

POLICY ADVISORY COMMITTEE

ANNOTATED AGENDA

Date: Friday, June 17, 2005
Time: 10:00 a.m.
Place: COG Conference Room

I. PUBLIC PRESENTATIONS

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

II. CONSENT ITEMS

All items on the consent agenda are considered to be routine and non-controversial by COG staff and will be approved by one motion if no member of the Committee or public wishes to comment or ask questions. If comment or discussion is desired by anyone, the item will be removed from the consent agenda and will be considered in the listed sequence with an opportunity for any member of the public to address the Committee concerning the item before action is taken.

A. Executive Minutes of May 4, 2005

B. Transit Planning Documents

1. Consolidated Transportation Services Agency (CTSA) 2005-06 Operations Program & Budget for the Fresno Urban & Rural Areas, FCRTA Res. 2005-06, COG Res. 2005-15, PUBLIC HEARING: 6-30-05

Summary: Included in last month's agenda packet was the Consolidated Transportation Service Agency's (CTSA) Operations Program and Budget, 2005-06 for the Fresno Urban and Rural CTSA. The document is designed to provide an overview of how and in what manner the Consolidated Transportation Service Agencies will be providing service over the next fiscal year. The Social Service Transportation Advisory Council (SSTAC) reviewed the document and recommend approval. The review period did not result in any changes to the original document. [JOSEPH]

Action: Staff, SSTAC, and TTC recommend approval of the document by adoption of FCRTA Resolution 2005-08 and COG Resolution 2005-15.

2. Clovis Consolidated Transportation Services Agency (CTSA) 2005-06 Operations Program & Budget, COG Res. 2005-16, PUBLIC HEARING: 6-30-05

Summary: Included in last month's agenda packet was the Clovis Consolidated Transportation Service Agency's (CTSA) Operations Program and Budget, 2005-06 for the Clovis Urban Area. The document is designed to provide an overview of how and in what manner the Clovis Consolidated Transportation Service Agency will provide service over the next fiscal year. The Social Service Transportation Advisory Council (SSTAC)

reviewed the document and recommend approval. The review period did not result in any changes to the original document. [HALTERMAN]

Action: Staff, SSTAC, and TTC recommend approval of the document by adoption of COG Resolution 2005-16.

3. Short Range Transit Plan for the Fresno Urbanized Area, 2005-10, Res. 2005-17, PUBLIC HEARING: 6-30-05

Summary: The Short-Range Transit Plan for the Fresno-Clovis Urbanized Area (SRTP) is the annual update to the operating plan and capital programs for Fresno Area Express (FAX) and Clovis Transit. The purpose of this Plan is to promote a comprehensive, coordinated and continuous planning process for transit service in the Fresno-Clovis Metropolitan Area (FCMA). This Plan represents a short-range evaluation of transit needs and proposes specific recommendations for implementing the long-range objectives of Fresno County's Regional Transportation Plan. The Plan will guide the provision of transit services in the FCMA over the next five years (2005-2010).

The Draft SRTP 45 day review process was initiated on May 4, 2005 by the TTC and ratified by the COG Board on May 26, 2005. This final document has been reviewed and approved by the Social Services Transportation Advisory Council at their meeting of May 27, 2003. The Document is included as a Handout. Any other comments received during the 45 day review period are reflected in this final plan. [VILLENEUVE]

Action: Staff, SSTAC, and TTC recommend approval of the 2005-10 SRTP by adoption of Resolution 2005-17.

C. Transportation Funding Claims

1. Fresno County Rural Transit Agency, 2005-06, FCRTA Res. 2005-05, COG Resolution 2005-18

Summary: The Fresno County Rural Transit Agency's (FCRTA) claim has been reviewed by staff, is consistent with the proposed budget, and is recommended for approval. The claim totals \$4,527,306 with \$2,775,012 to support FCRTA's Operation Budget and \$1,752,294 for Capital. [BESHEARS]

Action: Staff recommends approval of the Transportation Funding Claim by adopting FCRTA Resolution 2005-05 and COG Resolution 2005-18, subject to approval later in this agenda, of the recommended Unmet Transit Needs finding.

