farmland Model Conservation Update [SOBRADO] | No | Information |
| F. Updated Model Water Ordinance adopted September 10, 2009 [FAWCETT] | No | Information |
| G. ARRA Update [DEVERE-OKI] | Handout | Information |
| H. SB 406 Update [FAWCETT] | No | Information |
| I. Regional Transportation Plan Candidate Projects [THOMPSON] | No | Information |
| J. Monthly Report – California Consulting LLC [BOREN] | Yes | Information |
| K. Monthly Report – Strategy Research Institute [BOREN] | Yes | Information |
| L. Regional Clearinghouse [SOBRADO] | Yes | Information |

Project	Applicant
1. One Time Program Improvement 2009 Head Start-Preschool and Early Head Start	Fresno County EOC

X. ADMINISTRATIVE ACTION / DISCUSSION ITEMS

- | | | |
|---|-----------------|-------------|
| A. One Voice Projects [STECK] | Yes/
handout | Approve |
| B. Abandoned Vehicle Abatement [THOMPSON] | | |
| 1. Abandoned Vehicle Abatement FY 2008-09 Fourth Quarter Status Report | Yes | Accept |
| 2. Abandoned Vehicle Abatement Fiscal Year 2008-09 Summary Report | Yes | Information |
| 3. Abandoned Vehicle Abatement Proposed Vehicle Purchase/Lease Policy | No | Approve |

XI. 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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A. TTC/PAC Executive Minutes of October 6, 2009

B. 2009-10 Transportation Funding Claims – [BESHEARS]

Summary: At the time of mailing of this meeting package, there were no transportation funding claims submitted.

Action: This is an information/action item. Direction may be given at the discretion of the Committee.

C. Cooperative Project Agreement with the Fresno County Transportation Authority (FCTA) for Golden State Corridor Economic Development Infrastructure Improvements – Resolution 2009-42 [DAWSON]

Summary: On October 16, 2009 Fresno COG released the RFP for the Golden State Corridor - Economic Development Infrastructure Improvements: Planning, Engineering, and Environmental Study. Funding for the Golden State Corridor improvements was approved in the Measure "C" Extension as a Short Term Rural Tier 1 project. In order to authorize Fresno COG to enter into a contract with the consultant, a Cooperative Project Agreement is required between Fresno COG and FCTA.

Action: Staff recommends entering into the Cooperative Project Agreement, by the approval of Resolution 2009-42.

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. Public Transportation to National Parks Study RFP [Downs]

Summary: Overall Work Program Element 116 describes a National Park Transit Study intended to provide resources to conduct a focused transportation study of the operational and infrastructure issues related to the provision of public transit service between Fresno and Yosemite and Sequoia/Kings Canyon National Parks. Staff has prepared and released a Request for Proposals (RFP) seeking a qualified consultant to conduct the study. The resulting consultant contract is not to exceed \$50,000.

Action: This is an information/discussion item. Direction may be given at the discretion of the Committee.

E. Regional Transportation Plan (RTP) Candidate Projects [THOMPSON]

Summary: The stated deadline for submittal of RTP Candidate Projects is November 19, 2009. Please make every effort to submit your projects by this date. Please contact COG staff persons Mike Bitner for capacity increasing projects, Lindsey Monge for non-capacity increasing projects, or Clark Thompson if you have questions or think you might be late.

The October 26 kick-off meeting of the 2011 RTP Community Forum was well-attended, useful information was exchanged and good questions asked. Our special thanks to those of you who participated and we look forward to your continued participation at subsequent meetings over the next six to nine months for the 2011 RTP and beyond as we transition seamlessly to activities related to the 2014 RTP.

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

F. FCRTA Items [JWEBSTER]

1. Termination of Juvenile Justice Campus Transit Demonstration Services on November 13, 2009.

Summary: Provided in your Package is an October 20th Memorandum. Please be advised that the Fresno County Rural Transit Agency (FCRTA) has been operating the Juvenile Justice Campus Transit Demonstration Services during the past four (4) months. Actual ridership and resultant farebox recovery has not met minimum performance standards, therefore the service is to be discontinued on Friday, November 13, 2009.

