



CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY MEETING AGENDA

**August 17, 2023
6:00 PM**

The Mission of the City of Coalinga is to provide for the preservation of the community character by delivering quality, responsive City services, in an efficient and cost-effective manner, and to develop, encourage, and promote a diversified economic base in order to ensure the future financial stability of the City for its citizens.

Notice is hereby given that the City Council will hold a Meeting, on August 17, 2023 in the City Council Chambers located at 155 West Durian, Coalinga, CA. Persons with disabilities who may need assistance should contact the City Clerk at least 24 hours prior to this meeting at 935-1533 x113. Anyone interested in translation services should contact the City Clerk at least 24 hours prior to the meeting at 935-1533 x113. The Meeting will begin at 6:00 p.m. and the agenda will be as follows:

1. CALL TO ORDER

1. Pledge of Allegiance
2. Changes to the Agenda
3. Council's Approval of Agenda

2. AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS

1. 2023 Quarterly Report, Quarter 1 and Quarter 2, Mid Valley Disposal
2. 2023 Quarterly Report, Quarter 2, Gimme Love

3. CITIZEN COMMENTS

This section of the agenda allows members of the public to address the City Council on any item within the jurisdiction of the Council. Members of the public, when recognized by the Mayor, should come forward to the lectern, identify themselves and use the microphone. Comments are normally limited to three (3) minutes. In accordance with State Open Meeting Laws, no action will be taken by the City Council this evening and all items will be referred to staff for follow up and a report.

Citizen Comments submitted in writing to the City Clerk by 5:00pm on the day of the City Council meeting shall be distributed to the City Council and included in the record, however they will not be read.

4. PUBLIC HEARINGS (NONE)

5. CONSENT CALENDAR

1. Approve MINUTES - August 3, 2023
2. Information Only - Status Update on Clock Tower
3. Information Only - Review of City's Peddler Ordinance
4. Waive Second Reading and Adopt Ordinance No. 861 related to Planning Application CDA 22-02 - 256 E. Polk Street.
5. Adopt Resolution No. 4174 Approving the Battalion Chief Job Description
6. Adopt Resolution No. 4175 Amending Fire Captain Job Description
7. Adopt Resolution No. 4176 Approving Fire Mid-Management Pay Scale
8. Direct Staff to Obtain Cost Estimates to Make Crime Statistics Available on City Website for Public Information
9. Approve Survey Language and Direct Assistant City Manager to Distribute Survey related to Elm Ave Rehabilitation Project with Complete Streets Elements including a Road Diet - ITEM UPDATE
10. Authorize Submission of Grant Applications under Congestion Mitigation and Air Quality (CMAQ), Surface Transportation Block Grant (STBG) and Carbon Reduction Grant Programs
11. Authorize City Manager to Sign a Letter of Opposition on Behalf of the City Council Opposing SB 423 (Weiner) – By-Right Housing Approvals: Multi-Family Housing Developments: SB 35 (Chapter 366, Statutes of 2017) Expansion
12. Authorize City Manager to Sign a Letter of Opposition, Unless Amended, on Behalf of the City Council Opposing AB 309 (Lee) – Social Housing Program
13. Direct City Manager to Solicit Public Input on City's Website and Make Recommended Changes to be Reported to Council for Consideration and Approval
14. Approve Health Policy and Management Consulting Services Renewal with Health Management Associates and Participating Cities
15. Approve Release of Request for Statement of Interest and Qualifications to Perform Airport Planning, Environmental and Consulting Services for the Coalinga Municipal Airport

6. ORDINANCE PRESENTATION, DISCUSSION AND POTENTIAL ACTION ITEMS

1. Discussion and Direction regarding Natural Gas Rates
Dan Bergmann, IGS Services
2. Discussion, Direction and Potential Action related Permitting Small Accessories Structures within the Required Setbacks of Reverse Corner Lots
Sean Brewer, Assistant City Manager
3. Discussion, Direction and Potential Action regarding Authorizing Battalion Chief Positions

Marissa Trejo, City Manager

7. ANNOUNCEMENTS

1. City Manager's Announcements
2. Councilmembers' Announcements/Reports
3. Mayor's Announcements

8. FUTURE AGENDA ITEMS

9. CLOSED SESSION

1. REAL PROPERTY NEGOTIATIONS - Government Code Section 54956.8. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. PROPERTY: APN: 072-154-02 located in the City of Coalinga on E. Glenn St. CITY NEGOTIATORS: City Manager, Marissa Trejo; Assistant City Manager, Sean Brewer; and City Attorney, Mario Zamora. NEGOTIATING PARTIES: Patel Shushilaben Ambelal Trustee. UNDER NEGOTIATION: Price and Terms of Payment
2. REAL PROPERTY NEGOTIATIONS - Government Code Section 54956.8. CONFERENCE WITH REAL PROPERTY NEGOTIATORS. PROPERTY: APN: 072-127-22 located in the City of Coalinga on the SE Corner of Elm Avenue and 5th Street. CITY NEGOTIATORS: City Manager, Marissa Trejo and City Attorney, Mario Zamora. NEGOTIATING PARTIES: Jagdish Singh. UNDER NEGOTIATION: Price and Terms of Payment
3. CONFERENCE WITH LABOR NEGOTIATORS – Government Code 54957.6. CITY NEGOTIATORS: City Manager, Marissa Trejo and City Attorney, Mario Zamora. EMPLOYEE (ORGANIZATION): Coalinga's International Association of Firefighters and Coalinga Non-Sworn Public Safety Personnel

10. CLOSED SESSION REPORT

Closed Session: A "Closed" or "Executive" Session of the City Council, Successor Agency, or Public Finance Authority may be held as required for items as follows: personnel matters; labor negotiations; security matters; providing instructions to real property negotiators; legal counsel regarding pending litigation; and protection of records exempt from public disclosure. Closed session will be held in the Administration Building at 155 W. Durian Avenue and any announcements or discussion will be held at the same location following Closed Session.

11. ADJOURNMENT

**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE
AUTHORITY**

Subject: 2023 Quarterly Report, Quarter 1 and Quarter 2, Mid Valley Disposal
Meeting Date: Thursday, August 17, 2023
From: Marissa Trejo, City Manager
Prepared by: Thomas Hamon, Mid Valley Disposal

I. RECOMMENDATION:

II. BACKGROUND:

III. DISCUSSION:

IV. ALTERNATIVES:

V. FISCAL IMPACT:

ATTACHMENTS:

	File Name	Description
▣	MVD_Q1-Q2-2023_Coalinga_PP_V2.pdf	Coalinga_Q1&Q2_2023



MID VALLEY DISPOSAL

City of Coalinga

Q1 & Q2 Update

2023



Overview

- SITE ASSESSMENTS
- RECYCLING AUDITS
- EDUCATION
- EVENTS
- TONNAGE REPORT
- CALRECYCLE UPDATE

Site Assessments

- IMPLEMENTATION
- COMPLIANCE
- EDUCATION
- ILLEGAL DUMPING
- BULKY ITEMS

Service Type	
Commercial	117
Multifamily	25
Residential	6
Total	148

Recycling Audits

WARNING | ADVERTENCIA



☐ **RECYCLING**
RECICLAJE

☐ **ORGANICS**
ORGANICOS

☐ **TRASH**
BASURA

☐ **CONTAMINATED**
CONTAMINADO

☐ **OVERLOADED**
SOBRECARGADO

☐ **SERVICED**
VACIADO

☐ **NOT SERVICED**
NO VACIADO

REMOVE CONTAMINATION / EXCESS ELIMINA CONTAMINACIÓN / EXCESO

Container may not have been emptied due to contamination or overload. Please remove contamination/excess before next service day or call **(559) 567-0520** to request additional service.

Es posible que el contenedor no se haya vaciado debido a contaminación o sobrecarga. Elimine la contaminación / el exceso antes del próximo día de servicio o llame al **(559) 567-0520** para solicitar servicio adicional.

DATE: _____ ACCT #: _____
(FECHA) (NÚMERO DE CUENTA)

ADDRESS / CITY: _____
(DOMICILIO / CIUDAD)

CONTAINER LOCATION: _____ ROUTE: _____
(UBICACIÓN DEL CONTENEDOR) (RUTA)

CONTAMINANTS FOUND INCLUDE: _____
(LOS CONTAMINANTES ENCONTRADOS INCLUYEN)

RECYCLE NOT ACCEPTED

NO Styrofoam
NO Clothes
NO Diapers
NO Tires
NO Plastic Bags
NO Green Waste
NO Electronics



RECICLAJE NO ACEPTADO

NO unícel
NO ropa
NO pañales
NO llantas
NO bolsas de plástico
NO desechos verdes
NO Electrónicos

ORGANICS NOT ACCEPTED

NO Plastic Bags
NO Animal Waste
NO Furniture
NO Painted Wood
NO Dirt
NO Brick
NO Cement



ORGANICOS NO ACEPTADO

NO bolsas de plástico
NO desechos de animales
NO muebles
NO madera pintada
NO tierra
NO ladrillo
NO cemento



WARNING ADVERTENCIA



☐ **RECYCLING**
RECICLAJE

☐ **OVERLOADED**
SOBRECARGADO

☐ **SERVICED**
VACIADO

☐ **ORGANICS**
ORGANICOS

☐ **CONTAMINATED**
CONTAMINADO

☐ **NOT SERVICED**
NO VACIADO

☐ **TRASH**
BASURA

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DATE: _____ ROUTE: _____ ACCT #: _____
(FECHA) (RUTA) (NÚMERO DE CUENTA)

ADDRESS / CITY (DOMICILIO): _____

CONTAINER LOCATION: _____ BIN SIZE (TAMAÑO): _____
(UBICACIÓN DEL CONTENEDOR)

CONTAMINANTS FOUND INCLUDE: _____
(LOS CONTAMINANTES ENCONTRADOS INCLUYEN)



RECYCLE NOT ACCEPTED

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NO Clothes
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NO Tires
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NO Green Waste
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ORGANICS NOT ACCEPTED

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NO desechos verdes
NO Electrónicos



ORGANICOS NO ACEPTADO

NO bolsas de plástico
NO desechos de animales
NO muebles
NO madera pintada
NO tierra
NO ladrillo
NO cemento



Service Type

Residential

26

Commercial

8

Total

34

Education

SENATE BILL 1383



WHAT IS SENATE BILL 1383?

SB1383 is a bill that was passed to reduce organic waste disposal from our landfills by 75 percent and increase edible food recovery by 20 percent by 2025 and takes effect January 1, 2022. All jurisdictions are required to adopt a mandatory organic waste ordinance. Jurisdictions will enforce and apply fines and penalties on anyone who does not comply.



KEEPING ORGANIC WASTE OUT OF THE LANDFILL

Organic waste that decomposes in a landfill releases methane gas, a highly potent greenhouse gas. This is why keeping food waste and green waste out of your trash is so important. Sending food scraps and green waste to a controlled composting facility through your green containers helps to prevent the release of methane gas that contributes to poor air quality affecting your health. Reducing methane gas will also prevent extreme climate change impact such as droughts and wildfires.



EDIBLE FOOD RECOVERY

There is an urgent need for food donation. Early participation in food recovery programs will help feed people who face hunger daily. California protects food businesses from liability now more than ever through the California Good Samaritan Food Donation Act.

Visit MidValleyDisposal.com for information regarding programs for the donation of edible food in your community.

WHO IS AFFECTED?

Everyone. Single residences, multiple family residences, businesses, schools, and special districts are all required to comply with SB 1383 and subscribe to recycling and organic waste recycling services. This means that organic waste, including food scraps and green waste, must be separated and placed in a green container, recyclables in a blue container, and trash in a gray container.

WHAT HAPPENS TO ORGANIC WASTE COLLECTED BY MID VALLEY DISPOSAL?

The organic waste collected by Mid Valley Disposal goes through its composting facility in Kerman where the materials are processed to produce compost and mulch used in the farming industry in the Central Valley to grow and produce nuts, vegetables, and fruits. You can help by making sure everything going in your organic container is compostable. Refer to our recycling guide to see what is compostable. If you have an alternative arrangement for your organic waste, you may contact the City of Reedley.



WAYS TO REDUCE ORGANIC WASTE AT HOME

- Shop smart and plan your food preparation by using a grocery list.
- Buy exactly what you need.
- When unpacking groceries move old products to the front and new items to the back.
- Monitor what you throw away.
- Repurpose leftover scraps.
- Eat leftovers.
- Donate what you won't use.



DISPOSAL GUIDE

FLAMMABLE MATERIAL HAZARD

Do not place any hazardous waste or flammable material into collection containers. Flammable & hazardous material have the potential of causing dangerous fires in our collection containers, trucks and processing facilities. Not only is this a hazard for our equipment but more importantly to the personnel that service our communities.



SAFETY TIPS

- Remove batteries from electronics (such as children's toys) prior to disposal. All batteries, and items containing batteries, are hazardous waste and cannot be disposed of in any MVD container.
- Electronics with circuit boards cannot be disposed of in any MVD container.
- To avoid chemical reactions from starting in collection containers or trucks, please discard all chemicals, pesticides, automotive fluids, lighters with lighter fluid, propane tanks, butane cylinders, other cylinders such as oxygen, helium, and acetylene, road flares, cleaners, and aerosol cans at a HHW facility near you.

HAZARDOUS WASTE

- NICAD/ALKALINE BATTERIES
- CLEANERS (AMONIA/BLEACH)
- ACIDS (POOL, TILE, & WHEEL CLEANERS)
- PESTICIDES
- FLUORESCENT BULBS/TUBES
- ANTIFREEZE COOLANT
- DISPOSABLE VAPING PRODUCTS
- LIGHTERS WITH LIGHTER FLUID (ZIPPOS)
- BUTANE CYLINDERS
- OTHER CYLINDERS (OXYGEN, HELIUM, ACETYLENE)
- ROAD FLARES
- ELECTRONIC WASTE WITH CIRCUIT BOARDS
- AUTOMOBILE OIL/FILTERS
- HOT WOOD/COALS
- MOTORS

For more information of how to dispose of these materials properly, scan this QR code to visit your county's website through the links provided.



MIDVALLEYDISPOSAL.COM

Instructional Service Guide



GARBAGE



STYROFOAM
CLOTHES
PET WASTE
CARPET
TREATED WOOD
HOSE/ROPE
NON RECYCLABLE PLASTIC

PLASTIC BAGS
TOILET/TISSUE PAPER
DIAPERS
TOYS
SHOES
PALM FRONDS

ORGANICS



TREE TRIMMINGS
GARDEN CLIPPINGS
UNTREATED WOOD
GRASS
FOOD SOILED PAPER
SOILED CARDBOARD

FRUITS
VEGETABLES
EGGSHELLS
NUTSHELLS
COOKED MEAT/
POULTRY/FISH

RECYCLING



MIXED PAPER
CARDBOARD
ALUMINUM & TIN
CANS
ALUMINUM FOIL
GLASS JARS & BOTTLES
RECYCLABLE PLASTICS
BOTTLES AND
CONTAINERS

CART PLACEMENT

1. PLACE CARTS OUT FOR SERVICE IN YOUR DESIGNATED SERVICE AREA THE NIGHT BEFORE
2. WHEELS TOWARD CURB
3. 3 FT SPACING BETWEEN CARTS
4. REMOVE BLOCKING VEHICLES OR OBJECTS
5. LIDS CLOSED AND LEVEL FULL

HOLIDAY SERVICE SCHEDULE

Thanksgiving Day: Thursday 11/23/23- Thursday and Friday, service days will be delayed by one (1) day

Christmas Day: Monday 12/25/23- 1 day service delay

New Years Day: Monday 1/1/24- 1 day service delay

RECYCLING DEPARTMENT

Contact us at: 559-567-0520

- State and local law compliance assistance
- Educational materials
- Commercial business technical assistance
- Recycling assistance



Scan this QR Code to visit our website and contact Mid Valley Disposal for more information.

(559) 897-5217

WWW.MIDVALLEYDISPOSAL.COM



Scan this QR Code to visit our website and contact Mid Valley Disposal for more information.



Events

HORNED TOAD DERBY



National Night Out



CLEAN UP EVENT

- HELD MAY 6TH
- 6:00AM-1:00PM
- SERVICED 502 RESIDENTS
- TOTAL TONS DISPOSED: 85.72

Coalinga Clean Up Event

6:00am - 1:00pm

Elm St. Coalinga, CA



Please separate metals, appliances, mattresses, electronics, green waste, and general trash

Residents must bring items to location and help unload

We will be accepting the following items:

- Furniture
- Appliances
- Metals
- Wood
- E-Waste *Fees may apply
- Green waste
- General Trash
- Mattresses



PROOF OF COALINGA RESIDENCY, ID, AND UTILITY BILL REQUIRED FOR ENTRY

LIMIT ONE VEHICLE PER ADDRESS

NO DUMP TRUCKS OR DUMP TRAILERS

MAXIMUM VEHICLE SIZE IS PASSENGER TRUCK
WITH 12FT TRAILER

Tires Accepted | CASH ONLY



Passenger: \$15/ea. | Truck: \$25/ea.
Must be dismounted from wheels



LOCAL HHW DISPOSAL

Batteries & Fluorescent bulbs/tubes

Ace Hardware:
109 N 5th St

Automotive Fluids & Oil Filters

Auto Zone:
45 W Polk St.

Sharps & Medications

Coalinga Police Department:
270 N 6th St



FOR DISPOSAL OF OTHER HHW MATERIALS,
CONTACT FRESNO COUNTY AT (559) 600-4259



Mid Valley Disposal's
Kerman's Best Compost will
be available at
the event while
supplies last



We will not be accepting HHW or any of the following items:

- Lawnmowers or any other two stroke motors
- Any auto parts (bumpers, doors, radiators, engines, etc.)
- Construction or demolition material
- All light bulbs/fluorescent tubes
- Flammable or hazardous material (motor oil, grease, or coolant)
- Acids, oxidizers, and bases (pool chemicals and cleaners)
- Pesticides and herbicides
- Hypodermic needles or medical waste
- Paint, paint thinners, lacquers, or wood stains
- Any liquids
- All types of batteries or any item containing batteries
- Dirt, rock, sod, or asphalt
- 50 gallon drums
- Items over 4' in length and items over 150 lbs
- Compressed gas cylinders, and propane tanks

DO NOT place these items in any curbside collection container. Risk of fire or hazardous situations may occur when disposed of improperly.



For more information, contact:
The City of Coalinga at (559) 935-1533



**MID VALLEY
DISPOSAL**

Tonnage Report

REFUSE	4791.69 Tons
RECYCLE	717.28 Tons
ORGANICS	1149.55 Tons
TOTAL	6658.52 Tons

CalRecycle Update

SB 1383 Key Implementation Dates



CalRecycle Update

SB 1383 IN ACTION

INSPECTION AND ENFORCEMENT REQUIREMENTS



**Monitor Compliance and
Conduct Enforcement**

JURISDICTION REQUIREMENTS

Ordinance 2022



Adopt an Ordinance
(Enforceable
Mechanism)
Including
Enforcement

Compliance Monitoring & Education 2022-2024



Annual
Compliance
Reviews, Route
Reviews,
Inspections

Educate Violators

Compliance Monitoring & Enforcement 2024



Annual Compliance
Reviews
Route Reviews,
Inspections,
Notice of Violations,
Penalties for
Violators



**MID VALLEY
DISPOSAL**

THANK YOU

**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE
AUTHORITY**

Subject: Approve MINUTES - August 3, 2023
Meeting Date: Thursday, August 17, 2023
From: Marissa Trejo, City Manager
Prepared by: Shannon Jensen, City Clerk

I. RECOMMENDATION:

II. BACKGROUND:

III. DISCUSSION:

IV. ALTERNATIVES:

V. FISCAL IMPACT:

ATTACHMENTS:

	File Name	Description
▣	MINUTES_For_Approval_080323.pdf	Minutes - August 3, 2023

MINUTES

CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

MEETING AGENDA

August 3, 2023

1. CALL TO ORDER 6:00 PM

Council Members Present: Horn, Ramirez, Vosburg, Schindler, Hedgecock

Others Present: City Manager Marissa Trejo, Assistant City Attorney Christina G. Di Filippo, Assistant City Manager Sean Brewer, Chief of Police Jose Garza, Financial Services Director Mai Vang (via Zoom), Administrative Analyst Mercedes Garcia (via Zoom), Fire Chief Greg DuPuis, Public Works and Utilities Coordinator Larry Miller and City Clerk Shannon Jensen

Council Members Absent: None

Others Absent: City Treasurer Dawn Kahikina

Changes to the Agenda: City Manager Marissa Trejo announced the following changes to the Agenda:

1. Special Meeting shall run concurrently with the regular meeting, and
2. Item No. 5.1 from the Special Agenda shall be added to the regular meeting agenda as Item No. 6.4.

*Motion by Vosburg, Second by Ramirez to Approve the Agenda for the meeting of August 3, 2023. Motion **Approved** by 5/0 Roll-Call Majority Vote.*

2. AWARDS, PRESENTATIONS, APPOINTMENTS AND PROCLAMATIONS

1. Presentation on Proposed Solar Facility at the Old Asbestos Superfund Site by Cultivate Power

Lucas Adams of Cultivate Power presented their proposed solar facility to be located at the Old Asbestos Superfund site.

2. Presentation on Proposed Solar Facility at Jayne and Alpine by Cenergy Power

Bill Pham of Cenergy presented their proposed solar facility to be located at Jayne and Alpine Avenues.

3. Presentation of Police Department Mid-Year Report by Chief Garza

Chief of Police Jose Garza presented the Police Department Mid-Year Report.

3. CITIZEN COMMENTS

The following individual(s) spoke under Citizen Comments:

Scott Netherton congratulated City Manager Marisa Trejo and staff for a successful Nation Night Out event. Mr. Netherton announced another local business was lost. Mr. Netherton voiced concern over online businesses being able to avoid complying with a lot of the same requirements and fees that their brick and mortar counterparts cannot.

Robert Lazano and Manuel Hernandez stated they are a vendor outside of the Fitness Center and just received their business license but was cited today. City Manager Mariss Trejo stated that Citizen Comments was not the appropriate forum to address their concerns and offered to speak with them during the Public Comments portion of the meeting.

The following individual(s) submitted written comment(s):

None

4. PUBLIC HEARINGS

1. Consideration and Approval of Resolution No. 4170 Tentative Parcel Map 22-02 (SE Corner of Elm Ave/SR33/198 and El Rancho Blvd)
Sean Brewer, Assistant City Manager

Assistant City Manager Sean Brewer gave a brief overview of the item.

Mayor Horn opened the Public Hearing for comments. Seeing none, Mayor Horn closed the Public Hearing.

*Motion by Hedgecock, Second by Vosburg to Adopt Resolution No. 4170 Approving a Tentative Parcel Map 22-02 to Subdivide the Existing 7.69 Parcel into Four (4) Commercial Zoned Parcels. Motion **Approved** by a 5/0 Majority Roll-Call Vote.*

2. Consideration and Approval of Resolution No. 4171 and Combined Development Application (CDA 22-02) – 256 E. Polk Street
Sean Brewer, Assistant City Manager

Assistant City Manager Sean Brewer gave a brief overview of the item.

Mayor Horn opened the Public Hearing for comments.

Mary Jones voiced concerns with the cinderblock wall that had been a part of the previous approval with the property on the corner lot and how long it took the property owner to complete the wall.

Assistant City Manager Sean Brewer stated that the cinderblock wall will be required to meet current City standards and a Business License will not be issued until all conditions of approval are met.

Tom Dominguez voiced requested that the City ensures that the property doesn't become a storage yard for unused/unregistered vehicles.

Mr. Brewer stated that storage concerns have been addressed and are part of the conditions.

Seeing none, Mayor Horn closed the Public Hearing.

*Motion by Vosburg, Second by Horn to Adopt Resolution No. 4171 and Waive the Introduction and First Reading of Ordinance No. 861 Approving a General Plan Amendment, Zoning Amendment, Conditional Use Permit, Site Review and Environmental Review for APNs 083-102-06, 083-102-07, and 083-102-08 for the Combined Development Application for 256 E. Polk Street. Motion **Approved** by a 5/0 Majority Roll-Call Vote.*

5. CONSENT CALENDAR

1. Approve MINUTES – July 6, 2023
2. Check Register: 06/01/2023 – 06/30/2023
3. Authorize Police Department to Expand Drone Program

Councilman Vosburg pulled Item No. 5.3 for discussion.

Police Commander Sean Young gave a brief overview of the item.

4. Adopt Resolution No. 4168 for Measure C Extension Local Transportation Purposes Pass-Through Projects and Program Funds Apportionment for FY2023-2024 and Authorize City Manager to Sign and Submit Local Transportation Pas Through Revenues Certification and Claim Forms

Councilman Vosburg pulled Item No. 5.4 for discussion.

Assistant City Manager Sean Brewer gave a brief overview of the item.

5. Authorize City Manager to Approve Engagement Letter Received from Bryant L. Jolley, CPA for Auditing Services of Fiscal Year 2022-2023
6. Approve Mutual Aid Agreements between Coalinga Police Department and the Fresno County Sheriff's Department
7. Authorize City Manger to Execute a Letter of Intent with Cultivate Power for Ground Lease of 3 Acres at Asbestos Site for a Future Community Solar Project
8. Approve Task Order with AM Consulting Engineers to Provide Design Engineering Services for Grant Street Alley Sewer Line Replacement Project
9. Authorize Assistant City Manager to Execute a Task Order with the City Engineer to Perform Topographic Survey Work related to the Affordable Housing Sustainable Communities Grant Project
10. Authorize Staff to Enter into an Agreement with Quad Knoph, Inc. For On Call GIS Services

11. Reject Claim for Damages Presented by Patricia Gonzalez Magaña
12. Reject Claim for Damages Presented by Cari McCormick
13. Authorize City Manager to Approve Lease Contract between the City of Coalinga and Westside Family Preservation Network located at 160 W. Elm Ave
14. Direct City Manager to Coordinate a Ribbon Cutting Ceremony at Dog Park upon Completion of Upgrades
15. Code Enforcement Monthly Report for June 2023
16. Public Works, Utilities & Community Development Monthly Report for April-June 2023

*Motion by Vosburg, Second by Schindler to **Approve** Consent Calendar Item Nos. 5.1 through 5.2 and 5.4 through 5.16. Item No. 5.3 **Approved** with the Condition that the Public is Properly Informed of the Program and that a Formal Policy be Developed to Address the Community's Privacy. Motion **Approved** by a 5/0 Roll-Call Majority Vote.*

6. ORDINANCE PRESENTATION, DISCUSSION AND POTENTIAL ACTION ITEMS

1. Discussion and Direction regarding One (1) Future Vacancy on Planning Commission
Sean Brewer, Assistant City Manager

City Manager Marissa Trejo stated this was a Future Agenda Item by Councilman Schindler.

Assistant City Manager Sean Brewer gave a brief overview of the item.

*Motion by Horn, Second by Schindler to Appoint Rocco Papietro to the Planning Commission to Fill the Future Vacancy of Chairman Joshua Sailer on September 3, 2023. Motion **Approved** by a 5/0 Roll-Call Majority Vote.*

2. Discussion, Direction and Potential Action regarding Filling Remaining Vacant Appointment for District 1 of the City of Coalinga Public Safety/City Beautification/Code Enforcement/Animal Control Transparency and Accountability Committee
Marissa Trejo, City Manager

City Manager Marissa Trejo gave a brief overview of the item, stating that Items 6.2 and 6.3 go hand in hand and suggested the Council discuss the two items together.

*Motion by Horn, Second by Schindler to **Appoint** Rocco Papietro to Represent District 1 and Mary Jones and Taylor Monroy Cisneros to Represent District 3 of the City of Coalinga Public Safety/City Beautification/Code Enforcement/Animal Control Transparency and Accountability Committee. Motion **Approved** by a 5/0 Roll-Call Majority Vote.*

3. Discussion, Direction and Potential Action regarding Filling Remaining Vacant Appointments for District 3 of the City of Coalinga Public Safety/City Beautification/Code Enforcement/Animal Control Transparency and Accountability Committee
Marissa Trejo, City Manager

*Motion by Horn, Second by Schindler to **Appoint** Rocco Papietro to Represent District 1 and Mary Jones and Taylor Monroy Cisneros to Represent District 3 of the City of Coalinga Public Safety/City Beautification/Code Enforcement/Animal Control Transparency and Accountability Committee. Motion **Approved** by a 5/0 Roll-Call Majority Vote.*

4. City Council Authorizing the Assistant City Manager the Authority to Approve Change Order #1 for Unforeseen Sewer Lateral Repairs as Part of the E. Pleasant Street Water Line Project Currently Under Construction

Sean Brewer, Assistant City Manager

Assistant City Manager Sean Brewer gave a brief overview of the item.

*Motion by Horn, Second by Vosburg to **Approve** Authorizing the Assistant City Manager the Authority to Approve Change Order #1 for the Unforeseen Sewer Lateral Repairs as Part of the E. Pleasant Street Water Line Project Currently Under Construction. Motion **Approved** by a 5/0 Roll-Call Majority Vote.*

7. ANNOUNCEMENTS

City Manager's Announcements:

City Manager Marissa Trejo announced that Tractor Supply project at the former Kmart building is still moving and is on schedule.

Mrs. Trejo announced that this year's National Night Out was a huge success and the City gave out 500 sets of school supplies and an additional 36 backpacks. We did run out of supplies so our goal for next year will be to handout 600 sets. Mrs. Trejo thanked all the City departments who helped put on the event and personally thanked Scott Netherton for all his help securing vendors for the event while she was out of the office.

Council Member's Announcements:

Councilman Vosburg formally welcomed newly appointed Councilman Roger Schindler as he missed Mr. Schindler's first meeting last month.

Councilman Vosburg thanked the Public Works department for all their hard work cutting trees and trimming the grass, making everything look nice.

Councilman Vosburg stated how pleased he was with the recent Caltrans pavement overlay project on Elm Avenue (State Route 198) from Firestone to 5th (State Route 33). They worked quickly and efficiently.

Mayor Pro-Tem Ramirez announced that Coalinga football will be starting soon, and it's expected to be an exciting year. This Friday will be our first scrimmage.

Mr. Ramirez thanked everyone for Nation Night Out, it is always nice to see everyone come together.

Mr. Ramirez thanked staff for how great the City looks. Assemblywoman Soria was impressed with how great our City looked during a recent visit.

Mayor's Announcements:

None

8. FUTURE AGENDA ITEMS

Mayor Pro-Tem Ramirez requested a Future Agenda Item to address a raised piece of concrete on Glenn Avenue and Forest Court. He said it is hard to see at night and asked if it could be shaved down.

9. CLOSED SESSION

1. CONFERNECE WITH LABOR NEGOTIATORS – Government Code 54957.6. CITY NEGOTIATORS: City Manager, Marissa Trejo and City Attorney, Mario Zamora. EMPLOYEE (ORGANIZATION): Coalinga's International Association of Firefighters and Coalinga Non-Sworn Public Safety Personnel

10. CLOSED SESSION REPORT

None

11. ADJOURNMENT 7:50 PM

APPROVED:

James Horn, Mayor

ATTEST:

Shannon Jensen, City Clerk

August 17, 2023

Date

**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE
AUTHORITY**

Subject: Information Only - Status Update on Clock Tower
Meeting Date: Thursday, August 17, 2023
From: Marissa Trejo, City Manager
Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

There is no staff recommendation as this is informational only and requested as a Future Agenda Item by Councilman Vosburg.

