Jun 27, 2022

Fresno Council of Governments Policy Board
2035 Tulare Street Suite 201
Fresno, CA 93721

Fresno County Transportation Authority Board
2220 Tulare Street, Suite 2101
Fresno, California 93721

Sent via email

RE: Measure C Renewal Draft Expenditure Plan, Draft Implementation Guidelines, and Draft Allocation Comments

Dear Fresno County Transportation Authority Board and Fresno Council of Governments Policy Board:

Thank you for the opportunity to make comments on the Measure C Renewal Draft Expenditure Plan, Draft Implementation Guidelines, and Draft Allocations (collectively Renewal Plan). The undersigned organizations work directly with communities and diverse constituencies throughout Fresno County. We respectfully urge the Fresno County Transportation Authority Board and the Fresno County Council of Government to direct staff to immediately stop efforts to place the renewal of Measure C on the 2022

ballot, hire a neutral facilitator, and work with the public to establish a community-driven process that will result in a Measure C renewal plan we can all be proud of for the November 2024 ballot.

Since January 2020, we have consistently raised concerns regarding the staff-led process to renew Measure C, a process devoid of transparency, meaningful community input, and respect for Fresno County taxpayers. This arbitrary rush to the ballot - all while Fresno County residents confront a global pandemic, growing climate crisis, housing instability, and increasing cost of living - has resulted in a renewal plan that fails to adequately assess the transportation needs and opportunities in each city and unincorporated community, address the magnitude of the climate crisis and worsening air quality, and squanders an opportunity to further equity and economic opportunity. Rushing to the ballot will tie the hands of future generations until 2057 at the cost of $6.84 billion. We can and must do better.

We offer the following comments based on our collective experience working with and alongside Fresno County communities regarding transportation and land use planning, and investment for decades.

I. Failure to Engage Fresno County Residents in Renewal Plan Efforts

Efforts to renew Measure C have largely excluded Fresno County residents. First, the staff identified and recruited members for the Measure C Renewal Executive Committee and Technical Working Group based on staff identified desirable characteristics and without a public process. These actions rendered the process inherently inequitable from the start. Second, despite repeated requests from community based organizations and community leaders for a more inclusive and transparent process to develop a renewal plan, staff and consultants refused to engage the public in meaningful ways. Third, staff and consultants held public meetings on the renewal of Measure C on *only* two occasions since January 2020, once in October of 2021 and once in April of 2022. In October 2021 there was one in-person and one virtual meeting, and in April of this year there were three simultaneous meetings (Reedley, Kerman, Clovis) and one virtual meeting. The public was not given an opportunity to shape the funding categories, allocation percentages, or the implementing guidelines. As of June 26, 2022, no widely advertised public meeting has been held to allow the public to review and provide feedback to the draft renewal plan documents. In fact, at the Technical Working Group meeting held on June 15, 2002 staff reported that the final draft may be provided to the Fresno COG Policy Board on June 30, the day the Board is scheduled to vote on the renewal plan giving neither the local agencies constituting the COG Policy Board nor the public an opportunity to review the final plan. This poor public process notwithstanding, each local agency representing both a majority of the cities in the county and a majority of the population residing in unincorporated areas of the county has yet to approve the renewal plan as required by the FCTA's

enabling legislation. Finally, draft renewal plan documents have only been posted in English, thereby leaving hundreds of thousands of Fresno County taxpayers unable to review and provide meaningful feedback. Taken together, these actions undermine public trust in the very public agencies legally and ethically responsible for providing public services.

II. Goals, Objectives, and Guiding Principles

The goals, objectives, and guiding principles identified in the Measure C expenditure plan are inconsistent with the overall renewal plan. It is unclear how the goals and objectives are actually operationalized in the funding allocations and in the draft implementing guidelines. As one example, despite being mentioned repeatedly, equity is not defined in any of the renewal plan draft documents.

