



# Sustainable Goods Movement Committee (SGMC) Meeting

Tulare County Association of Governments  
210 N. Church St., Suite B  
Visalia, CA 93291  
Sequoia Room  
Tuesday, June 11, 2024, 11:00AM

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, including auxiliary aids, translation requests, or other accommodations, or to be able to access this agenda and documents in the agenda packet, please contact the TCAG office at 559-623-0450 at least 3 days prior to the meeting. The full agenda including supporting materials is available at the TCAG office.

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## AGENDA ITEMS

1. Welcome & Introductions
2. Public Comments  
*This portion of the meeting is reserved for person wishing to address the TCAG SGMC Advisory Committee on items within its purview but not on this agenda. Unscheduled comments are limited to 3 minutes. Note: Prior to the action by the Committee on any item on this agenda, the public may comment on that item.*
3. Action: Ratify Sustainable Goods Movement Committee Bylaws
4. Action: Approval of March 12, 2024, Meeting Minutes
5. Update on Caltrans Comprehensive Multimodal Corridor Plan for State Route 99 (CMCP)
6. TCAG Sustainable Multi-modal Goods Movement Study – Draft Scope
7. Economic Development Update
8. SGMC Member Q/A Discussion

9. Next Meeting- Tuesday, September 10<sup>th</sup> at 11:00am

10. Adjourn

### **TCAG SGMC Membership**

**Mayor Brian Pochigian** – City of Visalia (Chair)

**Marc Mondell, City Manager** – City of Tulare

**Jason Ridenour, Assistant City Manager** – City of Porterville

**Airica de Oliveira** – Tulare County EDC

**Devon Jones** – Economic Development Manager, City of Visalia (Vice Chair)

**Lisa Wallis-Dutra, 4-Creeks** - City of Dinuba

**Michael Washam**, Associate Director RMA - County of Tulare

**Pedro Ramirez** – Caltrans District 6

**Derek Winning** – TCAG

**Giancarlo Bruno**- TCAG

# Bylaws

## *Sustainable Goods Movement Committee*

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## **ARTICLE I – NAME AND AUTHORITY**

### **Section 1. Name**

The Name of this organization shall be the Sustainable Goods Movement Committee of the Tulare County Association of Governments; hereinafter referred to as the SGMC.

### **Section 2. Authority**

The SGMC is established under the authority of the Tulare County Association of Governments (TCAG) to aid in the conduct of TCAG work programs within the policy direction of the Governing Board. The body's membership, constitution, duties, and other aspects may be amended, or the body dissolved, by majority action of the Governing Board at any time.

The SGMC was established by TCAG Governing Board Resolution No. \_\_\_\_\_ on September 18, 2023 and these Bylaws have been, and will be, periodically updated in accordance with policy direction of the Board with respect to the body.

## **ARTICLE II – PURPOSE**

The SGMC is a body of goods movement and economic development experts created to advise the TCAG Board on any and all issues related to freight/logistics, multi-modal freight, clean freight, managed lanes on SR 99, SB743 mitigation, and economic development as it relates to transportation investments. The Sustainable Goods Movement Committee is advisory in nature and will not select or prioritize transportation projects which is the purview of the TCAG Board itself.

## **ARTICLE III – DUTIES AND RESPONSIBILITIES**

The SGMC shall have the ability, as vested by TCAG, and be required:

- A. To make recommendations and/or take action to assist TCAG in achieving its stated goals pertaining to goods movement and economic development related to transportation investments.
- B. Advise and provide expertise to enhance the legitimacy of TCAG Good Movement Plans and Programs.
- C. Participate in the TCAG Multi-modal Sustainable Goods Movement Study FY 2023/24
- D. Study and advise on best practices related to the transition to clean freight.
- E. Study and advise on best practices related to multi-modal goods movement.
- F. Study and advise on inland port concept benefits and impacts to the region.



## **ARTICLE IV – MEMBERSHIP**

### **Section 1. Membership**

The SGMC shall consist of representatives of Caltrans, TCAG Staff, and stakeholders from the county and member cities as listed in the TCAG Governing Board resolution establishing the SGMC, or such other number of persons as directed by the TCAG Governing Board, hereinafter referred to as Members.

### **Section 2. Qualifications and Appointment**

Members of the SGMC shall be appointed by a majority of the TCAG Governing Board. Applicants must be at least 18 years of age at time of appointment. By applying for appointment to the SGMC, Members pledge to meet the minimum attendance requirement.

### **Section 3. Absences**

Members shall make a good faith attempt to notify the Chair and Secretary in advance of an anticipated absence from any meeting.

Each Member is allowed no more than 2 absences from regular meetings per calendar year.

Should a Member exceed these allowed absences, staff shall notify the TCAG Executive Director, who shall refer the matter to the Chair of the Governing Board.

If, in the opinion of the Chair of the Board the Member's excessive absences warrant consideration of action by the entire TCAG Board, the Chair shall direct TCAG staff to schedule an agenda item allowing TCAG to consider in open session the continued service of the Member. In the alternative, the Board, in open session, may grant a Member a defined leave of absence without regard to this Section's attendance requirements.

### **Section 4. Termination**

In addition to provisions for termination due to excessive absences as described above, TCAG may remove any Member of the SGMC prior to the expiration of the Member's term of office, with or without cause, provided that the TCAG Governing Board is convened in an open session and the removal is approved by majority vote.

