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Executive Minutes

Council of Fresno County Governments Policy Board

DATE: Thursday, November 19, 2009

TIME: 5:30 pm

Place: COG Sequoia Conference Room
2035 Tulare St., Suite 201, Fresno, CA

Members Present: Mayor Trinidad M. Rodriguez, City of Kerman, Chair
Mayor Dennis Lujan, City of Selma, Vice Chair
Mayor Pro Tem Jose Flores, City of Clovis
Mayor Marcia Sablan, City of Firebaugh
Councilmember Rico Aguayo, City of Fowler
Councilmember Blong Xiong, City of Fresno
Mayor Ramon Dominguez, City of Huron
Mayor Bruce Blayney, City of Kingsburg
Mayor Robert Silva, City of Mendota
Mayor Victor Lopez, City of Orange Cove
Mayor Armando Lopez, City of Parlier
Mayor Mary Fast, City of Reedley
Supervisor Susan Anderson, County of Fresno

Sharri Bender-Ehlert, Caltrans
Janelle Kelley, Legal Counsel
Tony Boren, Executive Director

QUORUM: At the start of the meeting there were 10 members present representing 90.56% of the population and there was a quorum. (Clovis, Fowler, Fresno, Kerman, Kingsburg, Mendota, Orange Cove, Parlier, Selma, Fresno County)

The meeting was called to order by Mayor Trinidad Rodriguez, Chair, at 5:33 p.m.

I. PUBLIC PRESENTATIONS

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

II. PRESENTATIONS

- A. Presentation - Williamson Act Repercussions, Solar Projects – Carmine Iadarola –** Mr. Iadarola cancelled his presentation. May be brought back at a later date.
- B. Update on Progress of Advanced Transit Systems – Dennis Manning – power point presentation and handout.** Mr. Manning gave a brief powerpoint presentation and handed out information regarding Personal Rapid Transit projects around the world. The handout is available on our website at www.fresnocog.org.

QUORUM: 5:36 pm Mayor Fast, Reedley arrived – quorum of 11 members and 93.29% of the population.

Fresno COG Sitting As the Transportation Policy Committee

III. TRANSPORTATION CONSENT ITEMS

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

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. 2009-10 Transportation Funding Claims – [BESHEARS] | Info/Approve |
| B. Cooperative Project Agreement with the Fresno County Transportation Authority (FCTA) for Golden State Corridor Economic Development Infrastructure Improvements – Resolution 2009-42 [DAWSON] | Approve |
| C. Public Transportation to National Parks Study RFP [DOWNS] | Information |
| D. Regional Transportation Plan (RTP) Candidate Projects [THOMPSON] | Information |

For a summary of these items, please see the November 19, 2009 Annotated Agenda.

A motion was made by Mayor Fast (Reedley) and seconded by Mayor Pro Tem Flores (Clovis) to approve the Transportation Consent Items as submitted. A vote was called for and the motion carried.

IV. TRANSPORTATION ACTION / DISCUSSION ITEMS

QUORUM: 5:40 pm Mayor Dominguez, Huron arrived – quorum of 12 members and 94.12% of the population.

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

Les Beshears (Fresno COG) informed the Board that 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” subcommittee 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 subcommittee, 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. Public Hearing will take place during the November 19th Fresno COG Policy Board meeting.

Mayor Rodriguez opened the public hearing. There being no comments, Mayor Rodriguez closed the public hearing.

A motion was made by Mayor Lopez (Parlier) and seconded by Councilmember Aguayo (Fowler) to approve Amendment #1 to the Measure "C" Short Term Regional Transportation program.

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

Clark Thompson (Fresno COG) reported that the Request for Proposals (RFP) for the High-Speed Train Heavy Maintenance Facility Planning Study was issued October 1, 2009, with a deadline of October 30, 2009 to submit proposals. The RFP was subsequently revised on November 6 with a deadline of November 9 to submit revised proposals. A revised RFP became necessary to reflect changing priorities in response to the very aggressive January 15, 2010 deadline established by the California High-Speed Rail Authority for submittal of Expressions of Interest for the Heavy Maintenance Facility. A Consultant Selection Committee met on November 4 and again on November 9 to review the proposals. On the Committee were representatives of the City of Fresno, County of Fresno, Fresno COG, California Public Utilities Commission, and the Economic Development Corporation.

