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Executive Minutes

COUNCIL OF FRESNO COUNTY GOVERNMENTS POLICY BOARD

Date: Thursday, June 24, 2010
Time: 5:30 p.m.
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 Harry Armstrong, City of Clovis
Mayor Javier Marquez, City of Firebaugh
Councilmember Rico Aguayo, City of Fowler
Mayor Ashley Swearengin, 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
Mayor Amarpreet Dhaliwal, City of San Joaquin
Mayor Victor Ruiz, City of Sanger
Supervisor Judith Case, County of Fresno

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

QUORUM: At the start of the meeting there were 12 members present representing 95.2% of the population and there was a quorum. (Clovis, Firebaugh, Fowler, Fresno, Kingsburg, Mendota, Orange Cove, Parlier, Reedley, Sanger, Selma and Fresno County) Mayor Dhaliwal (San Joaquin) arrived at 5:42 p.m. – 13 members present representing 95.6% of the population.

Mayor's City Selection Committee

1. Call to Order and Roll Call

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

2. Approval of May 27, 2010 Minutes

Mayor Fast (Reedley) asked for a correction to the minutes to read Mayor Pro Tem Pete Chavez, City of Reedley instead of Councilmember.

Motion: Mayor Fast (Reedley)

Second: Councilmember Aguayo (Fowler)

3. Appointments:

- Fresno County Transportation Authority (Resignation of unexpired term) (Term expires June 2011)

A motion was made by Mayor Lopez (Orange Cove) and seconded by Mayor Marquez (Firebaugh) to appoint Mayor Lujan (Selma). A vote was called for and the motion carried.

✓ Public Presentations

There were no public presentations.

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

The COG Policy Board meeting began upon conclusion of Fresno County's Mayor City Selection Committee

I. 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.**

There were no public presentations.

II. PRESENTATIONS

There were no presentations.

ITEM VII C – MOVED TO BEGINNING OF MEETING

C. Letter Supporting Comprehensive Federal Immigration Reform and Opposing Arizona's SB 1070 [BOREN]

Tony Boren (Fresno COG) presented this item. Councilmember Aguayo (Fowler) made a motion to send the letter striking language regarding SB 1070. Discussion among the Board Members ensued with each Member weighing in on how they would vote based on direction from their Councils. Mayor Lujan (Selma) asked if there were members of the public wanting to comment.

The following people commented: John Smedley, Ron Drioane, Daniel Luna, Ron Keenan, Juan Avitia, Lee Walker, Dave Marquez, Bob Lindomood, Ed Gonsalves, Leon Vasquez, Tom Hancock, Leonel Flores, Matha Zarate, Mauro Carrera, Ron Arteno, John Fiel, Rey Leon and Joe DeLosSantos.

Approximately one hour later, Mayor Lujan (Selma) closed the time for public comment. Mayor Lopez (Parlier) clarified that Arizona asked for help and that's why the Board got involved.

A roll call vote was held (Ayes – Firebaugh, Fowler, Mendota, Orange Cove, Parlier, San Joaquin, Sanger, Selma; Nays – Clovis, Fresno, Fresno County, Kingsburg, Reedley) and the motion failed.

Supervisor Case (Fresno County) motioned for a subcommittee to be formed to set the framework for what the Council of Fresno County Governments (Fresno COG) gets involved in and volunteered to be on that committee. Mayor Swearengin (Fresno) seconded the motion. A roll call vote was held and the motion passed unanimously.

The public was dismissed and the meeting continued.

Fresno COG Sitting As the Transportation Policy Committee

III. 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.

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|---|---------|
| A. FY 2009-10 Transportation Funding Claims – [FAWCETT] | Approve |
| 1. City of Sanger – RESOLUTION 2010-15 | |
| B. FY 2010-11 Transportation Funding Claims [FAWCETT] | Approve |
| 1. Fresno County Rural Transit Agency FY 2010-11 – COG RESOLUTION 2010-19 | |
| 2. Fresno County Rural Transit Agency and Fresno County Economic Opportunities Commission as the Rural CTSA FY 2010-11- COG RESOLUTION 2010-20 | |
| 3. Fresno County Economic Opportunities Commission as the Urban CTSA, FY 2010-11 – RESOLUTION 2010-22 | |
| C. FY 2009-10 Overall Work Program Amendment #6 [BESHEARS] | Approve |
| D. FY 2010/11 State Transit Assistance Preliminary Estimates [BESHEARS] | Approve |
| E. FY 2010/11 Measure “C” Claims - RESOLUTION 2010-16 [BESHEARS] | Approve |
| F. Letters of Support for Kings County Area Public Transit Agency Sponsored Vanpool Grant Applications [VEENENDAAL/HUGHES] | Approve |

- G. **Proposed Revision to Hot-spot (Project level) Analyses-public comments accepted until July 19, 2010 [DAWSON]** Information
- H. **Draft 2011 Regional Transportation Plan (RTP), 2011 Federal Transportation Improvement Program (FTIP), Draft Subsequent Environmental Impact Report (SEIR) and Conformity Analysis – [THOMPSON]** Information

For a complete summary of these items please see the June 24, 2010 Annotated Agenda.