### **Section 5. Resignation**

Any Member wishing to resign their membership with the SGMC prior to the scheduled end of their term shall do so by delivering written notice to the TCAG Executive Director. If the notice of resignation does not set forth a resignation date, the resignation will be deemed effective as of the date the notice is received by the Executive Director or Executive Director 's designee.

## **Section 6. Public Cooperation**

The SGMC may work with member(s) of the public in pursuit of the SGMC purpose and duties, however no member of the public shall be officially recognized as an ex-officio member or at-large member, or otherwise engaged in any way so as to render the member of the public subject to the provisions of the Brown Act, unless directed by the Governing Board.

## **ARTICLE V – TERM OF OFFICE**

### **Section 1. Term**

The term of office for each appointee to the SGMC shall be two (2) years. Terms are staggered to encourage a mix of policy continuity and history while allowing time for new Members, with new and different points of view, to be integrated into the activities of the SGMC.

New and re-appointed Members commence their terms on January 1st annually; mid-term appointments to fill unanticipated vacancies begin the day the appointment is made by the TCAG Board and expire at the term's scheduled end date. Members are eligible for reappointment. No term limits apply to the SGMC.

### **Section 2. Membership Year**

A membership year shall commence on January 1st and end on the last day of December the following year. Unless otherwise directed by the Governing Board, each full appointment spans two consecutive membership years.

### **Section 3. Multiple Service**

As a general policy, an applicant shall have the ability to be appointed to more than one committee. However, if the rules or bylaws of another TCAG standing or ad hoc committee preclude multiple service, this section shall not supersede said rules or bylaws.

## **ARTICLE VI – OFFICERS AND ELECTIONS**

### **Section 1. Officers**

Elected officers of the SGMC shall consist of one Chair and one Vice-Chair.

Appointed officers shall consist of a Secretary, which duties shall be performed by a staff member appointed by the TCAG Executive Director or designee.

### **Section 2. Annual Election of Officers**

At the commencement of the first SGMC meeting held on or after January 1 of every year, there shall be elected from among the membership of the SGMC one Chair and one Vice-Chair. A majority of the SGMC may determine to postpone the formal election of officers until a subsequent meeting if deemed necessary or desirable.

In the event a vacancy exists in the office of Chair at the commencement of new terms, the Vice-Chair shall serve as Acting Chair until officers have been elected.

In the event a vacancy exists in both offices of Chair and Vice-Chair at the commencement of new terms, present members shall elect an Acting Chair to serve until officers have been elected.

### **Section 3. Term of Office**

A full term of office for the Chair and Vice-Chair shall be for a period of approximately one (1) year, service to end upon election of new officers, removal from office, or termination of membership.

### **Section 4. Nominations & Voting**

The Chair or Acting Chair will open the floor to nominations for the office of Chair. Any Member may nominate any one other Member for the office; the nomination must be seconded.

Upon seconding of the nomination, the Member who has been nominated shall be given the opportunity to decline the nomination. If the Member does not decline, their nomination stands.

The Chair or Acting Chair shall then invite the Meeting Clerk to take a roll call vote upon the nomination. If the nomination passes by at least a simple majority, the nominee is thereby elected to fill the office of Chair, effective upon the next order of business. If the nomination does not pass by majority vote, another nomination shall be made, and another vote taken, as above, until a Chair is elected.

The same procedure is then repeated for the election of Vice-Chair.

### **Section 5. Vacancy of an Office**

Should a mid-term vacancy occur, for any reason, in the office of Chair or Vice-Chair, a special election shall be held to fill the vacant office from among the remaining membership at the commencement of the next meeting. The elected Member shall serve until the next annual election.

In any event of vacancy, absence, or incapacity of the Chair, the Vice-Chair shall serve as Acting Chair until the Chair resumes office or a new Chair is elected.

In any event of vacancy, absence, or incapacity of the Chair and Vice-Chair, present members shall elect an Acting Chair to serve until the Chair and/or Vice-Chair resume office or until a new Chair and Vice-Chair are elected.

### **Section 6. Removal of Elected Officers**

The Chair or Vice-Chair may be removed from office by a majority vote of the SGMC on the grounds of excessive absence. In the event an officer has been absent without notice from three consecutive meetings, action may be taken at or following the third meeting to remove the officer on the grounds of excessive absence.

If an officer is removed in absentia, the SGMC Secretary shall deliver written notice to the Member of their removal as soon thereafter as feasible.

Any officer removed ceases to hold the office once the vote has been tallied and announced. If the Chair is removed, the Vice-Chair shall become the Acting Chair until such time that a special election can be held in accordance with Section 5. above.

### **Section 7. Duties of the Chair**

The Chair shall preside at all meetings. Points of order and meeting conduct shall be settled by the Chair, unless overruled by a majority vote of the SGMC, in compliance with the Brown Act and these Bylaws. Points of Order not addressed by the foregoing will be decided in accordance with Robert's Rules of Order where applicable. Staff will assist the Chair with this compliance where appropriate. The Chair acts as primary contact for staff for certain matters not requiring action by a majority of the body, and shall represent the SGMC before TCAG Governing Board whenever deemed necessary or desirable by the SGMC or Board.

### **Section 8. Duties of the Vice-Chair**

The Vice-Chair shall assume all duties of the Chair in the event of vacancy, absence, incapacity of the Chair.

### **Section 9. Duties of the Acting Chair**

The Acting Chair shall assume all duties of the Chair in the event of vacancy, absence, incapacity of the Chair and Vice-Chair.