Action: The FCRTA General Manager recommends termination of Juvenile Justice Campus Transit Demonstration Services on November 13, 2009.

2. Receipt of FCRTA's American Recovery and Reinvestment Act (ARRA) Grant Contract

Summary: The FCRTA received a fully executed Contract for ARRA funds on October 22, 2009 from Caltrans Headquarters. The agreement is effective immediately and must be completed by June 30, 2011.

Action: The FCRTA General Manager wishes to express thanks to the staffs of Fresno COG, Caltrans District 06 and Headquarters for their assistance in making the receipt of this Grant possible.

3. Progress Report on FCRTA's Attempts to Secure Compressed Natural Gas Slow-Fill Pumps for its Fleet Vehicles.

Summary: Provided in the agenda package is an October 27th Memorandum regarding this matter.

Action: The General Manager seeks authority from the Board of Directors to take actions as appropriate, to secure the necessary equipment to facilitate the operation of our vehicle fleet, within the constraints of the adopted line-item budgets.

III. TRANSPORTATION ACTION / DISCUSSION ITEMS

A. Measure "C" Update: Amendment #1 to Regional Transportation Plan – Short Term Regional Transportation Program – PUBLIC HEARING – November 19, 2009 [BESHEARS]

Summary: The recommendation programs \$82.8 million in previously unprogrammed revenues to make schedule enhancements to develop shelf ready projects in anticipation of future federal or state revenues becoming available. The major schedule enhancements provide resources to design and acquire Right of Way for the SR 180/41/168 Braided Ramps, Veterans Blvd., and the next phase of SR 180 East from Academy Ave. to Trimmer Springs Road.

The recommendation also breaks the SR 180/41/168 Braided Ramps into two projects and nominates the first phase (north side of SR 180) as the next logical STIP project to fill the slot created when SR 180 East Temperance to Academy was funded with a combination of ARRA and funding from the previous Measure. Construction of the first phase is proposed for 2012/13 however, considering the current state of the STIP, this schedule is likely to be postponed.

The recommendation also includes a minor project advancement, Willow Ave. - Barstow Ave. to Escalon Ave. (\$1.7 million) and minor offsetting phasing adjustments on Ventura, Peach, and Willow Avenues, to provide a more orderly implementation. The cities of Clovis and Fresno concur with these minor adjustments.

The proposal also rolls the Short Range Plan out the next two years into the Medium term plan bringing projects in from 2014/15 and 2015/16. On the urban program this includes Phase II (south side of SR 180) construction of the SR 180/41/168 Braided Ramps, Herndon Ave. - Temperance Ave. to DeWolf Ave., and Herndon Ave. - Blythe Ave. to Valentine Ave. On the rural program it includes construction for Golden State Blvd. and the design for Phase III of SR 180 East from Trimmer Springs Road to Frankwood Ave.

During the Measure "C" sub committee and TTC/PAC discussions two alternative proposals were brought up. One was to take part of the available \$82.8 million and split it up among member agencies to offset some of the losses due to state budget cuts. This proposal was turned down by the Subcommittee. The other proposal was to set aside part of the \$82.8 million for a proposed High Speed Rail Heavy Duty Maintenance Yard Station in Fresno County. The proposal was thoroughly discussed and the consensus of the sub committee, TTC and PAC were to continue the discussion of funding for the High Speed Rail Maintenance Facility and a Heavy Duty Maintenance Yard under a separate topic and proceed with staff recommendation.