2. Fresno County Rural Transit Agency and the Fresno County Economic Opportunities Commission as the Rural CTSA, 2005-06, FCRTA Res. 2005-07, COG Res. 2005-19

Summary: The Fresno County Rural Transit Agency and the Fresno County Economic Opportunities Commission 2005-06 Rural CTSA Transportation Development Act Claim of \$412,979 has been reviewed by staff and found to be consistent with the Overall Program and Budget and in accordance with claiming instructions as required by state law. [BESHEARS]

Action: Staff recommends approving the Fresno County Economic Opportunities Commission 2005-06 Rural CTSA Transportation Development Act Claim of \$412,979 by

approving FCRTA Resolution 2005-07 and COG Resolution 2005-19, subject to approval later in this agenda, of the recommended Unmet Transit Needs finding.

3. Fresno County Economic Opportunities Commission as the Urban CTSA, 2005-06, COG Resolution 2005-20

Summary: The Fresno County Economic Opportunities Commission 2005-06 Urban CTSA Transportation Development Act Claim of \$1,252,158 has been reviewed by staff and found to be consistent with the Overall Program and Budget and in accordance with claiming instructions as required by state law. [BESHEARS]

Action: Staff recommends approving the Fresno County Economic Opportunities Commission 2005-06 Urban CTSA Transportation Development Act Claim of \$1,252,158 by approving Resolution 2005-20, subject to approval later in this agenda, of the recommended Unmet Transit Needs finding.

D. FCRTA Items

1. 2005-06 Fresno County Rural Transit Agency Budget, FCRTA Res. 2005-04

Summary: Provided in last month's Agenda package was a copy of the 2005-06 Budget. It has been available for your review and comment during a forty-five (45) day review period that will culminate on June 30, 2005 with the FCRTA Board Meeting. The numbers in the Budget are subject to refinement following: service contract negotiations, an opportunity for public presentations to each FCRTA member agency, and a public presentation before the Board of Directors. The review period has resulted in no changes to the documents circulated last month to date. [WEBSTER]

Action: The General Manager recommends approval of the 2005-06 Fresno County Rural Transit Agency Budget by adoption of FCRTA Resolution 2005-04.

2. Procurement of Five (5), Twenty-Two (22) Passenger Modified Replacement Vans Powered by Compressed Natural Gas (CNG), Res. 2005-08 and Three (3), Thirty-Five Passenger Replacement Buses Powered by Compressed Natural Gas, Res. 2005-09

Summary: Included in your agenda package is a June 1, 2005 memorandum regarding this item. [WEBSTER]

Action: The General Manager recommends approval by adoption of Resolutions 2005-08 and 2005-09.

3. Readoption of FCRTA Disadvantaged Business Enterprise Program and Plan, Resolution 2005-10

Summary: The FCRTA received notification in May that it is required to readopt and submit its Disadvantaged Business Enterprise (DBE) Plan to Caltrans by September 30, 2005. Included in your agenda package is the updated document to conform to the stipulated requirements of 49 CFR. Part 26. U.S. Department of Transportation DBE Rule. [WEBSTER]

Action: The General Manager recommends initiation of the 45-day review process towards approval of FCRTA's Disadvantaged Business Enterprise (DBE) Plan, following

an opportunity for public comment at a legally noticed Public Hearing on September 30, 2005, by adopting FCRTA Resolution 2005-10.

E. Administrative Amendment No. 04 to the 2004-05 thru 2009-10 Federal Transportation Improvement Program

Summary: This amendment was requested by the City of Clovis and approved on May 6, 2005 by the Executive Director of the Council of Fresno County Governments Policy Board pending the approval of Federal Transportation Improvement Program (FTIP) Amendment #2. Fresno COG received official notification of FHWA/Caltrans approval of Formal Amendment #2 on May 9, 2005 therefore the requested changes have been made to the Regional Surface Transportation Program construction phase funding of project FRE020603. The original programmed amount of \$964,000 in FFY 2004/05 has been divided into \$34,400 for preliminary engineering phase funding and \$929,600 for construction phase funding in the same FFY. [DEVERE]

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

F. 2004-05 Fiscal Audit Contract

Summary: Per our Joint Powers Agreement the County Auditor/Controller selects our auditor. In 2001 the County Auditor/Controllers office issued an RFP and recommended Brown Armstrong Accountancy. County policy allows the firm to serve five years before rotation. The firm provided satisfactory performance during the last four years' audit and is interested in repeating this year. They have requested to increase the contract amount \$5,000 to \$45,000 to cover costs associated with increased reporting requirements of Governmental Accounting Standards Board 34. There are funds available in the budget to cover this cost increase. Staff recommends that we contract with them to perform this year's audit. This will be the fifth and final year we will use them under this rotation. The County Auditor/Controller concurs with this request and recommends that we go out to bid again at the end of the 2005/06 fiscal year. [BESHEARS]

Action: Authorize staff to contract with Brown Armstrong Accountancy at a cost of \$45,000 to perform the 2004/05 fiscal audit.