After an expressed opportunity for public comment, a motion was made by Mayor Armstrong (Clovis) and seconded by Mayor Fast (Reedley) to approve the Consent Items as presented. A vote was called for and the motion carried.

IV. TRANSPORTATION ACTION / DISCUSSION ITEMS

A. Adoption of Annual Availability Advisory Percentages for Disadvantaged Business Enterprise (DBE) Participation, Resolution 2010-11 - PUBLIC HEARING [BESHEARS]

Les Beshears (COG) reported on this item. He summarized the process that was used to determine DBE status of Fresno COG's consultants (see June 24, 2010 Annotated Agenda for specific breakdown). Mayor Lujan opened the public hearing. There being no comments, Mayor Lujan closed the public hearing.

A motion was made by Mayor Armstrong (Clovis) and seconded by Mayor Lopez (Orange Cove) to approve the adoption of Annual Availability Advisory Percentages for Disadvantaged Business Enterprise (DBE) Participation, Resolution 2010-11. A vote was called for and the motion carried.

B. Transit Planning Documents

1. Urban & Rural Consolidated Transportation Services Agency (CTSA) FY 2010-11 Operations Program and Budget RESOLUTION 2010-17 - PUBLIC HEARING [JOSEPH – FRESNO EOC]

Gary Joseph (Fresno County EOC) presented this item and summarized why this is required each year and by whom. This document was approved by the Board of Supervisors on June 15, 2010.

After an expressed opportunity for public comment, a motion was made by Mayor Silva (Mendota) and seconded by Councilmember Aguayo (Fowler) to approve the Urban & Rural Consolidated Transportation Services Agency (CTSA) FY 2010-11 Operations Program and Budget, Resolution 2010-17. A vote was called for and the motion carried.

2. Clovis Consolidated Transportation Service Agency (CTSA) FY 2010-11 Operations Program and Budget – Resolution 2010-18 - PUBLIC HEARING [HALTERMAN]

Shonna Halterman (City of Clovis) presented this item and echoed what Mr. Joseph reported above. This document was approved by the Clovis City Council last week.

After an expressed opportunity for public comment, a motion was made by Mayor Armstrong (Clovis) and seconded by Councilmember Aguayo (Fowler) to approve the Clovis Consolidated Transportation Service Agency (CTSA) FY 2010-11 Operations Program and Budget, Resolution 2010-18. A vote was called for and the motion carried.

C. Unmet Transit Needs, Staff Report and Recommendations – RESOLUTION 2010- 14 - PUBLIC HEARING [LONG]

Jeff Long (FAX/COG) presented this item and summarized the process that was used to determine if there are any unmet transit needs that are reasonable to meet within Fresno County. The Fresno COG Social Service Transportation Advisory Council (SSTAC) has already reviewed this report and is recommending approval. Mayor Lujan opened the public hearing. There being no comments, Mayor Lujan closed the public hearing.

After an expressed opportunity for public comment, a motion was made by Mayor Armstrong (Clovis) and seconded by Mayor Lopez (Orange Cove) to approve the Unmet Transit Needs, Staff Report and Recommendations, Resolution 2010-14. A vote was called for and the motion carried.

Supervisor Case (Fresno County) asked if it would be possible to receive a quarterly report as she sees the transit needs changing as the economy changes.

D. High-Speed Rail Heavy Maintenance Yard - RESOLUTION 2010-21 [VEENENDAAL]

Brenda Veenendaal (COG) presented this item and reported staff has received a request from the Fresno Works Committee for a signed resolution from the Council of Fresno County Governments Policy Board, committing its full support to the campaign to attract the High-Speed Rail Maintenance Yard to our County.

After an expressed opportunity for public comment, a motion was made by Mayor Armstrong (Clovis) and seconded by Supervisor Case (Fresno County) to approve Resolution 2010-21 in support of the High-Speed Rail Maintenance Yard's Fresno County location and proposal. A vote was called for and the motion carried with one no vote from Kingsburg.

E. CALVANS Joint Powers Agency [VEENENDAAL/HUGHES]

Brenda Veenendaal (COG) presented this item and summarized the process leading up to today (see June 24, 2010 Fresno COG Board Annotate Agenda for full summary). In order to join the CalVans entity the Council of Fresno County Government's (COFCG) Joint Powers Agreement (JPA) needs to be revised. Mrs. Veenendaal advised that Ron Hughes, Executive Director, Kings Area Rural Transit (KART) was in attendance if there were any further questions. Tony Boren (COG) asked Ron to highlight the number of current vanpools, miles traveled, miles saved due to vanpools being utilized. Mayor Swearingen (Fresno) asked Counsel if language was available for the revision that needs to be made. Janelle Kelley (Counsel) advised that this is a simple item that would take a day to craft. It would need to be sent to all the Cities and County for approval.