There was also discussion regarding the City of Fresno's request to the Fresno County Transportation Authority to consider bonding and equate the construction schedules of Veterans Blvd. and the SR 180/41/168 Braided Ramps. The Transportation Authority would like to see the Medium and Long Range plans financially constrained and formalized prior to making any decisions on Bonding. This proposal does not include bonding alternatives, nor does it formalize the Medium and Long Range Plans. However, it does provide the resources to bring both projects to a shelf ready state, and could be used as a financially constrained basis to begin exploring bonding alternatives should the Board so wish.

The mandatory 45 day review and comment period for the proposed amendment was initiated in October.

Action: Recommend approval of Amendment #1 to the Measure "C" Short Term Regional Transportation program.

B. Consultant Selection – Fresno County Heavy Maintenance Facility Planning Study [THOMPSON]

Summary: The Request for Proposals for the High-Speed Train Heavy Maintenance Facility Planning Study was issued October 1, 2009, with a deadline of October 30, 2009 for proposal submittal. A consultant selection committee was scheduled to meet on November 4 to review the proposals and determine which consultants to invite to make formal presentations to and be interviewed by the committee. Alternatively, the selection committee may also recommend a final selection without an interview.

There is a very short period of time in order to present a recommendation to the COG Policy Board at its meeting on November 19 (a week earlier than usual because of the Thanksgiving holiday). The COG Policy Board typically doesn't meet in December and getting their approval at their late January meeting might be too late to get useful information from the consultant for presentation to the High-Speed Rail Authority.

If the consultant selection committee is able to recommend the selection of a consultant to the Policy Board without an interview, there will be time to present its recommendation to the TTC/PAC joint meeting for its review and further recommendation to the Policy Board. However, if consultant interviews are required, there will not be time to present a recommendation to the TTC/PAC joint meeting prior to final selection by the Policy Board. In this case, staff will notify the TTC/PAC of the Policy Board decision at a subsequent meeting.

Action: Potential recommendation of a consultant for the Fresno County Heavy Maintenance Facility Planning Study.

C. 2010 State Transportation Improvement Program Update [BOREN/DEVERE-OKI]

Summary: On October 14, 2009 the California Transportation Commission (CTC) adopted the 2010 State Transportation Improvement Program (STIP) fund estimate for the State. This is a process that occurs every two years beginning with the adoption of the fund estimate and ending with a full STIP adoption in May. Historically, Fresno COG has used STIP funding to deliver and maintain projects on the State Highway system. This year, in light of the state budgeting situation, statewide priority of available state funds will be given "shelf ready" construction projects. As stated in the adopted state guidelines for this year, "development of the 2010 STIP will consist primarily of rescheduling projects carried forward from the 2008 STIP." At this point, the project that Fresno had programmed in the 2008 STIP, State Route 180 E-Temperance to Academy, has been delivered with stimulus funding; therefore we have no guarantee of a Fresno area project being included within the new STIP as the STIP will be project based and not regional capacity based. Between November 2009 and February 2009 Fresno COG staff will be working with Caltrans, our member agencies, and CTC staff to develop a prioritized ranking of existing projects for our 2010 Regional Transportation Improvement Program (RTIP) submittal that will feed into the STIP. Staff will provide a verbal update to TTC/PAC on the process for developing the submittal and additional statewide information related to the STIP and its funding.

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

D. Results of 2009 Regional Surface Transportation/Congestion Mitigation Air Quality Programs Scoring Process [DAWSON/DEVERE-OKI]

Summary: On September 24, 2009 the Fresno COG Policy Board issued a formal call for projects for: Congestion Mitigation and Air Quality (CMAQ) lifeline and regional bid projects and Regional Surface Transportation Program (RSTP) lifeline and regional bid projects. Project applications were due on October 23, 2009 with scoring committee meetings taking place on October 28, 2009 for RSTP and November 2-3, 2009 for CMAQ. Due to the condensed timeframe, the results of the scoring committee will be presented as a verbal update with a handout at the TTC/PAC meeting.

Action: Staff recommends approval of the scoring recommendations for the 2009 Call for Projects (RSTP and CMAQ) as made by the RSTP and CMAQ scoring committees.