G. Rail Items

- 1. Potential Postponement of High-Speed Rail Bond Measure**
- 2. Amtrak San Joaquin Corridor**

Summary: The State Assembly recently approved Assembly Bill 713, which would move the \$9.95 billion high-speed rail bond measure from the November 2006 ballot to the November 2008 ballot. The ballot measure had initially been scheduled for the November 2004 ballot. According to Assemblyman Torrico, the bill's author, the proposed high-speed rail system "would be a valuable asset to California however, the state's ongoing budget deficits and precarious financial condition have diminished its ability to undertake new programs and projects, including long-term and costly transportation projects." Joseph Petrillo, Chairman of the California High-Speed Rail Authority, said that legislators were caught in a squeeze between trying to solve immediate transportation problems and creating the long-term solutions that high-speed rail would provide. However, this bill would actually delay the sale of the bonds only about a year. Current law allows the state to start selling them in January 2008 if they're approved by voters next year. Torrico's bill would allow the bond sales as soon as possible after the November 2008 election. Nevertheless, moving the

bond measure to the November 2008 ballot would require updating environmental studies required to begin construction of the project.

With regard to Amtrak service on the San Joaquin Corridor, Caltrans has determined to establish a Technical Advisory Committee to the San Joaquin Valley Rail Committee. The Rail Committee consists of 24 members, two from each of the 12 counties served by the San Joaquins. The TAC will consist of 12 members, one from each county, to be appointed by the two members representing that county on the Rail Committee. The two individuals currently representing Fresno County are Supervisor Bob Waterston and Larry Miller. Amtrak, the BNSF, and the UP will each have one non-voting ex-officio member on the TAC. Caltrans will staff the TAC. A major early purpose of the TAC will be to assist Caltrans with the development of a Strategic Business Plan for the San Joaquin Corridor.

Lastly, AJR 18 has passed the Assembly and is now in the Senate. It requests the federal government provide adequate operating and capital funding for Amtrak in order to preserve and improve national and statewide service to California. It also proposes the establishment of a multiyear capital funding program on a matching basis to support and expand passenger rail service. [THOMPSON]

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

H. Environmental Justice Technical Analysis and Addendum to Current Traffic Model Land Use Update

The technical analysis, using the Fresno COG transportation model, for the federally required environmental justice task force requires significant modification to the current Model.

Dowling Associates is currently under contract with Fresno COG developing our land use update and revalidating the traffic model. They have indicated that they could accomplish the additional EJ work in the time allotted. This work will ultimately benefit the transportation model and will be used in future studies.

The scope of work will include:

- Developing and testing of EJ scripts to be used with the Fresno COG travel model
- Developing and testing system measures for three scenarios: Base, RTP No Build and RTP Build
- Provide narrative to be included in the EJ documentation
- Provide a supporting technical report on the transportation system analysis
- Provide staff support and training
- Provide additional work and support as needed

[BITNER]

Action: Staff recommends that the committee approve and authorize the Executive Director to sign an amendment to our current modeling contract with Dowling Associates for Modeling Improvements and technical analysis for environmental Justice in the amount not to exceed \$50,000.

I. Central California American Planning Association Central Section – 2005 Awards Program

Summary: Fresno COG was recently notified that its nomination for a American Planning Association Central Section Award (The City of Fresno, West Fresno Community Vision Plan) has won the award for Outstanding Comprehensive Planning for a Large Jurisdiction. Enclosed in the agenda packet is a letter congratulating Fresno COG on winning the award and announcing that there will be an Awards Dinner on July 15, 2005 in Patterson, California. COG staff will be issuing a press release and notifying all of the study participants of the recognition and the date and time of the awards ceremony. [BOREN]

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

J. Monthly Legislative Update

Summary: An enclosed summary of current state and federal legislative activity is in your agenda packet for committee review and information. The attached summary reflects legislation that is currently active and detailing various aspects of transportation.

Fresno COG's current policy is that staff will not directly recommend support or opposition to legislate policy issues (bills, propositions, etc.) but that any such recommendation or consideration for action by the COG Policy Board can be initiated at the individual request of any of our members.