### **Section 10. Duties of the Secretary**

The duties of the Secretary, whose responsibilities are defined further herein, include legislative recordkeeping, helping to assure Brown Act compliance in cooperation with the TCAG Executive Director and TCAG Counsel, preparation of meeting minutes, and may be inclusive of Meeting Clerk duties.

The staff member appointed to record minutes of any given meeting of the SGMC shall be referred to herein as the "Meeting Clerk."

## **ARTICLE VII – STAFF SUPPORT**

### **Section 1. Staff Duties**

The TCAG Executive Director shall designate appropriate staff to act as staff liaisons to assist and support the SGMC in the fulfillment of its duties and responsibilities.

Staff shall be responsible for creation and/or provision of such reports, studies, and technical recommendations as are necessary to assist the SGMC in the conduct of its business, shall publish meeting agendas and shall sign, post, publish, and circulate any required public notices associated therewith. Staff shall attend all regular and special SGMC meetings, assist the Chair with administration of the meeting, and record the minutes of the meetings.

Staff shall work closely with the Chair or other individual Members between meetings as needed to advance matters not requiring action of the entire body, and may represent the SGMC at other meetings, presentations, and other public functions as requested.

Staff shall be responsible for the maintenance of proper records and files pertaining to SGMC business in accordance with Article XIII. Staff shall receive and enter into the record all public comment, petitions, or other documents presented to the SGMC in support of, or in opposition to, any question before the SGMC, and make the records available to the public upon request except where exempt by law.

The Secretary of the SGMC shall act as a designee of the TCAG Executive Director with respect to attestation of all documents evidencing legislative actions of the SGMC, and shall carefully curate the same. The Secretary shall be responsible for working with the TCAG Executive Director or, as needed, TCAG Counsel to assure administration of the SGMCs business in accordance with the Brown Act.

### **Section 2. Staff Relationship to the SGMC**

Staff support and assistance is provided to the SGMC in pursuit of the achievement of Council Goals and completion of other approved work plan items. Staff members work closely with advisory bodies, however advisory bodies do not exercise supervisory authority, are not employees, and are outside staff chains of command. Staff members remain responsible to their immediate supervisors and ultimately to the TCAG Executive Director and TCAG Governing Board, while SGMC Members are responsible directly to the Governing Board.

In order that Members may be fully prepared to engage in productive discussion and take action when in open session, individual Members are encouraged to maintain a rapport with staff outside of meetings and ask clarifying questions regarding report materials and general matters within the body's purview prior to meetings.

However, individual Members shall not make separate work product requests of staff without discussion and approval of the SGMC in open session, and shall not request that staff undertake work outside Council's policy direction for the body.

## **ARTICLE VIII – MEETINGS**

### **Section 1. Time and Location of Meetings**

By adoption of these Bylaws as policy, the TCAG Governing Board has thereby set the regular meeting schedule for the SGMC as follows:

The first Thursday of every month, at 4:00 p.m.

Regular quarterly meeting months shall be January, April, July, and October.

Unless otherwise noticed, the SGMC shall generally be expected to hold its meetings in the Sequoia Conference Room, TCAG Offices, 210 N. Church Street, Suite B, Visalia CA 93291.

If the scheduled date for a regular meeting falls on a holiday, the meeting shall be held as soon thereafter as possible, or canceled as described below.

### **Section 2. Cancellation**

A meeting may be canceled if the agenda lacks business of immediate concern, unless a public hearing has previously been noticed for the meeting date.

Meetings of the SGMC may be cancelled by a majority of the SGMC, by staff in consultation with the Chair, or by staff with notification to the Chair, when there is no business of immediate concern to agendaize. Staff shall make a good-faith attempt to gain majority consensus where feasible before cancelling a meeting, and shall at a minimum issue notification to all members immediately upon determining to cancel a meeting.

### **Section 3. Special Meetings**

Special Meetings of the SGMC may be called by a majority of the SGMC, by the Chair of the SGMC, by staff in consultation with the Chair, or by staff with notification to the Chair when advance consultation is infeasible. Staff and/or the Chair shall make a good-faith attempt to gain majority consensus where feasible before calling a Special Meeting, and shall at a minimum issue notification to all members immediately upon determining to call a Special Meeting.

There shall be no limit to the number of Special Meetings that may be called in a given year.

## **ARTICLE IX – CONDUCT OF MEETINGS**

### **Section 1. Compliance with the Brown Act and TCAG Policies**

All regular, special, and adjourned meetings of the SGMC shall be open meetings to which all members of the public shall be admitted without restriction or qualification. In all respects, the conduct of the SGMC, its meetings, and its Members, shall comport with the Brown Act, California Government Code Sections 54950—54963. Meetings will be held at locations accessible to persons with disabilities, and reasonable accommodations shall be made to the greatest extent possible.

### **Section 2. General Conduct of Meetings**

Points of order and meeting conduct shall be settled by the Chair, unless overruled by a majority vote of the SGMC, in compliance with the Brown Act and these Bylaws. Points of Order not addressed by the foregoing will be decided in accordance with Robert's Rules of Order where feasible. Staff will assist the Chair with this compliance where appropriate. Unresolved issues shall be referred to staff and continued to a future meeting.

### **Section 3. How Items Are Placed on the Agenda**

Working within the framework of TCAG Goals, budget, and other policy direction set by the Governing Board, staff will identify the need for and schedule the majority of agenda items.