E. Request to Review/Comment on Joint Powers Agreement – CalVANS, A Public Transit Agency [LAUCHNER]

Summary: Kings County APTA (KCAPTA) provides between 300 - 350 vanpools to those traveling a seven-county project area, including Fresno, Kern, Kings, Madera, Monterey, Tulare, and Ventura Counties. For future stability and to provide representation of all participants, KCAPTA is recommending that the present vanpool operation be transitioned to a new joint powers agency called CalVANS with representation from Councils of Governments (COGs) served by the program. Since COGs represent both counties and cities, it is suggested that a COG representative serve as a member

of the new joint powers agency. Any member agency may withdraw its membership from the agency by written notice 180 days before actual withdrawal.

The current vanpool program does not require outside funding for its operation; and it is not anticipated that any member agency would be obligated to provide funding to the new agency. This would not prevent any COG or agency, however, from providing support if it so chooses (i.e., the flexibility of a transportation commission, county, city, or transit operator to expend LTF for vanpool operating and capital improvements for agricultural worker transportation to and from work is greatly enhanced under SB716).

Ron Hughes, Executive Director of KCAPTA submitted, for your review, a staff report and a draft Joint Powers Agreement to establish the CalVANS agency. They are included in your packet. Mr. Hughes will make a presentation to the Committee regarding the proposal. Fresno COG staff will submit the draft JPA to legal counsel for their review/approval prior to bringing it back to the COG Policy Board for adoption.

Action: Review and comment on the draft CalVANS JPA concept and document.

F. Launching of SB 375 Efforts in Fresno County [CAI]

Summary: SB 375 is landmark legislation that addresses passenger vehicle-related greenhouse gas emissions reduction is through integrated land use and transportation planning.

The Regional Target Advisory Committee (RTAC) appointed by the Air Resources Board (ARB) under SB 375 has made final recommendations regarding the target-setting process for greenhouse gas emission reductions. The RTAC recommended that draft regional targets be developed by March 1, 2010; ARB staff will recommend draft statewide targets to its Board on June 30, 2010; and final targets will be set on September 30, 2010.

Fresno COG will be formally launching its SB 375 efforts with a kick-off meeting on November 12. A series of Task Force meetings will be held to develop scenarios and look at draft targets for the Fresno region.

SB 375 is intended to reduce greenhouse gas emissions through sustainable land use and transportation planning. General plans are the key to the implementation of SB 375. Member jurisdictions are encouraged to be actively involved in the process, and strive towards SB 375 compliance as a region.

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

G. Programming Delivery Update [BESHEARS/DEVERE-OKI]

Summary: Two types of federal transportation funding programs are available to Fresno COG's local agencies to spend on transportation projects. These are Regional Surface Transportation Program (RSTP) dollars and Congestion Mitigation and Air Quality dollars (CMAQ). In federal fiscal year (FFY) 2008/2009 the Fresno county region had an obligational authority target of \$17,473,421 in combined RSTP and CMAQ. This amount was a minimum delivery target calculated and set by the state. The Fresno County region was able to deliver \$23,612,858 worth of projects in 2008/2009. The region delivered 135.1% of the apportionment target, or \$6,139,437 in additional projects for the ninth highest delivery rate in the state. This additional funding came from two different sources, federal redistribution and the Fresno county region's future apportionment target. We were successful this year in that we were able to capture \$968,046 in federal redistribution. This is money that was not utilized by other areas in the country and has no repayment requirement; it is essentially bonus money to our region. The remaining \$5,171,391 will be subtracted from our future apportionment target, representing roughly the same amount subtracted in FFY 07/08.

Timely delivery of transportation projects benefits our region when dealing with the constraints of Assembly Bill 1012 (AB 1012) where apportionments not spent within three years of their issuance are lost to the region. Fresno COG has up to this point never lost any funding due to AB 1012 restrictions.

