KINGS COUNTY ASSOCIATION OF GOVERNMENTS
STAFF

Terri King
Executive Director
Terri.King@co.kings.ca.us

Christina Lehn
Regional Planner III
Chris.Lehn@co.kings.ca.us

Bruce Abanathie
Regional Planner III
Bruce.Abanathie@co.kings.ca.us

Teresa Nickell
Regional Planner I
Teresa.Nickell@co.kings.ca.us
KINGS COUNTY ASSOCIATION OF GOVERNMENTS

Transportation Policy Committee

<table>
<thead>
<tr>
<th>Members</th>
<th>Area Representation</th>
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<tr>
<td>Joe Neves, Chair</td>
<td>County of Kings</td>
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<tr>
<td>Russ Curry, Vice Chair</td>
<td>City of Hanford</td>
</tr>
<tr>
<td>Mark Cartwright</td>
<td>City of Corcoran</td>
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<tr>
<td>Harlin Casida</td>
<td>City of Avenal</td>
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<tr>
<td>John Gordon</td>
<td>City of Lemoore</td>
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<tr>
<td>Doug Verboon</td>
<td>County of Kings</td>
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<tr>
<td>Sharri Bender-Ehlert</td>
<td>Caltrans District 6</td>
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Technical Advisory Committee

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<tr>
<td>Melissa Whitten</td>
<td>Avenal City Manager</td>
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<td>Kindon Meik</td>
<td>Corcoran City Manager</td>
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<tr>
<td>Darrel Pyle</td>
<td>Hanford City Manager</td>
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<tr>
<td>Jeff Laws</td>
<td>Lemoore City Manager</td>
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<tr>
<td>Larry Spikes</td>
<td>County Administrative Officer</td>
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<tr>
<td>Steve Sopp</td>
<td>Avenal Planning Director</td>
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<td>Kindon Meik</td>
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<tr>
<td>Melody Haigh</td>
<td>Hanford Community Dev. Manager</td>
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<tr>
<td>David Wlaschin</td>
<td>Lemoore Planning</td>
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<tr>
<td>Greg Gatzka</td>
<td>Kings County Community Dev. Director</td>
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<tr>
<td>Rob Williams</td>
<td>Avenal Public Works Director</td>
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<td>Steve Kroeker</td>
<td>Corcoran Public Works Director</td>
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<td>Lou Camara</td>
<td>Hanford Public Works Director</td>
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<td>David Wlaschin</td>
<td>Lemoore Public Works Director</td>
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<tr>
<td>Kevin McAlister</td>
<td>Kings County Public Works Director</td>
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<td>Paul Marquez</td>
<td>Caltrans District 6</td>
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<td>San Joaquin Valley APCD</td>
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<tr>
<td>Tribal Council Chairman</td>
<td>Santa Rosa Rancheria</td>
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<td>Roman Benitez</td>
<td>Naval Air Station, Lemoore</td>
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<td>California Highway Patrol</td>
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KINGS COUNTY ASSOCIATION OF GOVERNMENTS

Social Service Transportation Advisory Council

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<tr>
<td>Janice Cardens</td>
<td>Senior Transit Users</td>
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<tr>
<td>Jim Christian</td>
<td>Senior Transit Users and Persons with Disabilities</td>
</tr>
<tr>
<td>Sharon DeMasters</td>
<td>Social Service Provider for Seniors</td>
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<tr>
<td>Angie Dow</td>
<td>Public Transit Provider</td>
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<tr>
<td>Bill Hyatt</td>
<td>Social Service Provider for Persons with Disabilities</td>
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<tr>
<td>Steve Kroeker</td>
<td>Public Transit Provider</td>
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<tr>
<td>Bessie Miller</td>
<td>Senior Transit Users</td>
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<tr>
<td>Denise Cooper</td>
<td>Social Service Provider for Persons of Limited Means</td>
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<tr>
<td>Dave Nave</td>
<td>Public Transit Provider</td>
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<tr>
<td>David Rolfsema</td>
<td>Social Service Provider for Persons with Disabilities</td>
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<tr>
<td>Arlene Santino</td>
<td>Community Representative</td>
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<tr>
<td>Lee Shoals</td>
<td>Senior Transit Users and Persons with Disabilities</td>
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<tr>
<td>Vince Velo</td>
<td>Social Service Provider for Persons of Limited Means</td>
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<tr>
<td>Debbie Grice</td>
<td>Social Service Provider</td>
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<tr>
<td>Sandra Scherr</td>
<td>Caltrans District 6</td>
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## OVERALL WORK PROGRAM

**Kings County Regional Transportation Planning Agency**

**FY 2014-2015**

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### APPENDICES
I. INTRODUCTION

This Overall Work Program (OWP) describes activities needed to maintain the "Kings County Regional Transportation Plan" (RTP) and Transportation Improvement Program (TIP) according to federal and state requirements, to study the overall transportation needs of the Kings County region, and to coordinate transportation planning efforts with other regional transportation planning agencies within the San Joaquin Valley. An integral part of the comprehensive planning process is to update and maintain the RTP, which is required to be updated every four years. This ensures that the adopted RTP will continue to address and respond to the pertinent transportation issues of the region, and to ever-changing laws, regulations, and needs. This OWP details the work effort for Fiscal Year 2014-2015 necessary to ensure completion of required transportation planning and programming documents and provides for additional studies, public participation, and administration of the Kings County Local Transportation Fund (LTF).

The Kings County Regional Transportation Planning Agency (RTPA) and Metropolitan Planning Organization (MPO) covers the entire Kings County area including the incorporated cities. Kings County is located in the Central San Joaquin Valley south of Fresno County, west of Tulare County and north of Kern County. There are four incorporated cities in the county. The population of Kings County in 2013 as identified by the California Department of Finance is about 152,007. Hanford, the county seat, has a population of 55,479, Lemoore with 25,262, Corcoran has 23,154 residents (including state prison inmates), and Avenal has 14,225 (including state prison inmates).

Kings County is primarily an agricultural county. Both commercial and industrial activities are important employment generators for the county, as is the Lemoore Naval Air Station. Two state prisons are located in Kings County and are also considered to be major employers in the county. These state prison facilities are located in Avenal and in Corcoran. A good overall transportation system is important to these activities. It is important that a well-conceived plan for providing transportation system services is developed through the participation of local, state, Tribal, and federal agencies.

In order to accomplish this, the regional transportation planning process was begun in 1974, as mandated by AB 69. The major accomplishment of that first effort was the preparation and adoption of the Kings County Regional Transportation Plan in April of 1975. Subsequent biennial updates were prepared through 2010. The RTP updates were prepared in coordination with Caltrans, transit operators, the eight San Joaquin Valley regional transportation planning agencies, and the public as required by Federal and State legislation. This year's efforts will include preparing and adopting the 2014 RTP and the associated Environmental Impact Report.

With the enactment of SB 375, RTPs adopted after 2010 must include a Sustainable Communities Strategy (SCS) Plan to reduce greenhouse gases from vehicles. The next RTP update is due by July of 2014 and will include the SCS that will consider policies and projects that reduce greenhouse gas emissions from passenger vehicles and light duty trucks. This year’s efforts will include the development and adoption of the SCS. The GHG emission reduction targets set by the California Air Resources Board (ARB) involved coordination with other San Joaquin Valley MPOs.

KCAG also adopts a Federal Transportation Improvement Program (FTIP) and conformity determination every two years. The current 2013 FTIP was adopted by KCAG on July 25, 2012 and federally approved on December 13, 2012. This year's efforts will include maintaining the 2013 FTIP with the adoption of various amendments and conformity determinations as needed, and preparing the 2015 FTIP.
The San Joaquin Valley Air Basin is currently designated by the U.S. Environmental Protection Agency (EPA) as nonattainment for 8-hour ozone and PM-2.5, and has a maintenance plan for PM-10. Work performed through the OWP in countywide transportation will be consistent with the EPA's Standard Evaluation Procedures and will include conformity findings for the RTP and FTIP and planning for the implementation of transportation control measures.

This OWP reflects a conscious effort by KCAG to identify all essential elements of the transportation planning process, and to meet the region's needs in light of fiscal constraints at the local, state, and federal levels. The work involved in this year's efforts relates to the overall transportation and regional planning agency activities of KCAG. It also recognizes that a need may arise for special studies into areas of new or immediate concern. The OWP provides for this flexibility of action.

The largest public transit operator within Kings County is the Kings County Area Public Transit Agency (KCAPTA), a joint powers agency comprised of the County and the cities of Hanford, Lemoore and Avenal. KCAPTA oversees the operation of the Kings Area Rural Transit (KART) bus system carried out under contract with a private firm. KART began to provide service in 1980 and currently provides fixed route, demand-response, and commuter services. Both KCAG and KCAPTA must continue to seek out and define transportation needs. It is vital that the KART system remain proactive to transit patron's needs, allowing both input and feedback for future transit service adjustments. KCAPTA staff conducts numerous outreach activities throughout Kings County and the surrounding area to obtain input on transit needs, including public hearings, flyers, newsletters, on-board surveys, and a web site. With the 2000 Census, KCAPTA was designated as an urbanized area operator eligible for FTA Section 5307 funds. KCAG will work with KCAPTA, as specified in the memorandum of understanding (MOU) between KCAG and KCAPTA, in programming these funds in the FTIP.

Not only does KART provide transit service between Kings County urban and rural communities, but it also provides fixed route services from Hanford to communities within the adjoining counties of Tulare, Fresno and Kern. Service is provided to Visalia in Tulare County; Laton and Coalinga in Fresno County, including service to medical facilities in Fresno; and Paramount Farms in Kern County. However, there is no reciprocal service provided by other transit operators in other counties to Kings County communities.

KCAG has entered into a Joint Powers Agreement with other area MPOs to form the California Van Pool Authority (CAL Vans) to operate the van pool programs previously operated by KCAPTA. This new agency provides for future stability and representation of all participants. The new agency began operations in January 2012. CalVans offers vanpool services and administers and operates the Agricultural Industries Transportation Service (AITS) for safe farm worker transportation. There are about 260 vanpools and 155 AITS vans providing valuable transportation services throughout the State as the programs have expanded into other counties.

The "Intercity Passenger Rail Act of 2012" (AB1779) authorized regional government agencies' ability to form the San Joaquin Joint Powers Authority (SJJPA) to take over the governance/management of the existing San Joaquin intercity passenger rail service. KCAG is a member of the SJJPA and will participate in its activities to help ensure that Amtrak service within Kings County is maintained and improved.

This OWP also includes activities for the administration of KCAG's role for the Kings County Abandoned Vehicle Abatement Service Authority (KCAVASA).
II. **FEDERAL AND STATE FUNDING PRIORITIES**

The Work Program FY 2014-2015

This OWP for Fiscal Year 2014-2015 complies with the priorities for State and Federal funding for RTPAs. The eight planning factors identified in previous Federal transportation legislation in the SAFETEA-LU, Title 23 U.S.C., Section 134(f) (revised in SAFETEA-LU section 6001(h)) are incorporated in various Work Elements of the OWP and are identified as follows:

1) Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity and efficiency;
2) Increase safety of the transportation system for motorized and non-motorized users;
3) Increase security of the transportation system for motorized and non-motorized users;
4) Increase the accessibility and mobility of people and for freight.
5) Protect and enhance the environment, promote energy conservation, improve quality of life and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
6) Enhance integration and connectivity of the transportation system, across and between modes, for people and freight;
7) Promote efficient system management and operation; and
8) Emphasize the preservation of the existing transportation system.

In addition to the above eight planning factors, each year the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) develop Planning Emphasis Areas (PEAs) to promote themes for consideration in transportation planning. These priorities identified for FY 2014-15 were provided by the Department of Transportation on October 2, 2013 and include the following:

1) Core MPO Planning Functions

KCAG will ensure that the activities and products mandated by the MPO regulations in 23 CFR 450 are a priority when developing the OWP. The included work elements and work tasks will be developed in sufficient detail to clearly explain the purpose and results of the work to be accomplished, including how they support the Federal transportation planning process. KCAG has prepared an OWP which includes activities and products that will ultimately culminate in a multi-modal RTP for the 2014 update. Development of the OWP and monitoring of its activities is included in Work Element No. 501.02. Products to be developed to support the federal transportation planning process are also included in Work Elements 501.02, 501.03, 501.04, 502.01, 502.02, 502.03, 502.04, 502.05, 503.01, and 504.01.

2) Performance Management

MAP-21 establishes a performance and outcome based program for the adoption of system performance goals and measures. The MPOs will be challenged to cope with program delivery under any new legislation. KCAG will work with FHWA and FTA in the identification of a performance measure for transportation programming so that the most effective transportation investments are selected to improve mobility in the region. KCAG uses scoring criteria to evaluate priorities for future transportation projects in the RTP. The prioritization system includes a comprehensive list of standards which can be applied to specific transportation projects in order to derive a priority for implementation. Some of the objectives in the criteria include: create an integrated and balanced transportation system serving community needs, obtain maximum improvement in traffic flow and safety, create minimum adverse environmental effects, minimize disruptive consequences of the project, and give a desirable cost/benefit ratio. These performance measures will be analyzed to see how they can be improved upon and then develop a plan of action for achieving better results. The goal would be to gauge the progress of our decisions over time and to determine what kind of results are being achieved. Goals,
objectives and performance measures to assess and/or track the performance of transportation investment decisions in the areas of safety, infrastructure condition, mobility, congestion, freight, and livability/sustainability will be established. Consideration of performance management will be considered within the activities identified in Work Elements 501.03, 502.01, 502.02, 502.03, 502.04, 502.05, 503.01, and 504.01.

3) Safety

The Strategic Highway Safety Plan (SHSP) is to be developed in consultation with key State and local highway safety stakeholders. The Highway Safety Improvement Program (HSIP) includes projects that achieve a significant reduction in traffic fatalities and serious injuries on all public roads. MPOs are required to have a transportation planning process that is continuous, cooperative, and comprehensive, and provides consideration and implementation of projects, strategies, and services that will increase the safety of the transportation systems for motorized and non-motorized users. KCAG will assure that the 2014 RTP and 2015 FTIP are consistent with the SHSP. Consideration of safety improvements will be included in Work Elements 502.01, 502.03, 502.04, and 503.01.

4) Livability / Sustainability

Tying the quality and location of transportation facilities to broader opportunities such as access to good jobs, affordable housing, quality schools, and safe streets, while protecting the environment in communities is the goal of livability/sustainability. The 2014 RTP update will incorporate the principles of livability/sustainability that provide more transportation choices; promote equitable, affordable housing; enhance economic competitiveness; support existing communities; leverage Federal policies and investment; and value communities and neighborhoods. Through the implementation of SB 375, KCAG will have opportunities to coordinate land use and transportation planning with the development of the Sustainable Communities Strategy (SCS), adopted as part of the RTP update. Consideration of these principles will be included in Work Elements 501.04, 502.01, 502.03, 502.05, 503.01, 504.01, 405.01, and 406.01.

5) State of Good Repair

KCAG works with our local transit operators for opportunities in funding projects that invests in modernizing and upgrading their systems so that it is maintained in a high state-of-good-repair essential for the provision of safe and reliable service. Effective recapitalization of transit assets, identifying critical timing for preventative maintenance and increasing the focus on asset management practices, and other aspects will be included within the planning strategies of various KCAG documents. Consideration of these principles will be included in Work Elements 501.04, 502.01, 502.03, 503.01, and 504.01.

This Overall Work Program includes various work elements that will emphasize these priorities, as well as, additional regional planning consensus efforts. Transportation issues will be defined to determine problem areas in the regional system. The study of the issues will lead KCAG to a solution of these problem areas. A matrix is provided in Appendix G to indicate the relationship between the planning areas and the work elements.

In addition to the above five FHWA and FTA Planning Emphasis Areas (PEAs) previously provided, with the pending issuance of proposed transportation planning regulations, on April 23, 2014 the Department of Transportation issued the following PEAs for FY 2014-15:

1) MAP-21 Implementation – Transition to Performance Based Planning and Programming

2) Models of Regional Planning Cooperation – Promote cooperation and coordination across MPO boundaries and across State boundaries where appropriate to ensure a regional approach to transportation planning.
3) **Ladders of Opportunity** - Access to essential services – as part of the transportation planning process, identify transportation connectivity gaps in access to essential services.

**Summary of the 2013-2014 OWP Effort**

Several major products were planned in the FY 2013-2014 Work Program. These were:

- Apportion and distribute Regional Surface Transportation Program (RSTP) funds to the county and cities and ensure that funds were expended on eligible projects.

- Maintained the KCAG website to allow access to planning documents and to disseminate information about transportation and regional planning activities; developed a quarterly newsletter as part of the public participation efforts.

- Increase the role of KCAG and the San Joaquin Valley MPOs in state and federal-level policy making.

- Monitored the obligation of federal CMAQ funds to meet the “timely use of funds” policy; preparing an Obligation Plan for the planned expenditure of federal funds for local projects; and programming available CMAQ projects in the FTIP.

- Worked with various local, regional, state and federal agencies in the process to implement SB 375 to reduce greenhouse gas emissions from passenger vehicles and light duty trucks by developing traffic modeling data and establishing emission reduction targets in cooperation with the Air Resources Board (ARB).

- Administered the Transportation Development Act (TDA) funds, which include the Local Transportation Fund (LTF) and State Transit Assistance (STA) fund.

- Maintained the 2013 Federal Transportation Improvement Program (FTIP) and prepared amendments.

- Prepared and adopted the 2014 Regional Transportation Improvement Program.

- Monitored the 2012 and 2014 State Transportation Improvement Program (STIP) projects.

- Maintained the travel demand forecasting model with transportation network and land use information.

- Continued with the coordination and development of the San Joaquin Valley Regional Blueprint and Greenprint Planning projects.

- Worked with the San Joaquin Valley MPOs in the project to prepare a San Joaquin Valley Interregional Goods Movement Plan.

- Administered the AVA program, distributed funds, and prepared audits of AVA funds.

- Participated in Census 2010 activities and acted as the regional Census Data Center for Kings County.

- Conducted Areawide Planning Reviews for various projects that applied for federal grant funding.

- Worked with participating agencies to prepare a Regional Climate Action Plan (CAP).
III. **KCAG ORGANIZATION AND MANAGEMENT**

The Kings County Association of Governments (KCAG) is a council of governments responsible for addressing problems of an inter-jurisdictional nature. KCAG is a voluntary organization whose members are Kings County and the cities of Hanford, Lemoore, Corcoran, and Avenal.

KCAG is a state-designated regional transportation planning agency (RTPA) recognized by the State's Business, Transportation and Housing Agency. The primary functions of an RTPA are in developing and updating a Regional Transportation Plan, preparing a Regional Transportation Improvement Program, preparing a Federal Transportation Improvement Program, and administering the Local Transportation Fund. KCAG is also a metropolitan planning organization (MPO) recognized by the Federal Highway Administration and Federal Transit Administration, and receives federal funding to conduct several activities required of MPOs. As a COG, KCAG is responsible for preparing the Regional Housing Needs Allocation Plan to be used in updating the Housing Elements of city and county general plans.

All RTPA activities are governed by the Transportation Policy Committee (TPC), which is the final approving authority. The TPC is a committee of the KCAG Commission and composed of members of the regular KCAG Commission, plus the Director of the Caltrans District 6 representing the Director of Caltrans Headquarters.

The Commission is advised by two committees. The first is a Technical Advisory Committee (TAC) whose members include KCAG staff, county and city public works and planning directors, city managers, county administrative officer, Caltrans District 6 staff, a Kings County Area Public Transit Agency (KCAPTA) representative, a Lemoore NAS representative, a San Joaquin Valley Air Pollution Control District representative, and a Santa Rosa Rancheria Tachi Yokut Tribe representative. The primary responsibility of the TAC is to review all issues that KCAG will consider and to provide technical input to advise the Commissioners in making their decisions. TAC membership of the Santa Rosa Rancheria was added in 2002 and has effectively been used in meeting the issues and concerns of the Tribe.

The second committee is the Social Service Transportation Advisory Council (SSTAC) and is a statutorily created committee with specific responsibilities that include advising the TPC on transit needs issues of the elderly, persons with disabilities, and low income citizens. The members of the SSTAC consist of representatives of social service providers and transit users from the above mentioned needs group, as well as citizens who are interested in the transit planning process.

The KCAG Commission also serves as the Board of Directors of the Kings County Abandoned Vehicle Abatement Service Authority. The responsibilities of the Board of Directors are to manage the financial affairs of the Authority, review and approve quarterly claims for reimbursement, submit annual reports to the California Highway Patrol, and disburse funds to claimants.

In addition to these committees, more citizen participation is accomplished through various other activities. KCAG uses news releases, public hearings, and public meetings to get public input into its planning activities. KCAG staff directly contacts citizen, business, commercial organizations, and the Tribal Council Chairman of the local Native American tribe for input into specific items. KCAG's website includes meeting agendas and meeting minutes, planning and programming documents, and other information that the public can access to assist in the planning process. KCAG also has an adopted Public Participation Plan that outlines various outreach activities required to meet the federal planning process.
IV. PLANNING ACTIVITIES

The first priority is to ensure that the required transportation planning and programming documents are completed by their statutory deadlines. This will include a thorough review by local and state technical staff, local citizens, local government bodies, Tribal Government, and Caltrans.

Other Activities

Long-range transportation studies: KCAG will update traffic count information on regional routes using traffic classifier counters to identify problem areas of the transportation network for transporting goods and people. KCAG will maintain information to be used for the next Regional Transportation Plan update and submit traffic count data to Caltrans for the Highway Performance Monitoring System (HPMS).

Transportation Model: KCAG will maintain the base year and future year traffic models, analyze land use changes on the transportation system, and conduct transportation conformity analysis with the model. KCAG will continue to work with other San Joaquin Valley MPOs, utilizing Proposition 84 bond funds, in the development of long-term model improvements in order to implement SB 375 and to maintain current planning assumptions.

Air Quality: Kings County is within the San Joaquin Valley Air Basin which has been designated as an “extreme” area of non-attainment for the 1-hour ozone standard, “serious” area of non-attainment for the 8-hour ozone standard, a non-attainment area for particulate matter (PM2.5), and a maintenance area for PM-10, and as such must make air quality conformity findings on the Regional Transportation Plan and Federal Transportation Improvement Program. KCAG will implement the Transportation Control Measures Plan in cooperation with the San Joaquin Valley Air Pollution Control District (SJVAPCD) and other San Joaquin Valley RTPAs. Projects include the promotion of ridesharing and vanpool activities. KCAG will also coordinate with local agencies in the implementation of Reasonably Available Control Measures (RACM) and Best Available Control Measures (BACM) for the attainment of PM 2.5, PM 10 and Ozone standards. KCAG will participate in the Valleywide air quality planning and coordination consulting services contract to facilitate consistency in Valleywide regional air quality planning. KCAG will also participate in the review of air quality attainment plans and emissions budgets prepared by the SJVAPCD. KCAG will participate in the implementation of SB 375 and the development of a Sustainable Community Strategies (SCS) Plan for the 2014 RTP update.

RTP Update: KCAG will complete the process of preparing the 2014 update of the RTP and the Environmental Impact Report and preparing the Sustainable Communities Strategies plan required by SB 375. KCAG will continue to work with other San Joaquin Valley MPOs and other regional partners in the development and implementation of the San Joaquin Valley Regional Blueprint project that will provide a planning process and products to support long-range planning for the eight MPOs in the region and compliment the work of the California Partnership for the San Joaquin Valley. Blueprint Principles were incorporated into the Sustainable Communities Strategy Plan for the 2014 RTP update in response to SB 375. Goods movement issues will be considered within this work element, including the implementation of the recently completed San Joaquin Valley Interregional Goods Movement Plan.

RTIP/FTIP and STIP Review: KCAG will continue to monitor Caltrans and California Transportation Commission (CTC) activities related to the transportation programming process, and will take an active role in ensuring that Kings County area concerns are heard in Sacramento. KCAG will also monitor the implementation of State Transportation Improvement Program (STIP) projects, maintain the 2013 Federal Transportation Improvement Program (FTIP) and adopt the 2015 FTIP and air quality conformity finding in coordination with other San Joaquin Valley transportation planning agencies, member agencies, Caltrans, Federal Highways Administration, Federal Transit Administration, the SJVAPCD, Tribal Governments, Environmental Justice communities, and the general public. Projects included in the FTIP that implement the ITS plan will be specifically noted to facilitate early FHWA education and technical assistance to project sponsors in the application of the Systems Engineering process, and avoid unnecessary project delays.
Amtrak Review: Another issue of vital concern to the Kings County area is continued passenger train service through the Valley. KCAG will take an active role to ensure that Caltrans and Amtrak are aware of the importance of these services and monitor the performance of intercity rail passenger rail service on the San Joaquin Corridor. With the enactment of AB 1779, KCAG is a member of the San Joaquin Joint Powers Authority and will participate in its activities to help ensure that Amtrak service within Kings County is maintained and improved.

High Speed Rail Review: KCAG will continue to be involved in monitoring the development of high speed rail proposed by the California High Speed Rail Authority that is to travel through Kings County, particularly regarding alignment and station locations, through the Regional Transportation Plan work element.

Aviation: KCAG will include planning for aviation facilities and services in efforts to develop a coordinated and balanced regional transportation system through the Regional Transportation Plan work element. KCAG will prepare the Capital Improvement Program (CIP) for the public use airports within Kings County, including Hanford Municipal and Corcoran airports, for submittal to Caltrans.

Coordinated Public Transit Human Services Transportation Plan: KCAG will monitor the implementation for the coordination of social service transportation services, coordinate the implementation of transportation needs for the Welfare to Work Act of 1997, and monitor the Coordinated Public Transit Human Services Transportation Plan prepared in 2007.

MAP-21 Implementation: KCAG will continue to administer funds for the Congestion Mitigation and Air Quality (CMAQ) program and Regional Surface Transportation Program (RSTP), including the exchange of RSTP funds for non-federal funds. KCAG will work with local project sponsors to ensure that federal funds programmed in the FTIP within the federal fiscal year are fully obligated before the end of the year and will seek advanced obligations through the expedited project selection procedures adopted by KCAG. KCAG will also monitor legislation to implement MAP-21 in an effort to increase the flexibility of spending federal funds on important local projects. The OWP will also address the planning factors that should be considered in the transportation planning process through the activities undertaken within each work element.

FTA Administration: KCAG will administer the Federal Transit Administration programs; including the Sections 5307 small urbanized area program, 5310 elderly persons and persons with disabilities program, 5311 rural public transit operator program, and 5311(f) intercity bus program, to allocate funds apportioned to Kings County for transit projects, review local applications for discretionary funding, and prepare applications for transit planning grants for local transit operators, public and private social service agencies, and local Native American tribes.

Abandoned Vehicle Abatement: KCAG will act as the Service Authority responsible for administering the Kings County Abandoned Vehicle Abatement program for the purpose of funding the removal of abandoned vehicles in Kings County.

Valley Coordination: KCAG participates in various regional planning processes among the eight San Joaquin Valley MPOs to promote coordination, cooperation and communication. KCAG will coordinate with the Valley counties in the development of the San Joaquin Valley Regional Blueprint Planning project, interregional goods movement plan, maintenance of the Valleywide Intelligent Transportation System Plan, maintenance of the Valleywide truck model, model improvement plan to implement SB 375, Regional Transportation Plan, Federal Transportation Improvement Program, and air quality planning.
### TABLE 1

#### SUMMARY REVENUE CHART
**FY 2014-2015**

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<th>WORK ELEMENTS</th>
<th>FUNDING SOURCE</th>
<th>LTF FUNDS</th>
<th>PL FUNDS</th>
<th>FTA 5303 FUNDS</th>
<th>PPM FUNDS</th>
<th>GRANT FUNDS</th>
<th>AVA FUNDS</th>
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**SUMMARY EXPENDITURE CHART**  
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Kings County Association of Governments

FY 2014-2015 Overall Work Program  
Page 11
WORK ELEMENTS
PROGRAM: 500 TRANSPORTATION
SUBPROGRAM: 501 MPO / RTPA Administration
WORK ELEMENT: 501.01 Regional Transportation Planning and Coordination Activities

PURPOSE: To maintain the process of organizing and implementing the Kings County Regional Transportation Plan as required by Federal and State law, to provide support to the overall transportation planning effort and other transportation activities, and to conduct outreach activities to various communities through the implementation of the public participation plan. Monitor legislation related to the regional and transportation planning process to ensure compliance with State and Federal laws. Coordinate the transportation and regional planning activities within the San Joaquin Valley among the eight RTPAs, the SJVAPCD, and the Department of Transportation to further achieve the goals and objectives of the Federal Transportation Act and the Federal Clean Air Act. To inform the public of issues and processes involved with KCAG activities and encourage public participation in the transportation planning process.

PREVIOUS WORK: Conduct of Regional Transportation Planning Agency (RTPA) and Metropolitan Planning Organization (MPO) activities to coordinate staff, local agencies, tribal governments of the Santa Rosa Rancheria Tachi Tribe, Environmental Justice communities, and Caltrans over the past years and direct their activities toward a logical resolution of regional problems. Coordination of the transportation and regional planning activities among the eight San Joaquin Valley RTPAs. Preparation of public participation plans to obtain public input in the transportation planning process.

PRODUCT: Support of the transportation planning process, involving coordination of federal, state, Tribe, and local activities and the involvement of citizen input from the community and the private sector; implementation of a public participation plan; maintenance of web site to distribute agendas, announcements, and documents to the public and distribution of newsletter; establishment and monitoring of DBE participation; monitoring of proposed legislation; and documentation of Tribal government-to-government relations.

WORK TASKS:

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<th>% of Effort</th>
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<td>Monthly</td>
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<td>1. Conduct activities to coordinate consult, and collaborate with local, regional, state, federal, Tribal government agencies, and Environmental Justice communities in the planning process through the preparation of a quarterly KCAG Newsletter to include timely articles of KCAG projects and programs.</td>
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<tr>
<td>June 30</td>
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<td>3. Prepare and monitor DBE Program and report annual results.</td>
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<tr>
<td>June 30</td>
<td>10%</td>
<td>4. Maintain internet web site for KCAG activities to include appropriate documents and notices to disseminate information to the public.</td>
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<td>June 30</td>
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<td>5. Conduct review of proposed legislation that may have an impact of the regional and transportation planning process and report to member agencies.</td>
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<tr>
<td>June 30</td>
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<td>6. Participate in various Valley planning efforts and activities with San Joaquin Valley MPOs in accordance with the annual Valleywide work program through participation in the SJV Regional Policy Council, SJV RTPA Directors’ Committee, SJVAPCD, and California Partnership for the SJV to strengthen the regional transportation planning process.</td>
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<td>7. Participate in CalCOG activities in support of communication and information sharing between various agencies.</td>
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FUNDING REQUIREMENT: W.E. 501.01 – Regional Transportation Planning and Coordination Activities

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Note: Some “Local Funds” are provided by member agencies from local sources.

RESPONSIBLE AGENCY: Task

KCAG 1, 2, 3, 4, 5, 6, 7
Consultant 6

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<td>AVA Funds</td>
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<tr>
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TIME FRAME: W.E. 501.01 is a continuous activity.

NOTES: *(1) Completion dates are FY 2014-2015 unless otherwise indicated.
PROGRAM: 500 TRANSPORTATION
SUBPROGRAM: 501 MPO / RTPA Administration
WORK ELEMENT: 501.02 Overall Work Program and Budget

PURPOSE: To provide an organizational mechanism showing the activities necessary for maintaining a current transportation plan and transportation planning effort in conformance with appropriate federal and state law.

PREVIOUS WORK: The Overall Work Program (OWP) and budgets have been prepared over the past years. Each work program and budget has led to the following year's activities.

PRODUCT: A complete work program and budget by May 1, 2015 for transportation planning for FY 2015-16 developed through the public participation process.

WORK TASKS:

<table>
<thead>
<tr>
<th>Completion Date* (1)</th>
<th>% of Effort</th>
<th>Tasks</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 30</td>
<td>5%</td>
<td>1. Make final budget adjustments to 2014-2015 OWP.</td>
</tr>
<tr>
<td>December 15</td>
<td>5%</td>
<td>2. Review current state and federal regulations and seek public participation, including coordination, consultation, and collaboration with the Santa Rosa Rancheria Tribal Government.</td>
</tr>
<tr>
<td>December 30</td>
<td>5%</td>
<td>3. Evaluate RTP and transportation planning efforts to identify deficiencies.</td>
</tr>
<tr>
<td>January 1</td>
<td>25%</td>
<td>4. Identify work efforts and develop funding levels.</td>
</tr>
<tr>
<td>February 1</td>
<td>20%</td>
<td>5. Prepare draft FY 2015-16 OWP and budget for transportation planning.</td>
</tr>
<tr>
<td>March 1</td>
<td>5%</td>
<td>6. Approve draft FY 2015-16 OWP and submit to local, state, federal and Tribal government agencies and the public for review and comment.</td>
</tr>
<tr>
<td>April 1</td>
<td>10%</td>
<td>7. Make corrections and prepare final FY 2015-16 OWP and budget.</td>
</tr>
<tr>
<td>May 1</td>
<td>5%</td>
<td>8. Approve and submit final FY 2015-16 OWP to Caltrans.</td>
</tr>
<tr>
<td>June 30</td>
<td>20%</td>
<td>9. Prepare and submit quarterly financial reports to Caltrans of RTPA activities and expenditures.</td>
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FUNDING REQUIREMENT: W.E. 501.02 - OWP

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<tr>
<th>Responsible Agency</th>
<th>LTF Funds</th>
<th>FHWA PL Funds</th>
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<th>PPM Funds</th>
<th>AVA Funds</th>
<th>Local Funds</th>
<th>Total Revenue</th>
<th>Toll Credits</th>
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FUNDING SOURCES BY TASKS:

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<td>Local Funds</td>
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| TOTAL          | $2,100     | 0     |

| Toll Credits (Not Revenues) | $241 | $241 | $241 | $1,204 | $963 | $241 | $482 | $241 | $963 | $4,817 |

RESPONSIBLE AGENCY: Task

KCAG 1, 2, 3, 4, 5, 6, 7, 8, 9

TIME FRAME: W.E. 501.02 is a continuous activity.

NOTES: *(1) Completion dates are FY 2014-2015 unless otherwise indicated.
PROGRAM: 500 TRANSPORTATION  
SUBPROGRAM: 501 MPO / RTPA Administration  
WORK ELEMENT: 501.03 MAP-21 Programs  

PURPOSE: To program federal MAP-21 funds of the Regional Surface Transportation Program (RSTP) and Congestion Mitigation and Air Quality (CMAQ) programs to local agencies and to monitor MAP-21 implementation. Maintain a tracking system for RSTP and CMAQ projects to ensure Federal funds are either encumbered or appropriated within the region in a timely manner. To address MAP-21’s planning factors that should be considered throughout the transportation planning process. To review MAP-21 reauthorization legislation.

PREVIOUS WORK: Review of MAP-21 legislation and programming of RSTP, CMAQ and other federal funds for local projects. Preparation of local obligation plans for the CMAQ program to track the progress of local project deliveries in meeting AB 1012 requirements.

PRODUCT: Programming of RSTP, CMAQ, and other federal program funds and continued review of MAP-21 implementation. Obligation plans for CMAQ funded projects. RSTP Exchange funds distributed to local agencies for eligible projects and submittal of reports to Caltrans. Projects programmed in the Federal Transportation Improvement Program.

WORK TASKS:

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<th>Completion Date* (1)</th>
<th>% of Effort</th>
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<tr>
<td>January 1</td>
<td>15%</td>
<td>1. Review RSTP and CMAQ estimates and establish agency shares.</td>
</tr>
<tr>
<td>February 1</td>
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<td>2. Review CMAQ projects and develop regional project priority list for programming in the FTIP.</td>
</tr>
<tr>
<td>March 30</td>
<td>10%</td>
<td>3. Consult with local agencies and exchange RSTP funds if recommended.</td>
</tr>
<tr>
<td>August 1</td>
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<td>4. Report annual RSTP Exchange fund apportionments and monitor local agencies use of funds.</td>
</tr>
<tr>
<td>January 15</td>
<td>15%</td>
<td>5. Calculate and report CMAQ project emission reductions and assist project sponsors in submitting E-76 documentation.</td>
</tr>
<tr>
<td>June 30</td>
<td>15%</td>
<td>6. Review MAP-21 implementation legislation.</td>
</tr>
<tr>
<td>June 30</td>
<td>15%</td>
<td>7. Monitor CMAQ and RSTP obligations and submit Obligation Plan to Caltrans.</td>
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FUNDING REQUIREMENT:  

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<th>FHWA PL Funds</th>
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FY 2014-2015 Overall Work Program  Page 16
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### RESPONSIBLE AGENCY: Task

KCAG 1, 2, 3, 4, 5, 6, 7

### TIME FRAME: W.E. 501.03: July 1 - June 30.

### NOTES: *(1) Completion dates are FY 2014-2015 unless otherwise indicated.*
PROGRAM: 500 TRANSPORTATION  
SUBPROGRAM: 501 MPO / RTPA Administration  
WORK ELEMENT: 501.04 Federal Transit Administration Programs

PURPOSE: To administer the Federal Transit Administration (FTA) Section 5307, 5310, 5311, 5311 (f), and 3037 programs to apportion regional funds to eligible transit operating and capital projects in consultation and coordination with local agencies, tribal governments of the Santa Rosa Rancheria Tachi Tribe and Environmental Justice communities to meet the needs of the transit dependent. To successfully apply for rural transit planning grants through the FTA/TPA Program.

PREVIOUS WORK: Administration and programming of FTA Section 5310, 5311, 5311 (f) and 3037 funds for Kings County transit projects.

PRODUCT: Regional Program of Projects for the FTA Section 5311 programs; administration of FTA Section 5310 program and development of regional priority list; and administration of the 5307 urbanized program for Kings County projects. Review of grant applications for rural transit planning projects from various FTA programs.