II. BACKGROUND:

On January 6, 2022, the Coalinga City Council voted to dedicate the City's Clocktower to Oscar Garza.

On December 1, 2022, the Coalinga City Council presented a plaque to Oscar Garza's family that was to be installed at the Clocktower.

On December 7, 2022, the plaque was installed at the Clocktower and a dedication ceremony was held.

At that time, James Horn, as a private citizen, stated he would be interested in personally purchasing a larger plaque in honor of Oscar Garza. Another citizen offered to remove, sandblast and paint the signs on the Clocktower at no cost and then return them to the City to be reinstalled.

III. DISCUSSION:

At this time, the City has not received a new plaque from Mr. Horn and Public Works has reached out to the citizen who offered to remove, sandblast and paint the signs on the Clocktower and then return them to the City to be reinstalled, but has not yet received a response.

There is no further update at this time.

IV. ALTERNATIVES:

None. Informational Only.

V. FISCAL IMPACT:

None. Informational Only.

ATTACHMENTS:

File Name

Description

No Attachments Available

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Information Only - Review of City's Peddler Ordinance
Meeting Date: Thursday, August 17, 2023
From: Marissa Trejo, City Manager
Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

There is no staff recommendation as this item is informational only. This item was requested as a Future Agenda Item by Councilman Vosburg.

II. BACKGROUND:

CHAPTER 9. - PEDDLERS AND SOLICITORS [2]

Sec. 5-9.01 - Legislative findings.

The City Council finds that person and organizations have been and are visiting private residential properties in the City for the purposes of peddling goods, wares, merchandise or services, and that some residents find such visits to be bothersome and intrusive. The City Council further finds that a variety of misrepresentations and other frauds are at times employed in such activities. The City Council further finds that public safety and convenience necessitates the exercise of the police power of the City through the enactment and enforcements of this chapter for the purpose of protecting the privacy of residents and preventing fraudulent practices by persons representing themselves as peddlers.

(Ord. No. 740, section 1, effective July 24, 2008)

Sec. 5-9.02 - Peddler defined.

"Peddler" means any person who goes upon the premises of any private residence in the City, not having been requested or invited by the occupant thereof, selling or taking orders for, or offering to sell or take orders for goods, wares and merchandise for present or future delivery, or for services to be performed immediately or in the future, whether or not such person has, carries or exposes a sample of such goods, wares and merchandise, or not and whether or not the person is collecting advance payments on such sale or not.

(Ord. No. 740, section 1, effective July 24, 2008)

Sec. 5-9.03 - License required; exemption.

(a) Exempt as otherwise provided by this chapter, it is unlawful for any person to act as a peddler within the City without having first obtained a license issued pursuant to this chapter. Each individual peddler shall obtain a license. In addition, there must be compliance with the business license requirement stated in Chapter 1 of Title 3.

(b) A peddler who offers for sale any goods or services with an asking price or requests a donation of less than fifty dollars (\$50.00) is exempt from the licensing requirements of this chapter, including the payment of fees. Such peddlers shall be subject to Section 5-9.08 and Section 5-9.09 of this chapter.

(Ord. No. 740, section 1, effective July 24, 2008)

Sec. 5-9.04 - Application for license.

Applicants for license under this chapter shall file with the Chief of Police an application in writing on a form to be furnished by the Police Department, which shall give the following information:

- (a) Name and physical description of the applicant.
- (b) Date of birth, driver's license or other identification number, Social Security Number.
- (c) Permanent home address.
- (d) Local address and telephone number.
- (e) The nature or character of the goods, wares, merchandise or services to be offered by the peddler.
- (f) If employed, the name, address and telephone number of the employer, or if acting as agent, the name, address and telephone number of the principal who is being represented, with credentials in written form establishing the relationship and the authority of the employee or agent to act for the employer or principal, as the case may be.
- (g) The length of time for which the right to peddle or solicit is desired.
- (h) Two (2) photographs of the applicant, taken within sixty (60) days immediately prior to the date of filing of the application, measuring one (1) inch by one (1) inch, and showing the head and shoulders of the applicant in a clear and distinguishing manner.
- (i) The names of, and a means of contacting, at least two (2) reliable persons residing in the County of Fresno, who will certify as to the applicant's good character and business reputation, or, in lieu of the names of such references, such other available evidence as to the good character and business reputation of the applicant as will enable an investigator to properly evaluate the applicant's character and responsibility.
- (j) A statement as to whether or not the applicant has been convicted of any criminal offense, whether felony or misdemeanor, other than minor traffic violations. As to any such offense, the date and place of conviction, the nature of the offense, and the punishment or penalty imposed must be provided.
- (k) Proof of possession of any license or permit which, under Federal, State or local laws or regulations, the applicant is required to have in order to conduct the proposed business, or which, under any such law or regulation, would exempt the applicant from the licensing requirements of this chapter.
- (l) Completion of a live scan - fingerprinting process.
- (m) Proof of the make, model, year, license plate, and color of the vehicle or vehicles to be used by the solicitor.

(Ord. No. 740, section 1, effective July 24, 2008)

Sec. 5-9.05 - License fee.

At the time the application is filed with the Chief of Police, the application shall pay a fee sufficient to cover the cost to the City for processing the application. The amount of the fee shall be set by resolution of the City Council.

Sec. 5-9.06 - Investigation and license issuance.

(a) Upon receipt of an application, the Chief of Police, or authorized representative, shall cause an investigation to be made of the applicant's moral character and business reputation, as deemed necessary for the protection of the public health, safety and general welfare.

(b) The Chief of Police shall deny an application for a license if he or she makes any of the following findings:

(1) The applicant has failed to pay the application license fee.

(2) The applicant has made one or more material misstatements in the application for a license.

(3) The applicant has ever been convicted or held liable for a crime of moral turpitude, or any felony or misdemeanor offense that reasonably and directly indicates a potential risk to the public.

(4) The applicant has had a judgement in an action for fraud, deceit or misrepresentation entered against it, her, him, or them by any court of competent jurisdiction within then (10) years prior to the date of application.

(5) The applicant fails to provide proof of possession of any license or permit which, under Federal, State or local laws or regulations, the applicant is required to have in order to conduct the proposed business.

(6) The applicant has previously been convicted for violation of any provision of this chapter, or who has had any license issued pursuant to this chapter revoked.

(7) The Chief of Police possesses any other credible information concerning the applicant, his or her employer or principal that reasonably and directly indicates the peddling activities will likely be used as a means of committing crime, fraud or deceit.

(c) If the applicant is disapproved, the Chief's disapproval and the reasons for disapproval shall be noted on the application, and the applicant shall be notified that his or her application is disapproved and that no license will be issued. Notice shall be mailed to the applicant at the address shown on the application form, or at the applicant's last-known address.

(d) If the Chief of Police finds that the applicant's character and business responsibility are satisfactory, the Chief of Police shall endorse his or her approval on the application and shall, upon payment of the prescribed fee, deliver the required license and identification badge to the applicant.

(Ord. No. 740, section 1, effective July 24, 2008)

Sec. 5-9.07 - License expiration.

All license issued under the provision of this chapter shall expire one (1) year from date of issuance, unless an earlier expiration date is noted on the license.

(Ord. No. 740, section 1, effective July 24, 2008)

Sec. 5-9.08 - Hours of operation.

It is unlawful for any person described in Section 5-9.10 of this chapter, whether licensed or unlicensed, to enter upon any residential premises between 9:00 p.m. and 8:00 a.m.

(Ord. No. 740, section 1, effective July 24, 2008)

Sec. 5-9.09 - Peddling where "no peddlers" sign is posted.

It is unlawful for any person described in Section 5-9.10 of this chapter, whether licensed or unlicensed, to perform or attempt to perform the acts described in such section by ringing the doorbell or knocking at the door or otherwise calling attention to the person's presence of or any residence whereon a sign bearing the words "no peddlers", "no solicitors" or words of similar import is painted or affixed so as to be exposed to public view, and no such person described in Section 5-9.10 shall perform or attempt to perform any of the acts described in such section in any building, structure or place of business whereon or wherein a sign bearing the words "no peddlers", "no solicitors" or words of similar import, is painted or affixed so as to be exposed to public view.

(Ord. No. 740, section 1, effective July 24, 2008)

Sec 5-9.10 - Other conditions and regulations.

The following conditions and regulations shall also apply to the exercises of the privileges granted by licenses issued under the provisions of this chapter in addition to those set forth in other parts of this chapter or elsewhere in this Code:

- (a) Every peddler issued a license and identification badge must be in possession of the license and identification badge at all times when engaged in the business so licensed within the City. The peddler must produce and show the license and identification card on the demand of any person solicited or of any public safety officer or official of the City. No person issued a license or an identification badge shall alter, remove or obliterate any entry made upon such license or badge, or deface such license or card in any way. Each license and badge shall be personal and not assignable or transferable, nor shall any license or badge be used by any person other than the licensee or the person for whom the identification badge is issued.
- (b) Every peddler, upon the request of any Public Safety Officer or official of the City, shall sign the peddler's name for comparison with the signature upon the license or card or the signature upon the license application.
- (c) Every peddler who solicits orders for future delivery shall, if requested by the customer, provide a receipt plainly stating the quantity of each article or commodity ordered, the price to be paid therefor, the total amount ordered and the amount to be paid on or after delivery.
- (d) Every peddler shall, if requested by the customer, provide his/her name, business address and telephone number and the name, business address and telephone number of the person, organization, or entity on whose behalf solicitation is being made.

(Ord. No. 740, section 1, effective July 24, 2008)

Sec. 5-9.11 - Peddler - Revocation of license.

(a) A license issued under this chapter may be suspended or revoked by the Chief of Police for any of the following causes:

- (1) Fraud, misrepresentation or false statement contained in the application for license;
- (2) Fraud, misrepresentation or false statement made in the course of carrying on the business of peddler;
- (3) Any violation of this chapter;
- (4) Conviction of any crime or misdemeanor involving moral turpitude;
- (5) Conducting the business of soliciting or of canvassing in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.

(b) This section shall be self-executing and the suspension or revocation shall be effective immediately. The Chief of Police shall give notice of the suspension or revocation of the license and sufficient notice shall be given if mailed or delivered to the licensee at licensee's last known local address.

(Ord. No. 740, section 1, effective July 24, 2008)

Sec. 5-9.12 - Appeals to the City Manager.

In the event that any applicant or licensee desires to appeal from any order, revocation or other ruling of the Chief of Police or any other official of the City, made under the provisions of this chapter, such applicant or any other person aggrieved shall file, shall have the right to appeal such action or decision to the City Manager within fifteen (15) days after the notice of the action or decision has been mailed to the person's address as shown on the license application form, or to his or her last known address. An appeal shall be taken by filing with the Chief of Police a written statement setting forth the grounds for the appeal. The Chief of Police shall transmit the written statement to the City Manager within ten (10) days of its receipt and the City Manager shall set a time and place for a hearing on the appeal. A hearing shall be set not later than twenty (20) days from the date of receipt of the applicant's written statement. Notice of the time and place of the hearing shall be given to the appellant in the same manner as provided for the mailing of notice of action or decision. The decision of the City Manager on the appeal shall be final and binding on all parties concerned.

(Ord. No. 740, section 1, effective July 24, 2008)

Sec. 5-9.13 - Distribution of handbills - Excluded.

Nothing in this chapter shall prohibit from distributing handbills door-to-door within the City without a permit.

(Ord. No. 740, section 1, effective July 24, 2008)

Sec. 5-9.14 - Violations.

(a) Violations of any of the provisions of this chapter shall be treated as a misdemeanor or infraction, conviction for which shall be punishable as set forth in Chapter 2 of Title 1.

(b) In addition to any criminal enforcement, the City or any individual may pursue any available civil remedies deemed necessary. In a civil action, the prevailing party shall be able to recover reasonable attorney's fees.

(Ord. No. 740, section 1, effective July 24, 2008)

III. DISCUSSION:

The existing Ordinance language is included in the Background portion of this staff report.

Peddlers, commonly referred to as Solicitors or door-to-door salespeople, are required to obtain a Peddler's License with the City of Coalinga, issued by the Coalinga Police Department.

At this time, the City of Coalinga has no active Peddler's Licenses.

After reviewing the Ordinance, a Councilmember may request to bring this Ordinance back for proposed changes.

IV. ALTERNATIVES:

None. Informational Only.

V. FISCAL IMPACT:

None. Informational Only.

ATTACHMENTS:

File Name

Description

No Attachments Available

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Waive Second Reading and Adopt Ordinance No. 861 related to Planning Application CDA 22-02 - 256 E. Polk Street.
Meeting Date: Thursday, August 17, 2023
From: Marissa Trejo, City Manager
Prepared by: Sean Brewer, Assistant City Manager

I. RECOMMENDATION:

Waive the Second Reading of Ordinance No. 861 Amending the Zoning Map Change from Mixed Use Commercial (MX) to Commercial Service (CS) related to application CDA 22-02.

II. BACKGROUND:

The City of Coalinga received an application from Rito Gutierrez for a General Plan Amendment, Re-Zone for APN's 083-102-06, 083-102-07, and 083-102-08 (herein referred to as "the properties") including applications for a Site Plan Review, Conditional Use Permit and Environmental Review for 256 E. Polk Street (APN: 083-102-06) in order to facilitate opening an automotive repair facility. APN's 083-102-07 and 083-102-08 were included in the rezone and general plan amendment to facilitate orderly zoning district boundaries since 256 E. Polk is west of the two adjacent parcels. These parcels are not included in the site plan review and conditional use approval. They will be reserved for future land use activity and subject to subsequent land use approvals not determined at this time. No business activity will be permitted at these locations until subsequent permits are issued.

Currently the land use and zoning designations for 256 E. Polk Street is Mixed Use (MX) which currently prohibits automotive related activities. The applicant is requesting that the land use designation be changed from Mixed Use (MX) to Commercial Service (CS) which would allow for automotive related uses subject to a conditional use permit.

On July 25, 2023, the Planning Commission held a noticed public hearing to consider this application and after taking public comment, motioned and approved Resolution 023P-008 recommending approval by the City Council with conditions.

On August 3, 2023, the City Council approved said application and further introduced and waived the first reading of ordinance no., 861 to rezone the subject properties.

III. DISCUSSION:

The applicant is requesting these amendments to facilitate the use of the property as an automotive repair facility. The applicant plans to use the south portion of the building at 256 E. Polk Street for maintenance and repair of vehicles being sold at Jr's Auto Sales to the east of the subject properties. The north half of the building will be used for office space. The applicant has stated that there may be other maintenance and repair activities occurring beyond that of vehicles preparing for sale which may include a customer base from

Coalinga and surrounding communities. The property is currently developed and requires primarily interior tenant improvements, on and off-site improvements and safety inspections for occupancy. This will be discussed in more depth within the Site Plan and Conditional Use Permit Section.

General Plan / Zoning Map Revision

The applicant is requesting a General Plan Amendment and Re-Zone for APN's 083-102-06, 083-102-07, and 083-102-08. The applicant is requesting that the land use designation be changed from Mixed Use (MX) to Commercial Service (CS).

The General Plan Amendment and Zone Change is not expected to have an impact on the surrounding neighborhood with conditions imposed. The Commercial Service (CS) designation proposed will increase the allowable uses permitted at the subject property but will not significantly change the type or intensity of uses that could be proposed for the site in the future beyond what has already been recognized in the General Plan Land Use Element.

The General Plan Land Use Element states that all uses allowed in the Commercial General (CG) and Commercial Service (CS) designations are allowed in the Mixed Use (MX) designation. Therefore, a land use change from Mixed Use (MX) to Commercial Service (CS) is consistent to the City's General Plan policies and further implements the intent of the General Plan.

Implementation Measure LU1-1.4

The City shall prepare and maintain zoning standards that encourage infill development and intensification of land use through the reuse, redevelopment or mixed-use of vacant, underutilized sites where infrastructure supports such use.

Policy LU1-2

Retain and expand diversified business opportunities that are compatible with the environment, community values and community vision of the City.

Policy LU1-3

Attract new businesses to the City that are compatible with the community vision and improve the balance among commercial, professional office, and industrial businesses so that the needs of Coalinga residents are provided for without compromising the community character.

Any potential impacts associated with this policy have been addressed in the General Plan's Master Environmental Impact Report through mitigation measures and further implemented through the City's zoning regulations. This will ensure the future land use compatibility with various residential and commercial uses.

As Commercial Service (CS), the site will accommodate uses that are compatible with the surrounding land uses and zoning. The north border of the site is currently Commercial General (CG), to the south the land use is medium density residential (RMD), service commercial (CS) to the east and Mixed Use (MX) designations on the west. Commercial Service (CS) zoning allows for various commercial uses which are intended to be compatible with and complementary to residential land uses with the imposition of transitional standards.

Conditional Use Permit / Site Plan Review

Certain commercial uses that are more intense and posed a possible impact to surrounding properties are

regulated through a conditional use permit process where uses require special consideration to ensure that they can be designed, located, and operated in a manner that will not interfere with the use and enjoyment of surrounding properties. The process for review of Conditional Use Permit (CUP) applications is designed to evaluate possible adverse impacts and to minimize them where possible through the imposition of specific conditions. An automotive repair facility, major is permitted subject to a conditional use permit in the Service Commercial (CS) zoning district.

Under this application the applicant is requesting a CUP for an automotive repair facility (major) at 256 E. Polk Street. Automobile/vehicle repair, major is defined as the repair of automobiles, trucks (light duty), motorcycles, motor homes, boats and recreational vehicles, including the sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes auto repair shops, body and fender shops, transmission shops, wheel and brake shops, auto glass services, and tire sales and installation, but excludes vehicle dismantling or salvaging and tire retreading or recapping. The use of this property will be limited to tire servicing (patching plugging tires), including rotating tires and other same day services such as oil/filter changes, belt replacements, minor repairs, ect. with no vehicles being stored overnight unless in certain circumstances where a vehicle must remain overnight will be placed in a bay within the facility. These would be vehicles that are visually operational. No wrecked, dismantled or inoperable vehicles will be left overnight and/or stored on this property. Large commercial trucks (big rigs) will not be permitted to be serviced or stored at this location.

Hours of operation/Personnel: In updated correspondence from the applicant, they plan to operate Monday through Sunday from 10:00am to 6:00pm with 2 employees.

Structure: The existing 3,400 square foot structure will be used for office space and auto repair. According to the site plan, 2,000 square feet will be used for office space and 1,400 square feet will be used for auto repair (1 bay). The existing footprint of the structure will not be modified other than modifications to accommodate auto repair and occupancy for office space.

Access: Access for this site will be via the entrance on E. Polk Street. As a condition of approval, the existing driveway will be reduced to a standard commercial width of twenty-seven feet (27') to accommodate vehicular traffic. Currently, the driveway is the full width of the lot which produces unsafe vehicular movements and backing into traffic. Also, the driveway that is located on E. Valley Street will be required to be removed and constructed with new curb, gutter, and sidewalk. East Valley Street is not a wide enough street nor is it necessary to introduce commercial traffic to the residential street when there is sufficient on-site maneuvering available.

Utilities: Since this is an existing facility, utility connections are currently in place. The applicant shall obtain an Encroachment Permit for any work within the public right-of-way.

Hydrant(s): There is currently a hydrant on E. Valley Street to accommodate this development.

Parking: In accordance with section 9-4.302 Table 4.4 of the zoning code, the parking requirement for an office is (1) space per 400 square feet of floor area and 1 space per bay for the automotive repair facility. Therefore, based on the proposed office space and one (1) bay, this site must provide 6 parking spaces.

The proposed site plan provides for 17 on-site (off-street) parking spaces (including 1 ADA stall), however, space #17 identified on the site plan will have to be removed to accommodate the 15 foot setback on the block wall.

Site Improvements: The applicant will be removing and providing new asphalt within the project area including landscaping along the Polk Street frontage and E. Valley Street Frontage.

Transitional Standards: Since this project is adjacent to a residential district (E. Valley Street), transitional standards must be applied to reduce the impact of the commercial development. Where a parcel in a commercial district is adjacent to a residential district, a solid masonry wall not less than six (6) feet nor more than seven (7) feet in height shall be erected along such property line. Since the district boundary is a street, the wall constructed along such street in the Commercial District shall be set back from the property line. The setback for this development was established at 15' 6" feet to match the setback of the properties to the east. The space between the street and the block wall shall be landscaped with trees and shrubs reviewed and approved by the Community Development Department.

Refuse Containers: The proposed development does not show the location of the refuse enclosures and their size, shape and location must be consistent with that of the City requirements. The applicant will be required to provide a location, as approved by the City, for the required trash enclosure. The addition of a trash enclosure is not expected to reduce the parking space count below the minimum standards.

Public Notification

In accordance with State law and the City's zoning regulations notices were mailed to each property owner within 300 feet of the boundary of the subject property. The notice was also posted on the City's website, and at 3 public places (Library, City Hall and Chamber of Commerce) since the City does not have paper of general circulation.

Environmental Clearance

The Community Development Director has determined that the proposed general plan amendment and zone change are exempt from environmental review under CEQA, pursuant to Section 15301, Class 1. – Existing Facilities.

Any potential impact related to this general plan amendment and zone change has been identified in the General Plan Master EIR and self-mitigated through General Plan policies, goals and implementation measures as well as zoning regulation.

The following standard findings must be made for each General Plan Amendment and Zone Change. Specific findings may also be required by the decision-making body on a case-by-case basis.

General Plan Amendment Findings

The following standard findings must be made for each General Plan amendment. Specific findings may also be required by the decision-making body on a case-by-case basis.

- The potential effects of the proposed General Plan amendment have been evaluated and have been determined not to be detrimental to the public health, safety, or welfare of the City.
- The proposed General Plan amendment is internally consistent and compatible with the goals, policies, and actions of the General Plan.
- If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.
- The proposed General Plan amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

Rezone Findings

The following standard findings must be made for each Zoning Ordinance amendment. Specific findings may also be required by the decision-making body on a case-by-case basis.

- The proposed Zoning Ordinance amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the City.
- The proposed Zoning Ordinance amendment is consistent and compatible with the goals, policies, and actions of the General Plan, and the other applicable provisions of the Zoning Ordinance.
- If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.
- The proposed Zoning Ordinance amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

Site Plan Findings

The following standard findings must be made for each site plan review. Specific findings may also be required by the decision-making body on a case-by-case basis.

- The proposed construction/alterations are in substantial conformance with the General Plan, zoning ordinance, and any applicable plans adopted by the city.
- The proposed construction/alterations conform to the requirements of the applicable Zoning Districts.
- The proposed construction/alteration conforms to all applicable design standards and guidelines, as adopted by the City Council.
- The construction/alteration will not have significant adverse effects on the public health, safety and welfare.

Conditional Use Permit Findings

A Conditional Use Permit shall only be granted if the Planning Commission determines that the project as submitted or as modified conforms to all of the following criteria. If the Planning Commission determines that it is not possible to make all of the required findings, the application shall be denied. The specific basis for denial shall be established for the record.

Staff feels that the findings for a conditional use permit have been met and will not have a detrimental effect on health, safety and general welfare of the community.

General Plan consistency. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the General Plan and any other applicable plan that the City has adopted;

Neighborhood compatibility. The location, size, design, bulk, coverage, density, traffic generation and operating characteristics of the proposed project are consistent with the purposes of the district where it is located, and will not have an adverse effect on the neighborhood and surrounding properties;

Asset for the neighborhood. The nature use and architectural/design features of the proposed development make it attractive, functional and convenient. The proposed development enhances the successful operation of the surrounding area in its basic community functions, or provides an essential service to the community or region.

IV. ALTERNATIVES:

- Do not adopt Ordinance No. 861 - CDA 22-02

V. FISCAL IMPACT:

The project has the potential to increase commercial opportunity and generate sales tax from parts sales and other future uses.

ATTACHMENTS:

File Name	Description
▣ Land_Use_Exhibits_CDA_22-02.pdf	Zoning and GPA Exhibits
▣ ORD#861_CDA_22-02_-_Re-Zone_081723.pdf	Ordinance No. 861

Existing General Plan and Zoning Designation Mixed Use (MX)



Proposed General Plan and
Zoning Designation
Commercial Service (CS)



ORDINANCE NO. 861

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COALINGA AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF COALINGA BY REZONING PARCELS 083-102-06, 083-102-07, and 083-102-08, FROM MIXED USE (MX) TO SERVICE COMMERCIAL (CS) ZONING DISTRICT

WHEREAS, the owners of record, Gutierrez Properties, LLC, 195 W. Elm Ave, Coalinga, CA of real property designated Assessor's Parcel No. 083-102-06, 083-102-07, and 083-102-08 Coalinga, California (the "Property"), have submitted an application to amend the Official Zone Map of the City of Coalinga related to the Property; and

WHEREAS, the Planning Commission of the City of Coalinga held a duly noticed public hearing on the 25th day of July 2023, and after considering all oral and written testimony and evidence both for and against the rezone, adopted Resolution 023P-008 recommending approval to the City Council for rezoning the subject parcels from MX and CS; and

WHEREAS, the Planning Commission has determined that, subject to the City Council's approval of the above, the proposed rezone will be consistent with the provisions of the City of Coalinga General Plan, Land Use Elements and Government Code Section 65860; and

WHEREAS, a public hearing by the Coalinga City Council on the proposed rezone has been advertised pursuant to the Coalinga Municipal Code, and public comment has been solicited by the City Council, and;

WHEREAS, all property owners within a 300 feet radius of the property, as determined by the current Fresno County Assessor's Tax Roll, the owner of the Property, the applicant and to all local agencies expected to provide essential facilities or services to the project whose ability to provide those facilities or services may be significantly affected by this action, were notified of the public hearing by U.S. Postal Service first class mail, and;

WHEREAS, notice of the public hearing also was advertised and also posted July 13, 2023, and;

WHEREAS, the City Council duly conducted the public hearing to consider the recommendation of the Planning Commission on the proposed rezone at their regularly scheduled August 3, 2023 meeting, and;

WHEREAS, after considering all oral and written testimony and evidence presented, the City Council of the City of Coalinga has determined that it is in the public interest to amend Official Zone Map of the City of Coalinga related to the property as requested by the owners and recommended by the Planning Commission, and;

WHEREAS, the City Council has made the following findings pertaining to the change of land use designation and re-zoning of the property:

1. The potential effects of the proposed Zone Change has been evaluated and has been determined not to be detrimental to the public health, safety, or welfare of the City.

2. The proposed Zone Change is internally consistent and compatible with the goals, policies, and actions of the General Plan and Zoning Ordinance.
3. If applicable, the site is physically suitable (including, but not limited to access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested zoning designations and anticipated land uses/developments.
4. The proposed Zone Change has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF COALINGA ORDAINS AS FOLLOWS:

1. Subject to the Council's adoption of a resolution, the official Zoning Map of the City of Coalinga is hereby amended to change the zoning on 083-102-06, 083-102-07, and 083-102-08 from MX to CS as per the attached exhibit (A).
2. The City Clerk is authorized and directed to cause this ordinance or a summary of this ordinance to be published once in a newspaper of general circulation published within 15 days after its adoption. This ordinance shall take effect thirty (30) days after its adoption.

The foregoing Ordinance was introduced by the City Council of the City of Coalinga, California, at a regular meeting held on August 3, 2023, and was passed and adopted by the City Council at a regular meeting held on this **August 17, 2023**, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

APPROVED:

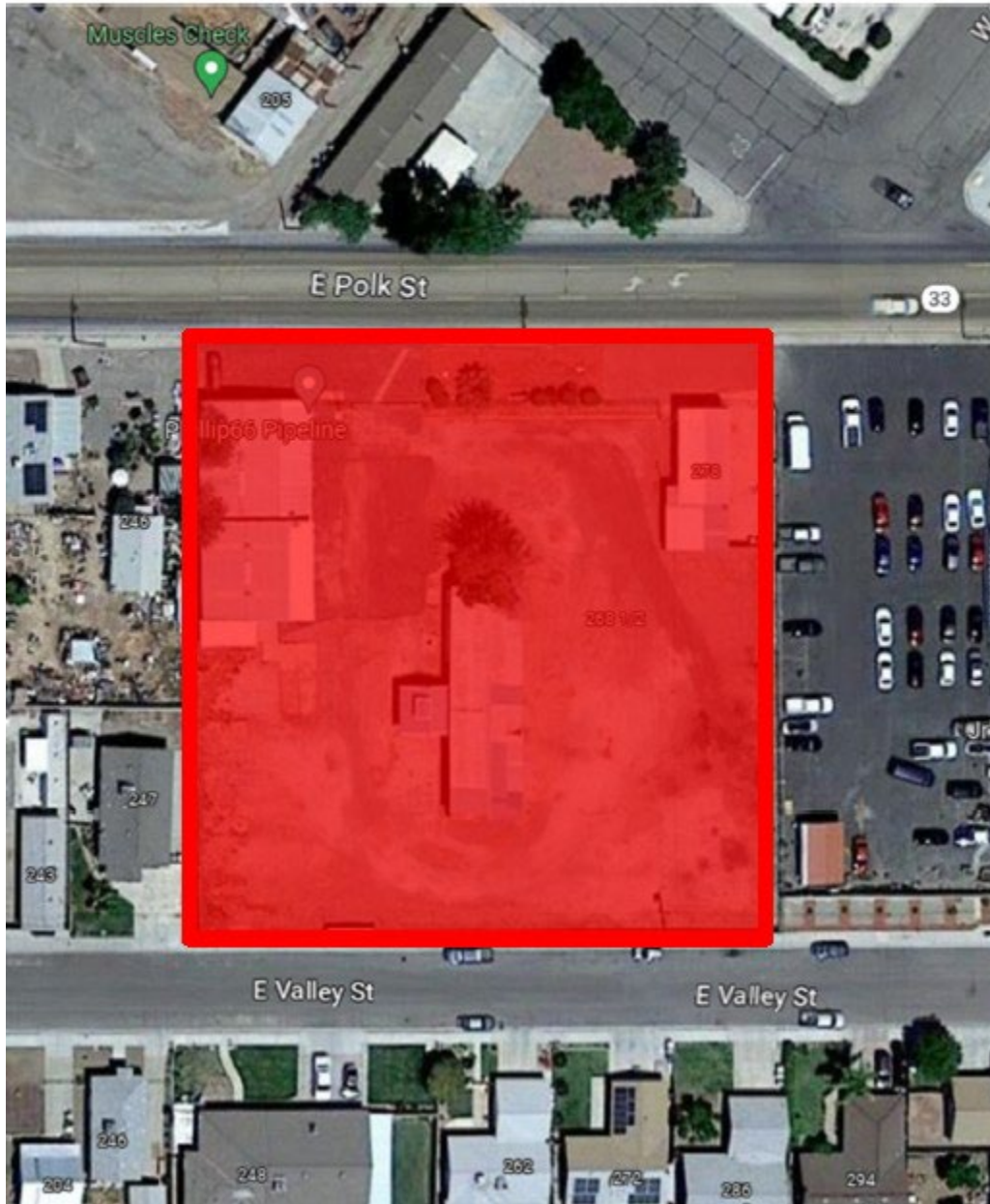
James Horn, Mayor

ATTEST:

Shannon Jensen, City Clerk

Exhibit "A" Rezone Map

Proposed General Plan and
Zoning Designation
Commercial Service (CS)



**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE
AUTHORITY**

Subject: Adopt Resolution No. 4174 Approving the Battalion Chief Job Description
Meeting Date: Thursday, August 17, 2023
From: Marissa Trejo, City Manager
Prepared by: Greg DuPuis, Fire Chief

I. RECOMMENDATION:

The Fire Chief and City Manager recommends adopting Resolution No. 4174 approving the Battalion Chief job description.