This year our apportionment balance, however, was subject to a rescission related to the expiration of the Federal Transportation Bill SAFETEA-LU. As part of this bill RSTP and CMAQ dollars were rescinded on a statewide basis. Staff continues follow Caltrans and FHWA discussions on this topic and will provide a verbal update to TTC/PAC.

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

JOINT Transportation Technical Committee / Policy Advisory Committee

The TTC and the PAC will meet as a joint Committee to consider scheduled public presentations brought before the Committees. This portion of the meeting is scheduled to begin at 10:00 a.m.

V. PRESENTATIONS

A. Presentation - Williamson Act repercussions, solar projects – Carmine Iadarola

Summary: At the request of Rocky Rogers, City Manager, Reedley, Mr. Iadarola will make a presentation to the Policy Board on November 19th.

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

B. Presentation by the San Joaquin Valley Air Pollution Control District– Tom Jordan

Summary: In response to a request from our member agencies, the San Joaquin Valley Air Pollution Control District will give an update on the District's approach to AB 32 and SB 375 and a description of any funding opportunities that might be available for local jurisdictions.

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

C. 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 Committees.

Policy Advisory Committee

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See Item II on Page 1 of this Annotated Agenda for summary of items.

VIII. TRANSPORTATION ACTION / DISCUSSION ITEMS

See Item III on Page 3 of this Annotated Agenda for summary of items.

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A. 2009/10 Overall Work Program Amendment #3 [BESHEARS]

Summary: WE 120 Urban Regional Transit Planning

In 2007 the Council of Fresno County Governments did a Regional Transit District Formation study to explore the feasibility of consolidating transit operations into a regional agency. Staff is now programming \$100,000 in Federal Transit Administration 5303 Planning funds to determine if there is regional consensus on the issue, calculate the effect on present and future funding mechanisms, and explore legal complications to forming a Joint Powers Agency to transfer ownership and assume transit operations for the current three public transit operators and the social services consolidated transportation planning agency.

Action: Authorize OWP Amendment #3 increase the budget \$100,000 for a Transit Consolidation Study

B. FY 2007, 2008 and 2009 Triennial Performance Audit [BESHEARS]

Summary: PUC Section 99246 stipulates that the Council of Fresno County Governments will do a Triennial Performance audit on themselves and the transit operators that Local Transportation Funds are allocated to. The audit will cover the fiscal years 2007, 2008, 2009 for Fresno Area Express, Fresno County Rural Transit Agency, Clovis Public Transit, and Fresno County Economic Opportunities Commission Urban and Rural Consolidated Transportation Services Agency. \$40,000 is budgeted. The RFP was sent out in September. Responses are due back on November 6, and a selection committee consisting of the Transit Operators will convene on November 10 to select the successful proposal and recommend to the Board on November 19.

Action: Authorize the Selection Committee to choose and recommend the successful proposal to the Board to perform this year's audit.

C. Declaration of Surplus Inventory [BESHEARS]

Summary: The Council of Fresno County Governments has several pieces of used office furniture and computer equipment and would like to declare these surplus items for sale. As per Fresno COG policy, surplus items would be sold first to our members and if not purchased by member agencies, surplus property that is still useable would be made available to the general public with a public notice stating availability of the surplus property. The surplus inventory has a set minimum price and would be sold for the highest bid beyond the minimum price.

If approved by the COG Policy Board at the November 19th meeting, sealed bids will be accepted at the COG office on or before December 15, 2009 at 5:00pm. A complete list of the inventory will be available for review and anyone interested in seeing the inventory can call Mary Lopez at 233-4148 to set up an appointment after the November 19th meeting.

Action: Authorize staff to dispose of surplus property per Fresno COG's surplus property policy.

D. Legislative Update [FAWCETT]

Summary: A report is included 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.