III. Proposed Funding Allocations and Implementing Guidelines Fail to Account for the Magnitude of Transportation Needs in Fresno County

The proposed funding allocations are arbitrary and based on an incomplete analysis of needs and opportunities in Fresno County. We have urged staff and consultants to look beyond the Regional Transportation Plan constrained and unconstrained project lists; authentically engage community residents beyond surveys and polls; assess the implications of fast-changing state and federal policy and investments frameworks, including policy and investment practices to better align with equity and state climate goals; assess local climate impacts; analyze travel patterns and needs for transit-dependent populations; assess how Measure C could provide high road economic development and high-quality local jobs; and evaluate interconnected land use, housing, and jobs to ensure healthy neighborhoods and a people centered measure. Our suggestions were either ignored or rejected. An incomplete analysis without community input inherently renders an arbitrary funding allocation framework that fails to meet the needs of today and those of future generations.

A. Local and Neighborhood Street Repair and Maintenance:

The Local and Neighborhood Street Repair and Maintenance Program contains the largest allocation at 51% of the anticipated $6.84 billion measure. While there is great need for road and street repair in existing communities, especially historically neglected neighborhoods and communities, this program does not guarantee taxpayer dollars will support established neighborhoods (as opposed to facilitate sprawl), and it does not adequately prioritize neglected communities in the greatest need of investment, and does not allow for much needed investment in pedestrian and bike infrastructure. While there is a proposed disadvantaged community set aside in this category, the set aside amount and structure fail to

adequately target resources to communities most in need. First of all, the proposed paltry 30% set aside is insufficient to address and remediate long term underinvestment in communities throughout the region. The proposed disadvantaged community definition includes the top 25% census tracts per CalEnviroScreen and census tracts below 80% of the state median income which represents far more than 30% of neighborhoods and neighborhood roads. This means that significantly more than 30% of roads and neighborhoods - and those roads and neighborhoods most in need of investment - will be splitting that set aside. Moreover, local governments will no longer to set aside those funds when average road conditions in disadvantaged communities are inferior to the goal of the renewal plan for road conditions overall (65 as compared to 70). Finally,, the renewal plan prohibits agencies from funding sidewalk, curb and gutter, streetlights, and landscaping with this allocation. This prohibition runs counter to priorities we consistently hear from residents throughout the county and counter to state and federal climate, housing, and air quality goals.

B. **Local Control:**

The appropriation of eighteen percent for the Local Control Program would allocate approximately $1.2 billion dollars across jurisdictions. As written in the draft renewal plan, this program, as do the most of the other programs, lacks accountability, transparency, and a public process to ensure jurisdictions prioritize projects through an equity lens. For decades, our County and cities have facilitated unsustainable growth and sprawl development that do not benefit most of our neighborhoods. If left as written, this program will simply provide a "slush fund" for decision makers without any accountability while maintaining status quo development and investment patterns outside of our existing neighborhoods.

C. **Urban and Rural Public Transit**

The twelve percent allocation for the Urban and Rural Public Transit Program is a fifty percent reduction from what is in the current Measure C. Staff's decision to drastically reduce this program is a significant step backwards as the state, federal government, and communities throughout the county and region seek to invest in transportation options that address climate change and poor air quality, and further equitable access to resources and opportunities. Public transit is not only a lifeline for over half of the County's population who do not own a car, cannot afford a car, or are unable to drive, but it should also be a realistic option for residents to get to where they need to go so that we can reduce our reliance on single occupancy vehicles and reduce greenhouse gas emissions and pollution. Given the state of the climate crisis, we should double down on investments for alternative modes of transportation like public transit and active travel within and between Fresno County cities and communities. We should seek every

opportunity to invest in zero emission infrastructure to ensure safe, reliable, affordable, and accessible transportation for all Fresno County residents.

D. **Safe Bikes and Pedestrians**

The Safe Bikes and Pedestrians Program is drastically reduced from a five percent allocation in the 2006 Measure C to just one percent in the 2022 draft renewal plan. This significant reduction will reduce annual allocations for the entire county to approximately $2.5 million per year. As currently drafted, cities and the county cannot even supplement this scant allocation through the local and neighborhood streets program due to the prohibition on using such funds for pedestrian safety. Over the past few years, we continue to experience the tragic and preventable deaths of children, adults, and seniors walking and biking on our local roads. This comes to no surprise as the Fresno metro areas ranks as the 21st most unsafe metropolitan areas for pedestrians in the nation.[1] Funding for safe bike lanes, trails, safe routes to school, crosswalks, infrastructure for people with disabilities, and pedestrian safety generally has been a long held priority for residents and the proposed percentage allocation fails to adequately fund the need and address community priorities.