II. BACKGROUND:

This is a newly created Fire Mid Management Position as discussed with Council at the July 6, 2023 City Council Meeting.

III. DISCUSSION:

IV. ALTERNATIVES:

Do not approve.

V. FISCAL IMPACT:

There is no fiscal impact for approving the job description. The fiscal impact for the Battalion Chief position was addressed during the July 6, 2023 City Council meeting during the discussion of shift Battalion Chief staffing for the Fire Department.

ATTACHMENTS:

File Name	Description
❑ RESO#4174_Battalion_Chief_Job_Description_081723.pdf	Resolution No. 4174
❑ JD-_Battalion_Chief.pdf	Battalion Chief Job Description

RESOLUTION NO. 4174

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA APPROVING THE
BATTALION CHIEF JOB DESCRIPTION**

WHEREAS, the Fire Chief and City Manager have presented the City Council with a proposed Battalion Chief Job Description; and

WHEREAS, the Battalion Chief Job Description has been reviewed by the City Council and the City Council has determined that the Job Description is adequate and necessary; and

WHEREAS, the City Council has determined to approve the Battalion Chief Job Description.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Coalinga as follows:

1. The Battalion Chief Job Description is hereby approved.
2. The City Manager and/or Fire Chief is authorized to implement and carry out the provisions of the Battalion Chief Job Description.

PASSED AND ADOPTED by the City Council of the City of Coalinga at a regular meeting held on this **17th day of August, 2023**, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

APPROVED:

James Horn, Mayor

ATTEST:

Shannon Jensen, City Clerk

City of Coalinga

155 W. Durian

Coalinga, CA 93210

Fire Battalion Chief

Pay Class: 24 Fire Mid Management

FLSA Exempt

DEFINITION

Under the general direction of the Fire Chief, The Battalion Chief (BC) directs, manages, supervises, and coordinates the activities and operations of assigned shifts to assist in the development and implementation of the Fire Department's goals and objectives; plans, organizes and supervises Fire Department personnel and resources during emergency responses and administrative operations; and provides administration assistance for overall department operations.

EXAMPLES OF ESSENTIAL DUTIES

NOTE: Examples listed in this class specification represent but are not necessarily exhaustive or descriptive of duties assigned to this position. Everyone in this classification may not necessarily perform all the duties listed. Management reserves the right to assign other related tasks if such duties are a logical assignment for this position.

- Plans, organizes, coordinates, administers, and evaluates the work of staff on assigned shift.
- Plan, organize and direct suppression activities including emergency response, training, and public education programs.
- Direct, oversee and participate in the development of the suppression division work plan; assign work activities, projects, and programs; monitor workflow; review and evaluate work products, methods, and procedures.
- Provide administrative assistance to the Fire Chief in the form of special projects, analytical studies, and policy input and development.
- Develop and implement new programs to enhance the Fire Department's organizational objectives; facilitate public education programs; create public service announcements.
- Develop, organize, and present training curriculum and activities; create testing and evaluation tools.
- Inspects new and existing commercial occupancies and may issue citations for fire code violation.
- Monitors changes in equipment and methods and recommends their incorporation into department activities; develops specific proposals for action on current and future City needs; conducts analytical and operational studies and prepares recommendations and findings.

- Evaluates public complaints pertaining to activities or individuals in the Department and may direct investigations within the Department.
- Recommend the appointment of staff; provide or coordinate staff training; conduct performance evaluations; fact-finding and recommendations for discipline procedures as required; maintain discipline and high standards necessary for the efficient and professional operation of the Department.
- Acts as Fire Department liaison in various City, County and State committees; interacts with other City departments on fire protection matters; performs a variety of public relations and public education duties.
- Assists Fire Chief with the City Safety Committee and City employee injury and illness prevention programs.
- Responds to major alarms as necessary, operates effectively at appropriate level in the Incident Command System (ICS) used by the Coalinga Fire Department (CFD).
- Work closely with the Fire Chief to prepare the Department budget; assist in budget implementation; participate in the forecast of additional funds needed for staffing, equipment, materials, and supplies to support daily operations; administer the approved budget.
- Assist with emergency planning and emergency operations center functions during emergencies and Emergency Operations Center (EOC) activation.
- Build and maintain positive working relationships with co-workers, other City employees and the public using principles of good customer service.
- Foster an environment that embraces diversity, integrity, trust, and respect.
- Be an integral team player, which involves flexibility, cooperation, and communication.
- Performs other related duties as assigned.

DESIRABLE QUALIFICATIONS

NOTE: The specifications listed below outline the desirable qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.

- Education:** Associate degree from an accredited college or university with major course work in fire science, fire administration, business, or public administration, or a related field.
- Experience:** Six years (6) full-time paid experience in an organized fire department with two (2) of those years of increasingly responsible command and supervisory experience at the level of Engineer or above.
- Licenses:** Valid California Drivers License, Class C; with Firefighter endorsement, or Class B. Must be insurable under the City's insurance policy without the City incurring any additional premiums or costs.
- Certifications:** Emergency Medical Technician (EMT 1-A) or Paramedic Certification; Firefighter I

Certification.

Intermediate Incident Command System (I-300)

California State Fire Training (CFSTES), Fire Officer or Company Officer Certification.

California State Fire Training (CFSTES), Chief Fire Officer Certification (within 24 months of appointment).

Other: Must be a U.S. citizen or legal resident alien; and pass a thorough background investigation, psychological evaluation, a physical examination with drug test and twelve-month probation.

NOTE: *It is the employee's responsibility to renew all applicable license(s). The City will reimburse the employee for any required training expenses.*

KNOWLEDGE, SKILLS, AND ABILITIES

NOTE: *The following is a representative sample of the KSA's necessary to perform essential tasks of the position.*

Knowledge of: The organizational structure of the fire department; geographical configurations and characteristics of response districts; department operating procedures for administration, emergency operations, incident management systems and safety; department budget process; information management and recordkeeping; fire prevention and building safety codes and ordinances applicable to the City of Coalinga; cultural diversity; methods used by supervisors to obtain cooperation and teamwork within a group of subordinates; the rights of management and members; agreements in force between the City and members; generally acceptable ethical practices, including a professional code of ethics; and policies and procedures regarding the operation of the department as they involve supervisors and members.

Skill and Ability to: Follow detailed verbal and written instructions with a minimum of supervision; effectively communicate in writing using technology provided by the department; write reports, letters and memos using word processing and spreadsheet programs; operate an information management system; effectively operate at appropriate level in the Incident Command System (ICS) as used by the Coalinga Fire Department. The candidate should have the ability to work independently and as a team player, possess outstanding communication skills with the ability to positively interact in a professional manner with excellent public relations, conflict resolution and problem-solving skills. Express ideas clearly both orally and in writing in the English language; maintain strict confidentiality; and establish and maintain effective working relationships with supervisors, peers, subordinates, and the general public.

ATTITUDE

Characterized by initiative, commitment to teamwork and quality performance, and a customer-service orientation; must interact in a positive manner with City employees and the public.

PHYSICAL AND PSYCHOLOGICAL REQUIREMENTS

NOTE: The physical and psychological demands described herein are representative of those that must be met by an employee to successfully perform the essential duties of this classification. Reasonable accommodation may be made to enable an individual with qualified disabilities to perform the essential functions of this job, on a case-by-case basis.

Perform work within the fire station and office environment and outdoors in the inspection of various land uses and other matters requiring the incumbent to drive a motor vehicle, operate and respond by mobile or portable radio, stand, walk, talk, hear, use hands to finger, handle, feel and operate objects, tools, and controls, reach with hands and arms; sit, climb, balance, stoop, kneel, crouch and crawl. Occasionally may work in high, precarious places, be exposed to hot, cold, wet and/or humid conditions, fumes, or airborne particles, toxic or caustic chemicals, risk of electrical shock or vibrations; and may lift and/or move up to 30 pounds. Specific vision abilities required include close vision, distance vision, color vision, peripheral vision, depth perception and the ability to adjust focus. Must have sufficient mobility to work in a typical office setting and to use personal computers and other standard office equipment, vision to read printed materials and a computer monitor; and hearing and speech to communicate in person or over the telephone. Mental application uses memory for details, verbal instructions, emotional stability, discriminating thinking and creative problem solving. Individuals must exercise good judgment and be flexible and sensitive in response to changing situations and needs.

Approved by: _____
Marissa Trejo, City Manager Date

**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE
AUTHORITY**

Subject: Adopt Resolution No. 4175 Amending Fire Captain Job Description
Meeting Date: Thursday, August 17, 2023
From: Marissa Trejo, City Manager
Prepared by: Greg DuPuis, Fire Chief

I. RECOMMENDATION:

The Fire Chief and City Manager recommends adopting Resolution No. 4175 amending the Fire Captain job description.

II. BACKGROUND:

Minor language changes needed with the creation of the Battalion Chief position.

III. DISCUSSION:

IV. ALTERNATIVES:

Do not approve

V. FISCAL IMPACT:

There is no fiscal impact for approving the job description.

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> JD_Fire_Captain_update_2023.doc	Amended Fire Captain Job Description
<input type="checkbox"/> RESO#4175_Amending_the_Fire_Captain_Job_Description_081723.pdf	Resolution No. 4175

City of Coalinga

155 W. Durian

Coalinga, CA 93210

Fire Captain

Pay Class: 22 Fire

FLSA Non-Exempt

DEFINITION

Under the general direction of the Battalion Chief, performs a variety of advanced and first-line supervisory fire fighting duties to protect the life and property of city and county residents. Responsible for personnel on an assigned shift; engages in fire fighting and fire prevention activities; drives, operates and maintains fire apparatus; supervises ambulance operations during emergency calls; and performs other tasks as required.

EXAMPLES OF ESSENTIAL DUTIES

NOTE: Examples listed in this class specification represent but are not necessarily exhaustive or descriptive of duties assigned to this position. Each individual in this classification may not necessarily perform all the duties listed. Management reserves the right to assign other related tasks if such duties are a logical assignment for this position.

- Responds to fire and other emergency alarms by driving fire and ambulance equipment to required locations; operates pumping equipment by laying hose and establishing and maintaining proper engine and nozzle pressures.
- Operates effectively at all levels in the Incident Command System (ICS) used by the Coalinga Fire Department (CFD).
- Assigns tasks or responsibilities to unit members under non-emergency conditions; ensures instructions are thorough, clear, and concise, that safety considerations are addressed, and the desired outcomes are conveyed.
- Directs unit members during training evolutions; based on the department's training evolution and policies and procedures ensures training is performed safely, efficiently, and as directed.
- Conducts "Life Safety and Fire Code" inspections to identify hazards and address violations in accordance with the City of Coalinga Municipal Code; performs fire investigations to determine preliminary cause, secures the incident scene and preserves evidence according to department standards and policies.
- Responds to public inquiries; ensures inquiries are answered accurately, courteously and in accordance with applicable City and department policies and procedures.
- Assists in the maintenance of station equipment and apparatus, facility structure and grounds, fire hydrants, alarms systems, and office and medical equipment.

- Executes routine Engine Company level administrative functions; ensures reports and logs are complete and files are maintained in accordance with department policies and procedures.
- Performs other duties as assigned.

DESIRABLE QUALIFICATIONS

NOTE: *The specifications listed below outline the desirable qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.*

- Education:** Associate degree from an accredited college or university with major course work in fire science, fire administration, business, or public administration, or a related field.
- Experience:** Equivalent to two (2) years experience in a position comparable to the Coalinga Fire Department's Fire Engineer or five (5) years as a firefighter.
- Licenses:** Valid California Driver's License, Class C; with Firefighter endorsement, or Class B. Must be insurable under the City's insurance policy without the City incurring any additional premiums or costs.
- Certifications:** Emergency Medical Technician (EMT 1-A) or Paramedic Certification; Firefighter I Certification.
- Intermediate Incident Command System (I-300)
- California State Fire Training (CFSTES), Fire Officer or Company Officer Certification (Within 24 months of employment)
- Other:** Must be a U.S. citizen or legal resident alien; and pass a thorough background investigation, psychological evaluation, a physical examination with drug test and twelve-month probation.

NOTE: *It is the employee's responsibility to renew all applicable license(s). The City will reimburse the employee for any required training expenses.*

KNOWLEDGE, SKILLS, AND ABILITIES

NOTE: *The following are a representative sample of the KAS's necessary to perform essential tasks of the position.*

Knowledge of: The organizational structure of the department; geographical configurations and characteristics of response districts; department operating procedures for administration, emergency operations, incident management systems and safety; department budget process; information management and recordkeeping; fire prevention and building safety codes and ordinances applicable to the City of Coalinga; current trends, technologies and socioeconomic and political factors that impact the fire service; cultural diversity; methods used by supervisors to obtain cooperation and teamwork within a group of subordinates; the rights of management and members; agreements in force between the City and members; generally acceptable ethical practices, including a professional code of ethics; and policies and procedures regarding the operation of the department as they involve

supervisors and members.

Skill and Ability to: Follow detailed verbal and written instructions with a minimum of supervision; effectively communicate in writing using technology provided by the department; write reports, letters and memos using word processing and spreadsheet programs; operate an information management system; effectively operate at all levels in the Incident Command system (ICS); work in dangerous emergency situations; skillfully drive and operate fire fighting and ambulance equipment under varying conditions; compute engine and nozzle pressures; read and understand information relating to fire fighting methods and equipment and apply such information to specific situations and local requirements; perform strenuous physical labor; assimilate modern fire prevention and fire fighting skills; perform under extreme weather conditions; work on call and on shift work; plan, direct and evaluate the work of subordinates; express ideas clearly both orally and in writing in the English language; maintain strict confidentiality; and establish and maintain effective working relationships with supervisors, peers, subordinates and the general public.

ATTITUDE

Characterized by initiative, commitment to teamwork and quality performance, and a customer-service orientation; must interact in a positive manner with City employees and the public.

PHYSICAL AND PSYCHOLOGICAL REQUIREMENTS

NOTE: The physical and psychological demands described herein are representative of those that must be met by an employee to successfully perform the essential duties of this classification. Reasonable accommodation may be made to enable an individual with qualified disabilities to perform the essential functions of this job, on a case-by-case basis.

Perform work within the fire station environment and outdoors in a life threatening, hostile environment during emergency operations; lift and carry heavy equipment, such as a standard 24-foot fire service aluminum ladder weighing 60 pounds and half (1/2) of a 35-foot fire service aluminum ladder weighing 135 pounds. Must be able to lift and carry people, such as half (1/2) of the weight of a gurney weighing 81 pounds plus the average weight of a male adult weighing 196 pounds plus the 02 unit (bag) weighing 25 pounds for a total weight of 151 pounds. Endure periods of extreme heat and physical exertion; and enter burning areas and other hazardous situations. Ability to stand, sit, walk, talk, and hear; climb, balance, stoop, kneel, crouch, crawl, and smell; use hands and fingers to handle and operate objects, tools, controls, etc; reach with hands and arms; and perform frequent, repetitive motions with hands, wrists and arms. Mental application uses memory for details, verbal instructions, emotional stability, discriminating thinking and creative problem solving. Individuals must exercise good judgment and be flexible and sensitive in response to changing situations and needs.

Approved by: _____
Marissa Trejo, City Manager Date

RESOLUTION NO. 4175

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA
AMENDING THE FIRE CAPTAIN JOB DESCRIPTION**

WHEREAS, the Fire Chief and City Manager has presented the City Council with an amended Fire Captain Job Description; and

WHEREAS, the Fire Captain Job Description has been reviewed by the City Council and the City Council has determined that the Job Description is adequate and necessary; and

WHEREAS, The City Council has determined to approve the amended Fire Captain Job Description.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Coalinga as follows:

1. The Fire Captain Job Description is hereby approved.
2. The City Manager and/or Fire Chief is authorized to implement and carry out the provisions of the Fire Captain Job Description.

PASSED AND ADOPTED by the City Council of the City of Coalinga at a Regular meeting held on this **17th day of August, 2023**, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

APPROVED:

Mayor, James Horn

ATTEST:

City Clerk / Deputy City Clerk

**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE
AUTHORITY**

Subject: Adopt Resolution No. 4176 Approving Fire Mid-Management Pay Scale
Meeting Date: Thursday, August 17, 2023
From: Marissa Trejo, City Manager
Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

II. BACKGROUND:

III. DISCUSSION:

IV. ALTERNATIVES:

V. FISCAL IMPACT:

ATTACHMENTS:

File Name	Description
❏ RESO#4176_Approving_Fire_Mid-Management_Pay_Scale_081723.pdf	Resolution No. 4176
❏ Fire_Mid_Management_Pay_Scale_8.17.23.docx	Pay Scale

RESOLUTION NO. 4176

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA APPROVING THE
CITY OF COALINGA FIRE MID-MANAGEMENT PAY SCALE**

WHEREAS, the governing body of the City of Coalinga is authorized to prepare, install, revise and maintain a position classification and compensation plan covering all positions in the competitive service;

NOW, THEREFORE, BE IT RESOLVED,

1. That the City Council of the City of Coalinga hereby established pay scales for all employees in all classifications of employment described on the Fire Mid-Management Pay Scale to be approved effective August 17, 2023.

The foregoing resolution was approved and adopted at a meeting of the City Council of the City of Coalinga held on the **17th day of August, 2023**, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

James Horn, Mayor

ATTEST:

Shannon Jensen, City Clerk

City of Coalinga Fire Mid-Management Pay Scale

Effective: 8/17/23

Approved: 8/17/23

Revised:

<u>Grade</u>	<u>Position</u>	<u>Step A</u>	<u>Step B</u>	<u>Step C</u>	<u>Step D</u>	<u>Step E</u>	<u>Step F</u>
24	Battalion Chief						
	Annually	\$89,419.59	\$93,890.57	\$98,585.08	\$103,514.34	\$108,690.14	\$114,124.66
	Monthly	\$7,451.63	\$7,824.21	\$8,215.42	\$8,626.20	\$9,057.51	\$9,510.39
	Bi-Weekly	\$3,439.22	\$3,611.18	\$3,791.73	\$3,981.32	\$4,180.39	\$4,389.41
	Hourly	\$30.71	\$32.24	\$33.85	\$35.55	\$37.32	\$39.19

FLSA Exempt

**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE
AUTHORITY**

Subject: Direct Staff to Obtain Cost Estimates to Make Crime Statistics Available on City Website for Public Information
Meeting Date: Thursday, August 17, 2023
From: Marissa Trejo, City Manager
Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

There is no staff recommendation.

This item was requested as a Future Agenda Item by Councilman Vosburg.

II. BACKGROUND:

III. DISCUSSION:

This item would Direct Staff to Obtain Cost Estimates to Make Crime Statistics Available on City Website for Public Information and bring back those cost estimates for Council consideration at a subsequent meeting.

IV. ALTERNATIVES:

Do Not Direct Staff to Obtain Cost Estimates to Make Crime Statistics Available on City Website for Public Information

V. FISCAL IMPACT:

None at this time. Staff would obtain cost information and bring the item back for Council consideration at a subsequent meeting.

ATTACHMENTS:

File Name

Description

No Attachments Available

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Approve Survey Language and Direct Assistant City Manager to Distribute Survey related to Elm Ave Rehabilitation Project with Complete Streets Elements including a Road Diet - ITEM UPDATE

Meeting Date: Thursday, August 17, 2023

From: Marissa Trejo, City Manager

Prepared by: Sean Brewer, Assistant City Manager

I. RECOMMENDATION:

Assistant City Manager recommends City Council Approval of the updated Survey Language and Further Direct the Assistant City Manager to Distribute a Survey related to Elm Ave Rehabilitation Project with Complete Streets Elements including a Road Diet from 5th to E. Cherry Lane (near).

II. BACKGROUND:

Councilman Vosburg requested that the a public survey be circulated to the public in order to understand public opinion on the Road Diet project being undertaken by Caltrans as part of their highway 33 rehabilitation project. On May 18, 2023, the City Council directed City staff to prepare survey language for the Council to approve for staff to circulate.

On July 6, 2023 the City Council authorized staff to distribute the survey, however, the City was approached by Caltrans soon after the meeting to discuss concerns related to traffic between Cambridge and E. Cherry and it was recommended to keep this section 4 lanes and begin the road diet near E. Cherry to 5th Street through the main downtown area of the City. Staff wanted to update the Council on the scope and limit changes and amend the language of the survey before circulating to the public so folks are aware of the limits of the lane reductions.

III. DISCUSSION:

Caltrans is undertaking a significant rehabilitation project on highway 33 from Merced Ave to Cambridge Ave. Included in this scope of work is new curb ramps, filling sidewalk gaps, new pavement, striping, crosswalks, RRFB's, and between E. Cherry (NEW) and 5th Street a road diet that includes a 3 lane configuration (center turn lane), buffered bike lanes, on-street parking, multiple new enhanced cross walks with rectangular rapid flashing beacons and a trail crossing (hawk signal) between Cambridge and Phelps Ave.

Staff has prepared a survey (attached to this report) that includes a background of the project, complete streets concepts, scope of work and questions to determine the publics level of knowledge, understanding and support. Once the language is approved by the City City, staff will send out a link to the public via its social media and various other outlets to complete the survey via google to gather results and then provide to the Council at a later date.

IV. ALTERNATIVES:

- Do not direct staff to publish survey.
- Amend the language presented by Staff and direct staff accordingly.

V. FISCAL IMPACT:

Staff time to prepare and distribute the survey.

ATTACHMENTS:

File Name	Description
 City_of_Coalinga_Road_Diet_Survey_Updated_8-1-2023.pdf	Highway 33 Survey Updated

Highway 33 Complete Streets – Road Diet Survey

Caltrans is currently underway with the rehabilitation of State Route 33 from Polk Street at Merced, to 5th Street to Elm Ave, and Elm Ave at 5th Street to the Los Gatos Bridge. The project includes pavement reconstruction, 60+ new curb ramps, filling sidewalk gaps, buffered bike lanes, on-street parking, and new crosswalks with rectangular rapid flashing beacons. Also, as part of this project is to implement several complete streets elements on Elm Ave from 5th Street to Cambridge including a road diet **between E. Cherry Lane and 5th Street** which will reduce Elm Ave from 4 lanes to 3 lanes with a center 2-way left turn lane. Below is more information related to complete streets features and what a road diet is intended to accomplish.

Complete Streets is a transportation planning approach that aims to create streets that are safe, accessible, and convenient for all users, regardless of their mode of transportation. These streets are designed to accommodate pedestrians, cyclists, transit riders, and drivers, providing a balanced and inclusive transportation network.

A *road diet* is a street design strategy that involves reallocating the use of roadway space to improve safety and accommodate various modes of transportation. Typically, a road diet involves reducing the number of travel lanes and utilizing the freed-up space for features such as bike lanes, on-street parking, pedestrian enhancements, or green spaces.

This effort is being undertaken to enhance safety in all modes of travel including pedestrian traffic where Elm Ave is a bisecting roadway that needs safety enhancements to improve mobility.

At the request of the City Council, the following survey has been prepared in order to gather the following: (1) The Public's Understanding of the Project, (2) Support/opposition to the enhancements, and; (3) concerns/benefits to the improvements.

We ask that you fill out the required information and survey so that the City can convey this information to the City Council and Caltrans related to the improvements so that the project can be further enhanced.

Survey Questions:

Information to provide:

Full Name (First/Last) & Residence/Business Address

Are you aware of the proposed road diet street project on Elm Ave **between E. Cherry and 5th Street?**

Yes

No

The proposed road diet street project on Elm Ave is part of the city's Active Transportation Plan and efforts to implement Complete Streets, which promotes safer and more comprehensive transportation networks. Are you familiar with the concept of Complete Streets?

Yes

No

The road diet street project on Elm Ave aims to improve the street's design to accommodate pedestrians, cyclists, and drivers more effectively. Are you familiar with the concept of a road diet?

Yes

No

How frequently do you travel on Elm Ave?

Daily

Weekly

Monthly

Rarely

Never

How do you currently use Elm Ave?

Drive

Walk

Bike

Public Transportation

Other (please specify)

What do you think of the proposed road diet street project on Elm Ave?

Strongly support

Somewhat support

Neutral

Somewhat oppose

Strongly oppose

Don't know/Not sure

If the road diet street project is implemented on Elm Ave, which of the following benefits do you think it would provide?

Improved safety for all users (pedestrians, cyclists, and drivers)

Enhanced traffic flow and efficiency

Reduced congestion

Improved air quality

Improved access to businesses and amenities

Reduce Vehicle Speeding

I don't feel it will provide any benefits

Other (please specify)

If the road diet street project is implemented on Elm Ave, which of the following concerns do you think it would create?

Increase Traffic Congestion

Negatively Effect Traffic Flow

Hinder Emergency Response Times

Negatively Affect Local Businesses

Decrease Traffic Safety

I do not have any concerns

Other (please specify)

If the road diet street project is implemented on Elm Ave, which of the following concerns do you think it would address?

Increased safety for pedestrians and cyclists

Improved accessibility for all users

Enhanced streetscape and aesthetics

Reduced vehicle speeds

Other (please specify)

How do you think the road diet street project on Elm Ave would impact your daily life?

Positively

Negatively

No impact

Don't know/Not sure

Do you have any additional comments or suggestions regarding the proposed road diet street project on Elm Ave?

Thank you for taking the time to complete this survey!

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Authorize Submission of Grant Applications under Congestion Mitigation and Air Quality (CMAQ), Surface Transportation Block Grant (STBG) and Carbon Reduction Grant Programs

Meeting Date: Thursday, August 17, 2023

From: Marissa Trejo, City Manager

Prepared by: Sean Brewer, Assistant City Manager

I. RECOMMENDATION:

City Council Authorization to Submit Grant Applications Under the Congestion Mitigation and Air Quality (CMAQ), Surface Transportation Block Grant (STBG) and Carbon Reduction Grant Programs.

II. BACKGROUND:

Staff has been working with the city engineer and it's grant writers, Blais and Associates, to develop a scope of work for projects that are eligible under the CMAQ and STBG grant programs which is administered by the Fresno COG. In addition there is a new program related to carbon reduction. Staff has developed a project that would fit the eligibility of the program. Staff is seeking authorization to submit applications for the proposed projects.

III. DISCUSSION:

These projects have been carefully selected to ensure they are competitive and fit with the program eligibility guidelines.

Congestion Mitigation and Air Quality (CMAQ)

Project: Construction of additional Segments of the Multi Use Trail. The proposed project includes the completion of segment 9, a new pedestrian bridge at Warthan Creek, and a portion of segment 8 from Warthan Creek to Merced. Staff has attached an exhibit of the trail segments stated above.

Surface Transportation Block Grant (STBG)

Project: California Street Reconstruction (Washington to Cambridge) – This project will include the full reconstruction of California Street from Cambridge Ave to Washington Street.

Carbon Reduction Grant Program

Project: Conversion of all City owned streetlights to LED that are still high-pressure sodium (HPS) and upgrading the signalized intersection at Polk and Forest to state-of-the-art signals. Staff is currently investigating the opportunity of converting non-city owned lights as well.

These projects are still in the infancy phase and could change a little as cost estimates are developed, however, staff needs to proceed with the grant development quotes to develop the applications. Staff just

wants to make sure the Council was comfortable with the project scopes prior to proceeding with encumbering grant writing expenses.

IV. ALTERNATIVES:

- Provide comments to staff accordingly.

V. FISCAL IMPACT:

Project costs have not been determined for each project however, staff will be proceeding with grant development. The costs associated with each grant application is as follows:

CMAQ Application: \$ 9,923.00 + \$2,000 for Engineering Support

STBG Application: \$ 9,855.00 + \$2,000 for Engineering Support

Carbon Reduction Application: \$ 9,518.00 + \$2,000 for Engineering Support

ALL of these quotes amounts were anticipated and budgeted in the current fiscal year.

ATTACHMENTS:

File Name	Description
<input type="checkbox"/> Guidelines__Fresno_COG_CMAG_091523.pdf	CMAQ Guidelines
<input type="checkbox"/> Q_Coalinga_Congestion_Mitigation__Air_Quality_091523.pdf	B&A Grant Quote CMAQ
<input type="checkbox"/> Guidelines_-_Fresno_COG_STBG_100623.pdf	STBG Guidelines
<input type="checkbox"/> Q_Coalinga_Surface_Transportation_Block_Grant_100623.pdf	B&A Grant Quote STBG
<input type="checkbox"/> Guidelines_-_Fresno_Carbon_Reduction_Program_091723.pdf	Carbon Reduction Guidelines
<input type="checkbox"/> Q_Coalinga_Carbon_Reduction_091523.pdf	B&A Grant Quote CR



Fresno Council
of Governments

2023- 2024
Congestion Mitigation & Air Quality
Improvement (CMAQ) Program

FINAL INTERIM PROGRAM
GUIDELINES

May 2023

2035 Tulare Street, Suite 201

Fresno, CA, 93721

559-233-4148

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CMAQ PROGRAM OVERVIEW

INTRODUCTION

The Congestion Mitigation and Air Quality Improvement (CMAQ) program funds transportation projects or programs that contribute to attainment or maintenance of the national ambient air quality standards (NAAQS), including those that reduce ozone precursor emissions (including nitrogen oxides (NO_x), volatile organic compounds (VOC), carbon monoxide (CO), and particulate matter (PM) emissions or PM precursor (e.g. NO_x) emissions from transportation.

In 1990, Congress amended the Clean Air Act (CAA) to accelerate NAAQS attainment. The amendments required further reductions in permissible tailpipe emissions, initiated more stringent control measures in nonattainment areas, and provided for a stronger link between transportation and air quality planning. In 1991, Congress adopted the Intermodal Surface Transportation Efficiency Act (ISTEA). This law authorized the CMAQ program to provide funding for surface transportation and related projects that contribute to air quality improvements and congestion mitigation. The CAA amendments, ISTEA, and the CMAQ program were intended to focus transportation planning toward a more inclusive, environmentally sensitive, and multimodal approach to addressing transportation problems. Congress has reaffirmed its commitment to air quality/transportation funding in each Surface Transportation Act reauthorization since 1991, and the program is authorized in Fixing America's Surface Transportation Act (FAST Act).

Fresno COG, acting in its role as a Metropolitan Planning Organization (MPO), is programming the future federal transportation revenues that will come to the Fresno region. CMAQ funds are reimbursable federal aid funds, subject to the requirements of Title 23, United States Code. Eligible costs include preliminary engineering, right-of-way acquisition, capital costs, and construction costs associated with an eligible activity.

PROGRAM PURPOSE

The CMAQ program enables communities to build public awareness about the link between transportation and air quality, fund technological applications to improve transportation systems, or increase transit services, as a few examples. Most of the CMAQ project categories include a wide variety of measures to decrease vehicle emissions. Policy considerations **exclude** highway maintenance and reconstruction projects because these activities preserve existing levels of service and are unlikely to contribute to further improvements in air quality. Projects nominated for CMAQ funding **must** show positive air pollution emission reductions.

FUNDING ELIGIBILITY

Project applicants are either a public agency, i.e., city, county, special district, Caltrans, transit operator, transit authority or a non-profit agency with a public agency sponsorship. Successful project applicants, or their sponsors, must have executed a master agreement with Caltrans or be a Federal Transit Administration (FTA) eligible grant applicant, or have an agreement with such an eligible agency to sponsor the project.