E. Farmland Model Conservation Update [SOBRADO]

Summary: Agricultural Stakeholder interviews are underway by Dr. Gary Manross. So far, he has interviewed between 10 and 15 stakeholders with more interviews pending and scheduled in the weeks ahead. At the current time, it is not possible to determine how long it will take to complete the process, but the process is moving along as fast as possible. Please contact Todd Sobrado at Fresno COG with questions or requests for additional information.

Action: This is an informational item. Direction may be provided at the discretion of the Committee.

F. Updated Model Water Ordinance adopted September 10, 2009 [FAWCETT]

Summary: The California Department of Water Resources has recently adopted the updated Model Water Efficient Landscape Ordinance. The ordinance became effective on September 10, 2009. DWR is partnering with the California Urban Water Conservation Council and various organizations throughout the state to conduct a series of workshops. The workshops will assist local governments and urban water suppliers in adopting and implementing the Model Ordinance, or a local ordinance that is at least as effective as the Model Ordinance. The law requires cities and counties, including charter cities and charter counties, to adopt landscape water conservation ordinances by January 1, 2010.

These workshops are designed to provide guidance and information on the following:

- The content of the Model Ordinance
- Cities and counties roles and responsibilities
- Assistance available to local governments
- Water purveyors' roles
- Experiences of local governments and water purveyors
- Benefits of adopting and implementing an ordinance

There is no charge to attend the workshops, although reservations are required.

For more details, please visit the DWR website at

<http://www.water.ca.gov/wateruseefficiency/landscapeordinance/>

Staff Member Laural Fawcett will be participating in a webinar being held on Tuesday, November 3rd from 8:00 am to 12 noon.

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

G. ARRA Update [DEVERE-OKI]

Summary: On August 12, 2009 Caltrans issued final guidance on how the state will insure that 100% of the available California ARRA funds will be obligated by March 2, 2010. The guidelines set up several different milestones which allow the state time to both process paperwork and redistribute available funds within the state. Fresno COG in turn adopted a Fresno ARRA redistribution policy at the September Policy Board meeting providing criteria and timelines defining how the Fresno region will meet the Caltrans milestones and obligate all available ARRA funds within the region. As part of this exercise, Fresno COG was required to submit an Obligation Plan to Caltrans Local Assistance on November 1, 2009; demonstrating our region's ability to obligate any remaining ARRA funding by January 1. Included as an attachment is the Obligation Plan that was submitted to Caltrans. Projects contained on this list represent projects with funds that are scheduled to be submitted to Caltrans Local Assistance in final form by December 15 and supplemental projects that are ready to obligate should

internal Fresno COG or Statewide redistribution occur. Supplemental projects that have been included must meet the eligibility criteria defined in the September 2009 Fresno COG ARRA Implementation and Redistribution Policies before receiving funds.

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

H. SB 406 Update [FAWCETT]

Summary: SB 406 (DeSaulnier) Land Use: Environmental Quality

SB 406 authorizes an additional fee of \$1 or \$2 on vehicle registration through an existing fee mechanism to be used for planning purposes related to SB 375 (Steinberg), Chapter 728, Statutes of 2008, and proposes new duties, membership, and funding for the Strategic Growth Council and the planning Advisory and Assistance Council. Its purpose is to provide a permanent and necessary funding source for the regional and local planning required to successfully implement SB 375 through DMV fees. Based on 2008 vehicle registration in Fresno County, an estimated \$623,032 could be raised in a one year period based on a \$1 fee collected, or \$1,246,064 based on a \$2 per vehicle fee.

On October 11, 2009, SB 406 was vetoed by Governor Schwarzenegger. His position on the bill is reflected below:

To the Members of the California State Senate:

I am returning Senate Bill 406 without my signature. Reducing greenhouse gas emissions is of utmost priority in my administration and is essential for achieving California's climate change goals. However, this bill would authorize a municipal planning organization, a council of governments, or a county transportation commission and a sub-regional council of governments, by resolution, to impose a new fee on motor vehicles registered in their jurisdiction. As I have said in prior veto messages, such an increase should be subject to voter approval. For this reason, I am unable to sign this bill.