Please contact staff person, Renee DeVere, if you have any questions regarding the listed bills or if you desire a more in-depth analysis of any particular bill. [DEVERE]

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

K. Regional Clearinghouse Consent Calendar

1. Community Facilities Grant
CITY OF FIREBAUGH
2. Community Facilities Grant
CITY OF SAN JOAQUIN
3. Rural Development Housing Preservation Grant
COUNTY OF FRESNO
4. Rural Predevelopment Planning Grant
CITY OF FIREBAUGH
5. HUD
COUNTY OF FRESNO
6. Community Development Block Grant
COUNTY OF FRESNO
7. University Center Export Program
STATE CENTER COMMUNITY COLLEGE DISTRICT

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

City of Firebaugh is applying for a Community Facilities Grant in the amount of \$47,500 for emergency vehicle for police department and infrared thermo imaging device for the fire department.

City of San Joaquin is applying for a Community Facilities Grant in the amount of \$10,000 for electrical internet cabling, tables and chairs.

County of Fresno is applying for a Rural Development Housing Preservation Grant in the amount of \$184,216 for Owner-Occupied Housing Rehabilitation Project in rural Fresno County.

City of Firebaugh is applying for a Rural Predevelopment Planning Grant in the amount of \$15,0000.

County of Fresno is applying for a HUD Community Development Block Grant in the amount of \$5,500,509, \$2,127,005 in HOME Investment Partnerships Program funds, \$212,798 in Emergency Shelter Grant and \$53,567 in American Dream Downpayment Initiative.

State Center Community College District is applying for a US Department of Commerce Economic Development Administration grant in the amount of \$150,000 for technical assistance in University Center Export Program. [BOREN]

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.

III. ACTION/DISCUSSION ITEMS

A. **Unmet Transit Needs, Staff Report & Recommendations, Resolution 2005-21, PUBLIC HEARING: 6-30-05**

Summary: The COFCG Policy Board must determine that public transportation needs within Fresno County will be reasonably met in Fiscal Year 2005-06 prior to approving claims of Local Transportation Funds for streets and roads. The COG's Social Service Transportation Advisory Council (SSTAC) is responsible for evaluating unmet transit needs. Each year the SSTAC begins the process of soliciting comments from the public by sending approximately 580 letters to agencies and individuals interested in providing feedback on their public transportation needs within Fresno County. The request for comments letters, English and Spanish, and was mailed on February 1, 2005. In addition to the request for written comments, SSTAC held three information-gathering meetings during the months of February and March 2005.

The first meeting was held in the City of Huron at the Huron City Hall on February 9, 2005. The meeting location was set to facilitate comments from the residents of western Fresno county including: Coalinga, Firebaugh, Huron, Kerman, Mendota, San Joaquin, and the surrounding unincorporated communities. The meeting time was set for 2:00 p.m.

Ten individuals attended the meeting in Huron including the Mayor (Ramon Dominguez), City Manager (Robert Wilburn), and SSTAC members and transit staff. There was general consensus that they are pleased with the existing intra- and inter-city services on the

westside of Fresno County. No issues or additional transit needs were identified or presented.

The second meeting was held in the City of Kingsburg at the Kingsburg Community Center on February 15, 2005. The location was selected to facilitate comments from the residents of eastern Fresno County including: Fowler, Kingsburg, Orange Cove, Parlier, Reedley, Sanger, Selma, and the surrounding unincorporated communities. The meeting was set for 2:00 p.m.

There were six individuals in attendance at the Kingsburg meeting including the City Manager (Don Pauley), SSTAC members and transit staff. There was a discussion regarding the coordination of FCRTA holiday schedules between different cities and the FMAAA senior meal holiday schedule. Mr. Webster explained that each rural transit system recognizes the respective City's holiday schedule, which may range from eight to thirteen and a half days in the year. Confusion arose in Kingsburg during the month of February when the City chose to observe Monday, February 7th as the Lincoln Birthday and Monday, February 14th as Presidents Day in order to be consistent with the local school's holiday schedule this year. There was concern that some seniors would not have access to transit in order to attend the senior meal program. Mr. Pauley stated that it would not be reasonable to operate the transit service for a minimum two hour period to transport just five passengers on City observed holidays.

The third meeting was held in the City of Fresno at the Caltrans office in Manchester Center on March 3, 2005. The meeting location was selected to facilitate comments from the residents of the Fresno-Clovis Metropolitan Area (FCMA) and surrounding unincorporated communities. The meeting time was set for 6:30 p.m.

There were ten (10) people in attendance including SSTAC members and transit staff. Shirley Harper, a Clovis citizen, had questions as to why Clovis Transit service hours do not replicate Fresno Transit service hours on weekends. Shonna Halterman, Clovis Transit Supervisor was also present at the informational meeting and explained that Clovis cannot provide additional service on the weekends because it would not be able to meet the transit productivity criteria and attain its farebox recovery ratio. She further suggested Ms. Harper use the "taxi voucher program" on weekends, by placing a standing reservation on Friday and having the option to cancel it two hours before her scheduled pick-up time, if she later determines that she does not want to ride.