PROGRAM SCHEDULE

Once projects have been approved by the Fresno COG Policy Board, they must be included in the Federal Transportation Improvement Program (FTIP) prior to reimbursement. The 2023-24 CMAQ Call-For-Projects will cover a four-year program of projects in the FTIP, covering federal fiscal years 2024/25, 2025/26, 2026-27 and 2027-28. The following tentative schedule lists the major milestones for the

development and adoption of the 2023-24 CMAQ Call-For-Projects and related FTIP and Air Quality Conformity Determination processes:

Programming subcommittee convenes to review scoring criteria and call information	April-May 2023
Guidelines, criteria, and application packet presented to TTC/PAC/Board for approval and initiation of Call-For-Projects	June 2023
Application workshop for member agencies	July 12, 2023
Regional bid project submittals due	Sept. 15, 2023
CMAQ scoring committee convenes	December 6, 2023
COG Policy Board approves recommended projects via resolution	January 2024
Projects programed into 2023 FTIP	March-April 2024
Submittal of FTIP to Caltrans and anticipated FHWA approval of 2023 FTIP/ Conformity Analysis	Fall 2024

PROGRAM FUNDING

DISTRIBUTION

Fresno COG will use at least 95% of its CMAQ apportionment to fund a CMAQ regional bid competitive program. The remaining apportionment may be used for projects on the current contingency list, post-programming adjustment requests, EPSP requests, or retain the funding for future programming cycles. Fresno COG will manage the remaining apportionment based on project delivery of the current federal fiscal year to ensure funds are obligated in a timely manner and will follow Fresno COG's adopted project delivery policy and procedures outlined in the associated document.

2023-24 AVAILABLE FUNDING

For the 2023-24 Cycle, Fresno COG estimates that a total \$26,768,918 will be available in the *regional bid* funding pot. These numbers are subject to change.

As approved by the Fresno COG Policy Board, the proposed category targets* are as follows:

- Transit Improvements – 18.5%
- Cleaner Fuel Technology – 8%
- Traffic Flow Improvements – 22.5%
- PM_{2.5}/10 Reducing – 25%**
- Active Transportation Projects*** (Formerly Bike/Ped) – 25%
- Miscellaneous – 1%

**Funding across all categories must meet the Fresno COG cost-effectiveness commitment*

***The MAP-21 Act requires PM_{2.5} nonattainment or maintenance areas, such as the San Joaquin Valley, use at least 25% of CMAQ funds for project that have a PM_{2.5} emission reduction*

****Active transportation projects must follow CMAQ eligibility guidance which are detailed under the project category heading*

FUNDING REQUIREMENTS

Matching Requirements: Most federal projects require a local match of 11.47%.

Authorization to Proceed and Reimbursement: Local agencies must follow Caltrans' guidance and procedures for project authorization to proceed (Chapter 3) and invoicing (Chapter 5). All guidance and procedures can be found in the Local Assistance Procedures Manual located at the following link: <https://dot.ca.gov/programs/local-assistance/guidelines-and-procedures/local-assistance-procedures-manual-lapm>

PROJECT ELIGIBILITY CRITERIA

This guidance for project eligibility is based on FHWA's Congestion Mitigation and Air Quality (CMAQ) Improvement Program guidance as described in the Bipartisan Infrastructure Law (BIL) fact sheet at <https://www.fhwa.dot.gov/bipartisan-infrastructure-law/cmaq.cfm>, as well as the Moving Ahead for Progress in the 21st Century (MAP-21) Act Interim Program Guidance dated Nov. 12, 2013. A link to that document is available in Appendix A..

All projects and programs eligible for CMAQ funds must come from a conforming Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP) and be consistent with the transportation conformity provisions contained in section 176(C) of the Clean Air Act (CAA) and the Transportation Conformity Rule. Projects need to be included in FTIPs developed by MPOs or states respectively, under the metropolitan or statewide planning regulations. Projects also need to complete the National Environmental Policy Act (NEPA) requirements and meet basic eligibility requirements for funding under titles 23 and 49 of the United States Code. Projects must comply with Americans with Disabilities Act (ADA) requirements, and provisions for Buy America.

Project applicants are either a public agency, i.e. city, county, special district, Caltrans, transit operator, transit authority or a non-profit agency with a public agency sponsorship. Successful project applicants, or their sponsors, must have executed a master agreement with Caltrans or be a Federal Transit Administration (FTA) eligible grant applicant, or have an agreement with such an eligible agency to sponsor the project.

In cases where specific guidance is not provided, the following should guide CMAQ eligibility decisions.

CAPITAL INVESTMENT

CMAQ funds may be used to establish new or expanded transportation projects or programs that reduce emissions, including capital investments in transportation infrastructure, congestion relief efforts, diesel engine retrofits, or other capital projects. *Please refer to Appendix C for the Revised Interim Guidance on CMAQ Operating Assistance under MAP-21, issued in July 2014.*

MAP-21 PRIORITY SETASIDE FOR PM_{2.5} AREAS

Any state that has a PM_{2.5} nonattainment or maintenance area, including those with approved SIPs that identify on-road mobile sources as insignificant for regional transportation conformity, is required under MAP-21 to invest a portion of its CMAQ funding in projects that reduce PM_{2.5} directly or its precursors. More specifically, 25 percent of the funds attributable to PM_{2.5} nonattainment in each of the affected states must be used for projects targeting PM_{2.5} reductions. In addition, the legislation highlights diesel retrofits as a primary example of such related projects. Fresno COG falls under this guidance and will ensure 25% of the *regional bid* project funding will target PM_{2.5} reductions through its category targets.

EMISSIONS REDUCTION REQUIREMENT

Air quality improvement is defined by several distinct terms in 23 U.S.C. §149. These terms include contribution to attainment, pollution reduction, air quality benefits, and others. For purposes of this guidance, emission reductions represent this group of terms. CMAQ-invested projects or programs must reduce CO, ozone precursor (NO_x and VOCs), PM, or PM precursor (e.g., NO_x) emissions from transportation. These reductions must contribute to the area's overall clean air strategy and can be demonstrated by the assessment that is required under this guidance. States and MPOs also may consider the ancillary benefits of eligible projects, including greenhouse gas reductions, congestion relief,

safety, or other elements, when programming CMAQ funds, though such benefits do not alone establish eligibility.

PLANNING AND PROJECT DEVELOPMENT

Activities in support of eligible projects also may be appropriate for CMAQ investments. Studies that are part of the project development pipeline (e.g., preliminary engineering) under the National Environmental Policy Act (NEPA) are eligible for CMAQ support, as are FTA's Alternatives Analyses. General studies that fall outside specific project development do not qualify for CMAQ funding. Examples of such efforts include major investment studies, commuter preference studies, modal market polls or surveys, transit master plans, and others. These activities are eligible for federal planning funds, not CMAQ funds.

PROJECTS NOT ELIGIBLE FOR CMAQ FUNDING

The following projects are ineligible for CMAQ funding:

- Light-duty vehicle scrappage programs.¹
- Projects that add new capacity for single occupancy vehicles (SOVs) are ineligible for CMAQ funding unless construction is limited to high-occupancy vehicle (HOV) lanes.
- Routine maintenance and rehabilitation projects (e.g., replacement-in-kind of track or other equipment, reconstruction of bridges, stations, and other facilities, and repaving or repairing roads) Other funding sources, such as STP and FTA's Section 5307 program, are available for such activities.
- Administrative costs may not be defrayed with program funds, e.g., support for a State's "CMAQ Project Management Office" is not eligible.
- Projects that do not meet the specific eligibility requirements of titles 23 and 49 U.S.C. are ineligible.
- Stand-alone projects to purchase fuel.

More information is available in the Bipartisan Infrastructure Law (BIL) fact sheet at <https://www.fhwa.dot.gov/bipartisan-infrastructure-law/cmaq.cfm>. For complete information on project eligibility please see: *The Congestion Mitigation and Air Quality (CMAQ) Improvement Program under the Moving Ahead for Progress in the 21st Century Act Interim Program Guidance November 12, 2013*.

A copy of the guidance is available in Appendix A

BUY AMERICA

Buy America provisions ensure that transportation infrastructure projects are built with American-made products. That means that the Department of Transportation investments are able to support an entire supply chain of American companies and their employees. If your project is selected for CMAQ funding, and requires compliance with Buy America, you will need to work with Caltrans Local Assistance to ensure all provisions of Buy America are met.

¹ 23 U.S.C. §149(b)

PROJECT CATEGORIES

The CMAQ program funds transportation projects or programs that will contribute to improved air quality standards. Fresno COG continues to pursue funding a balanced program of transportation projects that will improve air quality in our region. Projects are compared, scored, and funded within the same category.

TRANSIT IMPROVEMENTS

- New transit facilities if they are associated with new or enhanced transit service.
- New transit vehicles (bus, rail, van) to expand the fleet.
- Existing fleet vehicles' replacement or retrofits.
- Operating assistance to support new transit services
- Subsidies for regular transit fares, but only if the reduced or free fare is part of an overall program for preventing exceedances of an air quality standard during periods of high pollutant levels.

CLEANER FUEL TECHNOLOGY

- Alternative fuel vehicles (school buses, refuse vehicles, trucks, etc.).
- On-site fueling facilities and other infrastructure needed to fuel alternative-fuel vehicles.
- Diesel retrofits (non-transit)

Note: CMAQ funding for vehicles that serve general government operations (e.g., police and firefighting) is limited to the incremental cost difference between standard and alternative fuel vehicles. For public fleet alternative fuel vehicles that provide a dominant transportation function, the full vehicle is eligible for participation. Please see Appendix B for the April 6, 2011 FHWA memo and the May 1, 2012 FHWA clarification.

Note: Most projects funded under this category must comply with Buy America requirements.

TRAFFIC FLOW IMPROVEMENTS

- Projects to develop, establish, and implement the congestion management system for both highway and transit facilities.
- Traffic signal and/or intersection modernization, coordination, or synchronization projects designed to improve traffic flow within a corridor or throughout an area.
- New traffic signal or roundabout projects designed to improve traffic flow at a congested intersection within a corridor or throughout an area.
- Operating expenses that can be shown to: (1) have air quality benefits, (2) result from new or additional services, and (3) not displace previous funding mechanisms, such as fares or fees for services.

ACTIVE TRANSPORTATION

- Construction of active transportation infrastructure that connects key travel demand destinations.
- Complete streets projects that incorporate active transportation components.
- Non-construction projects related to safe bicycle use.

PARTICULATE MATTER (PM-2.5/10) REDUCING

- PM-2.5/10 efficient street sweepers.
- Paving/stabilizing unpaved roads and/or shoulders and other particulate matter reduction projects

MISCELLANEOUS

Projects that do not fit under the other category descriptions include, but are not limited to, the following:

- Travel demand management, including activities ranging from carpool and vanpool programs to parking management and road pricing measures.
- Outreach activities, such as public education on transportation and air quality, advertising transportation alternatives to SOV travel, and technical assistance to employers or other outreach activities relating to promoting non-SOV travel.
- Marketing programs to broaden transportation alternatives' appeal to SOV travel and public education campaigns involving the link between transportation and air quality.
- Carpool and vanpool programs include computer matching of individuals seeking to carpool and employer outreach to establish rideshare programs and meet CAA requirements.
- New or expanded rideshare programs, such as new locations for matching services, upgrades for computer matching software, etc.
- Purchasing or leasing vehicles for vanpool activities (five-year maximum for operating costs).
- Planning, technical and feasibility studies, training, coordination, marketing and promotion of telecommuting are eligible activities under CMAQ.
- Intermodal freight facilities.
- Project development activities that lead to construction of facilities or new services and programs with air quality benefits, such as preliminary engineering or project planning studies.

More information is available in the Bipartisan Infrastructure Law (BIL) fact sheet at <https://www.fhwa.dot.gov/bipartisan-infrastructure-law/cmaq.cfm>. For complete information on project eligibility please see Appendix A: *The Congestion Mitigation and Air Quality (CMAQ) Improvement Program under the Moving Ahead for Progress in the 21st Century Act Interim Program Guidance* November 12, 2013

COST-EFFECTIVE

Cost-effective projects are those that meet the **\$63 per pound** (\$126,000 per ton) cost- effectiveness threshold. Project cost-effectiveness is determined by the California Air Resource Board's (CARB) Air Quality Cost-Effectiveness Calculations Methodology or other method, dependent on project type.

Additional information and links are available in the next section.

COST-EFFECTIVENESS

POLICY

All eight of the San Joaquin Valley Metropolitan Planning Organizations (MPOs) adopted policies for distributing at least 20% of CMAQ funds to projects that meet a cost-effectiveness threshold for emission reductions beginning in FY 2011. To meet and exceed this commitment, Fresno COG will aim to use a minimum of 25% available funds for cost-effective projects.

Prior to allocating CMAQ funds with RTP/ FTIP updates, the SJV MPOs will develop the cost-effectiveness threshold. The threshold is \$63 per pound (\$126,000 per ton). This threshold was updated in April of 2021 to account for the reduction in emission factors since 2016 and for inflation and Consumer Price Index changes since 2016. The threshold is routinely evaluated by Fresno COG's air quality consultant, Trinity Consultants, during each FTIP and/or RTP development.

METHODOLOGY

The methodology for calculating cost-effectiveness is the California Air Resources Board's (CARB) 2005 *Methods to Find the Cost-Effectiveness of Funding Air Quality Projects*. The CARB website has an automated Microsoft Access calculator tool and a written text of the methodology.

Cost-effectiveness for CMAQ projects should be expressed as dollars spent per pound of pollutant reduced (VOC + NO_x + PM). CO emissions are not included in the formula due to CO being several orders of magnitude larger than ozone precursors which overwhelms cost-effectiveness ratios unless CO emission reductions are scaled back significantly, typically by a factor of seven. Furthermore, Fresno County is not currently under non-attainment or maintenance for CO.

As indicated in the policy, **cost-effectiveness is based on CMAQ dollars only** (vs. total project costs which include capital investments and operating costs).

The funding dollars are amortized over the expected project life using a discount rate. The amortization formula yields a capital recovery factor, which, when multiplied by the funding, gives the annual funding for the project over its expected lifetime. Cost-effectiveness is determined by dividing annualized funds by annual emission reductions (VOC+ NO_x + PM).

The Capital Recovery Factor is found on the chart on page 2 of the 2005 ARB "Methods to Find the Cost-Effectiveness of Funding Air Quality Projects".

Additionally, some projects use emission factors, which are published by CARB and most recently updated in November of 2021.

All information related to cost-effectiveness is available on the following Fresno COG webpage: <https://www.fresnocog.org/emission-calculation-guidelines/>

EXAMPLE FORMULA

Cost-Effectiveness = (Capital Recovery Factor x CMAQ Funding) / (VOC + NO_x + PM) dollars/pound

REGIONAL BID PROJECT SELECTION PROCESS

In administering a competitive selection process, Fresno COG will use a scoring committee to assist in evaluating project applications. The scoring committee will prioritize and rank all eligible, submitted applications based on the approved scoring criteria and category targets. The scoring committee's project recommendations will be presented to Fresno COG's TTC, PAC, and Policy Board for approval.

GENERAL PROGRAM INTENT

The CMAQ program provides funding for transportation projects or programs that will reduce transportation-related emissions and assist Fresno COG in meeting its local, state, and federal performance goals. The Fresno COG CMAQ program provides for a balanced program of transportation projects that will improve our air quality. Projects that reduce single occupancy vehicle trips, provide congestion relief measures, provide low- polluting transit vehicles and equipment, and promote improvements geared toward providing a more efficient and safer transportation system are emphasized. In choosing to fund CMAQ projects, Fresno COG can improve air quality and progress toward attainment status and ensuring compliance with the Clean Air Act's transportation conformity provisions. The overall CMAQ program is aimed to meet the performance of our long-term planning goals.

CMAQ SCORING COMMITTEE REPRESENTATION

1. Westside Cities
2. Eastside Cities
3. Fresno Council of Governments
4. Fresno-Clovis Metropolitan Area (rotates between Fresno and Clovis representatives)
5. Fresno County
6. Caltrans
7. San Joaquin Valley Air Pollution Control District
8. Fresno County Transit Providers (rotates between Fresno Area Express, Clovis Transit, and Fresno County Rural Transit Agency)

Note: City of Clovis and Clovis Transit will represent the two rotating positions in 2023.

GENERAL SCORING PROCESS

During the meeting of the Scoring Committee, scorers will discuss, score, and rank all projects within a category and against only projects from that category. Projects would then be funded to the target within the category. This process will repeat for all categories. The Scoring Committee reserves the right for flexibility around the targets, to account for circumstances including, but not limited to, project costs or submitted project variability or quality.

The scoring committee has discretion to recommend partial funding, scaled options, pre-construction funding, or over subscribing the program if apportionment funds are available.

STATE AND FEDERAL COMMITMENTS DURING THE SCORING PROCESS

The eight San Joaquin Valley MPOs have a federal commitment to a minimum 20% cost-effectiveness to their CMAQ programs. Therefore, Fresno COG aims to achieve a minimum of 25% cost-effectiveness in its regional bid program, which equates to roughly 23.75% of total CMAQ apportionment. After the prioritization and recommendation of projects for each category by the Scoring Committee, staff will

ensure that cost-effectiveness commitments have been met. There will not be set targets for cost-effectiveness within the individual categories.

The MAP-21 Act requires PM_{2.5} nonattainment or maintenance areas use at least 25% of CMAQ funds for project that have a PM_{2.5} emission reduction. Fresno COG, as a result, has adopted a 25% funding target for the PM_{2.5} reducing category. After the prioritization and recommendation of projects for each category by the Scoring Committee, staff will ensure that PM_{2.5} commitments have been met. Projects funded in other categories will be considered towards this goal if they reduce substantially reduce PM_{2.5}.

ADDITIONAL RESTRICTIONS

Per approved Fresno COG policy, non-member agencies are limited to no more than a combined 15% of the regional bid amount.

PROJECT APPLICATION

The CMAQ project application will be available at: <https://www.fresnocog.org/project/congestion-mitigation-air-quality-cmaq-program/>.

Agencies may submit a maximum of 10 projects for consideration in the CMAQ Regional Bid process.

CONTACT AND SUBMITTAL APPLICATION

Regional bid applications must be submitted by noon on Friday, September 15, 2023. If you are applying for Regional Bid funds, please send 10 hardcopies and one electronic copy of each application. All correspondence should be mailed to:

Fresno Council of Governments
Attention: Robert Phipps, Deputy Director
2035 Tulare Street, Suite 201
Fresno, CA 93721

For further information on eligible projects, submittals of applications, or other questions related to the CMAQ program, please contact Fresno COG at 559-233-4148

PROJECT DELIVERY AND OBLIGATION REQUIREMENTS

PROJECT DELIVERY

All CMAQ projects must follow Fresno COG's project delivery policy and procedure document. <https://fresnocog.wpenginepowered.com/wp-content/uploads/2023/03/Final-Draft-FCOG-Project-Delivery-Policy-and-Procedures.pdf>

Regional bid projects must be delivered in the programmed year specified and within the programming years of the FTIP (covering federal fiscal years 2024/25, 2025/26, 2026/27, and 2027/28). Approval of AB 1012 requires that both State and Federal funds be used in a "timely" manner. In order to avoid losing any Federal or State funds to our Region, the "use it or lose it" requirements of AB 1012 place local governmental agencies in a position that they must be able to deliver their projects on time. That is, they must be able to meet their project delivery schedules as proposed and as programmed within the Federal Transportation Improvement Program (FTIP).

Because the issue of "project delivery is so important, the CMAQ Scoring Committee may take into consideration as a part of a project's "subjective" evaluation score (10 points), the local agency's ability to deliver projects in a timely manner (i.e., past performance/current ability to deliver projects rapidly).

Each agency must be able to assure that their project(s) can be delivered timely. Therefore, each application must be accompanied by a formal Council/Board/District Resolution stating that each project will meet project delivery schedules and that staff be directed to ensure that projects are delivered timely. Also included with each project application should be a Financial Plan and Project Submittal Checklist. A "Sample" Resolution has been prepared as a guide for helping prepare the required resolution(s) and the financial plan and project submittal checklist are included in the CMAQ application packet.

For awarded projects that received points in the Construction-Ready Projects and/or Expedited Project Delivery categories, the following project delivery rules will apply:

- Project must be obligated within the first two years of the programming cycle and must follow Fresno COG's adopted project delivery policy and procedures guidelines.
- No extension requests will be awarded.
- If construction for this project cannot be obligated by the awarded programming year, regional bid funding will be de-obligated and replaced with local funds.
De-obligated funding will be added to the regional apportionment balance

CONTINGENCY PROJECT LIST

Fresno COG will adopt a list of projects for programming the regional bid program that is financially constrained with the amount of CMAQ funding available. In addition, Fresno COG will include a list of contingency projects, ranked in priority order based on the project's evaluation score. Fresno COG intends to fund projects on the contingency list should there be cost savings or if a project is deleted from the program. Projects on the contingency list may also be funded using available apportionment to ensure project delivery and regional needs of the current FFY are met. This contingency list will be in effect only until the adoption of the next programming cycle.

OBLIGATION REQUIREMENTS

Federal requirements (FAST ACT) - STP, CMAQ, and Federal Transit Administration (FTA) funds (among other programs) must be obligated within 4 years of apportionment. Funds not obligated are lost to the state.

State requirements (AB-1012) - CMAQ and STBG (formerly RSTP) funds must be obligated within 3 years of apportionment. Funds not obligated are lost to the region.

Regional Requirements – Fresno COG requires regional deadline requirements, including obligation, award, and invoicing deadlines, to expedite project delivery and ensure funds are not lost to the region.

FTIP AMENDMENTS

Federal regulations require adherence to the projects and schedules contained within the adopted FTIP. Amendments are used to make necessary changes to projects within the FTIP. Amendment procedures are available in Fresno COG's FTIP document at <https://www.fresnocog.org/project/federal-transportation-improvement-program-ftip/>

SCOPE CHANGES

All projects selected under the regional bid process are selected based on the scope at time of submittal and the project sponsor will be held to fulfill the project with that scope. Fresno COG has limited options for accommodating minor scope changes, and larger scope changes of regional bid projects may face project cancellation and CMAQ fund revocation. Fresno COG staff strongly encourages all agencies to submit projects with the utmost confidence that the identified scope can be delivered.

PROJECT COST SAVINGS

Project savings will be returned to the overall program and will be made available in the unprogrammed apportionment balance.

A local agency may transfer any cost savings between phases within the same project but cannot exceed the awarded amount of the total project. Cost increases must follow the post-programming adjustment guidelines and requirements. Any savings at project completion must be returned to the program proportionally. An agency is still responsible to meet federal local match requirements for all phases of the project.

POST PROGRAMMING ADJUSTMENTS

Project sponsors are responsible for all cost increases and must maintain the project delivery schedule. Some cost increases may be considered through a post programming adjustment request. Post-programming adjustments may be requested for up to 15% of the programmed federal cost per phase but may not exceed \$500,000. Cost increases will be considered based on the region's apportionment availability and project delivery each FFY, and may be subject to scoring committee approval if the request exceeds the 15%/\$500,000 threshold. Only projects that were funded through a competitive process will be eligible for a post-programming adjustment.

CMAQ SCORING CRITERIA RUBRIC

30-point range	<p style="text-align: center;">Cost-Effectiveness</p> <p style="text-align: center;">Project cost-effectiveness is determined through various methods: https://www.fresnocog.org/emission-calculation-guidelines/ </p>	
	Range Factors	<p>Projects will be evaluated on a relative basis (i.e., how they compare to each other).</p> <p><i>Note: Cost-effective projects are those that meet the \$63 per pound (\$126,000 per ton) cost-effectiveness threshold. During the scoring committee process, projects identified as cost-effective are scored and selected first.</i></p>
20-point range	<p style="text-align: center;">Congestion Relief</p> <p style="text-align: center;">Project has impact on congestion and increases service capacity and/or reliability</p>	
	Range Factors	<p>Transit:</p> <p><i>HIGH Impact:</i> Significantly reduces transit vehicle crowding; increases service capacity significantly; Transportation Control Measures; increases service reliability significantly; a major interconnect or fare coordination project; bus turnouts at major intersections; intermodal facility accommodating major transfers; travel time reduction.</p> <p><i>MEDIUM Impact:</i> Increases service reliability in a minor capacity; a minor interconnect or fare coordination project; general bus turnouts; intermodal facility accommodating major transfers.</p> <p><i>LOW Impact:</i> Increases passenger comfort or convenience, bike racks.</p>
	Range Factors	<p>Roads:</p> <p><i>HIGH Impact:</i> Transportation Control Measures, signal coordination of multiple (>3) signals, gap closure projects, traffic operations system, left turn pockets, other intersection improvements and traffic flow improvements.</p> <p><i>MEDIUM Impact:</i> HOV lanes signal coordination, park-and-ride lots.</p> <p><i>LOW Impact:</i> New signals where none currently exist and are warranted by volume or delay, ramp metering with HOV bypasses (when shown not to adversely affect surface streets).</p>
	Range Factors	<p>Bicycle/Pedestrian:</p> <p><i>HIGH Impact:</i> Transportation Control Measures, a facility that will primarily serve commuters and/or school sites, and sidewalks where none exist.</p> <p><i>MEDIUM Impact:</i> Public educational, promotional, and safety programs that promote non-motorized modes of transportation.</p> <p><i>LOW Impact:</i> Mixed use bicycle/pedestrian facility (recreation & commuter), usable sidewalk segments.</p>
20-point range	<p style="text-align: center;">Air Pollutant Emissions Reduction</p> <p style="text-align: center;">Project incorporates transportation control measures, reduces volatile organic compounds, nitrogen oxides, and/or particulate matter emissions.</p>	
	Range Factors	<p>Projects will be evaluated on a relative basis; (i.e., how they compare to each other) based on the submitted air pollutant reductions of volatile organic compounds, oxides of nitrogen, and/or particulate matter.</p>

10-point range	<i>Trip Reduction</i> Project reduces vehicle trips and/or vehicle miles traveled (VMT).	
	Range Factors	<p><i>HIGH Impact:</i> Significantly reduces vehicle trips and VMT. <i>MEDIUM Impact:</i> Moderately reduces vehicle trips and VMT. <i>No Impact:</i> Does not reduce vehicle trips or VMT.</p> <p>Projects will be evaluated on a relative basis, (i.e. how they compare to each other). The CMAQ Scoring Committee may take factors such as city population, project size/scale, project cost, and/or local impact into consideration when evaluating project impact.</p> <p><i>Note: projects that increases vehicle trips and/or VMT will receive zero points.</i></p>
10-point range	<i>Subjective Evaluation</i> The subjective evaluation category allows the scorer the flexibility to decide that some aspect of the project that was not already considered in prior criteria should, in fact, be given consideration. The items listed under the subjective category are examples only and the list is not meant to all-inclusive of what might be considered under subjective evaluation	
	Range Factors	<p>The scorer may consider other important factors including, but not limited to:</p> <ul style="list-style-type: none"> ▪ The prioritization importance placed on the project by the project's sponsor, support for multimodal access, and enhancing connectivity of transportation systems. ▪ Projects which minimize the loss of prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance. ▪ Projects that increase safety, promote energy conservation, improves quality of life, leverages other funds, promotes system management such as supporting other modes of transportation; reduces greenhouse gas emissions, and supports Sustainable Communities Strategies. ▪ Since the issue of "timely project delivery" is so important, the CMAQ Scoring Committee may take into consideration, as a part of a project's "subjective" evaluation score, the local agency's ability to deliver projects on timely basis (i.e. past performance/current ability to deliver projects on schedule).
4-point range	<i>Construction-Ready Projects</i> Project is requesting construction funding only and is committed to the delivery requirements as described in the guidelines. Projects requesting points in this category will go through a Caltrans screening process. <i>Note: Projects requiring waivers or other independent agency approval are excluded from this category unless applicant can demonstrate absolute certainty in delivering project on an expedited schedule.</i>	
	4 Points	Project is requesting funds for construction only in the first year (2022/23) of the FTIP. PE and ROW documentation should be included in the application packet.
	2 Points	Project is requesting funds for construction only in the first year (2023/24) of the FTIP. PE and ROW documentation should be included in the application packet.
6 points	<i>Expedited Project Delivery</i> Project applicant is committed to the expedited project delivery requirements as described in the guidelines. <i>Note: Projects requiring waivers or other independent agency approval are excluded from this category unless applicant can demonstrate absolute certainty in delivering project on an expedited schedule.</i>	
	6 Points	Project is committed to the expedited project delivery schedule, programmed within the first two years of the FTIP, and its subsequent delivery requirements. No documentation is required. All phases of project may be programmed.
100 Total Points Available		

Potential Point Reductions

-10 points	<i>Regional Transportation Plan (RTP)</i>	
	-10 Points	<p>If the project is not on the constrained project list in the Fresno COG 2018 RTP, or submitted for the upcoming 2022 RTP, it will receive a ten-point deduction in this category.</p> <p><i>Note: Exceptions will be made for projects submitted by applicant agencies who <u>do not</u> formally submit projects to the RTP.</i></p>

AIR QUALITY SCREENING CRITERIA

1.00 SAFETY PROGRAMS

- 1.01** Railroad/Highway Crossing
- 1.02** Hazard Elimination Program
- 1.03** Safer non-Federal-aid system roads
- 1.04** Shoulder improvements
- 1.05** Increasing sight distance
- 1.06** Safety Improvement Program
- 1.07** Traffic control devices and operating assistance other than signalization projects.
- 1.08** Railroad/highway crossing warning devices
- 1.09** Guardrail, median barriers, crash cushions
- 1.10** Pavement resurfacing and/or rehabilitation
- 1.11** Pavement marking demonstration
- 1.12** Emergency Relief (23 U.S.C. 125)
- 1.13** Fencing
- 1.14** Skid treatments
- 1.15** Safety roadside rest areas
- 1.16** Adding medians
- 1.17** Truck climbing lanes outside the urbanized area
- 1.18** Lighting improvements
- 1.19** Widening narrow pavements or reconstructing bridges (no additional travel lanes)
- 1.20** Emergency truck pullovers

2.00 MASS TRANSIT

- 2.01** Operating assistance to transit agencies
- 2.02** Purchase of support vehicles
- 2.03** Rehabilitation of transit vehicles
- 2.04** Purchase of office, shop, and operating equipment for existing facilities
- 2.05** Purchase of operating equipment for vehicles (e.g., radios, fareboxes, lifts, etc.)
- 2.06** Construction or renovation of power, signal, and communications systems
- 2.07** Construction of small passenger shelters and information kiosks
- 2.08** Reconstructions or renovation of transit buildings and structures
- 2.09** Rehabilitation or reconstruction of track structures, track, and trackbed in exiting right-of-way
- 2.10** Purchase of new buses and rail cars to replace existing vehicles or for minor expansion of fleet
- 2.11** Construction of new bus, rail storage/maintenance facilities categorically excluded (23 CFR 771)

3.00 SAFETY PROGRAMS

- 3.01** Continuation of ridesharing and van-pooling promotion activities at current levels
- 3.02** Bicycle and pedestrian facilities

4.00 LANDSCAPING/SIGNS

- 4.01** Specific activities which do not involve or lead directly to construction
- 4.05** Engineering to assess social, economical, and environmental effects of the proposed action or alternatives to that action
- 4.06** Noise attenuation
- 4.07** Emergency or hardship advance land acquisitions [23 CFR 712.204(d)]
- 4.08** Acquisition of scenic easements
- 4.09** Plantings, landscape, etc.
- 4.10** Sign Removal

- 4.11** Directional and informational signs
- 4.12** Transportation enhancement activities (except rehabilitation and operation of historic buildings, structures, or facilities)
- 4.13** Repair of damage caused by natural disasters, civil unrest, or terrorist acts, except projects involving substantial functional, locational, or capacity increase

- 5.00** ***OTHER***
- 5.01** Intersection channelization projects
- 5.02** Intersection signalization projects at individual intersections
- 5.03** Changes in vertical and horizontal alignment
- 5.04** Interchange reconfiguration projects
- 5.05** Truck size and weight inspection stations
- 5.06** Bus terminals and transfer points
- 5.07** Traffic signal synchronization

RESOLUTION SUPPORTING DELIVERY SCHEDULE

Approval of AB 1012 requires that both State and Federal funds be used in a “timely” manner. In order to avoid losing any Federal or State funds to our Region, the “use it or lose it” requirements of AB 1012 place local governmental agencies in a position that they must be able to deliver their projects on time as proposed and as programmed within the Federal Transportation Improvement Program (FTIP).