*Sincerely,
Arnold Schwarzenegger*

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

I. Regional Transportation Plan (RTP) Candidate Projects [THOMPSON]

Summary: Staff will provide a verbal report on these projects.

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

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

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

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

K. Monthly Report – Gary Manross [BOREN]

Summary: Gary Manross, Strategy Research Institute, will provide a written status report on activities for the month.

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

L. Regional Clearinghouse [SOBRADO]

Project	Applicant
1. <i>One Time Program Improvement 2009 Head Start-Preschool and Early Head Start</i>	Fresno County EOC

Summary: Your agenda package includes this month's Clearinghouse Calendar containing "Project Notification and Review Reports" for grant proposal.

1. Fresno County Economic Opportunities Commission – Head Start-Preschool and Early Head Start 2010 Refunding Application.

\$29,592,358 – Federal, \$7,398,090 – Applicant: \$36,990,448 - Total

Action: Per Board procedure, unless an item is pulled from the Consent Calendar, tacit authorization is given for staff to forward any comment(s) received, or any Committee/Board comment(s) generated as a result of this informational item, to the appropriate agency. It is understood that if in the event this item should be pulled from the consent calendar, discussion and comment by the Committee members and the public will be taken.

X. ADMINISTRATIVE ACTION / DISCUSSION ITEMS

A. One Voice Projects [STECK]

Summary: Staff has been working with the project selection committee in preparation for Fresno COG's eighth "One Voice" trip to Washington D.C. (February 6-11, 2010). The committee met to review and score the 12 projects that were submitted for consideration. A list of the projects and project scores is included in your agenda package. The committee met a second time to review the scores and develop a recommended list of projects to forward to the COG Policy Board for approval. The selection committee is recommending the 7 highest scoring projects be considered as the "Regional Priority Projects" for the 2010 One Voice list. Those projects are:

1. Never Give Up Gang Prevention Initiative (#1 Social Issue)
2. Golden State Corridor (#1 Transportation Issue)
3. Regional Data Center
4. Veterans Blvd.
5. Recycled Water System
6. Forensic Equipment for Regional Forensic Facility
7. Fresno High Speed Rail System

The committee also discussed regional policy issues that might be considered for inclusion in our "One Voice" materials. The list is being refined and will be distributed at the PAC meeting. In addition, we will be developing a strategy to make requests for the reauthorization of the federal transportation bill, which is being considered by the Congress and the Administration. An update on these activities will be provided at the Policy Board meeting.

Action: Staff recommends consideration and approval of the "One Voice" selection committee's list of regional priority projects and the list of regional policy issues to forward to the COG Policy Board for action on November 19th.

B. Abandoned Vehicle Abatement [THOMPSON]

1. Abandoned Vehicle Abatement FY 2008-09 Fourth Quarter Status Report

Summary: As stated in the 2003 Fresno County Abandoned Vehicle Abatement Service Authority Plan, the Fresno COG, as administrator of the AVA Program, shall submit a quarterly status report to the Fresno County Abandoned Vehicle Abatement Service Authority. The Service Authority has directed the quarterly status report first be presented to the Policy Advisory Committee for review and

recommendation. Status reports are submitted quarterly to ensure proper distribution of funding to the member agencies. This status report contains the following information:

- The gross amount of money received by the Authority from the Abandoned Vehicle Trust Fund during the quarter.
- An itemized statement of the Abandoned Vehicle Trust Fund monies expended by the Authority during the quarter.
- An accounting of money expended for major purchases, if any.
- An accounting of unexpended revenues from the Abandoned Vehicle Trust Fund.
- An accounting of the total number of vehicles and parts thereof abated by the Authority during the quarter.