There was some discussion at the meeting regarding regional coordination. COFCG staff expressed that Clovis and FAX staff were continually working on coordination between the two agencies. The success of the recently implemented Metropolitan Area Pass Program between Fresno and Clovis was referenced and discussed. COFCG staff also mentioned the current consultant (Arthur Bauer and Associates) contract for the Regional Transit Coordination Study, and pointed out that consultant and Project Review Committee were also working on these issues.

Carol Bill, Tribal Administrator, from Cold Springs Rancheria was present at the meeting and requested an explanation of the unmet needs process as well as explanation of the minimum productivity standards and farebox issues. COFCG explained the various aspects of our ongoing process in detail. FCRTA staff explained that Auberry Transit provides public transit services within the foothill communities including the Big Sandy and Cold Springs Rancherias; and inter-city services through the Table Mountain Rancheria to the Fresno-Clovis Metropolitan Area. FCRTA staff offered to meet with the tribal group to help further explain the process.

In addition to comments received at the public meetings, two written comments were received as a result of the Request for Comments Letters. The first letter was received via E-mail on February 18, 2005, from Elaine Clymer of Fresno. Ms Clymer is the Vice Principal of the Fresno Adult School, and states that the school did a student survey last year and found that the need for student transportation did not seem to be very high. She theorizes, however, that there are prospective students with special needs, or individuals who can not afford transportation that would enroll in and attend Fresno Adult School if better low-cost public transportation were available. Although Ms. Clymer speculates that there may be individuals with unmet transit needs, she did not identify any time or place where new service was needed.

Based on an evaluation of all of the public transit service currently provided to the Fresno Adult School and its satellite facilities, and the information provided in Ms. Clymer's letter, SSTAC was unable to find any unmet transit need that is reasonable to meet.

The second letter received on March 1, 2005, was also received via E-mail. This letter came from Alan Kandel of Fresno. Mr. Kandel notes in his letter that he does not walk, ride a bike, or use public transportation, but he believes that if Fresno had a light rail system he and a great many other people would use the system. In his letter, he sites several reasons for thinking that a light rail transit system would work in Fresno, and lists many supposed benefits of such a system. SSTAC did not believe that Mr. Kandel had provided any information that would be supportive of an unmet transit need finding.

One additional letter was received after SSTAC had reviewed and approved the Unmet Transit Needs staff reports and findings. Mr. Gary Beddingfield, Fresno State Parking Coordinator, provided a letter dated April 19, 2005. In his letter Mr. Beddingfield identified the same concerns that Fresno State has raised in previous years about the frequency and durations of service, the need for reduced fares for students, and the availability of public transit service from rural communities to Fresno State.

Because SSTAC had reviewed all the concerns during previous unmet transit needs processes, SSTAC directed staff to prepare a reply.

After a careful review of all of the Unmet Transit Needs comments received, SSTAC found that there were no unmet transit needs that are reasonable to meet in Fresno County. [DOWNS])

Action: Staff recommends approval of Resolution 2005-21 making the finding that there are no unmet transit needs that are reasonable to meet in Fresno County.

B. Adoption of Amendment #1 to the 2004 Regional Transportation Plan, Amendment #1, Resolution 2005-22, PUBLIC HEARING: 6-30-05

Summary: The City of Fresno is seeking to amend four new transportation projects into the 2004 Regional Transportation Plan. The four projects being included are as follows:

Project Location	Project Limits	Project Type	Year Modeled for Construction
Veterans Blvd.	Ashlan to Gettysburg	New 6 LD Superarterial	2007
Veterans Blvd.	Gettysburg to Barstow	New 6 LD Superarterial	2010
Veterans Blvd.	Barstow to Bullard-Bryan	New 6 LD Superarterial	2020
Veterans Blvd.	Bullard-Bryan to Hendon	New 6 LD Superarterial	2010

The projects have been amended into Appendix G of the 2004 RTP which identifies financially constrained capacity-Increasing Candidate RTP Projects. The addition of these four projects will bring the total for all projects to \$4,106,672,163 of the \$4,844,743,376 of total revenues available. All projects have been modeled for air quality conformity. [DEVERE]

Action: Staff recommends the adoption of Amendment No. 01 to the 2004 Regional Transportation Plan by approval of Resolution 2005-22.