WORK TASKS:

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<th>Completion Date*</th>
<th>% of Effort</th>
<th>Tasks</th>
</tr>
</thead>
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<tr>
<td>January 15</td>
<td>5%</td>
<td>1. Provide announcements of FTA Sec. 5310 fund availability and regional project evaluation criteria to eligible agencies and transit operators.</td>
</tr>
<tr>
<td>July 31</td>
<td>15%</td>
<td>2. Establish and conduct Local Review Committee meetings to review and score local FTA Sec. 5310 project applications.</td>
</tr>
<tr>
<td>September 1</td>
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<td>3. Prepare final list of FTA Sec. 5310 projects, LRC forms, certifications and assurances and submit to Caltrans.</td>
</tr>
<tr>
<td>November 1</td>
<td>10%</td>
<td>4. Review regional apportionment of FTA Sec. 5311 funds and determine shares; provide announcements of FTA Sec. 5311 fund availability to eligible transit operators and Tribal Governments and publish hearing notice.</td>
</tr>
<tr>
<td>November 1</td>
<td>10%</td>
<td>5. Develop proposed FTA Sec. 5311 Regional Program of Projects and submit to Caltrans.</td>
</tr>
<tr>
<td>December 31</td>
<td>20%</td>
<td>6. Review FTA Sec. 5311 project applications, conduct public hearing; approve Regional Program of Projects and submit to Caltrans.</td>
</tr>
<tr>
<td>April 15</td>
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<td>7. Provide notice of available FTA Sec. 5311 (f) Intercity Bus program funds.</td>
</tr>
<tr>
<td>May 31</td>
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<td>8. Review applications and provide RTPA certification to eligible projects.</td>
</tr>
<tr>
<td>November 15</td>
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<td>9. Include approved FTA Sec. 5310 and 5311 projects in Federal Transportation Improvement Program.</td>
</tr>
<tr>
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<td>10. Review FTA Sec. 5307 small urbanized area funds and notify applicants.</td>
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FUNDING REQUIREMENT: W.E. 501.04 - FTA Programs

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<th>FHWA PL Funds</th>
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<th>PPM Funds</th>
<th>AVA Funds</th>
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<th>Total Revenue</th>
<th>Toll Credits</th>
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**RESPONSIBLE AGENCY:**

KCAG 1, 2, 3, 4, 5, 6, 7, 8, 9, 10

**TIME FRAME:**

W.E. 501.04 is a continuous activity.

**NOTES:** *(1) Completion dates are FY 2014-2015 unless otherwise indicated.*
PROGRAM: 500 TRANSPORTATION
SUBPROGRAM: 502 Regional Transportation Plan
WORK ELEMENT: 502.01 Regional Transportation Plan Update

PURPOSE: To review, study, analyze, update and adopt the "Kings County Regional Transportation Plan" and keep its components and elements current and be consistent with the various city and county general plans.

PREVIOUS WORK: Updates of the RTP between 1975 and 2011 and various studies and reports. Monitoring implementation of various sub plans.

PRODUCT: 2014 Update of the "Kings County Regional Transportation Plan" and its modal elements for compliance with MAP-21 and SB 375, including the Sustainable Community Strategies (SCS) and Environmental Impact Report, following input through the public participation process and in coordination with tribal governments of the Santa Rosa Rancheria Tachi Tribe, with the inclusion of environmental justice analysis to evaluate the distribution of low-income, disabled, and minority household benefits and burdens in the transportation planning process; Valley goods movement study; and ITS Strategic Plan policies and projects; AMTRAK and high speed rail issues, and aviation facilities and services; and aviation planning for updates to the Capital Improvement Programs for the public use airports of Hanford Municipal and Corcoran. Inclusion of policies and actions that encourage the integration and balance of land use and multimodal transportation in response to anticipated growth of the region; and to identify strategies for corridor preservation of state highways. Planning for the integration of “Complete Streets” concepts in the development of transportation systems.

WORK TASKS:

<table>
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<tr>
<th>Completion Date* (1)</th>
<th>% of Effort</th>
<th>Tasks</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 30</td>
<td>10%</td>
<td>1. Review and act on RTP related issues involving all modes.</td>
</tr>
<tr>
<td>June 30</td>
<td>15%</td>
<td>2. Conduct public participation process during the development of the RTP, to include elements of the Public Participation Plan and consultation with local, regional, state, federal agencies, Tribal Governments and Environmental Justice communities.</td>
</tr>
<tr>
<td>June 30</td>
<td>15%</td>
<td>3. Coordinate with Caltrans’ systems planning products and aviation planning guidance and updated airport master plans; and maintain RTP data base with updated corridor and project information.</td>
</tr>
<tr>
<td>June 30</td>
<td>10%</td>
<td>4. Begin the development of a Regional Active Transportation Plan which will integrate local and regional bicycle plans combined with pedestrian and safe routes to schools planning efforts and guide the efforts to improve bicycling and walking conditions in the region.</td>
</tr>
<tr>
<td>June 30</td>
<td>15%</td>
<td>5. Participate with San Joaquin Valley COGs and Caltrans in the Intelligent Transportation System (ITS) Maintenance Plan and to implement ITS projects within Kings County through programming of projects in the FTIP; work with other Valley agencies to consistently present multimodal issues of valley wide concern and coordinate planning activities where interregional issues occur; review of Amtrak “San Joaquins” rail service plans; and incorporate considerations into the RTP and FTIP.</td>
</tr>
<tr>
<td>July 31</td>
<td>30%</td>
<td>7. Review and respond to comments on draft RTP and SCS, prepare final 2014 RTP and SCS, conduct public hearings on RTP, EIR, and SCS, and adopt for submittal.</td>
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100%
FUNDING REQUIREMENT: W.E. 502.01 - Regional Transportation Plan Update

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RESPONSIBLE AGENCY: Task

KCAG 1, 2, 3, 4, 5, 6, 7
Consultant 2, 6, 7

TIME FRAME: W.E. 502.01: July 1 - June 30

NOTES: *(1) Completion dates are FY 2014-2015 unless otherwise indicated.
PROGRAM: 500 TRANSPORTATION
SUBPROGRAM: 502 Regional Transportation Plan
WORK ELEMENT: 502.02 Traffic Model Program

PURPOSE: Maintain the transportation modeling program to analyze the regional transportation system, develop plans for long-range improvements and conduct conformity analyses for transportation plans, programs and projects.

PREVIOUS WORK: Development and maintenance of the Kings County 2005 base year and 2035 future year travel demand forecasting models. Completion of Model Improvement Program in order to assist in the implementation of SB 375.

PRODUCT: Maintain new upgraded model and conduct model runs. Develop model to calculate greenhouse gas emission reductions to implement SB 375 in future RTP updates. Appropriate base and future years of the model will be developed in coordination with the San Joaquin Valley MPOs model improvement program.

WORK TASKS:

<table>
<thead>
<tr>
<th>Completion Date* (1)</th>
<th>% of Effort</th>
<th>Tasks</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 30</td>
<td>10%</td>
<td>1. Coordinate modeling efforts with other San Joaquin Valley COGs, SJVAPCD, and Caltrans District modeling staff utilizing the Valley Model Users Group.</td>
</tr>
<tr>
<td>June 30</td>
<td>20%</td>
<td>2. Through a Valleywide Prop. 84 grant, acquire new data from the Calif. Household Travel Survey, Census Transportation Planning products, county-to-county flows from aggregate cell phone data, new speed data from GPS-equipped vehicles; enhance and recalibrate/revalidate travel model using new data to facilitate better interregional estimates and forecasts using the California Statewide Travel Model and other elements of the model.</td>
</tr>
<tr>
<td>June 30</td>
<td>30%</td>
<td>3. Update land use and socio-economic files by traffic analysis zones using current demographic and employment data, and update network based on current data. Update to be coordinated with member agencies through a local model review committee.</td>
</tr>
<tr>
<td>June 30</td>
<td>15%</td>
<td>4. Analyze traffic impacts of future projects on routes of regional significance.</td>
</tr>
<tr>
<td>June 30</td>
<td>20%</td>
<td>5. Conduct traffic model runs in support of local agency’s General Plan development.</td>
</tr>
<tr>
<td>June 30</td>
<td>5%</td>
<td>6. Administer consultant services contract for on-call modeling efforts for various transportation planning programs and projects.</td>
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FUNDING REQUIREMENT: W.E. 502.02 - Traffic Model Program

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**RESPONSIBLE AGENCY:** Task

KCAG: 1, 2, 3, 4, 5, 6
Consultant: 1, 2, 3, 4, 5

**TIME FRAME:** W.E. 502.02: July 1 - June 30.

**NOTES:** *(1) Completion dates are FY 2014-2015 unless otherwise indicated.*
**PROGRAM:** 500  TRANSPORTATION  
**SUBPROGRAM:** 502  Regional Transportation Plan  
**WORK ELEMENT:** 502.03  Transit Development Plan Update  

**PURPOSE:**
To update the 2008 "Kings County Transit Development Plan" for continued improvements in transit service to the general public and traditionally underrepresented and underserved populations such as the elderly, disabled, persons of limited means, and minority groups of Kings County. To review transit services to assess the efficiency and effectiveness of the services, identify capital and operating needs based on data and public outreach. To assist the transit operators with the development of their comprehensive transit asset management plans required by MAP-21 regulations. To update the Social Service Provider Plan and Inventory of Providers. To develop a transit marketing plan to provide transit operators with updated strategies to improve service.

**PREVIOUS WORK:**

**PRODUCT:**
2014 Update of the "Kings County Transit Development Plan". Documentation of Tribal government-to-government relations and outreach efforts with traditionally underrepresented and underserved populations.

**WORK TASKS:**

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<th>Completion Date* (1)</th>
<th>% of Effort</th>
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</thead>
<tbody>
<tr>
<td>June 30</td>
<td>5%</td>
<td>1. Administer contract, prepare grant quarterly reports and invoicing.</td>
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<tr>
<td>March 31</td>
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<td>2. Conduct public outreach efforts, including transit ridership surveys; meetings of the Social Service Transportation Advisory Council; coordinate, consult, and collaborate with the Santa Rosa Rancheria Tribal Government; and conduct outreach efforts with traditionally underrepresented and underserved populations and their community leaders to assist in the TDP update.</td>
</tr>
<tr>
<td>November 30</td>
<td>25%</td>
<td>3. Assess capital and operating needs for expanded transit service possibilities.</td>
</tr>
<tr>
<td>September 30</td>
<td>5%</td>
<td>4. Review and update performance standards for different transit system elements.</td>
</tr>
<tr>
<td>November 30</td>
<td>30%</td>
<td>5. Prepare draft Transit Development Plan and draft Transit Marketing Plan and circulate for review and comment.</td>
</tr>
<tr>
<td>April 30</td>
<td>5%</td>
<td>7. Adopt Transit Development Plan and submit to Caltrans and other interested parties.</td>
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**FUNDING REQUIREMENT:** W.E. 502.03 – Transit Development Plan Update

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**RESPONSIBLE AGENCY:** Task

KCAG  1, 2, 3, 4, 5, 6, 7, 8, 9
Consultant  2, 3, 4, 5, 6, 7, 8, 9

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**TIME FRAME:** W.E. 502.03: July 1 - June 30

**NOTES:** *(1) Completion dates are FY 2014-2015.

The activities included in this work element are needed to keep the Transit Development Plan current. The project is not required by statute.
PROGRAM: 500 TRANSPORTATION  
SUBPROGRAM: 502 Regional Transportation Plan  
WORK ELEMENT: 502.04 Traffic Count Program  

PURPOSE:  Traffic monitoring of countywide traffic conditions on routes of regional significance, information to update the RTP and traffic model.  

PREVIOUS WORK:  On-going traffic counts and Kings County Regional Count Report.  

PRODUCT:  Traffic count survey of regional routes in Kings County to be used to update the Goods Movement chapter and Highway Inventory sections of the RTP and a source of updated traffic count information for traffic modeling and public use. Data for submittal of Highway Performance Monitoring System (HPMS) updates. Regional Traffic Count Report for publication and distribution to the public.  

WORK TASKS:  

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<td>1. Conduct monthly volume, speed and class traffic counts.</td>
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<td>2. Incorporate traffic count information in the RTP update and transportation demand model data files.</td>
</tr>
<tr>
<td>June 30</td>
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<td>3. Distribute traffic count information and prepare updated Highway Performance Monitoring System in cooperation with local agencies for submittal to Caltrans.</td>
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100%  

FUNDING REQUIREMENT:  

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<th>PPM Funds</th>
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RESPONSIBLE AGENCY: Task
KCAG 1, 2, 3

TIME FRAME: W.E. 502.04: July 1 - June 30.

NOTES: *(1) Completion dates are FY 2014-2015 unless otherwise indicated.
PROGRAM: 500 TRANSPORTATION
SUBPROGRAM: 502 Regional Transportation Plan
WORK ELEMENT: 502.05 Air Quality Planning

PURPOSE:
To continue transportation related air quality planning for non-attainment areas. To ensure that requirements of the Clean Air Act Amendments are being met and compliance with regulations for ozone and particulate matter. To address AB32 and SB 375 compliance and the reduction of greenhouse gases.

PREVIOUS WORK:
Transportation System Management programs of previous RTPs, coordination of the "San Joaquin Valley Transportation Control Measures Program", development and implementation of the Guaranteed Ride Home Program, and conformity analysis of the RTP and FTIP.

PRODUCT:
Coordinated air quality planning within the San Joaquin Valley among local, regional, state, Tribal, and federal agencies; and conformity findings for Regional Transportation Plan and Transportation Improvement Program.

WORK TASKS:

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<th>Completion Date* (1)</th>
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</thead>
<tbody>
<tr>
<td>June 30</td>
<td>35%</td>
<td>1. Participate in Valley-wide air quality planning efforts with Caltrans, SJVAPCD, and other RTPAs, including support for Air Quality Coordinator position, and a review of the interagency consultation procedures.</td>
</tr>
<tr>
<td>June 30</td>
<td>25%</td>
<td>2. Participate and provide assistance in the Valleywide Proposition 84 grant's Sustainable Communities Strategy component to gather improved data for model improvements to evaluate emission reductions of SCS projects and programs.</td>
</tr>
<tr>
<td>June 30</td>
<td>25%</td>
<td>3. Review attainment plans prepared by the SJVAPCD and new attainment standards and provide comments; review and comment on documents prepared by the California Air Resources Board and Strategic Growth Council in regards to greenhouse gas emission reductions and funding opportunities to monitor implementation of the SCS.</td>
</tr>
<tr>
<td>June 30</td>
<td>15%</td>
<td>4. Prepare conformity findings for RTP and FTIP amendments in accordance with interagency consulting procedures.</td>
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FUNDING REQUIREMENT: W.E. 502.05 - Air Quality Planning

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### RESPONSIBLE AGENCY:

- **KCAG**: 1, 2, 3, 4
- **Consultant**: 2, 3, 4

### TIME FRAME:

- W.E. 502.05: July 1 - June 30.

### NOTES:

*(1) Completion dates are FY 2014-2015 unless otherwise indicated.*
PROGRAM: 500 TRANSPORTATION  
SUBPROGRAM: 502 Regional Transportation Plan  
WORK ELEMENT: 502.08 SR 198 Strategic Plan  

PURPOSE: To establish up to date transportation data for the SR 198 corridor through Fresno, Kings, and Tulare Counties; developing performance measures to provide operational and safety improvements, evaluate economic development potentials, and recommend interim projects leading to the ultimate design of the roadway as recommended by the SR 198 Corridor Systems Management Plan (CSMP).

PREVIOUS WORK: Establishment and coordination of a SR 198 Stakeholder Group and submittal of a California Consolidated Planning Grants - Partnership Planning Grant - Application to Caltrans for the development of the SR 198 Corridor Preservation and Improvement Strategic Plan.

PRODUCT: The State Route 198 Corridor Preservation and Improvement Strategic Plan that will provide updated corridor traffic information, operational sustainability information, safety data, performance measures for traffic and goods movement, and an assessment of the economic development opportunities and quality of life improvements that will result from improved corridor access.

WORK TASKS:

<table>
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<th>Completion Date* (1)</th>
<th>% of Effort</th>
<th>Tasks</th>
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<tbody>
<tr>
<td>February, 2016</td>
<td>5%</td>
<td>1. Coordinate staff and Stakeholder Advisory Group. Administer consulting contracts and prepare grant reports.</td>
</tr>
<tr>
<td>January 2016</td>
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<td>2. Conduct public and focus group meetings to explain the project and gather information, comments, and concerns from corridor stakeholders, including consultation with the Santa Rosa Tachi Yokut Tribe.</td>
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<tr>
<td>August, 2015</td>
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<td>3. Perform Corridor Study, including gathering existing data, developing new data, developing performance measures, developing a list of potential projects and evaluating the list of potential projects.</td>
</tr>
<tr>
<td>February, 2016</td>
<td>5%</td>
<td>5. Prepare, review, and present the draft and final plan to the stakeholders, the governing board, and Caltrans.</td>
</tr>
<tr>
<td>February, 2016</td>
<td>5%</td>
<td>6. Provide administrative support for the development of the plan, including quarterly reporting and invoicing.</td>
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FUNDING REQUIREMENT: W.E. 502.08 - SR 198 Strategic Plan

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## FUNDING SOURCES BY TASKS:

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## RESPONSIBLE AGENCY:

| Task | KCAG          |                        |                        |                        |                        | Consultant | 2, 3, 4, 5 |

## TIME FRAME:

W.E. 502.08: July 1 - June 30.

## NOTES:

*(1) Completion dates are FY 2015-2016.*
PROGRAM:  500  TRANSPORTATION
SUBPROGRAM:  503  State Liaison and Monitoring
WORK ELEMENT:  503.01  Regional and Federal Transportation Improvement Programs and STIP Review

PURPOSE:  To prepare the Regional and Federal Transportation Improvement Programs and air quality conformity analysis and finding in accordance with interagency consultation procedures. To ensure that local transportation needs and concerns are heard at the State and Federal levels and are included in the STIP and FSTIP and other programming documents, for more favorable consideration of rural needs and to monitor the STIP program.

PREVIOUS WORK:  Review and comment on State Transportation Improvement Programs since 1980, preparation of biennial Regional Transportation Improvement Programs since 1990, and Federal Transportation Improvement Programs since 1993, and FTIP Amendments.

PRODUCT:  Current Federal Transportation Improvement Program and Regional Transportation Improvement Program and attendance at CTC meetings, hearings and workshops when necessary.

WORK TASKS:

<table>
<thead>
<tr>
<th>Completion Date* (1)</th>
<th>% of Effort</th>
<th>Tasks</th>
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</thead>
<tbody>
<tr>
<td>June 30</td>
<td>10%</td>
<td>1. Attend California Transportation Commission meetings, hearings and workshops.</td>
</tr>
<tr>
<td>June 30</td>
<td>5%</td>
<td>2. Coordinate and consult with other Valley RTPAs on the development of the RTIP and FTIP and integration of intelligent transportation system projects within programming documents.</td>
</tr>
<tr>
<td>December 15</td>
<td>5%</td>
<td>3. Submit annual listing of projects for which federal funds were obligated in the preceding year.</td>
</tr>
<tr>
<td>June 30</td>
<td>40%</td>
<td>4. Prepare amendments to FTIP and submit to Caltrans, FHWA, and FTA.</td>
</tr>
<tr>
<td>June 30</td>
<td>5%</td>
<td>5. Monitor STIP projects for compliance with timely use of funds policy and recommend programming of PTA-eligible projects to maximize available capacity.</td>
</tr>
<tr>
<td>July 30</td>
<td>20%</td>
<td>6. Prepare and submit draft 2015 FTIP for review and comment in accordance with provisions of the Public Participation Plan and in consultation with local, state, and Tribal agencies and conduct public hearing.</td>
</tr>
<tr>
<td>September 30</td>
<td>15%</td>
<td>7. Review comments and prepare final 2015 FTIP for submittal to FHWA/FTA and Caltrans.</td>
</tr>
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100%
FUNDING REQUIREMENT:  
W.E. 503.01 – Regional and Federal Transportation Improvement Programs and STIP Review

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<th>Responsible Agency</th>
<th>LTF Funds</th>
<th>FHWA PL Funds</th>
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<th>PPM Funds</th>
<th>AVA Funds</th>
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RESPONSIBLE AGENCY:  
KCAG 1, 2, 3, 4, 5, 6, 7

TIME FRAME:  
W.E. 503.01: July 1 – June 30

NOTES:  *(1) Completion dates are FY 2014-2015 unless otherwise indicated.*
PROGRAM: 500 TRANSPORTATION  
SUBPROGRAM: 504 Transportation Development Act  
WORK ELEMENT: 504.01 TDA Administration and Support

PURPOSE: To administer the Kings County Local Transportation Fund and State Transit Assistance Fund in accordance with the California Public Utilities and Administrative Codes.

PREVIOUS WORK: Administration of TDA funds since they were first made available.


WORK TASKS:

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<th>% of Effort</th>
<th>Tasks</th>
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</thead>
<tbody>
<tr>
<td>October 1</td>
<td>5%</td>
<td>1. Prepare and submit annual report of FY 2013-2014 TDA apportionments and allocations to State Controller.</td>
</tr>
<tr>
<td>December 27</td>
<td>5%</td>
<td>3. Review and submit FY 2013-2014 TDA Fiscal and Compliance Audit of TDA claimants to State Controller.</td>
</tr>
<tr>
<td>March 1</td>
<td>10%</td>
<td>4. Prepare FY 2015-2016 TDA apportionments and notify claimants.</td>
</tr>
<tr>
<td>April 1</td>
<td>10%</td>
<td>5. Review KART and Corcoran Transit systems and TDA claims.</td>
</tr>
<tr>
<td>June 30</td>
<td>5%</td>
<td>6. Conduct SSTAC meetings to consider unmet transit needs.</td>
</tr>
<tr>
<td>June 30</td>
<td>5%</td>
<td>7. Conduct the unmet transit needs finding process pursuant to PUC Section 99401.5, including public hearings, adopt unmet transit needs finding and submit to Caltrans for acknowledgment, and approve the allocation of FY 2015-16 TDA funds to claimants.</td>
</tr>
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FUNDING REQUIREMENT:  
W.E. 504.01 – TDA Administration

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<th>PPM Funds</th>
<th>AVA Funds</th>
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<th>Total Revenue</th>
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### RESPONSIBLE AGENCY: Task

- **KCAG**: 1, 2, 3, 4, 5, 6, 7
- **Consultant**: 2, 3

### TIME FRAME:

W.E. 504.01 is generally continuous with major activity from July 1 to August 1, September 1 to October 1, and February 15 to June 30.

### NOTES:

*(1) Completion dates are FY 2014-2015 unless otherwise indicated.*
PROGRAM: 500 TRANSPORTATION
SUBPROGRAM: 505 AVA Administration
WORK ELEMENT: 505.01 Abandoned Vehicle Abatement Service Authority

PURPOSE:
To administer the activities and duties of the Kings County Abandoned Vehicle Abatement Service Authority.

PREVIOUS WORK:
Preparation and adoption of the Abandoned Vehicle Abatement Plan, establishment of the Kings County Abandoned Vehicle Abatement Service Authority and Board of Directors.

PRODUCT:
Administration of the Kings County Abandoned Vehicle Abatement Service Authority, disbursement of funds to claimants, preparation of quarterly status reports, annual reports and audits.

WORK TASKS:

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<tr>
<th>Completion Date* (1)</th>
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<th>Tasks</th>
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<tbody>
<tr>
<td>Monthly</td>
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<td>1. Prepare agenda materials and conduct meetings of the Kings County AVA Service Authority.</td>
</tr>
<tr>
<td>Quarterly</td>
<td>20%</td>
<td>2. Review AVA claims and disburse funds to claimants.</td>
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<tr>
<td>Quarterly</td>
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<td>3. Report FY 2014-15 AVA Service Authority activities to the State Controller.</td>
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FUNDING REQUIREMENT: W.E. 505.01 – AVA Service Authority

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**TIME FRAME:** W.E. 505.01 is a continuous activity.

**NOTES:** *(1) Completion dates are FY 2014-2015 unless otherwise indicated.*
PROGRAM: 400 Kings County Association of Governments
SUBPROGRAM: 400 Metropolitan Planning Agency
WORK ELEMENT: 405.01 Areawide Clearinghouse Review

PURPOSE: To provide Areawide Clearinghouse Review services for agencies and organizations in Kings County in accordance with State and Federal mandates.

PREVIOUS WORK: Conduct on-going Areawide Clearinghouse Review Services.

PRODUCT: Review and distribute federal grant applications for comments as necessary.

WORK TASKS:

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<th>% of Effort</th>
<th>Tasks</th>
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<tbody>
<tr>
<td>June 30</td>
<td>20%</td>
<td>1. Review State Clearinghouse Newsletter and applications received for federal assistance.</td>
</tr>
<tr>
<td>June 30</td>
<td>40%</td>
<td>2. Prepare summaries and comment forms for federal grant applications and distribute to review committee for comments.</td>
</tr>
<tr>
<td>June 30</td>
<td>30%</td>
<td>3. Present federal grant applications with received comments to the KCAG Commission.</td>
</tr>
<tr>
<td>June 30</td>
<td>10%</td>
<td>4. Notify local agencies, Tribal Government, and state officials with the ratification of comments by the KCAG Commission.</td>
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FUNDING REQUIREMENT: W.E. 405.01 Areawide Clearinghouse Review

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<th>Total Revenue</th>
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Note: Local Funds are provided by member agencies from local sources.
FUNDING SOURCES BY TASKS:

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RESPONSIBLE AGENCY: Task

KCAG 1, 2, 3, 4

TIME FRAME: W.E. 405.01: July 1 - June 30.

NOTES: *(1) Completion dates are FY 2014-2015 unless otherwise indicated.*
PROGRAM: 400 COUNCIL OF GOVERNMENTS
SUBPROGRAM: 406 Housing
WORK ELEMENT: 406.01 Regional Housing Needs Allocation Plan

PURPOSE: To prepare an update of the Kings Regional Housing Needs Allocation (RHNA) Plan that allocates the housing needs in the Kings region as mandated by the State for inclusion in city and county general plan Housing Elements. The RHNA Plan will include determinations of housing allocations specific to each jurisdiction. These housing allocations include the housing needs of all income levels.


PRODUCT: An updated Regional Housing Needs Allocation Plan that will allocate housing needs of the Kings region by accommodating projected regional growth, provide access to housing for all income groups within each housing market area; respond to State guidelines by identifying the needs of persons of all income levels within the area significantly affected by a jurisdiction’s general plan, and identify existing and projected housing needs.

WORK TASKS:

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<th>% of Effort</th>
<th>Tasks</th>
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</thead>
<tbody>
<tr>
<td>July 1, 2014</td>
<td>15%</td>
<td>2. Circulate draft Kings Regional Housing Needs Allocation Plan, conduct process for local revision of draft RHNA Plan.</td>
</tr>
<tr>
<td>January 31, 2015</td>
<td>75%</td>
<td>3. Review and respond to comments on draft Kings Regional Housing Needs Allocation Plan, prepare and adopt final 2014 RHNA Plan, consistent with the Sustainable Communities Strategies (SCS) development pattern, and submit to State Department of Housing and Community Development.</td>
</tr>
<tr>
<td></td>
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FUNDING REQUIREMENT: W.E. 406.01 – Regional Housing Needs Allocation Plan

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<td>0</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>PPM Funds</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>AVA Funds</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
<td>0</td>
</tr>
<tr>
<td>Local Funds</td>
<td>1,200</td>
<td>1,800</td>
<td>9,000</td>
<td></td>
<td>12,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$1,200</td>
<td>$1,800</td>
<td>$9,000</td>
<td></td>
<td>$12,000</td>
</tr>
</tbody>
</table>

**RESPONSIBLE AGENCY:** Task

KCAG  1, 2, 3

**TIME FRAME:** W.E. 406.01: July 1 - June 30.

**NOTES:** *(1) Completion dates are FY 2014-2015 unless otherwise indicated.*
PROGRAM: 400 Metropolitan Planning Activities
SUBPROGRAM: 400 US Census
WORK ELEMENT: 407.01 Census Data Center

PURPOSE: To review, study, analyze, and provide demographical information for Kings County.

PREVIOUS WORK: Distribution of past Kings County demographic information.

PRODUCT: Distribution of various types of census information including population and housing estimates provided by the California Department of Finance.

WORK TASKS:

<table>
<thead>
<tr>
<th>Completion Date*</th>
<th>% of Effort</th>
<th>Tasks</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 30</td>
<td>20%</td>
<td>1. Review, study, analyze, and provide demographical information to interested persons.</td>
</tr>
<tr>
<td>June 30</td>
<td>10%</td>
<td>2. Review California Department of Finance population and housing estimates, prepare informational reports and provide to local agencies and the public, and post on the KCAG website; attend annual State Data Center meeting as the local affiliate center.</td>
</tr>
<tr>
<td>June 30</td>
<td>70%</td>
<td>3. Utilize 2010 Census and American Community Survey data to prepare Kings County information for posting on KCAG website and distribution to the public.</td>
</tr>
</tbody>
</table>

100%

FUNDING REQUIREMENT: W.E. 407.01 Census Data Center

<table>
<thead>
<tr>
<th>Responsible Agency</th>
<th>LTF Funds</th>
<th>FHWA PL Funds</th>
<th>FTA 5303 Funds</th>
<th>PPM Funds</th>
<th>AVA Funds</th>
<th>Local Funds *</th>
<th>Total Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>KCAG</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$7,000</td>
<td>$7,000</td>
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<tr>
<td>Total</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$7,000</td>
<td>$7,000</td>
</tr>
</tbody>
</table>

Note: Local Funds are provided by member agencies from local sources.
FUNDING SOURCES BY TASKS:

<table>
<thead>
<tr>
<th>SOURCE</th>
<th>WORK TASKS</th>
<th></th>
<th></th>
<th>TOTAL</th>
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<tbody>
<tr>
<td></td>
<td>1</td>
<td>2</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>LTF Funds</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
</tr>
<tr>
<td>FHWA PL Funds</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>FTA 5303 Funds</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>PPM Funds</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>AVA Funds</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Local Funds</td>
<td>1,400</td>
<td>700</td>
<td>4,900</td>
<td>7,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$1,400</td>
<td>$700</td>
<td>$4,900</td>
<td>$7,000</td>
</tr>
</tbody>
</table>

RESPONSIBLE AGENCY: Task

KCAG 1, 2, 3

TIME FRAME: W.E. 407.01: July 1 - June 30.

NOTES: *(1) Completion dates are FY 2014-2015 unless otherwise indicated.*
### VII. OTHER PLANNING ACTIVITIES WITHIN THE REGION PERFORMED BY CALTRANS

#### Informational Element Matrix

The following is a list of planning activities for which Caltrans is participating in the RTPA/MPO planning area.

<table>
<thead>
<tr>
<th>Activity Description</th>
<th>RTPA Work Element No.</th>
<th>Funding Type</th>
<th>Products</th>
<th>Work Performed By</th>
<th>Due Date</th>
<th>FSTIP Programming</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caltrans Work Elements for OWP, Progress Reports, Reimbursement and Monitoring</td>
<td>N/A</td>
<td>Federal / State</td>
<td>OWP Management</td>
<td>Caltrans</td>
<td>On-Going</td>
<td>No</td>
</tr>
<tr>
<td>IGR / Local Development Reviews</td>
<td>N/A</td>
<td>State</td>
<td>Recommended Mitigation for Development Impacts on State Facilities</td>
<td>Caltrans</td>
<td>On-Going</td>
<td>No</td>
</tr>
<tr>
<td>Update Various System Planning Documents</td>
<td>N/A</td>
<td>State</td>
<td>Various System Planning Documents</td>
<td>Caltrans</td>
<td>On-Going</td>
<td>No</td>
</tr>
<tr>
<td>Valley-Wide GIS</td>
<td>N/A</td>
<td>State</td>
<td>Coordinate integration of Valley-wide GIS into Caltrans GIS</td>
<td>Caltrans</td>
<td>On-Going</td>
<td>No</td>
</tr>
<tr>
<td>California Interregional Blueprint – California Transportation Plan</td>
<td>N/A</td>
<td>State</td>
<td>The California Transportation Plan (CTP) 2040 will assess how MPO’s Sustainable Communities Strategies will influence the Statewide Multimodal transportation system.</td>
<td>Caltrans</td>
<td>December 2015</td>
<td>No</td>
</tr>
<tr>
<td>Update District 6 Bicycle Map</td>
<td>N/A</td>
<td>State</td>
<td>Current State Highway Bicycle Map</td>
<td>Caltrans</td>
<td>In Progress</td>
<td>No</td>
</tr>
<tr>
<td>Joint Corridor Planning</td>
<td>N/A</td>
<td>State</td>
<td>Planning strategies on State highways and interchanges, in coordination with KCAG and local agencies.</td>
<td>Caltrans</td>
<td>Ongoing</td>
<td>No</td>
</tr>
<tr>
<td>Mass Transit – Kings Co.</td>
<td>N/A</td>
<td>State</td>
<td>Coordinate &amp; Administer 5311, CMAQ, Capital, STIP programs w/local agencies to enhance the use of public transportation system in city and rural areas.</td>
<td>Caltrans &amp; Kings Co.</td>
<td>On-Going</td>
<td>No</td>
</tr>
<tr>
<td>Route 99 Business Plan Update</td>
<td>N/A</td>
<td>State</td>
<td>Updated Rte 99 Business Plan with Financial Plan and consideration of additional projects.</td>
<td>Caltrans in coordination with Valleywide MPO Technical Advisory Committee</td>
<td>On-Going</td>
<td>No</td>
</tr>
<tr>
<td>Community Based Transp. Planning Grant</td>
<td>N/A</td>
<td>State</td>
<td>City of Hanford Pedestrian and Bicycle Plan</td>
<td>City of Hanford, Consultant</td>
<td>February 2016</td>
<td>No</td>
</tr>
<tr>
<td>Transit Planning for Sustainable Transp. Grant</td>
<td>50203</td>
<td>Federal</td>
<td>Kings County Transit Development Plan</td>
<td>KCAG, KCAPTA, City of Corcoran, Consultant</td>
<td>June 2015</td>
<td>No</td>
</tr>
<tr>
<td>Partnership Planning for Sustainable Transp. Grant</td>
<td>50208</td>
<td>Federal</td>
<td>SR 198 Corridor Preservation and Improvement Strategic Plan</td>
<td>KCAG, FCOG, TCAG, Caltrans, Consultant</td>
<td>February 2016</td>
<td>No</td>
</tr>
</tbody>
</table>
APPENDICES

On March 11, 1988, the federal government published the “Common Rule” (49 CFR Part 18 – Uniform Administrative Requirements for Grant and Cooperative Agreements to State and Local Governments). The rule governs such things as the maintenance of accounting systems, records retention, property management, procurement and contracts. 49 CFR Part 18 is referenced in every federal pass through grant document that KCAG executes with the State.

A. KCAG Transportation Policy Committee Resolution No. 14-04 approving FY 2014-2015 Overall Work Program for Transportation Planning

B. MPO Boundary Map

C. Certifications and Assurances Statements

D. Budget Worksheet

E. Agreements

   1. Caltrans and Kings County Association of Governments MFTA
   2. Caltrans and the Kings County Association of Governments MOU
   3. Regional Transportation Planning Agencies and the San Joaquin Valley Unified Air Pollution Control District MOU
   4. San Joaquin Valley Regional Transportation Planning Agencies MOU
   5. KCAG and the Kings County Area Public Transit Agency (KCAPTA) MOU
   6. Kings County Abandoned Vehicle Abatement Service Authority
   7. California Vanpool Authority
   8. San Joaquin Joint Exercise of Power Agreement

F. Glossary of Terms and Definitions

G. Planning Emphasis Areas and Matrix

H. Comments on Draft OWP
APPENDIX A

(Resolution for OWP Adoption)
BEFORE THE KINGS COUNTY ASSOCIATION OF GOVERNMENTS
TRANSPORTATION POLICY COMMITTEE

* * * * * * *

IN THE MATTER OF APPROVING ) RESOLUTION NO. 14-04
PROGRAM FOR REGIONAL )
TRANSPORTATION PLANNING )

WHEREAS, the Kings County Association of Governments (KCAG) is the Metropolitan Planning Organization for Kings County; and

WHEREAS, each year the KCAG Transportation Policy Committee adopts a work program which represents its transportation planning effort and the cost of that effort for the following year; and

WHEREAS, in the development of the overall work program KCAG has sought input from member agencies, transit operators, other San Joaquin Valley Transportation Planning Agencies, Federal, and State agencies with respect to proposed work to be performed; and

WHEREAS, a draft overall work program was submitted to the public and local, State, and Federal agencies for review and comment and that comments, views and recommendations were accommodated and incorporated into the final OWP to the maximum extent possible; and

WHEREAS, 23 CFR 450.334 requires that the designated MPO certify each year that the planning process is being conducted in conformance with applicable requirements.

NOW, THEREFORE, BE IT RESOLVED, that the KCAG Transportation Policy Committee does hereby adopt the "FY 2014-2015 Overall Work Program" and certifies that its planning process will be implemented through this document in accordance with the following:

1. 23 U.S.C. 134 and 135, 49 U.S.C. 5303 through 5306 and 5323(l);

2. Sections 174 and 176 (c) and (d) of the Clean Air Act as amended (42 U.S.C. 7504, 7506 (c) and (d));


4. Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in the FHWA and the FTA funded projects; and

BE IT FURTHER RESOLVED, that the KCAG Transportation Policy Committee hereby authorizes submittal of the FY 2014-15 OWP to the various participating State and Federal agencies; and

BE IT FURTHER RESOLVED, that the KCAG Executive Director be, and is hereby designated and authorized to submit the FY 2014-15 OWP and to execute all necessary agreements and contracts on behalf of KCAG to implement the purposes of this resolution; and

BE IT FINALLY RESOLVED, that the KCAG Executive Director is hereby authorized to make and submit to the appropriate funding agencies necessary work program and budget modifications to the OWP based upon actual available funds, and to draw funds as necessary.

The foregoing Resolution was adopted on a motion by Commissioner Verboon, seconded by Commissioner Casida, at a regular meeting held on the 28th day of May, 2014 by the following vote:

AYES: Verboon, Casida, Neves, Curry, Cartwright, Miller
NOES: Gordon
ABSENT: 
ABSTAIN: 

KINGS COUNTY ASSOCIATION OF GOVERNMENTS TRANSPORTATION POLICY COMMITTEE

Chair

WITNESS, my hand this 28th day of May, 2014.