Future agenda items may be requested by a Member of the SGMC in open session. Such items shall be agendaized by staff if approved by a majority of the SR99-SCC. In the event a future agenda item is requested by a member of the public in open session, the SGMC shall not be obligated to deliberate on the agenda item request, however any Member may assent to requesting that the SGMC consider agendaizing the item, in the manner described in this paragraph.

Occasional agenda item requests from a member of the public received outside of a noticed meeting, or other atypical agenda items, may be considered by staff, in consultation with the Chair, for suitability for being agendaized when consulting with a majority of the SGMC is infeasible due to time constraints. Issues may also be referred to the SGMC by the TCAG Governing Board and staff shall agendaize them in a timely fashion.

### **Section 4. Quorum**

A quorum of the SGMC shall consist of a majority (more than half) of the total number of SGMC seats, whether or not vacancies exist.

### **Section 5. Absence of a Quorum**

In the absence of a quorum at any meeting, any business scheduled to be heard shall be continued to the next regular meeting date by the Chair, Vice-Chair, or staff if not officers are present. A meeting may be declared cancelled for lack of a quorum after a 15-minute period has elapsed from the scheduled time of the start of the meeting.

A meeting may also be declared cancelled in advance, if absence notifications received by staff indicate the lack of a quorum, unless a public hearing has been noticed for the meeting date, in which case staff



shall appear at the noticed meeting time and place to inform any attendees as to the cancellation of the meeting. In any of these events, a Notice of Adjournment shall be posted and the unheard business re-agendized for the subsequent meeting.

### **Section 6. Agenda**

Staff shall set and publish the meeting agenda and its format shall conform to the template set by staff.

### **Section 7. Order of Business**

The Chair or a majority vote of the SGMC may change the order of business.

### **Section 8. Seating Arrangement**

The Chair shall be seated in at the center of the dais; the Vice-Chair shall be seated to the Chair's right, from the perspective of those seated upon the dais.

## **ARTICLE X – MOTIONS**

### **Section 1. Call for Motion**

Upon conclusion of discussion and following acceptance of public input, any Member may place a motion on the floor. The motion shall contain the proposed action in sufficient detail so as to be understood by the audience and staff. If no motion is immediately forthcoming, the Chair may call for a motion to be made.

### **Section 2. Seconding a Motion**

The Chair shall receive all motions and shall call for a second to each motion. The Chair may second a motion.

### **Section 3. Lack of a Second**

If, after a reasonable time, no second has been made, the motion shall be declared dead for lack of a second, and the Chair shall so state. Any motion dying for lack of a second shall not be included in the meeting minutes.

### **Section 4. Discussion/Debate**

After a motion has been made and seconded, the Chair shall call for a discussion of the question. All discussion shall be limited to the motion on the floor. At the close of the discussion, the Chair shall put the matter to a vote by causing either a roll call vote or voice vote to be conducted, in accordance with Article XI Section 3 and Section 4.

### **Section 5. Time Limits on Discussion/Debate**

The Chair reserves the discretion to limit the duration of debate on any motion, but shall ensure that each Member has the opportunity to speak.

### **Section 6. Amending a Motion**

A motion to amend may be made by any Member to revise a motion on the floor, but it cannot be a freestanding motion on its own, nor can it substitute for a main motion. The motion to amend must be voted upon, unless the maker and the seconder accept it as a friendly amendment, and, if so accepted, it then becomes part of the main motion.

### **Section 7. Withdrawing a Motion**

Any motion may be withdrawn by the maker at any time prior to being voted upon. Such a withdrawn motion shall not be included in the meeting minutes. If the motion has been seconded, the Chair shall invite the seconder to make the motion anew.

### **Section 8. Motion to Table**

A motion to table may be made to suspend consideration of an item that appears on a meeting agenda for reasons of urgency or to end an unproductive discussion. A motion to table is not in order when another Member has the floor. A motion to table requires a second, is not debatable, is not amendable,

requires a majority vote for passage, and, if adopted, cannot be reconsidered at the meeting at which it is adopted.

Members will refrain from using a motion to table as a means of capriciously limiting debate among Members, or to suppress a minority of the SR99-SCC. Motions to table shall only be made after the opportunity has been given for public input on the item.

## ARTICLE XI – VOTING

### Section 1. Recusal (Disqualification due to Conflict of Interest)

In accordance with TCAG Policy, SGMC Members shall disqualify themselves from making, participating in the making of, or in any way using their official position to influence, a governmental decision if it is reasonably foreseeable that the decision will have a material financial effect, that is distinguishable from its effect on the public generally, upon the Member and certain immediate family members.

In accordance with California Code of Regulations Sections 18707(a)(1)(A) and (B): Any Member with such a disqualifying financial interest relating to a particular agenda item shall openly announce the nature of the conflict following the Chair's announcement of the item, but before discussion has begun. In announcing the nature of the conflict, the Member shall adhere to the following:

- If the conflict arises from an investment, the Member shall announce the name of the business entity in which each investment is held;
- If the conflict arises from a business position, the Member shall give a general description of the business activity in which the business entity is engaged as well as the name of the business entity;
- If the conflict arises from real property, the Member shall announce the address or another indication of the location of the property, unless the property is the public official's principal or personal residence, in which case, the Member shall announce that the property is a residence;
- If the conflict arises from income or gifts, the Member shall identify the source; and
- If the conflict arises from personal financial effect, the Member shall identify of the expense, liability, asset, or income affected.

