

JOINT BOARD OF DIRECTORS FOR THE
SAN JOAQUIN COUNCIL OF GOVERNMENTS AND SJCOG INC.
Zoom Meeting and In Person
555 E. Weber Ave.
Stockton, CA 95202

Oct. 28, 2021

REGULAR BOARD MEETING AT 4 P.M.

MINUTES

1. The board meeting was called to order at 4 p.m. by Chair Leo Zuber.

Roll Call:

Board Members Present In Person:

Councilmember Dan Wright, Stockton; Councilmember Leo Zuber, Ripon.

Ex Officio Member Present In Person:

Gary Giovanetti, SJRTD.

Via Zoom:

Councilmember Paul Canepa, Stockton; Councilmember Sol Jobrack, Stockton;
Councilmember Doug Kuehne, Lodi; Supervisor Tom Patti, San Joaquin County; Supervisor
Robert Rickman, San Joaquin County; Vice Mayor Gary Singh, Manteca; Supervisor Miguel
Villapudua, San Joaquin County; Mayor Nancy Young, Tracy.

Ex Officio Members Present Via Zoom:

Dennis T. Agar, Caltrans.

Board Members Absent:

Councilmember Dave Bellinger, Escalon; Councilmember Diane Lazard, Lathrop.

Ex Officio Members Absent:

Anthony Barkett, Port of Stockton.

Staff Members Present In Person:

Diane Nguyen, Executive Director; Steve Dial, Deputy Executive Director/CFO; Vikram
Sharma, Information Services Manager; Rosie Gutierrez, Office Administrator; Sarah Hersom,
Administrative Technician; Ariana Talosig, Administrative Technician.

Via Zoom:

Kim Anderson, Deputy Director of Planning; Ryan Niblock, Deputy Director of Programming
and Project Delivery; Tim Kohaya, Senior Regional Planner; Rod Attebery, Counsel; Allison
Felkins, Counsel.

2. **Recognitions / Presentations:**

None.

3. **Public Comments:**

Andrea Olivarez from Mike's Towing Service asked for an update on the Freeway Service Patrol (FSP) contract that was presented at the board of directors meeting in September 2021 and asked about the bid protest that was submitted to SJCOG Board on behalf of Mike's Towing Service on Sept. 29, 2021. San Joaquin Council of Governments Executive Director Diane Nguyen informed Chair Leo Zuber that SJCOG legal counsel Rod Attebery will reach out to Mike's Towing to answer the questions.

4. **Consent Calendar Items:**

- A. Joint meeting of the Board of Directors for SJCOG and SJCOG Inc. Minutes, Sept. 23, 2021
- B. *SJCOG* — Monthly Financial Report and Transportation Authority Monthly Investment Report
- C. *SJCOG* — Revisions to the San Joaquin Council of Governments' Financial Management and Accounting Procedures Manual
- D. *SJCOG* — Fiscal Year 2021-22 LTF/STA Transportation Development Act (TDA) Claim from the San Joaquin Regional Transit District
- E. *SJCOG* — Fiscal Year 2021-22 Overall Work Program (OWP) Amendment No. 1 and Annual Financial Plan (AFP) Amendment No. 1
- F. *SJCOG* — Contract Amendment No. 1 to Contract C-20-056 with Enterprise Community Partners for the Community, Diversity and Displacement Study
- G. *SJCOG* — Amend SJCOG Contract 20-038 with TJKM Transportation Consultants
- H. *SJCOG* — Citizens Advisory Committee (CAC) Membership Appointment
- I. *SJCOG* — Roth Road Corridor Plan Consultant Contract Award
- J. *SJCOG Inc.* — Sargent Estates Project, Plan Participation

It was moved/seconded (Wright/Kuehne) to approve the consent calendar as submitted. Motion passed unanimously (9/0) by roll call.

6. **Discussion Items:**

- A. *SJCOG* — Input on 2022 State Transportation Improvement Program Development (STIP) Programming Approach

Diane Nguyen presented a PowerPoint requesting input and direction from the board to further develop a formal recommendation for SJCOG Board approval at its December meeting. Up to \$5.2 million in State Transportation Improvement Program (STIP) funds are potentially available for projects in the San Joaquin region. Ms. Nguyen explained there is an additional mix of "other" funds in four different categories. Staff will be evaluating these other funding programs in concert with the STIP process. Staff believes that a comprehensive strategy at all funds will be needed to make a determination on how to utilize STIP. The total amount available is \$17.5 million. Ms. Nguyen discussed the comments received last month on the committees' priorities and various criteria for consideration. In the development of an initial programming approach, SJCOG staff looked at some guiding principles to help prioritize needs. SJCOG staff will develop and provide a formal programming recommendation for the STIP and other funds for the board next month.