Since the issue of “timely project delivery” is so important, the CMAQ Scoring Committee may take into consideration, as a part of a project’s “subjective” evaluation score (10 points), the local agency’s ability to deliver projects timely (i.e., past performance/current ability to deliver projects rapidly).

Each agency must be able to assure that their project(s) can be delivered timely. Therefore, **each application must be accompanied by a formal Council/Board/District Resolution stating that each project will meet project delivery schedules and that staff be directed to ensure that projects are delivered timely.** The attached “Sample” Resolution has been prepared as a guide for helping prepare the required resolution(s).

*Please Note: Each Council/Board/District Resolution needs to contain a list of the projects being submitted for potential CMAQ funding.

SAMPLE COUNCIL/BOARD RESOLUTION

BEFORE THE
(NAME OF CITY/COUNTY/DISTRICT COUNCIL/BOARD)
RESOLUTION NO. XXXX-____

In the Matter of:

Project Delivery Schedules
For Federal Transportation Project Selection
Federal Transportation Act: IJJA/BIL

RESOLUTION SUPPORTING
AND IMPLEMENTING TIMELY
USE OF FUNDING

WHEREAS, AB 1012 has been enacted into State Law in part to provide for the “timely use” of State and Federal funding; and

WHEREAS, the (City/County/District) is able to apply for and receive Federal and State funding under the Federal Transportation Act;

WHEREAS, the (City/County/District) desires to ensure that its projects (as listed or attached) are delivered in a timely manner to preclude the Fresno Region from losing those funds for non-delivery; and

WHEREAS, it is understood by the (City/County/District) that failure for not meeting project delivery dates for any phase of a project may jeopardize federal or state funding to the Region; and

WHEREAS, the (City/County/District) must demonstrate dedicated and available local matching funds;
and

NOW THEREFORE BE IT RESOLVED, that the (Council/Board) hereby agrees to ensure that all project delivery deadlines for all project phases will be met or exceeded.

BE IT FURTHER RESOLVED, that failure to meet project delivery deadlines may be deemed as sufficient cause for the Fresno Council of Governments Policy Board to terminate an agency’s project and reprogram Federal/State funds as deemed necessary.

BE IT FURTHER RESOLVED, that the (City/County/District) (Council/Board) does direct its management and engineering staffs to ensure all projects are carried out in a timely manner as per the requirements of AB 1012 and the directive of the (City/County/District) (Council/Board).

THE FOREGOING RESOLUTION was passed and adopted by the (Council/Board) on Month, Day, and Year.

AYES:
NOES:
ABSTAIN:
ABSENT:
ATTEST:

Signed: _____
Mayor, City of (-----)
Chair, Board of (-----)
Chair, (-----) Board

I hereby certify that the foregoing is a true copy of a resolution of the (Council/Board) duly adopted at a regular meeting thereof held on the _____ day of _____ (Month), _____ (Year).

CONTACT INFORMATION

For further information on eligible projects, submittal of applications or other questions related to the CMAQ program, please contact Fresno COG at 559-233-4148 x 217

Please submit ten hard copies and an electronic copy for regional bid. Please print on two sides. One copy should be loose bound- no staples. Do not use ring binders. Covers are accepted.

Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721
Attention: [staff]

Please submit all CMAQ applications by noon Friday, Sept. 15, 2023.

APPENDIX A: PROGRAM GUIDANCE UNDER MAP-21

FHWA Program Guidance: The Congestion Mitigation and Air Quality (CMAQ) Improvement Program under the Moving Ahead for Progress in the 21st Century Act “*Interim Program Guidance*” November 12, 2013

Document can be accessed at the following link:

https://www.fhwa.dot.gov/environment/air_quality/cmaq/policy_and_guidance/2013_guidance/

FHWA CMAQ Program Homepage:

https://www.fhwa.dot.gov/environment/air_quality/cmaq/

APPENDIX B: FHWA FUNDING GUIDANCE

FHWA Memo: April 6, 2011: Federal Cost Principles and CMAQ Alternative Fuel Vehicles Projects

FHWA Letter: May 1, 2012: Clarification of the Eligible uses of Congestion Mitigation and Air Quality Improvement (CMAQ) Program Funds to Purchase Alternative Fueled Vehicles

APPENDIX C: REVISED GUIDANCE FOR OPERATING ASSISTANCE

Revised Interim Guidance on CMAQ Operating Assistance under MAP-21. July 2014.

Revised language can be accessed at the following link:

https://www.fhwa.dot.gov/environment/air_quality/cmaq/policy_and_guidance/cmaq13ig.cfm

Quote Prepared By:
Whitten Guajardo
949-589-6338
operations@blaisassoc.com

Project Quote

Client Name	City of Coalinga
Client Contact(s)	Sean Brewer, Assistant City Manager
Grant Program	Fresno Council of Governments Congestion Mitigation and Air Quality (CMAQ)
Project Due	September 15, 2023
Project Name	Perimeter Trail Segments 8.5 and 9
Date Prepared	August 1, 2023
Project Cost	\$9,923

Activity	
Preparatory work including reviewing guidelines and application materials; developing timeline & checklist; hosting a kick-off conference call with client; attending to follow-up action items from kick-off call; preparing internal e-file system.	
Develop application narrative. Includes 1) Applicant Information, 2) General Project Information, 3) Project Details, 4) Project Funding and Scalability, 5)	
Develop project delivery schedule and narrative.	
Develop attachment A: application checklist and signature page.	
Develop attachment B: financial plan.	
Develop attachment C: AB 1012 resolution.	
Develop attachment D: project estimate.	
Develop attachment E: cost-effectiveness and emissions reductions calculations.	
Develop attachment F: RTP documentation.	
Develop attachment G: one location map and one destination map.	
Develop attachment H: preliminary engineering and design, environmental, and right-of-way documentation or certification (if needed).	
Develop attachment I: warrant study (if needed).	
Develop attachment J: one photo page of existing conditions.	
Conference calls and client coordination. Provide 80% draft and 100% final to client for review. Incorporate client feedback and comments. Prepare final files for Client's permanent record keeping. Submit application via mail.	
SUBTOTAL	\$9,383

Direct Costs	
Final Files (link)	\$0
Reproduction for hard copy (10 hard copies and one electronic copy)	\$460
Express Delivery mail or courier services for 10 hard copies	\$80
SUBTOTAL	\$540

GRAND TOTAL	\$9,923
--------------------	----------------

Quote Prepared By:
Whitten Guajardo
949-589-6338
operations@blaisassoc.com

Notes and Assumptions

- | |
|---|
| 1) To best serve you, B&A has reserved staff time for this project until the response date requested in the transmittal e-mail. |
| 2) Available funding: \$26,768,918. Maximum funding: not stated. |
| 3) Match requirement: 11.47% |
| 4) Resolution: required with application. |

Please note that this quote is fixed fee for service based on current conditions and understandings. Many factors may change during the development of a project, including Client requests, that may increase the amount of work required to successfully perform services. During the course of work, if there is a material change in scope, B&A will notify the point of contact and mutually agree to a change order or discuss alternatives.

Signature Approving Costs and Authorizing Notice to Proceed

Date

Printed Name



Fresno Council
of Governments

2023-2024
Surface Transportation
Block Grant (STBG) Program

FINAL PROGRAM
GUIDELINES

May 2023

2035 Tulare Street, Suite 201
Fresno, CA 93721
559-233-4148
559-233-9645 (Fax)

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OVERVIEW

The Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58, also known as the “Bipartisan Infrastructure Law”) provides \$550 billion of new federal investment in infrastructure. The IIJA expands and continues the Surface Transportation Block Grant Program (STBG) from its predecessor FAST Act. STBG one of the cornerstones for transportation funds distributed to regions. Fresno Council of Governments (COG), acting in its role as a Metropolitan Planning Organization (MPO), is programming future federal transportation revenues that will come to the Fresno region. STBG funds are reimbursable federal aid funds, subject to the requirements of Title 23, United States code. Eligible costs include preliminary engineering, right-of-way acquisition, capital costs, and constructions costs associated with an eligible activity. These guidelines describe the policy, standards, criteria, and procedures developing, managing, and adopting of Fresno COG’s STBG program.

Once projects have been approved by the MPO, they must be included in the Federal Transportation Improvement Program (FTIP) prior to federal reimbursement.

PROGRAM PURPOSE

The STBG program provides flexible funding that localities may use for projects to preserve and improve conditions and performance on any Federal-aid highway, bridge and tunnel projects on any public road, pedestrian and bicycle infrastructure, and transit capital projects, including intercity bus terminals. STBG promotes flexibility in local transportation decisions and provides flexible funding to best address regional and local transportation needs.

PROGRAM SCHEDULE

Once the Fresno COG Policy Board approves projects, they must be included in the Federal Transportation Improvement Program (FTIP) prior to federal reimbursement. The 2023-24 STBG call for projects will cover a four-year program of projects in the FTIP (covering federal fiscal years 2024/25, 2025/26, 2026/27, and 2027/28). The following schedule lists the major milestones for developing and adopting the 2023/24 STBG call for projects and related FTIP and air quality conformity determination processes:

Programming subcommittee convenes to review scoring criteria and call information	April-May 2023
Guidelines, criteria and application packet to TTC/PAC for approval	June 9, 2023
Guidelines, criteria and application packet to COG Policy Board for adoption/initiates call for projects	June 29, 2023
Call for Projects Workshop for member agencies	July 12, 2023
Regional bid project submittals DUE	Oct. 6, 2023
STBG scoring committee convenes	Dec. 6, 2023
COG Policy Board approves recommended projects	January 2024
FTIP amendments and submittal to Caltrans	March–December 2024

FUNDING

DISTRIBUTION

At least 85% of the STBG apportionment will fund a STBG regional bid competitive program. The remaining apportionment may be used for projects on the current contingency list, post-programming adjustment requests (further defined later in this guidance), EPSPs, pavement management system updates, or retain the funding for future programming cycles. FCOG will manage the remaining apportionment based on project delivery of the current FFY to ensure funds are obligated in a timely manner and will follow FCOG’s adopted project delivery policy and procedures document.

MATCHING REQUIREMENTS

Most federal projects require a local match of 11.47%. Title 23 U.S.C allows toll credits to be included for federal-aid highway projects, which provides local agencies up to 100% in federal reimbursement for participating work.

AUTHORIZATION TO PROCEED AND REIMBURSEMENT

Project applicants must comply with the provisions of Title 23 of the U.S.C., as well as with processes and procedures contained in the Caltrans Local Assistance Procedures Manual and the Master Fund Transfer Agreement with Caltrans. All guidance and procedures are available in the Local Assistance Procedures Manual at <https://dot.ca.gov/programs/local-assistance/guidelines-and-procedures/local-assistance-procedures-manual-lapm>.

ELIGIBILITY

STBG funding is available to Fresno COG local agencies – cities within Fresno County and the County of Fresno.

ELIGIBLE STBG PROJECTS (Title 23 USC Section 133)

1. Eligible Projects and Activities:

- Location of Projects (23 U.S.C. 133(c)): STBG projects may not be undertaken on a road functionally classified as a local road or a rural minor collector unless the road was on a Federal-aid highway system on January 1, 1991, except-

- (1) For a bridge or tunnel project (other than the construction of a new bridge or tunnel at a new location);
- (2) For a project described in 23 U.S.C. 133(b)(4)-(11) and described below under "Eligible Activities" (b)(4) through (11);
- (3) For transportation alternatives projects described in 23 U.S.C. 101(a)(29) before enactment of the FAST Act (these are described in 23 U.S.C. 133(h) and in separate TA Set-Aside guidance.); and
- (4) For a bridge for the replacement of a low water crossing¹; and
- (5) As approved by the Secretary.

- Eligible Activities (23 U.S.C. 133(b)): Subject to the location of projects requirements in paragraph (a), the following eligible activities are listed in 23 U.S.C. 133(b):

- (1) Construction, as defined in 23 U.S.C. 101(a)(4) as amended by the BIL of the following:

- i. Highways, bridges, and tunnels, including designated routes of the Appalachian development highway system and local access roads under 40 U.S.C. 14501;

- ii. Ferry boats and terminal facilities eligible under 23 U.S.C. 129(c);

- That are eligible under 23 U.S.C. 129(c) as amended by the BIL, or
- That are privately or majority-private owned, that the Secretary determines provide a substantial public transportation benefit or otherwise meet the foremost needs of the surface transportation system described in 23 U.S.C. 101(b)(3)(D). This eligibility was added by BIL

- iii. transit capital projects eligible under chapter 53 of title 49, United States Code;

- iv. Infrastructure-based intelligent transportation systems capital improvements, including the installation of vehicle-to-infrastructure communication equipment;

- v. Truck parking facilities eligible under Section 1401 of MAP-21 (23 U.S.C. 137 note); and

¹ The definition of low water crossing is contained in 23 CFR part 650, subpart D supplementary guidance at: <https://www.fhwa.dot.gov/bridge/0650dsup.cfm> (See paragraph 3.b. of the supplementary guidance).

- vi. Border infrastructure projects eligible under Section 1303 of SAFETEA- LU (23 U.S.C. 101 note).
 - vii. Wildlife crossing structures. This eligibility was added by BIL.
- (2) Operational improvements and capital and operating costs for traffic monitoring, management, and control facilities and programs. Operational improvement is defined in 23 U.S.C. 101(a)(19).
 - (3) Environmental measures eligible under 23 U.S.C. 119(g), 148(a)(4)(B)(xvii), 328, and 329, and transportation control measures listed in Section 108(f)(1)(A) (other than clause (xvi) of that section) of the Clean Air Act (See 42 U.S.C. 7408(f)(1)(A)).
 - (4) Highway and transit safety infrastructure improvements and programs, including projects eligible under 23 U.S.C. 130 and installation of safety barriers and nets on bridges. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
 - (5) Fringe and corridor parking facilities and programs in accordance with 23 U.S.C. 137 and carpool projects in accordance with 23 U.S.C. 146. Carpool project is defined in 23 U.S.C. 101(a)(3). Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
 - (6) Recreational trails projects eligible under 23 U.S.C. 206, as amended by the BIL, including maintenance and restoration of existing recreational trails pedestrian and bicycle projects in accordance with 23 U.S.C. 217 (including modifications to comply with accessibility requirements under the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)), and the Safe Routes to School Program under 23 U.S.C. 208 as amended by the BIL.
 - (7) Planning, design, or construction of boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
 - (8) Development and implementation of a State asset management plan for the National Highway System (NHS) and a performance-based management program for other public roads. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
 - (9) Protection (including painting, scour countermeasures, seismic retrofits, impact protection measures, security countermeasures, and protection against extreme events) for bridges (including approaches to bridges and other elevated structures) and tunnels on public roads, and inspection and evaluation of bridges and tunnels and other highway assets. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
 - (10) Surface transportation planning programs, highway and transit research and development and technology transfer programs, and workforce development, training, and education under chapter 5 of title 23, United States Code. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
 - (11) Surface transportation infrastructure modifications to facilitate direct intermodal interchange, transfer, and access into and out of a port terminal. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
 - (12) Projects and strategies designed to support congestion pricing, including electronic toll collection and travel demand management strategies and programs. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).

- (13) (14) Projects and strategies designed to reduce the number of wildlife-vehicle collisions, including project-related planning, design, construction, monitoring, and preventative maintenance. Preventive maintenance is defined in 23 U.S.C. 116(a). Not subject to the Location of Project requirement in 23 U.S.C. 133(c). This eligibility was added by the BIL.
- (14) The installation of electric vehicle charging infrastructure and vehicle-to-grid infrastructure. Not subject to the Location of Project requirement in 23 U.S.C. 133(c). This eligibility was added by the BIL.
- (15) The installation and deployment of current and emerging intelligent transportation technologies, including the ability of vehicles to communicate with infrastructure, buildings, and other road users. This eligibility was added by the BIL.
- (16) Planning and construction of projects that facilitate intermodal connections between emerging transportation technologies, such as magnetic levitation and hyperloop. This eligibility was added by the BIL.
- (17) Protective features, including natural infrastructure, to enhance the resilience of a transportation facility otherwise eligible for assistance under STBG. Natural infrastructure is defined in 23 U.S.C. 101(a)(17). This eligibility was added by the BIL.
- (18) Measures to protect a transportation facility otherwise eligible for assistance under STBG from cybersecurity threats. This eligibility was added by the BIL.
- (19) Upon request of a State and subject to the approval of the Secretary, if Transportation Infrastructure Finance and Innovation Act (TIFIA) credit assistance is approved for an STBG- eligible project, then the State may use STBG funds to pay the subsidy and administrative costs associated with providing Federal credit assistance for the projects.
- (20) The creation and operation by a State of an office to assist in the design, implementation, and oversight, including conducting value for money analyses or similar comparative analyses, of public-private partnerships eligible to receive funding under title 23 and chapter 53 of title 49, United States Code, and the payment of a stipend to unsuccessful private bidders to offset their proposal development costs, if necessary to encourage robust competition in public-private partnership procurements.
- (21) Any type of project eligible under 23 U.S.C. 133 as in effect on the day before the FAST Act was enacted (i.e., in effect on December 3, 2015). Among these are:
- a. Replacement of bridges with fill material;
 - b. Training of bridge and tunnel inspectors;
 - c. Application of calcium magnesium acetate, sodium acetate/formate, or other environmentally acceptable, minimally corrosive anti-icing and deicing compositions for bridges (and approaches to bridges and other elevated structures) and tunnels;
 - d. Projects to accommodate other transportation modes continue to be eligible pursuant to 23 U.S.C. 142(c) if such accommodation does not adversely affect traffic safety;
 - e. Transit capital projects eligible for assistance under chapter 53 of title 49, United States Code, including vehicles and facilities (publicly or privately owned) that are used to provide intercity passenger bus service;
 - f. Approach roadways to ferry terminals to accommodate other transportation modes and to provide access into and out of the ports;
 - g. Transportation alternatives previously described in 23 U.S.C. 101(a)(29) and described in 23 U.S.C. 213; (as in effect on the day before enactment of the FAST Act)

- h. Projects relating to intersections having disproportionately high accident rates, high levels of congestion (as evidenced by interrupted traffic flow at the intersection and a level of service rating of "F" during peak travel hours, calculated in accordance with the Highway Capacity Manual), and are located on a Federal-aid highway;
 - i. Construction and operational improvements for any minor collector if the minor collector and the project to be carried out are in the same corridor and in proximity to an NHS route; the construction or improvements will enhance the level of service on the NHS route and improve regional traffic flow; and the construction or improvements are more cost-effective, as determined by a benefit-cost analysis, than an improvement to the NHS route;
 - j. Workforce development, training, and education activities discussed in 23 U.S.C. 504(e);
 - k. Advanced truck stop electrification systems. Truck stop electrification system is defined in 23 U.S.C. 101(a)(34);
 - l. Installation of safety barriers and nets on bridges, hazard eliminations, projects to mitigate hazards caused by wildlife;
 - m. Electric vehicle and natural gas vehicle infrastructure in accordance with 23 U.S.C. 137;
 - n. Data collection, maintenance, and integration and the costs associated with obtaining, updating, and licensing software and equipment required for risk-based asset management and performance based management, and for similar activities related to the development and implementation of a performance based management program for other public roads;
 - o. Construction of any bridge in accordance with 23 U.S.C. 144(f) that replaces any low water crossing (regardless of the length of the low water crossing); any bridge that was destroyed prior to January 1, 1965; any ferry that was in existence on January 1, 1984; or any road bridge that is rendered obsolete as a result of a Corps of Engineers flood control or channelization project and is not rebuilt with funds from the Corps of Engineers. Not subject to the Location of Project requirement in 23 U.S.C. 133(c); and
 - p. Actions in accordance with the definition and conditions in 23 U.S.C. 144(g) to preserve or reduce the impact of a project on the historic integrity of a historic bridge if the load capacity and safety features of the historic bridge are adequate to serve the intended use for the life of the historic bridge. Not subject to the Location of Project requirement in 23 U.S.C. 133(c).
- (22) Rural barge landing, dock, and waterfront infrastructure projects in accordance with 23 U.S.C. 133(j) (See Section K of this memorandum). Not subject to the Location of Project requirement in 23 U.S.C. 133(c). This eligibility was added by the BIL.
- (23) Projects to enhance travel and tourism. This eligibility was added by the BIL. The following activities are made eligible by other sections of 23 U.S.C.:
- (24) Public transportation projects: (i) as described in 23 U.S.C. 142(a)(1), (a)(2), (a)(3), and (c); and (ii) meeting the requirements contained in 23 U.S.C. 142.
- (25) Initiatives to halt the evasion of payment of motor fuel taxes as provided for under 23 U.S.C. 143(b)(8), including expenditure limitations.
- (26) Workforce development, training, and education activities under 23 U.S.C. 504(e).

2. **Applicability of Planning Requirements (23 U.S.C. 133(d)(5)):** Programming and expenditure of funds for projects shall be consistent with 23 U.S.C. 134 and 135, as amended by the BIL. Projects must be identified in the Statewide Transportation Improvement Program (STIP)/Transportation

Improvement Program (TIP) and be consistent with the Long-Range Statewide Transportation Plan and the Metropolitan Transportation Plan(s) (See 23 U.S.C. 133(d)(5)). When obligating suballocated funding discussed below), the State must coordinate with relevant metropolitan planning organizations (MPO) or rural planning organizations (See 23 U.S.C. 133(d)(3)).

STBG projects for eligible planning purposes must be reflected in the statewide SPR work program or Overall Work Program. Further, these projects must be in the FTIP unless the State DOT or MPO agree that they may be excluded. (23 CFR 420.119(e))

3. **Applicability of 23 U.S.C. 217(i) for Bicycle Projects:** 23 U.S.C. 217(i) requires that bicycle facilities be principally for transportation, rather than recreation, purposes. However, 23 U.S.C. 133(b)(7) and 133(h) list “recreational trails projects” as eligible activities under STBG. Therefore, the requirement in 23 U.S.C. 217(i) does not apply to recreational trails projects (including for bicycle use) using STBG funds. Section 217(i) continues to apply to bicycle facilities other than trail-related projects, and Section 217(i) continues to apply to bicycle facilities using other Federal-aid highway program funds (e.g., NHPP, Highway Safety Improvement Program, and Congestion Mitigation and Air Quality Improvement Program). The transportation requirement under Section 217(i) is applicable only to bicycle projects; it does not apply to any other trail use or transportation mode.

PROJECT SELECTION PROCESS

In administering a competitive selection process, FCOG will use a scoring committee to assist in evaluating project applications. The scoring committee will prioritize and rank all eligible, submitted applications based on the approved scoring criteria. The scoring committee has discretion to recommend partial funding, scaled options, pre-construction funding, or over subscribing the program if apportionment funds are available. The scoring committee’s project recommendations will be presented to Fresno COG’s TTC/PAC and Policy Board for approval.

STBG SCORING COMMITTEE REPRESENTATION

1. Westside Cities
2. Eastside Cities
3. Fresno Council of Governments
4. Fresno-Clovis Metropolitan Area (rotates between Clovis and Fresno representatives)
5. Fresno County
6. Caltrans
7. Transit (Rotates among Fresno Area Express, Clovis Transit and Fresno County Rural Transit Agency)

PROJECT APPLICATION

STBG project applications will be available at: <https://www.fresnocog.org/project/regional-surface-transportation-program/>. Agencies may submit a maximum of 10 projects for consideration in the STBG Regional Bid process.

CONTACT AND SUBMITTAL INFORMATION

Please submit regional bid applications by noon, October 6, 2023. For regional bid funds, please send eight hard copies and one electronic copy of each application. All correspondence should be mailed to:

Fresno Council of Governments
Attention: Robert Phipps; STBG Call for Projects
2035 Tulare Street, Suite 201
Fresno, CA 93721

For further information on eligible projects, submittal of applications or other questions related to the STBG program, please contact Fresno COG Staff at (559) 233-4148.

CONTINGENCY PROJECT LIST

Fresno COG will adopt a list of projects that is financially constrained with the amount of STBG funding available for programming the regional bid program. In addition, Fresno COG will include a list of contingency projects, ranked in priority order based on the project's evaluation score. Fresno COG intends to fund projects on the contingency list should there be cost savings or if a project is deleted from the program. Projects on the contingency list may also be funded using available apportionment to ensure project delivery and regional needs of the current FFY are met. This contingency list will be in effect only until the adoption of the next programming cycle.

PROJECT DELIVERY

All STBG projects must follow FCOG's project delivery policy and procedures document. <https://fresnocog.wpenginepowered.com/wp-content/uploads/2023/03/Final-Draft-FCOG-Project-Delivery-Policy-and-Procedures.pdf>

2023-24 STBG projects must be delivered in the programmed year specified and within the programming years of the 2024 FTIP (covering federal fiscal years 2024/25, 2025/26, 2026/27, and 2027/28). If regional bid projects are delayed due to unforeseen circumstances, projects, at any phase, may be pushed out. If the project is delayed more than two FTIP cycles, the project will be programmed based on financial capacity and at COG's discretion. To avoid the region losing any Federal or State funds, the "use it or lose it" requirements of AB 1012 place local governmental agencies in a position that they must be able to deliver their projects on time; that is, they must be able to meet their project delivery schedules as proposed and as programmed within the Federal Transportation Improvement Program (FTIP). Initially, local funds will be programmed for construction until the right-of-way phase is either cleared or imminent.

Because project delivery is so important, the *STBG Scoring Committee* may take into consideration – as a part of a project's "subjective" evaluation score – local agency's ability to deliver projects in a timely manner (i.e., past performance/current ability to deliver projects rapidly).

Each agency must be able to assure that its project(s) can be delivered in a timely fashion. Therefore, each application must be accompanied by a formal council/board/district resolution stating that each project will meet project delivery schedules and that staff be directed to ensure that projects are promptly delivered. Also included with each project application should be a financial plan and project submittal checklist. A "sample" Resolution has been prepared to assist producing the required resolution(s) and the financial plan and project submittal checklist are included in the STBG application packet.

For awarded projects that received points in the construction ready and/or expedited project delivery categories, the following delivery rules apply:

- Projects must be obligated within the first two years of the programming cycle and must follow FCOG's adopted project delivery policy and procedures guidelines. No extension requests will be considered;
- If construction cannot be obligated by the awarded programming year, regional bid funding will be deobligated and replaced with local funds;
- Deobligated funding will be added to the regional apportionment balance;

FTIP AMENDMENTS

Federal regulations require adherence to the projects and schedules contained within the adopted FTIP. Amendments are used to make necessary changes to projects within the FTIP. Amendment procedures are available in Fresno COG's FTIP document at https://fresnocog.wpenginepowered.com/wp-content/uploads/2022/09/2023-FTIP-Update-FINAL-9_22.pdf

PROJECT COST SAVINGS

Project savings will be returned to the overall program and will be made available in the unprogrammed apportionment balance.

A local agency may transfer any cost savings between phases within the same project but cannot exceed the awarded amount of the total project. Any savings at project completion must be returned to the program proportionally. An agency is still responsible to meet federal local match requirements for all phases of the project.

POST PROGRAMMING ADJUSTMENTS

Project sponsors are responsible for all cost increases and must maintain the project delivery schedule. Some cost increases may be considered through a post programming adjustment request. Post-programming adjustments may be requested for up to 15% of the programmed federal cost per phase but may not exceed \$500,000. Cost increases will be considered based on the region's apportionment availability and project delivery each FFY and may be subject to scoring committee approval if they exceed the 15%/\$500,000 contingency threshold. Only projects that were awarded through a competitive process will be eligible for a post-programming adjustment.

SCOPE CHANGES

All projects selected under the regional bid process are selected based on the scope at time of submittal and will be held to fulfill the project with that scope. Fresno COG has limited options for accommodating minor scope changes, and larger scope changes of regional bid projects may face project cancellation and STBG fund revocation. Fresno COG staff strongly encourages all agencies to submit projects with the utmost confidence that the identified scope can be delivered.

STBG SCORING CRITERIA

General intent: Fresno COG's STBG program shall be aimed toward approving projects that emphasize existing system preservation. Other factors set forth in the IIJA (BIL) guidelines that are important and are emphasized include: system integration and connectivity; safety and security; accessibility, mobility, and efficiency; energy conservation; environmental protection; and support for economic development activities. The overall STBG program is aimed to meet the performance of our long-term planning goals.

Max 40	Rehabilitation, Reconstruction and Replacement (Preservation) Applicant should explain how the project addresses preservation of existing infrastructure. Describe current condition of roads/assets and how the project will improve current condition, including estimated lifespan, if applicable.	
	Range Factors	Transit <u>High impact:</u> Urgent asset replacement not the result of deferred maintenance; Assets are 20 percent above Federal Transit Administration's mileage/age requirements, and cost- effective vehicle rehabilitation. <u>Medium impact:</u> Normal asset replacement as provided for in the Short-Range Transit Plan; Examined case by case but on average: <ul style="list-style-type: none"> • Bus 12 years • Van 4 years • Tools and Equipment 10 years • Service vehicle 7 years • Facility must be examined case by case <u>Low impact:</u> Rehabilitation to prolong useful life. Federal Transit Administration will not allow rehabilitation that prolongs the life less than 40 percent which determines the minimum.

	Range Factors	Roads: <u>High impact:</u> Poor/failed condition - based on pavement management analysis demonstrating a project on road to be failed or in poor condition; Pavement condition below 50, typically requires treatments that address structural adequacy and/or reconstruction. <u>Medium impact:</u> At risk condition – based on pavement management analysis demonstrating a project on road to be in poor to fair condition; Pavement condition is between 50 and 70 to be considered at risk. Typically requires overlay treatments. <u>Low impact:</u> Good to excellent condition – based on pavement management analysis demonstrating a project on a road to be in good to excellent condition with project to prolong useful life. Pavement condition is above 70. Typically requires treatment for preventative maintenance such as chip seals and slurry seals.
	Range Factors	Bicycle/Pedestrian: <u>High impact:</u> Poor/failed condition – new or optimal project for bicycle/pedestrian facilities in very poor to poor condition. <u>Medium impact:</u> At risk condition – facilities in poor to fair condition. <u>Low impact:</u> Good to excellent condition – facilities in fair to good condition with project to prolong useful life.
Max 10	Safety/Security Applicant should explain how the project addresses safety and/or security issues and demonstrate how the project improvements will remedy potential safety hazards. Include data to clearly demonstrate these issues.	
	Range Factors	Transit <u>High impact:</u> Passenger or employee safety/security, such as: lighting in high security area, handrails, equipment or assets safety/security project (such as projects which reduce violence threats on bus or at transfer points). <u>Medium impact:</u> Lighting in low security area, bus turnouts, maintenance yard fences <u>Low impact:</u> Projects such as revenue collection security project.
	Range Factors	Roads: <u>High impact:</u> Projects such as high occupancy vehicle (HOV) enforcement areas, grade separations, median barrier when crossover median accidents are an issue, geometric improvements, shoulders, curve corrections, new signals, drainage improvements, sight & distance improvements, profile grade improvements. <u>Medium impact:</u> Widenings, auxiliary lanes, left-turn pockets, minor shoulder widenings. <u>Low impact:</u> Signage, restriping, intersection improvements.
	Range Factors	Bicycle/Pedestrian: <u>High impact:</u> Commuter available bike paths/lanes, curb cuts, resolve conflict between modes, routes to school sites. <u>Medium impact:</u> Recreational bike paths/lanes, general sidewalk improvements. <u>Low impact:</u> Striping, signage.