C. Adoption of Amendment #5 to the 2004-05 thru 2009-10 Federal Transportation Improvement Program (FTIP), Resolution 2005-23, PUBLIC HEARING: 6-30-05

Summary: Federal Transportation Improvement Program Amendment #5 consists of amendment requests by the City of Fresno, the City of Reedley, and the City of Clovis to modify the Regional Surface Transportation Program and Congestion Mitigation and Air Quality Programs. The specific amendment requests are as follows:

1. The City of Fresno has requested the incorporation of two additional projects into the Regional Surface Transportation Program (RSTP) for a project located on Herndon Avenue. This project will increase capacity and provide for general improvements in the (Marks to Valentine-FRE040621) and (Weber to Golden State-FRE040622) portions of this corridor. The two new projects will be added into the Triennial Element for fiscal years 04/05 and 06/07 and future years 07/08.
2. The City of Fresno has requested a scope change for an existing project (FRE040614) in the RSTP. This is a description change for defined project limits changing existing limits to Cedar Avenue between Olive and Shepherd Avenues.
3. The City of Fresno has requested to move funding programmed in the Congestion Mitigation and Air Quality Program for FY 04/05 (FRE020130, Signal Synchronization) to cover cost overruns on a project from the 2002-03 through 2007-08 FTIP (FRE040123).
4. The City of Reedley has requested a project delay for a project programmed in Fiscal year 05/06 in the RSTP. This project will be delayed until 06/07 allowing for additional funding to be used in the completion of a project currently programmed in 05/06. The Buttonwillow signal project (FRE020633) has been moved back one year to allow additional funding to be removed from a lump sum amount (FRE020635) and advanced to allow for completion of the already existing Gateway project (FRE040623).

5. The City of Clovis has requested to modify an RSTP project to move funds from a lump sum project (FRE020604) to a stand alone project. The Peach Avenue Couplet is now a stand alone project (FRE040624)
[DEVERE]

Action: Staff and TTC recommend the approval of Formal Amendment No. 05 to the 2004-05 through 2009-10 Federal Transportation Improvement Program by the adoption of Resolution 2005-23.

D. Adoption of the 2005 June Air Quality Conformity Determination Covering Fresno County's 2004 Regional Transportation Plan, including Amendment #1, and the 2004-05 thru 2009-10 Federal Transportation Improvement Program, including Amendments #1 thru 5, Resolution 2005-24, PUBLIC HEARING: 6-30-05

Summary: Fresno COG has made a positive air quality conformity finding for the Amended 2004 Regional Transportation Plan (RTP) and the 2004-05 through 2009-10 Federal Transportation Improvement Program (FTIP), including Amendments #1 through #5.

An Air Quality Conformity Determination is required in non-attainment areas to ensure that transportation plans and programs are consistent with the state and local air quality plans and do not interfere with the timely implementation of transportation control measures. This Air Quality Conformity Determination demonstrates that all of our adopted transportation plans and programs contained in the 2004 RTP and the 2004-05 through 2009-10 FTIP, as amended, are in conformance with the rules for the applicable air quality standards and conforms to provisions of the State Implementation Plans for the San Joaquin Valley.
[BITNER/PAUKOVITS]

Action: Staff recommends adoption of the Conformity Finding by approval of Resolution 2005-24.

E. Authorization to Enter into Local Assistance Contribution Agreement and Related Contribution Letter –Mendota-East Rehabilitation Project, Resolution 2005-25

Summary: As part of the FY 2001 Federal Appropriations Bill, Congressman Dooley was successful in obtaining \$35 million in federal demonstration funds for construction (including related activities) of an extension between *Mendota* and I-5. Unfortunately, due to a variety of issues raised by the Federal Highways Administration (i.e. lack of clear purpose and need, logical termini issues, funding issues) we were unable to expend the federal demonstration funds as originally envisioned. Upon hearing this, Congressman Dooley rewrote the description of the federal demonstration earmark to allow the funds to be utilized on State Route 180 W between *Fresno* and I-5 rather than solely between Mendota and I-5. This change was made in order to accommodate the consensus position described below, yet maintain the original intent of making the connection to I-5.