Terri King, Executive Director
APPENDIX B

(MPO Boundary Map)
APPENDIX C

(Certifications and Assurances Statements)
In accordance with 23 CFR 450.334 and 450.220, Caltrans and Kings County Association of Governments, Metropolitan Planning Organization for the Kings County urbanized area(s) hereby certify that the transportation planning process is addressing the major issues in the metropolitan planning area and is being conducted in accordance with all applicable requirements of:


II. In nonattainment and maintenance areas, sections 174 and 176 (c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506 (c) and (d)) and 40 CFR part 93;


IV. Section 1003(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (Pub. L. 102-240) regarding the involvement of disadvantaged business enterprises in the FHWA and the FTA funded planning projects (sec. 105(f), Pub. L. 97-424, 96 Stat. 2100; 49 CFR part 23);

V. Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of disadvantaged business enterprises in USDOT funded projects;

VI. The provision of the Americans With Disabilities Act of 1990 (Pub. L. 101-336, 104 Stat 327, as amended) and the U.S. DOT implementing regulations (49 CFR 27, 37 and 38);

VII. The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and 49 CFR parts 27, 37, and 38;

VIII. 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;

IX. 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;

X. The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;

XI. Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and

XII. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

MPO Authorizing Signature

Caltrans District Approval Signature

Executive Director
Title

Date

5-28-14

Date
Fiscal Year 2014/2015 California Department of Transportation
Debarment and Suspension Certification

As required by U.S. DOT regulations on governmentwide Debarment and Suspension
(Nonprocurement), 49 CFR 29.100:

1) The Applicant certifies, to the best of its knowledge and belief, that it and its contractors, subcontractors and subrecipients:

a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

b) Have not, within the three (3) year period preceding this certification, been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, state, or local) transaction or contract under a public transaction, violation of Federal or state antitrust statutes, or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, state, or local) with commission of any of the offenses listed in subparagraph (1)(b) of this certification; and

d) Have not, within the three (3) year period preceding this certification, had one or more public transactions (Federal, state, and local) terminated for cause or default.

2) The Applicant also certifies that, if Applicant later becomes aware of any information contradicting the statements of paragraph (1) above, it will promptly provide that information to the State.

3) If the Applicant is unable to certify to all statements in paragraphs (1) and (2) of this certification, through those means available to Applicant, including the General Services Administration’s Excluded Parties List System (EPLS), Applicant shall indicate so in its applications, or in the transmittal letter or message accompanying its annual certifications and assurances, and will provide a written explanation to the State.
In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.

Signature ___________________ Date __5-28-14____

Printed Name _____ Terri King ____________________________

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has the authority under state and local law to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, these certifications and assurances have been legally made and constitute legal and binding obligations of the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances or of the performance of the described project.

AFFIRMATION OF APPLICANT’S ATTORNEY

For ___ Kings County Association of Governments _______ (Name of Applicant)

Signature ___________________ Date __May 28, 2014____

Printed Name _____ Kris Pedersen ____________________________

of Applicant’s Attorney
FEDERAL FISCAL YEAR 2014 FTA CERTIFICATIONS AND ASSURANCES SIGNATURE PAGE  
(Required of all Applicants for FTA funding and all FTA Grantees with an active Capital or Formula Project)

AFFIRMATION OF APPLICANT

Name of Applicant: Kings County Association of Governments

Name and Relationship of Authorized Representative: Terri King, Executive Director

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these Certifications and Assurances and bind the Applicant’s compliance. Thus, the Applicant agrees to comply with all Federal statutes and regulations, and follow applicable Federal guidance, and comply with the Certifications and Assurances as indicated on the foregoing page applicable to each application its authorized representative makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2014, irrespective of whether the individual that acted on its Applicant’s behalf continues to represent the Applicant.

FTA intends that the Certifications and Assurances the Applicant selects on the other side of this document should apply, as provided, to each Project for which the Applicant seeks now, or may later seek FTA funding during Federal Fiscal Year 2014.

The Applicant affirms the truthfulness and accuracy of the Certifications and Assurances it has selected in the statements submitted with this document and any other submission made to FTA, and acknowledges that the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 et seq., and implementing U.S. DOT regulations, “Program Fraud Civil Remedies,” 49 CFR part 31, apply to any certification, assurance or submission made to FTA. The criminal provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal public transportation program authorized by 49 U.S.C. chapter 53 or any other statute.

In signing this document, I declare under penalties of perjury that the foregoing Certifications and Assurances, and any other statements made by me on behalf of the Applicant are true and accurate.

Signature

Date: 5-28-14

Name Terri King

Authorized Representative of Applicant

AFFIRMATION OF APPLICANT’S ATTORNEY

For (Name of Applicant): Kings County Association of Governments

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under State, local, or tribal government law, as applicable, to make and comply with the Certifications and Assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the Certifications and Assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these Certifications and Assurances, or of the performance of its FTA Project or Projects.

Signature

Date: May 28, 2014

Name Kris Pedersen

Attorney for Applicant

Each Applicant for FTA funding and each FTA Grantee with an active Capital or Formula Project must provide an Affirmation of Applicant’s Attorney pertaining to the Applicant’s legal capacity. The Applicant may enter its signature in lieu of the Attorney’s signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.
FEDERAL FISCAL YEAR 2014 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS
(Signature page alternative to providing Certifications and Assurances in TEAM-Web)

Name of Applicant: Kings County Association of Governments

The Applicant agrees to comply with applicable provisions of Groups 01 – 24. _____
OR
The Applicant agrees to comply with applicable provisions of the Groups it has selected:

<table>
<thead>
<tr>
<th>Group</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>01.</td>
<td>Required Certifications and Assurances for Each Applicant.</td>
</tr>
<tr>
<td>02.</td>
<td>Lobbying.</td>
</tr>
<tr>
<td>03.</td>
<td>Private Sector Protections.</td>
</tr>
<tr>
<td>04.</td>
<td>Procurement and Procurement System.</td>
</tr>
<tr>
<td>05.</td>
<td>Rolling Stock Reviews and Bus Testing.</td>
</tr>
<tr>
<td>06.</td>
<td>Demand Responsive Service.</td>
</tr>
<tr>
<td>07.</td>
<td>Intelligent Transportation Systems.</td>
</tr>
<tr>
<td>08.</td>
<td>Interest and Finance Costs and Leasing Costs.</td>
</tr>
<tr>
<td>10.</td>
<td>Alcohol and Controlled Substances Testing.</td>
</tr>
<tr>
<td>11.</td>
<td>Fixed Guideway Capital Investment Program (New Starts, Small Starts, and Core Capacity) and Capital Investment Program in Effect before MAP-21.</td>
</tr>
<tr>
<td>12.</td>
<td>State of Good Repair Program.</td>
</tr>
<tr>
<td>13.</td>
<td>Fixed Guideway Modernization Grant Program.</td>
</tr>
<tr>
<td>15.</td>
<td>Urbanized Area Formula Programs and Job Access and Reverse Commute (JARC) Program.</td>
</tr>
<tr>
<td>16.</td>
<td>Seniors/Elderly/Individuals with Disabilities Programs and New Freedom Program.</td>
</tr>
<tr>
<td>17.</td>
<td>Rural/Other Than Urbanized Areas/Appalachian Development/Over-the-Road Bus Accessibility Programs.</td>
</tr>
<tr>
<td>18.</td>
<td>Public Transportation on Indian Reservations and “Tribal Transit Programs.</td>
</tr>
<tr>
<td>19.</td>
<td>Low or No Emission/Clean Fuels Grant Programs.</td>
</tr>
<tr>
<td>20.</td>
<td>Paul S Sarbanes Transit in Parks Program.</td>
</tr>
<tr>
<td>22.</td>
<td>Public Transportation Emergency Relief Program.</td>
</tr>
<tr>
<td>23.</td>
<td>Expedited Project Delivery Pilot Program.</td>
</tr>
<tr>
<td>24.</td>
<td>Infrastructure Finance Programs.</td>
</tr>
</tbody>
</table>
FEDERAL FISCAL YEAR 2012 CERTIFICATIONS AND ASSURANCES FOR
FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS

PREFACE

Before the Federal Transit Administration (FTA or We) may award Federal transit assistance (funding or funds) to support a project, an authorized representative (you) of the project sponsor (Applicant) must provide certain certifications and assurances required by Federal law or regulation. You must provide all certifications and assurances required of your Applicant to support its applications for FTA funding during Federal fiscal year (FY) 2012.

We request that you read each certification and assurance carefully and select all certifications and assurances that might apply to all projects for which your Applicant might seek FTA funding. We can award FTA funding for your Applicant’s project only if your Applicant provides adequate certifications and assurances on your Applicant’s behalf as required by Federal law or regulation.

We have consolidated our certifications and assurances into 24 groups. At a minimum, you must provide the assurances in Group 01. If your Applicant requests more than $100,000, you must also provide the Lobbying certification in Group 02, unless your Applicant is an Indian tribe or organization or a tribal organization. Depending on the nature of your Applicant and its project, your Applicant may need to provide some of the certifications and assurances in Groups 03 through 24. However, instead of selecting individual groups of certifications and assurances, you may make a single selection that will encompass all groups of certifications and assurances applicable to all our programs. FTA and your Applicant understand and agree that not every provision of these certifications and assurances will apply to every Applicant or every project we fund. The type of project and Applicant will determine which certifications and assurances apply.

Your Applicant also understands and agrees that these certifications and assurances are special pre-award requirements and do not include all Federal requirements that may apply to your Applicant or its project. Our Master Agreement MA(18) for Federal Fiscal Year 2012, http://www.fta.dot.gov/documents/18-Master.pdf, contains a list of most of those requirements.

Except in limited circumstances, your Applicant is ultimately responsible for compliance with the certifications and assurances that apply to itself or its project irrespective of subrecipient participation in the project. Because many FY 2012 certifications and assurances will require subrecipient compliance, we strongly recommend that you take appropriate measures to assure the validity of your Applicant’s certifications and assurances. Your Applicant understands and agrees that when you apply for funding on behalf of a consortium, joint venture, partnership, or team, each member of that consortium, joint venture, partnership, or team is responsible for compliance with the certifications and assurances you select on your Applicant’s behalf.

We expect you to submit your Applicant’s FY 2012 certifications and assurances in TEAM-Web, and its applications for funding as well. Thus you will need to be registered in TEAM-Web to act
on your Applicant’s behalf. The TEAM-Web “Recipients” option at the “Cert’s & Assurances” tab of the “View/Modify Recipients” page contains fields for selecting among the 24 groups of certifications and assurances and a designated field for selecting all 24 groups. If you cannot submit your Applicant’s FY 2012 certifications and assurances electronically, you must submit the Signature Page(s) in Appendix A of this Notice marked to show the groups of certifications and assurances your Applicant is providing.

GROUP 01. ASSURANCES REQUIRED FOR EACH APPLICANT

You must select the following assurances in Group 01 on behalf of your Applicant unless we expressly determine otherwise in writing.

A. Assurance of Authority of the Applicant and Its Representative.
Both you and the Applicant’s attorney who sign these certifications, assurances, and agreements, affirm that both the Applicant and you as its authorized representative may, under their State, local, or Indian tribal law and regulations, and the Applicant’s by-laws or internal rules, undertake the following activities on behalf of the Applicant:
1. Execute and file its application for Federal funds,
2. Execute and file its certifications, assurances, and agreements binding its compliance, and
3. Execute Grant Agreements or Cooperative Agreements, or both, with FTA.

B. Standard Assurances.
The Applicant assures that:
1. It has sufficient authority under its State, local, or Indian tribal law, regulations by-laws and internal rules to carry out each FTA funded project as required by Federal laws and regulations,
2. It will comply with all applicable Federal statutes and regulations to carry out any FTA funded project,
3. It is under a continuing obligation to comply with the terms and conditions of the FTA Grant Agreement or Cooperative Agreement for the project, including the FTA Master Agreement incorporated by reference and made part of the latest amendment to Grant Agreement or Cooperative Agreement,
4. It recognizes that Federal laws and regulations may be modified from time to time and those modifications may affect project implementation,
5. It understands that Presidential executive orders and Federal directives, including Federal policies and program guidance, may be issued concerning matters affecting the Applicant or its project, and
6. It agrees that the most recent Federal laws, regulations, and directives will apply to the project, unless FTA determines otherwise in writing.

C. Intergovernmental Review Assurance.
This assurance does not apply to Indian tribe or organization or a tribal organization that applies for funding under FTA’s Tribal Transit Program, 49 U.S.C. 5311(c)(1).
The Applicant assures that it has or will submit each Federal funding application to the appropriate State and local agencies for intergovernmental review to facilitate compliance with U.S. Department of Transportation (U.S. DOT) regulations, “Intergovernmental Review of Department of Transportation Programs and Activities,” 49 CFR part 17.
D. *Nondiscrimination Assurance.*

1. The Applicant assures that it will comply with the following laws and regulations so that no person in the United States will be denied the benefits of, or otherwise be subjected to discrimination in any U.S. DOT or FTA funded program or activity (particularly in the level and quality of transportation services and transportation-related benefits on the basis of race, color, national origin, creed, sex, or age:
   a. Federal transit law, specifically 49 U.S.C. 5332 (prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age, and in employment or business opportunity),
   b. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d, and

2. As required by 49 CFR 21.7, the Applicant assures that:
   a. It will comply with 49 U.S.C. 5332, 42 U.S.C. 2000d, and 49 CFR part 21 in the manner:
      (1) It conducts each project,
      (2) It undertakes property acquisitions, and
      (3) It operates the project facilities, including:
         (a) Its entire facilities, and
         (b) Its facilities operated in connection with its project,
   b. This assurance applies to its entire project and entire facilities, including facilities operated in connection with its project,
   c. It will promptly take the necessary actions to carry out this assurance, including:
      (1) Notifying the public that discrimination complaints about transportation-related services or benefits may be filed with U.S. DOT or FTA, and
      (2) Submitting information about its compliance with these provisions to U.S. DOT or FTA upon their request,
   d. If it transfers FTA funded real property, structures, or improvements to another party, any deeds and instruments recording that transfer will contain a covenant running with the land assuring nondiscrimination:
      (1) While the property is used for the purpose that the Federal funding is extended,
      (2) While the property is used for another purpose involving the provision of similar services or benefits,
   e. The United States has a right to seek judicial enforcement of any matter arising under:
      (1) Title VI of the Civil Rights Act, 42 U.S.C. 2000d,
      (2) U.S. DOT regulations, 49 CFR part 21, and
      (3) This assurance,
   f. It will make any changes in its Title VI implementing procedures as U.S. DOT or FTA may request to comply with:
      (1) Title VI of the Civil Rights Act, 42 U.S.C. 2000d,
      (2) U.S. DOT regulations, 49 CFR part 21, and
      (3) Federal transit law, 49 U.S.C. 5332,
   g. It will extend the requirements of 49 U.S.C. 5332, 42 U.S.C. 2000d, and 49 CFR part 21 to each third party participant, including:
      (1) Any subrecipient,
      (2) Any transferee,
      (3) Any third party contractor or subcontractor at any tier,
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(4) Any successor in interest,
(5) Any lessee, or
(6) Any other participant in the project,
h. It will include adequate provisions to extend the requirements of 49 U.S.C. 5332, 42 U.S.C. 2000d, and 49 CFR part 21 to each third party agreement, including:
   (1) Each subagreement,
   (2) Each property transfer agreement,
   (3) Each third party contract or subcontract at any tier,
   (4) Each lease, or
   (5) Each participation agreement,
i. The assurances it has made will remain in effect for the longest of the following:
   (1) As long as Federal funding is extended to the project,
   (2) As long as the Project property is used for a purpose for which the Federal funding is extended,
   (3) As long as the Project property is used for a purpose involving the provision of similar services or benefits, or
   (4) As long as the Applicant retains ownership or possession of the project property.

E. Assurance of Nondiscrimination on the Basis of Disability.
1. The Applicant assures that it and its project implementation and operations will comply with all applicable requirements of:
   c. U.S. DOT regulations, specifically 49 CFR parts 27, 37, and 38, and
d. Any other applicable Federal laws that may be enacted or Federal regulations that may be promulgated,
2. As required by U.S. DOT regulations, “Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance,” 49 CFR part 27, specifically 49 CFR 27.9, the Applicant assures that:
   a. The following prohibition against discrimination on the basis of disability is a condition to the approval or extension of any FTA funding awarded to:
      (1) Construct any facility,
      (2) Obtain any rolling stock or other equipment,
      (3) Undertake studies,
      (4) Conduct research, or
      (5) Participate in or obtain any benefit from any FTA administered program,
   b. In any program or activity receiving or benefiting from Federal funding FTA or any entity within U.S. DOT administers, no otherwise qualified people with a disability will, because of their disability, be:
      (1) Excluded from participation,
      (2) Denied benefits, or
      (3) Otherwise subjected to discrimination.

F. Suspension and Debarment.
1. U.S. DOT regulations, “Nonprocurement Suspension and Debarment,” 2 CFR part 1200, which adopts and supplements the provisions of U.S. Office of Management and Budget
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(U.S. OMB) “Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement),” 2 CFR part 180, permit certifications to assure the Applicant acknowledges that:

2. The Applicant certifies to the best of its knowledge and belief that, it, its principals, and first tier subrecipients:
   a. Are eligible to participate in covered transactions of any Federal department or agency and are not presently:
      (1) Debarred,
      (2) Suspended,
      (3) Proposed for debarment,
      (4) Declared ineligible, or
      (5) Voluntarily excluded, or
      (6) Disqualified,
   b. Have not within a three-year period preceding its latest application or proposal been convicted of or had a civil judgment rendered against any of them for:
      (1) Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction, or contract under a public transaction,
      (2) Violation of any Federal or State antitrust statute, or
      (3) Commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making any false statement, or receiving stolen property,
   c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses listed in the preceding Section 2.b of this certification,
   d. Have not had one or more public transactions (Federal, State, or local) terminated for cause or default within a three-year period preceding this certification,
   e. Will promptly provide any information to the FTA if at a later time any information contradicts the statements of subparagraphs (1) through (4) above, and
   f. Will treat each lower tier contract or lower tier subcontract under the Project as a covered lower tier contract for purposes of 2 CFR part 1200 and 2 CFR part 180 if it:
      (1) Equals or exceeds $25,000,
      (2) Is for audit services, or
      (3) Requires the consent of a Federal official,
   g. Will require that each covered lower tier contractor and subcontractor:
      (1) Comply with the Federal requirements of 2 CFR part 1200 and 2 CFR part 180, and
      (2) Assure that each lower tier participant in the Project is not presently declared by any Federal department or agency to be:
         (a) Debarred from participation in the federally funded project,
         (b) Suspended from participation in the federally funded project,
         (c) Proposed for debarment from participation in the federally funded project,
         (d) Declared ineligible to participate in the federally funded project,
         (e) Voluntarily excluded from participation in the federally funded project, or
         (f) Disqualified from participation in the federally funded Project.

3. The Applicant will provide a written explanation indicated on its Signature Page or a page attached in FTA’s TEAM if it or any of its principals, including any of its first tier subrecipients or lower tier participants, is unable to certify to the preceding statements in this certification.
G. U.S. OMB Assurances in SF-424B and SF-424D.

(These assurances are consistent with U.S. OMB assurances required in SF-424B and SF-424D.)

1. Administrative Activities. The Applicant assures that:
   a. For every project described in any application it submits, it has adequate resources to properly plan, manage, and complete the project, including:
      (1) The legal authority to apply for Federal funding, and
      (2) The institutional capability,
      (3) The managerial capability, and
      (4) The financial capability (including funds sufficient to pay the non-Federal share of project cost).
   b. It will give access and the right to examine project-related materials, including but not limited to:
      (1) FTA,
      (2) The Comptroller General of the United States, and,
      (3) If appropriate, the State, through any authorized representative,
   c. It will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
   d. It will establish safeguards to prohibit employees from using their positions for a purpose that:
      (1) Results in a personal or organizational conflict of interest, or personal gain, or
      (2) Presents the appearance of a personal or organizational conflict of interest or personal gain.

2. Project Specifics. The Applicant assures that:
   a. Following receipt of FTA award, it will begin and complete Project work within the applicable time periods,
   b. For FTA funded construction projects:
      (1) It will comply with FTA provisions concerning the drafting, review, and approval of construction plans and specifications
      (2) It will to the extent practicable provide and maintain competent and adequate engineering supervision at the construction site to assure that the completed work conforms with the approved plans and specifications,
      (3) It will include a covenant in the title of federally funded real property acquired to assure nondiscrimination during the useful life of the project,
      (4) To the extent FTA requires, it will record the Federal interest in the title to FTA assisted real property or interests in real property, and
      (5) To the extent practicable, without permission and instructions from FTA, it will not alter the site of the FTA funded construction project or facilities by:
         (a) Disposing of the underlying real property or other interest in the site and facilities,
         (b) Modifying the use of the underlying real property or other interest in the site and facilities, or
         (c) Changing the terms of the underlying real property title or other interest in the site and facilities.
   c. It will furnish progress reports and other information as FTA or the State may require.

3. Statutory and Regulatory requirements. The Applicant assures that:
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a. It will comply with all applicable Federal statutes relating to nondiscrimination including, but not limited to the:
   (1) Prohibitions against discrimination on the basis of race, color, or national origin of Title VI of the Civil Rights Act, 42 U.S.C. 2000d,
   (2) Prohibitions against discrimination on the basis of sex of:
      (a) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 – 1683, and 1685 – 1687, and
      (b) U.S. DOT regulations, “Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance,” 49 CFR part 25,
   (3) Prohibitions against discrimination on the basis of age in federally assisted programs of the Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 – 6107,
   (4) Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of disability,
   (5) Prohibitions against discrimination on the basis of disability of Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794,
   (6) Nondiscrimination requirements relating to the sale, rental, or financing of housing of Title VIII of the Civil Rights Act, 42 U.S.C. 3601 et seq.,
   (8) Prohibitions against discrimination on the basis of alcohol abuse of the Comprehensive Alcohol Abuse and Alcoholism Prevention Act of 1970, as amended, 42 U.S.C. 4541 et seq.,
   (9) Confidentiality requirements for the records of alcohol and drug abuse patients of the Public Health Service Act, as amended, 42 U.S.C. 290dd – 290dd-2, and
   (10) Nondiscrimination provisions of any other statute(s) that may apply to the project,

b. Regardless of whether Federal funding has been provided for any of the real property acquired for Project purposes, it will provide for fair and equitable treatment of displaced persons or persons whose property is acquired as a result of federally assisted programs, and:
   (1) It has the necessary legal authority under State and local law to comply with:
      (a) The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (Uniform Relocation Act) 42 U.S.C. 4601 et seq., as specified by sections 210 and 305 of that Act, 42 U.S.C. 4630 and 4655, respectively, and

   (2) It has complied with or will comply with the Uniform Relocation Act and implementing U.S. DOT regulations including but not limited to doing the following:
      (a) It will adequately inform each affected person of the benefits, policies, and procedures provided for in 49 CFR part 24,
      (b) As required by 42 U.S.C. 4622, 4623, and 4624, and 49 CFR part 24, it will provide fair and reasonable relocation payments and assistance for displacement, resulting from any FTA funded project, of:
         1 Families and individuals,
         2 Partnerships, corporations, or associations,
      (c) As provided by 42 U.S.C. 4625 and 49 CFR part 24, it will provide relocation assistance programs offering the services described in to the U.S. DOT regulations to such
displaced:

1. Families and individuals,
2. Partnerships, corporations, or associations,

(d) As required by 42 U.S.C. 4625(c)(3), within a reasonable time before displacement it will make available comparable replacement dwellings to families and individuals,

(e) It will:
   1. Carry out the relocation process to provide displaced persons with uniform and consistent services, and
   2. Make available replacement housing in the same range of choices with respect to such housing to all displaced persons regardless of race, color, religion, or national origin,

(f) It will be guided to the greatest extent practicable under State law, by the real property acquisition policies of 42 U.S.C. 4651 and 4652,

(g) It will pay or reimburse property owners for their necessary expenses as specified in 42 U.S.C. 4653 and 4654, understanding that FTA will provide Federal funding for its eligible costs of providing payments for those expenses, as required by 42 U.S.C. 4631,

(h) It will execute the necessary implementing amendments to third party contracts and subagreements financed with FTA funding, and

(i) It will execute, furnish, and be bound by such additional documents as FTA may determine necessary to effectuate or implement these assurances, and

(j) It will incorporate these assurances by reference into and make them a part of any third party contract or subagreement, or any amendments thereto, relating to any FTA funded project involving relocation or land acquisition, and

(k) It will provide in any affected document that these relocation and land acquisition provisions must supersede any conflicting provisions,

c. To the extent practicable, it will comply with the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. 4831(b), which prohibits the use of lead-based paint in the construction or rehabilitation of residence structures,

d. It will, to the extent practicable, comply with the protections for human subjects involved in research, development, and related activities supported by Federal funding of:
   (2) U.S. DOT regulations, “Protection of Human Subjects,” 49 CFR part 11,

e. It will, to the extent practicable, comply with the labor standards and protections for federally funded projects of:
   (1) The Davis-Bacon Act, as amended, 40 U.S.C. 3141 et seq.,
   (2) Sections 1 and 2 of the Copeland “Anti-Kickback” Act, as amended, 18 U.S.C. 874, and 40 U.S.C. 3145, respectively,
   (3) The Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. 3701 et seq.,

f. It will, to the extent practicable, comply with any applicable environmental standards that may be prescribed to implement the following Federal laws and executive orders, including but not limited to the following:
   (l) It will comply with the institution of environmental quality control measures under the National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321 – 4335 and
Executive Order No. 11514, as amended, 42 U.S.C. 4321 note,
(2) It will comply with notification of violating facilities pursuant to Executive Order No. 11738, 42 U.S.C. 7606 note,
(3) It will comply with protection of wetlands pursuant to Executive Order No. 11990, 42 U.S.C. 4321 note,
(4) It will comply with evaluation of flood hazards in floodplains in accordance with Executive Order No. 11988, 42 U.S.C. 4321 note,
(5) It will comply with an assurance of project consistency with the approved State management program developed pursuant to the requirements of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1451 – 1465,
(6) It will comply with Conformity of Federal actions to State (Clean Air) Implementation Plans under section 176(c) of the Clean Air Act of 1955, as amended, 42 U.S.C. 7401 – 7671q,
(7) It will comply with protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, 42 U.S.C. 300f – 300j-6,
(8) It will comply with protection of endangered species under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 – 1544, and
(9) It will comply with environmental protections for Federal transportation programs, including, but not limited to, protections for parks, recreation areas, or wildlife or waterfowl refuges of national, State, or local significance or any land from a historic site of national, State, or local significance to be used in a transportation project as required by 49 U.S.C. 303(b) and 303(c),
(10) It will comply with protection of the components of the national wild and scenic rivers systems, as required under the Wild and Scenic Rivers Act of 1968, as amended, 16 U.S.C. 1271 – 1287, and
(11) It will comply with and facilitate compliance with
    (a) Section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470f,
    (b) The Archaeological and Historic Preservation Act of 1974, as amended, 16 U.S.C. 469 – 469c, and
    (c) Executive Order No. 11593 (identification and protection of historic properties), 16 U.S.C. 470 note,

  g. To the extent practicable, it will comply with Federal requirements for the care, handling, and treatment of warm blooded animals held or used for research, teaching, or other activities supported by Federal funding of:
  (1) The Animal Welfare Act, as amended, 7 U.S.C. 2131 et seq., and
  (2) U.S. Department of Agriculture regulations, “Animal Welfare,” 9 CFR subchapter A, parts 1, 2, 3, and 4,

  h. To the extent practicable, before accepting delivery of any FTA funded building it will obtain a certificate of compliance with the seismic design and construction requirements of U.S. DOT regulations, “Seismic Safety,” 49 CFR part 41, specifically 49 CFR 41.117(d),

  i. To the extent practicable, it and its subrecipients located in special flood hazard areas will comply with section 102(a) of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012a(a), by:
  (1) Participating in the Federal flood insurance program,
  (2) Purchasing flood insurance if the total cost of insurable construction and acquisition
is $10,000 or more,

j. To the extent practicable, it will comply with:
   (1) The Hatch Act, 5 U.S.C. 1501 – 1508, 7324 – 7326, which limits the political activities of State and local agencies and their officers and employees whose primary employment activities are financed in whole or part with Federal funds including a Federal loan, grant agreement, or cooperative agreement, and
   (2) 49 U.S.C. 5307(k)(2) and 23 U.S.C. 142(g), which provide an exception from Hatch Act restrictions for a nonsupervisory employee of a public transportation system (or of any other agency or entity performing related functions) receiving FTA funding to whom the Hatch Act does not otherwise apply,

k. It will have performed the financial and compliance audits as required by:
   (2) U.S. OMB Circular A-133, “Audits of States, Local Governments, and Non-Profit Organizations,” Revised, and
   (3) The most recent applicable U.S. OMB A-133 Compliance Supplement provisions for the U.S. DOT, and

l. It will, to the extent practicable, comply with all applicable provisions of all other Federal laws or regulations, and follow Federal directives governing the project, except to the extent that FTA has expressly approved otherwise in writing.

GROUP 02. LOBBYING CERTIFICATION

You must select the following certifications in Group 02 if you apply on behalf of your Applicant for a Federal grant or cooperative agreement exceeding $100,000, or a loan (including a line of credit), loan guarantee, or loan insurance exceeding $150,000, except if you are applying on behalf of an Indian tribe, tribal organization, or other Indian organization or if we determine otherwise in writing.


a. The lobbying restrictions of your certification apply your Applicant’s requests for:
   (1) $100,000 or more in Federal funding for a grant or cooperative agreement, and
   (2) $150,000 or more in Federal funding for a loan, line of credit, or loan guarantee,

b. Its certification covers the lobbying activities of:
   (1) It,
   (2) Its principals, and
   (3) Its first tier subrecipients:

Therefore, on behalf of your Applicant, you certify to the best of your knowledge and belief, that:

1. No Federal appropriated funds have been or will be paid by or on its behalf to any person:
   a. To influence or attempt to influence:
      (1) An officer or employee of any Federal agency,
      (2) A Member of Congress, an employee of a member of Congress, or an officer or employee of Congress,
   b. Regarding the award of a:
      (1) Federal grant or cooperative agreement,
(2) Federal loan, line of credit, loan guarantee, or loan insurance

2. It will submit a complete OMB Standard Form-LLL, “Disclosure of Lobbying Activities (Rev. 7-97),” in accordance with its instructions, if any funds other than Federal appropriated funds have been or will be paid to any person:
   a. To influence or attempt to influence:
      (1) An officer or employee of any Federal agency,
      (2) A Member of Congress, an employee of a Member of Congress, or an officer or employee of Congress, or
   b. Regarding any application for a:
      (1) Federal grant or cooperative agreement,
      (2) Federal loan, line of credit, loan guarantee, or loan insurance, and

3. It will include the language of this certification in the award documents for all subawards at all tiers including, but not limited to:
   a. Subcontracts,
   b. Subgrants,
   c. Subagreements, and
   d. Third party contracts under a:
      (1) Federal grant or cooperative agreement, or
      (2) Federal loan, line of credit, loan guarantee, or loan insurance, and

4. It understands that:
   a. This certification is a material representation of fact that the Federal Government relies on, and
   b. It must submit this certification before the Federal Government may award funding for a transaction covered by 31 U.S.C. 1352, including a:
      (1) Federal grant or cooperative agreement, or
      (2) Federal loan, line of credit, loan guarantee, or loan insurance, and

5. It also understands that any person who does not file a required certification will be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

GROUP 03. PROCUREMENT COMPLIANCE

We request that you provide the following procurement certification, on behalf of your Applicant by selecting Group 03, especially if your Applicant is a State, local, or Indian tribal government with a certified procurement system, as provided in 49 CFR 18.36(g)(3)(ii).

The Applicant certifies that its procurements and procurement system will comply with all applicable Federal laws and regulations in accordance with applicable Federal directives, except to the extent FTA has approved otherwise in writing.

GROUP 04. PROTECTIONS FOR PRIVATE TRANSPORTATION PROVIDERS

You must select the following certifications in Group 04 on behalf of your Applicant if it is a State, local, or Indian tribal government and you are applying for or will apply for 49 U.S.C. chapter 53 funding to:
- Acquire property of a private transit operator, or
- Operate public transit in competition with or in addition to a private transit provider.
As required by 49 U.S.C. 5323(a)(1), the Applicant certifies that:
1. Before it:
   a. Acquires the property or an interest in the property of a private provider of public transportation, or
   b. Operates public transportation equipment or facilities:
      (1) In competition with transportation service provided by an existing public transportation company, or
      (2) In addition to transportation service provided by an existing public transportation company,
2. It has or will have:
   a. Determined that the funding is essential to carrying out a program of projects as required by 49 U.S.C. 5303, 5304, and 5306,
   b. Provided for the participation of private companies engaged in public transportation to the maximum extent feasible, and
   c. Paid just compensation under State or local law to the company for any franchise or property acquired.

**GROUP 05. PUBLIC HEARING**

_You must select the following certifications in Group 05 on behalf of your Applicant if you apply for 49 U.S.C. chapter 53 funding for a capital project that will substantially affect a community or its transit service._

As required by 49 U.S.C. 5323(b), the Applicant certifies that:
1. Before submitting an application for a capital project that:
   a. Will substantially affect:
      (1) A community, or
      (2) The public transportation service of a community, and
   b. Also will affect:
      (1) Significant economic interests,
      (2) Significant social interests, or
      (3) Significant environmental interests,
   It will:
      (1) Provide an adequate opportunity for public review and comment on the project, after giving notice that:
         (a) Includes a concise description of the proposed project; and
         (b) Has been published in a newspaper of general circulation in the geographic area the project.
      (2) Hold a public hearing on the project if the project affects:
         (a) Significant economic, interests,
         (b) Significant social, interests, or
         (c) Significant environmental interests,
2. It will have considered the economic, social, and environmental effects of the project, and
3. It will have determined that the project is consistent with official plans for developing the community.
GROUP 06. ACQUISITION OF ROLLING STOCK FOR USE IN REVENUE SERVICE

You must select the following certification on behalf of your Applicant in Group 06 if you apply for 49 U.S.C. chapter 53 funding to acquire any rolling stock for use in revenue service.

The Applicant certifies that in procuring revenue service rolling stock, it will comply with:
1. Federal transit law, specifically 49 U.S.C. 5323(m),
2. FTA regulations, “Pre-Award and Post-Delivery Audits of Rolling Stock Purchases,” 49 CFR part 663, specifically 49 CFR 663.7, as modified by amendments authorized by section 3023(k) of SAFETEA-LU, including the requirements to:
   a. Conduct or cause to be conducted the required preaward and post delivery reviews, and
   b. Maintain on file the certifications required by 49 CFR part 663, subparts B, C, and D.

GROUP 07. ACQUISITION OF CAPITAL ASSETS BY LEASE

You must select the following certifications in Group 07 if you apply on behalf of your Applicant for 49 U.S.C. chapter 53 funding to acquire capital assets by lease.

As required by FTA regulations, “Capital Leases,” 49 CFR part 639, specifically 639.15(b)(1) and 639.21, if the Applicant acquires any capital asset by lease financed with Federal funding authorized under 49 U.S.C. chapter 53, the Applicant certifies as follows:
1. It will not use Federal funding authorized under 49 U.S.C. chapter 53 to finance the cost of leasing any capital asset until:
   a. It performs calculations demonstrating that leasing the capital asset would be more cost-effective than purchasing or constructing a similar asset, and
   b. It completes these calculations before the later of:
      (1) Entering into the lease, or
      (2) Receiving a capital grant for the asset, and
2. It will not enter into a capital lease for which FTA can provide only incremental Federal funding unless it has adequate financial resources to meet its future lease obligations if Federal funding is not available.

GROUP 08. BUS TESTING

You must select the following certification in Group 08 if you apply on behalf of your Applicant for 49 U.S.C. chapter 53 funding to acquire any new or newly configured bus or a bus with new major components.

The Applicant certifies that:
1. It will comply with Federal transit law, specifically 49 U.S.C. 5318,
   a. Before:
      (1) Spending any Federal funds to acquire:
         (a) The first bus of any new bus model,
         (b) The first bus with a new major change in configuration or components, or
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(2) Authorizing final acceptance of a new bus model or a bus model with a major change in components or configuration:
   b. It will:
      (1) Ensure that the bus model has been tested at FTA’s bus testing facility, and
      (2) Have received a copy of the test report prepared on the bus model.

GROUP 09. CHARTER SERVICE AGREEMENT

You must enter in the Charter Service Agreement in Group 09 on behalf of your Applicant if you apply for funding to acquire or operate transit facilities and equipment, unless your Applicant qualifies for an exception under Federal law and regulations.