Max 5	Air Quality Applicant should explain how the project would have a positive benefit on air quality and incorporate transportation control measures (TCM).	
	Range Factors	<u>High impact:</u> Reduces emissions. Incorporates highly effective transportation control measure (TCM) and/or significantly reduces emissions. <u>Medium impact:</u> Air quality neutral. Incorporates moderately effective TCM and/or moderately reduces emissions. <u>Low impact:</u> Project does not include a TCM and/or does not increase or reduce emissions and/or increases vehicle emissions.
Max 10	Congestion Relief / System Expansion Applicant should explain how the project relieves congestions and/or expands the current infrastructure system without negatively effecting conformity requirements.	
SYSTEM EXPANSION (All modes):		
	Range Factors	<u>Current needs:</u> Meets a demonstrated high demand of current needs, (must be able to meet conformity requirements). <u>Future needs:</u> Meets a projected demand of future needs, (must be able to meet conformity requirements). <u>Economic enhancement:</u> Supports economic enhancement efforts or improves system continuity; enables multi-modal connections/transportation.
CONGESTION RELIEF:		
	Range Factors	Transit <u>High impact:</u> Significantly reduces transit vehicle crowding, increases service capacity significantly, transportation control deficiency plan measure, increases service reliability significantly. Interconnect or fare coordination project, bus turnouts at major intersections, intermodal facility accommodating major transfers, reduces travel time. <u>Medium impact:</u> Increases service reliability in a minor capacity, interconnect or fare coordination project, general bus turnouts, and intermodal facility accommodating major transfers. <u>Low impact:</u> Increases passenger comfort or convenience, bike racks.
	Range Factors	Roads: <u>High impact:</u> Transportation control deficiency plan measure, signal coordination of multiple (>3) signals, gap closure projects, traffic operations system, left-turn pockets or other intersection improvements. <u>Medium impact:</u> HOV lanes, auxiliary lanes, signalization. <u>Low impact:</u> New signal where none currently exists and is warranted by volume or delay, ramp metering with HOV bypasses (when shown not to adversely affect surface streets).

	Range Factors	Bicycle/Pedestrian: <u>High impact:</u> Transportation control deficiency plan measure, facility that will primarily serve commuters and/or school sites, sidewalks where none exist. <u>Medium impact:</u> Mixed use bicycle/pedestrian facility (recreation & commuter), usable sidewalk segments including upgrades and new installations. <u>Low impact:</u> Bicycle/pedestrian facility primarily for recreational use, signage.
Max 10	Cost Benefit Ratio Please reference analysis guidance on application. Projects will be evaluated on a relative basis, i.e., how they compare to each other.	
	Range Factors	Project annual safety, operational, and maintenance benefits divided by annualized project cost.
Max 5	Congestion Management Plan (CMP) Please reference map to find CMP information.	
	Range Factors	<ul style="list-style-type: none"> One point for Congestion Management-Plan eligible projects. Up to four additional points for congestion and collision rate levels. <u>COLLISION</u> <ul style="list-style-type: none"> Two points for projects located on a roadway with a collision rate that is in the top 10 percent. One point for projects located on a roadway with a collision rate that is in the top 25 percent, but not the top 10 percent. <u>CONGESTION</u> <u>Expressways</u> This project is located on a street where the Peak Hour Average Speed is: (choose one) <ul style="list-style-type: none"> <input type="checkbox"/> < 30 mph (2 pts) <input type="checkbox"/> 30 – 40 mph (Arterials) (1 pt) <input type="checkbox"/> > 40 mph (Arterials) (0 pts) <u>Arterials</u> This project is located on a street where the Peak Hour Average Speed is: (choose one) <ul style="list-style-type: none"> <input type="checkbox"/> < 25 mph (Arterials) (2 pts) <input type="checkbox"/> 25 – 35 mph (Arterials) (1 pt) <input type="checkbox"/> > 35 mph (Arterials) (0 pts) <u>Collectors</u> This project is located on a street where the Peak Hour Average Speed is: (choose one) <ul style="list-style-type: none"> <input type="checkbox"/> < 20 mph (Arterials) (2 pts) <input type="checkbox"/> 20 - 30 mph (Arterials) (1 pt) <input type="checkbox"/> > 30 mph (Arterials) (0 pts)
Max 10	Subjective Evaluation The subjective evaluation category allows the scorer the flexibility to decide that some aspect of the project that was not considered in prior criteria should be given consideration. The items listed under the subjective category are examples only and the list is not meant to be all-inclusive of what might be considered under subjective evaluation.	

	Range Factors	<p>The scorer may consider other important factors including but not limited to:</p> <ul style="list-style-type: none"> • Prioritization by the project's sponsor, as assigned by the member agency. • Projects that minimize prime farmland losses, unique farmland, farmland of statewide importance and farmland of local importance. • Projects that support sustainable communities strategies. • Projects that leverage other funds. • Projects that address economic impacts such as connectivity, multimodal access, corridor concerns, freight/commodity movement and growth management.
Max 4	<p align="center">Construction-Ready Projects</p> <p>Project is requesting construction funding only and is committed to the delivery requirements as described in the guidelines. Projects requesting points in this category will go through a Caltrans screening process.</p>	
	4 points	Project requesting funds for construction only in the first year (2022/23) of the FTIP. PE and ROW documentation should be included in application packet.
	2 points	Project requesting funds for construction only in the second year (2023/24) of the FTIP. PE and ROW documentation should be included in application packet.
6 points	<p align="center">Expedited Project Delivery</p> <p>Project applicant is committed to the expedited project delivery requirements as described in the guidelines.</p>	
	6 points	Project is committed to the expedited project delivery schedule, programmed within the first two years of the FTIP, and its subsequent delivery requirements. No documentation is required. All phases of project may be programmed.
100 Total Points Available		

Potential Point Reductions

-5 points	Constrained in Regional Transportation Plan (RTP)	
	Range Factors	If the project is not on the constrained project list in the Fresno COG 2022 RTP, or submitted for the upcoming 2026 RTP, it will receive a five-point deduction in this category.

Quote Prepared By:
Whitten Guajardo
949-589-6338
operations@blaisassoc.com

Project Quote

Client Name	City of Coalinga
Client Contact(s)	Sean Brewer, <i>Assistant City Manager</i>
Grant Program	Fresno Council of Governments Surface Transportation Block Grant (STBG)
Project Due	October 6, 2023
Project Name	California Street Reconstruction (Cambridge to Washington)
Date Prepared	August 3, 2023
Project Cost	\$9,855

Activity	
Preparatory work including reviewing guidelines and application materials; developing timeline & checklist; hosting a kick-off conference call with client; attending to follow-up action items from kick-off call; preparing internal e-file system.	
Develop general application questions.	
Develop narrative questions. <i>**discounted due to utilizing information from a prior application.</i>	
Develop project deliver schedule and narrative.	
Develop attachment A: application checklist and signature page.	
Develop attachment B: financial plan.	
Develop attachment C: project estimate.	
Develop attachment D: AB 1012 resolution.	
Develop attachment E: RTP project documentation.	
Develop attachment F: one project location map.	
Develop attachment G: cost benefit ration calculation.	
Develop H: preliminary engineering and design, environmental, and right-of-way documentation or certification. (if needed)	
Develop I: one photo page of existing conditions.	
Conference calls and client coordination. Provide 80% draft and 100% final to client for review. Incorporate client feedback and comments. Prepare final files for printing, shipping, and city's permanent record keeping. Submit application via mail.	
SUBTOTAL	\$9,315

Direct Costs	
Final Files (link)	\$0
Reproduction for hard copy (8 hard copies and 1 electronic copy)	\$460
Express Delivery mail or courier services for 8 hard copies	\$80
SUBTOTAL	\$540

GRAND TOTAL	\$9,855
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Quote Prepared By:
Whitten Guajardo
949-589-6338
operations@blaisassoc.com

Notes and Assumptions

- | |
|---|
| 1) To best serve you, B&A has reserved staff time for this project until the response date requested in the transmittal e-mail. |
| 2) Available funding: 85% of apportionment. Maximum funding: Not stated. |
| 3) Match requirement: 11.47% |
| 4) Resolution: required with application. |

Please note that this quote is fixed fee for service based on current conditions and understandings. Many factors may change during the development of a project, including Client requests, that may increase the amount of work required to successfully perform services. During the course of work, if there is a material change in scope, B&A will notify the point of contact and mutually agree to a change order or discuss alternatives.

Signature Approving Costs and Authorizing Notice to Proceed

Date

Printed Name



Fresno Council
of Governments

2023-2024
Carbon Reduction Program (CRP)

FINAL PROGRAM
GUIDELINES

May 2023

2035 Tulare Street, Suite 201

Fresno, CA, 93721

559-233-4148

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CRP PROGRAM OVERVIEW

INTRODUCTION

In November 2021, the Infrastructure Investment and Jobs Act (IIJA), also known as the Bipartisan Infrastructure Law (BIL), was passed into law, which included the Carbon Reduction Program (CRP). The CRP provides federal funding to projects that decrease transportation emissions, which are defined as the carbon dioxide (CO₂) emissions that result from on-road, highway sources.

California receives annual apportionments of CRP over five years. The apportionments are split, with 65% as Local CRP and 35% as State CRP. Both Local and State CRP funds must be invested in alignment with the Carbon Reduction Strategy.

IIJA requires Caltrans, in partnership with the MPOs, to develop a Carbon Reduction Strategy and submit to the Federal Highway Administration for approval by November 2023. Caltrans' Carbon Reduction Strategy is currently under development. The draft Carbon Reduction Strategy will be available for public comment in July and August. Updates on the Carbon Reduction Strategy will be added to this website as it is developed.

Although IIJA allows for a variety of projects to be funded through CRP, Caltrans' Carbon Reduction Strategy directs Local and State CRP funds to be invested in projects that support bicycle and pedestrian, rail and transit, zero-emission vehicles and infrastructure, and conversions of existing lanes to priced managed lanes.

FUNDING ELIGIBILITY

Local CRP is apportioned by population throughout California based on 2020 US Census Urbanized Areas (UZA). Local CRP apportioned to UZAs within a Metropolitan Planning Organization (MPO) boundary must be programmed by the MPO and cannot be suballocated within the MPO boundary. The MPO must use a competitive, performance-driven process to select projects for CRP funds. While each MPO may set their own process and performance metrics, their process should select projects that support bicycle and pedestrian, rail and transit, zero-emission vehicles and infrastructure, and conversions of existing lanes to priced managed lanes, in alignment with Caltrans' Carbon Reduction Strategy. MPOs manage CRP funds and select which CRP projects will be funded. Local agencies compete for CRP funds and selection of projects through their MPOs. Caltrans HQ Division of Local Assistance performs eligibility review of projects selected by MPOs.

PROGRAM SCHEDULE

Once projects have been approved by the Fresno COG Policy Board, they must be included in the Federal Transportation Improvement Program (FTIP) prior to reimbursement. The 2023-24 CRP Call-For-Projects will cover a four-year program of projects in the FTIP, covering federal fiscal years 2024/25, 2025/26, 2026-27 and 2027-28. The following tentative schedule lists the major milestones for the development and adoption of the 2023-24 CRP Call-For-Projects and related FTIP and Air Quality Conformity Determination processes:

Programming subcommittee convenes to review scoring criteria and call information	April-May 2023
Guidelines, criteria, and application packet presented to TTC/PAC/Board for approval and initiation of Call-For-Projects	June 2023
Application workshop for member agencies	July 12, 2023
Regional bid project submittals due	Sept. 17, 2023
CMAQ scoring committee convenes	December 6, 2023
COG Policy Board approves recommended projects via resolution	January 2024
Projects programed into 2023 FTIP	March-April 2024
Submittal of FTIP to Caltrans and anticipated FHWA approval of 2023 FTIP/ Conformity Analysis	Fall 2024

Project Deadlines – Per Project Appropriation Year

Federal Fiscal Year	2022	2023	2024	2025	2026
Obligation (E76) Deadline ¹	09/30/2025	9/30/2026	TBD	TBD	TBD
Expenditure Deadline	9/30/2030	9/30/2031	TBD	TBD	TBD

¹Deadline to obligate (E76) is three Federal Fiscal Years after the FFY the funds were apportioned.
(REF: Carbon Reduction Program Implementation Guidance, FHWA, p. 10, April 2022.)

PROGRAM FUNDING

DISTRIBUTION

Fresno COG will use at least 95% of its CRP apportionment to fund a CRP competitive program. The remaining apportionment may be used for projects on the current contingency list, post-programming adjustment requests, EPSP requests, or retain the funding for future programming cycles. Fresno COG will manage the remaining apportionment based on project delivery of the current federal fiscal year to ensure funds are obligated in a timely manner and will follow Fresno COG's adopted project delivery policy and procedures outlined in the associated document.

2023-24 AVAILABLE FUNDING

For the 2023-24 cycle, Fresno COG estimates that a total \$3,500,000 will be available in the funding pot. These numbers are subject to change.

As proposed to the Fresno COG Policy Board, the category targets* are as follows:

- Transit Improvements – TBD
- ZEV Technology – TBD
- CO₂ Reducing – TBD

- Active Transportation Projects (Formerly Bike/Ped) – TBD

**Funding across all categories must meet the Fresno COG cost-effectiveness commitment*

FUNDING REQUIREMENTS

Matching Requirements: CRP projects require a local match of 20%.

Authorization to Proceed and Reimbursement: Local agencies must follow Caltrans' guidance and procedures for project authorization to proceed (Chapter 3) and invoicing (Chapter 5). All guidance and procedures can be found in the Local Assistance Procedures Manual located at the following link:

<https://dot.ca.gov/programs/local-assistance/guidelines-and-procedures/local-assistance-procedures-manual-lapm>

PROJECT ELIGIBILITY CRITERIA

This guidance for project eligibility is based on FHWA's Carbon Reduction Program (CRP) guidance as described in the Bipartisan Infrastructure Law (BIL) fact sheet at https://www.fhwa.dot.gov/bipartisan-infrastructure-law/crp_fact_sheet.cfm.

All projects and programs eligible for CRP funds must come from a conforming Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP) and be consistent with the transportation conformity provisions contained in section 176(C) of the Clean Air Act (CAA) and the Transportation Conformity Rule. Projects need to be included in FTIPs developed by MPOs or states respectively, under the metropolitan or statewide planning regulations. Projects also need to complete the National Environmental Policy Act (NEPA) requirements and meet basic eligibility requirements for funding under titles 23 and 49 of the United States Code. Projects must comply with Americans with Disabilities Act (ADA) requirements, and provisions for Buy America.

Project applicants are either a public agency, i.e. city, county, special district, Caltrans, transit operator, transit authority or a non-profit agency with a public agency sponsorship. Successful project applicants, or their sponsors, must have executed a master agreement with Caltrans or be a Federal Transit Administration (FTA) eligible grant applicant, or have an agreement with such an eligible agency to sponsor the project.

In cases where specific guidance is not provided, the following should guide CRP eligibility decisions.

ELIGIBLE PROJECTS

- CRP funds may be obligated for projects that support the reduction of transportation emissions, including, but not limited to– [except as noted, § 11403; 23 U.S.C. 175(c)(1)]
 - a project described in 23 U.S.C. 149(b)(4) to establish or operate a traffic monitoring, management, and control facility or program, including advanced truck stop electrification systems;
 - a public transportation project eligible under 23 U.S.C. 142;
 - a transportation alternative (as defined under the Moving Ahead for Progress under the 21st Century Act [23 U.S.C. 101(a)(29), as in effect on July 5, 2012]), including, but not

- limited to, the construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation;
- a project described in 23 U.S.C. 503(c)(4)(E) for advanced transportation and congestion management technologies;
- deployment of infrastructure-based intelligent transportation systems capital improvements and the installation of vehicle-to-infrastructure communications equipment;
- a project to replace street lighting and traffic control devices with energy-efficient alternatives;
- development of a carbon reduction strategy developed by a State per requirements in 23 U.S.C. 175(d);
- a project or strategy designed to support congestion pricing, shifting transportation demand to nonpeak hours or other transportation modes, increasing vehicle occupancy rates, or otherwise reducing demand for roads, including electronic toll collection, and travel demand management strategies and programs;
- efforts to reduce the environmental and community impacts of freight movement;
- a project that supports deployment of alternative fuel vehicles, including—
 - acquisition, installation, or operation of publicly accessible electric vehicle charging infrastructure or hydrogen, natural gas, or propane vehicle fueling infrastructure; and
 - purchase or lease of zero-emission construction equipment and vehicles, including the acquisition, construction, or leasing of required supporting facilities;
- a project described in 23 U.S.C. 149(b)(8) for a diesel engine retrofit;
- certain types of projects to improve traffic flow that are eligible under the CMAQ program, and that do not involve construction of new capacity; [§ 11403; 23 U.S.C. 149(b)(5); and 175(c)(1)(L)]
- a project that reduces transportation emissions at port facilities, including through the advancement of port electrification; and
- any other STBG-eligible project, if the Secretary certifies that the State has demonstrated a reduction in transportation emissions, as estimated on a per capita and per unit of economic output basis. (Note: FHWA will issue guidance on how the Secretary will make such certifications.) [§ 11403; 23 U.S.C. 133(b) and 175(c)(2)]

EMISSIONS REDUCTION REQUIREMENT

Air quality improvement is defined by several distinct terms in 23 U.S.C. §149. These terms include contribution to attainment, pollution reduction, air quality benefits, and others. For purposes of this guidance, emission reductions represent this group of terms. CRP-invested projects or programs must reduce CO₂ emissions from transportation. These reductions must contribute to the area's overall clean air strategy and can be demonstrated by the assessment that is required under this guidance. States and MPOs also may consider the ancillary benefits of eligible projects, including congestion relief, safety, or other elements, when programming CRP funds, though such benefits do not alone establish eligibility.

More information is available in the Bipartisan Infrastructure Law (BIL) fact sheet at https://www.fhwa.dot.gov/bipartisan-infrastructure-law/crp_fact_sheet.cfm.

A copy of the guidance is available in Appendix A

BUY AMERICA

Buy America provisions ensure that transportation infrastructure projects are built with American-made products. That means that the Department of Transportation investments are able to support an entire supply chain of American companies and their employees. Sponsors whose projects are selected for CRP funding that require compliance with Buy America, will need to work with Caltrans Local Assistance to ensure all provisions of Buy America are met.

PROJECT SELECTION PROCESS

In administering a competitive selection process, Fresno COG will use a scoring committee to assist in evaluating project applications. The scoring committee will prioritize and rank all eligible, submitted applications based on the approved scoring criteria and category targets. The scoring committee's project recommendations will be presented to Fresno COG's TTC, PAC, and Policy Board for approval.

GENERAL PROGRAM INTENT

The CRP program provides funding for transportation projects or programs that will reduce transportation-related emissions and assist Fresno COG in meeting its local, state, and federal performance goals. The Fresno COG CRP program provides for a balanced program of transportation projects that will improve our air quality. Projects that reduce single occupancy vehicle trips, provide zero- or low-polluting transit vehicles and equipment, and promote improvements geared toward providing a more efficient and safer transportation system are emphasized. In choosing to fund CRP projects, Fresno COG can help reduce GHG. The overall CRP program is aimed to meet the performance of our long-term planning goals.

CRP SCORING COMMITTEE REPRESENTATION

1. Westside Cities
2. Eastside Cities
3. Fresno Council of Governments
4. Fresno-Clovis Metropolitan Area (rotates between Fresno and Clovis representatives)
5. Fresno County
6. Caltrans
7. San Joaquin Valley Air Pollution Control District
8. Fresno County Transit Providers (rotates between Fresno Area Express, Clovis Transit, and Fresno County Rural Transit Agency)

Note: City of Clovis and Clovis Transit will represent the two rotating positions in 2023.

GENERAL SCORING PROCESS

During the meeting of the Scoring Committee, scorers will discuss, score, and rank all projects within a category and against only projects from that category. Projects would then be funded to the target within the category. This process will repeat for all categories. The Scoring Committee reserves the

right for flexibility around the targets, to account for circumstances including, but not limited to, project costs or submitted project variability or quality.

The scoring committee has discretion to recommend partial funding, scaled options, pre-construction funding, or over subscribing the program if apportionment funds are available.

ADDITIONAL RESTRICTIONS

Per approved Fresno COG policy, non-member agencies are limited to no more than a combined 15% of the competitive amount.

PROJECT APPLICATION

The CRP project application will be available at: <https://www.fresnocog.org/carbon-reduction-program-crp/>. Agencies may submit a maximum of two projects for consideration in the CRP competitive process.

CONTACT AND SUBMITTAL APPLICATION

Regional bid applications must be submitted by noon, Friday, Sept. 15, 2023. Applications for competitive CRP funds should include 10 hard copies and one electronic copy of each application. All correspondence should be mailed to:

Fresno Council of Governments
Attention: Robert Phipps, Deputy Director
2035 Tulare Street, Suite 201
Fresno, CA 93721

For further information on eligible projects, submittals of applications, or other questions related to the CRP program, please contact Fresno COG at 559-233-4148

PROJECT DELIVERY AND OBLIGATION REQUIREMENTS

PROJECT DELIVERY

All CRP projects must follow Fresno COG's project delivery policy and procedure document. <https://fresnocog.wpenginepowered.com/wp-content/uploads/2023/03/Final-Draft-FCOG-Project-Delivery-Policy-and-Procedures.pdf>

Competitive projects must be delivered in the programmed year specified and within the programming years of the FTIP (covering federal fiscal years 2024/25, 2025/26, 2026/27, and 2027/28). Approval of AB 1012 requires that both State and Federal funds be used in a "timely" manner. To avoid losing any Federal or State funds to the Fresno County region, the "use it or lose it" requirements of AB 1012 place local governmental agencies in a position that they must be able to deliver their projects on time. That is, they must be able to meet their project delivery schedules as proposed and as programmed within the Federal Transportation Improvement Program (FTIP).

Because the issue of “project delivery is so important, the CRP Scoring Committee may take into consideration as a part of a project’s “subjective” evaluation score (10 points), the local agency’s ability to deliver projects in a timely manner (i.e., past performance/current ability to deliver projects rapidly).

Each agency must be able to assure that their project(s) can be delivered timely. Therefore, each application must be accompanied by a formal Council/Board/District Resolution stating that each project will meet project delivery schedules and that staff be directed to ensure that projects are timely delivered. Also included with each project application should be a financial plan and project submittal checklist. A sample resolution is attached as a guide for helping prepare the required resolution(s) and the financial plan and project submittal checklist are included in the CRP application packet.

For awarded projects that received points in the Construction-Ready Projects and/or Expedited Project Delivery categories, the following project delivery rules will apply:

- Project must be obligated within the first two years of the programming cycle and must follow Fresno COG’s adopted project delivery policy and procedures guidelines.
- No extension requests will be awarded.
- If construction for this project cannot be obligated by the awarded programming year, competitive funding will be deobligated and replaced with local funds. Deobligated funding will be added to the regional apportionment balance.

CONTINGENCY PROJECT LIST

Fresno COG will adopt a list of projects for programming the regional bid program that is financially constrained with the amount of CRP funding available. In addition, Fresno COG will include a list of contingency projects, ranked in priority order based on the project’s evaluation score. Fresno COG intends to fund projects on the contingency list should there be cost savings or if a project is deleted from the program. Projects on the contingency list may also be funded using available apportionment to ensure project delivery and regional needs of the current FFY are met. This contingency list will be in effect only until the adoption of the next programming cycle.

OBLIGATION REQUIREMENTS

Federal requirements (IIJA) – CRP, STP, CMAQ, and Federal Transit Administration (FTA) funds (among other programs) must be obligated within four years of apportionment. Funds not obligated are lost to the state.

State requirements (AB-1012) - CMAQ and STBG (formerly RSTP) funds must be obligated within three years of apportionment. Funds not obligated are lost to the region.

Regional Requirements – Fresno COG requires regional deadline requirements, including obligation, award, and invoicing deadlines, to expedite project delivery and ensure funds are not lost to the region.

FTIP AMENDMENTS

Federal regulations require adherence to the projects and schedules contained within the adopted FTIP. Amendments are used to make necessary changes to projects within the FTIP. Amendment procedures are available in Fresno COG’s FTIP document at <https://www.fresnocog.org/project/federal-transportation-improvement-program-ftip/>

SCOPE CHANGES

All projects selected under the regional bid process are selected based on the scope at time of submittal and the project sponsor will be held to fulfill the project with that scope. Fresno COG has limited options for accommodating minor scope changes, and larger scope changes of regional bid projects may face project cancellation and CRP fund revocation. Fresno COG staff strongly encourages all agencies to submit projects with the utmost confidence that the identified scope can be delivered.

PROJECT COST SAVINGS

Project savings will be returned to the overall program and will be made available in the unprogrammed apportionment balance.

A local agency may transfer any cost savings between phases within the same project but cannot exceed the awarded amount of the total project. Cost increases must follow the post-programming adjustment guidelines and requirements. Any savings at project completion must be returned to the program proportionally. An agency is still responsible to meet federal local match requirements for all phases of the project.

POST PROGRAMMING ADJUSTMENTS

Project sponsors are responsible for all cost increases and must maintain the project delivery schedule. Some cost increases may be considered through a post programming adjustment request. Post-programming adjustments may be requested for up to 15% of the programmed federal cost per phase but may not exceed \$250,000. Cost increases will be considered based on the region's apportionment availability and project delivery each FFY. Only projects that were funded through a competitive process will be eligible for a post-programming adjustment.

CRP SCORING CRITERIA RUBRIC

35-point range	<p style="text-align: center;">GHG Emissions Reduction</p> <p style="text-align: center;">Project incorporates transportation control measures, reduces CO2.</p>	
	Range Factors	Projects will be evaluated on a relative basis; (i.e., how they compare to each other) based on the submitted air pollutant reductions of carbon dioxide.
35-point range	<p style="text-align: center;">Trip Reduction</p> <p style="text-align: center;">Project reduces vehicle trips and/or vehicle miles traveled (VMT).</p>	
	Range Factors	<p><i>HIGH Impact:</i> Significantly reduces vehicle trips and VMT. <i>MEDIUM Impact:</i> Moderately reduces vehicle trips and VMT. <i>No Impact:</i> Does not reduce vehicle trips or VMT.</p> <p>Projects will be evaluated on a relative basis, (i.e. how they compare to each other). The Scoring Committee may take factors such as city population, project size/scale, project cost, and/or local impact into consideration when evaluating project impact.</p> <p><i>Note: projects that increases vehicle trips and/or VMT will receive zero points.</i></p>
15-point range	<p style="text-align: center;">Subjective Evaluation</p> <p>The subjective evaluation category allows the scorer the flexibility to decide that some aspect of the project that was not already considered in prior criteria should, in fact, be given consideration. The items listed under the subjective category are examples only and the list is not meant to all-inclusive of what might be considered under subjective evaluation</p>	
	Range Factors	<p>The scorer may consider other important factors including, but not limited to:</p> <ul style="list-style-type: none"> ▪ The prioritization importance placed on the project by the project's sponsor, support for multimodal access, and enhancing connectivity of transportation systems. ▪ Projects that minimize the loss of prime farmland, unique farmland, farmland of statewide importance, and farmland of local importance. ▪ Projects that increase safety, promote energy conservation, improves quality of life, leverages other funds, promotes system management such as supporting other modes of transportation; reduces greenhouse gas emissions, and supports Sustainable Communities Strategies. ▪ Projects designed to improve/achieve social equity and historical under-investment in disadvantaged communities. ▪ Since the issue of "timely project delivery" is so important, the CRP Scoring Committee may take into consideration, as a part of a project's "subjective" evaluation score, the local agency's ability to deliver projects on timely basis (i.e. past performance/current ability to deliver projects on schedule).
10-point range	<p style="text-align: center;">Construction-Ready Projects</p> <p>Project is requesting construction funding only and is committed to the delivery requirements as described in the guidelines. Projects requesting points in this category will go through a Caltrans screening process.</p> <p><i>Note: Projects requiring waivers or other independent agency approval are excluded from this category unless applicant can demonstrate absolute certainty in delivering project on an expedited schedule.</i></p>	
	10 Points	Project is requesting funds for construction only in the first year (2024/25) of the FTIP. PE and ROW documentation should be included in the application packet.
	5 Points	Project is requesting funds for construction only in the second year (2025/26) of the FTIP. PE and ROW documentation should be included in the application packet.

5 points	<p align="center"><i>Expedited Project Delivery</i></p> <p>Project applicant is committed to the expedited project delivery requirements as described in the guidelines.</p> <p><i>Note: Projects requiring waivers or other independent agency approval are excluded from this category unless applicant can demonstrate absolute certainty in delivering project on an expedited schedule.</i></p>	
	5 Points	Project is committed to the expedited project delivery schedule, programmed within the first two years of the FTIP, and its subsequent delivery requirements. No documentation is required. PE and ROW phases of project may be programmed.
<p align="center">100 Total Points Available</p>		

RESOLUTION SUPPORTING DELIVERY SCHEDULE

Approval of AB 1012 requires that both State and Federal funds be used in a “timely” manner. In order to avoid losing any Federal or State funds to our Region, the “use it or lose it” requirements of AB 1012 place local governmental agencies in a position that they must be able to deliver their projects on time as proposed and as programmed within the Federal Transportation Improvement Program (FTIP).

Since the issue of “timely project delivery” is so important, the CRP Scoring Committee may take into consideration, as a part of a project’s “subjective” evaluation score (10 points), the local agency’s ability to deliver projects timely (i.e., past performance/current ability to deliver projects rapidly).

Each agency must be able to assure that their project(s) can be delivered timely. Therefore, **each application must be accompanied by a formal Council/Board/District Resolution stating that each project will meet project delivery schedules and that staff be directed to ensure that projects are delivered timely.** The attached “Sample” Resolution has been prepared as a guide for helping prepare the required resolution(s).

*Please Note: Each Council/Board/District Resolution needs to contain a list of the projects being submitted for potential CRP funding.