In conclusion, staff is highlighting that \$17 million does not go far and there are more needs in the region than SJCOG has funds available. Ms. Nguyen then discussed various approaches to each of the funding programs available.

Boardmember Doug Kuehne commented on Lodi's State Route 99/Turner Road Interchange project and said Lodi's project was fully funded, however due to some changes to the project scope, it escalated in price. He commented on the interchange and a gateway sign on a roundabout. He recommended that this project get fully funded to eliminate the traffic from going around schools and into residential neighborhoods.

Boardmember Tom Patti asked if the state is covering the 70 percent shortfall on 99/120. Ms. Nguyen said the state's position is it would cover any portion of the \$9 million. She stated the majority of the project is state and federally-funded with funds apportioned through the SJCOG board. While the state and federal funding at the COG has made this project happen, Caltrans did partner and brought to the project State Highway Operation and Protection Program (SHOPP) funds. These funds, according to Caltrans, cannot be used toward the \$9 million shortfall due to lack of eligible items the SHOPP could cover.

Boardmember Patti asked about the fair share of state commitment to these types of projects and who pays for cost overruns. Ms. Nguyen said there is a 10 percent contingency that is part of the construction costs, so that is a consideration for overruns. However, any cost overruns are evaluated on a case by case basis.

Boardmember Patti asked if there is an opportunity to enter into a cost-share agreement with Caltrans to identify funding gaps for some of the other projects. Ms. Nguyen explained the state does not come forward with cost-share commitments. SJCOG partners with Caltrans to find state funding programs in which SJCOG can compete or secure funds to put on projects. Unfortunately, with state highway projects there is not an automatic cost-share calculation and commitment.

Boardmember Patti asked if there is a timeline for utilizing the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) funds and is there an opportunity for agencies to swap funds such as Measure K dollars. Ms. Nguyen said the CRRSAA funds need to be used within the next two to three years. Ms. Nguyen said there absolutely is an opportunity for fund swaps once the board approves any funding for a project. She said this region has a track record of interagency partnership and of rallying the troops to work out revenue neutral dollar-for-dollar swaps if an agency has difficulties moving on those funds. SJCOG have done millions of dollars of swaps, so that some agencies may be relieved of the burden of the federal process to take on different funds. It depends on whether there is an agency available to swap those funds.

Boardmember Nancy Young joined the meeting during this discussion item.

Boardmember Patti commented that it will be a benefit for the local agencies to be able to swap funds and have the flexibility to use the funds for their projects. Ms. Nguyen said absolutely, staff will help with anyone who is interested.

Boardmember Robert Rickman asked if Caltrans helps with the funding for highway projects. Dennis Agar from Caltrans explained the State Highway Operation and

Protection Program (SHOPP) funding that was mentioned earlier and said those funds are committed to fix-it-first projects. There is a statewide competitive program where Caltrans advocates and works with all the partners and does some of the funding share in those competitive programs. Caltrans commitment is to do its best to partner and find funding opportunities wherever it can.

Boardmember Rickman asked if the city of Tracy's projects are coming back for discussion. Ms. Nguyen said SJCOG staff is going to look at Tracy's request for their three project needs, in addition to city of Lodi's request. Staff will look at the Local Partnership Program, which has \$4.4 million available, to see how those dollars can cover those needs. Staff's intent is to provide a list of projects with dollar amounts for board consideration.

Boardmember Young reiterated and clarified there were three projects presented and Tracy is asking for consideration with 3-project total request of \$9.5 million. This was not a single project request.

Boardmember Gary Singh understands there are limited funds and is in favor of SR 99/120 being a priority.

This item was for discussion only.

B. *SJCOG — Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) Framework for Draft Plan Development*

Kim Anderson presented a PowerPoint to discuss the changes between the 2018 and the proposed 2022 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Ms. Anderson presented the strategies that will be added to the Regional Transportation Plan (RTP).

Boardmember Kuehne asked how much of an impact can SJCOG have on the items listed under Support Economic Vitality strategy. Ms. Anderson said there are strategies that SJCOG directly influences given their direct connection to transportation; however, for some strategies, SJCOG has an indirect influence. Ms. Anderson gave examples of actions SJCOG could take to support strategies without a direct transportation connection, such as economic development and workforce training.

Boardmember Dan Wright asked what is SJCOG's vision for investing in high-speed internet infrastructure, and is it "middle mile," "last mile," or both. Ms. Anderson said a combination of both. She added this is a new area for SJCOG, although the agency has always looked at technological advances for roadways to increase operation efficiencies.