As required by 49 U.S.C. 5323(d) and (g) and FTA regulations, “Charter Service,” 49 CFR part 604, specifically 49 CFR 604.4, the Applicant understands and agrees that:
1. Except in certain circumstances described in its regulations, FTA’s “Charter Service” regulations restrict transportation by charter service using facilities and equipment acquired by FTA for transportation projects with Federal funding derived from:
   (1) Federal transit laws, 49 U.S.C. chapter 53, or
   (2) 23 U.S.C. §§ 133 or 142,
2. FTA’s charter service restrictions extend to:
   a. The Applicant when it becomes a recipient of Federal funding under:
      (1) Federal transit laws, 49 U.S.C. chapter 53, or
      (2) 23 U.S.C. §§ 133 or 142,
   b. Any third party participant that receives Federal funding derived from:
      (1) Federal transit laws, 49 U.S.C. chapter 53, or
      (2) 23 U.S.C. §§ 133 or 142,
   c. A third party participant includes a:
      (1) Subrecipient at any tier,
      (2) Lessee,
      (3) Third party contractor or subcontractor at any tier, and
      (4) Other participant in the project,
3. Neither the Applicant nor any third party participant involved in its Project will engage in charter service operations, except as permitted under:
   a. Federal transit laws, specifically 49 U.S.C. § 5323(d) and (g),
   b. FTA regulations, “Charter Service,” 49 C.F.R. Part 604,
   c. Any other Federal Charter Service regulations, or
   d. Federal directives, except as FTA determines otherwise in writing.
4. The Applicant agrees that the latest Charter Service Agreement it has selected in its latest annual Certifications and Assurances is incorporated by reference in and made part of the underlying Agreement accompanying an award of FTA funding.
5. The Applicant agrees that:
   a. FTA may require corrective measures or impose remedies on it or any subrecipient that has engaged in a pattern of violations of FTA’s Charter Service regulations by:
      (1) Conducting charter operations prohibited by Federal transit laws and FTA’s Charter Service regulations, or
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(2) Otherwise violating the Applicant’s Charter Service Agreement it has elected in its latest annual Certifications and Assurances.

b. These corrective measures and remedies may include:
   (1) Barring it or any third party participant operating public transportation under the Project that has provided prohibited charter service from receiving FTA funds, or
   (2) Withholding an amount of Federal funds as provided by Appendix D to FTA’s Charter Service regulations.

GROUP 10. SCHOOL TRANSPORTATION AGREEMENT

You must enter in the School Transportation Agreement in Group 10 on behalf of your Applicant if you apply for funding to acquire or operate transit facilities and equipment, unless your Applicant qualifies for an exception under Federal law and regulations.

As required by 49 U.S.C. 5323(f) and (g) and FTA regulations, “School Bus Operations,” 49 CFR part 605, to the extent consistent with 49 U.S.C. 5323(f) and (g), the Applicant understands and agrees that:

1. FTA’s “School Bus Operations” regulations restrict school bus service as defined in the FTA regulations using facilities and equipment acquired with Federal funding derived from:
   (1) Federal transit laws, 49 U.S.C. chapter 53, or
   (2) 23 U.S.C. §§ 133 or 142,

2. FTA’s school bus operations restrictions extend to:
   a. The Applicant when it becomes a recipient of Federal funding under:
      (1) Federal transit laws, 49 U.S.C. chapter 53, or
      (2) 23 U.S.C. §§ 133 or 142,
   b. Any third party participant that receives Federal funding derived from:
      (1) Federal transit laws, 49 U.S.C. chapter 53, or
      (2) 23 U.S.C. §§ 133 or 142,
   c. A third party participant includes a:
      (1) Subrecipient at any tier,
      (2) Lessee,
      (3) Third party contractor or subcontractor at any tier, and
      (4) Other participant in the project,

3. Neither the Applicant nor any third party participant involved in its Project will engage in school transportation operations in competition with private operators of school transportation, except as permitted under:
   a. Federal transit laws, specifically 49 U.S.C. § 5323(f) and (g),
   b. FTA regulations, “School Bus Operations,” 49 C.F.R. Part 605, to the extent consistent with 49 U.S.C. § 5323(f) and (g),
   c. Any other Federal School Transportation regulations, or
   d. Federal directives, except as FTA determines otherwise in writing.

4. The Applicant agrees that the latest School Transportation Agreement it has selected in its latest annual Certifications and Assurances is incorporated by reference in and made part of the underlying Agreement accompanying an award of FTA funding.
5. The Applicant agrees that FTA will bar the Applicant or any third party participant that has violated this School Transportation Agreement from receiving Federal transit funding in an amount FTA considers appropriate.

**GROUP 11. DEMAND RESPONSIVE SERVICE**

*You must select the following certification in Group 11 on behalf of your Applicant if your Applicant operates demand responsive service and you apply for 49 U.S.C. chapter 53 funding to acquire non rail transit vehicles.*

As required by U.S. DOT regulations, “Transportation Services for Individuals with Disabilities (ADA),” 49 CFR part 37, specifically 49 CFR 37.77(d), the Applicant certifies that:

1. The following public transportation services it offers are equivalent in level and quality of service:
   a. Its demand responsive service offered to individuals with disabilities, including individuals who use wheelchairs,
   b. Its service offered to individuals without disabilities,
2. Viewed in its entirety, the Applicant’s service for individuals with disabilities is:
   a. Provided in the most integrated setting feasible, and
   b. Equivalent to the service it offers individuals without disabilities with respect to:
      (1) Response time,
      (2) Fares,
      (3) Geographic service area,
      (4) Hours and days of service,
      (5) Restrictions on trip purpose,
      (6) Availability of information and reservation capability, and
      (7) Constraints on capacity or service availability.

**GROUP 12. ALCOHOL MISUSE AND PROHIBITED DRUG USE**

*You must select the following certification in Group 12 on behalf of your Applicant if FTA regulations, “Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations,” 49 CFR part 655, require your Applicant to provide a certification concerning its activities to prevent alcohol misuse and prohibited drug use in its public transportation operations.*

As required by FTA regulations, “Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations,” specifically 49 CFR part 655, subpart I, the Applicant certifies that it:

1. Has established and implemented:
   a. An alcohol misuse program and
   b. An anti-drug program, and
2. Has complied with or will comply with all applicable requirements of this part.

**GROUP 13. INTEREST AND OTHER FINANCING COSTS**

*You must select the following certification in Group 13 if the your Applicant intends to reimburse interest or other financing costs with Urbanized Area Formula Program, Capital Investment*
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Program, or Paul S. Sarbanes Transit in Parks Program funding.

The Applicant certifies that:
1. It will not seek reimbursement for interest or other financing costs:
   a. Unless it is eligible to receive Federal funding for those costs,
   b. Its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require, and
2. It will comply with:
   a. Urbanized Area Formula Program interest provisions of 49 U.S.C. 5307(g)(3),
   d. Capital Investment Program provisions of 49 U.S.C. 5309(i)(2)(C), and

GROUP 14. INTELLIGENT TRANSPORTATION SYSTEMS

Select the following assurance in Group 14 if you apply on behalf of your Applicant for an Intelligent Transportation Systems (ITS) project or a project in support of an ITS project. An Applicant for ITS project funding that fails to provide this assurance, without providing other documentation assuring its commitment to comply with applicable Federal ITS standards and protocols, may be ineligible for award of Federal funding for that ITS project.

As used in this assurance, the term Intelligent Transportation Systems (ITS) project is defined to include any project that in whole or in part finances the acquisition of technologies or systems of technologies that provide or significantly contribute to the provision of one or more ITS user services as defined in the “National ITS Architecture.” The Applicant assures that:
1. As provided in subsection 5307(c) of SAFETEA-LU, 23 U.S.C. 512 note:
   a. “Intelligent transportation system projects carried out using funds made available from the Highway Trust Fund, including funds made available under this subtitle to deploy intelligent transportation system technologies, [will] conform to the national architecture, applicable standards or provisional standards, and protocols developed under subsection (a) [of section 5307 of SAFETEA-LU].”
   b. ITS standards will not apply if it obtains an exception to subsection 5307(c) of SAFETEA-LU, 23 U.S.C. 512 note.
2. It will use its best efforts to assure that any ITS project it undertakes will not preclude interface with other intelligent transportation systems in the Region, if supported with Federal funding not derived from:
   a. Title 49, United States Code, or
   b. Title 23, United States Code.
3. To facilitate compliance with subsection 5307(c) of 23 U.S.C. 512 note, except as the Federal Government determines otherwise in writing, the Applicant assures that it will comply with:
      (1) Applicable provisions of Section V (Regional ITS Architecture, and
      (2) Section VI (Project Implementation), and
   b. Other FTA policies that may be issued in connection with any ITS project it undertakes.
financed with funds authorized under Title 49 or Title 23, United States Code,

**GROUP 15. URBANIZED AREA FORMULA PROGRAM**

You must select the following certifications and assurances in Group 15 if you apply on behalf of your Applicant for Urbanized Area Formula Program funding, 49 U.S.C. 5307. Your Applicant is ultimately responsible for compliance with its certifications and assurances even though a subrecipient, lessee, third party contractor, or other participant may participate in that project, unless FTA determines otherwise in writing. Consequently, we strongly encourage your Applicant to take the appropriate measures including, but not limited to, obtaining sufficient documentation from each subrecipient, to assure the validity of all certifications and assurances it has made.

Each Applicant is required by 49 U.S.C. 5307(d)(1)(J) to spend at least one (1) percent of its Urbanized Area Formula Program funding for public transportation security projects, unless it has certified that such expenses are not necessary. Information about its intentions must be recorded in the “Security” tab page of the TEAM-Web “Project Information” window when it submits its Urbanized Area Formula Program application in TEAM-Web.

We may not award Urbanized Area Formula Program funding to any Applicant that is required by 49 U.S.C. 5307(d)(1)(K) to spend one (1) percent of its Urbanized Area Formula Program funding for eligible transit enhancements unless its quarterly report for the fourth quarter of the preceding Federal fiscal year has been submitted to FTA and includes the required list or sufficient information to demonstrate that the Designated Recipients in its area together have spent one (1) percent of the amount of Urbanized Area Program funding made available to them for transit enhancement projects or have included the same information in a separate report attached in TEAM-Web.

The following certifications apply to each Applicant for funding under the Urbanized Area Formula Program authorized under 49 U.S.C. 5307. The Applicant certifies that:

1. As required by 49 U.S.C. 5307(d)(1)(A), it has or will have the:
   a. Legal capacity to carry out its proposed projects,
   b. Financial capacity to carry out its proposed projects,
   c. Technical capacity to carry out its proposed projects,
   d. Safety aspects of its proposed projects, and
   e. Security aspects of its proposed projects,
2. As required by 49 U.S.C. 5307(d)(1)(B), it has or will have satisfactory continuing control over the use of project equipment and facilities,
3. As required by 49 U.S.C. 5307(d)(1)(C), it will maintain the project equipment and facilities adequately,
4. As required by 49 U.S.C. 5307(d)(1)(D), it will ensure that the following individuals will be charged not more than fifty (50) percent of the peak hour fare for transportation during non-peak hours using or involving project facilities or equipment supported under 49 U.S.C. 5307:
   a. Elderly individuals,
   b. Individuals with disabilities, or
   c. Individuals presenting a Medicare card issued to himself or herself pursuant to title II or
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title XVIII of the Social Security Act (42 U.S.C. 401 et seq. or 42 U.S.C. 1395 et seq.),

5. As required by 49 U.S.C. 5307(d)(1)(E), when carrying out a procurement under 49 U.S.C. 5307, it will:
   a. Use competitive procurement (as defined or approved by FTA),
   b. Not use exclusionary or discriminatory specifications in its procurements,
   c. Comply with applicable Buy America laws, and
   d. Comply with the:
      (1) General provisions for FTA programs of 49 U.S.C. 5323, and
      (2) Third party procurement requirements of 49 U.S.C. 5325,

6. As required by 49 U.S.C. 5307(d)(1)(F), it has complied with or will comply with 49 U.S.C. 5307(c) because it:
   a. Has informed or will inform the public of the amounts of its Urbanized Area Formula Program funds available under 49 U.S.C. 5307, and the projects it proposes to undertake,
   b. Has developed or will develop, in consultation with interested parties including private transportation providers, the projects proposed to be funded,
   c. Has published or will publish a list of its projects in a way that affected citizens, private transportation providers, and local elected officials will have an opportunity to examine and submit comments on the proposed projects and its performance,
   d. Has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed projects,
   e. Has assured or will assure that the proposed projects provide for coordination of transportation services assisted under 49 U.S.C. 5336 with federally assisted transportation services supported by a Federal Government source other than U.S. DOT,
   f. Has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of projects, and
   g. Has made or will make the final list of projects available to the public,

7. As required by 49 U.S.C. 5307(d)(1)(G), it:
   a. Has or will have the amount of funds required for the local share,
   b. Will provide the local share funds from approved non-Federal sources except as permitted by Federal law, and
   c. Will provide the local share funds when needed,

8. As required by 49 U.S.C. 5307(d)(1)(H), it will comply with:
   a. The requirements of 49 U.S.C. 5301(a) for public transportation systems that:
      (1) Maximize the safe, secure, and efficient mobility of people,
      (2) Minimize environmental impacts, and,
      (3) Minimize transportation-related fuel consumption and reliance on foreign oil,
   b. The requirements of 49 U.S.C. 5301(d) for special efforts to:
      (1) Design public transportation for elderly individuals and individuals with disabilities, and
      (2) Provide public transportation for elderly individuals and individuals with disabilities,
   c. The requirements of 49 U.S.C. 5303 – 5306 for:
      (1) Metropolitan and State Planning, and
      (2) Private enterprise participation,

9. As required by 49 U.S.C. 5307(d)(1)(I), it has a locally developed process to solicit and consider public comment before:
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10. As required by 49 U.S.C. 5307(d)(1)(J), if it serves an urbanized area with a population of at least 200,000:
   a. Each fiscal year, it will spend at least one (1) percent of its 49 U.S.C. 5307 funding for public transportation security projects (limited to capital projects in the case of an Applicant serving an urbanized area with a population of 200,000 or more), or
   b. That fiscal year, it will certify that such expenses for transportation security projects are not necessary,
   c. Public transportation security projects include:
      (1) Increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages),
      (2) Increased camera surveillance of an area in or adjacent to that system,
      (3) Emergency telephone line or lines to contact law enforcement or security personnel in an area in or adjacent to that system, and
      (4) Any other project intended to increase the security and safety of an existing or planned public transportation, and

11. As required by 49 U.S.C. 5307(d)(1)(K), if it serves an urbanized area with a population of at least 200,000:
   a. Each fiscal year, it or all the Recipients of 49 U.S.C. 5307 funding in its urbanized area will spend at least one (1) percent of that funding for transit enhancements, as defined in 49 U.S.C. 5302(a),
   b. It will include in its quarterly report for the fourth quarter of the preceding Federal fiscal year a list of the projects during that Federal fiscal year using those 49 U.S.C. 5307 funds, and
   c. The report of its transit enhancement projects is or will be incorporated by reference and made part of its certifications and assurances.

GROUP 16. CLEAN FUELS GRANT PROGRAM

You must select the following certifications and assurances in Group 16 if you apply on behalf of your Applicant for Clean Fuels Grant Program funding, 49 U.S.C. 5308. Your Applicant itself is ultimately responsible for compliance with its certifications and assurances even though a subrecipient, lessee, third party contractor, or other participant may participate in that project, unless FTA determines otherwise in writing. Consequently, we strongly encourage your Applicant to take the appropriate measures including, but not limited to, obtaining sufficient documentation from each subrecipient, to assure the validity of all certifications and assurances it has made.

The following certifications apply to each Applicant for funding under the Clean Fuels Grant Program authorized under 49 U.S.C. 5308:
1. As required by FTA regulations, “Clean Fuels Grant Program, 49 CFR part 624, specifically 49 CFR 624.7, the Applicant certifies it will operate vehicles purchased with Federal funding provided under the Clean Fuels Grant Program, 49 U.S.C. 5308 only with clean fuels.
2. Under 49 U.S.C. 5308(d)(1), the requirements of 49 U.S.C. 5307 apply to the Clean Fuels Grant Program. To comply with those requirements, as specified under 49 U.S.C. 5307(d)(1), the Applicant certifies that:
a. As required by 49 U.S.C. 5307(d)(1)(A), it has or will have the:
   (1) Legal capacity to carry out its proposed projects,
   (2) Financial capacity to carry out its proposed projects,
   (3) Technical capacity to carry out its proposed projects,
   (4) Safety aspects of its proposed projects, and
   (5) Security aspects of its proposed projects,

b. As required by 49 U.S.C. 5307(d)(1)(B), it has or will have satisfactory continuing control over the use of project equipment and facilities,

c. As required by 49 U.S.C. 5307(d)(1)(C), it will maintain the project equipment and facilities adequately,

d. As required by 49 U.S.C. 5307(d)(1)(D), it will ensure that the following individuals will be charged not more than fifty (50) percent of the peak hour fare for transportation during non-peak hours using or involving project facilities or equipment supported under 49 U.S.C. 5308:
   (1) Elderly individuals,
   (2) Individuals with disabilities, or
   (3) Individuals presenting a Medicare card issued to himself or herself pursuant to title II or title XVIII of the Social Security Act (42 U.S.C. 401 et seq. or 42 U.S.C. 1395 et seq.),

e. As required by 49 U.S.C. 5307(d)(1)(E), when carrying out a procurement under 49 U.S.C. 5308, it will:
   (1) Use competitive procurement (as defined or approved by FTA),
   (2) Not use exclusionary or discriminatory specifications in its procurements,
   (3) Comply with applicable Buy America laws, and
   (4) Comply with the general provisions for FTA programs of 49 U.S.C. 5323, and
   (5) Comply with the third party procurement requirements of 49 U.S.C. 5325,

f. As required by 49 U.S.C. 5307(d)(1)(F), it has complied with or will comply with 49 U.S.C. 5307(c) because it:
   (1) Has informed or will inform the public of the amounts of its Clean Fuels Grant Program funds available under 49 U.S.C. 5308, and the projects it proposes to undertake,
   (2) Has developed or will develop, in consultation with interested parties including private transportation providers, the projects proposed to be funded,
   (3) Has published or will publish a list of its projects in a way that affected citizens, private transportation providers, and local elected officials will have an opportunity to examine and submit comments on the proposed projects and its performance,
   (4) Has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed projects,
   (5) Has assured or will assure that the proposed projects provide for coordination of transportation services assisted under 49 U.S.C. 5336 with federally assisted transportation services supported by a Federal government source other than U.S. DOT,
   (6) Has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of projects, and
   (7) Has made or will make the final list of projects available to the public,

g. As required by 49 U.S.C. 5307(d)(1)(G), it:
   (1) Has or will have the amount of funds required for the local share,
   (2) Will provide the local share funds from approved non-Federal sources except as permitted by Federal law, and
   (3) Will provide the local share funds when needed,
h. As required by 49 U.S.C. 5307(d)(1)(H), it will comply with:
   (1) The requirements of 49 U.S.C. 5301(a) for public transportation systems that:
       (a) Maximize the safe, secure, and efficient mobility of people,
       (b) Minimize environmental impacts, and
       (c) Minimize transportation-related fuel consumption and reliance on foreign oil,
   (2) The requirements of 49 U.S.C. 5301(d) for special efforts to:
       (a) Design public transportation for elderly individuals and individuals with
           disabilities, and
       (b) Provide public transportation for elderly individuals and individuals with
           disabilities, and
   (3) The requirements of 49 U.S.C. 5303 – 5306 for:
       (a) Metropolitan and State Planning, and
       (b) Private enterprise participation, and
i. As required by 49 U.S.C. 5307(d)(1)(I), it has a locally developed process to solicit and
   consider public comment before:
      (1) Raising a fare, or
      (2) Implementing a major reduction of public transportation.

GROUP 17. ELDERLY INDIVIDUALS AND INDIVIDUALS WITH DISABILITIES
FORMULA GRANT PROGRAM AND PILOT PROGRAM

You must select the following certifications and assurances in Group 17 if you apply on behalf of
your State or State organization as the direct Applicant for Elderly Individuals and Individuals
with Disabilities Formula Grant Program funding 49 U.S.C. 5310, and, if qualified, for Elderly
Individuals and Individuals with Disabilities Pilot Program funding, subsection 3012(b) of
SAFETEA-LU. Only a State or a State organization acting as the Recipient on behalf of a State
may be a direct recipient of this funding. Your State or State organization Applicant is
ultimately responsible for compliance with its certifications and assurances even though a
subrecipient, lessee, third party contractor, or other participant may participate in that project,
unless FTA determines otherwise in writing. Consequently, we strongly encourage your State or
State organization Applicant to take the appropriate measures including, but not limited to,
obtaining sufficient documentation from each subrecipient, to assure the validity of all
certifications and assurances it has made.

The following certifications and assurances apply to each State or State organization serving as
Applicant for funding and each subrecipient of funding under the Elderly Individuals and
Individuals with Disabilities Formula Grant Program authorized under 49 U.S.C. 5310, and the
Elderly Individuals and Individuals with Disabilities Pilot Program authorized under
subsection 3012(b) of SAFETEA-LU.
1. The State or State organization Applicant assures that:
a. Each subrecipient is:
   (1) Recognized under State law as a private nonprofit organization with the legal
capability to contract with the State to carry out the proposed project, or
   (2) A public body that has met the statutory requirements to receive Federal funding
      authorized for 49 U.S.C. 5310,
b. The State or State organization Applicant can conclude from information in a private
nonprofit subrecipient’s application for 49 U.S.C. 5310 funding that:

(1) The transit service provided or offered to be provided by existing public or private
transit operators cannot meet the special needs of elderly individuals and individuals with
disabilities, because it is:
   (a) Unavailable,
   (b) Insufficient, or
   (c) Inappropriate,
c. As required by 49 U.S.C. 5310(d)(2)(A) and subsection 3012(b)(2) of SAFETEA-LU, the
State certifies that, before it transfers funds to a project funded under 49 U.S.C. 5336, the project
has been or will have been coordinated with private nonprofit providers of services under
49 U.S.C. 5310,
d. As required by 49 U.S.C. 5310(d)(2)(C), the Applicant certifies that allocations to
subrecipients 49 U.S.C. 5310 funding or subsection 3012(b) funding will be distributed on a fair
and equitable basis, and
e. As required by 49 U.S.C. 5310(d)(2)(B) and subsection 3012(b)(2) of SAFETEA-LU, the
Applicant certifies that:
   (1) The projects it has selected or will select for funding under that program were
derived from a public transit-human services transportation plan that has been:
      (a) Locally developed, and
      (b) Coordinated, and
   (2) That locally developed, coordinated plan was produced through a process that
included:
      (a) Representatives of public, private, and nonprofit transportation providers,
      (b) Representatives of public, private, and nonprofit human services providers, and
      (c) Participation by the public.
2. As permitted by 49 U.S.C. 5310(d), the Federal Transit Administrator has selected certain
requirements of 49 U.S.C. 5307 to be appropriate for the Elderly Individuals and Individuals
with Disabilities Formula Grant Program authorized by 49 U.S.C. 5310, and the Elderly
Individuals and Individuals with Disabilities Pilot Program authorized by subsection 3012(b) of
SAFETEA-LU, 49 U.S.C. 5310 note, of which some require certifications. Therefore, as
specified under 49 U.S.C. 5307(d)(1), the State or State organization Applicant certifies that:
   a. As required by 49 U.S.C. 5307(d)(1)(A), it and each subrecipient has or will have the:
      (1) Legal capacity to carry out its proposed projects,
      (2) Financial capacity to carry out its proposed projects,
      (3) Technical capacity to carry out its proposed projects,
      (4) Safety aspects of its proposed projects, and
      (5) Security aspects of its proposed projects,
   b. As required by 49 U.S.C. 5307(d)(1)(B), it and each subrecipient has or will have
satisfactory continuing control over the use of project equipment and facilities,
   c. As required by 49 U.S.C. 5307(d)(1)(C), it and each subrecipient will maintain the
project equipment and facilities adequately,
   d. As required by 49 U.S.C. 5307(d)(1)(E), when carrying out a procurement under the
Elderly Individuals and Individuals with Disabilities Formula Grant Program authorized by
49 U.S.C. 5310, or the Elderly Individuals and Individuals with Disabilities Pilot Program
authorized by subsection 3012(b) of SAFETEA-LU, 49 U.S.C. 5310 note, it and each
subrecipient will:
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(1) Use competitive procurement (as defined or approved by FTA),
(2) Not use exclusionary or discriminatory specifications in its procurements,
(3) Comply with applicable Buy America laws, and
(4) Comply with the general provisions for FTA programs of 49 U.S.C. 5323, and
(5) Comply with the third party procurement requirements of 49 U.S.C. 5325,

e. As required by 49 U.S.C. 5307(d)(1)(G), it and each subrecipient:
   (1) Has or will have the amount of funds required for the local share,
       (a) As required by 49 U.S.C. 5310(c), and
       (b) Subsections 3012(b)(3) and (4) of SAFETEA-LU, if applicable,
   (2) Will provide the local share funds from approved non-Federal sources except as permitted by Federal law, and
   (3) Will provide the local share funds when needed, and

f. As required by 49 U.S.C. 5307(d)(1)(H), it and each subrecipient will comply with:
   (1) The requirements of 49 U.S.C. 5301(a) for public transportation systems that:
       (a) Maximize the safe, secure, and efficient mobility of people,
       (b) Minimize environmental impacts, and
       (c) Minimize transportation-related fuel consumption and reliance on foreign oil,
   (2) The requirements of 49 U.S.C. 5301(d) for special efforts to:
       (a) Design public transportation for elderly individuals and individuals with disabilities, and
       (b) Provide public transportation for elderly individuals and individuals with disabilities, and
   (3) The requirements of 49 U.S.C. 5303 – 5306 for:
       (a) Metropolitan and State Planning, and
       (b) Private enterprise participation.

GROUP 18. NONURBANIZED AREA FORMULA PROGRAM FOR STATES

You must select the following certifications and assurances in Group 18 if you apply on behalf of your Applicant for Nonurbanized Area Formula Program funding, 49 U.S.C. 5311(b). Your Applicant itself is ultimately responsible for compliance with its certifications and assurances even though a subrecipient, lessee, third party contractor, or other participant may participate in that project, unless FTA determines otherwise in writing. Consequently, we strongly encourage your Applicant to take the appropriate measures including, but not limited to, obtaining sufficient documentation from each subrecipient, to assure the validity of all certifications and assurances it has made.

Only a State or a State organization acting as the Recipient on behalf of a State (State) may be a direct recipient of this Nonurbanized Area Formula Program funding. Separate certifications and assurances have been established in Group 22 for an Indian tribe that is an Applicant for Tribal Transit Program funding, 49 U.S.C. 5311(c)(1).

The following certifications and assurances apply to each State or State organization serving as the Applicant for funding under the Nonurbanized Area Formula Program authorized under 49 U.S.C. 5311. The Applicant assures that:
1. It has or will have the necessary legal, financial, and managerial capability to:
a. Apply, receive and disburse 49 U.S.C. 5311(c)(1) funding, and
b. Carry out each project, including the:
   (1) Safety aspects of its proposed projects, and
   (2) Security aspects of its proposed projects,
2. It has or will have satisfactory continuing control over the use of project equipment and facilities,
3. The project equipment and facilities will be adequately maintained,
4. As required by 49 U.S.C. 5311(b)(2)(C)(i), its program has provided for a fair distribution of Federal funding authorized for 49 U.S.C. 5311 within the State, including Indian reservations within the State,
5. As required by 49 U.S.C. 5311(b)(2)(C)(ii), its program provides or will provide the maximum feasible coordination of public transportation service to receive funding under 49 U.S.C. 5311 with transportation service assisted by other Federal sources,
6. The projects in its Nonurbanized Area Formula Program are included in:
   a. The Statewide Transportation Improvement Program, and
   b. To the extent applicable, a metropolitan Transportation Improvement Program,
7. It has or will have the amount of funds required for the local share, as required by 49 U.S.C. 5311(g), and
   (2) Will provide the local share funds from approved non-Federal sources except as permitted by Federal law, and
   (3) Will provide the local share funds when needed, and
8. As required by 49 U.S.C. 5311(f), each fiscal year:
   a. It will spend at least fifteen (15) percent of its 49 U.S.C. 5311 funding available that fiscal year to develop and support intercity bus transportation within the State, with eligible activities including:
      (1) Planning and marketing for intercity bus transportation,
      (2) Capital grants for intercity bus shelters,
      (3) Joint-use stops and depots,
      (4) Operating grants through purchase-of-service agreements, user-side subsidies, and demonstration projects, and
      (5) Coordinating rural connections between small public transportation operations and intercity bus carriers, or
    b. It will provide to the Federal Transit Administrator a certification of the State’s chief executive officer that:
      (1) After consulting with the affected intercity bus service providers about the intercity bus needs of the State,
      (2) The State’s intercity bus service needs are being met adequately.

GROUP 19. JOB ACCESS AND REVERSE COMMUTE (JARC) FORMULA GRANT PROGRAM

You must select the following certifications and assurances in Group 19 if you apply on behalf of your Applicant for Job Access and Reverse Commute (JARC) Formula Grant funding, 49 U.S.C. 5316. Your Applicant is ultimately responsible for compliance with its certifications and assurances even though a subrecipient, lessee, third party contractor, or other participant may participate in that project, unless FTA determines otherwise in writing. Consequently, we
strongly encourage your Applicant to take the appropriate measures including, but not limited to, obtaining sufficient documentation from each subrecipient, to assure the validity of all certifications and assurances it has made.

The following certifications and assurances apply to each Applicant for and subrecipient of funding under the Job Access and Reverse Commute (JARC) Formula Grant funding authorized under 49 U.S.C. 5316.

1. The Applicant certifies that:
   a. As required by 49 U.S.C. 5316(d)(4), it will make awards of JARC funding on a competitive basis following:
      (1) An areawide solicitation in cooperation with the appropriate metropolitan planning organization for applications for funding under 5316(c)(1)(A) (see 49 U.S.C. 5316(d)(1)), and
      (2) A statewide solicitation for applications for JARC funding under 49 U.S.C. 5316(c)(1)(B) or 49 U.S.C. 5316(c)(1)(C), (see 49 U.S.C. 5316(d)(2)) and
   b. As required by 49 U.S.C. 5316(f)(2), any allocations to subrecipients of funding authorized under 49 U.S.C. 5316 will be distributed on a fair and equitable basis,
   c. As required by 49 U.S.C. 5316(g)(3):
      (1) The projects it has selected or will select for funding under that program were derived from a public transit-human services transportation plan that has been:
         (a) Locally developed, and
         (b) Coordinated,
      (2) That locally developed, coordinated plan was produced through a process that included:
         (a) Representatives of public, private, and nonprofit transportation providers,
         (b) Representatives of public, private, and nonprofit human services providers, and
         (c) Participation by the public, and
   d. As required by 49 U.S.C. 5316(g)(2), before it transfers funds to a project funded under 49 U.S.C. 5336, that project has been or will have been coordinated with private nonprofit providers of services, and
   e. As required by 49 U.S.C. 5316(c)(3), before using funds apportioned for projects serving an area other than that for which funding was apportioned under 49 U.S.C. 5316(c)(1)(B) or (C):
      (1) The State’s chief executive officer, or his or her designee, will have certified that all the JARC program objectives of 49 U.S.C. 5316 are being met in the area from which the funding would be derived,
      (2) If the State has a statewide program for meeting the JARC program objectives of 49 U.S.C. 5316, the funds can be used for projects anywhere in the State.

2. Under 49 U.S.C. 5316(f)(1), the requirements of 49 U.S.C. 5307 apply to the JARC Program, authorized under 49 U.S.C. 5316. Therefore, as specified under 49 U.S.C. 5307(d)(1), the Applicant certifies that:
   a. As required by 49 U.S.C. 5307(d)(1)(A), it and each subrecipient has or will have the:
      (1) Legal capacity to carry out its proposed projects,
      (2) Financial capacity to carry out its proposed projects,
      (3) Technical capacity to carry out its proposed projects,
      (4) Safety aspects of its proposed projects, and
      (5) Security aspects of its proposed projects,
b. As required by 49 U.S.C. § 5307(d)(1)(B), it and each subrecipient has or will have satisfactory continuing control over the use of project equipment and facilities,
c. As required by 49 U.S.C. § 5307(d)(1)(C), it and each subrecipient will maintain the project equipment and facilities adequately,
d. As required by 49 U.S.C. § 5307(d)(1)(D), it and each subrecipient will ensure that the following individuals will be charged not more than fifty (50) percent of the peak hour fare for transportation during non-peak hours using or involving project facilities or equipment supported under 49 U.S.C. § 5316:
   (1) Elderly individuals,
   (2) Individuals with disabilities, or
   (3) Individuals presenting a Medicare card issued to himself or herself pursuant to title II or title XVIII of the Social Security Act (42 U.S.C. § 401 et seq. or 42 U.S.C. § 1395 et seq.).
e. As required by 49 U.S.C. § 5307(d)(1)(E), when carrying out a procurement under the JARC Program, 49 U.S.C. § 5316, it will:
   (1) Use competitive procurement (as defined or approved by FTA),
   (2) Not use exclusionary or discriminatory specifications in its procurements,
   (3) Comply with applicable Buy America laws,
   (4) Comply with the general provisions for FTA programs of 49 U.S.C. § 5323, and
   (5) Comply with the third party procurement requirements of 49 U.S.C. § 5325,
f. As required by 49 U.S.C. § 5307(d)(1)(F), it and each subrecipient has complied with or will comply with 49 U.S.C. § 5307(c) because it:
   (1) Has informed or will inform the public of the amount of its JARC Program funds available under 49 U.S.C. § 5316, and the projects it proposes to undertake,
   (2) Has developed or will develop, in consultation with interested parties including private transportation providers, the projects proposed to be funded,
   (3) Has published or will publish a list of its projects in a way that affected citizens, private transportation providers, and local elected officials will have an opportunity to examine and submit comments on the proposed projects and its performance,
   (4) Has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed projects,
   (5) Has assured or will assure that the proposed projects provide for coordination of transportation services assisted under 49 U.S.C. § 5336 with federally assisted transportation services supported by a Federal government source other than U.S. DOT,
   (6) Has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of projects, and
   (7) Has made or will make the final list of projects available to the public,
g. As required by 49 U.S.C. § 5307(d)(1)(G), it and each subrecipient:
   (1) Has or will have the amount of funds required for the local share,
   (2) Will provide the local share funds from approved non-Federal sources except as permitted by Federal law, and
   (3) Will provide the local share funds when needed,
h. As required by 49 U.S.C. § 5307(d)(1)(H), it and each subrecipient will comply with:
   (1) The requirements of 49 U.S.C. § 5301(a) for public transportation systems that:
      (a) Maximize the safe, secure, and efficient mobility of people,
      (b) Minimize environmental impacts, and
      (c) Minimize transportation-related fuel consumption and reliance on foreign oil,
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(2) The requirements of 49 U.S.C. 5301(d) for special efforts to:
   (a) Design public transportation for elderly individuals and individuals with disabilities, and
   (b) Provide public transportation for elderly individuals and individuals with disabilities, and

(3) The requirements of 49 U.S.C. 5303 – 5306 for:
   (a) Metropolitan and State Planning, and
   (b) Private enterprise participation, and
   i. As required by 49 U.S.C. 5307(d)(1)(I), it and each subrecipient has a locally developed process to solicit and consider public comment before:
      (1) Raising a fare, or
      (2) Implementing a major reduction of public transportation.

GROUP 20. NEW FREEDOM PROGRAM

You must select the following certifications and assurances in Group 20 if you apply on behalf of your Applicant for New Freedom Program funding, 49 U.S.C. 5317. Your Applicant is ultimately responsible for compliance with its certifications and assurances even though a subrecipient, lessee, third party contractor, or other participant may participate in that project, unless FTA determines otherwise in writing. Consequently, we strongly encourage your Applicant to take the appropriate measures including, but not limited to, obtaining sufficient documentation from each subrecipient, to assure the validity of all certifications and assurances it has made.

1. The Applicant certifies that:
   a. As required by 49 U.S.C. 5317(d)(4), it will make awards of New Freedom funding on a competitive basis following:
      (1) An areawide solicitation in cooperation with the appropriate metropolitan planning organization for applications for funding under 5317(c)(1)(A) (see 49 U.S.C. 5317(d)(1)), and
      (2) A statewide solicitation for applications for JARC funding under 49 U.S.C. 5317(c)(1)(B) or 49 U.S.C. 5317(c)(1)(C), (see 49 U.S.C. 5317(d)(2)),
   b. As required by 49 U.S.C. 5317(e)(2), any allocations to subrecipients of funding authorized under 49 U.S.C. 5317 will be distributed on a fair and equitable basis,
   c. As required by 49 U.S.C. 5317(f)(3):
      (1) The projects it has selected or will select for funding under that program were derived from a public transit-human services transportation plan that has been:
          (a) Locally developed, and
          (b) Coordinated,
      (2) That locally developed, coordinated plan was produced through a process that included:
          (a) Representatives of public, private, and nonprofit transportation providers,
          (b) Representatives of human services public, private, and nonprofit providers, and
          (c) Participation by the public, and
   d. As required by 49 U.S.C. 5316(f)(2), before it transfers funds to a project funded under 49 U.S.C. 5336, that project has been or will have been coordinated with private nonprofit providers of services.
2. As permitted by 49 U.S.C. 5317(e)(1), the Federal Transit Administrator has selected certain requirements of 49 U.S.C. 5310 and 49 U.S.C. 5307 to be appropriate for the New Freedom Program, of which some require certifications. Therefore, as specified under 49 U.S.C. 5307(d)(1), the Applicant certifies that:
   a. As required by 49 U.S.C. 5307(d)(1)(A), it and each subrecipient has or will have the:
      (1) Legal capacity to carry out its proposed projects,
      (2) Financial capacity to carry out its proposed projects,
      (3) Technical capacity to carry out its proposed projects,
      (4) Safety aspects of its proposed projects, and
      (5) Security aspects of its proposed projects,
   b. As required by 49 U.S.C. 5307(d)(1)(B), it and each subrecipient has or will have satisfactory continuing control over the use of project equipment and facilities,
   c. As required by 49 U.S.C. 5307(d)(1)(C), it and each subrecipient will maintain the project equipment and facilities adequately,
   d. As required by 49 U.S.C. 5307(d)(1)(E), when carrying out a procurement under the New Freedom Program authorized by 49 U.S.C. 5317, it and each subrecipient will:
      (1) Use competitive procurement (as defined or approved by FTA),
      (2) Not use exclusionary or discriminatory specifications in its procurements,
      (3) Comply with applicable Buy America laws, and
      (4) Comply with the general provisions for FTA programs of 49 U.S.C. 5323, and
      (5) Comply with the third party procurement requirements of 49 U.S.C. 5325,
   e. As required by 49 U.S.C. 5307(d)(1)(G), it and each subrecipient:
      (1) Has or will have the amount of funds required for the local share,
      (2) Will provide the local share funds from approved non-Federal sources except as permitted by Federal law, and
      (3) Will provide the local share funds when needed, and
   f. As required by 49 U.S.C. 5307(d)(1)(H), it will comply with:
      (1) The requirements of 49 U.S.C. 5301(a) for public transportation systems that:
         (a) Maximize the safe, secure, and efficient mobility of people,
         (b) Minimize environmental impacts, and
         (c) Minimize transportation-related fuel consumption and reliance on foreign oil,
      (2) The requirements of 49 U.S.C. 5301(d) for special efforts to:
         (a) Design public transportation for elderly individuals and individuals with disabilities, and
         (b) Provide public transportation for elderly individuals and individuals with disabilities, and
      (3) The requirements of 49 U.S.C. 5303 – 5306 for:
         (a) Metropolitan and State Planning, and
         (b) Private enterprise participation.