The Consultant Selection Committee recommends the selection of the consultant team comprised of HOK, Darden Architects, and Quad Knopf for the Fresno County Heavy Maintenance Facility Planning Study. Because the Committee had not arrived at a recommendation in time for the joint TTC/PAC meeting held on November 6, the TTC/PAC authorized the Committee to choose and recommend the successful proposal to the Board. This action was made necessary due to the scheduling of the COG Policy Board on November 19 (a week earlier than usual because of the Thanksgiving holiday) and because the Policy Board typically does not meet in December. Policy Board approval at its late January meeting would be too late to obtain useful information from the consultant for inclusion in the Expression of Interest submitted to the High-Speed Rail Authority.

1st Action: The Consultant Selection Committee recommended the selection of the consultant team comprised of HOK, Darden Architects, and Quad Knopf for the Fresno County Heavy Maintenance Facility Planning Study.

A motion was made by Supervisor Anderson (County) and seconded by Councilmember Xiong (Fresno) to authorize the Executive Director to enter into a contract with HOK, Darden Architects and Quad Knopf in an amount not to exceed \$100,000. A vote was called for and the motion carried.

Follow-up to Request by Policy Board to Explore Funding Options for the High Speed Rail Maintenance Yard [BOREN]

Tony Boren, Executive Director updated the Board on this item. Pursuant to a request by the Policy Board at last month's meeting, COG staff has developed an inventory (Exhibit 5-1-included in the meeting package) of the various federal, state and local funding programs that COG administers, in an effort to determine what potential funding sources might be utilized to help secure and develop a site for the High Speed Rail Maintenance Yard in Fresno County. Exhibit 5-1 identifies over forty different federal, State and local transportation funding sources; however, in general, the vast majority of those funds are modal specific and have restricted uses. After reviewing the inventory of funding sources, COG staff has identified seven funding programs that are potentially flexible enough to be used on the Maintenance Yard endeavor. Those seven programs are explained in greater detail in the attached Exhibit A. Unfortunately six of the seven funding programs have pre-existing funding commitments that would be prohibitively harmful to our member agencies ability to deliver programmed transportation projects if they were redirected. Having said that, Measure "C" contains two funding programs, New Technology and Rail Consolidation that are building up revenues for

future uses, and therefore could potentially be used on the Maintenance Yard, if there was regional consensus that a redirection of those funds was warranted. In order to accomplish this task, an amendment to the Measure "C" Expenditure Plan would be required. The amendment process is a two step process that requires public noticing and formal public hearings on the Plan Amendment by both the Fresno COG Policy Board and the Fresno County Transportation Authority.

Mr. Boren went on to explain that this item was taken to the Measure "C" Citizen Oversight Committee on November 12th and the Committee recommended that the process be moved forward. Mr. Boren also stated that the action tonight cannot start the amendment, but only to allow staff to move forward with the process, should it be needed.

Mayor Lujan (Selma) questioned whether there could be language added that would reimburse the programs that the funds were redirected from.

2nd Action: A motion was made by Supervisor Anderson (County) and seconded by Councilmember Xiong (Fresno) to grant staff the ability to begin the Measure "C" Plan Amendment process, once details of the amendment request (i.e. funding amount requested, specific purposes of the funding, etc.) have been worked out and finalized by the High Speed Rail Strategy Committee being led by the County of Fresno in conjunction with the City of Fresno, Fresno County Economic Development Corporation and the Fresno Chamber of Commerce. A vote was called for and the motion carried.

QUORUM: 6:06 pm Mayor Sablan, Firebaugh arrived – quorum of 13 members and 94.84% of the population.