The enclosure for this item indicates the level of activity and distribution of funding to the member agencies. For the fourth quarter of FY 2008-09, a total of \$179,098.43 in current AVA revenues was received and available for distribution to member agencies and to the Fresno COG for program administration. During the quarter, member agencies expended \$128,351.17 conducting AVA activities and the Fresno COG claimed \$2,375.00 for program administration (total expenses = \$130,726.17). Revenues exceeded expenses during the quarter by \$48,372.26, thereby increasing the program's accumulated surplus (this issue will be more fully addressed in the following two AVA agenda items). A total of 723 vehicles were abated this quarter, compared to 1,156 vehicles abated during the same quarter of the previous fiscal year. This decrease is mostly attributable to shifting local priorities during the quarter and local agency staffing issues.

Action: Staff recommends acceptance of the Abandoned Vehicle Abatement FY 2008-09 Fourth Quarter Status Report as presented.

2. Abandoned Vehicle Abatement Fiscal Year 2008-09 Summary Report

Summary: For the entire FY 2008-09, \$713,564.84 in revenue was received by the AVA Service Authority. Total expenditures were \$639,072.92, resulting in a \$74,491.92 carryover of funds for the fiscal year. The total carryover of funds from the first five years of the program has now reached \$248,507.78 or approximately 7.7 percent of the \$3,241,135.65 total revenues.

Program staff is naturally concerned about this large and, recently, growing amount of carryover funds. There are still jurisdictions that participate marginally or not at all in the program and this may continue given the staffing challenges and competing priorities at the local level.

However, to keep this issue in perspective, the Vehicle Code states that unexpended revenues may be carried forward by the Service Authority for the AVA program in the following fiscal year. The State Controller's Office (SCO) can suspend allocations for a fiscal year when the SCO determines that a Service Authority has excess revenue fees, generally understood to mean an amount of carryover funds that exceeds annual program revenues, which in our case, as noted above, was over \$713,000 last fiscal year. It is most unlikely our program will bump up against these limits during the 10-year life (five years remaining) of the program in Fresno County.

Nevertheless, COG and local agency staff have focused on this issue at AVA Working Group meetings and are proposing a vehicle purchase/lease policy that is discussed in the next AVA agenda item. In addition, staff will continue to work with agencies not currently participating in the program to encourage their participation and to provide assistance. A recent positive development is the City of Mendota began abating vehicles in its jurisdiction and has submitted a claim for reimbursement of expenses.

The total number of vehicles abated in FY 2008-09 was 3,588, or 854 vehicles fewer than the previous fiscal year, and the average cost per abatement was \$178.11, or \$19.67 more than the previous fiscal year. [THOMPSON]

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

3. Abandoned Vehicle Abatement Proposed Vehicle Purchase/Lease Policy

Summary: Individuals responsible for implementation of the Abandoned Vehicle Abatement Program within the unincorporated areas of Fresno County have requested clarification regarding the use of AVA revenues for vehicle purchase or lease. The Fresno County program is the only program of all Fresno County jurisdictions to have vehicles dedicated exclusively to the AVA program. The County's two vehicles are in need of replacement because of their high mileage and their use in often mountainous and other difficult terrain.

California Vehicle Code Section 22710 says that money received by a service authority shall only be used for the abatement, removal, or the disposal as a public nuisance of any abandoned, wrecked, dismantled, or inoperative vehicle or part of the vehicle from private or public property. Therefore, staff proposes the following policy for use of AVA funds for vehicle purchase or lease.

Local agencies may use AVA revenues for vehicle purchase or lease to the extent the vehicle is utilized for AVA activities and to the extent the agency has current revenues and unexpended revenues allocated. The local agency must receive prior authorization from the Fresno County AVA Service Authority if the amount of the purchase or lease exceeds \$2,500.00 and must provide a written statement to the Service Authority indicating the extent to which the vehicle will be utilized for AVA activities.

Action: Staff recommends approval of the proposed vehicle purchase/lease policy.

XI. 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