SAMPLE COUNCIL/BOARD RESOLUTION

BEFORE THE
(NAME OF CITY/COUNTY/DISTRICT COUNCIL/BOARD)
RESOLUTION NO. XXXX-____

In the Matter of:

Project Delivery Schedules
For Federal Transportation Project Selection
Federal Transportation Act: IJJA/BIL

RESOLUTION SUPPORTING
AND IMPLEMENTING TIMELY
USE OF FUNDING

WHEREAS, AB 1012 has been enacted into State Law in part to provide for the “timely use” of State and Federal funding; and

WHEREAS, the (City/County/District) is able to apply for and receive Federal and State funding under the Federal Transportation Act;

WHEREAS, the (City/County/District) desires to ensure that its projects (as listed or attached) are delivered in a timely manner to preclude the Fresno Region from losing those funds for non-delivery; and

WHEREAS, it is understood by the (City/County/District) that failure for not meeting project delivery dates for any phase of a project may jeopardize federal or state funding to the Region; and

WHEREAS, the (City/County/District) must demonstrate dedicated and available local matching funds;
and

NOW THEREFORE BE IT RESOLVED, that the (Council/Board) hereby agrees to ensure that all project delivery deadlines for all project phases will be met or exceeded.

BE IT FURTHER RESOLVED, that failure to meet project delivery deadlines may be deemed as sufficient cause for the Fresno Council of Governments Policy Board to terminate an agency’s project and reprogram Federal/State funds as deemed necessary.

BE IT FURTHER RESOLVED, that the (City/County/District) (Council/Board) does direct its management and engineering staffs to ensure all projects are carried out in a timely manner as per the requirements of AB 1012 and the directive of the (City/County/District) (Council/Board).

THE FOREGOING RESOLUTION was passed and adopted by the (Council/Board) on Month, Day, and Year.

AYES:
NOES:
ABSTAIN:
ABSENT:
ATTEST:

Signed: _____
Mayor, City of (-----)
Chair, Board of (-----)
Chair, (-----) Board

I hereby certify that the foregoing is a true copy of a resolution of the (Council/Board) duly adopted at a regular meeting thereof held on the _____ day of _____ (Month), _____ (Year).

CONTACT INFORMATION

For further information on eligible projects, submittal of applications or other questions related to the CRP program, please contact Fresno COG at 559-233-4148 x 217

Please submit ten hard copies and an electronic copy for the competitive program. Please print on two sides. One copy should be loose bound- no staples. Do not use ring binders. Covers are accepted.

Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721
Attention: [staff]

Please submit all CRP Regional Bid applications by noon Friday, Sept. 15, 2023.

APPENDIX A: PROGRAM GUIDANCE UNDER IIJA

FHWA Program Guidance: The Carbon Reduction Program (CRP) under the Infrastructure Investment and Jobs Act (IIJA), otherwise known as the Bipartisan Infrastructure Law “*Implementation Guidance*” April 21, 2022.

Document can be accessed at the following link:

<https://dot.ca.gov/-/media/dot-media/programs/local-assistance/documents/crp/2022/crp-guidance.pdf>

FHWA BIL CRP Program Fact Sheet:

https://www.fhwa.dot.gov/bipartisan-infrastructure-law/crp_fact_sheet.cfm

Quote Prepared By:
Whitten Guajardo
949-589-6338
operations@blaisassoc.com

Project Quote

Client Name	City of Coalinga
Client Contact(s)	Sean Brewer, <i>Assistant City Manager</i>
Grant Program	Fresno Council of Governments (COG) Carbon Reduction Program (CRP)
Project Due	September 15, 2023
Project Name	Streetlight and Signal Upgrades to Support Active Transportation and Energy Efficiency
Date Prepared	August 3, 2023
Project Cost	\$9,518

Activity	
Preparatory work including reviewing guidelines and application materials; developing timeline & checklist; hosting a kick-off conference call with client; attending to follow-up action items from kick-off call; preparing internal e-file system.	
Develop application narrative. Includes 1) Applicant Information, 2) General Project Information, 3) Project Details, etc.	
Develop project delivery schedule and narrative.	
Develop attachment A: application checklist and signature page.	
Develop attachment B: financial plan.	
Develop attachment C: AB 1012 resolution.	
Develop attachment D: project estimate.	
Develop attachment E: cost-effectiveness and emissions reductions calculations.	
Develop attachment F: RTP documentation.	
Develop attachment G: one location map.	
Develop attachment H: preliminary engineering and design, environmental, and right-of-way documentation or certification (if needed).	
Develop attachment I: warrant study (if needed).	
Develop attachment J: one photo page of existing conditions.	
Conference calls and client coordination. Provide 80% draft and 100% final to client for review. Incorporate client feedback and comments. Prepare final files for Client's permanent record keeping. Submit application via mail.	
SUBTOTAL	\$8,978

Direct Costs	
Final Files (link)	\$0
Reproduction for hard copy (10 hard copies and one electronic copy)	\$460
Express Delivery mail or courier services for 10 hard copies	\$80
SUBTOTAL	\$540

GRAND TOTAL	\$9,518
--------------------	----------------

Quote Prepared By:
Whitten Guajardo
949-589-6338
operations@blaisassoc.com

Notes and Assumptions

- | |
|---|
| 1) To best serve you, B&A has reserved staff time for this project until the response date requested in the transmittal e-mail. |
| 2) Available funding: \$3.5 million. Maximum funding: not stated. |
| 3) Resolution is required. |
| 4) Match requirement: 20%. |

Please note that this quote is fixed fee for service based on current conditions and understandings. Many factors may change during the development of a project, including Client requests, that may increase the amount of work required to successfully perform services. During the course of work, if there is a material change in scope, B&A will notify the point of contact and mutually agree to a change order or discuss alternatives.

Signature Approving Costs and Authorizing Notice to Proceed

Date

Printed Name

**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE
AUTHORITY**

Subject: Authorize City Manager to Sign a Letter of Opposition on Behalf of the City Council Opposing SB 423 (Weiner) – By-Right Housing Approvals: Multi-Family Housing Developments: SB 35 (Chapter 366, Statutes of 2017) Expansion

Meeting Date: Thursday, August 17, 2023

From: Marissa Trejo, City Manager

Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

There is no staff recommendation. This item was requested as a Future Agenda Item by Councilman Vosburg. His request is to authorize the City Manager to sign a Letter of Support on behalf of the City Council opposing SB 423 (Wiener) – By-Right Housing Approvals: Multi-Family Housing Developments: SB 35 (Chapter 366, Statutes of 2017) Expansion.

II. BACKGROUND:

III. DISCUSSION:

Draft sample opposition letter attached.


IV. ALTERNATIVES:

Do not authorize the City Manager to sign a Letter of Support on behalf of the City Council opposing SB 423 (Wiener) – By-Right Housing Approvals: Multi-Family Housing Developments: SB 35 (Chapter 366, Statutes of 2017) Expansion.

V. FISCAL IMPACT:

None.

ATTACHMENTS:

File Name	Description
 SB-423-(Wiener)-Sample-Opposition-Letter-7-24-23_(1)_081723.pdf	Draft Sample Letter of Opposition - SB 423

Please also email a copy to your legislator(s) and cityletters@calcities.org as well as your Regional Public Affairs Manager.

CITY LETTERHEAD

August 21, 2023

The Honorable Esmeralda Soria
Member, California State Assembly
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0027

RE: **SB 423 (Wiener) By-right housing approvals: multifamily housing developments: SB 35 (Chapter 366, Statutes of 2017) expansion.**
Notice of Opposition

Dear Assemblymember Soria:

The City of Coalinga writes to express our opposition to SB 423, which would greatly expand SB 35 (Chapter 366, Statutes of 2017), extend the Jan. 1, 2026 sunset date to Jan.1, 2036, and allow the Department of General Services (DGS) to control housing developments on state-owned or -leased property, regardless of the locally required zoning or development standards.

City of Coalinga intimately understands the affordable housing and homelessness crisis as it plays out in our community every day. Local leaders are working to find creative solutions so homes of all income levels can be built. They're taking on these difficult and complex tasks, and in many cases successfully planning for more than 2.5 million new homes statewide, all while navigating the state's annual barrage of overreaching housing bills that have thus far demonstrated limited success.

SB 423 is the latest overreaching bill. This measure would double-down on the recent trend of the state overriding its own mandated local housing plans by forcing cities to approve certain housing projects without regard to the needs of the community, opportunities for environmental review, or public input. While it may be frustrating for some developers to address neighborhood concerns about traffic, parking, and other development impacts, those directly affected by such projects have a right to be heard. Public engagement also often leads to better projects. Not having such outlets will increase public distrust in government and result in additional ballot measures limiting housing development.

Instead of continuing to pursue top-down, one-size-fits-all legislation, lawmakers should partner with local officials. That's why the League of California Cities continues to call on the Governor and lawmakers to annually invest \$3 billion to help cities prevent and reduce homelessness and spur housing development. Targeted, ongoing funding is the

only way cities can find community-based solutions that get our residents off the streets and keep them in their homes. California will never produce the number of homes needed with an increasingly state driven, by-right housing approval process. What is really needed is a sustainable state investment that matches the scale of this long-term crisis.

For these reasons, City of Coalinga respectfully opposes SB 423,

Sincerely,

Marissa Trejo
City Manager
City of Coalinga

Cc: Raj Rakkar, Cal Cities Regional Public Affairs Manager (rrakkar@calcities.org)
League of California Cities (Via email: cityletters@calcities.org)

**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE
AUTHORITY**

Subject: Authorize City Manager to Sign a Letter of Opposition, Unless Amended, on
Behalf of the City Council Opposing AB 309 (Lee) – Social Housing Program

Meeting Date: Thursday, August 17, 2023

From: Marissa Trejo, City Manager

Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

There is no staff recommendation. This item was requested as a Future Agenda Item by Councilman Vosburg. His request is to authorize the City Manager to sign a Letter of Opposition, unless amended, on behalf of the City Council opposing AB 309 (Lee) – Social Housing Program.

II. BACKGROUND:

III. DISCUSSION:

Draft sample letter of opposition attached.

IV. ALTERNATIVES:

Do not authorize the City Manager to sign a Letter of Opposition, unless amended, on behalf of the City Council opposing AB 309 (Lee) – Social Housing Program.

V. FISCAL IMPACT:

None.

ATTACHMENTS:

File Name	Description
AB-309-(Lee)-OUA-Sample-Letter_081723.pdf	Draft Sample Letter of Opposition - AB 309

Please also email a copy to your legislator(s) and cityletters@calcities.org as well as your Regional Public Affairs Manager.

CITY LETTERHEAD

August 21, 2023

The Honorable Anna Caballero
Member, California State Senate
State Capitol
1021 O Street, Suite 7620
Sacramento, CA 95814

RE: **AB 309 (Lee) Social Housing Program**
(as amended 7/13/2023)
Notice of Oppose Unless Amended

Dear Senator Caballero:

The City of Coalinga writes to express our opposition to AB 309 (Lee), unless it is amended to address our concerns. AB 309 would create the Social Housing Program within the Department of General Services (DGS) to facilitate the construction of government-owned housing on leased state property or excess state-owned property. Cities would have no ability to regulate zoning or development standards, including floor area ratios, height limitations, or density requirements.

City of Coalinga strongly supports the intent of AB 309, which is to produce more housing as housing affordability and homelessness are among the most critical issues facing California cities. Affordably priced homes are out of reach for many people and housing is not being built fast enough to meet the current or projected needs of people living in the state. Cities lay the essential groundwork for housing production by planning and zoning new projects in their communities based on extensive public input and engagement, as well as state housing laws. Importantly, cities are currently updating housing plans to identify sites for more than 2.5 million additional housing units.

AB 309 would disregard this state-mandated planning process and specifically empower DGS to make land use and zoning decisions on state excess property. If DGS can approve housing, why should cities go through the multiyear planning process to identify sites suitable for new housing units if the state can ignore those plans and build housing on sites never considered for new housing?

While AB 309 currently limits DGS authority to three housing projects on declared excess state property suitable for housing, the measure broadly establishes the Social Housing Program within DGS and could be easily expanded to include all state-owned lands.

Bypassing California's longstanding housing planning laws and local rules is not a way

out of the housing crisis. That's why Cal Cities continues to call on the Governor and lawmakers to annually invest \$3 billion to help cities prevent and reduce homelessness and spur affordable housing development. Targeted, ongoing funding is the only way cities can find community-based solutions that produce housing at all income levels.

For these reasons, City of Coalinga respectfully opposes AB 309 unless it is amended to address our concerns.

Sincerely,

Marissa Trejo
City Manager
City of Coalinga

Cc: Raj Rakkar, Cal Cities Regional Public Affairs Manager (rrakkar@calcities.org)
League of California Cities (cityletters@calcities.org)

**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE
AUTHORITY**

Subject: Direct City Manager to Solicit Public Input on City's Website and Make Recommended Changes to be Reported to Council for Consideration and Approval

Meeting Date: Thursday, August 17, 2023

From: Marissa Trejo, City Manager

Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

There is no staff recommendation. This item was requested as a Future Agenda Item requested by Councilman Vosburg.

II. BACKGROUND:

III. DISCUSSION:

Councilman Vosburg would like to invite the public to make recommendations to improve the City of Coalinga website. Staff would collect those recommendations and bring them back to Council for consideration.

IV. ALTERNATIVES:

Do Not Direct City Manager to Solicit Public Input on City's Website and Make Recommended Changes to be Reported to Council for Consideration and Approval

V. FISCAL IMPACT:

None at this time.

ATTACHMENTS:

File Name	Description
No Attachments Available	

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Approve Health Policy and Management Consulting Services Renewal with Health Management Associates and Participating Cities
Meeting Date: Thursday, August 17, 2023
From: Marissa Trejo, City Manager
Prepared by: Greg DuPuis, Fire Chief

I. RECOMMENDATION:

Approve the Health Management Services Agreement and Cooperative Agreement renewal with Health Management Associates (HMA) and cities of Dinuba, Kingsburg, Selma, and Sanger for the purposes of assisting with Medi-Cal Rate Range Intergovernmental Transport (IGT) programs and managed care health insurance programs and authorize the City Manager to execute the contract on behalf of the City.

II. BACKGROUND:

The Fire Department's ambulance service currently receives reimbursement for services from the different health care plans that are available from the State. Fresno County is known as a 'two-plan' county so the majority of our fee-for-service Medi-Cal patients have a supplemental plan, either Anthem Blue Cross or Cal-Viva. The IGT program provides reimbursement of costs to patients that have these supplemental plans. The ability for the Fire Department to utilize this revenue stream for unreimbursed costs will be determined once the contracts with these supplemental plans is established. This is a renewal of an exiting contract approved in 2020. The Sanger Fire Department will continue to act as an intermediary between HMA and the Fire Departments of Selma, Kingsburg, Coalinga and Dinuba to keep costs down by splitting the hourly rate of HMA's services between the five departments.

III. DISCUSSION:

The purpose of the renewal of this contract is to continue to seek advice and obtain assistance in participating with the managed care systems and Intergovernmental Transport (IGT) programs that are available to the Fire Department's ambulance program. The Medi-Cal Rate Range IGT program is a program available to fire departments that provide ambulance transport to receiving hospitals for reimbursement from unpaid claims from State-managed healthcare plans. It will be the responsibility of HMA to provide very detailed work with the various health care plans, the Department of Health Care Services and the Fire Departments and assist with the production of data and forms relative to the program. This will be a joint venture with the Fire Departments in Selma, Kingsburg, Sanger and Dinuba and costs for HMA's services will be split equally among the Departments.

None of the Fire Departments in the Central Valley have the technical expertise nor institutional knowledge that is required to navigate through the various health care plans and the associated State agencies. HMA's services will be instrumental in continuing this program to further seek additional revenues into the Fire Department.

IV. ALTERNATIVES:

1. Do not accept the contract (not recommended)

V. FISCAL IMPACT:

Per the contract, the City of Coalinga Fire Department agrees to pay HMA for their services at a rate of \$322 an hour. All billable hours will be thoroughly documented and will be kept at a minimum. The Fire Chiefs from the other Cities have agreed to participate in this program and will be invoiced monthly for services from HMA. This contract is not to exceed \$90,000 therefore the Fire Department's equal share would be \$18,000 per year. These funds were budgeted during the budget process for FY 2023-24 within the Fire Department budget.

Additionally, it is important to note that fiscally with our current consulting services the Fire Department has received through the IGT program on average an additional \$850,000 in revenues per year over the last four years.

ATTACHMENTS:

File Name	Description
 2023_Contract_Renewal_VRRP_PP-GEMT_Draft_Amendment_.pdf	HMA Contract Renewal

**SECOND AMENDMENT TO
HEALTH MANAGEMENT ASSOCIATES SERVICES AGREEMENT
AND
COOPERATIVE AGREEMENT**

This Second Amendment to Health Management Associates Services Agreement and Cooperative Agreement ("Amendment") is made and entered into effective June 30, 2022, by and between the CITY OF COALINGA, CITY OF DINUBA, CITY OF KINGSBURG, CITY OF SANGER, AND CITY OF SELMA (individually "City" and collectively "Cities"), and HEALTH MANAGEMENT ASSOCIATES, INC., a Michigan corporation ("Consultant"). The Cities and Consultant are sometimes collectively referred to herein as "Parties."

RECITALS

The City and Consultant are parties to a certain Health Management Associates Services Agreement and Cooperative Agreement ("Agreement") effective February 11, 2021. The original Agreement term is from June 30, 2021, to June 30, 2022.

WHEREAS, the City and Consultant have executed a First Amendment to Health Management Associates Services Agreement and Cooperative Agreement effective June 30, 2022 ("Amendment #1") which extended the term of the Agreement to June 30, 2023.

The parties wish to amend the Agreement as further stated herein.

AGREEMENT

A. The Parties wish to extend the term of the Agreement an additional two (2) year per section 2. Commencement of Services; Term of Agreement and Renewal of the Agreement. The parties agree the term of the Agreement shall begin on the Effective Date and shall continue in effect until June 30, 2025.

B. The Parties wish to amend the Agreement by adding the **Scope of Services and Schedule of Compensation** attached hereto as Exhibit A.

[Signatures on next page]

NOW, THEREFORE, the parties have executed this Agreement on the date(s) set forth below.

HEALTH MANAGEMENT ASSOCIATES, INC.

By: _____
Kelly Johnson, Vice President

Date: _____

CITY OF SANGER

By: _____
Greg Garner, Acting City Manager

Date: _____

ATTEST:

Rebeca Padron, City Clerk

APPROVED AS TO FORM:

Hilda Cantu Montoy, City Attorney

CITY OF DINUBA

By: _____
Luis Patlan, City Manager

Date: _____

APPROVED AS TO FORM:

, City Attorney

CITY OF COALINGA

By: _____
Marissa Trejo, City Manager

Date: _____

APPROVED AS TO FORM:

, City Attorney

CITY OF SELMA

By: _____
Fernando Santillan, City Manager

APPROVED AS TO FORM:

, City Attorney

CITY OF KINGSBURG

By: _____
Alexander Henderson, City Manager

APPROVED AS TO FORM:

, City Attorney

EXHIBIT A

SCOPE OF SERVICES AND SCHEDULE OF COMPENSATION

I. Services

Consultant shall respond to requests from the Cities or any City regarding participation in applicable Voluntary Rate Range Program (VRRP) and the Public Provider Ground Emergency Medical Transportation (PP-GEMT) Intergovernmental Transfers (IGT) programs administered within the Medi-Cal program by the California Department of Health Care Services (DHCS).

Voluntary Rate Range Program (VRRP)

Areas of assistance include but are not limited to:

- a) Helping the Cities understand VRRP, the IGT process, and the documents used to transact an IGT in order to make informed decisions on whether to participate and if so, how to participate.
- b) Contacting DHCS and the relevant Health Plans to participate in VRRP, calculating the value of the IGT and the dollar amounts involved at each step of the process and submitting Attachment Bs and Letters of Interest (LOIs) once DHCS is ready to receive them.
- c) Consultant shall work with the DHCS on behalf of City, and the Cities to resolve any questions and troubleshoot issues that arise.
- d) Consultant shall assist the Cities and their respective staff to ensure all documents are correctly prepared for participation in VRRP, and work with the Health Plans to meet DHCS timelines.
- e) Consultant shall assist the Cities determining whether VRRP payment amounts are correct and support the District in resolving any payment issues with DHCS and the Health Plans, if required.
- f) Consultant will monitor state and federal policies to assess any impacts to VRRP.

Public Provider Ground Emergency Medical Transportation Program (PP-GEMT)

Areas of assistance include but are not limited to:

- a) Consultant shall provide subject matter expertise to support the District's understanding of PP-GEMT and the PP-GEMT IGT process.
- b) Consultant shall provide the Cities with financial projections to estimate quarterly PP-GEMT IGT contributions, estimated payments from DHCs and the Health Plans, and potential impacts of PP-GEMT on future VRRP payments.
- c) Consultant shall provide project management support to ensure timely submission of any DHCS required information for participation in PP-GEMT.
- d) Consultant will monitor state and federal policies to assess any impacts to PP-GEMT and attend DHCS PP-GEMT trainings and information sessions.
- e) Consultant shall coordinate and engage with DHCS to resolve any questions and troubleshoot issues, if required, which may include educating DHCS on potential cash flow issues and risks associated with PP-GEMT participation.
- f) Consultant shall assist the Cities with the PP-GEMT IGT process, including any issues with the wiring of funds to DHCS.
- g) Consultant shall provide the Cities with information regarding their quarterly PP-GEMT IGT contribution amounts, estimated payments from DHCS and the Health Plans, and net new funds from PP-GEMT.
- h) Consultant shall assist the Cities determining whether PP-GEMT payment amounts are correct and support the District in resolving any payment issues with DHCS and the Health Plans, if required.

II. Schedule of Compensation

Subject to the maximum Contract Sum set forth in Section 3(a), Consultant shall provide services to the Cities at the following hourly rates or task amounts:

The Cities will pay Consultant \$322.00 per hour for its work under this agreement effective July 1, 2023. Thereafter, Consultant's billing rates will increase no more than five percent (5%) on July 1 of each year unless agreed otherwise in writing. Consultant agrees to notify the Cities of the amount of increase in rates no less than 30 days prior to the rate increase.

**STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE
AUTHORITY**

Subject: Approve Release of Request for Statement of Interest and Qualifications to Perform Airport Planning, Environmental and Consulting Services for the Coalinga Municipal Airport

Meeting Date: Thursday, March 16, 2023

From: Marissa Trejo, City Manager

Prepared by: Mercedes Garcia, Senior Administrative Analyst

I. RECOMMENDATION:

City Council Approval of the Release of Request for Statement of Interest and Qualifications to Perform Airport Planning, Environmental and Consulting Services for the Coalinga Municipal Airport

II. BACKGROUND:

The need for Airport Capital Improvement Projects at the airport requires the services of a Consulting Firm to provide services and assure compliance with the many requirements of the Federal Aviation Administration (FAA) Airport Improvement Program grant program. The FAA requires a Request for Qualifications be published to assure that qualified consultants are engaged in the various project duties.

FAA requires airport sponsors (the City) to conduct a consultant selection process that preapproves consultants for five years to work on airport projects that meet FAA design standards, correct deficiencies, and improve airport safety. Releasing this Request for Statement of Interest and Qualifications is one of the first steps in correcting long term capital projects at the airport.

III. DISCUSSION:

Staff issued a the RFQ on March 22, 2023, and circulated for 30 days. One proposal was received. One response was received. A selection committee comprised of the City Manager, Assistant City Manager, and Airport Manager reviewed the response and deemed Tartaglia Engineering a qualified firm. Tartaglia Engineering was contacted about performing Planning and Environmental services at this time they prefer to perform Architect and Engineering services.

Staff will rerelease the RFQ for 30 additional days for Planning, Environmental and Consulting services.

IV. ALTERNATIVES:

1. Authorize Staff to reissue the Request for Statement of Interest and Qualifications
2. Do not authorize Staff to issue for Statement of Interest and Qualifications

V. FISCAL IMPACT:

There is no direct cost to rerelease the Request for Statement of Interest and Qualifications. It is one of the first steps in correcting long term capital projects at the airport which will be bid and brought back for consideration at future meetings.

ATTACHMENTS:

File Name	Description
RFQ_PLANNING-ENVIRONMENTAL-City_of_Coalinga_New_Municipal_Airport_08-2023.doc	City of Coalinga RFQ-Airport



CITY OF COALINGA
The Sunny Side of the Valley

**REQUEST FOR QUALIFICATIONS FOR AIRPORT
PLANNING & ENVIRONMENTAL CONSULTING
SERVICES FOR THE NEW COALINGA
MUNICIPAL AIRPORT**

AUGUST 21, 2023

Submittal Due Date:
September 25, 2023
No later than 4:00 P.M.

City of Coalinga
155 W. Durian Ave
Coalinga, CA 93210
(559) 935-1533
www.coalinga.com



REQUEST FOR QUALIFICATIONS FOR AIRPORT PLANNING, ENGINEERING AND CONSULTING SERVICES FOR THE NEW COALINGA MUNICIPAL AIRPORT

The City of Coalinga is formally requesting Statements of Interest and Qualifications for professional services of qualified airport consulting firms. The City of Coalinga intends to retain a qualified airport consulting firm for a five (5) year period to assist the City of Coalinga with the development and improvement of the New Coalinga Municipal Airport. The types or services may include, but not be limited to general consulting services, preparation, and administration of the necessary applications. Preparation and administration of necessary application and documents for Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant funding. Preparation and administration of necessary application and documents for Caltrans Capital Improvement Program (CIP) grant funding. Providing planning services as required by the City of Coalinga; provide necessary services to obtain environmental clearances for proposed projects. Attend meetings as required by the City of Coalinga.

REQUIREMENTS

The ideal firm shall have experience consisting of at least 7 years providing the requested services identified herein. The experience should include the following 1) preparation of FAA grant applications and documentation, 2) preparation of design and project plans and specifications for FAA grant projects, 3) providing assistance in the contract bid process, and 4) serving as grant manager and project manager during the construction phase of airport planning and development projects involving the FAA and/or other federal, state, and local agencies.

ANTICIPATED SELECTION SCHEDULE

The schedule for the RFQ process (subject to change) is as follows:

RFQ Schedule	
RFQ is available for Public Distribution	08/22/2023
Written Questions Submittal Due Date	09/06/2023
Due Date for responses to RFQ due at 4:00PM local time	09/25/2023
Ranking of submittals and notifications by the Consultant Selection Team	10/04/2023
Consultant Interviews/Presentation-Virtual (if needed), notification of award	Week of 10/09/2023
Negotiation of Professional Services Agreement Between City staff and selected consultant	Week of 10/09/2023
City Council Approval of Professional Services Agreement	10/19/2023
Agreement executed by both parties	Week of 10/23/2023

DELIVERY OF STATEMENT OF QUALIFICATIONS

Submittals shall be brief and concise, containing no more than 30 pages of material. Submittals more than 30 pages will be considered nonresponsive. Three copies of the Statement of Interest and Qualifications should be submitted to Mercedes Garcia, Senior Administrative Analyst, prior to submission due date at 4:00PM Pacific Time on September 25, 2023. Facsimile and email submissions will not be accepted. All submissions shall include the name address of the firm and be addressed and delivered to:

City of Coalinga
Senior Administrative Analyst
155 Durian Ave
Coalinga, CA 93210

SOQ must be received in hard copy form on or before 4:00 PM Pacific Time on September 25, 2023.

Any SOQ received after 4:00PM Pacific Time will not be accepted. All SOQs and other materials submitted by each firm for this RFQ will become property of the City and shall not be returned to the firm.

POINT OF CONTACT: All questions and contacts regarding this RFQ should be addressed to:

Mercedes Garcia
Senior Administrative Analyst
City of Coalinga
155 Durian Ave
Coalinga, CA 93210
Phone: 559-935-1533 ext. 130
Email: mgarcia@coalinga.com

SUBMITTAL REQUIREMENTS

Consultant firms are invited to submit a SOQ for the requested planning services. The SOQ submittals shall be brief and concise, and should include information regarding the consultant's interest, qualifications, current relevant experience with the planning, design and environmental documentation for airports and airfield facilities projects funded by FAA Airport Improvement Program grants or state and local funding including resumes of key personnel.

Selection criteria contained in FAA Advisory Circular 150/5100-14, as amended, will be considered as well.

REQUIRED STATEMENT OF QUALIFICATION INFORMATION

The maximum size of the submittal shall not exceed thirty (30) pages. Respondents shall ensure any additional information (e.g., attachments, diagrams, or other information) submitted is relevant and pertinent to the submittal and shall not exceed a total of 30 pages.

Firms must demonstrate the ability to creatively include all the information detailed below. Please craft your submittals with the understanding that it is an evaluation of the quality of your work product. The following information shall be included in the submittal:

- Detailed information about the prospective firm's interest
- Detailed discussion of the prospective firm's experience and qualifications relative to the requested services
- Detail years of experience firm and proposed teaming partners have in providing the airport services requested herein. Provide a list and brief description of no more than five relevant airport projects completed and associated work performed by the consultant within the last seven (7) years to include:
 - o Project name
 - o Project location
 - o Contact person, title, telephone number and/or email
 - o Date of project (year)
 - o A description of project scope provided similar to the services requested herein
 - o Describe the specific level of involvement of the firm and individual team members, focusing on key personnel. Indicate issues addressed with related outcomes and how these examples relate to the proposed scope of services. Identify related cost escalations or overruns. Complete project descriptions may be included as additional information.
- Describe proposed project manager's experience, expertise, and commitment related to other airport projects and ability to manage staff and subcontractors. Include length of time with current firm and previous relevant management experience.
- Details team's knowledge, experience, and capabilities relevant to successful completion of projects. Describe technical experience, capability and expertise of key personnel that will be assigned to the project. Resumes of key personnel including relevant experience shall be included as an appendix.
- Provide information as to planned staffing for public meetings. Provide public speaking background of responsible personnel and their experience with airport projects.

MINIMUM QUALIFICATIONS

The following minimum experience criteria has been established as the basis for qualifying the eligibility of a firm as shown below:

- Recent experience: minimum of 3 completed projects within the last 5 years in preparation of grant documents and grant close out for similar projects.
- Recent experience: minimum of 3 completed projects in the last 5 years in preparation of airport planning and environmental services.
- Demonstrate quality control, checks and balances, and compliance with FAA and State of California policies, procedures, and timelines.
- Recent experience in preparing annual ACIP submittals (FAA and California Department of Transportation).
- Current workload and ability to meet project schedules/deadlines.
- Evidence the firm has made good faith efforts to in meeting DBE goals (49CFR 26.53)

SUBMITTAL FORMAT

Respondent's submittal should be brief accurate and comprehensive. Submittal shall be signed by an individual or individuals authorized to execute legal documents on behalf of the respondent.

PROPOSAL REQUIREMENTS

Proposals shall contain the following items:

- Cover letter
- Table of Contents
- Executive Sum
- Firm Information
 - Legal name of entity, entities, or joint venture
 - Contact information to include mailing address and telephone number
 - Attach description or organizational chart of firm's proposed management structure depicting key personnel and responsibilities including subcontractors (if applicable). Identify the individual that will be the primary day-to-day contact including contact information and email address.
 - Identify all other firms (including DBE firms) on the team and their role, experience and qualifications.
 - The selected firm shall comply with the City and Department of Transportation Regulations 49CFR Part 26. The consultant may be required to submit monthly status reports to the FAA.
- Identification of assigned personnel
 - Names and specific qualifications, experience, skill set, fit and appreciate license held, if applicable t, of key personnel to be assigned dot the project.
- Understating the required services
 - Detailed description of the respondent's approach to providing request services
- References
 - Three references regarding the respondent's experience and performance performing similar services including the following information:
 - Organization contact name, mailing address, telephone number, and email
 - Project size and description
- List of representative projects undertaken by the respondent in the last 5 years demonstrating experience.