GROUP 21. PAUL S. SARBANES TRANSIT IN PARKS PROGRAM

You must select the following certifications and assurances in Group 21 if you apply on behalf of your Applicant for Paul S. Sarbanes Transit in Parks Program (Parks Program) funding, 49 U.S.C. 5320.
The following certifications apply to each Applicant for funding under the Paul S. Sarbanes Transit in Parks Program (Parks Program) authorized under 49 U.S.C. 5320:

1. As required by 49 U.S.C. 5320(e)(D), the Applicant assures that it will consult with the appropriate Federal land management agency during the planning process.

2. As permitted by 49 U.S.C. 5320(i), the Federal Transit Administrator has selected certain requirements of 49 U.S.C. 5307 to be appropriate for the Parks Program, of which some require certifications. Therefore as specified under 49 U.S.C. 5307(d)(1), the Applicant certifies that:
   a. As required by 49 U.S.C. 5307(d)(1)(A), it has or will have the:
      (1) Legal capacity to carry out its proposed projects,
      (2) Financial capacity to carry out its proposed projects,
      (3) Technical capacity to carry out its proposed projects,
      (4) Safety aspects of its proposed projects, and
      (5) Security aspects of its proposed projects,
   b. As required by 49 U.S.C. 5307(d)(1)(B), it has or will have satisfactory continuing control over the use of project equipment and facilities,
   c. As required by 49 U.S.C. 5307(d)(1)(C), it will maintain the project equipment and facilities adequately,
   d. As required by 49 U.S.C. 5307(d)(1)(E), when carrying out a procurement under the Parks Program, 49 U.S.C. 5320, it will:
      (1) Use competitive procurement (as defined or approved by FTA),
      (2) Not use exclusionary or discriminatory specifications in its procurements,
      (3) Comply with applicable Buy America laws, and
      (4) Comply with the general provisions for FTA programs of 49 U.S.C. 5323, and
      (5) Comply with the third party procurement requirements of 49 U.S.C. 5325,
   e. As required by 49 U.S.C. 5307(d)(1)(F) and 49 U.S.C. 5320(e)(2)(C), it has complied with or will comply with the requirements of 49 U.S.C. 5307(c). Specifically, it:
      (1) Has made available, or will make available, to the public information on the amounts available for the Parks Program, 49 U.S.C. 5320, and the projects it proposes to undertake,
      (2) Has developed or will develop, in consultation with interested parties including private transportation providers, projects to be financed,
      (3) Has published or will publish a list of proposed projects in a way that affected citizens, private transportation providers, and local elected officials have the opportunity to examine the proposed projects and submit comments on the proposed projects and the performance of the Applicant,
      (4) Has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed projects,
      (5) Has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of projects, and
   f. As required by 49 U.S.C. 5307(d)(1)(G), it:
      (1) Has or will have the amount of funds required for the local share,
      (2) Will provide the local share funds from approved non-Federal sources except as permitted by Federal law, and
      (3) Will provide the local share funds when needed,
   g. As required by 49 U.S.C. 5307(d)(1)(H), it will comply with:
      (1) The requirements of 49 U.S.C. 5301(a) for public transportation systems that:
(a) Maximize the safe, secure, and efficient mobility of people,
(b) Minimize environmental impacts, and
(c) Minimize transportation-related fuel consumption and reliance on foreign oil,
(2) The requirements of 49 U.S.C. 5301(d) for special efforts to:
   (a) Design public transportation for elderly individuals and individuals with
disabilities, and
   (b) Provide public transportation for elderly individuals with disabilities, and
(3) The requirements of 49 U.S.C. 5303 – 5306 for:
   (a) Metropolitan and State Planning, and
   (b) Private enterprise participation, and
h. As required by 49 U.S.C. 5307(d)(1)(I), it has a locally developed process to solicit and
consider public comment before:
   (1) Raising a fare, or
   (2) Implementing a major reduction of public transportation.

GROUP 22. TRIBAL TRANSIT PROGRAM

You must select the following certifications and assurances in Group 22 if you apply on behalf of
your Applicant for Tribal Transit Program funds, 49 U.S.C. 5311(c)(1).

As permitted by 49 U.S.C. 5311(c)(1) the Federal Transit Administrator has established terms
and conditions for direct grants funded under FTA’s Tribal Transit Program authorized under
49 U.S.C. 5311(c)(1) for Indian tribal governments. To ensure compliance with those
requirements, the Indian tribal government serving as the Applicant certifies and assures that:
1. It has or will have the necessary legal, financial, and managerial capability to:
   a. Apply, receive and disburse 49 U.S.C. 5311(c)(1) funding, and
   b. Carry out each project, including the:
      (1) Safety aspects of its proposed projects, and
      (2) Security aspects of its proposed projects,
2. It has or will have satisfactory continuing control over the use of project equipment and
   facilities,
3. The project equipment and facilities will be adequately maintained,
4. Its project will achieve maximum feasible coordination with transportation service assisted
   by other Federal sources,
5. It will:
   a. Have a procurement system that complies with U.S. DOT regulations, “Uniform
      Administrative Requirements for Grants and Cooperative Agreements to State and Local
      Governments,” 49 C.F.R. part 18, specifically 49 CFR 18.36, or
   b. Inform FTA promptly that its procurement system does not comply with those U.S. DOT
      regulations, and
6. It will comply with the certifications, assurances, and agreements in:
   a. Group 08 (Bus Testing),
   b. Group 09 (Charter Bus Agreement),
   c. Group 10 (School Transportation Agreement),
   d. Group 11 (Demand Responsive Service),
   e. Group 12 (Alcohol Misuse and Prohibited Drug Use), and
GROUP 23. TIFIA PROJECTS

You must select the following certifications and assurances in Group 23 if you apply on behalf of your Applicant for Transportation Infrastructure Finance and Innovation Act (TIFIA) credit assistance authorized under 23 U.S.C. chapter 6.

The following certifications apply to each Applicant for funding under the Transportation Infrastructure Finance and Innovation Act (TIFIA) Program authorized under 23 U.S.C. chapter 6:

1. Federal transit law, specifically 49 U.S.C. 5323(o) requires an Applicant for TIFIA credit assistance funded under 23 U.S.C. chapter 6 and its project to comply with 49 U.S.C. 5307. As required by 49 U.S.C. 5307(d)(1), the Applicant certifies that:
   a. As required by 49 U.S.C. 5307(d)(1)(A), it has or will have the:
      (1) Legal capacity to carry out its proposed projects,
      (2) Financial capacity to carry out its proposed projects,
      (3) Technical capacity to carry out its projects,
      (4) Safety aspects of its proposed projects, and
      (5) Security aspects of its proposed projects,
   b. As required by 49 U.S.C. 5307(d)(1)(B), it has or will have satisfactory continuing control over the use of project equipment and facilities,
   c. As required by 49 U.S.C. 5307(d)(1)(C), it will maintain the project equipment and facilities adequately,
   d. As required by 49 U.S.C. 5307(d)(1)(D), it will ensure that the following individuals will be charged not more than fifty (50) percent of the peak hour fare for transportation during non-peak hours using or involving project facilities or equipment supported under 23 U.S.C. chapter 6:
      (1) Elderly individuals,
      (2) Individuals with disabilities, or
      (3) Individuals presenting a Medicare card issued to himself or herself pursuant to title II or title XVIII of the Social Security Act (42 U.S.C. 401 et seq. or 42 U.S.C. 1395 et seq.),
   e. As required by 49 U.S.C. 5307(d)(1)(E), when carrying out a procurement supported with TIFIA funding under 23 U.S.C. chapter 6, it will:
      (1) Use competitive procurement (as defined or approved by FTA),
      (2) Not use exclusionary or discriminatory specifications in its procurements,
      (3) Comply with applicable Buy America laws, and
      (4) Comply with the general provisions for FTA programs of 49 U.S.C. 5323, and
      (5) Comply with the third party procurement requirements of 49 U.S.C. 5325,
   f. As required by 49 U.S.C. 5307(d)(1)(F), it has complied or will comply with 49 U.S.C. 5307(c) because it:
      (1) Has informed or will inform the public of the amounts of its TIFIA credit assistance available under 23 U.S.C. chapter 6, and the projects it proposes to undertake,
      (2) Has developed or will develop, in consultation with interested parties including private transportation providers, the projects it proposes to fund,
      (3) Has published or will publish a list of its projects in a way that affected citizens,
private transportation providers, and local elected officials will have an opportunity to examine and submit comments on the proposed projects and its performance,
(4) Has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed projects,
(5) Has assured or will assure that the proposed projects provide for coordination of transportation services assisted under 49 U.S.C. 5336 with federally assisted transportation services supported by a Federal government source other than U.S. DOT,
(6) Has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final list of projects, and
(7) Has made or will make the final list of projects available to the public,
g. As required by 49 U.S.C. 5307(d)(1)(G), it:
(1) Has or will have the amount of funds required for the local share,
(2) Will provide the local share funds from approved non-Federal sources except as permitted by Federal law, and
(3) Will provide the local share funds when needed,
h. As required by 49 U.S.C. 5307(d)(1)(H), the Applicant will comply with:
(1) The requirements of 49 U.S.C. 5301(a) for public transportation systems that:
   (a) Maximize the safe, secure, and efficient mobility of people,
   (b) Minimize environmental impacts, and
   (c) Minimize transportation-related fuel consumption and reliance on foreign oil,
(2) The requirements of 49 U.S.C. 5301(d) for special efforts to:
   (a) Design public transportation for elderly individuals and individuals with disabilities, and
   (b) Provide public transportation for elderly individuals and individuals with disabilities, and
(3) The requirements of 49 U.S.C. 5303 – 5306
   (a) Metropolitan and State Planning, and
   (b) Private enterprise participation,
i. As required by 49 U.S.C. 5307(d)(1)(I), it has a locally developed process to solicit and consider public comment before:
(1) Raising a fare, or
(2) Implementing a major reduction of public transportation,
j. As required by 49 U.S.C. 5307(d)(1)(J), if it serves an urbanized area with a population of at least 200,000:
(1) Each fiscal year it will spend at least one (1) percent of its funding attributed to 49 U.S.C. 5307 for public transportation security projects, or
(2) That fiscal year, it will certify that such expenses for transportation security projects are not necessary,
(3) Public transportation security projects include:
   (a) Increased lighting in or adjacent to a public transportation system (including bus stops, subway stations, parking lots, and garages),
   (b) Increased camera surveillance of an area in or adjacent to that system,
   (c) Emergency telephone line or lines to contact law enforcement or security personnel in an area in or adjacent to that system, and
   (d) Any other project intended to increase the security and safety of an existing or planned public transportation, and
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k. As required by 49 U.S.C. 5307(d)(1)(K), if it serves an urbanized area with a population of at least 200,000:
   (1) Each fiscal year, it or all the Recipients of 49 U.S.C. 5307 funding in its urbanized area will spend at least one (1) percent of that funding for transit enhancements, as defined at 49 U.S.C. 5302(a);
   (2) It will include in its quarterly report for the fourth quarter of the preceding Federal fiscal year a list of the projects during that Federal fiscal year using those 49 U.S.C. 5307 funds, and
   (3) The report of its transit enhancement projects is or will be incorporated by reference and made part of its certifications and assurances.

2. Federal transit law at 49 U.S.C. 5323(o) requires an Applicant for TIFIA credit assistance funded under 23 U.S.C. chapter 6 and its project to comply with 49 U.S.C. 5309. As required by 49 U.S.C. 5309(g)(2)(B)(iii), 5309(g)(3)(B)(iii), and 5309(i)(2)(C), the Applicant certifies that it will not seek reimbursement for interest and other financing costs incurred in connection with the Project unless:
   a. It is eligible to receive Federal funding for those expenses, and
   b. Its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require.

GROUP 24. DEPOSITS OF FEDERAL FINANCIAL FUNDING TO STATE INFRASTRUCTURE BANKS

We request that you select the following certifications and assurances in Group 24 if you apply for 49 U.S.C. chapter 53 funding on behalf of a State Applicant that intends to deposit the funding in a State Infrastructure Bank (SIB). Unless we determine otherwise in writing, the State Applicant itself is ultimately responsible for compliance with its certifications and assurances even though the SIB and a subrecipient may participate in a project financed with our funds deposited in the SIB. Consequently, we encourage the Applicant to take appropriate measures to obtaining sufficient documents from the SIB and each subrecipient, to assure the validity of all certifications and assurances the State Applicant has made.

The following certifications apply to each Applicant for funding under the State Infrastructure Bank Program authorized under 23 U.S.C. 610. The State organization, serving as the Applicant for funding for its State Infrastructure Bank (SIB) Program, assures the agreement of both its SIB and each recipient of SIB funding (subrecipient) that each public transportation project financed with SIB funds will be administered in accordance with:

1. The applicable Federal laws establishing the various SIB programs since 1995:
   a. Section 1602 of SAFETEA-LU, now codified in 23 U.S.C. 610, or
   b. Section 1511 of TEA-21, 23 U.S.C. 181 note, or
   c. Section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 181,

2. The Cooperative Agreement establishing the State’s SIB program between:
   a. The State Applicant and Federal parties (FHWA, FRA, and FTA), or
   b. The State Applicant and Federal parties (FHWA and FTA),
3. The Grant Agreement with the State Applicant that provides FTA funding for the SIB, except that any provision of the FTA Master Agreement incorporated by reference into that Grant Agreement will not apply if it conflicts with any provision of:
   a. Section 1602 of SAFETEA-LU, now codified in 23 U.S.C. 610,
   c. Federal guidance pertaining to the SIB Program,
   d. The Cooperative Agreement establishing the State’s SIB Program, or
   e. The FTA Grant Agreement,

   a. To comply with 49 U.S.C. 5307, specifically 49 U.S.C. 5307(d)(1), the Applicant certifies that:
      (1) As required by 49 U.S.C. 5307(d)(1)(A), it has or will have the:
          (a) Legal capacity to carry out its proposed projects,
          (b) Financial capacity to carry out its proposed projects,
          (c) Technical capacity to carry out its proposed projects,
          (d) Safety aspects of its proposed projects, and
          (e) Security aspects of its proposed projects,
      (2) As required by 49 U.S.C. 5307(d)(1)(B), it has or will have satisfactory continuing control over the use of project equipment and facilities,
      (3) As required by 49 U.S.C. 5307(d)(1)(C), it will maintain the project equipment and facilities adequately,
      (4) As required by 49 U.S.C. 5307(d)(1)(D), it will ensure that the following individuals will be charged not more than fifty (50) percent of the peak hour fare for transportation during non-peak hours using or involving project facilities or equipment supported under 23 U.S.C. chapter 6:
          (a) Elderly individuals,
          (b) Individuals with disabilities, or
          (c) Individuals presenting a Medicare card issued to himself or herself pursuant to title II or title XVIII of the Social Security Act (42 U.S.C. 401 et seq. or 42 U.S.C. 1395 et seq.),
      (5) As required by 49 U.S.C. 5307(d)(1)(E), when carrying out a procurement supported by the SIB program, 23 U.S.C. 610, it will:
          (a) Use competitive procurement (as defined or approved by FTA),
          (b) Not use exclusionary or discriminatory specifications in its procurements,
          (c) Comply with applicable Buy America laws, and
          (d) Comply with the general provisions for FTA programs of 49 U.S.C. 5323, and
          (e) Comply with the third party procurement requirements of 49 U.S.C. 5325,
      (6) As required by 49 U.S.C. 5307(d)(1)(F), it has complied with or will comply 49 U.S.C. 5307(c) because it:
          (a) Has informed or will inform the public of the amounts of its SIB funding under 23 U.S.C. 610, and the projects it proposes to undertake,
          (b) Has developed or will develop, in consultation with interested parties including private transportation providers, the projects proposed to be funded,
          (c) Has published or will publish a list of its projects in a way that affected citizens,
private transportation providers, and local elected officials will have an opportunity to examine
and submit comments on the proposed projects and its performance,

(d) Has provided or will provide an opportunity for a public hearing to obtain the
views of citizens on the proposed projects,
(e) Has assured or will assure that the proposed projects provide for coordination of
transportation services assisted under 49 U.S.C. 5336 with federally assisted transportation
services supported by a Federal government source other than U.S. DOT,
(f) Has considered or will consider the comments and views received, especially
those of private transportation providers, in preparing its final list of projects, and
(g) Has made or will make the final list of projects available to the public,

(7) As required by 49 U.S.C. 5307(d)(1)(G), it:
(a) Has or will have the amount of funds required for the local share,
(b) Will provide the local share funds from approved non-Federal sources except as
permitted by Federal law, and
(c) Will provide the local share funds when needed,

(8) As required by 49 U.S.C. 5307(d)(1)(H), the Applicant will comply with:
(a) The requirements of 49 U.S.C. 5301(a) for public transportation systems that:
   1 Maximize the safe, secure, and efficient mobility of people,
   2 Minimize environmental impacts, and
   3 Minimize transportation-related fuel consumption and reliance on foreign oil,
(b) The requirements of 49 U.S.C. 5301(d) for special efforts to:
   1 Design public transportation for elderly individuals and individuals with
disabilities, and
   2 Provide public transportation for elderly individuals and individuals with
disabilities, and
(c) The requirements of 49 U.S.C. 5303 – 5306 for:
   1 Metropolitan and State Planning, and
   2 Private enterprise participation,

(9) As required by 49 U.S.C. 5307(d)(1)(I), it has a locally developed process to solicit
and consider public comment before:
(a) Raising a fare, or
(b) Implementing a major reduction of public transportation,

(10) As required by 49 U.S.C. 5307(d)(1)(J), if it will be using 49 U.S.C. 5307 funds and
it serves an urbanized area with a population of at least 200,000:
(a) Each fiscal year, it will spend at least one (1) percent of its 49 U.S.C. 5307
funding for public transportation security projects, or
(b) That fiscal year, it will certify that such expenses for transportation security
projects are not necessary,
(c) Public transportation security projects include:
   1 Increased lighting in or adjacent to a public transportation system (including
bus stops, subway stations, parking lots, and garages),
   2 Increased camera surveillance of an area in or adjacent to that system,
   3 Emergency telephone line or lines to contact law enforcement or security
personnel in an area in or adjacent to that system, and
   4 Any other project intended to increase the security and safety of an existing
or planned public transportation project, and
(11) As required by 49 U.S.C. 5307(d)(1)(K), if it will be using 49 U.S.C. 5307 funds and it serves an urbanized area with a population of at least 200,000:
   (a) Each fiscal year, it or all the Recipients of 49 U.S.C. 5307 funding in its urbanized area will spend at least one (1) percent of that funding for transit enhancements, as defined in 49 U.S.C. 5302(a),
   (b) It will include in its quarterly report for the fourth quarter of the preceding Federal fiscal year a list of the projects during that Federal fiscal year using those 49 U.S.C. 5307 funds, and
   (c) The report of its transit enhancement projects is or will be incorporated by reference and made part of its certifications and assurances.
   b. To comply with 49 U.S.C. 5309, specifically 49 U.S.C. 5309(g)(2)(B)(iii), 5309(g)(3)(B)(iii), and 5309(i)(2)(C), the Applicant certifies that it will not seek reimbursement for interest and other financing costs incurred in connection with the Project unless:
      (1) It is eligible to receive Federal funding for those expenses, and
      (2) Its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require.
3. Federal guidance that may be issued and amendments thereto, unless FTA has provided written approval of an alternative procedure or course of action.

Selection and Signature Page(s) follow.
APPENDIX D

(Budget Worksheet)
## KINGS COUNTY ASSOCIATION OF GOVERNMENTS
### BUDGET WORKSHEET

<table>
<thead>
<tr>
<th>Revenues</th>
<th>FY 14-15 Budget</th>
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<tbody>
<tr>
<td>FHWA PL</td>
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<td>FHWA SP&amp;R</td>
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<td>FTA 5303</td>
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<td>Proposition 84 Grant</td>
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<td>STIP Planning</td>
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<td>TDA Planning</td>
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<td>Local</td>
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<td>Local</td>
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<td><strong>Total Revenues</strong></td>
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<tr>
<th>Expenses</th>
<th>FY 14-15 Budget</th>
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<td><strong>Direct Salaries &amp; Benefits</strong></td>
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<tr>
<td>Salaries</td>
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<td>Benefits</td>
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<td><strong>Subtotal Salaries &amp; Benefits</strong></td>
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<table>
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<th><strong>Indirect Costs</strong></th>
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<tr>
<td>Communications</td>
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<tr>
<td>Insurance</td>
</tr>
<tr>
<td>Maintenance - Equipment</td>
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<tr>
<td>Janitorial Services</td>
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<td>Rent Office Space</td>
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<td>Memberships</td>
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<td>Legal Expenses</td>
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<td>Office Expenses</td>
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<td>Computer Software Expenses</td>
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<td>Bank Charges</td>
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<td>Books and Periodicals</td>
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<td>Record Storage Charges</td>
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<td>Postage and Freight</td>
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<tr>
<td>Offset Printing/Stores</td>
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<tr>
<td>Purchasing Charges</td>
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<td>Professional &amp; Special Services</td>
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<td>Auditing and Accounting</td>
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<tr>
<td>Consultant Expenses</td>
</tr>
<tr>
<td>Info Tech Services</td>
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<tr>
<td>Publications/Legal Notices</td>
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<tr>
<td>Rents &amp; Leases - Copier</td>
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<td>Cost Allocation Plan Charges</td>
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<td>In-Service Training</td>
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<td>Motor Pool Services</td>
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<td>Travel and Expenses</td>
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<td>Utilities</td>
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<td>Fixed Assets</td>
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<td><strong>Indirect Salaries and Benefits</strong></td>
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<td><strong>Subtotal Indirect Costs</strong></td>
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<table>
<thead>
<tr>
<th><strong>Other Direct Costs</strong></th>
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<tbody>
<tr>
<td>Computer Software</td>
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<tr>
<td>Traffic Model Support</td>
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<td>SR 198 Study</td>
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<tr>
<td>RTP/EIR/SCS</td>
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<tr>
<td>Transit Development Plan</td>
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<tr>
<td>TDA Financial Audit</td>
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<tr>
<td>AVA Audits</td>
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<td>Memberships</td>
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<td>Rents &amp; Leases - Copier</td>
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<tr>
<td>Communications</td>
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<td>Special Dept. Expense</td>
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<td>Travel and Expenses</td>
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<td>Office Expense</td>
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<td>Postage and Freight</td>
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<tr>
<td>Valley Coordination Participation</td>
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<tr>
<td><strong>Subtotal Other Direct Costs</strong></td>
</tr>
</tbody>
</table>

| **Total Expenses** | **$1,106,200** |
APPENDIX E

(Agreements with Various Agencies)
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION
DIVISION OF TRANSPORTATION PLANNING

MASTER FUND TRANSFER AGREEMENT

Recipient: Kings County Association of Governments,

a Metropolitan Planning Organization (MPO)

Effective Date of this Agreement: February 1, 2005

Termination Date of this Agreement: December 31, 2014

FUND SOURCES COVERED BY THIS AGREEMENT MAY INCLUDE ALL OR SOME OF THE FOLLOWING FUND SOURCES AS IDENTIFIED IN EACH ANNUAL OVERALL WORK PROGRAM AGREEMENT

♦ Federal Highway Administration (FHWA)--Metropolitan Planning (PL)
♦ FHWA State Planning and Research--Partnership Planning
♦ Federal Transit Administration (FTA)--Metropolitan Planning Section 5303
♦ FTA State Planning and Research--Section 5313(b)
♦ Any other Federal or State Funds administered by and through the California Department of Transportation, Office of Regional and Interagency Planning

This Master Fund Transfer Agreement (MFTA), effective as of the date set forth above, is by and between the signatory public entity identified above, hereinafter referred to as MPO [as authorized in section 134 of Title 23 of the United States Code (23 USC Section 134), section 450.104 of the Code of Federal Regulations (23 CFR section 450.104), and Title 49 Code of Federal Regulations (49 CFR Part 18)], and the State of California, acting by and through its Department of Transportation, hereinafter referred to as STATE. This MFTA supersedes all previous Master Fund Transfer Agreements issued to MPO by STATE for all these types of funds.

RECITALS

A. These funds may include, without limitation, federal Consolidated Planning Grant (CPG) and any other Federal or State funds administered by and through the Department of Transportation, Office of Regional and Interagency Planning.

CPG consists of four federal funding types and sources: (i) FHWA Metropolitan Planning (PL); (ii) FTA Metropolitan Planning (Section 5303), both of which are annually allocated to MPOs; (iii) FHWA State Planning and Research-Partnership Planning; and (iv) FTA State Planning and Research (Section 5313(b)), the last two of which are discretionary grants awarded through a grant application solicitation process.
B. Pursuant to Public Utilities Code sections 99311 and 99311.1, STATE is required to pass through federal and state funds made available for transportation planning and other purposes to entities qualified to act as recipients of these funds in accordance with the intent of law and policy.

C. STATE is also required to encumber Federal and State funds made available for planning purposes to entities qualified to act as recipients of these federal and state funds in accordance with the intent of law and policy.

D. STATE agrees to notify MPO annually in writing of the anticipated level of State and Federal Planning funding that may be available to MPO for each subsequent year’s approved Overall Work Program, hereinafter referred to as the OWP.

E. STATE has prepared this MFTA, which, together with the annual OWP and annual Overall Work Program Agreement (hereinafter referred to as the annual OWPA), set forth the entire terms and conditions under which these funds are to be expended by MPO for the fiscal year period of that OWP and annual OWPA.

ARTICLE 1 - PROGRAM ADMINISTRATION

Section 1. Overall Work Program and Overall Work Program Agreement

A. MPO agrees to develop and submit an annual draft OWP for approval by STATE, FTA and FHWA, as applicable. This submittal, due no later than thirty (30) days prior to each federally scheduled Intermodal Planning Group meeting or by each March 1, whichever is earlier, shall describe MPO’s next Fiscal Year transportation planning program (Fiscal Year refers to the State Fiscal Year of July 1 to June 30).

B. Each annual OWPA will expressly adopt and incorporate the terms and conditions of this MFTA by reference.

C. MPO shall be responsible for the complete performance of the work contained in each OWP. All work shall be accomplished in accordance with applicable provisions of State and Federal law.

D. MPO will include a signed federal (FHWA and FTA) Annual “Metropolitan Transportation Planning Process Certification” form and a signed annual FTA “Certifications and Assurances for FTA Assistance” form (refer to Article IV, Section 1) in each annual OWP.

E. The annual OWPA is the approved OWP encumbrance document. Disbursement of funds by STATE will occur only after the execution of this MFTA; approval of the annual OWP by STATE, the FTA and FHWA; and execution of the annual OWPA. Funds will not be encumbered or reimbursed by STATE to MPO until that annual OWPA has been executed and the State Budget for that fiscal year has been passed.

F. No funds of any nature are allocated or encumbered in this MFTA unless included in an adopted and approved OWP by means of an approved and fully executed annual OWPA.
G. MPO agrees to satisfactorily complete all work element tasks, projects, and products as described in each approved annual OWP financed with State or Federal funds and encumbered by STATE via the annual OWPA.

H. STATE agrees to pass through available funds and to reimburse allowable costs incurred in executing the tasks, projects, and products incorporated in the annually approved OWP funded from State and Federal sources and encumbered by STATE.

I. Only work performed during the term of, and consistent with, the work elements in the OWP may be reimbursed. Reimbursements are based upon the fiscal year, July 1 - June 30. All work performed subsequent to the end of each fiscal year (June 30) can only be reimbursed in the following fiscal year and is subject to the approved OWP and annual OWPA for that corresponding fiscal year.

MPO may incur costs against its approved annual OWP and may submit requests for reimbursement with the understanding that STATE is unable to approve any payments for reimbursement until such time as the funds are included in that Fiscal Year's Annual State Budget which is passed by the Legislature and is signed by the Governor.

J. MPO shall use non-federal funds to finance the local share of eligible costs to ensure compliance with all applicable matching requirements for federal funds described in this MFTA and actually encumbered against the annual OWPA. Credit for local match will be allowed only for work performed during the approved term of each annual OWPA.

K. MPO further agrees to ensure that amendments to a previously approved OWP and annual OWPA are adopted by the MPO Board and approved by STATE, the FTA and FHWA, as applicable, prior to initiating any work identified in those amendments. Changes requiring amendments generally include adding, deleting, or revising a work element; adding funds to, deleting funds from, and/or moving funds between work elements; or revising a scope of work. If a work element or project will not be completed as approved, MPO will report this in its Quarterly Progress Report and amend the OWP/annual OWPA accordingly. OWPs and annual OWPA amendments must be submitted to STATE and be fully executed no later than April 1 each year.

L. MPO acknowledges and agrees that MPO is the sole control and manager of the work proposed in the OWP and is solely responsible for complying with the funding and use restrictions established by State and Federal law and this MFTA.

M. MPO shall be free to copyright material developed under work items identified in the OWP provided that STATE and FHWA/FTA, as applicable, reserve a royalty-free, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and authorize others to use, that work for government purpose.

Section 2. Quarterly Progress Reports

A. MPO shall submit Quarterly Progress Reports to STATE no later than thirty (30) calendar days after the close of each quarter describing progress toward completion of tasks, projects, and products, conformance with project schedules, and reporting all costs incurred for the work elements contained
in the OWP. Progress reports should include all work elements for transportation planning tasks, projects, and products funded wholly or in part by any of the fund sources listed on Page 1 of this MFTA. Quarterly Progress Reports submitted to STATE will identify all projects by work element number and title and shall contain, at a minimum, the information requested in the example format provided in APPENDIX A to this MFTA.

B. STATE reserves the right to deem incomplete any Quarterly Progress Report that does not sufficiently document the above-required information and may withhold payment of Requests for Reimbursement submitted pending the submission of required documentation.

**ARTICLE II - ALLOWABLE COSTS AND REIMBURSEMENT**

**Section 1. Requests For Reimbursement**

A. Requests for Reimbursement must conform to either subpart 1 or subpart 2 hereinbelow for the entire OWP fiscal year:

1. MPO shall prepare and submit to STATE, not more frequently than once a month, but at least quarterly, two signed Requests for Reimbursements of actual allowable costs incurred by MPO consistent with work elements described in the OWP (conforming to the format provided in APPENDIX B) and including all required information, as applicable, provided for in example APPENDIX B2 to this MFTA for the reimbursement of actual allowable costs incurred and paid by MPO consistent with work elements described in the OWP. The amount billed per each work element is not to exceed the total amount authorized for that work element in the OWP. Reimbursements under this MFTA will be allowed if based upon actual costs expended and supported by MPO’s accounting system. MPO must not only have incurred the allowable project cost on or after the effective date of the annual OWPA and on or before its termination date, but must also have paid those expenses.

2. MPO shall prepare and submit to STATE, not more frequently than once a month, but at least quarterly, two signed Requests for Reimbursements of actual allowable costs incurred by MPO consistent with work elements described in the OWP (conforming to the format provided in APPENDIX B) and including all required information, as applicable, provided in example APPENDIX B2 to this MFTA. The amount billed per each work element is not to exceed the total amount authorized for that work element in the OWP. Reimbursements under this MFTA will be allowed if based upon actual costs incurred and supported by MPO’s accounting system. Allowable incurred costs that are eligible for reimbursement by STATE are only those that are treated by MPO’s accounting system in accordance with Generally Accepted Accounting Principles as accrued due to such costs having been billed to MPO and recognized by MPO as valid, undisputed, due and payable.

By submitting accrued but unpaid costs for reimbursement, MPO agrees that within ten (10) days of receipt of STATE’s reimbursement, the full amount of all cost items submitted as reimbursable accrued costs shall be paid to each billing entity. Any reimbursed accrued cost not paid within this ten (10) day grace period shall accrue interest payable to STATE at the then present interest rate established by the State Treasurer’s Pooled Money Investment
Account. Interest accrued must be timely remitted to STATE. Reimbursed accrued costs not paid to the billing entities by MPO within forty five (45) days of MPO’s receipt of STATE’s reimbursement will thereafter be deemed unallowable. All unallowable costs must be immediately remitted to STATE.

If MPO is found, through audit or other means, not to have paid a billing entity its invoiced sums then owed within the (10) day grace period, MPO must immediately revert to the reimbursement process described in subpart 1 above.

B. STATE agrees to make reimbursements to MPO as promptly as STATE fiscal procedures will permit, but not more often than monthly, upon the receipt of two original signed Requests for Reimbursements (conforming to the format provided in APPENDIX B) that include all required information, as applicable, (provided in example APPENDIX B2) of actual allowable costs incurred for the period of time covered by that Request for Reimbursement.

C. Advance payments are not allowed for State and/or Federal funds administered under this MFTA.

Section 2. Travel and Per Diem Reimbursement

Travel expenses and per diem rates are not to exceed the rate specified by the State of California Department of Personnel Administration for similar employees (i.e. non-represented employees) unless written verification is supplied that government hotel rates are not commercially available to MPO, or its contractors, its subcontractors, and/or its subrecipients, at the time and location required as specified in the California Department of Transportation’s Travel Guide Exception Process.

Section 3. Final Request for Reimbursement and OWP Closeout Documentation

A. MPO shall submit an OWP/annual OWPA closeout documentation package to STATE no later than sixty (60) days after June 30th of each fiscal year. The closeout package shall conform to the format provided in APPENDIX C.

B. The closeout package must be attached to a transmittal letter, typed on MPO’s letterhead. If these documents are not received within sixty (60) days after the June 30 date for that closing of the annual OWPA, STATE may withhold future apportionments and/or allocations to MPO. STATE’s election not to withhold future apportionments and/or allocations immediately after the end of one fiscal year shall not limit STATE’s ability to initiate subsequent withholdings.

Section 4. Funding Contingencies

All obligations of STATE under the terms of the MFTA and each annual OWPA are subject to the availability of Federal and State funds and the annual passage of the applicable State Budget Act. The authorization and obligation of these funds by outside entities may be terminated, limited or otherwise adversely affected by factors which may include, but are not limited to, changes in State or Federal law regarding the encumbrance and reimbursement of the funds provided by each annual OWPA and this MFTA.
ARTICLE III - AUDITS AND REPORTS

Section 1. Cost Principles

A. MPO agrees to comply with Federal procedures in accordance with Office of Management and Budget Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments, and 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

B. MPO agrees, and shall require all of its contractors, subcontractors, and subrecipients to agree, to the following: (a) the Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., (subrecipients shall refer to the Office of Management and Budget Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments) shall be used to determine the allowability of individual project cost items, and (b) these parties shall comply with Federal administrative procedures in accordance with 49 CFR, Part 18, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

C. Costs for which MPO receives reimbursement payment or credit that is determined by a subsequent audit or other review by either STATE or Federal authorities to be unallowable under Office of Management and Budget Circular A-87; 48 CFR, Chapter 1, Part 31; or 49 CFR, Part 18, are to be repaid to STATE by MPO within thirty (30) days of MPO receiving notice of audit findings. Should MPO fail to reimburse moneys due STATE within thirty (30) days of demand, or within such other period as may be agreed between both parties hereto, STATE is authorized to intercept and withhold future payments due MPO from any source, including, but not limited to, the State Treasurer and the State Controller.

D. MPO agrees to furnish documentation to STATE to support this requirement that all of its agreements with contractors, subcontractors, and subrecipients do contain provisions requiring adherence to this section in its entirety.

Section 2. Indirect Cost Agreement and Cost Allocation Plan

A. If MPO seeks reimbursement for indirect costs, indirect cost agreements and cost allocation plans are to be provided to STATE annually prior to the beginning of each fiscal year for review and approval prior to MPO seeking any reimbursement of indirect costs.

B. MPO agrees and shall require that all of its agreements with subrecipients contain provisions requiring adherence to this section in its entirety.

Section 3. Record Retention/Audits

A. MPO shall maintain, and shall require its subrecipients, contractors and its subcontractors to maintain all source documents, books and records connected with their performance of OWP work initiated under this MFTA and each applicable annual OWPA for a minimum of three (3) years from the date of final payment to MPO or until audit resolution is achieved for each annual OWPA, whichever is later, and shall make all such supporting information available for inspection and audit by
representatives of STATE, the Bureau of State Audits, or the Federal Government upon request. Copies will be made and furnished by MPO upon request at no cost to STATE.

B. MPO shall establish and maintain, and shall require that its subrecipients, contractors and subcontractors shall establish and maintain, an accounting system conforming to Generally Accepted Accounting Principles (GAAP) to support Requests for Reimbursement which segregate and accumulate the costs of work elements by line item and produce Quarterly Reports which clearly identify reimbursable costs and other expenditures by OWP work elements.

C. MPO’s pre-award requirements for dealing with third party contractors/consultants and local agencies must be consistent with STATE Local Program Policy (LPP 00-05) or any successor thereto.

D. MPO agrees to include all costs associated with this MFTA, OWP and annual OWPA, and any amendments thereto; to be examined in the annual audit and in the schedule of activities to be examined under MPO’s single audit prepared in compliance with Office of Management and Budget Circular A-133. MPO is responsible for assuring that the Single Auditor has reviewed the requirements of this MFTA, the OWP and the annual OWPA. Copies of said audits shall be submitted to STATE.

E. When conducting an audit of the costs claimed under the provisions of each annual OWPA and this MFTA, STATE will rely to the maximum extent possible on any prior audit of MPO pursuant to the provisions of State and Federal law. In the absence of such an audit, work of other auditors will be relied upon to the extent that work is acceptable to STATE when planning and conducting additional audits.