The Member shall then vacate their seat until the matter in question has been resolved. The stated reason for the Member's recusal shall be noted in the meeting minutes. The Member shall also follow the procedures set forth above for other potential perceived conflicts of interest that may constitute common-law conflicts of interest.

Pursuant to Government Code Section 87105(a)(4), a Member of the SGMC who is recused from discussion due to conflict of interest may choose to listen from the audience with the general public, and may address the SGMC regarding the issue during the time that the general public speaks on the issue, if the Member has complied with all of the above.

Except as may be required by applicable law, a Member who is recused due to conflict of interest may not be called upon to break a tie or form a quorum.

### Section 2. Abstention (Voluntarily Declining to Vote)

Members are strongly encouraged to vote upon all matters before the body except in cases of conflict of interest. The maker and seconder of any motion are encouraged to avoid abstaining when called upon for their vote.

Members may routinely abstain from voting upon the adoption of minutes from a prior meeting at which the Member was not in attendance, or upon their own nomination to the office of Chair or Vice-Chair. However, capricious or excessive abstention shall be avoided and may be cause for removal from the SGMC.

### **Section 3. Roll Call Vote**

Voting upon motions shall be conducted in the form of a roll call vote, unless the Chair determines to conduct a voice vote as provided in Section 4. When a motion has been made and seconded and no matters remain under discussion, the Chair shall call upon the Meeting Clerk to conduct a vote, and the Meeting Clerk shall upon each Member by name one at a time in the following order: Non-officer Members in alphabetical order by last name, then Vice-Chair, then Chair.

Each Member shall clearly state "Aye," "Yes," or "Yea" in the affirmative; "No," or "Nay" in the negative; or "Abstain." The Meeting Clerk shall then announce the outcome of the vote in compliance with the Brown Act.

A Member may state the reasons for their vote for the benefit of the audience, but said comments shall only be entered into the record if the Secretary determines that the outcome of the vote warrants a clarifying note for legislative recordkeeping purposes.

A roll call vote must be conducted upon all hearing items, all matters related to money, and all actions relating to the adoption, amendment, or repeal of policy or code. For all other matters, the Chair may conduct a vote by voice Vote, in accordance with Section 4. below.

### **Section 4. Voice Vote**

Where there is no objection from any Member or staff member, the Chair may conduct a vote by voice vote in lieu of a roll call vote, provided a roll call vote is not required by Section 3. above and provided that the vote or abstention on that action of each Member present is thereafter announced in compliance with the Brown Act.

The Chair shall call the question in the form of "All in favor?" followed by "All opposed?" and then "Abstaining?"

Each Member shall clearly state "Aye," "Yes," or "Yea" in the affirmative; "No," or "Nay" in the negative; or "Abstain."

In the event the outcome of a voice vote is unclear, any Member or staff member may request a roll call vote immediately following a voice vote. A roll call vote shall be taken without further discussion.

### **Section 5. Sealed Ballot Votes**

The SGMC shall not take a secret ballot vote, whether preliminary or final.

## **Section 6. Passage of Motion**

Passage of a motion shall be made by a simple majority of the Members present and voting, except as otherwise required by law. Staff shall inform the SGMC, as a component of a staff report and/or during oral comment on the item, when a particular item requires greater than a simple majority to pass.

## **Section 7. Tie Votes**

A tie vote results in “no action,” regardless of the reason. Such failure to act shall constitute neither approval nor denial.

Except as may be required by applicable law, a Member who is recused due to conflict of interest may not be called upon to break a tie.

## **Section 8. Failure to Approve**

Failure of a motion to approve shall not necessarily constitute denial.

## **Section 9. Results of Voting**

The Meeting Clerk shall state the results of each vote, e.g., “The motion passes by a vote of three to two.” The Meeting Clerk shall enter into the record the disposition of each Member at the time of the vote, recording each as aye, no, recused, abstaining, or absent.

## **ARTICLE XII – REPORTS**

### **Section 1. Agenda Reports to SGMC**

Matters placed upon an agenda for consideration by the SGMC shall be accompanied by a written report of staff if the request involves the adoption of a resolution or approval of other written policy or procedural document, the rendering of a formal recommendation on a matter to be heard by higher body, and in other cases determined appropriate by staff. A consistent report format shall be adopted.

Reports of staff shall clearly state staff's recommendation for action and the rationale therefor, and shall provide sufficient background information and context to allow the SGMC to render a well-informed decision or recommendation. Documents that are the subject of, or will substantially aid, deliberations shall be attached to and discussed within such reports. Where an agenda item requires deliberation and/or recommendation on project design or other aesthetic considerations, plans, photographs, or other relevant visual aids shall be included with the agenda materials for consideration in advance of the meeting.

### **Section 2. Committee Reports**

Committee reports provided to the SGMC may be verbal or written; written reports shall be entered into the record of materials associated with the meeting.

### **Section 3. Rendering of Recommendations to Governing Board**

Recommendations of the SGMC deemed necessary or desirable for consideration by the TCAG Governing Board shall be presented to the Board in a manner deemed appropriate by the Executive Director. Recommendations to be forwarded to the Board in open session shall be prepared by staff in the manner typical of all other Board matters. A report conforming to the format and standards for TCAG Governing Board agenda items shall be prepared by TCAG staff, and presented to the Executive Director for scheduling and approval.