Working concurrently with Congressman Dooley, a series of meetings were held by COG's State Route 180 Steering Committee focusing on regional strategies for overcoming the issues raised by FHWA, as well as the critical importance of identifying a timely use for the \$35 million in federal earmark funds. Eventually, the Steering Committee developed consensus on the following recommendations for spending the federal funding

Priority 1 – Federalized \$35 Million

- A.) **\$14 million** Mendota-East Rehabilitation Project (Belmont Ave. to SJRR) - Rural Project

- B.) **\$21 million** to Phase II 180 (Hughes/West - Brawley) - Urban Project - in *exchange* for Measure C dollars on the “condition” they are made available for the range of rural Westside projects identified below, and as further defined upon completion of the Route Adoption Study.

\$35 million total

Priority 2 - \$21 million Measure C exchange - eligible projects *costs approximate

- A.) **\$1-4 million** Mendota Improvements (Bass Ave. Improvements/ 2nd St. Pedestrian Over-crossing)
- B.) **\$2 million** Firebaugh Improvements (SR 33)
- C.) **\$1.5 million** Caltrans Route Adoption Study (Planning/Env. Studies-CEQA Only)
- D.) **\$14 million** Improvements to Nees Avenue (as a traversable highway) or Belmont-Shields improvements, or other alignment improvements based on the results of the Route Adoption Study
- E.) Identification of a future SR 180 W “extension” project as a regional candidate project in the 2004 Regional Transportation Plan.

Subsequent to this funding strategy being developed by the State Route 180 Steering Committee, funding shortfalls were identified for the Phase II 180 (Hughes/West - Brawley) project. In order to fully fund this project, Caltrans has offered to provide \$5.2 million in SHOPP funding to the Mendota-East Rehabilitation project in order to allow for the project to proceed forward as a full freeway project (minus frontage road). This reduces the need for federal demonstration funding on the Mendota-East rehabilitation project from \$14 mil. to \$8.8 mil. and increases the *exchange* funding available on the Phase II 180 (Hughes/West – Brawley) project from \$21.0 mil. to \$26.2 mil..

Traditionally, the first step in the allocation process for the federal demonstration funding is a requirement that the Congressman who obtained the earmark, identify the agency that will serve as the project sponsor (recipient of the federal funding). Such a request was made by Caltrans (January 20, 2005) to Congressman Costa, (*Congressman Dooley did not seek re-election*), identifying Fresno COG as the project sponsor.

Although Fresno COG has not yet received the official designation letter from Congressman Costa, in order to expedite this process and to ensure a “timely” utilization of the earmark funding, COG staff is requesting that authorization be given to enter into the Local Assistance Contribution Agreement for the Mendota-East rehabilitation project contingent upon the following:

- 1.) Fresno COG is identified by Congressman Costa as the project sponsor;
- 2.) Caltrans commitment of \$5.2 in SHOPP funding is formalized via a legally binding agreement between Caltrans/COG.

In order for Caltrans to utilize the \$8,800,000 dollars in federal demonstration funding (*Demo ID CA 217 of the FY 2001 Appropriations Act-Section 378*) identified for the Mendota East rehabilitation project, Fresno COG in its role as the federally designated Metropolitan Planning Organization is required to enter into a Local Assistance Contribution Agreement with Caltrans (see attachment). The Agreement (06-1299) sets the terms and conditions under which the project is to be partially financed by this contribution of funds by Fresno COG. [BOREN]

Action: Authorize Fresno COG Policy Board Chairman and Executive Director to sign Local Assistance Contribution Agreement 06-1299 and Contribution Letter for Agreement 06-1299 subject to the identified contingencies by approving Resolution 2005-25.

F. Orange Cove Signage Issue

Summary: Over the last couple of years (discussions first began in March 2003) there have been significant discussions with regards to what constitutes adequate destination signage for communities located off of State Route 99. Specifically, the communities of Orange Cove and San Joaquin have raised issues regarding the destination signage that identifies (or does not identify) these communities near the State Route 99/Manning Avenue interchange. In addition, Firebaugh has raised several issues with Caltrans on their perceived lack of adequate directional signage to their community off the state highway system.

As has been discussed previously, there have been a number of meetings over the last two years with all parties in an attempt to resolve these issues. Having said that, on May 10, 2005 Caltrans again hosted a meeting involving all of the stakeholders in an effort to craft a solution that would provide a “win-win” for all parties involved. At that meeting, Caltrans staff offered up a solution that would force the COG Policy Board to choose which community would receive the signage (see attached letter from Orange Cove) but that did not meet the signage needs of all of the communities. Recognizing that a solution that did not meet the needs of “all” involved could prove to be very problematic for the COG Policy Board, Caltrans graciously made the offer to go “*back to the drawing board*” to see if there were some solution available that could please all parties.