F. MPO agrees to furnish documentation to STATE supporting this requirement that all of its agreements with contractors, subcontractors, and subrecipients do contain applicable provisions requiring adherence to this section in its entirety.

G. Neither the pendency of a dispute nor its consideration by STATE will excuse MPO from full and timely performance in accordance with the terms of this MFTA, the OWP, and the annual OWPA.

ARTICLE IV - GENERAL PROVISIONS

Section 1. Federal Certifications and Assurances

A. MPO shall comply with the FHWA and FTA “Metropolitan Transportation Planning Process Certification” requirements in accordance with 23 CFR 450.334 and the Transportation Equity Act for the 21st Century and its successors thereto. This Certification is provided annually by FHWA and FTA and is published in STATE’s annual MPO OWP Guidance. It may include, but is not limited to:


2. Sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d));

4. Section 1101(b) of the Transportation Equity Act for the 21st Century (Pub. L. 105-178 112 Stat. 107), and any successor thereto, regarding the involvement of disadvantaged business enterprises in FHWA and FTA funded projects (Sec. 105(f), Pub. L. 97 - 424, 96 Stat. 2100, 49 CFR part 26); and


B. MPO shall comply with annual FTA "Certifications and Assurances for FTA Assistance,” including “Certifications and Assurances Required of Each Applicant” and the “Lobbying Certification” in compliance with 49 U.S.C. Chapter 53; published annually in the Federal Register.

The 2003 Federal Certification includes the following areas under "Assurances Required of Each Applicant:"

1. Authority of Applicant and Its Representatives

2. Standard Assurances

3. Debarment, Suspension, and Other Responsibility Matters for Primary Covered Transactions

4. Drug-Free Workplace Agreement

5. Intergovernmental Review Assurance

6. Nondiscrimination Assurance

7. DBE Assurance

8. Nondiscrimination on the Basis of Disability

9. Procurement Compliance Certification

10. Certifications and Assurances Required by the U.S. Office of Management & Budget

C. Copies of these annual Certifications and Assurances shall be included by MPO in each final OWP.

D. MPO shall comply, and shall require its contractors, subcontractors, and subrecipients to comply with these Certifications.
E. MPO agrees to furnish documentation to STATE to support this requirement that all of its agreements with contractors, subrecipients and subcontractors, do contain provisions requiring adherence to this section in its entirety.

Section 2. Disadvantaged Business Enterprise (DBE) Requirements

A. As mandated by 49 CFR Part 26, MPO shall require that its contractors, subcontractors, and subrecipients do not, discriminate on the basis of race, color, national origin, or sex in the award, administration and performance of any State or FHWA/FTA fund-assisted contract or in the administration of MPO’s DBE program.

B. MPO’s DBE program, as required by 49 CFR Part 26 and as approved by STATE, is incorporated by reference in this MFTA. Implementation of this program is a legal obligation and the failure of MPO to carry out its terms shall be treated as a violation of this MFTA. Upon notification to the recipient of its failure to carry out its approved program, the US DOT may impose sanctions as provided for under Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and/or the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 et seq. and 49 CFR Part 26.13(a).

Section 3. Non-Discrimination Clause

A. In the performance of work undertaken pursuant to this MFTA, MPO shall not, and shall affirmatively require that its contractors shall not, unlawfully discriminate, harass or allow harassment, against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), medical condition (cancer), age, marital status, denial of family and medical care leave, and denial of pregnancy disability leave.

B. MPO shall ensure, and shall require that its contractors and all subcontractors and/or subrecipients shall ensure, that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. MPO shall comply, and ensure that its contractors and subcontractors and/or subrecipients shall comply, with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this MFTA by reference and made a part hereof as if set forth in full.

C. Each of MPO’s contractors, subcontractors, and/or subrecipients shall give written notice of their obligations under this clause to labor organizations with which they have collective bargaining or other labor agreements. MPO shall include the non-discrimination and compliance provisions hereof in all contracts and subcontracts to perform work under this MFTA.

D. MPO shall comply with the nondiscrimination program requirements of Title VI of the Civil Rights Act of 1964. Accordingly, 49 CFR Part 21, and 23 CFR Part 200 are made applicable to this MFTA by this reference. Wherever the term “Contractor” appears therein, it shall mean MPO.
E. MPO shall permit, and shall require that its contractors, subcontractors, and subrecipients will permit, access to all records of employment, employment advertisements, application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission or any other agency of the State of California designated by STATE to investigate compliance with this Section 3.

Section 4. Federal Lobbying Activities Certification

A. MPO certifies, to the best of its knowledge and belief, that no State or Federal funds have been paid or will be paid, by or on behalf of MPO, to any person for influencing or attempting to influence an officer or employee of any State or Federal agency, a Member of the State Legislature or United States Congress, an officer or employee of the Legislature or Congress, or any employee of a Member of the Legislature or Congress in connection with the awarding of any State or Federal contract, the making of any State or Federal grant, the making of any State or Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any State or Federal contract, grant, loan, or cooperative agreement.

B. If any funds other than State or Federal funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, MPO shall complete and submit Standard Form-LL, "Disclosure Form to Report Lobbying", in accordance with those form instructions.

C. This certification is a material representation of fact upon which reliance was placed when this MFTA and each annual OWPA was entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

D. MPO also agrees by signing this MFTA that MPO shall require that the language of this certification be included in all contracts and subcontracts funded wholly or in part by any fund sources listed on Page 1 of this MFTA and which exceed $100,000 and that all such subrecipients shall certify and disclose accordingly.

Section 5. Contract Award

In accordance with Title 49, CFR, Part 18, Section 18.37 and state law and procedures, all MPO, contractor, subcontractor and subrecipient contracts containing Federal and State planning funds are required to be competitively bid and awarded consistent with LPP-005 or successors thereto.

Section 6. Contract Amendment

No amendments to the terms of this MFTA, any OWP or any annual OWPA shall be valid unless made in writing and signed by the individuals legally authorized to contractually bind the parties hereto. Each party agrees that it has had or will have the opportunity to seek review by and approval
from its legal counsel of the original documents and any proposed alteration or variation. No oral understanding or agreement not incorporated herein shall be binding on any of the parties thereto. For the purposes of this MFTA, the Chief of Office of Regional and Interagency Planning, Division of Transportation Planning, shall be the Contract administrator for STATE.

Section 7. Dispute Resolution

The remedy for the resolution of any claims brought by MPO against STATE under this MFTA and the applicable annual OWPA shall be by non-binding arbitration. Unless otherwise agreed by STATE and MPO, the arbitration shall be conducted by a single arbitrator selected by the parties from the certified list created by the Public Works Contract Arbitration Committee per Public Contract Code section 10240.

ARTICLE V – MUTUAL AGREEMENT

GENERAL PROVISIONS

STATE and MPO mutually agree:

Section 1. Parties of Agreement

This MFTA, the OWP, the annual OWPA and any related agreements are solely between the named parties thereto and no express or implied benefit to entities or individuals not a party thereto is intended or to be inferred. There are no third-party beneficiaries to or of this MFTA or any OWP, or annual OWPA or any other agreement pertaining hereto.

Section 2. Hold Harmless and Indemnification Clause

A. Neither STATE nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by MPO under or in connection with any work, authority or jurisdiction delegated to MPO under this MFTA and each annual OWPA. It is understood and agreed that, pursuant to Government Code section 895.4, MPO shall fully defend, indemnify and save harmless STATE and its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury as defined in Government Code section 810.8 occurring by reason of anything done or omitted to be done by MPO under or in connection with any work, authority or jurisdiction delegated to MPO under this MFTA and each annual OWPA.

B. Neither MPO nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by STATE under or in connection with any work, authority or jurisdiction delegated to STATE under this MFTA. It is understood and agreed that, pursuant to Government Code section 895.4, STATE shall fully defend, indemnify and save harmless MPO, its officers and employees from all claims, suits, or actions of every name, kind and description brought for or on account of injury as defined in Government Code section 810.8 occurring by reason of anything done or omitted to be done by STATE under or in connection with any work, authority or jurisdiction delegated to STATE under this MFTA.
Section 3. Termination

A. In the event that MPO fails to complete a Work Element as described in the OWP or fails to comply with applicable Federal and State laws and regulations, STATE reserves the right to terminate all funding for that OWP, or a portion thereof, upon thirty (30) days prior written notice to MPO. The Notice of Termination will specify the reason and effective date for the termination. During the period before the termination date becomes effective, MPO and STATE shall meet to try and resolve any dispute. No such termination shall become effective if, within the thirty (30) day period after receipt of the Notice of Termination, MPO either cures the default, or if that default is not reasonably susceptible to cure within said thirty (30) day period, STATE approves a MPO plan and MPO thereafter diligently completes the cure in a manner and timeline acceptable to STATE.

B. This MFTA shall remain in full force and effect until superseded or terminated by either party upon thirty (30) days prior written notice.

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

By: [Signature]
Contract Officer
Date: 11/05

Kings County Association of Governments

By: [Signature]
Executive Director
Date: December 9, 2004

Kings County Association of Governments

By: [Signature]
Attorney
Date: December 13, 2004
BEFORE THE KINGS COUNTY ASSOCIATION OF GOVERNMENTS
TRANSPORTATION POLICY COMMITTEE

************

IN THE MATTER OF APPROVING )
THE MASTER FUND TRANSFER )
AGREEMENT FOR FEDERAL )
PLANNING ASSISTANCE FUNDS )

RESOLUTION NO. 04-22
RE: MASTER FUND TRANSFER AGREEMENT

WHEREAS, as a designated Metropolitan Planning Organization (MPO), the Kings County Association of Governments is eligible for Federal planning assistance funds to carry out the metropolitan transportation planning process required by 23 U.S.C. 134; and

WHEREAS, on June 9, 2004, the Kings County Association of Governments (KCAG) Transportation Policy Committee (TPC) adopted Resolution No. 04-11 and approved the FY 2004-05 Overall Work Program (OWP) for Transportation Planning; and

WHEREAS, on December 8, 2004, the Kings County Association of Governments (KCAG) Transportation Policy Committee (TPC) adopted Resolution No. 04-21 and approved Amendment No. 1 to the FY 2004-05 Overall Work Program (OWP) for Transportation Planning; and

WHEREAS, the Overall Work Program is funded in part with Federal planning assistance funds.

NOW, THEREFORE, BE IT RESOLVED, that the KCAG Transportation Policy Committee approve the Master Fund Transfer Agreement Number with the State of California and the Kings County Association of Governments, and authorize the Executive Secretary to sign upon County Counsel's approval.

BE IT FURTHER RESOLVED, that the KCAG Transportation Policy Committee approve the Overall Work Program Agreement Number 05OWPKING between the State of California and the Kings County Association of Governments, and authorize the Executive Secretary to sign.

The foregoing Resolution was adopted on a motion by Commissioner Neves, seconded by Commissioner Martin, at a regular meeting held on the 8th day of December, 2004 by the following vote:

AYES: Neves, Martin, Barba, Lerma, Marquez
NOES:
ABSENT: Chin, Craighead
ABSTAIN: 

KINGS COUNTY ASSOCIATION OF GOVERNMENTS
TRANSPORTATION POLICY COMMITTEE

Chairman

Witness, my hand this 4th day of December, 2004.

William R. Zumwalt, Executive Secretary
MEMORANDUM OF UNDERSTANDING

Comprehensive Federal Transportation Planning

This Memorandum of Understanding (MOU), entered into and effective this 22 day of June, 2005, by and between the State of California acting through its Department of Transportation, hereinafter referred to as Department, and Kings County Association of Governments, acting as both the federally designated Metropolitan Planning Organization, herein referred to as MPO, of the urbanized County of Kings in accordance with Title 23 of the United States Code (USC) section 134 (23 USC 134) and 23 Code of Federal Regulations (CFR) 450.104 (23 CFR 450.104) and the Regional Transportation Planning Agency (RTPA) recognized under California Government Code Section 29532, establishes a general transportation planning and programming process codifying the responsibilities of the MPO and the Department.

CHAPTER 1: RECITALS

1.1 **Basis for Organization** - MPO is a regional transportation planning agency formed pursuant to California Government Code sections 6500 et seq.

1.2 **Ability to Contract and Receive Grants** - MPO is empowered to make and enter into contracts in its own name and to accept grants, gifts, donations and other monies to carry out its statutory purposes and functions.

1.3 **State Requirement for Transportation Plan** - In accordance with schedule specified in California Government Code sections 65080 et seq. and the California Transportation Commission's (CTC) Regional Transportation Planning Guidelines, MPO shall prepare, adopt and submit a Regional Transportation Plan (RTP).

1.4 **Federal Requirement for Long-Range Transportation Plans** - 23 USC 134 and 49 USC App:1607, as amended by the Transportation Equity Act for the Twenty-first Century (TEA-21) and its successors, require that as a condition of receipt of federal capital or operating assistance, each urbanized area must have a continuing, comprehensive, coordinated transportation planning process, including a Long Range Transportation Plan, of which the MPO RTP is the equivalent. As part of the process, MPO shall fulfill the requirements of the joint Federal Highway (FHWA)/Federal Transit Administration (FTA) planning regulations (23 CFR Part 450 and 49 CFR Part 613) and any amendments thereto when developing the financially constrained Long Range Transportation Plan that conforms to the State Implementation Plan (SIP).

1.5 **Federal Requirement for the Federal Transportation Improvement Program (FTIP) and Federal State Transportation Improvement Program (FSTIP)** - 23 USC 134 and 49 USC 5304 require the preparation, adoption and the biennial update of at least a three-year FTIP. The FTIP shall be financially constrained, shall be consistent with the adopted MTP/RTP, and shall conform to the SIP.

1.6 **State and Federal Requirement for Congestion Management Program (CMP)** - California Government Code sections 65088 and 65089 require that a Congestion Management Program shall be developed, adopted, and updated for every county that includes an urbanized area, and that includes every city within the county and the entire county area. 23 CFR 500 requires the development of a Congestion Management System (CMS) that provides for effective management of new and existing transportation facilities.
1.7 **Federal Clearinghouse Requirements** - Presidential Executive Order 12372, entitled Intergovernmental Review of Federal Programs, requires that federal agencies coordinate the review of proposed federal financial assistance and direct development activities, including transportation programs and projects funded under TEA-21, with affected State and local government entities. In California, the Governor’s Office of Planning and Research (OPR) and designated Area-wide Clearinghouses are the entities responsible for implementation of Executive Order 12372.

The Department fulfills this reporting requirement for the Federal State Transportation Improvement Program (FSTIP) and for the Consolidated Planning Grant (CPG). The CPG consists of funds flowing from the FHWA Metropolitan Planning (PL) source, the FTA Metropolitan Planning (Section 5303) source, FHWA State Planning and Research - Partnership Planning Element source, and FTA Statewide Planning and Research source (Section 5313(b)).

1.8 **Planning Area Boundaries**

a) Federal Metropolitan Planning Area Boundaries - For the purposes of meeting the requirements of 23 USC 134 and the agreement between the Governor and MPO, the Metropolitan Planning Area Boundaries include the County of Kings as shown on Exhibit A.

b) State Regional Transportation Planning Area Boundaries - For purposes of meeting the requirements of California Government Code sections 65080 et seq., the boundaries of MPO, acting as the RTPA, include the County of Kings as shown on Exhibit A.

**CHAPTER 2: THE PLANNING AND COORDINATION PROCESS**

2.1 **Provision for the Planning and Programming Process** - MPO is recognized as the agency responsible for comprehensive regional transportation planning pursuant to State and Federal law, as amended by the most current federal transportation authorization bill, for each MPO County and each incorporated city included in each County. This responsibility shall include, on a regional basis: providing a forum for regional transportation issues, developing and adopting goals and objectives, performing intermodal corridor and sub-area studies, developing and maintaining appropriate management information systems as required by the most current federal transportation authorization bill, providing policy guidance, allocating State and Federal transportation funds in accordance with applicable regulations and laws, assuring prioritization of proposed transportation improvements to be funded with State and Federal funds as required by applicable regulations, determining air quality conformity with the applicable SIP, complying with the California Environmental Quality Act (CEQA), and coordinating the RTP with other plans and programs as appropriate. The parties hereby express their joint intent to mutually carry out the above described transportation planning process for this MPO transportation planning area in a manner which will assure full compliance with the laws referred to in Chapter 1 of this MOU, the RTP Guidelines, and the planning constraints of the United States Department of Transportation (USDOT).

2.2 **Cooperation and Coordination** - The planning process employed by MPO will provide for the cooperation of, and coordination with, public transit and paratransit operators, public airport operators, local public works and planning departments, air pollution control districts, passenger and freight rail operators, other federal agencies, as appropriate, and the Department. MPO will provide the level of coordination and cooperation necessary to meet state and federal transportation and air quality laws and regulations. MPO will coordinate with Department’s District, MPO’s Air Pollution Control Districts, and the other affected air basin MPOs to develop consistency in travel demand modeling, transportation air
emission modeling, air quality conformity determinations on the MTP/RTP and FTIP, transportation control measures, Overall Work Programs (OWP), other interregional issues related to the development of plans, and will, by entering into such agreements and operating procedures with other MPOs as is necessary and appropriate, implement this cooperative provision.

2.3 **Consultation with Native American Tribal Governments** - In accordance with Titles 23 and 49 USC, MPO shall consult with all federally recognized Native American Tribal Governments within or contiguous to MPO in the development of State and Federal transportation plans, programs, and projects, and related studies and environmental assessments.

2.4 **Formal Public Participation** – In accordance with 23 CFR 450.212 and 23 CFR 450.316(b), the MPO planning process shall be conducted in an open manner so members of the public, civic groups, interest groups, businesses and industries, and other agencies can fully participate. Public participation procedures shall be documented, periodically revised, and their effectiveness regularly evaluated. MPO shall take appropriate actions to ensure public participation through such formal means as:

(a) posting of public hearing agendas, (b) appointment of eligible citizen members, where appropriate and allowed, to serve as committee members, (c) innovative and creative outreach efforts targeting particularly the traditionally underserved public (e.g., minorities, senior citizens, and low income citizens), and (d) creation of standing advisory committees. Those committees not composed entirely of citizen members shall post public hearing agendas in accordance with the Brown Act (California Government Code section 54950), when applicable, and all committees shall operate according to their adopted bylaws.

2.5 **State Cooperation in Transportation Planning** - Department has a continuing duty of:

(a) planning transportation systems of statewide significance; (b) identifying potential transportation issues and concerns of overriding statewide interest; and (c) recognizing conflicts in regional transportation improvement programs.

In carrying out its duties, Department will work in partnership with MPO relative to activities within its transportation planning area and include MPO in its dealings with cities, counties, public transit operators, rail operators, and airports. MPO and Department will mutually carry out the transportation planning process for this transportation planning area in a manner which will assure full compliance with the laws referenced in Chapter 1 hereinabove and assure cooperation between all participants.

2.6 **Policy Level Involvement** - There exists within MPO, a Transportation Policy Committee, which consists of members of the Governing Board of Directors, members of the MPO, and the Department's Director, or their designated representatives and alternates.

**CHAPTER 3: PARTNERSHIP/COORDINATION**

3.1 **MPO Role and Responsibilities** – MPO, in cooperation with Department, the designated air pollution control agency, and public transportation service providers, will be responsible for carrying out the metropolitan transportation planning process. MPO will cooperatively develop plans and programs in accordance with the requirements specified in 23 USC 134 and 135, 23 CFR 450.100 through 600, Title 49 USC, and the Clean Air Act and all Clean Air Act Amendments. In nonattainment or maintenance areas, MPO will establish a consultation procedure and will coordinate the development of the
MTP/RTP and improvement programs with the SIP development process, including the development of transportation control measures.

3.2 **MPO Role in the Federal Requirement for Long-range Transportation Plans** - MPO will prepare, adopt and triennially update a long-range transportation plan of which the MPO’s RTP is the equivalent. This function will be carried out by MPO in cooperation with the Air Pollution Control District, Department, local government agencies, public transit owners and operators, and Native American Tribal Governments in the region. MPO shall fulfill the requirements of the joint FHWA/FTA planning regulations (23 CFR 250 and 49 CFR 613) and any amendments thereto.

3.3 **MPO Role in the State Requirement for Transportation Plan** - MPO will prepare, adopt, and submit a RTP in accordance with the schedule specified in California Government Code section 65080 (3) (d).

3.4 **MPO Role in Federal Transportation Improvement Program (FTIP) Development** - MPO shall prepare, adopt, and biennially update at least a three-year FTIP in accordance with the requirements of 23 CFR 450.300 et al. This function will be carried out by MPO in cooperation with MPO’s Air Pollution Control District, Department, local government agencies, public transit owners and operators in MPO’s County, Native American Tribal Governments in the region, and with the participation of the public.

3.5 **Department Role in Federal Transportation Improvement Program (FTIP) Development** - In accordance with the provisions in 23 CFR 450.216, 23 CFR 450.324, and in consultation with the MPO, Department will provide estimates of available Federal and State funds which MPO can utilize in developing the FTIP.

3.6 **Department Role in Federal Statewide Transportation Improvement Program (FSTIP) Development** – Department shall prepare and biennially update at least a three-year FSTIP in accordance with the requirements of 23 CFR 450.200 et al. The FSTIP shall include all MPO FTIPs along with a rural non-MPO FTIP developed by the Department. The FSTIP will be financially constrained by year according to the appropriate Code of Federal Regulations. The biennially prepared FSTIP will be submitted to the FHWA and FTA for joint approval.

3.7 **MPO Role in Federal Clearinghouse Requirements** - MPO has been designated by the State and OPR as the Area-wide Clearinghouse for its constituent counties to review all transportation projects in accordance with procedures developed by the OPR.

3.8 **Department and MPO Roles in Coordination of System Planning** - In conducting its Transportation System Planning Program, Department will coordinate its studies with those being conducted by MPO. As one means of coordinating transportation planning activities, Department will provide information on its system planning activities for MPO’s use in development of the OWP, MTP/RTP, RTIP, and FTIP, including required traffic data.

3.9 **MPO’s Role in the Overall Work Program (OWP)** - MPO will develop, adopt, and submit to FHWA/FTA and Department (the "funding agencies"), an annual OWP intended to provide guidance in the management of work by MPO to develop and implement the State and Federal transportation plans and programs and act as the basis for the MPO budget. The draft OWP, and any amendments thereto, will be subject to review and approval by the funding agencies. As a basis for review of amendment requests, MPO will submit reasons for changes, scope of work revisions, and funding enhancements or reductions. MPO will require the same information from its sub-grantees, if any.
3.10 **Department and MPO’s Role in the State Highway Operations and Protection Program (SHOPP)-** Under California Government Code section 14526.5, Department is required to prepare a SHOPP for the expenditure of transportation funds for major capital improvements which are necessary to preserve and protect the state highway system. Projects are limited to capital improvements relative to maintenance, safety, operations, and rehabilitation of state highways and bridges which do not add new capacity to the system. The program must be submitted no later than January 31 of each even numbered year. SHOPP is a four year program of projects adopted separately from the State Transportation Improvement Program (STIP) cycle. Prior to submitting the SHOPP, Department will make available to MPO a draft for review and comment.

3.11 **Public Transportation Providers' Role in the OWP** - MPO will provide the publicly owned transportation service providers timely notice of plans, programs, and studies and the full opportunity to participate in and comment on OWP development and implementation. Transportation planning activities conducted by public transportation providers may be included in the OWP for informational purposes.

3.12 **Public Transportation Providers' Role in RTP and TIP** - MPO will give public transportation service providers the opportunity to propose priority order for projects to be listed in a financially constrained TIP and to actively participate in the development of the RTP and FTIP.

3.13 **Data Collection** – Department and MPO will share responsibility for fulfilling the data requirements of 23 CFR 420.105(b). Department will be responsible for data on State Highways and MPO will be responsible for data on local streets and roads of regional significance, as appropriate.

3.14 **Project Cost Estimates** – For Department sponsored programs and projects, Department will collect and analyze data to be used in evaluating alternative transportation projects. For these projects, Department will supply MPO with project level cost and other data necessary for MPO to demonstrate in its financial plans that the entire system will be adequately maintained and operated. FHWA guidance for project cost estimates can be found at [http://www.fhwa.dot.gov](http://www.fhwa.dot.gov). MPO and local project sponsors will collect and analyze data reflecting existing and historical information which will be the basis for local project estimates cost and revenue projections for transportation planning, programs, and projects.

**CHAPTER 4: AIR QUALITY AND CONFORMITY**

4.1 **Conformity** - In accordance with Title 42, section 176(c) (4)(C) of the Clean Air Act and the final rule on U.S. EPA Transportation Conformity (40 CFR, Parts 51 and 93, hereafter "the Final Rule"), and the U.S. DOT Planning Regulations (23 CFR 450.310), MPO, in cooperation with MPO’s Air Pollution Control District, will make air quality conformity determinations. Department will fully participate and carry out its responsibilities as defined in the Final Rule, including public and interagency consultation, making project level conformity analysis for Department sponsored projects, and facilitating statewide discussion of SIP revisions and other conformity related issues. MPO will collect and analyze data necessary to carry out its responsibilities under the Final Rule. The Air Quality Conformity determination will be made in accordance with the rules of MPO’s Air Pollution Control District and consistent with the MOU among air basin MPOs and/or RTPAs where applicable, and MPOs Air Pollution Control District.
CHAPTER 5: NATIONAL ENVIRONMENTAL PROTECTION AND STREAMLINING COORDINATION

5.1 Environmental Protection and Streamlining – MPO will be an equal partner with Department to promote environmental stewardship in planning and programming projects for California’s transportation systems. MPO and Department will work to streamline the environmental review and wetlands permitting process and expedite the development of transportation projects. MPO and Department agree to comply with all applicable environmental laws, regulations and policies, and cooperatively address any informational needs associated with such statutes. MPO will consult with Federal and State resource agencies to seek their input, coordinate environmental protection issues with its constituents and any other entities for which it has assumed federal planning and programming responsibilities in the most current transportation authorization bill, and resolve any disputes using the processes defined in the most current federal regulations. Department will assist MPO in developing its plans and programs by making available existing resources to MPO, participating in appropriate planning activities and, wherever possible, improving the available environmental data.

CHAPTER 6: CERTIFICATION

6.1 Certification Requirement - Federal Metropolitan Transportation Planning Regulations require that MPO, undergo certification that the planning process is being carried out in conformance with all applicable requirements of 23 CFR 450.334.

6.2 Certification Process - For purposes of certification, MPO will establish a process which includes the following:

a) Fully executed copies of both FHWA Certifications and Assurances and FTA Certifications and Assurances are to be included as part of the final adopted and approved OWP.

b) MPO will provide Department with documentation (e.g. quarterly reports, public notices, finished work element products, etc.) to support MPO's planning process.

CHAPTER 7: GENERAL PROVISIONS

7.1 Review - This MOU has been reviewed and endorsed by both parties to assure its continued effectiveness. Any proposed amendments shall be submitted in writing for the consideration of both parties.

7.2 Amendment - This MOU constitutes an expression of desire and a means of accomplishing the general requirements for a comprehensive transportation planning process for the MPO. It may be modified, altered, revised or expanded as deemed appropriate to that end by written agreement of both parties.

7.3 Rescission of Prior Agreements - This MOU supersedes any existing MOU designed to serve as a statement of the transportation planning relationship between Department and MPO.

7.4 Monitoring - MPO and Department jointly agree to meet periodically to address and review issues of consistency with this MOU. Meetings will be held as often as is mutually agreed. Other issues and activities of mutual interest or concern may also be addressed. During the term of the MOU, MPO and Department mutually agree to notify the other of events which have a significant impact upon the MOU.
7.5 **Termination** - Either party may terminate this understanding upon written notice provided at least ninety (90) days prior to the effective date of termination and specifying that effective date of termination.

IN WITNESS WHEREOF the parties hereto have cause this Memorandum of Understanding to be executed by their respective officers duly authorized.

TONY BARBA, Chairperson  
Kings County Association of Governments

WILL KEMPTON, Director  
Department of Transportation

[Signatures and Dates]

3/8/2005
MOU BETWEEN THE SAN JOAQUIN VALLEY
REGIONAL TRANSPORTATION PLANNING AGENCIES
AND THE SAN JOAQUIN VALLEY UNIFIED
AIR POLLUTION CONTROL DISTRICT

SAN JOAQUIN VALLEY TRANSPORTATION PLANNING AGENCIES

The councils of governments of Fresno, Kern, Merced, San Joaquin, Stanislaus and Tulare counties are federally designated Metropolitan Planning Organizations responsible for implementing the comprehensive transportation planning process and the air quality/transportation conformity certifications for their respective areas. Those six agencies, along with the Kings County Regional Planning Agency, are designated by the State of California as Regional Transportation Planning Agencies with the responsibility for developing long range transportation plans. The Local Transportation Commission of Madera County is responsible under state certification for the long range transportation planning within their county. In recognition of the need to coordinate regional transportation planning and air quality plans, and in response to the newly enacted Intermodal Surface Transportation Efficiency Act of 1991 (hereinafter ISTEAA), these eight transportation planning agencies (hereinafter TPAs), have entered into a Memorandum of Understanding that provides for coordination of planning activities where interregional issues are involved.

SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT

The San Joaquin Valley Unified Air Pollution Control District (hereinafter SJVUAPCD) has adopted the SJVUAPCD 1991 Air Quality Attainment Plan (hereinafter AQAP) as required by the California Clean Air Act (hereinafter CCAA) which includes all feasible transportation control measures (hereinafter TCMs) as identified by the California Air Resources Board (hereinafter ARB). The Federal Clean Air Act Amendments (hereinafter FCAA) require the development of a State Implementation Plan (hereinafter SIP) which must also include necessary TCMs.

BACKGROUND FOR MEMORANDUM OF UNDERSTANDING

Whereas the San Joaquin Valley is designated a nonattainment area for both ozone and PM-10 and portions of the valley are nonattainment for carbon monoxide; and

Whereas both the federal and state clean air acts require TCMs that will significantly reduce the rate of increase in vehicle miles traveled (VMT); and

Whereas the transportation plans of the TPAs must provide for timely implementation of TCMs and must assure federal funding sources that their transportation plans, programs and projects "conform" to the SIP; and

Whereas these transportation plans, programs and projects should also assist in implementing the TCMs of the 1991 AQAP and attaining the transportation performance standards of that plan;

Now therefore, an ongoing formal relationship is hereby established between the SJVUAPCD and the TPAs to ensure the maximum effectiveness and compatibility of regional air quality and transportation plans; to comply with the conformity requirements of ISTEAA and the FCAA; to comply with the CCAA and the FCAA transportation related mandates; and to help achieve the attainment of federal and state air quality standards.
For these reasons, the TPAs and the SJVUAPCD have entered into this Memorandum of Understanding (hereinafter MOU) to ensure a coordinated approach to the development and implementation of the transportation portions of both the SIP and the 1991 AQAP. This Memorandum of Understanding constitutes a statement of the obligations, intentions and policies of the parties involved.

GENERAL

A. A working committee, consisting of TPA and SJVUAPCD staff, shall be established to provide coordination and direction for the consultant services and for the development and implementation of the transportation control sections of the SIP and AQAP. Local agency and public input will be obtained through the existing technical, public and policy committees of the TPAs and the SJVUAPCD.

B. Specifically required annual work products to accomplish the goals of the MOU are outlined in a Specific Work Plan (hereinafter Work Plan) adopted as an attachment to this MOU. It is the intent of the parties to this agreement to amend the Work Plan as necessary to include tasks required to attain the stated goals of the MOU. The Work Plan may be amended separately from the MOU, however, failure to adopt proposed amendments to the Work Plan by the SJVUAPCD or the TPAs does not void the MOU or the existing Work Plan.

C. The TPAs shall serve as co-lead with the SJVUAPCD in the joint development and implementation of the transportation control sections of the SIP submittals. The transportation control recommendations will be developed with the input of each TPA, and when finalized will go through the public review process for ratification by each agency policy board. The intent is to present a package that has the support of each of the TPAs. For the purpose of ensuring delivery of the transportation control products reflected in the MOU, approval by a majority of the TPAs, representing a majority of the population shall constitute ratification of the transportation control recommendations.

The TPAs recognize that the SJVUAPCD and the ARB shall have the ultimate responsibility for adoption of the SIP, including the portion dealing with transportation control measures. Upon adoption, the SJVUAPCD and the ARB shall have the responsibility for submittal of the SIP to the Environmental Protection Agency (hereinafter EPA) who has the ultimate responsibility for approval or promulgation. Notwithstanding the previously described ratification procedure for the transportation control portion of the SIP submittals, the SJVUAPCD reserves the right to submit to the ARB and the EPA the transportation control measures that it has adopted if the governing board of the SJVUAPCD makes either of the following two findings in their resolution:
1. A majority of the TPAs, representing a majority of the population have failed to ratify a package of transportation controls or have ratified a package that is insufficient to meet the mandates and requirements of the FCAAA.

2. There is insufficient time for a majority of the policy boards of the TPAs, representing a majority of the population, to ratify an adequate package of transportation controls prior to the required submittal date.

D. The TPAs shall assist the SJVUAPCD in the future development and implementation of the transportation control sections of the AQAP.

E. The SJVUAPCD will consult with the TPAs on any plans or programs of the District that will impact transportation planning in the San Joaquin Valley including but not limited to indirect source control programs and on-road mobile source offsets.

F. The TPAs will consult with the SJVUAPCD on any plans or programs that will impact air quality in the San Joaquin Valley including but not limited to state mandated congestion management plans, federal mandated congestion managements systems, and regional transportation plans.

G. The TPAs and the SJVUAPCD agree to provide each other with the data or information necessary to complete the products in the Work Plan and for other work related to the transportation control section of the SIP and the AQAP.

H. Both the TPAs and the SJVUAPCD are charged with the administration of funds that can be used for development and implementation of TCMs and other air quality and congestion management programs. The TPAs and the SJVUAPCD will coordinate to the maximum extent possible in the administration of funds such as AB 2766 Vehicle License Fee Surcharge and the Congestion Management/Air Quality Program to ensure expeditious implementation of TCMs and congestion management program; to direct applicants for funds to the most appropriate funding source; to maximize utilization of funds; and to avoid duplication of efforts.
DAVID CROW, Executive Director
San Joaquin Valley Unified Air Pollution Control District

WILLIAM BRIAM, Executive Director
Council of Fresno County Governments

RONALD E. BRUMMETT, Executive Director
Kern County Council of Governments

WILLIAM R. PIKE, Deputy (Co)
CHARLES GARDNER, Executive Director
Kings County Regional Planning Agency

LARRY COLUCCI, Acting Executive Director
Madera County Transportation Commission

HISSE B. BROWN, Executive Director
Merced County Association of Governments

BARTON R. MEAYS, Executive Director
San Joaquin Association of Governments

GREG STEEL, Executive Director
Stanislaus Area Association of Governments

DOUGLAS WILSON, Executive Secretary TPA
Tulare County Association of Governments

Chairperson

Chairperson

Chairperson

Chairperson

Chairperson

Chairperson

Chairperson
MEMORANDUM OF UNDERSTANDING
OF THE
REGIONAL PLANNING AGENCIES
IN THE
SAN JOAQUIN VALLEY

THIS MEMORANDUM OF THE UNDERSTANDING, which shall be effective upon the 21st day of September 2006, between and among the Council of Fresno County Governments, the Kern Council of Governments, the Kings County Association of Governments, the Madera County Transportation Commission, the Merced County Association of Governments, the San Joaquin Council of Governments, the Stanislaus Council of Governments, and the Tulare County Association of Governments, herein referred to as regional planning agencies, hereby enter into this Memorandum of Understanding;

WITNESSETH:

WHEREAS, the above listed regional planning agencies first entered into a Memorandum of Understanding on September 21, 1992, agreeing to coordinate regional planning activities; and

WHEREAS, this memorandum of understanding shall supersede and replace the existing memorandum of understanding; and

WHEREAS, since 1992 the above listed regional planning agencies have cooperatively addressed issues pertaining to transportation planning and related air quality responsibilities, transportation modeling, geographic information mapping; and

WHEREAS, the regional planning agencies of the counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus and Tulare are federally designated metropolitan planning organizations (MPOs) responsible for implementing the federal comprehensive transportation process and have specified air quality/transportation planning responsibilities for their respective areas; and

WHEREAS, the eight regional planning agencies of the counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus and Tulare (hereinafter referred to as the "Eight Valley RPAs") are state designated regional transportation planning agencies (RTPA) or local transportation commissions (LTC) responsible for the state comprehensive transportation planning process; and

WHEREAS, the Eight Valley RPAs shall cause to be developed and adopted a Valley Chapter of the Regional Transportation Plan, which shall be included within each regional planning agency's own plan. This chapter shall address issues that cross jurisdictional boundaries and specifically affect several counties, such as a transportation corridor, and may include air quality, highways, streets and roads, aviation, rail, goods movement, and transportation demand management efforts; and

WHEREAS, the regional planning agencies of the counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus and Tulare are responsible for the allocation of projected housing needs to their respective cities and county; and

WHEREAS, the San Joaquin Valley is designated as:
- a nonattainment area for the 8-hour ozone standard,
- a nonattainment area for both PM-10 and PM-2.5 standards, and
- the urban areas of Bakersfield, Fresno, Modesto and Stockton are designated as maintenance areas for carbon monoxide, and
WHEREAS, the Federal Clean Air Act requires nonattainment area plans to include transportation control measures; and

WHEREAS, the California Clean Air Act requires nonattainment area plans to include reasonably available transportation control measures; and

WHEREAS, the Safe Accountable Flexible Efficient Transportation Equity Act: A Legacy for Users of 2005, and any successor federal act, requires that when multiple Metropolitan Planning Organizations exist within designated air quality nonattainment areas they shall consult with each other and with the state in the coordination of plans and programs; and

WHEREAS, the Eight Valley RPAs shall develop and maintain a unified and coordinated approach to air quality management planning process issues; and

WHEREAS, the cities and counties within the San Joaquin Valley are projected to have significant increases in population, housing and employment during the next thirty years requiring a cooperative, comprehensive, and coordinated planning process.