In the event that staff's professional recommendation on a matter differs from the recommendation rendered by the SGMC, staff's report to the Governing Board on the matter shall include both recommendations, and a thorough analysis of each, for the Board's consideration.

## **ARTICLE XIII – RECORD KEEPING**

### **Section 1. Maintenance of Records**

All SGMC records shall be maintained according to the TCAG Records Retention Schedule.

### **Section 2. Minutes**

Action-only minutes will be produced for all SGMC meetings in a format substantially similar to that used for TCAG Governing Board meetings. Minutes shall serve solely as record of the legislative actions occurring at each meeting, with minimal additional editorial content, subject to the determination of the Secretary. The SGMC Secretary shall have sole responsibility for preparation of meeting minutes, and any direction for change in the minutes shall be made only by majority action of the SR99-SCC. Minutes shall be reviewed and/or amended and then approved by the SGMC at the soonest feasible subsequent meeting.

Subcommittee reports presented orally in a meeting shall be briefly summarized in the minutes.

### **Section 3. Audio and Video Recording of Meetings**

Proceedings for all SGMC meetings shall be recorded whenever possible. When video recording/broadcasting is not readily feasible, an audio recording shall be made. Any meeting recordings shall be retained pursuant to the TCAG Records Retention Schedule.

In compliance with the Brown Act, Members of the public have the right to make recordings of a meeting so long as meeting proceedings are not disrupted.



## **ARTICLE XIV – COMMITTEES**

### **Section 1. Ad Hoc Committees**

Ad Hoc Committees consisting of less than a majority of the SGMC may be established by a majority of the SGMC, or by staff in consultation with the Chair when action by the majority of the SGMC to establish a committee is infeasible due to time constraints. Such committees shall be established to gather information or deliberate on a particular issue deemed necessary to carrying out the functions and purpose of the SGMC, for a limited duration. Staff may attend, but shall not be required to provide comprehensive staff support to, Ad Hoc Committee meetings.

Following Ad Hoc Committee input in an open session of the SGMC, the SGMCs shall deliberate and act upon the designated issue, thereby providing the public with the opportunity to participate in the decision-making process. The final report of the Ad Hoc Committee on its subject of investigation shall be entered into the public record and shall serve in lieu of any meeting minutes for the committee. Ad Hoc Committees shall be dissolved once their specific task is completed.

No Ad Hoc Committee shall be formed in such a manner as to subject it to the requirements of the Brown Act.

### **Section 2. Standing Committees**

Standing Committees may be established by a majority of the SGMC to gather information or deliberate on issues deemed necessary to carrying out the functions and purpose of the SGMC, on an ongoing basis. Any such standing committee with continuing subject matter jurisdiction, regardless of its composition or number of members, shall be deemed to be subject to the Brown Act unless advised otherwise by TCAG Counsel. Staff shall not provide administrative or legislative support to any standing committee unless directed to do so by the TCAG Governing Board.

All standing committees shall provide written or oral reports in public session, no less than quarterly, to the SGMC.

### **Section 3. Committee Meetings**

All Standing Committee and Ad Hoc Committee meetings shall be held at times mutually agreeable to the committee members.

## **ARTICLE XV – AMENDMENTS**

A majority of the full membership of the TCAG Governing Board may amend these bylaws at any juncture with or without prior review or recommendation by the SGMC.

The SGMC shall schedule its review of these Bylaws at least biennially and shall render a recommendation to the TCAG Governing Board regarding any necessary amendments hereto. Review shall be conducted as soon as feasible following the annual seating of members and election of officers.

## **ARTICLE XVI – ADOPTION OF BYLAWS**

Immediately upon favorable vote of a majority of the full membership of the TCAG Governing Board of, these Bylaws shall be in full force and effect. All previously adopted bylaws are hereby superseded.

These Bylaws shall not be shall not be construed in any manner conflicting with controlling provisions of state or federal law, and shall not be construed as attempting to supersede any general policy of the TCAG Governing Board. In the event of conflict between these Bylaws and other policies enacted by the Board regulating these same matters, the newer of the policies shall prevail. If any portion of these Bylaws shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby.

The provisions of these Bylaws shall not preclude the preparation and adoption of further procedural manuals and policies by which the SGMC may direct its activities.

**Tulare County Association of Governments**  
**Sustainable Goods Movement Committee**  
**March 12, 2024**

**ATTENDANCE LIST**

<b>Mayor Brian Poochigian</b> - City of Visalia	Present
<b>Marc Mondell</b> - City of Tulare	Present
<b>Jason Ridenour</b> - City of Porterville	Present
<b>Airica de Oliveira</b> - Tulare County Economic Development Corporation	Present
<b>Devon Jones</b> - City of Visalia	Present
<b>Lisa Wallis-Dutra</b> - City of Dinuba/4-Creeks	Present
<b>Michael Washam</b> - Tulare County RMA	Absent
<b>Pedro Ramirez</b> - Caltrans District 6	Absent
<b>Derek Winning</b> - Tulare County Association of Governments	Present

**Other TCAG Staff:** Ted Smalley, Giancarlo Bruno

**SUMMARY MEETING MINUTES**

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**I. Welcome & Introductions**

Sustainable Goods Movement Committee (SGMC) members and TCAG staff in attendance introduced themselves.

**II. Public Comments**

No public comments were received.