After an expressed opportunity for public comment, a motion was made by Mayor Fast (Reedley) and seconded by Mayor Dhaliwal (San Joaquin). A vote was called for and the motion carried.

F. Caltrans Report [CALTRANS]

Sharri Bender-Ehlert reported that Malcolm Dougherty, District Director for Caltrans, is on assignment in Sacramento as the Chief Deputy. Ms. Bender-Ehlert will be serving as Interim District Director and Christine Cox-Kovacevich is Acting Planning Director. Ms. Cox-Kovacevich gave an update of current projects.

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

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

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

A motion was made by Mayor Armstrong (Clovis) and seconded by Mayor Lopez (Orange Cove) to reaffirm all actions taken while sitting as the Transportation Policy Committee. A vote was called for and the motion carried unanimously

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. COG Executive Minutes – May 27, 2010 | Approve |
| B. FY 09-10 Third Quarter Progress Report [BESHEARS] | Approve |
| C. Sigala, Inc. Contract – Valleywide MPO Coordination [BESHEARS] | Authorize |

- D. **VRPA Technologies, Inc. Contract– Regional Transportation Plan [BESHEARS]** Authorize
- E. **VRPA Technologies, Inc. Contract Extension– Measure C [BESHEARS]** Authorize
- F. **Ecointeractive Contract Extension– Federal Aid Project Programming [BESHEARS]** Authorize
- G. **Fehr & Peers Contract Extension – West Area Circulation Study [BESHEARS]** Authorize
- H. **HOK Contract Extension – High Speed Rail [BESHEARS]** Authorize
- I. **PB Americas, Inc. Contract – On Call Support for RTMF Issues [BESHEARS]** Authorize
- J. **Dedekian, George, Small & Markarian Contract – Financial and Compliance Audits [BESHEARS]** Authorize
- K. **Dedekian, George, Small & Markarian Contract – Measure C Audits [BESHEARS]** Authorize
- L. **PMC – Triennial Performance Audit Contract Extension [BESHEARS]** Authorize
- M. **San Joaquin Valley Roadmap Contract Amendment [TWEBSTER]** Approve
- N. **Monthly Legislative Update [GARZA]** Information
- O. **Regional Clearinghouse [SOBRADO]** Approve

	Project	Applicant
1.	Head Start – Preschool and Early Head Start Supplemental Funds Application for FY 07/01/2010 – 12/31/2010	Fresno County EOC
2	Community Development Block Grant - HOME Investment Partnership Program and Emergency Shelter Grant -2010-11	County of Fresno
3	Transit Planning and Research, State Planning and Research Program and FY 2010/11 Federal Planning Funds	California Department of Transportation

For a complete summary of these items, please see the June 24, 2010 Annotated Agenda.

Mayor Swearingen (Fresno) asked for Item VI.C. to be removed for further discussion.

After an expressed opportunity for public comment, a motion was made by Mayor Armstrong (Clovis) and seconded by Mayor Lopez (Orange Cove) to approve the Administrative Consent Items without Item VI.C. A vote was called for and the motion carried.

After the vote, there was discussion regarding the \$60,000 contract with Sigala Inc. for Valley Wide MPO Coordination for the 2010/11 fiscal year. Tony Boren (COG) explained that this position was identified by the San Joaquin Valley COG Directors about one year ago. Due to the fact that the Chairmanship of this group rotates each year (Mr. Boren will rotate on July 1, 2010) and the coordination of valley wide efforts has grown beyond what each Chairman and their staff can handle, a coordinator was deemed appropriate with each COG allocating funding for this position. Mayor Swearingen (Fresno) asked that the local COG staff keep the COG Board Members informed of decisions/plans made at the regional level.

A motion was made by Mayor Swearingen (Fresno) and seconded by Mayor Lopez (Orange Cove) to approve the Administrative Consent Item VI.C – Sigala, Inc. Contract – Valley Wide MPO Coordination. A vote was called for and the motion carried.

VII. ADMINISTRATIVE ACTION / DISCUSSION ITEMS

A. Strategy Research Institute Contract Extension [BESHEARS]

Les Beshears (COG) presented this item and advised that SRI Inc. (Dr. Gary Manross) is actively involved in consensus building for Fresno COG in the areas of Regional Transit Consolidation, Farmland Model Conservation Program development, and coordination of various issues between the SJV Partnership and the SJV Policy Council. SRI Inc. is also providing direct services to our member agencies at reduced rates as a result of their on-going contract with Fresno COG. Given where we are currently with each of these study processes, and the value that SRI brings to Fresno COG's member agencies, staff recommends extending the contract for the 2010/11 fiscal year.