WHEREAS, the Eight Valley RPAs shall serve as a forum to encourage and facilitate regional data sharing, GIS development and mapping; and

WHEREAS, the Eight Valley RPAs shall rely, as much as practicable, on existing regional planning agencies for its financing, data and expertise, but may jointly contract for services if provided for in each of their individual Overall Work Programs and Budgets.

NOW, THEREFORE, BE IT UNDERSTOOD AND AGREED that the regional planning agencies of the counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus and Tulare shall coordinate as the San Joaquin Valley Regional Planning Agencies with respect to the performance of the following tasks when interregional issues are involved:

1. Preparation of multi-modal transportation plans that will include coordinated forecast methodologies for future population, housing, employment, land use, and air quality, and identify other common elements in relationship to the San Joaquin Valley and major interregional transportation corridors.

2. Preparation of regional transportation plans and policies addressing identified common transportation issues occurring within the Valley.

3. Preparation and development of regional transportation improvement programs and other short-range programs to provide for timely implementation of transportation control measures consistent with schedules included in applicable Air Quality Attainment plans.

4. Coordination with the San Joaquin Valley Unified Air Pollution Control District on emission reduction projects necessary for the implementation of the California Clean Air Act.

5. Coordination with Caltrans District Offices on transportation system planning efforts.

6. Coordinate planning efforts with the appropriate state and federal agencies to insure good communication is maintained on issues important to the San Joaquin Valley.

7. Development and use of coordinated transportation and traffic database information for transportation modeling and related emission modeling.

8. Preparation of interregional technical and transportation systems studies in developing transportation corridor or plan alternatives.
9. Coordination on rail issues (both passenger rail and goods movement) within the Valley, including the development of plans and policies that affect rail service.

10. Provide a leadership role for all Valley Blueprint activities by planning for future growth and quality of life through the integration of transportation, housing, land use, economic development and environmental protection elements. Such integration to result in a more efficient and effective transportation system and land use pattern to achieve the three outcomes (3Es) that define quality of life – prosperous economy, quality environment, and social equity.

11. Provide a leadership role and act as a forum for Valley issues and concerns, where such issues and concerns transcend boundaries, allowing the development and consensus of policy questions of mutual interest in order to pursue a coordinated course of action without infringing on the jurisdictional powers of the individual governments.

BE IT FURTHER UNDERstood AND AGREED that to oversee the coordination efforts the following organizational structures shall be established:

12. The San Joaquin Valley Regional Planning Agencies Policy Council is hereby created consisting of two elected officials (and one alternate) appointed from each of the regional planning agencies policy boards listed herein. The Policy Council shall meet at least twice each fiscal year to provide guidance on common interregional policy issues. The Policy Council shall also represent the San Joaquin Valley at public forums, including before the California Transportation Commission, the Governor and his/her administration, and before State and Federal legislative bodies that require a common voice. The Policy Council shall also provide direction and guidance to the Regional Planning Agencies Executive Directors Committee.

a. The Policy Council shall cause to be created a set of By-Laws which shall further describe its operational structure and the operational structure of any subcommittees it may create.

b. The Policy Council shall provide direction to the Regional Planning Agencies Executive Committee on the development of an Annual Work Program and Budget for activities to be carried out jointly, including identifying revenue for the implementation of these activities. The Annual Work Program and Budget is to be reflected in each respective regional planning agency’s budget documents as appropriate.

c. Nothing herein shall be construed as limiting in any manner the authority and responsibilities of the respective regional planning agencies, and all plans, programs and activities shall at all times be carried out in such manner as to maintain and recognize the separateness and autonomy of the individual regional planning agencies.

13. The San Joaquin Valley Regional Planning Agencies Executive Directors Committee consisting of the regional planning agencies’ Executive Directors (or their designees) shall hereby continue to provide coordination and direction on all administrative work required to carry out the development of plans that address interregional issues. The Executive Directors Committee may establish technical committees to assist in research and plan development that address interregional issues as defined herein and on other interregional issues as directed by the Policy Council. One of the primary roles of the Executive Directors Committee shall be as the primary advisory body to the Policy Council on all items appearing on its agenda, and one of its functions shall be to recommend agenda items for the Policy Council’s regular agenda. The Executive
Directors Committee shall implement the Annual Work Program and Budget as approved by the Policy Council.

IN WITNESS WHEREOF, the parties hereto have caused this Memorandum of Understanding to be executed by their respective officers to be effective on the date first above written.

COUNCIL OF FRESNO COUNTY GOVERNMENTS

Mayor Pro Tem Trinidad M. Rodriguez, Chairman

Barbara Goodwin, Executive Director

KERN COUNCIL OF GOVERNMENTS

Councilmember David Couch, Chairman

Ronald E. Brummett, Executive Director

KINGS COUNTY ASSOCIATION OF GOVERNMENTS

Councilmember Sid Craighead, Chairman

Terri King, Executive Director

MADERA COUNTY TRANSPORTATION COMMISSION

Councilman Gordon Skeels, Chairman

Patricia Taylor, Executive Director

MERCED COUNTY ASSOCIATION OF GOVERNMENTS

Councilmember William Spriggs, Chairman

Jesse Brown, Executive Director

SAN JOAQUIN COUNCIL OF GOVERNMENTS

Councilman John W. Harris, Chairman

Andrew Chesley, Executive Director

STANISLAUS COUNCIL OF GOVERNMENTS

Mayor James Ridenour, Chairman

Vince Harris, Executive Director

TULARE COUNTY ASSOCIATION OF GOVERNMENTS

Supervisor Allen Ishida, Chairman

George Finney, Executive Director
MEMORANDUM OF UNDERSTANDING
BETWEEN THE
KINGS COUNTY ASSOCIATION OF GOVERNMENTS
AND
KINGS COUNTY AREA PUBLIC TRANSIT AGENCY

"Regarding the coordination of ongoing transit planning and programming of Federal funds that support the ongoing and future deployment of transit services by the Kings County Area Public Transit Agency"

This Memorandum of Understanding (MOU) is entered into between the Kings County Association of Governments, hereinafter referred to as KCAG, and the Kings County Area Public Transit Agency, hereinafter referred to as KCAPTA, as of this ___ day of April, 2013. The purpose of this MOU is to:

1) Foster a cooperative and mutually beneficial working relationship between KCAG and KCAPTA for the provision of comprehensive, effective, and coordinated transit planning on behalf of KCAPTA’s public mass transit system; and

2) Identify the transit planning responsibilities in coordination with the State of California for the purpose of programming federal funds within the KCAG Federal Transportation Improvement Program (FTIP).

WHEREAS, KCAG is a joint powers agency, created in 1967 pursuant to Title 1, Division 7, Chapter 5 of the California Government Code, Section 6500 et. seq., by Cooperative Agreement No. 67-21, as amended, between the cities of Avenal, Corcoran, Hanford and Lemoore and the County of Kings; and

WHEREAS, KCAPTA was established in 1979 as a joint powers agency, whose membership includes the cities of Avenal, Hanford, and Lemoore and the County of Kings, for the purpose of providing transit services within member agency jurisdictions; and

WHEREAS, Hanford-Lemoore is a designated urbanized area based on the 2000 Census (cited in the Federal Register / Vol. 67, No. 164 / Friday, August 23, 2002 / Notices); and

WHEREAS, as the public transportation provider serving the urbanized area, KCAPTA is eligible to apply for and receive Federal Transit Act (FTA) Section 5307 funding for capital, operating, and planning assistance for the delivery of public mass transportation.

NOW, THEREFORE, in consideration of the mutual benefits to the parties hereto, and in consideration of the covenants and conditions herein contained, the parties agree as follows:

SECTION 1: Cooperative Relationship

1.1 Communication

KCAG and KCAPTA rely upon a cooperative relationship to foster comprehensive regional transit planning which feeds directly into State and national planning. A critical component of this relationship involves open and productive communication, which leads to setting project priorities and federal funding needs. KCAG is required to update the Federal Transportation
Improvement Program (FTIP) every even numbered year. The need to ensure responsive communication between the two parties is imperative in order to meet this federal programming mandate.

The Executive Director of KCAG and the Executive Director of KCAPTA are the primary individuals responsible for ensuring that the provisions specified in this MOU are followed.

SECTION 2: Transit Federal Programming

2.1 Short-Range Planning

In accordance with the planning regulations and Federal Transit Administration (FTA) guidance, KCAG shall prepare a five-year short-range transit plan to support sound financial and operational decision-making in the transit planning and programming process. Consistent with the Short-Range Plan, KCAPTA will provide a draft list of projects for federal transit funding. The list shall:

a) Identify and describe the scope of the specific projects that respond to ongoing and increased transit demands. These needs are to include Americans with Disabilities Act (ADA) and Transportation Control Measure (TCM) type, along with sufficient detail (design, concept, and scope) to permit air quality conformity analysis performed by KCAG.
b) Qualitatively and quantitatively support the basis of how projects respond to the transit needs.
c) Identify the amount and type of federal and non-federal funds required to support the projects for each year represented in the plan. In addition, this needs to include all discretionary funding estimates for the FTIP.

KCAG will work cooperatively with and support KCAPTA in its efforts to generate information needed to establish a 5-year short-range transit plan and future updates. This includes, but is not limited to, the following:

a) Obtain and analyze data from various sources to develop concrete assumptions for the purpose of transit forecasting and development.
b) Developing financial forecasting methods.
c) Assistance in securing funds to conduct transit demand studies and in-depth analysis.

2.2 Programming Criteria

As part of the FTIP updating process, federally funded projects are programmed by KCAG on behalf of all transit providers receiving federal funds through the FTIP. For proposed transit projects, the criterion used for the programming of federal funds within the KCAG FTIP is essential. KCAG and KCAPTA agree to employ the following selection criteria to establish priorities for transit funding:

a) Project purpose and need.
b) Anticipated benefits.
c) Degree to which project will improve transit accessibility.
d) Degree to which project will improve transit on-time performance.
e) Air quality benefits.
f) Overall cost effectiveness.
g) Leveraging other funding sources.
2.3 KCAPTA Applications to FTA

KCAPTA will prepare applications to the FTA for transit funding which are consistent with the FTIP. KCAG will review the applications and prepare a letter of concurrence indicating consistency with the FTIP.

SECTION 3: FTIP Project Monitoring and Maintenance

3.1 Progress Reporting

KCAG will be responsible for tracking the overall progress of all projects in the FTIP and will produce a mid-year report for the KCAG Transportation Policy Committee review that identifies those transit projects that have been obligated and those that are behind schedule. In addition, as per the Moving Ahead for Progress in the 21st Century (MAP-21), KCAG will produce an annual listing of projects for which federal funds have been obligated in the proceeding year and will ensure that it is made available for public review.

KCAPTA will assist in KCAG’s effort to track the overall progress of FTIP projects by forwarding a copy of quarterly reports submitted to FTA.

In addition to monitoring project deployment, KCAPTA will provide KCAG a copy of all documents/products produced as an end result from all planning activities identified in the Overall Work Plan thirty (30) days after the end of each fiscal year.

3.2 FTIP Amendments

KCAG’s Executive Director may exercise the authority delegated to process minor administrative amendments, requested by KCAPTA, involving for example, changes in the project scope, shifting of federal funds between project phases within the triennial element of the FTIP. All requests for administrative amendments, changes, and shifts in federal funds that affect KCAPTA will be initiated in writing by KCAPTA for consideration by the KCAG Executive Director.

As part of the quarterly progress report, or sooner if required, KCAPTA will alert KCAG as to the need for amending the FTIP. In general, reasons for FTIP amendments include e.g., funding shortfalls, delays in project deployment, and/or new projects that need to be included in the document. Other controls may need to be established to foster consistent communication to ensure the FTIP is amended in a timely fashion.

SECTION 4: MOU Amendment

This MOU may only be amended by the written consent of both parties.

SECTION 5: MOU Termination

Either party upon 30 days written notification to the other may terminate this MOU.
IN WITNESS THEREOF, the parties hereto have executed this Memorandum of Understanding to be effective on the 24th day of April 2013.

King County Area Public Transit Agency

[Signature]
Executive Director

Approved as to Form

[Signature]
County Counsel

Kings County Association of Governments

[Signature]
Executive Director

Approved as to Form

[Signature]
Counsel
AMENDMENT NO. 1 TO
JOINT POWERS AGREEMENT FOR
KINGS COUNTY ABANDONED VEHICLE ABATEMENT
SERVICE AUTHORITY

This Agreement is made this ___________ day of ___________, 1998 by and between the COUNTY OF KINGS ("COUNTY"), the CITY OF CORCORAN, the CITY OF HANFORD, the CITY OF LEMOORE, and the CITY OF AVENAL (hereinafter referred to as "CORCORAN", "HANFORD", "LEMOORE", and "AVENAL" respectively, or as "CITIES" collectively).

WITNESSETH

WHEREAS, pursuant to the provisions of a joint powers agreement entered into by and between the parties dated June 25, 1996 (hereinafter the "Agreement"), the parties formed the Kings County Abandoned Vehicle Abatement Service Authority (hereinafter “Authority”). The Authority is a joint powers authority authorized under the provisions of Government Code section 6500, et seq and Vehicle Code section 22710, formed for the purposes of planning for and providing funding for the removal of abandoned vehicles in the incorporated and unincorporated territory in Kings County; and

WHEREAS, by the enactment of Chapter 272 of the Statutes of 1997, the Legislature amended Vehicle Code sections 9250.7 and 22710, modifying and restricting the ways in which the abandoned vehicle abatement program and plan may be implemented and the ways in which funds may be distributed and used by local entities; and

WHEREAS, it is now necessary for the parties to amend the Agreement to comply with the provisions of Chapter 272.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. Paragraph 5 of the Agreement is hereby amended to read as follows:

"5. BOARD OF DIRECTORS. The Authority shall be governed by a five-member Board of Directors, which shall be comprised of one representative from each participating jurisdiction, appointed from the members currently sitting on the Board of Supervisors of the County and the City Council of each City. The County representative shall be appointed by the Board of Supervisors. City representatives appointed to the Board of Directors shall be selected by their respective City Councils. It is contemplated by the parties that for the purposes of convenience and
administration each member agency’s representative on the board shall be appointed from the
governing board of the Kings County Association of Governments. Individual terms shall be at the
discretion of each respective member entity.

The duties of the Board of Directors will include, but are not limited to, preparing and
recommending to the County Board of Supervisors and to the City Councils action regarding the
Abandoned Vehicle Abatement Program and Plan; preparing and submitting a Service Plan to the
State of California, California Highway Patrol (CHP); conducting and reporting the results of any
survey, study or analysis pertaining to the Program; managing the financial affairs of the Authority;
preparing, approving and submitting the quarterly and annual reports to the State Controller; and
disbursing of funds.”

2. Paragraph 8 of the Agreement is hereby amended to read as follows:

"8. SERVICE FEE. Pursuant to Vehicle Code sections 9250.7 and 22710, subdivision
(a), the Authority hereby imposes an annual service fee of one dollar ($1.00) on vehicles registered
to an owner with an address anywhere in the incorporated or unincorporated areas of Kings County,
provided the Plan is approved by the County and a majority of the Cities having a majority of the
incorporated population in Kings County in compliance with subdivision (d) of Vehicle Code section
22710. Collection of the one dollar ($1.00) service fee shall remain in effect for a period not to
exceed 10 years from the initial date of collection (June 1, 1997), as required by the provisions of
Vehicle Code section 9250.7. If any funds received by the Authority pursuant to the provisions of
Vehicle Code section 9250.7 and this Agreement are not expended to abate abandoned vehicles
within 90 days of the close of the fiscal year in which the funds were received and the amount of
those remaining funds exceeds the amount expended by the Authority in the previous fiscal year, the
one dollar ($1.00) service fee shall be suspended for one year, commencing the following January 1.”

3. Paragraph 12 of the Agreement is hereby amended to read as follows:

"12. DISBURSEMENT OF FUNDS. The funds received by the Authority from the one
dollar ($1.00) registration fee shall be used in accordance with Vehicle Code sections 9250.7 and
22710. No Authority member agency shall receive any funds from the Authority for the abatement
of abandoned vehicles to pursuant to the Plan unless the agency has submitted a quarterly report to
the Authority stating the manner in which the funds were expended and the number of vehicles
abated. Each member agency shall receive that percentage of the total funds collected by the
Authority fixed on a formula derived by the Authority. The formula shall apportion 50% of those
funds to a member agency based on the percentage of vehicles abated by that agency of the total
number of abandoned vehicles abated by all member agencies, and 50% based on population and geographic area, as determined by the Authority for its member agencies."

4. **EFFECTIVE DATE.** This Amendment No. 1 to the Agreement shall become effective upon its approval by the COUNTY Board of Supervisors and by the City Councils of each of the CITIES, and when executed by the authorized representative of each of the parties hereto. Except as otherwise set forth herein, the remaining terms, conditions and provisions of the Agreement shall remain in full force and effect.

![Signatures](signature.png)

Mayor, City of Avenal  
Date

Mayor, City of Corcoran  
Date

Mayor, City of Hanford  
Date

Mayor, City of Lemoore  
Date

Chairman, Kings County Board of Supervisors  
Date

h/agreement/ava-jpa4
BEFORE THE KINGS COUNTY ASSOCIATION OF GOVERNMENTS

**********

IN THE MATTER OF KINGS COUNTY ASSOCIATION )
OF GOVERNMENTS (KCAG) COMMISSION )
BECOMING THE KINGS COUNTY ABANDONED )
VEHICLE ABATEMENT SERVICE AUTHORITY )
(KCAVASA) BOARD OF DIRECTORS )

RESOLUTION NO. 97-01
RE: AVA SERVICE AUTHORITY
BOARD OF DIRECTORS

WHEREAS, on March 20, 1996, the Kings County Association of Governments directed staff to develop an Abandoned Vehicle Abatement (AVA) Program and Service Authority for Kings County and the four incorporated Cities of Avenal, Corcoran, Hanford, and Lemoore; and

WHEREAS, Section 9250.7 and 22710 of the California Vehicle Code provides for the establishment of a Service Authority for Abandoned Vehicle Abatement if the Board of Supervisors of the County and a majority of the cities within the County having a majority of the population adopt resolutions providing for the establishment of the authority; and

WHEREAS, the County Board of Supervisors of the County of Kings, and City Councils of the Cities of Avenal, Corcoran, Hanford, and Lemoore have all adopted resolutions approving the Kings County AVA Plan and formation of the Kings County AVA Service Authority; and

WHEREAS, the Kings County AVA Plan was submitted to the California Highway Patrol by August 1, 1996, and approved on December 13, 1996, to became effective on January 1, 1997; and

WHEREAS, the County Board of Supervisors of the County of Kings, and City Councils of the Cities of Avenal, Corcoran, Hanford, and Lemoore have entered into a Joint Powers Agreement to establish the Kings County AVA Service Authority; and

WHEREAS, the adopted Joint Powers Agreement requires that a Board of Directors, made up of one representative from each of the participating jurisdictions, be established to govern the Kings County AVA Service Authority and have responsibility for implementing the abandoned vehicle abatement program for Kings County; and

WHEREAS, the Joint Powers Agreement was adopted by the participating jurisdictions with the understanding that the KCAG Commission, with the exception of one County representative, would serve as the Kings County AVA Service Authority Board of Directors.

NOW THEREFORE, BE IT RESOLVED, that the Kings County Association of Governments Commission duly considered the matter of assuming the responsibilities of a Kings County AVA Service Authority and accepts to serve as the Kings County AVA Service Authority Board of Directors.
BE IT FURTHER RESOLVED, that the AVA Service Authority Board of Directors will consist of one KCAG Commission Member from each of the participating jurisdictions (County Of Kings, City of Avenal, City of Corcoran, City of Hanford, and City of Lemoore).

The foregoing Resolution was adopted on a motion by Commissioner __Vickers___, seconded by Commissioner __Lee____, at a regular meeting held on the 26th day of February, 1997 by the following vote:

AYES: Commissioners Vickers, Lee, Taylor, Quintanilla, Woolley, Lockhart
NOES: None
ABSTAIN: None
ABSENT: None

KINGS COUNTY ASSOCIATION OF GOVERNMENTS

Lee Lockhart, Chairman

WITNESS, my hand this 27th day of February, 1997.

William R. Zumwalt, Executive Secretary
AGREEMENT TO FORM JOINT POWERS AUTHORITY

by and between the

Association of Monterey Bay Area Governments
Fresno Council of Governments
Kings County Association of Governments
Madera County Transportation Commission
Tulare County Association of Governments
Sacramento Area Council of Governments
Santa Barbara County Association of Governments
Ventura County Transportation Commission
AGREEMENT TO FORM JOINT POWERS AUTHORITY

THIS AGREEMENT is made this 21st day of October, 2011, by and between the ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS, FRESNO COUNCIL OF GOVERNMENTS, KINGS COUNTY ASSOCIATION OF GOVERNMENTS, MADEIRA COUNTY TRANSPORTATION COMMISSION, SACRAMENTO AREA COUNCIL OF GOVERNMENTS, SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS, TULARE COUNTY ASSOCIATION OF GOVERNMENTS and VENTURA COUNTY TRANSPORTATION COMMISSION (hereinafter sometimes referred to individually as “Member Agency” and collectively as “Member Agencies”).

WITNESSETH:

WHEREAS, each Member Agency has an interest in and is authorized to operate van pool services and related activities, including, but not limited to, obtaining grant funds and borrowing funds for purchasing and leasing vans; and

WHEREAS, Federal Transit Administration and State matching funds have provided for the establishment of the “Agricultural Industries Transportation Services” and “RideShare” demonstration programs to help workers have an efficient and safe means of commuting to work within the southern San Joaquin Valley; and

WHEREAS, the California Department of Transportation (“Caltrans”) has determined that the Kings County Area Public Transit Agency’s vanpool programs should be replicated regionally as a means of addressing the non-traditional transportation needs of California residents; and

WHEREAS, the Member Agencies desire to share resources in order to further their above-described interest by forming a new public entity to handle such matters within the areas of their various political boundaries; and

WHEREAS, the Joint Exercise of Powers Act, found in California Government Code Sections 6500 et seq., authorizes the Member Agencies to form a joint powers
authority as an entity that will allow them to share resources in order to further their common interest,

NOW, THEREFORE, the Member Agencies agree as set forth below.

Article I
General Provisions

1. Name.

The legal name of the joint powers authority shall be the “California Vanpool Authority,” which shall also be known as “CalVans” (hereinafter called “Transit Authority”).

2. Boundaries.

The boundaries of the Transit Authority shall be the same as the collective geographic boundaries of the Member Agencies.

3. Purposes and Functions.

The purposes and functions of the Transit Authority shall be to operate van pool services and related activities, including, but not limited to, obtaining grant funds and borrowing funds for purchasing and leasing vans, within the boundaries described above in Section 2 of this Article I of this Agreement.


The Transit Authority shall have such powers as may be necessary for the accomplishment of the purposes and functions described above in Section 3 of Article I of this Agreement, including, but not limited to, the power in its own name to make and enter into contracts in its own name; to acquire and maintain insurance of all types; to employ agents and employees; to acquire, lease, construct, manage, maintain and operate any real property including building, works or improvements; to acquire, lease, hold or dispose of any personal property; to accept, hold, invest (pursuant to law, including, without limitation, California Government Code Section 6509.5), manage, and expend monies; to incur debts, liabilities or obligations; to obtain and secure funding from all available public and private sources, including local, state and federal government,
including but not limited to, lease purchase agreements, public grants, private contributions, public and private loans, and other funds; and to sue and be sued in its own name. The Transit Authority may accept grants, gifts, donations and other monies made in the public interest to carry out the purposes and functions as provided in this Agreement. To the extent budgeted, and as provided by law, the Board is authorized to pay expenses reasonably and necessarily incurred in the conduct of business, including travel expenses to attend meetings and conferences relating to the business of the Transit Authority.

5. **Limitations.**

Pursuant to California Government Code Section 6509, the powers of the Transit Authority are subject to the restrictions upon the manner of exercising such powers of one of the Member Agencies so designated, the designee being KINGS COUNTY ASSOCIATION OF GOVERNMENTS, which is a transportation planning agency as defined in paragraph (a) of California Public Utilities Code Section 99214 and paragraph (b) of California Government Code Section 29532 and, therefore, governed by California Public Utilities Code Sections 99200 through 99420, or any statutes superseding the same.

6. **Separate Legal Entity.**

The Transit Authority shall be a public entity duly formed under the laws of the State of California. It shall be a legal entity that is separate and distinct from Member Agencies. The debts, liabilities, and obligations of the Transit Authority shall be the sole responsibility of the Transit Authority and not of its officers, employees, agents or Member Agencies.

7. **Term.**

This Agreement will continue in full force and effect and the Transit Authority will continue to exist as a separate entity, until such time as this Agreement is rescinded or terminated by a vote in accordance with Section 7 of Article II of this Agreement.
Article II
Organization

1. Board of Directors.

The powers of the Transit Authority are vested in its Board of Directors ("Board"). The Board shall be composed of representatives from the Member Agencies. Each Member Agency shall appoint one voting member of the Board and one alternate member. Each appointed and alternate Board member shall serve at the pleasure of the Member Agency. Each Member Agency shall have one vote. Each Member Agency shall notify the Transit Authority in writing upon making an appointment or change thereof.

2. Officers.

The officers of the Transit Authority shall be elected, appointed and serve as hereinafter set forth.

(a) The Chair of the Board shall be elected at the first meeting of the Board. Thereafter, the Chair of the Board shall be elected annually at the last regular meeting in each calendar year and shall begin serving as Chair at the first regular meeting in the next calendar year. Any vacancy in the office of Chair shall be filled at the next regular meeting of the Board. Any member of the Board may be authorized to represent the Board upon approval by the Board.

(b) The Vice Chair of the Board shall be elected at the first meeting of the Board. Thereafter, the Vice Chair of the Board shall be elected annually at the last regular meeting in each calendar year and shall begin serving as Vice Chair at the first regular meeting in the next calendar year. Any vacancy in the office of Vice Chair shall be filled at the next regular meeting of the Board. The Vice Chair will have all the powers and act in the place of the Chair in the absence of the Chair.

(c) The Executive Director of the Transit Authority shall serve as Secretary. The Secretary will keep a public record of the Board’s
resolutions, transactions, findings and determinations, and the preparation of minutes of every meeting.

3. **Quorum.**

A simple majority of the Board must be present to constitute a quorum for action on the business of the Board.

4. **Ex Officio Members.**

The California Department of Transportation and the San Joaquin Valley Air Pollution Control District may each designate one non-voting representative to serve as an ex officio member of the Board.

5. **Meetings.**

The Board shall by resolution establish the date, time, and place for regular meetings. Special meetings may be called by either the Chair of the Board or the Executive Director and as otherwise allowed by law. All meetings of the Board shall be in conformance with the Ralph M. Brown Act (California Government Code Sections 64950, *et seq.*), as will meetings of its committees, if any, to the extent required by law.

6. **Executive Director.**

The Board shall appoint an Executive Director (hereinafter referred to as “Executive Director”), who shall be charged with managing the operations of the Transit Authority, subject to the authority and direction of the Board.

7. **Voting.**

Except as otherwise specified herein, all actions, decisions, resolutions, rules and minute orders of the Board shall be approved by at least a two-thirds vote of the Board members present at any meeting at which a quorum, meaning a simple majority of the Board, is present.

8. **Bylaws.**

The Board may adopt, by resolution, bylaws or rules of procedure to govern organization and operations of the Board and the Transit Authority, and to govern the conduct of the Board’s meetings. The bylaws may include rules for the establishment of committees of the Board and may also provide for the establishment of a technical
advisory committee to provide program recommendations to the Board. Any bylaws adopted by the Board shall be approved by a unanimous vote of the entire Board.

Article III

Finances

1. **Contributions, Payments and Advances.**

As allowed by California Government Code Section 6504, funding for the Transit Authority may include, but shall not be limited to, the following:

(a) Contributions may be made from the treasuries of one or more of the Member Agencies for the purposes set forth in this Agreement;
(b) Payments may be made directly by one or more of the Member Agencies to defray the costs of achieving the purposes of the Transit Authority;
(c) Public funds may be advanced by one or more Member Agencies, with the understanding that such advances will be repaid as provided in this Agreement; and
(d) Personnel, equipment or property of one or more of the Member Agencies may be used in lieu of other contributions or advances.

Any advance made in accordance with paragraph (c) of this Section 1 shall be repaid in the manner agreed to by the advancing Member Agency and the Board, at the time the advance is made.

2. **Limitation of Financial Commitment.**

The Board shall not obligate the Transit Authority to expenditures of funds not appropriated by the legislative bodies of the Member Agencies or received directly from the State or federal government.

3. **Non-Competition for Funds.**

The Transit Authority shall not compete with any of its Member Agencies for state or federal funding without the prior written consent of the Member Agency.
4. Approval of Funding Applications.

The Transit Authority shall receive approval from a Member Agency prior to applying for federal, state or local funds within the jurisdiction of said Member Agency.

5. Treasurer.

Pursuant to California Government Code Section 6505.5, the Transit Authority designates the Treasurer of the County of Kings to be the depository and have custody of all money of the Transit Authority, from whatever source. The Treasurer of the County of Kings shall comply with the provisions of paragraphs (a) through (e) of Government Code Section 6505.5 and otherwise act in accordance with Government Code Section 6505.5 and other applicable law. The Kings County Board of Supervisors shall determine the charges to be made against the Transit Authority for the services rendered by its Treasurer.

6. Auditor.

The Auditor shall draw warrants to pay demands against the Transit Authority when approved by the Treasurer. The Transit Authority shall use the Auditor of the County of Kings, who shall comply with all of the applicable provisions of California Government Code Section 6505.5. The Auditor shall provide for strict accountability of all funds and report of all receipts and disbursements pursuant to California Government Code Section 6505. The Kings County Board of Supervisors shall determine the charges to be made against the Transit Authority for the services rendered by its Auditor.

7. Budget.

The Board shall adopt a budget no later than sixty (60) days after the first meeting of the Board, and no later than June 30th of each year thereafter. Each budget shall be adopted by a majority vote of the entire Board.


Upon termination of this Agreement, after the payment of all obligations of the Transit Authority, any surplus money or other assets remaining shall be distributed to the Member Agencies in proportion to the contributions made.
9. **Liability of Transit Authority.**

Funds of the Transit Authority shall be used to defend, indemnify, and hold harmless the Transit Authority, any Member Agency, any member of the Board or alternate, and any employee or officer of the Transit Authority for their actions taken within the scope of their duties while acting on behalf of the Transit Authority.

10. **Liability of Individuals.**

All of the privileges and immunities from liability, exemptions from laws, ordinances and rules, all pension, relief, disability, workmen's compensation, and other benefits which apply to the activity of officers, agents or employees of any such public agency when performing their respective functions within the territorial limits of their respective public agencies, shall apply to them to the same degree and extent while engaged in the performance of any of their functions and duties extraterritorially for the Transit Authority.

11. **Transit Equipment.**

At the option of the Board, California Government Code Section 6518 shall be applicable to the Transit Authority.

12. **Audit.**

To the extent required by law, the Transit Authority shall comply with the audit and other requirements set forth in paragraphs (a) through (e) of California Government Code Section 6505. The Transit Authority shall promptly deliver copies of the annual audit report to the Board and the Member Agencies.

13. **Accounts and Records.**

The Board shall establish and maintain such funds and accounts of the Transit Authority as may be required by good accounting practice. The books and records of the Transit Authority shall be open to inspection at all reasonable times to the Member Agencies and their respective representatives.

14. **Insurance.**

Within thirty (30) days after the execution of this Agreement by the Member Agencies, Transit Authority shall obtain and continuously maintain general liability
insurance with limits of at least Ten Million and No/100 Dollars ($10,000,000.00). Coverage shall be placed with a carrier with an A.M. Best rating of no less than A-:VII, or equivalent.

Article IV
Miscellaneous

1. Custodians of Transit Authority Property.

The Executive Director of the Transit Authority shall have charge of, handle, and have access to, all property of the Transit Authority. Pursuant to California Government Code Section 6505.1, the Executive Director shall file an official bond in an amount determined by the Member Agencies through the Board. To the extent permitted by law, this requirement may be satisfied by the Executive Director filing an official bond obtained in connection with another public office or by the Transit Authority obtaining a fidelity bond or bonds covering all officers and staff of the Transit Authority who have charge of, handle, or have access to any property of the Transit Authority.

2. Severability.

Should any part, term, or provision of this Agreement be decided by the courts to be illegal or in conflict with any law of the State of California, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining parts, terms or provisions hereof shall not be affected thereby.

3. Withdrawal.

A Member Agency may withdraw from the Transit Authority by filing its written notice of withdrawal with the Executive Director 180 days before the actual withdrawal. Such a withdrawal shall be effective on the last day of that 180-day period. The withdrawal of a Member Agency shall not in any way discharge, impair or modify the voluntarily-assumed obligations of the withdrawn Member Agency in existence as of the effective date of its withdrawal. Withdrawal of a Member Agency shall not affect the remaining Member Agencies. A withdrawn Member Agency shall not be entitled to the return of any funds or other assets belonging to the Transit Authority, until the effective
date of termination of the Transit Authority or upon a vote of all remaining Member Agencies.

4. Joining the Transit Authority.

Other public entities may join the Transit Authority by filing a written request for inclusion with the Executive Director. The request for inclusion shall be reviewed by the Transit Authority and voted on by the entire Board. By a two-thirds majority vote of the entire Board, a public entity may be accepted as part of the Transit Authority. Thereafter, upon execution of this Agreement, including any amendments thereto, the new member shall become a full and equal member of the Transit Authority.

5. Amendment.

This Agreement may be amended at any time with the unanimous written approval of all Member Agencies.

6. Ratification and Effective Date.

This Agreement shall become effective upon the signature of the last of the aforementioned Member Agencies to sign this Agreement.

7. Notices to Transit Authority and Member Agencies.

Any notices to the Transit Authority and/or Member Agencies required or given pursuant to this Agreement shall be delivered or mailed, U.S. first class, postage prepaid, addressed as follows:

Transit Authority:

California Vanpool Authority
1340 North Drive
Hanford, CA 93230

Member Agencies:

Association of Monterey Bay Area Governments (AMBAG)
455 Reservation Rd., Suite G
Marina, CA 93933

Fresno Council Governments (FCOG)
2035 Tulare St., Suite 201
Fresno, CA 93721
Any party may change the address to which notices pursuant to this Section are given by giving notice of its new address according to the provisions of this Section.


Within thirty (30) days after the effective date of this Agreement or any amendment thereto, the Transit Authority shall cause a notice of this Agreement or any amendment thereto, to be prepared and filed with the office of the California Secretary of State. Additionally, the Transit Authority shall furnish an additional copy of the
aforementioned notice of this Agreement or any amendment thereto, to the California Secretary of State, who shall forward such copy to the Controller of the State of California. The aforementioned notices shall contain:

(a) The name of each Member Agency that is a party to this Agreement;
(b) The date that this Agreement became effective;
(c) A statement of the purpose of this Agreement or the power to be exercised by the Transit Authority; and
(d) A description of the amendment or amendments made to this Agreement, if any.

9. **Venue.**

The proper venue for any lawsuit based on any cause of action arising out of or in any way related to this Agreement or the operation of the Transit Authority shall be brought in a court of competent jurisdiction located in Kings County, California.

10. **Headings.**

The headings used in this Agreement are for convenience only and have no effect on the content, construction, or interpretation of the Agreement.

11. **Counterparts.**

This Agreement may be executed in any number of counterparts, and by different parties in separate counterparts, each of which, when executed and delivered, shall be deemed to be an original and all of which counterparts taken together shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the Member Agencies have caused this Agreement to be executed and attested by their proper officers thereunto duly authorized, and, if appropriate, their official seals to be hereeto affixed, to be effective as of the day and year first above written.
ASSOCIATION OF MONTEREY BAY AREA GOVERNMENTS

Dated: ____________________________

Chairperson—__________________________

Approved as to Form:

Dated: ____________________________

County Counsel, County of Monterey—__________________________

FRESNO COUNCIL OF GOVERNMENTS

Dated: 7-4-11 ____________________________

Chairperson—__________________________

Approved as to Form:

Dated: ____________________________

County Counsel, County of Fresno—__________________________

KINGS COUNTY ASSOCIATION OF GOVERNMENTS

Dated: 7-20-11 ____________________________

Chairperson—__________________________

Approved as to Form:

Dated: ____________________________

County Counsel, County of Kings—__________________________

MADERA COUNTY TRANSPORTATION COMMISSION

Dated: 10-5-11 ____________________________

Chairperson—__________________________

Approved as to Form:

Dated: ____________________________

County Counsel, County of Madera—__________________________
SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

Chairperson

Approved as to Form:

Counsel, Santa Barbara County Association of Governments

SACRAMENTO AREA COUNCIL OF GOVERNMENTS

Chairperson

Approved as to Form:

Counsel, Sacramento Area Council of Governments

TULARE COUNTY ASSOCIATION OF GOVERNMENTS

Chairperson

Approved as to Form:

County Counsel, County of Tulare

VENTURA COUNTY TRANSPORTATION COMMISSION

Chairperson

Approved as to Form

Legal Counsel, Ventura County Transportation Commission
BEFORE THE KINGS COUNTY ASSOCIATION OF GOVERNMENTS
COMMISSION

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IN THE MATTER OF THE JOINT POWERS AGREEMENT FOR THE CalVANS PUBLIC TRANSIT AGENCY ) ) RESOLUTION NO. 11-01 RE: CALVANS JPA

WHEREAS, the Kings County Association of Governments is a Metropolitan Planning Organization, pursuant to State and Federal designation; and

WHEREAS, the Kings County Association of Governments, is empowered by law to undertake public transportation projects and programs; and

WHEREAS, Federal Transit Administration and State matching funds have provided for the establishment of the "Agricultural Industries Transportation Services" and "Rideshare" demonstration programs to help workers have an efficient and safe means of commuting to work within the southern San Joaquin Valley; and

WHEREAS, the California Department of Transportation ("Caltrans") has determined that the Kings County Area Public Transit Agency’s vanpool programs should be replicated regionally as a means of addressing the non-traditional transportation needs of California residents; and

WHEREAS, a new entity, the California Vanpool Authority (CalVans), will provide coordinated vanpool services and programs on behalf of Member Agencies; and

WHEREAS, the Kings County Association of Governments, desires to participate as a Member Agency through a Joint Powers Agreement for CalVans services as an efficient and effective means of improving transportation options in Kings County.