At the June TTC meeting, Caltrans Deputy District Director Alan McCuen presented Caltrans’ proposed resolution to the signage issues (see enclosed exhibits). Caltrans’ suggested resolution will provide for Orange Cove’s requested signage, as well as restore San Joaquin’s signage which was inadvertently removed earlier. Mr. McCuen also stated that he is setting up meetings with all of the cities along the Manning Avenue corridor, as well as the County, to ensure that proper continuity of signage is maintained. [BOREN/MCCUEN]

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

G. Impact of Through Trucks on Air Quality in the San Joaquin Valley

Summary: Last month, the Fresno Bee provided a brief discussion of pending legislation sponsored by Senator Diane Feinstein that would allow SR 99 to act as a toll road, charging fees to certain trucks traveling through the San Joaquin Valley. Staff will provide a brief discussion of current air quality in the Valley and information related to these truck emissions. [PAUKOVITS]

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

H. Formation of Subcommittee to Assist in Developing Policies & Procedures for Hiring a Professional Lobbyist

Summary: Pursuant to recent Policy Board direction, COG staff has formed a small subcommittee to provide guidance and assistance in the development of formal COG Policies and Procedures for hiring a professional lobbyist. The six-member Steering

Committee consists of two representatives from each of COG's standing committees; Transportation Technical, Policy Advisory and the Policy Board. The subcommittee membership is as follows:

Transportation Technical: Bruce Webber (Selma, Reedley & Huron), Lynn Gorman (County)
Policy Advisory: Lou Martinez (Parlier), Gabriel Gonzalez (Mendota)
Policy Board: Scott Brockett (Reedley), Victor Lopez (Orange Cove)

In addition, staff and Board members noticed the lack of representation from the metropolitan area, and desiring to assure their inclusion have invited Kathy Millison (Clovis) and Bruce Rudd (Fresno) to participate.

COG staff will develop a meeting schedule for the subcommittee very shortly, with the idea that the process will be far enough along so that the Policy Board will be in a position to take action on the subcommittee recommendations coincident with the expiration of California Consulting Inc. (Steve Samuelian) sixty-day contract. [GOODWIN/BOREN]

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

I. Measure C Update

Summary: Staff will provide a verbal update on the Measure "C" Reauthorization Steering Committee process. [GOODWIN]

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

J. Abandoned Vehicle Abatement – FY 2004-05 Third Quarter Report

Summary: As stated in the 2003 Fresno County Abandoned Vehicle 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 enclosures for this item include all the pertinent information required to ensure proper distribution of funding to the member agencies. For the third quarter of F.Y. 2004-05, a total of \$155,381.93 in AVA funds was allocated to Fresno County. During the quarter, member agencies expended \$67,677.44 conducting AVA activities. A total of 565 vehicles were abated this quarter.

On May 25, 2005, staff conducted a meeting to consider a variety of issues related to the AVA Program. The meeting was well-attended by representatives of most of the local agencies. A major issue of discussion was the lack of participation in the program to date or the reduced level of participation over time by several local agencies. It was extremely encouraging to learn that those agencies not yet participating in the program intend to begin in the fourth quarter, while other agencies intend to become more active. This program has proven to be difficult to implement, or to implement meaningfully, by several agencies. Staff and those agencies that have aggressively implemented the program are committed to doing what we can to assist other agencies experiencing difficulties.

A second major issue, related to the first, is the minimal amount of expenses incurred by the program as a whole relative to the apportionments received over the first three quarters of the fiscal year. Year-to-date expenses total \$251,233.79 while year-to-date apportionments total \$407,971.27, yielding a balance of \$156,737.48. Pursuant to Section 9270.7 VC any funds received by the AVA Service Authority not expended to abate vehicles within 90 days of the close of the fiscal year in which the funds were received shall be returned to the State Controller's Office. Staff has developed a policy, described in the enclosed memorandum, intended to minimize or eliminate the return of these surplus funds to the State Controller's Office. [THOMPSON]

Action: Staff recommends acceptance of the Fresno County Abandoned Vehicle Abatement Program F.Y. 2004-05 Third Quarter Report. Staff further recommends approval of policy to minimize or eliminate the return of surplus funds to the State Controller's Office.

K. SR 99 As An Interstate Status Report

Summary: Staff will provide an update on activities. [GOODWIN]

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

L. Office Space Discussion

Summary: Staff will provide an update on activities. [GOODWIN]

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

M. Caltrans Monthly Report

Summary: Caltrans staff will provide an update on Caltrans activities. [CALTRANS]

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

***Items listed as information still leave the option for guidance/direction actions by the Committee.**