After an expressed opportunity for public comment, a motion was made by Mayor Lopez (Parlier) and seconded by Mayor Lopez (Orange Cove) to approve the extension of the \$72,000 annual contract with SRI for the 2010/11 fiscal year. A vote was called for and the motion carried.

B. Washington DC One Voice Summary and Recommendations [BOREN]

Tony Boren (COG) presented this item and summarized the recommendations of our Washington D.C. lobbyist, Len Simon. Mr. Boren also addressed the economic climate and sensitivity to the fact that it will be more difficult for each Member Agency to participate due to finances. Mayor Lujan (Selma) asked for options to be brought to the Policy Board for consideration. Discussion from the Policy Board identified a more narrow focus and prioritization of opportunities is needed, smaller groups should be sent and the federal officials should come here.

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

C. Letter Supporting Comprehensive Federal Immigration Reform and Opposing Arizona's SB 1070 [BOREN]

This item was moved to the beginning of the meeting and has already been addressed.

D. San Joaquin Valley Regional Policy Council Alternate [BOREN]

Tony Boren (COG) reported that the San Joaquin Valley Regional Policy Council, which was established in 2006, has two members and one alternate member from each of the COG Boards in the Valley. Fresno COG's alternate seat, formerly filled by Fresno City Council Member Henry T. Perea, is now vacant and needs to be filled. Staff is requesting that the Policy Board appoint one of its current Board Members to fill this position.

A motion to appoint Mayor Armstrong (Clovis) to the alternate seat was made by Mayor Lujan (Selma) and seconded by Supervisor Case (Fresno County). A vote was called for and the motion carried.

E. California Consulting LLC Report [BOREN]

Juan Garza of California Consulting Inc. provided a verbal report to the Policy Board this month on consulting activities for the COG during the month. A written report was included in the meeting package and is available on our website at www.fresnocog.org.

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

VIII. CLOSED SESSION

Conference with Labor Negotiator (Government Code Section 54957.6): conference regarding unrepresented COG staff employees; COG Executive Director, Tony Boren to act as Labor Negotiator on behalf of COG Policy Board.

IX. OPEN SESSION -- DISCUSSION AND APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH UNREPRESENTED COG STAFF EMPLOYEES

Mayor Rodriguez (Kerman) reconvened the session and reported a unanimous approval of the Memorandum of Understanding with Unrepresented COG Staff Employees.

X. OTHER BUSINESS

A. Items from Staff

1. Tony Boren mentioned again that he is rotating on as Chairman of the San Joaquin Valley Regional Planning Agencies Directors and the benefit this will be to our area as he directs this committee.
2. Tony Boren introduced Toni Graham, a new administrative assistant at the COG.
3. Marla Day announced she has parking passes for anyone who had not received one yet.

B. Items from Members

1. Mayor Silva (Mendota) reported that Carly Fiorina, California Senate Candidate, will be in Fresno on Friday, July 2, at 1 p.m. – location to be determined, to meet with elected officials only.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Tony Boren". The signature is fluid and cursive, with the first name "Tony" and last name "Boren" clearly distinguishable.

Tony Boren, Executive Director

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Attachment A

Observers and Non-Members
COG Board Meeting
June 24, 2010

Juan Garza, California Consulting, LLC
Jeffrey Webster, Fresno County Rural Transit Agency
Shonna Halterman, City of Clovis
Gary Joseph, Fresno County Economic Opportunities Corporation
Lynn Gorman, Fresno County
Ron Hughes, KCAPTA
Dave Griffin
Lee Walker
Leonel Flores
Lizette Santacruz
Martin Lopez
Ernie Heinrichs
Dave Marquez
Bonnie Hancock
Tom Hancock
Oralia Maata
Nayamin Martinez
Rob Wegot
Michael Sejac
Leoncio Vasquez
Daniel Luna
Mauro Carerra
John R. Fiel
Gaylee Fiel
Rey Leon
Fidelina Espinoza
Irene Miguel
Jose Juan Miguel
Zenaida Ventura Sancen
Ron Drioane
Janice Kroger
Ron Arteno
Juan Avitia
John Smedley
Matha Zarate
John Crockford
Bob Lindomood
Ron Keenan
Ed Gonsalves
Joe DeLeSantos
Les Beshears, Fresno COG
Brenda Veenendaal, Fresno COG
Melissa Garza, Fresno COG
Lauren Dawson, Fresno COG
Tom Webster, Fresno COG
Jeff Long, FAX/COG
Marla Day, Fresno COG
Toni Graham, Fresno COG