Diane Nguyen added the middle mile is emphasized at SJCOG because it is in alignment with the funding opportunities that are available. Ms. Nguyen said she is working with Bob Gutierrez at San Joaquin Partnership, who is working with the economic development directors at the cities and the county to see what grant opportunities are available to fund the middle mile and leverage business economic development in the region. There are opportunities for funding broadband and SJCOG is beginning to explore that.

Boardmember Wright said the other connection is that a well-functioning broadband system has potential to decrease traffic as people take advantage of work-from-home opportunities and have less need to use their automobiles to commute to work.

Boardmember Rickman asked if any of the funding is earmark. Ms. Nguyen said only for the fiber readiness planning study, for the others, no.

Gary Giovanetti asked if this plan incorporates the various transportation options available through the San Joaquin Regional Transit District. Ms. Anderson reiterated some of the transit-related strategies that are already in the plan and said transit is a very important component of future planning.

Staff expects to bring back a preview of the project list and plan performance in January 2022 with a complete draft report and environmental impact report to be circulated in March 2022.

Boardmember Kuehne thanked SJCOG staff for all their hard work and for sharing the information with the subcommittees.

This item was for discussion only.

Item 5A was discussed out of order.

5. **Action Item:**

A. SJCOG — Teleconference Meeting During a Proclaimed State of Emergency

Diane Nguyen informed Chair Zuber that legal counsel is currently not on the zoom call, and she recommended to delay this discussion until legal counsel logs in to the meeting.

Rod Attebery later joined the meeting. He said this is the first meeting held since the passage of Assembly Bill 361, which is an extension of Gov. Gavin Newsom's executive order to provide a longer-term solution for teleconference meetings during states of emergency. The recommendation is to adopt R-22-17 to continue to meet using teleconferencing and allow for flexibility as long as there is a state of emergency.

Boardmember Wright asked about the requirement of renewing a resolution every 30 days.

Mr. Attebery stated that for the board to continue to meet it must adopt an initial resolution within 30 days of the first teleconference meeting, and then must adopt an extension resolution at least every 30 days thereafter. He noted, if a meeting is not going to be held within 30 days, the recommendation is to hold a special meeting to cover the next meeting that may occur.

Chair Zuber informed the board, since there is no November board meeting, there will be a special meeting scheduled to reconsider this item within the next 30 days.

It was moved/seconded (Patti/Wright) to approve Resolution R-22-17. Motion passed unanimously with roll call.

Mr. Attebery apologized for joining the meeting late and stated his associate Allison Felkins had been on the call as a backup.

7. **Information Items:**

- A. *SJCOG* — FY 22-23 Unmet Transit Needs Assessment Kickoff
- B. *SJCOG* — SJCOG Regional Housing and Legislative Updates
- C. *SJCOG* — Promoting Safe Bicycle Travel Opportunities for Bicycle Tourism and Economic Development

This item was for information only.

8. **Chair's Report:**

None.

9. **Council Members' Report:**

None.

10. **Ex Officio Council Members' Report:**

A. **Regional Transit District:**

Gary Giovanetti reported RTD's ridership continues to recover from the effects of the COVID-19 pandemic.

Mr. Giovanetti reported that the RTD Next Gen panel presented to RTD's executive team the proposed draft system redesign study concepts on Oct. 15. He said that on Nov. 1 there is a public hearing to receive comments and feedback from the system redesign study concepts. RTD Next Gen team appreciates the opportunity to present to the Technical Advisory Committee (TAC), Social Service Transportation Advisory Committee (SSTAC), and the Interagency Transit Committee (ITC) at their November meetings for comments on the Next Gen System Redesign Service Concepts. RTD encourages everyone to get involved for updates at www.rtdnextgen.com.

Mr. Giovanetti announced that on Oct. 6, 2021, RTD offered free rides on all their bus routes for California Clean Air Day.

Mr. Giovanetti announced RTD received recognitions from AT&T and Government Technology Magazine: 2021 District of the Year and Leadership Award for Embracing and Embedding Innovation and Technology, while adapting to a year of radical changes. In addition to leading RTD to receive the District of the Year award, CEO Gloria G. Salazar was also recognized with a separate award for leadership. RTD will be recognized at the 2021 Recognition Summit on Nov. 3, 2021.

B. **Caltrans District 10:**

District Director Dennis Agar said, of SJCOG's high-speed internet and broadband efforts, District 10 is starting its own effort in coordination with the California Department of Technology and California Public Utilities Commission. District 10 received some funding for the counties of Amador, Mariposa and Alpine, and is looking at middle mile infrastructure improvements to expand broadband in those areas. He said Caltrans is willing to coordinate with its other partners in San Joaquin County to propose areas that

make sense. For more information, contact Broadband Coordinator Dina El Nakhal at (209) 351-4432, email Dina.el.nakhal@dot.ca.gov.