C. Results of 2009 Regional Surface Transportation/Congestion Mitigation Air Quality Programs Scoring Process [DAWSON/CAI]

Lauren Dawson and Kristine Cai (Fresno COG) reported that 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. Each presented the listing of projects that were recommended for approval. The lists are available on our website at www.fresnocog.org.

Ms. Dawson was asked to follow up with the City of Selma to find out why they did not submit projects.

A motion was made by Councilmember Aguayo (Fowler) and seconded by Supervisor Anderson (County) to approve the scoring recommendations for the 2009 Call for Projects (RSTP and CMAQ) as made by the RSTP and CMAQ scoring committees. A vote was called for and the motion carried.

D. 2010 State Transportation Improvement Program Update [BOREN/BESHEARS]

Mr. Boren reported that 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 2010 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 FSTIP. Staff will provide a verbal update to the Policy Board on the process for developing the submittal and additional statewide information related to the STIP and its funding.

This was an information item and required no further action by the Policy Board.

E. Request to Review/Comment on Joint Powers Agreement – CalVANS, A Public Transit Agency [LAUCHNER] ITEM E. WAS PULLED FROM THE AGENDA – MAY BE BROUGHT BACK AT A LATER DATE.

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

Ms. Cai (Fresno COG) explained that 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 formally launched 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.

This was an information item and required no further action by the Policy Board.

G. Programming Delivery Update [BESHEARS]

Les Beshears (Fresno COG) gave a brief update. 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.

This was an information/discussion item and required no further action by the Policy Board.

H. Caltrans Monthly Report

Sharri Bender-Ehlert (Caltrans) provided an update on Caltrans activities. Ms. Ehlert stated that Malcolm Dougherty is on special assignment and the Brian Everson is Acting District Director. Mr. Ehlert invited everyone to attend the Highway 180E Ribbon Cutting/Ground Breaking Ceremony on December 3rd at 10 am. Ms. Ehlert also gave an update on other projects in the area.

This was an information/discussion item and required no further action by the Policy Board.

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

A motion was made by Mayor Lopez (Parlier) and seconded by Mayor Fast (Reedley) to reaffirm all action taken while sitting as the Transportation Policy Committee. A vote was called for and the motion carried.

VI. 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.

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|---|-------------|
| A. Executive Minutes October 29, 2009 | Approve |
| B. 2009/10 Overall Work Program Amendment #3 [BESHEARS] | Authorize |
| C. FY 2007, 2008 and 2009 Triennial Performance Audit [BESHEARS] | Authorize |
| D. Declaration of Surplus Inventory [BESHEARS] | Authorize |
| E. Legislative Update [FAWCETT] | Information |
| F. Farmland Model Conservation Update [SOBRADO] | Information |
| G. Regional Transportation Plan Candidate Projects [THOMPSON] | Information |
| H. Monthly Report – Strategy Research Institute [BOREN] | Information |
| I. Regional Clearinghouse [SOBRADO] | Information |

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

For a summary of these items, please see the November 19, 2009 Annotated Agenda.

A motion was made by Mayor Lopez (Orange Cove) and seconded by Supervisor Anderson (County) to approve the Administrative Consent items as presented. A vote was called for and the motion carried.

VII. ADMINISTRATIVE ACTION / DISCUSSION ITEMS

Quorum – City of Fresno left at 6:25 pm making 12 members and 42.21% of the population.

A. One Voice Projects [STECK]

Barbara Steck (Fresno COG) reported that 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:

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

The committee also discussed regional policy issues that might be considered for inclusion in the "One Voice" materials. A list of these issues, along with brief white papers, was included in the package. In addition, staff 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.

A motion was made by Councilmember Aguayo (Fowler) and seconded by Supervisor Anderson (County) to approve the "One Voice" selection committee's list of regional priority projects and the list of regional policy issues. A vote was called for and the motion carried.

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

Ms. Steck gave a brief update on this item.

AB 1881 - Local Agencies

Local agencies - all cities and counties, including charter cities and counties, are required to adopt and implement a water efficient landscape ordinance.

In the previous ordinance (1992) charter cities and counties were not included.