E. **Major Roads and Highways, Safety Improvement and Congestion Relief**

The Major Roads and Highways, Safety Improvement and Congestion Relief Program makes up fifteen percent of the approximate $6.84 billion and would continue to perpetuate sprawl. The Tier 1 and Tier 2 projects were identified and prioritized by staff without the benefit of public scrutiny or assessment of how each project advances equity, responds to dire climate impacts and poor air quality, or why taxpayers must pay for them instead of residential, commercial, and industrial developers.

F. **Environmental Sustainability**

Just two percent of the total allocation is proposed for the environmental sustainability funding program despite the severe impacts of climate change and poor air quality in the region. Additionally, renewal plan documents fail to disclose how staff arrived at the proposed percentage allocations for each eligible program within this category or why FCTA is granted discretionary authority to revise allocations for each eligible program in this category.

G. **Administration**

[1] https://smartgrowthamerica.org/dangerous-by-design/#custom-tab-0-dfb73992c4f3855cd9d2b90982a7cc97

The administration funding category is to receive 1.25% of the total funding. Despite an allocation of $86 million over 30 years and significant discretion to FCTA for Measure C implementation, the draft renewal plan fails to include accountability or public participation requirements to ensure Measure C is implemented according to taxpayer priorities.

IV. Overarching Concerns with Renewal Plan: Accountability, Public Participation, Job Creation

The proposed renewal plan fails to include necessary performance and evaluation metrics or data collection requirements to assess Measure C investments. In fact, the draft renewal plan states that if approved by voters, FCTA *may* seek the assistance of a program management firm or additional staff to develop and monitor performance measures. As currently proposed, the draft renewal plan fails to include clear, measurable, and time bound metrics necessary to evaluate Measure C's performance.

The draft renewal plan also fails to include and / or describe any public process requirements for biennial strategic plan implementation updates, FCTA or FCOG initiated amendments, and local agency capital improvement plans or resolutions adopting project priorities. The renewal plan also states that the expenditure plan will be reviewed through a public process at the fifteen year mark yet fails to describe how the public will be engaged.

Despite stating that the renewal will include an enhanced oversight committee the details indicate otherwise. The renewal plan fails to describe how the citizens oversight committee will actually have decision making authority. The plan states the committee will formally meet once per year and its work would solely be advisory. Even more problematic is the U.S. Citizenship eligibility requirement for appointment to the committee. We remind FCTA and FCOG that all Fresno County residents pay taxes regardless of legal status.

Finally, despite being an important priority for Fresno County residents, the renewal plan fails to include any job creation requirements such as local hire, workforce development and training, family sustaining wage jobs, and other community benefits.

V. Community Vision for and Equitable Measure C

The draft renewal plan fails to respond to community priorities and renewal plan process failed to meaningfully engage community residents despite several repeated requests to do so. As such, we urge the Fresno COG Policy Board and FCTA Authority Board to pause efforts to place the renewal of Measure C on the ballot this year, and to instead direct staff to work with the public to establish a

transparent and inclusive process to develop a truly equitable Measure C that responds to the current and future needs of Fresno County.

Fresno County residents deserve a measure that connects people to opportunity, meaningfully invests in and prioritizes historically neglected neighborhoods and communities, invests unprecedented amounts in confronting climate change and poor air quality, includes performance and accountability metrics, embeds public participation and equitable governance from beginning to end, aligns policy and investment with state climate and equity goals, prohibits taxpayer funds for sprawl, increases the regional transportation mitigation fee for new residential, commercial and industrial development, requires local job creation and workforce development, and allows Fresno County residents to truly participate in how locally generated funds are spent.

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Thank you for your consideration of our comments. We look forward to working together to establish a community driven process to develop a renewal plan for Measure C that we can all be proud of. Please contact us directly with any questions or concerns.

Sincerely,

Catholic Diocese of Fresno

Central California Asthma Collaborative

Central California Justice Network

Central Valley Air Quality Coalition

Council on American-Islamic Relations California

Familias en Accion

Faith in the Valley

Friends of Calwa

Fresno Building Healthy Communities

Fresno Homeless Union

Fresno Tenants Union

Golden Westside Planning Committee

Leadership Counsel for Justice and Accountability

League of Women Voters

St. Paul Catholic Newman Center

We Are Not Invisible

Youth Leadership Institute