



Board Agenda Item 47

DATE: September 23, 2025

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Agreement with Fresno County Transportation Authority for Pedestrian/Bike Improvements on Chestnut from Shields to Clinton Avenues

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to sign a Conflict Waiver for County Counsel to represent the County, including but not limited to the Department of Public Works and Planning (PWP), and the Fresno County Transportation Authority (FCTA) in reviewing Agreement with the FCTA to Establish Program and Funding Requirements for Measure C Transit Oriented Development (TOD) Cycle XIII for Pedestrian/Bike Improvements on Chestnut from Shields to Clinton Avenues Project (\$236,957).**
- 2. Adopt and authorize the Chairman to execute an Agreement with the FCTA to Establish Program Eligibility and Funding Requirements for Measure C TOD Cycle XIII for Pedestrian/Bike Improvements on Chestnut from Shields to Clinton Avenues Project (\$236,957).**

Approval of the first recommended action would allow two different Deputy County Counsel attorneys to represent the County (PWP), and the FCTA in this matter. Approval of the second recommended action will allow PWP to fund the Design and Right-of-Way for the project. This item pertains to District 3.

ALTERNATIVE ACTION(S):

If your Board does not approve the first recommended action, the County and FCTA would need to seek legal services elsewhere. If the second recommended action is not approved, PWP will withdraw the TOD program grant and agreement. If that should be the case, the County's proposed Pedestrian/Bike Improvements on Chestnut from Shields to Clinton Avenues will no longer receive TOD funding.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The design and right-of-way for the Pedestrian and Bike Improvements on Chestnut from Shields to Clinton Avenues is estimated to cost \$236,957, which will be covered through the TOD grant with no local match required. Once the project design is complete, PWP will seek other funding sources to construct the project, which is estimated to cost \$1,238,163. Sufficient revenues and expenditures are included in the Department of Public Works and Planning - Roads Org 4510 FY 2025-26 Adopted Budget.

DISCUSSION:

The TOD program was created by the 2006 Measure C Extension Plan. TOD projects support community-based transit projects that are developed through an inclusive planning process with broad

private-public partnerships and outreach. TOD projects also improve the range of transportation choices by supporting transit facilities and improving links between facilities and activity nodes. Additionally, TOD projects support well-designed, high-density housing and mixed uses near transit.

In addition to encouraging transit supportive land use surrounding the high-capacity transit corridors to boost transit ridership in the Fresno County region, the Measure C TOD program also strives to support livable, viable and sustainable transit oriented healthy communities that promote walking, biking, and the use of public transit and reduce private vehicle dependence. Such TOD communities promote health and well-being and reduce risks for chronic diseases such as obesity, diabetes, and heart disease. The projects funded by the TOD program serve as models that reduce vehicle trips, improve air quality and provide access to physical activity opportunities through integrated land use and transportation planning.

The TOD program will generate \$16.9 million during the 20-year lifespan of the Measure C program based on the estimation in December 2012. It is estimated that the TOD program is accruing about \$850,000 annually. There was \$1,520,000 available in the program for the 13th funding cycle. On April 22, 2025, your Board retroactively authorized the submittal of the TOD Program application. PWP applied for full project funding, however only the Design and Right-of-Way phases were awarded.

This half-mile stretch of Chestnut Avenue has almost no sidewalks, no bike lanes, but it has six transit stops. Some of the transit stops are on lawns or medians, forcing riders to stand on grass or in an unsafe place next to high-speed traffic, forcing pedestrians and bicyclists into unsafe situations, a condition that does not exist in the City-maintained parts of the street north and south of the project area. The project would aim to improve safety for transit riders, pedestrians, and bicyclists who may pass through the area to get to or from school, work, or nearby businesses.

The proposed project would build sidewalks and bike lanes on a half-mile County-maintained section of the street that has none, but which is adjacent to City-maintained segments which have both. Therefore, this project would fill a gap in safety infrastructure. There are also six transit stops within this stretch, some of which are in unsafe locations and must be made ADA compliant. PWP will coordinate with Fresno Area Express (FAX) on this project. The project will complement the planned 40/41 split project by FAX that will improve bus stops along Chestnut Avenue.

In regard to the first recommended action, Deputy County Counsel attorneys who represent PWP and the FCTA all work in the Office of County Counsel and have been asked to represent PWP and the FCTA in this matter. County Counsel already provides legal representation to PWP and the FCTA Board, and there is at least a potential conflict in reviewing the agreement which both entities will execute. Therefore, in the interests of full disclosure, this request for a written waiver of conflict is made.

OTHER REVIEWING AGENCIES:

The FCTA approved funding the project at their June 18, 2025 Board meeting, and FCTA staff subsequently prepared the Agreement. Once the Agreement is approved by your Board, it will go before the FCTA Board for approval at their October 15, 2025 meeting.

REFERENCE MATERIAL:

BAI #43, April 22, 2025

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Conflict Waiver
On file with Clerk - Agreement with FTCA

CAO ANALYST:

Maria Valencia