By January 1, 2010 local agencies must:

1. Adopt the updated Model Ordinance (MO), or...
2. Adopt a different ordinance that is **at least as effective** in conserving water as the updated MO, or...*If a local agency takes no action, the updated MO will go into effect as if it were adopted and shall have the same force and effect as if adopted by the local agency.*

For additional information please contact:

Water Use and Efficiency Branch

Department of Water Resources

P.O. Box 942836

Sacramento, CA 94236-0001

1-877-693-5610

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DWR has been crafting and updating the California Water Plan for 50 years. For more information visit: http://www.waterplan.water.ca.gov/docs/cwpu2009/1009prf/highlights_pre-final_draft_spread2-101609.pdf

There was a brief discussion regarding actions that some of the cities have taken in regard to this item.

This was an information/discussion item and required no further action by the Policy Board.

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

Steve Samuelian of California Consulting Inc. was not available to attend the meeting. A report was distributed showing his consulting activities for the COG during the month.

This was an information item only and required no further action by the Policy Board.

A. Abandoned Vehicle Abatement [THOMPSON]

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

Clark Thompson (Fresno COG) reported on this item. 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.

A motion was made by Mayor Lujan (Selma) and seconded by Councilmember Aguayo (Fowler) to accept the Abandoned Vehicle Abatement FY 2008-09 Fourth Quarter Status Report as presented. A vote was called for and the motion carried.

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

Mr. Thompson went on to report that 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.

Mr. Thompson stated that 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.

A brief discussion followed and a question was raised about the possibility of hiring someone to go out and implement the program. Staff will look into the matter and report back to the Policy Board.

This was an information item and required no further action by the Policy Board.

3. Abandoned Vehicle Abatement Proposed Vehicle Purchase/Lease Policy

Mr. Thompson also reported that 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.

There was considerable discussion of this proposed policy at the PAC meeting, including an extension of the proposed policy to include the prorated operational cost of vehicles utilized for AVA activities. Staff will coordinate with local AVA programs through the AVA Working Group in order to develop standards whereby the prorated operational cost of vehicles can be determined.

After a brief discussion, a motion was made by Mayor Lujan (Selma) and seconded by Mayor Silva (Mendota) to approve the proposed vehicle purchase/lease/prorated operational cost policy. A vote was called for and the motion carried.

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

IX. OTHER BUSINESS

A. Items from Staff

2010 Meeting Calendar. The 2010 meeting calendar for various Fresno COG committees was distributed.

Mr. Boren announced that there will be no December meetings of the Transportation Technical Committee, Policy Advisory Committee or Fresno COG Policy Board. The next Policy Board meeting will be held on January 28, 2010 at 5:30 pm.

Mr. Boren announced that there will be a Roundtable Meeting with CTC Commissioner, Darius Assemi and Caltrans Director, Randy Iwasaki on December 1 at 11:30 am. in the Fresno COG Sequoia Room. Please contact California Consulting if you would like to attend.

B. Items from Members

Mayor Lopez (Orange Cove) expressed his gratitude for all the work that has been done on the water issue.

There being no further business, the meeting was adjourned.

Respectfully submitted,



Tony Boren, Executive Director

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

Attachment A
Observers and Non-Members
COG Board Meeting
November 19, 2009

Bruce Rudd, City of Fresno
Marty Dietz, Darden Architects
Lydia Zabrycki, Quad Knopf
Lynn Gorman, Fresno County
Dennis Manning, FARRC
Todd Yu, Public
Roy Rodriguez, City of Orange Cove
Rebecca Hellwig, Lars Andersen & Assoc.
J P Sweeney, CTDC
Jeff Roberts, Granville Homes
Paul Dictos, CPA
Jeffrey Webster, Fresno Co. Rural Transit Agency
Mike Bitner, Fresno COG
Barbara Steck, Fresno COG
Les Beshears, Fresno COG
Lauren Dawson, Fresno COG
Kristine Cai, Fresno COG
Clark Thompson, Fresno COG
Todd Sobrado, Fresno COG
Suzanne Martinez, Fresno COG
Marla Day, Fresno COG