INQUIRES OR CLARIFICATIONS

Inquires or clarifications regarding this Request for Qualification must be submitted before the Questions Submittal Due Date of September 06, 2023, to:

Mercedes Garcia
Senior Administrative Analyst
Email: mgarcia@coalinga.com
(559) 935-1533 ext. 130

SELECTION PROCESS

The Proposals will be evaluated utilizing the following selection criteria: references; firm qualifications and experience; recent experience with comparable airport projects, key personnels experience and availability, and familiarity with location.

EVALUATION OF STATEMENT OF QUALIFICATIONS

1. Chapter 2 of AC 150/100-14D concerning the selection process will be observed. Qualifications based procedures for these services will be awarded pursuant to fair and open selection process based on the qualifications of the firms. The fees for such services are established following selection of a firm through a negotiation process to determine a fair and reasonable price.
2. Designated City representatives shall comprise the Consultant Selection Committee.
3. The Consultant Selection Committee shall review the responses to the RFQ and select a “short list” of consultants, based upon their qualifications, and experience. Final consultant selection shall be based on the information provided in the SOQ, together with information obtained from references and interview(s), if any. Be sure to include all relevant information and evidence of the firm’s record of performance and ability to perform the work.
4. The Committee’s rating of the Consultant shall be based upon the professional qualifications necessary for satisfactory completion of the tasks and accomplishing the projects of work listed and future projects.
5. The following criteria shall be utilized by the Consultant Selection Committee in the rating process:
 - A. Qualifications of the Firm-Capability to perform all aspects of the proposed projects and recent experience in airport projects comparable to the proposed projects (15%)
 - B. Qualifications of the Project Team-Key personnel’s professional qualifications, experience, and availability for the proposed projects; reputation and professional competence; knowledge of FAA and Caltrans regulations, policies, and procedures (25%)
 - C. Project Understanding-Quality of projects previously undertaken and capability to complete projects without having major cost escalations or overruns. Capability to meet schedules and deadlines (40%)
 - D. Location of Key Staff-Interest shown in undertaking the project and the project team’s familiarity with the proximity to the geographic location of the project. Demonstrated understanding of the project’s potential challenges and the sponsor’s special concerns (15%)
 - E. DBE Participation (5%)

The City reserves the right to reject any and all Proposals submitted. Any Contract awarded for the services specified under this request for proposal will be made to the consultant who, in the opinion of the City, is best qualified.

The City reserves the right to further rely on these proposals to select Engineering firms for specific capital project design, engineering, and construction management.

CITY POLICIES

The City is an equal opportunity employer and requires that all consultants comply with policies and regulations concerning equal employment opportunity. The selected consultant and other personnel working on City projects will be required to comply with City policies and practices.

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Discussion and Direction regarding Natural Gas Rates
Meeting Date: Thursday, August 17, 2023
From: Marissa Trejo, City Manager
Prepared by: Sean Brewer, Assistant City Manager

I. RECOMMENDATION:

City Council is recommended to approve a reduction of natural gas rates by 20 percent effective September 1, 2023.

II. BACKGROUND:

As a result of the natural gas fund balance decreasing to a targeted \$1 million in combination with increasing wholesale gas costs, city council approved rate increases in 2021, then again in 2022. City council also recently approved a gas purchase policy establishing a structure for gas purchasing and annual reporting each year by the end of August. Fortunately, wholesale gas prices have decreased following the extremely high prices last winter.

III. DISCUSSION:

Dan Bergmann of IGService has prepared the attached report meeting the requirements of the approved gas purchase policy. The report recommends a 20 percent gas rate reduction effective September 1, 2023. Mr. Bergmann will present his report at the August 17, 2023, council meeting.

IV. ALTERNATIVES:

If the 20 percent reduction is not approved, then pursuant to Resolution No. 4113, rates will automatically decrease 50 percent to the level before the increase in 2022. If this happens, the gas enterprise revenue is projected to have an operating loss of \$404,000, cutting into the existing fund balance.

V. FISCAL IMPACT:

The 20 percent rate reduction beginning in September is projected to yield operating revenue from natural gas sales for FY 23/24 of \$3,301,000. This level of revenue is projected to yield a slight positive total income of \$75,000, protecting the existing fund balance of approximately \$1 million. See explanations and detail in the IGService report.

ATTACHMENTS:

File Name	Description
❑ Natural_Gas_Rate_Report_August_2023.pdf	Natural Gas Rate Report
❑ Reso#4173_Natural_Gas_Reduced_Rate_FY_23-24.pdf	Resolution 4173

Review of Natural Gas Enterprise Financial Status and Recommendation for Rate Reduction

August 7, 2023

Background

At the May 4, 2023, City Council meeting, Dan Bergmann of IGS presented the financial outcome for the gas enterprise following the prolonged cold winter combined with extremely high gas prices. In summary, the City did fine because rates had been increased going into winter, and because wholesale gas was purchased before winter. On May 4th, the City Council also approved a long-term gas purchase policy for Coalinga, pursuant to Resolution No. 4156. In accordance with the newly adopted gas purchase policy, a report is required to City Council by the end of each August covering the overall state of the natural gas enterprise such that rate adjustments can occur, if needed, before the winter heating season. The report is to include:

- The status of wholesale gas purchases
- Compliance with the adopted gas purchase policy
- Any recommended changes to the policy
- Financial status of gas enterprise
- Adequacy or needed changes to the City's natural gas rates

Finally, Resolution No. 4113, adopted August 18, 2022, increased rates 50 percent through the winter; however, that resolution also specifies that rates will decrease 50 percent September 1, 2023, if no further action is taken.

The following is the first annual report in accordance with the City's gas purchase policy, including a recommendation to reset rates.

Status of Wholesale Gas Purchases

Following approval of the Gas Purchase Policy on May 4th, a second purchase was made for this coming winter 23/24. Specifically, on June 29th, 302 DTh/Day at Malin was purchased for November through March at a price of \$5.85 /DTh. One more purchase is required prior to November 1st to complete purchases for this winter. Attachment 1 illustrates the purchase status for this coming winter.

The projected wholesale gas cost for FY 23/24 is \$1,338,000. This is based on purchases made, average winter temperatures, and current market conditions for the remaining gas to purchase. See Attachment 2 for detailed calculations.

Also, prior to November 1st, the first of three purchase must be made for Winter 24/25. Attachment 3 is updated with all purchases, including further purchases pursuant to the approved policy. The next purchases by November 1st are highlighted.

Compliance with Gas Policy

As of this date, gas purchases are in compliance with the policy.

Recommended Changes to Policy

There are no recommended changes.



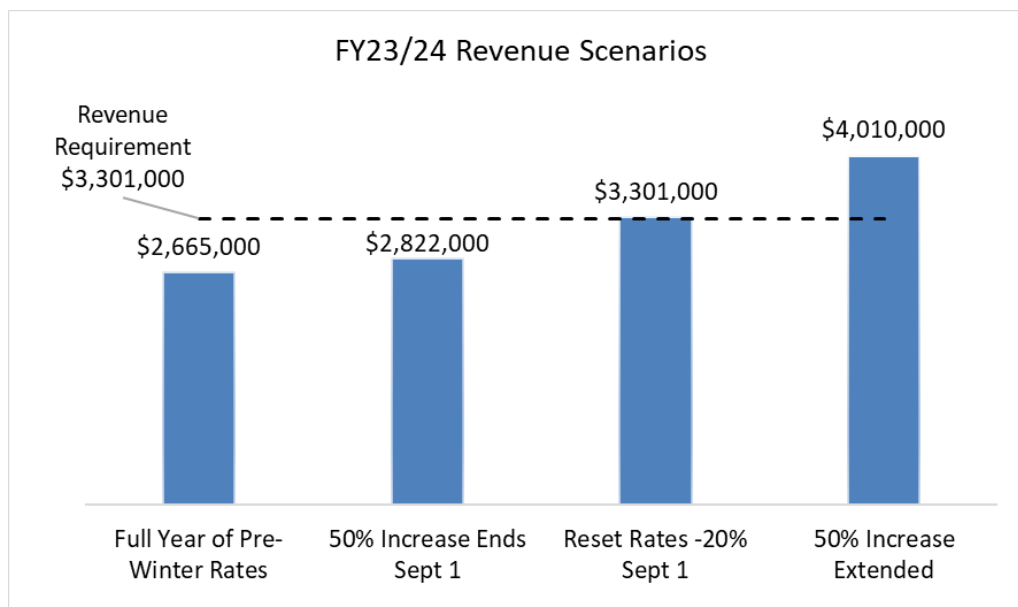
Financial Status of Enterprise

The 50 percent rate increase from last August enabled the gas enterprise to cover increased gas costs through winter. Based on unaudited data, the gas enterprise will be slightly in the black at the end of FY 22/23. The gas enterprise fund balance at the end for FY 22/23 is close to \$1 million, which has been an ongoing operating target, to bring the enterprise balance down over past years.

The biggest variable cost to the gas enterprise is wholesale gas cost, discussed above. Other projected costs are inflated each year between three and five percent. See Attachment 4 for details of past and projected revenue and expenses. Attachment 4 also shows that if winter 23/24 gas had not been purchased ahead, the additional cost would have been approximately \$3.6 million, which would have cost the gas enterprise an additional \$1.4 million, and left the fund in the red at year end. Accordingly, the forward purchases were critically important.

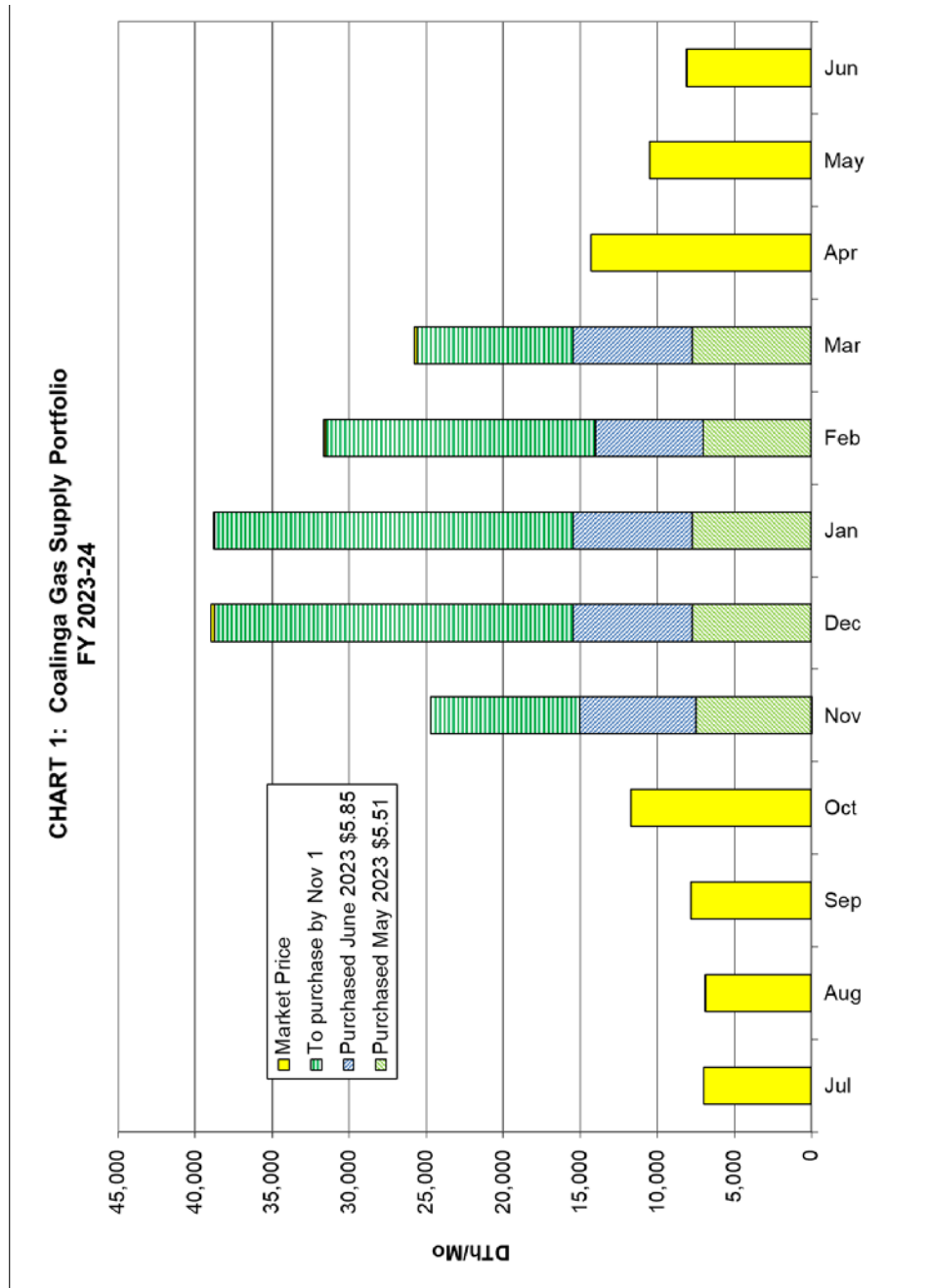
For FY 23/24, operating revenue from natural gas sales was adjusted in Attachment 4 to a point that put total income slightly positive at year end. The resultant revenue from natural gas rates is \$3,301,000, which leaves total income at \$75,000.

The bar chart below shows resultant revenue from different scenarios, compared to the operating revenue from natural gas sales of \$3,301,000. If the 50 percent increase was kept in place, income would be \$4,401,000, much higher than needed. However, if the increase is ended completely, revenue would be \$2,822,000, lower than needed. The adjustment needed effective September 1st is a 20 percent reduction from the current rates.



Proposed Rate Changes

The table in Attachment 5 shows past, present, and proposed rates, based on a 20 percent reduction from the present rates. Note that these proposed rate changes do not include a cost-of-service evaluation by rate class, but only adjust the existing rates equal percentages. See the proposed resolution associated with this report.



[illegible]



Attachment 3

		Timeframe to Make Natural Gas Purchases								
		Apr-Jun 23	Jun-Oct 23	By Nov-23	By Mar-24	By Jul-24	By Nov-24	By Nov-25	By Nov-26	By Nov-27
Winter 23/24	11/1/2023	M 250	M 302	CG 325	<div>Units are DTh/day</div> <div>"M 250" means 250 DTh/day at Malin</div> <div>"CG 325" means 325 DTh/day at the PG&E City Gate</div>					
	12/1/2023	M 250	M 302	CG 750						
	1/1/2024	M 250	M 302	CG 750						
	2/1/2024	M 250	M 302	CG 625						
	3/1/2024	M 250	M 302	CG 325						
Winter 24/25	11/1/2024	5/9/23: \$5.512	6/29/23: \$5.85	M 250		M 302	CG 325			
	12/1/2024			M 250		M 302	CG 750			
	1/1/2025			M 250		M 302	CG 750			
	2/1/2025			M 250		M 302	CG 625			
	3/1/2025			M 250		M 302	CG 325			
Winter 25/26	11/1/2025				M 250		M 302	CG 325		
	12/1/2025				M 250		M 302	CG 750		
	1/1/2026				M 250		M 302	CG 750		
	2/1/2026				M 250		M 302	CG 625		
	3/1/2026				M 250		M 302	CG 325		
Winter 26/27	11/1/2026					M 250	M 302	CG 325		
	12/1/2026					M 250	M 302	CG 750		
	1/1/2027					M 250	M 302	CG 750		
	2/1/2027					M 250	M 302	CG 625		
	3/1/2027					M 250	M 302	CG 325		
Winter 27/28	11/1/2027						M 250	M 302	CG 325	
	12/1/2027						M 250	M 302	CG 750	
	1/1/2028						M 250	M 302	CG 750	
	2/1/2028						M 250	M 302	CG 625	
	3/1/2028						M 250	M 302	CG 325	



Attachment 4

City of Coalinga Natural Gas Revenue and Expense Model									
		FY20	FY21	FY22	FY23	FY24 Reset 9/1 -20%	FY25		
		Audited	Audited	Unaudited	Unaudited	Projected	Projected		
Operating Revenue									
	Natural Gas Sales	1,845,219	1,708,227	2,355,000	4,012,457	3,301,000	3,301,000		
	Other Customer Revenue	15,956	693	50,000	65,000	50,000	50,000		
	Totals	1,861,175	1,708,920	2,405,000	4,077,457	3,351,000	3,351,000		
Operating Expenses									
	Wholesale Gas Cost	570,220	679,156	1,265,000	2,129,000	1,338,000	1,338,000	From Worksheet	
	PG&E Transportation	335,358	376,979	757,000	802,000	842,000	884,000	5%	Inflation
	Personnel Services	629,660	700,762	712,000	725,000	761,000	799,000	5%	Inflation
	Bad Debt Expense	17,815	22,976	47,000	25,000	26,000	27,000	3%	Inflation
	Contract Svc	185,842	154,302	150,000	165,000	170,000	175,000	3%	Inflation
	Supplies and Materials	118,000	106,964	131,000	145,000	149,000	153,000	3%	Inflation
	Depreciation	62,087	60,000	-	-	-	-	Estimates	
	Totals	1,918,982	2,101,139	3,062,000	3,991,000	3,286,000	3,376,000		
Operating Income									
		(57,807)	(392,219)	(657,000)	86,457	65,000	(25,000)		
Nonoperating revenue									
	Interest	10,069	2,515	3,000	10,000	10,000	10,000		
Adjustments for Balance Sheet									
	Total Income	(47,738)	(389,704)	(654,000)	96,457	75,000	(15,000)		
	Remove Depreciation	62,087	60,000	0	0	0	0		
	Capital/Adjust to Bal Sheet	(2,180)	(10,441)	0	0	0	0		
	Yr End Current Cash Asset	1,878,572	1,538,427	884,427	980,884	1,055,884	1,040,884		
	DTh Purchases	230,588	222,403	222,600	256,000	234,200	234,200		
	Therm Purchases	2,305,880	2,224,030	2,226,000	2,560,000	2,342,000	2,342,000		
	Average Cost of Supply (\$/Th)*	\$0.25	\$0.31	\$0.57	\$0.83	\$0.57	\$0.57		
* Not including PG&E Transportation									



Attachment 5

City of Coalinga Gas Rates					
	Summer Therms (Apr-Oct)	Winter Therms (Nov-Mar)	Rates Through 8/31/22	Effective 9/1/22	Proposed 9/1/23
				50%	-20%
Monthly Charge (\$/Mo)			\$10.15	\$15.23	\$12.18
Residential Single-Family Baseline (\$/Th)	15	50	\$0.73	\$1.10	\$0.88
Residential Single-Family Excess (\$/Th)	Over 15	Over 50	\$1.09	\$1.64	\$1.31
Commercial and All Other (\$/Th)	All Supply		\$1.09	\$1.64	\$1.31

RESOLUTION NO. 4173

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COALINGA DECREASING NATURAL GAS RATES AS A RESULT OF LOWER WHOLESALE GAS PRICES

WHEREAS, over the past few years the gas enterprise fund balance has been decreasing and wholesale natural gas costs rose substantially through winter 22/23; and

WHEREAS, Resolution No. 4048, approved November 4, 2021, increased natural gas rates forty-five percent to cover operating costs fully, and to cover increasing wholesale gas costs; and

WHEREAS, Resolution No. 4113, approved August 18, 2022, increased natural gas rates an additional fifty percent for one year only because of escalating gas costs for winter 22/23; and

WHEREAS, Resolution No. 4156, approved May 4, 2023, commenced a natural gas purchase policy providing structured gas purchasing including, among other requirements, that reporting shall occur to the City Council by the end of each August such that rates may be adjusted if needed prior to winter; and

WHEREAS, IGService has provided a report and presentation to the City Council that meets the reporting requirements of the approved gas purchase policy; and

WHEREAS, based on lower anticipated gas costs for winter 23/24, IGService had calculated that gas rates may be reduced 20 percent below the present rates; and

WHEREAS, City Council may set natural gas rate by resolution pursuant to Section 6-5.28 of the City's Municipal Code; and

WHEREAS, the City of Coalinga's gas system is operated safely, reliably, and benefits Coalinga's residents.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Coalinga as follows:

1. The recitals set forth above are true and correct as of the date this Resolution was adopted.
2. The rates for natural gas service provided by the City of Coalinga are hereby revised as follows.

City of Coalinga Gas Rates					
	Summer Therms (Apr-Oct)	Winter Therms (Nov-Mar)	Rates Through 8/31/22	Effective 9/1/22	Proposed 9/1/23
				50%	-20%
Monthly Charge (\$/Mo)			\$10.15	\$15.23	\$12.18
Residential Single-Family Baseline (\$/Th)	15	50	\$0.73	\$1.10	\$0.88
Residential Single-Family Excess (\$/Th)	Over 15	Over 50	\$1.09	\$1.64	\$1.31
Commercial and All Other (\$/Th)	All Supply		\$1.09	\$1.64	\$1.31

3. The revised rates shall be effective with the meter reading cycle beginning in September 2023 and ending in October 2023, such that the new rates are applied to billing statements issued at the end of October 2023.
4. Revenues derived from the revised rates will not exceed amounts needed to provide gas services to city customers.

The foregoing resolution was approved and adopted at a regular meeting of the City Council of the City of Coalinga held on this **17th day of August 2023**, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

James Horn, Mayor

ATTEST:

Shannon Jensen, City Clerk

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Discussion, Direction and Potential Action related Permitting Small Accessories Structures within the Required Setbacks of Reverse Corner Lots
Meeting Date: Thursday, August 17, 2023
From: Marissa Trejo, City Manager
Prepared by: Sean Brewer, Assistant City Manager

I. RECOMMENDATION:

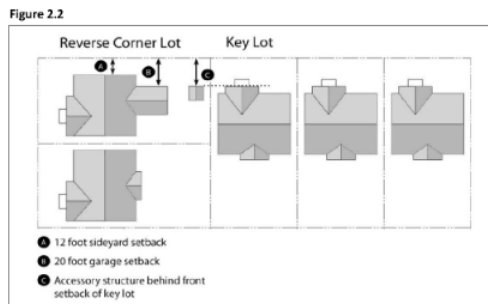
There is no staff recommendation at this time.

This was a future agenda item requested by Councilman Schindler related to discuss the possibility of allowing small accessory structures within the required setbacks of a reverse corner lot.

II. BACKGROUND:

The currently regulations for reverse corner lots as it related to street side setbacks is identified in Section 9-2.203(b)(4):

- (4) *Street side yard - reversed corner lots.* Reversed corner lots shall have a minimum street side yard width of twelve (12) feet or the required front yard requirement, whichever is less. The setback shall be twenty (20) feet for garages accessed from the side street. No accessory structure shall project beyond the extension of the rear lot line in the rear (key lot).



Currently, accessory structures are not permitted in the required setback of a reverse corner lot.

III. DISCUSSION:

The City Council has requested that staff provide some options for the council related to permitting accessory structures in the required setback. Residential accessory structures include a residence, including garages, greenhouses, storage sheds, studios, swimming pools, spas, workshops, detached covered decks and patios, detached uncovered decks and patios, other similar structures, and solar photovoltaic panels.

Below are some suggestions that the Council could use to discuss before possibly directing staff to move forward with a zoning text amendment:

- Allow any residential accessory structure within the reverse corner lot setback area so long that it is within the permitted fenced area and does not affect corner cutoff clearance.
- Allow accessory structures but limit the size, height and type (shed, pergola, cover, ect.).
- Allow accessory structures that do not require a building permit (structures no larger than 120 square feet like a shed, pergola, ect.).
- Allow temporary accessory structures.

Staff has prepared an exhibit that would clearly show where accessory structures could be placed in a required setback of a reverse corner lot (discussion area). This report has been discussed at the City Council meeting to formulate an action item for the Council to direct staff.

IV. ALTERNATIVES:

None determined at this time. Staff provided some suggestions for discussion in the above narrative.

V. FISCAL IMPACT:

None at this time.

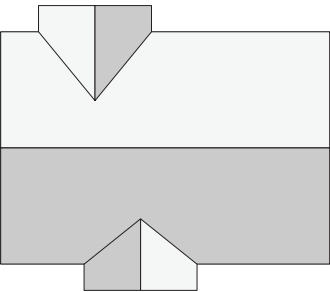
ATTACHMENTS:

File Name	Description
LotDiscussionExhibit.pdf	Reverse Corner lot Exhibit

Lot Discussion Exhibit

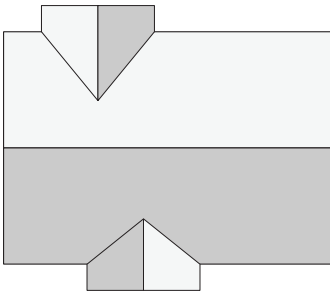
Street "X"

Front Yard



Key Lot

Front Yard



Key Lot

Corner
Cutoff

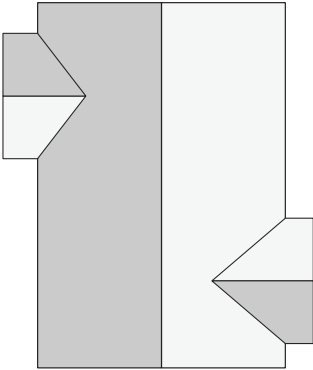
Discussion Area

Acc. Structures
Currently Permitted

Front Yard

Reverse Corner Lot

Front Yard



Street "X"

STAFF REPORT - CITY COUNCIL/SUCCESSOR AGENCY/PUBLIC FINANCE AUTHORITY

Subject: Discussion, Direction and Potential Action regarding Authorizing Battalion Chief Positions
Meeting Date: Thursday, August 17, 2023
From: Marissa Trejo, City Manager
Prepared by: Marissa Trejo, City Manager

I. RECOMMENDATION:

The Fire Chief and City Manager are recommending City Council approval for three shift Battalion Chief positions to replace the recent vacancy of the Division Chief Position. By staffing three shift Battalion Chiefs that work a 48/96 schedule, the Department will be able to have Chief Officer supervision 24 hours a day, 7 days a week, including holidays. Currently, the Department Chief Officers work Monday through Thursday, 7:00am to 5:30pm, leaving a void in the evenings and weekends.

This will be accomplished by eliminating the vacant Division Chief position and converting it to a Battalion Chief, eliminating the Administrative Captain position and converting it to a Battalion Chief and funding a third Battalion Chief by not filling three vacant Firefighter Reserve positions as well as other cost saving measures that will be explained in the fiscal impact breakdown.

II. BACKGROUND:

On July 6, 2023, Fire Chief Greg DuPuis presented this item to Council for consideration. Council was interested in moving forward but wanted to know the long-term financial impact to the City.

The Background Information from the July 6, 2023, Staff Report is below:

The Battalion Chief (BC) is a fundamental middle-management/leadership position within the fire service. The Fire Captain is responsible for leading and managing the daily operations for a geographical response area. BC's are responsible for managing the day-to-day operations and administration of all stations and apparatus for a given shift. Managerial responsibility includes managing staffing needs, managing multi-company activities, and other daily functions to allow Captains to focus on small to moderate incident response, training, public education, programs within the department, and other daily operations within their response area.

BC's bring consistency and stabilization to shift and incident mitigation, management, and leadership. Consistency is brought out in training, incident management, disciplinary practices, overtime management, and other functions of the department 24/7. Stabilization in management and leadership occurs with a single leader on each shift providing direction and guidance. BC's mirroring subordinate schedules prevent issues from slipping through the cracks. Consistency builds up morale which increases retention.

When on shift work a BC is the highest-ranking officer on duty. They are tasked with creating work schedules and managing personnel for all fire stations and apparatus under their command. They are responsible for verifying staffing levels and managing vacation, sick leave, and shift trades and certify accuracy in the payroll system. During larger and more intricate incidents, BC's provide management and

leadership to allow Captains to handle tactical assignments and maintain span of control.

For several decades the Fire Department has been managed by the Fire Chief as the only role of upper management and leadership. Within the last year a Division Chief has been hired to fill the gap. However, with the Fire Chief and Division Chief working the same work schedule a void was still noticeable in the evenings and on the weekends. Recently, the Division Chief position has been vacated and the Department is back to the Fire Chief as the only position in upper management. Command staff and the Fire Chief have been discussing plans moving forward and the three Battalion Chief model was brought up and discussed as a better fit and structure moving forward and for the growth of the Department.

III. DISCUSSION:

The Fire Department administration currently consists of the Fire Chief, Division Chief, Administrative Captain, and Secretary. The Division Chief is now vacant. By converting to a three Battalion Chief model, the efficiency of the Department will increase not only from an operational level but with leadership and management as well. The major benefit of shift BC's will be providing clear leadership and management 24 hours a day, 7 days a week, including holidays where currently there is only a Chief Officer Monday-Thursday, 7:00am to 5:30pm.

In addition to daily management, with a shift BC, the Effective Firefighting Force (EFR), recommended by NFPA 1710, increases by one per shift, allowing the Fire Captain to handle tactical decision making while the BC handles the Incident Command role currently assigned to the first arriving apparatus. BC's provide an added safety component by not being directly involved in implementation of tactics and maintaining a 30,000 foot view perspective on the entire operation.

Industry standard is to have a BC to supervise incidents when two or more companies are responding. An effective workforce consists of supervisory personnel to manage the entire incident, and not just fire companies. This allows companies to focus on supervising geographical divisions or functional groups within the incident, while still maintaining control of their assigned resources.

After hours, weekends, and holidays, the overhead supervision to manage complex, multi-unit incidents is coming from home with an over an hour response time. During the workweek, supervision is responding from administrative functions. The delay in response forces the Fire Captain to assume the role of incident commander instead of utilizing the Fire Captain for tactical supervisor. One team member is now removed from the incident.

BC Utilization with Surrounding Jurisdictions or Like Agencies

Most agencies in and around the City of Coalinga utilize the shift BC model or Division Chief's (DC) in the case of Selma City and Tulare City, however, Selma City and Tulare City utilize their DC's similar to the way other jurisdictions utilize BC's. The Cities of Hanford, Visalia, Dinuba, Porterville and Fresno County Fire/Cal Fire all utilize BC's. When contacting Sanger and Kingsburg, both agencies are in the process of doing a cost analysis on the shift BC model and have plans to implement as well.

Benefits of Shift BC's

As previously mentioned, the overall benefit of shift BC's is having Chief Officer coverage 24 hours a day, 7 days a week, including holidays. Other benefits include:

1. Approximately \$2,000 initial savings from the General Fund by eliminating the Division Chief, Administrative Captain and four Reserve positions and converting to three Battalion Chiefs.
2. Approximately \$6000 initial savings in fuel cost from Division Chief's 40-hour work schedule.
3. Approximately 25,000 less vehicle miles from Division Chief's 40-hour work schedule.
4. Having a Chief Officer available for administrative issues without call interruption.

5. Prevention/Business inspections can be completed 7 days a week.
6. Less administrative impact to Operations.
 - a. Frees up engine companies to focus on PT, training, hydrants, and equipment/station maintenance.
7. Can conduct public education events without interruption when crews receive a call.
8. Overall span of control better with BC available to respond to calls within the City or Huron
9. Supervision for Huron personnel
10. Increased Effective Firefighting Force (EFR).
11. Liaison with Mutual Aid agencies when resources assigned.

IV. ALTERNATIVES:

1. Do not approve the shift Battalion Chief positions. In which case the Department will fill the Division Chief position.

V. FISCAL IMPACT:

With internal adjustments to the Fire Department budget as well as the changes mentioned above, filling three (3) Battalion Chief positions is cost neutral in the long term.

ATTACHMENTS:

File Name

Description

No Attachments Available