**III. SGMC Roles and Responsibilities**

Member Winning stated that the TCAG board had adopted bylaws for the SGMC and apologized that staff did not have printed copies prepared for the meeting. He noted that most of the bylaws were standard Brown Act provisions. He promised to have copies of the SGMC bylaws available at the next quarterly meeting.

**IV. Election of Officers**

Member Jones asked staff if they could remind him of the SGMC's scope. Mr. Winning answered that the SGMC was assembled to probe emerging issues related to logistics and goods movement, including heavy truck traffic on State Route 99, backups at major ports, and the development of inland trade ports. One of the specific tasks of the SGMC is to provide TCAG staff direction on the upcoming TCAG Goods Movement Study. The SGMC is also meant to help identify potentially important goods movement projects so that they can be recommended to the TCAG board.

Member Poochigian opened nominations for Chair and Vice Chair. Upon a motion by

Member Mondell and a second by Member Wallis-Dutra, Member Poochigian and Member Jones were unanimously elected Chair and Vice Chair, respectively.

Chair Poochigian described his experience in the logistics sector working with a major supermarket chain based in Texas. He expressed his intention to leverage this experience for the benefit of the SGMC.

#### **V. Caltrans Comprehensive Multimodal Corridor Plan for State Route 99 (CMCP)**

Member Winning provided a brief background, outlining the history of planning efforts related to SR 99. He noted that Tulare County still had three (3) 4-lane segments that are planned to be widened to 6-lanes. He emphasized that completion of a 6-lane State Route 99 through all of Tulare County is a prerequisite for implementing managed lanes for trucks. Mr. Smalley stressed that the only managed lanes option that TCAG was considering for SR99 in Tulare County was truck-only lanes. He also noted that the study was a condition of the Tulare-to-Pixley and Delano widening projects.

Member Winning shared a video highlighting an example of a truck-only lane with flyover ramps to ease the merging of trucks into highway traffic. He concluded by stating that the Caltrans study is expected to be completed in approximately 1 year.

#### **VI. California Tradeport Update**

Member Winning provided a brief update on the efforts to establish an inland port in the South Valley. He shared that he and Member Washam had discussed some potential sites in Tulare County with GLD Partners for Tradeport California. They have expressed particular interest in locations in the northern portion of Tulare County. Member Winning then shared a video highlighting key features of the Tradeport California proposal.

Vice Chair Jones asked if Tradeport California was affiliated with the proposal for an inland port at the former Castle Air Base in Merced County. Mr. Smalley answered that they were not affiliated with one another, and that the Merced County project had progressed further so far. Member Winning added that the Merced County project had received \$50 million in federal funding, had secured a site, and had reached an agreement with a shipper. He noted that proponents of Tradeport California have argued that there is sufficient long-term demand for more than one inland port in the Central Valley.

Chair Poochigian inquired whether a trade port would be required to utilize union labor. Mr. Smalley responded that he did not believe that the proposals had advanced far enough to determine this.

Member Mondell shared the City of Tulare's latest plans for distribution centers. The upgrades to the interchange at International Agri-Center Way will open adjacent lands

for development. He added that the city is seriously considering abandoning its current corporate yard on S 'K' St to construct a connector road that would connect a future business park to the west of SR 99 to the Paige Avenue and International Agri-Center Way interchanges. This would require a flyover of the Union Pacific line. The unincorporated land directly west of this site is likely to be annexed and master planned by the city. Another small project near the airport involves electric truck charging and alternative fuels. Member Mondell anticipated most of this work would be completed in the next 3-5 years.

Vice Chair Jones raised the question of what GLD Partners will offer such projects if local agencies are already planning similar development. Member Mondell suggested that it might be politically advantageous to team up with a larger regionwide effort to make a concerted request for funding. He said that he believed it was worth investigating the California Tradeport proposal, but the City of Tulare already had some firm plans related to goods movement.

Chair Poochigian said that the City of Visalia is attempting to determine whether the project would be a net benefit for the region, particularly if it would bring good jobs and support the growth of the Visalia Industrial Park.

Member Mondell opined that inland ports themselves are essentially just transfer facilities, with all the associated noise and odor concerns, and that the greatest value of an inland port would be its ability to attract new development and more employers. He stressed that a master planned project that included light manufacturing, office space, and even recreational areas would be more desirable but expressed concern about the opportunity costs presented by a large inland port taking land that could have been used to develop warehouses and distribution centers that would produce more jobs.

Vice Chair Jones asked if the inland port could help mitigate some environmental justice concerns in exchange for this opportunity cost. Member Mondell stated that he believed the interest groups would fight the proposal in any case.

Member Winning added that the GLD proposal seemed to rely heavily on rail, though he was not aware of them reaching any agreement with Union Pacific.

Chair Poochigian shared that in his experience shipping by truck is consistently faster than rail, which is a major priority for shippers of perishable goods. He referenced an attempt to use rail to ship apples in Washington state that was very unsuccessful. He added that whether the facility used union or non-unionized labor was also an important consideration for many shippers like him.

Member Mondell stated that he believed that an agreement with an inland port should pay a transaction fee to the local government for each unit of goods moved.

Member Winning noted that the constraints on track traffic mean that rail is likely to play a larger role in goods movement in years to come. It might be beneficial to have logistics hubs to receive goods arriving from seaports to the Central Valley by rail, from which trucks can take them to their destination.

Chair Poochigian stated that there is a clear trend away from big box stores towards e-commerce that has been accelerated by covid.