Mr. Agar said District 10 has ten Clean California and Beautify California projects slated within the eight county jurisdictions and three projects are in San Joaquin County. He looks forward to partnering with Stockton and others in the community. District 10 is looking to partner with any local jurisdiction or the county that are interested in volunteering for Free Dump Days. For more information, contact Sam Sherman, acting District 10 Clean California Coordinator, at 948-7889 email Sam.sherman@dot.ca.gov.

Mr. Agar reported on Adopt-A-Highway Program efforts and said volunteers can receive \$250 per every two miles that is adopted.

Mr. Agar announced Caltrans litter pick up efforts are the second and fourth Saturdays of the month and Caltrans provides the training and equipment for those who are interested.

Caltrans' Marlon Regisford announced District 10 is having a Clean California Local Grant program workshop at 10 a.m. to noon Nov. 18, 2021. Mr. Regisford provided the URL for the Clean California website (<https://cleancalifornia.dot.ca.gov/>).

Mr. Regisford announced there is a Federal Transit Administration Grant Opportunity that District 10 is partnering with Caltrans Headquarters on for a group effort application for FTA 5339 and grants program. This will allow for funding for public transportation. The deadline is Nov. 16. Contact him for more information.

Mr. Regisford announced Caltrans completed the Interregional Strategic Plan, a five-year improvement plan for highways and rail to prioritize and develop transportation projects. He said those interested in more information should visit the Caltrans website.

Mr. Regisford emphasized District 10 appreciation of the coordination with SJCOG in the early development of the Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), as well as the Overall Work Program (OWP).

Mr. Regisford announced the freeway closure for State Route 99/Victor Road in Lodi for 11 p.m. to 5 a.m., beginning Oct 29.

Mr. Regisford said the State Route 12/Victor Road on-ramp to SR 99 in Lodi will be closed until Jan 3. Closure for Lockeford Street and Victor Road overcrossing in Lodi until Dec 10.

Mr. Regisford said an overnight closure of westbound State Route 4 Crosstown Freeway from Center Street to Fresno Avenue will end Oct 29.

Mr. Regisford said an overnight closure for State Route 120 channelizer installation for the 120 Manteca Bypass from Main Street to Route 99 from should be completed today (Oct. 28).

Mr. Regisford announced closure of the State Route 120 bike path adjacent to SR 120 between I-5 in Manteca Nov 1-12.

Mr. Agar said the State Route 120 channelizer installation was planned this week, however, due to the rain it will begin Monday, Nov 1.

C. Port of Stockton:

None.

11. Executive Director's Report:

A. Megaregion Working Group Press Release

Diane Nguyen presented the Megaregion Working Group Press Release and thanked Boardmember Rickman for his leadership of the working group this year, as well as Boardmembers Zuber, Singh, Young and Kuehne for representing SJCOG. The Megaregion Dozen is the first ever megaregion scale collaboration on a list of projects.

Ms. Nguyen announced Port of Stockton ribbon cutting ceremony for Fyffe Avenue Grade Separation. This is the first delivered Construction Trade Corridor Enhancement program competitive project.

Ms. Nguyen announced a major milestone for EZHub in that it is the first collaboration of multiple California transit agencies on a single mobile ticketing app. The EZHub effort is led by SJCOG in concert with all the transit agencies in San Joaquin County, including the rail transit agency. The intention is for EZHub to go beyond the county. Ms. Nguyen said she was pleased to report that SJCOG staff worked with the staff and leadership of all the transit agencies in Stanislaus County and they are signing on to use EZHub. Once it is set up, any ticket can be purchased for bus transit in Stanislaus County.

Ms. Nguyen announced SJCOG is involved in another Megaregion effort with Sacramento (SACOG) and Metropolitan Transportation Commission (MTC). This week they submitted a \$500,000 grant application for a Northern CA Megaregion Zero Emission Vehicle (ZEV) Medium/Heavy Duty Vehicle Blueprint.

Ms. Nguyen said SJCOG and San Joaquin Partnership are collaborating with the Port of Stockton on a \$500,000 grant for planning work for capital railroad upgrades as part of the Build Back Better grant opportunity.

Ms. Nguyen reported a \$1 million grant was received for the California Inland Port effort, a statewide effort led by Fresno Council of Governments, in collaboration with all the COGs in the valley, and key stakeholders. Ms. Nguyen reported on the meeting she had with the group, along with San Joaquin Partnership, Business Industry Council representative, and Stockton Metropolitan Airport representative in launching the study.

Ms. Nguyen said a Doodle poll will be sent to the SJCOG Board regarding a virtual November board meeting to adopt the AB 361 resolution.

12. Adjournment:

The meeting was adjourned at 6 p.m. to Thursday, Dec. 9, 2021 at 4 p.m.