## **VII. TCAG Sustainable Multi-modal Goods Movement Study- Draft Scope**

Mr. Bruno stated that TCAG had budgeted approximately \$300,000 to develop a Sustainable Multi-modal Goods Movement Study and that staff had drafted an outline of what this study might look like as a starting point for the discussion. He presented the draft outline and explained the rationale for each section.

Member Winning emphasized key questions such as hydrogen corridors, strategic locations for alternative fueling or electrical charging, managed lanes on SR99, data collection, and mitigation strategies for environmental justice concerns.

Member Mondell asked if the study could take inventory of planned and programmed infrastructure improvements as well as those already existing. He also asked if it would be appropriate to examine issues ancillary to goods movement such as labor costs and shortages.

Member Winning answered that it was perfectly valid to look at these other factors, as they are important considerations for economic development.

Member de Oliveira asked if there was sufficient power available in Tulare County to both charge electric vehicles and attract new industrial operations. Member Winning replied that TCAG had requested funding for development of an Electric Vehicles Plan that would further investigate issues such as these. Mr. Smalley stressed that the Sustainable Goods Movement Study should clearly identify short-term infrastructure projects that are needed for goods movement and the clean energy transition.

Vice Chair Jones asked if the study's examination of goods inflows and outflows would consider only agricultural and non-agricultural commodities or if there would be granular information about the flows of non-agricultural products. Mr. Bruno responded that the study was intended to gather as detailed information about goods flows as possible.

Member Mondell inquired what the desired outcome for the study would be. Chair Poochigian answered that it would be an assessment of what we have, what we need, and how we are going to get there. Mr. Smalley agreed with this and added that it was political leverage and a tool to secure funding.

Member Mondell then suggested that the study should also identify opportunity sites to increase the odds of obtaining federal funding. Member Ridenour and Vice Chair Jones replied that they felt this was absolutely something the study should do in addition to identifying key infrastructure needs. He asked TCAG staff when they hoped to complete the study. Mr. Smalley answered they hoped to have it done by next summer.

Member Wallis-Dutra noted that the quarterly meeting schedule might make it difficult to receive input from the SGMC in time to complete the study by that time. Mr. Smalley responded that staff could prepare a draft RFP and a special Zoom meeting could be called for the SGMC to approve it or request changes to the scope.

#### **VIII. Economic Development Update**

No economic development updates were shared.

#### **IX. SGMC Member Q/A Discussion**

No questions or further discussion items were raised.

#### **X. Committee Meeting Schedule**

Mr. Bruno and Member Winning agreed to work with the SGMC to schedule subsequent quarterly meetings. Mr. Smalley suggested that Tuesdays might be a suitable day for regular meetings. Member Mondell stated his preference for a standing meeting time.

#### **XI. Adjournment.**

Chair Poochigian expressed that he felt this was a productive first meeting. The meeting was adjourned at 11:10 am on March 12, 2024.



## Goods Movement Study Draft Scope of Services

### 1. Task 1: Existing Conditions Assessment

An inventory of all major trade corridors will be completed that will identify all significant inflows and outflows of goods along each route. The approximate volume of each type of good entering, leaving, or passing through Tulare County will be identified as well as its origin and destination. Farm to market routes and important routes for industry will be closely examined. The inventory will include all modes of economic significance to the region, including truck, rail, and air cargo. The existing infrastructure on each major corridor and for each mode will be identified as well as the condition and the capacity thereof. Clean energy charging and fueling facilities along each route will be noted.

An inventory of major agricultural producers, manufacturing operations, and distributions centers in Tulare County will also be completed. This will include all facilities currently under construction or for which land use entitlements have been granted.

An exhaustive study of the current availability of electricity and planned capacity increases or improvements to the local grid will be undertaken. The amount of electricity currently consumed by the industrial and transportation sectors will be noted.

Finally, a comparison of the current costs to ship both perishable and nonperishable local products by each mode will be completed.

### 2. Task 2: Challenges and Emerging Issues Assessment

An assessment of long-term challenges and emerging issues for goods movement in Tulare County will be conducted. Capacity constraints and congested corridors will be identified. Ongoing difficulties for the logistics industry including rising energy costs, climbing insurance rates, labor unrest, poor rates of operator retention, high interest rates, and shipper bankruptcies will be studied carefully. Environmental justice and land use challenges to freight facilities will be examined, with case studies highlighting at least one positive and one negative outcome thereof.

### 3. Task 3: Sustainable Solutions to Existing and Emerging Issues

A plan will be produced that will outline sustainable solutions to the issues identified in Task 2. Various clean energy technologies for goods movement will be studied,

including battery-electric, catenary electric, and hydrogen fuel-cell, and the relative merits of each for both nonperishable and perishable goods as well as long and short-haul freight will be noted.

Suggestions will be made for the implementation of a truck-only managed lane on State Route 99 (SR99).

Opportunity sites will be identified for clean energy charging or fueling, logistics and distribution centers, and/ or an inland port. Potential opportunities emerging from establishment of an inland port, such as co-siting of manufacturing and/or distribution centers, will be examined and weighed against potential opportunity costs, such as the loss of higher rates. Potential improvements to existing freight routing will be studied, including whether bypass roads for freight might be beneficial in key areas.

Finally, strategies for mitigating environmental justice and land use concerns will be carefully examined including workforce development programs, the use of clean air freight technologies, off-site mitigation projects, and master planned developments including publicly accessible recreational spaces.