NOW, THEREFORE, BE IT RESOLVED, that the Kings County Association of Governments agrees to become a Member Agency of CalVans, a Public Transit Agency.

The foregoing Resolution was adopted on a motion by Commissioner Barba, seconded by Commissioner Murray, at a regular meeting held on January 26, 2011, by the following vote:

AYES: Barba, Murray, Chin, Fagundes, Casida
NOES:
ABSENT: Hanshew

KINGS COUNTY ASSOCIATION OF GOVERNMENTS COMMISSION

[Signature]
Chairman

WITNESS, my hand this 26th day of January, 2011.

[Signature]
Terri King, Executive Director
JOINT EXERCISE OF POWERS AGREEMENT (JEPA)
ESTABLISHING THE SAN JOAQUIN JOINT POWERS AUTHORITY
NOVEMBER 19, 2012
(AS AMENDED MARCH 22, 2013)

INTRODUCTION

This Agreement is made and entered into in the State of California by and among the following public agencies that are parties to this Agreement:

a) Sacramento Regional Transit District (Sac RT)
b) San Joaquin Regional Rail Commission (SJRRC)
c) Stanislaus Council of Governments (StanCOG)
d) Merced County Association of Governments (Merced CAG)
e) Madera County Transportation Commission (Madera CTC)
f) Fresno Council of Governments (Fresno COG)
g) Kings County Association of Governments (Kings CAG)
h) Tulare County Association of Governments (Tulare CAG)
i) Kern Council of Governments (Kern COG)
j) Contra Costa Transportation Authority (Contra Costa TA)
k) Alameda County

RECITALS

WHEREAS, intercity passenger rail service is environmentally friendly, and the state has a continuing interest in the provision of cost-effective and efficiently administered intercity passenger rail services; and

WHEREAS, with more efficient administration, stronger local and regional support, and the ability to better partner with local agencies, a regionally managed San Joaquin intercity passenger rail service will result in improved service that will attract greater ridership –
creating jobs, improving air quality, and promoting sustainable development. Local decision-making will also be more responsive and better adapted to passenger issues; and

WHEREAS, it is in the best interests of the Member Agencies to combine their efforts to protect the existing San Joaquin Rail Corridor services and facilities while seeking to expand service as warranted by ridership and available revenue; and

WHEREAS, as provided by the Intercity Passenger Rail Act of 2012 and other provisions, the Member Agencies possess collectively, the powers, among others, to plan, budget, apply for grants, hire consultants and staff, exercise eminent domain, own, maintain, lease, contract for, and operate railroad services and facilities for the purpose of transporting passengers within and outside their respective boundaries; and

WHEREAS, the Intercity Passenger Rail Act of 2012 providing for, among other things, the San Joaquin Joint Powers Authority (SJJPA) which, if certain requirements are met, principally the execution of an interagency transfer agreement by December 31, 2014 with the State of California, will manage the San Joaquin Rail Service; and

WHEREAS, it is the intention of the Member Agencies to negotiate for, and to enter into an interagency transfer agreement by December 31, 2014; and

WHEREAS, the SJJPA will bring a more focused relationship with the host freight railroads, provide more aggressive advocacy efforts, and afford a governance structure that is more accessible to the public that is served and to the service contractors; and

WHEREAS, the Member Agencies recognize the importance of working in partnership with Caltrans on policy, programming and statewide consistency objectives where the state brings its greatest strengths; and

WHEREAS, the State will maintain funding in an amount to support at least the level of service in the San Joaquin Rail Corridor at the time of the transfer for not less than a three-year period following the transfer of administrative responsibility for the San Joaquin Rail Service to the SJJPA. After that three-year period, it is understood that the State will continue to be responsible for funding of the operating, administrative, and marketing needs of the San Joaquin Rail Service and its feeder bus services; and

WHEREAS, each Member Agency is authorized to contract with each other for the joint exercise of any common power under Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the Government Code; and

WHEREAS, the level of service funded by the State shall in no event be less than the current number of intercity round trips currently operated in the San Joaquin Rail Corridor, and shall also include feeder bus service with substantially the same number of route miles as the current feeder system.
NOW THEREFORE, in consideration of the recitals, the parties to this Agreement agree to the following:

1.0 DEFINITIONS

1.1 Board means the governing body of the SJJPA, which shall assume administrative responsibility for the San Joaquin Rail Service. Each Member Agency will appoint one member as provided in Section 14074.2 (a) of California Government Code. Each Member Agency shall also appoint an alternate.

1.2 Business Plan means the business plan to be submitted by the SJJPA to the Secretary of the Business, Transportation and Housing Agency, as mandated by Section 14070.4 of the Government Code, and updated and submitted annually thereafter.

1.3 California State Rail Plan means the plan that is prepared every two years by the California Department of Transportation as an examination of passenger and freight rail transportation in California, in accordance with Section 14036 of the Government Code.

1.4 Executive Director means the director of SJJPA who shall be an employee of the Managing Agency. The Executive Director reports to and serves at the pleasure of the Board.

1.5 Fiscal Year means from July 1 to and including the following June 30.

1.6 Interagency Transfer Agreement means the agreement provided for in Section 14070.2(a) of the Government Code whereby the State of California will transfer all responsibility for administering the San Joaquin Rail Service to the SJJPA.

1.7 Managing Agency means the agency designated to provide all necessary administrative support to the SJJPA and shall be selected by the Board, consistent with the SJJPA’s criteria for selection of a Managing Agency.

1.8 Member Agencies means the Sacramento Regional Transit District (Sac RT), the San Joaquin Regional Rail Commission (SJRRRC), the Stanislaus Council of Governments (StanCOG), the Merced County Association of Governments (Merced CAG), the Madera County Transportation Commission (Madera CTC), the Fresno Council of Governments (Fresno COG), the Kings County Association of Governments (Kings CAG), the Tulare County Association of Governments (Tulare CAG), the Kern Council of Governments (Kern COG), the Contra Costa Transportation Authority (Contra Costa TA), and Alameda County that have executed this Agreement and that have not withdrawn from the SJJPA.
1.9 **Member Agency** means each of those governmental entities set forth in Section 1.8 to this Agreement that have executed this Agreement and that have not withdrawn from the SJJPA.

1.10 **Regional Transportation Planning Agency** means an entity authorized to prepare a regional transportation plan pursuant to Government Code Section 65080.

1.11 **San Joaquin Rail Corridor** means the Los Angeles-San Joaquin Valley-Sacramento-Oakland intercity passenger rail corridor.

1.12 **San Joaquin Rail Service** means the San Joaquin intercity passenger rail service that operates on the San Joaquin Rail Corridor, and is a 365 mile long intercity rail service, that stretches throughout the Central Valley from Bakersfield to Sacramento, and provides direct rail connection between the Central Valley and Oakland, and utilizes a comprehensive network of connecting buses.

1.13 **SJJPA** means the San Joaquin Joint Powers Authority formed by the Member Agencies pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 of Title 1 of the California Government Code.

2.0 **CREATION OF SJJPA**

There is hereby created an organization to be known as the San Joaquin Joint Powers Authority, hereafter “SJJPA”, which shall be a public entity separate and apart from any Member Agency. The SJJPA shall be governed by the terms of this Joint Exercise of Powers Agreement and any Bylaws passed and adopted by its Board, which do not conflict with this Agreement. The SJJPA is deemed to be organized when at least six of the potential Member Agencies approve this Joint Exercise of Powers Agreement and elect to appoint Board Members and Alternates to serve on the Board by December 31, 2013.

3.0 **PURPOSES**

The specific purposes for the creation of the SJJPA and the exercise of common powers are as follows:

3.1 Develop policy, plan and implement improvements, administer and manage the operations and marketing for the San Joaquin Rail Service as part of the California Passenger Rail System.

3.2 To work with state and federal agencies to plan, program, and secure funding for improvements for intercity rail passenger services and facilities in the San Joaquin Rail Corridor, including the acquisition or leasing or use by agreement of right-of-way, stations and station sites; the leasing or acquisition of or use by agreement of equipment; and related activities.
3.3 Negotiate for and accept funds to be expended for the purpose of providing and improving intercity rail passenger services and activities.

3.4 Review and comment on facility, service, and operational plans and programs of the agency or agencies planning potential commuter rail service in the San Joaquin Rail Corridor.

3.5 Coordinate facility, service, and operational plans and programs with other organizations, providing rail service in the San Joaquin Rail Corridor or with whom the SJJPA may share common facilities, including Caltrain, Capitol Corridor, the BNSF Railway and Union Pacific or their successor agencies or corporations.

3.6 Advocate before local, regional, state, and federal officials and agencies for improvements to services and facilities for the San Joaquin Rail Corridor.

4.0 POWERS OF THE SJJPA

As may be necessary for the accomplishment of the purposes of this Agreement, the SJJPA shall have the power in its own name to undertake the following:

4.1 To exercise in the manner provided by this Agreement the powers common to each of the Member Agencies and necessary to the accomplishment of the purposes of this Agreement. Powers common to each of the Member Agencies shall include any powers granted to all Member Agencies by legislative enactment prior to or subsequent to the date of this Agreement.

4.2 To make and enter into contracts.

4.3 To employ agents and employees.

4.4 To contract for the services deemed necessary to meet the purposes of the SJJPA including the retention of counsel as the Board deems appropriate.

4.5 To acquire, by lease, purchase, lease-purchase, or eminent domain, and to hold and dispose of real and personal property necessary to carry out the purposes of this Agreement.

4.6 To construct, manage, and maintain facilities and services.

4.7 To sue and be sued in its own name.

4.8 To incur debts, liabilities, or obligations including, but not limited to certificates of participation and revenue bonds. The debts, liabilities, and obligations of the SJJPA shall not constitute a debt, liability, or obligation of any of the Member Agencies that are parties to this Agreement.
4.9 To apply for and execute, and administer grants for financial aid pursuant to any applicable state or federal statutes or local requirements.

4.10 Pursuant to the requirements of California Government Code Section 6509, in exercising its powers, the SJJPA shall be subject to the statutory restrictions upon the manner of exercising the powers of its Managing Agency.

4.11 To develop procedures for selecting a Managing Agency and to select a Managing Agency.

4.12 To exercise other powers and to engage in such other activities as are authorized by law and approved by the Board.

4.13 All powers of the SJJPA shall be exercised by the Board.

5.0 SJJPA BOARD

The composition of the membership of the Board of the SJJPA shall be as follows:

5.1 The Board is to be composed of not more than eleven members.

5.2 One Board Member from each of the eleven potential Member Agencies, appointed by their respective boards as provided in Section 14074.2 of California Government Code. If a Board Member ceases to be a member of the respective Board from which they are appointed, the Board Member’s office on the Board will terminate.

5.3 Each signatory Member Agency to this Agreement shall have appointed its members to the Board prior to and as a condition of its executing this Agreement. Members so appointed shall serve at the pleasure of their respective appointing boards.

5.4 Each Board Member shall have one vote.

5.5 Each Member Agency shall appoint an Alternate to serve in the absence of the Board Member. Alternates may attend all Board meetings including closed sessions and participate in discussion but may only vote if the Board Member representing their respective jurisdiction is absent. Alternates shall have the same qualifications as their respective Board Member. If an Alternate ceases to be a member of the respective Board from which they are appointed, the Alternate’s office on the Board will terminate.

5.6 If the rail service boundaries of the San Joaquin Rail Corridor are extended, an additional Board Member and an Alternate from each additional county receiving rail service may be added to the Board by the designated potential
Member Agency from each county. The addition of new potential Member Agencies must be approved by the Board.

5.7 Once the Board is organized, those potential Member Agencies identified in Section 1.8 that have not yet appointed a Board Member and Alternate to serve on the board may do so at any time thereafter and be represented on the Board.

5.8 The Board shall elect a chairperson and at least one vice-chairperson from among its members. The term of office shall be one year. No member may serve more than two consecutive years as chairperson of the Board.

5.9 Subject to the limitations on the exercise of its powers set forth in Section 6509 of the California Government Code, all actions of the Board shall be taken in accordance with and under the provisions of this Agreement.

6.0 QUORUM

A majority of the voting Member Agencies of the Board shall constitute a quorum for the transaction of business and all official acts of the SJJPA. No action may be taken by the Board except upon the affirmative vote of at least a majority of its Member Agencies.

7.0 VOTING

7.1 Matters that require a two-thirds affirmative vote of the members of the Board:
   a. Recommending changes to the SJJPA’s enabling legislation;
   b. Recommending amendments to the Joint Exercise of Powers Agreement regarding addition of new members pursuant to Government Code section 14074.2(c);
   c. Recommending amendments to the Joint Exercise of Powers Agreement regarding voting structure of the Board;
   d. Approval of the Business Plan;
   e. Revisions to the Business Plan;
   f. Approval and changes to the SJJPA Bylaws;
   g. Selection of the Managing Agency; and
   h. Amendments to this Joint Exercise of Powers Agreement.

7.2 All other matters require an affirmative vote of at least a majority of the members of the Board.
8.0 MANAGING AGENCY

The Board will select a Managing Agency of the SJJPA that shall provide all necessary administrative support to the SJJPA. The Executive Director shall be an employee of the Managing Agency and serve at the pleasure of the Board. Other necessary management employees shall be provided by the Managing Agency. The Managing Agency shall solicit the input and participation of the Board and endeavor to achieve consensus while providing the following administrative support to the SJJPA:

8.1 Negotiate and recommend the award of all necessary agreements for the SJJPA, including but not limited to the Interagency Transfer Agreement, agreements for the provision of passenger rail services, and use of tracks and other facilities, subject to approval by the Board;

8.2 Manage all agreements entered into by the SJJPA;

8.3 Implement projects contained in the approved Business Plan’s Capital Improvement Program unless the administration of particular capital projects is more appropriately managed in another manner, for example by an individual Member Agency or a local government, as determined by the Board;

8.4 Provide for the maintenance and management of such property as may be owned or controlled by the SJJPA unless the administration of that property is more appropriately managed in another manner, such as by an individual Member Agency or a local government, as determined by the Board;

8.5 Provide a risk management program to cover the SJJPA, the Board, the Managing Agency, and each of the Member Agencies in the performance of their duties pursuant to this Agreement, and seek appropriate insurance coverage to implement the risk management program;

8.6 Seek, obtain, and administer grants, subject to the provisions of Section 9.0 below;

8.7 Develop and implement marketing programs;

8.8 Prepare and submit financial reports;

8.9 Prepare the Business Plan for approval by the Board;

8.10 Report regularly to the Board regarding San Joaquin Rail Corridor issues;

8.11 Recommend changes in fares and the collection of fares to the Board;

8.12 Recommend changes in scheduling and levels of service to the Board;

8.13 Prepare and implement changes in scheduling and fares, subject to required public involvement and Board approval;
8.14 Prepare capital and operating budgets for presentation to the Board;

8.15 Facilitate interaction with other entities involved in operation, construction and renovation of the San Joaquin Rail Service; and

8.16 Negotiate with any other public or private transportation providers as necessary to ensure coordinated service with the San Joaquin Rail Service.

9.0 SOLICITATION OF GRANTS

The Managing Agency shall pursue any and all sources of funding for the SJJPA; provided, however, that neither the Managing Agency, on behalf of the SJJPA, nor the Board shall apply for existing sources of transit funding, including funds derived from the Transportation Development Act Funds as defined in Chapter 4 (commencing with Section 99200) of Part 11 of Division 10 of the California Public Utilities Code or for any conflicting funding, for which any Member Agency is also an applicant or approving Member Agency without the express written consent of that Member Agency.

10.0 BUDGET AND FUNDING

10.1 The Managing Agency shall prepare and submit to the Board for approval a preliminary operating and capital budget for the succeeding fiscal year by April 1 of each year which is consistent with the prior Business Plan submitted. Upon receipt of an annual allocation from the State, the Board shall by resolution adopt a final budget at the next regularly scheduled meeting of the Board. The fiscal year shall be July 1 of each year to and including the following June 30. The budget shall include separate components for Managing Agency administration costs, operations, and capital costs anticipated to be incurred by the SJJPA during the fiscal year. The annual budget resolution shall set forth the authority of the Managing Agency to make capital and operating expenditures during the fiscal year, subject to the policy guidelines the Board may establish.

10.2 It is the goal of the SJJPA to fully fund its annual budget from State and other non-Member Agency funding sources. The SJJPA shall not operate at a deficit. The SJJPA or local or regional entities may, but shall not be required to, augment state-provided resources to expand intercity passenger rail services, or to address funding shortfalls in achieving agreed-upon performance standards only if dedicated by a vote of a local agency providing funds, with the concurrence of the Board. The SJJPA may identify and secure new supplemental sources of funding for the purpose of expanding or maintaining intercity rail passenger service levels, which may include state and federal intercity rail resources. Local resources are not required to offset any redirection, elimination, reduction, or reclassification of state resources for operating intercity rail services.

10.3 No funding, debt, or financial obligation is created against any Member Agency solely as a consequence of executing this Agreement and no funding, debt, or
11.0 **ANNUAL BUDGET AND CAPITAL IMPROVEMENT PROGRAM**

The Board shall approve a preliminary administrative budget and a Capital Improvement Program for the succeeding fiscal year no later than April 1 of each year. The Board shall adopt a final budget no later than June 30 of each year. No funding or financial obligations are created against any Member Agency solely as a consequence of executing this Agreement.

12.0 **LIABILITY OF SJJPA, OFFICERS AND EMPLOYEES**

The debts, liabilities, and obligations of the SJJPA shall not be the debts, liabilities and obligations of any of the Member Agencies, the Managing Agency, the Board or any of their respective members, officers, directors, employees, or agents. Any obligations incurred by any bonds issued by the SJJPA as set forth in Section 4.8 above shall not constitute general obligations of the SJJPA but shall be payable solely from the moneys pledged to the repayment of such obligations or the repayment of principal or interest on such bonds under the terms of the resolution, indenture, trust agreement, contract or other instrument pursuant to which the obligation is incurred or the bonds are issued. The Board and the Managing Agency, their directors, officers, employees, staff and agents shall use ordinary care and reasonable diligence in the exercise of their powers and in the performance of their duties pursuant to this Agreement. No Member Agency or Board Member, officer, director or employee shall be responsible for any action taken or omitted by any other Member Agency or Board Member, officer, director or employee. The SJJPA shall indemnify, defend and hold harmless the Board, the individual Member Agencies, their members, officers, directors, employees and agents from and against any and all liability, loss, damage, expenses, costs (including, without limitation, costs and fees of litigation or arbitration) of every nature, arising out of any act or omission related to this Agreement, except such loss or damage which was caused by the willful misconduct of the Board, a Board Member, or any individual Member Agency. The SJJPA’s duty to indemnify each Member Agency shall survive that Member Agency's withdrawal from the SJJPA.

13.0 **SERVICES BY MANAGING AGENCY**

Subject to the provisions of Section 8.0 above, the SJJPA shall enter into a formal contract with the Managing Agency for the services it will perform pursuant to this Agreement, and the compensation for such services. The initial duration of the Managing Agency contract shall not exceed five years. At the conclusion of the initial contract and subsequent Managing Agency contracts, the Board may, through procedures that it determines, select the same Managing Agency or another existing public rail transportation agency for a period that shall not exceed five years.
14.0 EFFECTIVE DATE OF AGREEMENT

This Agreement shall take effect upon its execution by the Member Agencies pursuant to Section 2.0, and shall remain in full force and effect until dissolved pursuant to the provisions herein.

15.0 CUSTODIAN OF PROPERTY

15.1 Pursuant to the requirements of California Government Code Section 6505.1, the Managing Agency’s Controller and Treasurer shall have charge of, handle, and have access to any property of the SJJPA, and shall amend the official bond with the Managing Agency to provide for coverage, in the same amount, for the duties of the Controller and the Treasurer set forth in this Agreement.

15.2 The Treasurer of the Managing Agency shall be the Treasurer of the SJJPA and serves at the pleasure of the Board. Subject to the applicable provisions of any indenture, trust agreement or resolution providing for a trustee or other fiscal agent, the Treasurer is designated as the depository of the SJJPA to have custody of all the money of the SJJPA, for whatever source, and, as such, shall have the powers, duties and responsibilities specified in Section 6505.5 of the California Government Code.

15.3 The Controller of the Managing Agency, who performs the functions of auditor and controller for the Managing Agency, shall be the Controller of the SJJPA, and, as such, shall have the power, duties and responsibilities specified in Sections 6500 and 6505.5 of the California Government Code. The Controller shall draw checks to pay demands against the SJJPA when the demands have been approved by the Board, or in accordance with any purchasing and/or procurement policies adopted by the Board.

15.4 Upon providing reasonable notice, any Member Agency shall have the right to review any records maintained by the Managing Agency or the Managing Agency’s Controller and Treasurer relating to the performance of their duties pursuant to this Agreement.

16.0 RALPH M. BROWN ACT

All meetings of the SJJPA shall be called, noticed, held, and conducted in accordance with the provisions of the Ralph M. Brown Act (commencing with Section 54950 of the California Government Code).

17.0 FILING WITH SECRETARY OF STATE

As required by Section 6503.5 of the California Government Code, an appropriate notice of this Agreement shall be filed with the Secretary of State within 30 days of its effective date.
18.0 **BYLAWS**

The Board may adopt and amend from time to time Bylaws as may be required for the conduct of its meetings and the orderly operation of the SJJPA, subject to the terms of Section 7.1 above.

19.0 **COMMITTEES**

19.1 The Steering Committee of the California Department of Transportation (Caltrans) Rail Task Force shall remain in existence and shall become the Steering Committee of the SJJPA for the purpose of advising the SJJPA. The Steering Committee will advise the SJJPA on technical issues associated with the improvements in passenger rail service and related facilities in the San Joaquin Rail Corridor, including stations and rights-of-way, the coordination of public mass transit services and facilities, the coordination of passenger and freight services in the Corridor, and other technical matters. Members of the Board may not also concurrently serve as a member of the Steering Committee of the Caltrans Rail Task Force. Future appointments to the Steering Committee will be made by the Board.

19.2 The Board shall form other committees as are necessary.

20.0 **WITHDRAWAL BY MEMBER AGENCY**

20.1 Notwithstanding any other provision of this Agreement, any Member Agency may withdraw from the SJJPA by giving 90 days advance written notice to the SJJPA. Any withdrawal from the SJJPA will also constitute withdrawal from the Board.

20.2 A withdrawing Member Agency shall remain liable for all financial liabilities incurred during its membership in the SJJPA, but shall not be liable for any new financial liabilities incurred after submitting written notice of its withdrawal.

21.0 **DURATION OF AGREEMENT AND TERMINATION**

This Agreement shall continue in full force and effect until such time as the Member Agencies determine that it is in the public interest to dissolve the SJJPA. Notwithstanding the foregoing, any of the Member Agencies may exercise its prerogative to terminate its membership in the SJJPA as set forth in Section 20.0, above. Upon termination of this Agreement by mutual consent of all the Member Agencies, all assets, liabilities and equity of the SJJPA shall be distributed in accordance with the provisions of the Interagency Transfer Agreement and any other agreements authorized by the SJJPA governing such distribution, and any remaining money or assets in possession of the SJJPA after the payment of all liabilities, costs, expenses, and charges validly incurred under this Agreement shall be returned to the Member Agencies in proportion to their contributions, if any, determined as of the time of termination.
22.0 NOTICE

Addresses of the parties to the Agreement for the purpose of formal communications among the signatories which may be changed by written notice to the other Member Agencies.

Sacramento Regional Transit District
P.O. Box 2110
Sacramento, CA 95816
(916) 321-2811

San Joaquin Regional Rail Commission
949 East Channel Street
Stockton, CA 95202
(209) 944-6220

Stanislaus Council of Governments
1111 I Street, Suite 308
Modesto CA, 95354
(209) 525-4600

Merced County Association of Governments
369 West 18th Street
Merced, CA 95340
(209) 723-3153

Madera County Transportation Commission
2001 Howard Road, Suite 201
Madera CA 93637
(559) 675-0721

Fresno Council of Governments
2035 Tulare Street, Suite 201
Fresno, CA 93721
(559) 233-4148

Kings County Association of Governments
339 West D Street, Suite B
Lemoore, CA 93245
(559) 852-2654

Tulare County Association of Governments
210 N. Church Street, Suite B
Visalia, CA 93291
(559) 623-0450

Kern Council of Governments
23.0 AUDIT

The SJJPA shall provide for the accountability of all funds and shall provide for an annual independent audit pursuant to Section 6506 of the Government Code.

24.0 AMENDMENTS TO THE AGREEMENT

This Agreement may be amended at any time by two-thirds approval of the voting Member Agencies and effectuated through a fully-executed written amendment to this Agreement.

25.0 ARBITRATION

25.1 In the event of a dispute between the SJJPA, the Board, the Managing Agency, one or more Member Agencies or any other agency/agencies, which cannot be satisfactorily resolved by the parties involved, the dispute shall be submitted to arbitration by a panel of three arbitrators who shall conduct the arbitration pursuant to the rules of the American Arbitration Association. The panel of arbitrators shall consist of one arbitrator appointed by each of the parties involved, the third arbitrator to be appointed by mutual consent of the other two arbitrators. The arbitration panel shall resolve the dispute in accordance with the terms of this Agreement, and such resolution shall be final and binding upon the parties. Each party shall bear its own costs of arbitration, including reasonable attorney’s fees. The cost of the third arbitrator shall be divided equally between the disputants.

25.2 Unless otherwise expressly agreed in writing by the disputants, only disputes regarding a disputant's rights and obligations arising under the terms of: (i) this Agreement, or (ii) any other agreement between the disputants in which this arbitration provision is incorporated by reference shall be subject to arbitration pursuant to Section 25.1, above.
26.0 CONFLICT OF INTEREST CODE

The SJJPA by resolution shall adopt a conflict of interest code as required by law.

27.0 SUCCESSOR STATUTES

All statutes cited herein shall be deemed to include amendments and/or successor statutes to the cited statutes as they presently exist.

28.0 AGREEMENT, COMPLETE

This Agreement constitutes the full and complete Agreement of the parties, superseding and incorporating all prior oral and written agreements relating to the subject matter of this Agreement.

29.0 COUNTERPARTS

This Agreement may be executed in counterparts, each of which shall constitute an original and all of which together shall constitute one and the same agreement.

30.0 SEVERABILITY

If any one or more of the terms, provisions, promises, covenants, or conditions of this Agreement, were to any extent, adjudged invalid, unenforceable, void, or voidable for any reason whatsoever by a court of competent jurisdiction, each and all of the remaining terms, provisions, promises, covenants, and conditions of this Agreement shall not be affected and shall be valid and enforceable to the fullest extent permitted by law.
BEFORE THE KINGS COUNTY ASSOCIATION OF GOVERNMENTS
COMMISSION

***********

IN THE MATTER OF APPROVING AND ) RESOLUTION NO. 13-01
EXECUTING THE SAN JOAQUIN JOINT )
EXERCISE OF POWERS AGREEMENT )
AND APPOINTING A BOARD MEMBER ) RE: SAN JOAQUIN JOINT
AND ALTERNATE TO THE SAN JOAQUIN ) POWERS AGREEMENT
JOINT POWERS AUTHORITY )

WHEREAS, Intercity Passenger Rail Act of 2012 (Assembly Bill 1779), passed in 2012, enables the transfer of administrative responsibility of the San Joaquin intercity passenger rail service from the Department of Transportation to a new joint powers authority; and

WHEREAS, Kings County Association of Governments (KCAG) is specifically listed as a potential member agency to the San Joaquin Joint Powers Authority for the Kings County region; and

WHEREAS, KCAG will join this Joint Powers Authority pursuant to the statute language in AB 1779 as codified in Government Code 14074.2; and

WHEREAS, the KCAG Commission shall appoint a Member to represent the Kings County Association of Governments; and

WHEREAS, the KCAG Commission shall appoint an Alternate Member to represent the Kings County Association of Governments.

NOW, THEREFORE, BE IT RESOLVED, that the KCAG Commission does hereby approves joining the San Joaquin Joint Powers Authority and grants authority to the KCAG Commission Chairman and the KCAG Executive Director to execute the attached version of the Joint Exercise of Powers Agreement.
BE IT FURTHER RESOLVED, that a Member and Alternate Member to the San Joaquin Joint Powers Authority shall be appointed from the KCAG Commission.

The foregoing Resolution was adopted on a motion by Commissioner Verboon, seconded by Commissioner Casida, at a regular meeting held on the 24th day of April, 2013 by the following vote:

AYES: Verboon, Casida, Neves
NOES: Gordon
ABSTAIN:
Absent: Cartwright, Curry

KINGS COUNTY ASSOCIATION OF GOVERNMENTS COMMISSION

Chair

WITNESS, my hand this 24th day of April, 2013.

Terri King, Executive Director
APPENDIX F

(Glossary of Terms and Definitions)
GLOSSARY OF TERMS AND DEFINITIONS

A

AASHTO - American Association of State Highway and Transportation Officials: A transportation industry group which provides research and lobbying.

AB - Assembly Bill: A legislative bill originating in the State Assembly. Preceded by a bill number and author, such as AB 2766 (Sher). KCAG reviews legislation which may impact member agencies.

ADA - Americans with Disabilities Act of 1990: Federal law that provides a comprehensive framework and approach for ending discrimination against persons with disabilities, assuring that persons with disabilities have equal opportunity, a chance to fully participate in society, are able to live independently, and can be economically self-sufficient. Several Titles within the law address employment, public services, public accommodations and services operated by private entities, and telecommunications access. Regulations pertaining to transit include requiring that public entities operating fixed route transportation service for the general public also provide complimentary paratransit service to persons unable to use the fixed route system. A transit operator providing fixed route service must prepare and submit a ADA Paratransit Plan indicating how and when complimentary paratransit service requirements will be met. KCAG determines if a transit operator has prepared an ADA Plan in its review of unmet transit needs.

ADT - Average Daily Traffic: The average number of vehicles passing a specified point during a 24-hour period. Used when evaluating transportation improvement projects.

ALUC - Airport Land Use Commission: A commission required in each county containing one or more public-use airports to provide for the orderly development of public-use airports and to ensure compatible land uses in the vicinity of airports. The State Aeronautics Act was revised in 1993 to make ALUCs optional, rather than mandatory, for local jurisdictions. The Kings County ALUC, established in 1991, was disbanded and now issues of airport land use compatibility review are the responsibility of the local jurisdiction.

AMTRAK - National Railroad Passenger Corporation: A corporation formed by the 1970 Congressional Rail Passenger Service Act to operate a system of intercity passenger trains with federal financial support. The "San Joaquin" is intercity service within the San Joaquin Valley operated by AMTRAK and supported with state funds. KCAG supports the continuation of AMTRAK services within the San Joaquin Valley.

APCD - Air Pollution Control District: An agency which regulates emissions from industry and employers to improve air quality. The San Joaquin Valley Air Pollution Control District if the APCD for the San Joaquin Valley Air Basin.

AQAP - Air Quality Attainment Plan: A plan to demonstrate how an air basin will reduce pollution through the use of control measures to meet state and federal ambient air quality standards. KCAG works in cooperation with the SJVAPCD and Valley RTPAs in developing the AQAP for the San Joaquin Valley. Also known as an Attainment Demonstration Plan. The AQAP includes emission budgets which transportation plans, programs, and projects prepared by KCAG must conform to.
ARB - **Air Resources Board**: The State board responsible for preparing the state’s air quality planning activities and approving area attainment plans as part of the State Implementation Plan (SIP) for air quality standards. KCAG cooperates with the ARB in determining conformity of transportation plans, programs and projects.

**ATP – Active Transportation Program**: This program consolidates existing federal and state transportation programs into a single program to encourage increased use of active modes of transportation such as biking and walking. Ten percent of available funds must be distributed to small urban and rural areas with populations of 200,000 or less, with projects competitively awarded by the California Transportation Commission (CTC) to projects in those regions. Fifty percent must be distributed to projects competitively awarded by the CTC on a statewide basis, and a minimum of 25% of the funds in the statewide competitive program must benefit disadvantaged communities.

**AVA - Abandoned Vehicle Abatement**: A program and plan prepared and adopted for the purpose of planning and funding for the removal of abandoned vehicles in Kings County. Each jurisdiction is a member of the AVA Service Authority which is funded by a $1 surcharge on registered vehicles. KCAG is the AVA Service Authority Board of Directors.

**BAC - Bicycle Advisory Committee**: A citizens committee established to advise KCAG on bicycle planning activities. The BAC is used to develop the "Kings County Regional Bicycle Plan".

**BTA - Bicycle Transportation Account**: A state program that provides funding to local agencies for projects that improve safety and convenience for bicycle commuters. To be eligible, projects must be included in a Caltrans certified bicycle transportation plan. Local matching funds must provide at least 10% of the total project cost. KCAG staff prepares projects applications for BTA funds. Previously known as Bicycle Lane Account (BLA).

**CAAP - California Aid to Airports Program**: Provides discretionary grant funds for airport projects included in the Aeronautics Program adopted by the California Transportation Commission. Funds are derived from the 18 cent fuel tax and 2 cent jet fuel tax on general aviation aircraft, producing about $4 million per year for grants. Each public entity owning and operating a public-use airport is eligible to receive funds for specified capital improvements on an airport for aviation purposes. Projects must be included in the Capital Improvement Program adopted by KCAG to be eligible for CAAP funds.

**CAC - California Administrative Code**: Codes established for the administration of the State of California. This is now called the California Code of Regulations (CCR).

**CALCOG - California Association of Councils of Governments**: An association of councils of governments throughout the state which reviews and comments on policy issues. KCAG is a member of CALCOG and regularly attends their meetings.
CALTRANS - *California Department of Transportation*: The state department that provides policy, financial and technical assistance in the areas of aviation, highways and mass transportation. Caltrans is separated into 12 districts. Kings County is located in District 6 which includes Madera, Fresno, Kings, Tulare Counties and a portion of Kern County. Caltrans is a member of the KCAG Technical Advisory Committee and Transportation Policy Committee.

CASP - *California Aviation System Plan*: A plan to guide state input into aviation systems planning and development. The CASP includes several elements consisting of an inventory, forecast, functional classification, system requirements, capital improvement program, integrated airport system, financial plan and action plan. The CASP is required by PUC Section 21701 (Chapter 1149, Statutes of 1989).

CCAA - *California Clean Air Act*: An act established by Chapter 1568, Statutes of 1988 (AB 2595, Sher) to develop and implement a program to attain air quality standards by the earliest practicable date by mandating the development of attainment plans by APCDs. As part of the non-attainment area, KCAG must meet CCAA requirements.

CCASP - *Central California Aviation System Plan*: A regional plan for aviation planning similar to the statewide CASP. The region encompasses the counties of Kern, Kings, Tulare, Fresno, Madera, Merced, Stanislaus, San Joaquin, Sacramento, and Placer. CCASP regional elements consist of those in the statewide CASP. KCAG developed the CCASP for Kings County which includes the public use airports of Hanford Municipal Airport and Corcoran Airport.

CCR - *California Code of Regulations*: Formerly known as the California Administrative Code (CAC).

CEQA - *California Environmental Quality Act*: A 1970 act which requires that state agencies regulate activities with major consideration for environmental protection. Public Resources Code Sections 21000 et seq. CEQA Guidelines are found in Title 14 of the California Code of Regulations.

CIP - *Capital Improvement Program*: A list of capital improvement projects for any particular transportation mode. Aviation projects must be included in the CIP to be eligible for state and federal aviation funds. KCAG biennially prepares a CIP for aviation projects for public-use airports, including Hanford Municipal Airport and Corcoran Airport. The CIP is required by PUC Sections 21702 through 21706.

CLUP - *Comprehensive Land Use Plan*: PUC Section 21675 requires the preparation of a CLUP for all public use airports to establish procedures and criteria by which a local entity can ensure compatible land uses around public-use airports. The "Kings County Airport Land Use Compatibility Plan" was prepared for Kings County and the cities of Corcoran and Hanford in 1994. Without an ALUC, each entity may either adopt the Plan as a stand-alone document, as an element of the general plan, or incorporate it into existing elements of the general plan.

CMAQ - *Congestion Mitigation and Air Quality*: A pot of federal money established through ISTEA for projects and activities that reduce congestion and improve air quality in regions not yet attaining federal air quality standards. Funds are apportioned to non-attainment areas based on population and pollution severity. KCAG programs the use of CMAQ funds for projects in the Federal Transportation Improvement Program (FTIP).

CMP - *Congestion Management Program*: A program required of every county with an urbanized area of at least 50,000 people to reduce traffic congestion. Developed and updated biennially by Congestion Management Agencies, the CMP sets performance standards for roads and public transit and shows how local jurisdictions will attempt to meet those standards. A CMP is not required in Kings County.
**COG - Council of Government:** A voluntary association of officials of local governments formed to cooperate on common planning and to solve common development problems of their area. KCAG is a council of governments established under California Government Code Sections 65101 through 65103.

**CTC - California Transportation Commission:** A commission established in 1977 by AB 402 to advise and assist the Secretary of the Business, Transportation and Housing Agency and the Legislature in formulating and evaluating state policies and plans for transportation programs. KCAG submits transportation plans and programs to the CTC and attends their monthly meetings as necessary.

**CTSA - Consolidate Transportation Service Agency:** An agency designated by the regional transportation planning agency to improve the coordination of specialized transportation services. A CTSA may file claims under Article 4.5 of the Transportation Development Act (TDA) to fund transportation services. There is no CTSA designated for Kings County since it has been determined in the Transit Development Plan that one would not necessarily provide any administrative or operational benefit.

**DBE – Disadvantaged Business Enterprise:** In accordance with Title VI of the Civil Rights Act, nondiscrimination provisions apply to all programs and activities of federal-aid recipients, sub-recipients, and contractors, regardless of tier (49 CFR, Parts 21 and 26). The DBE Program is intended to ensure a level playing field and foster equal opportunity in federal-aid contracts. As a regional agency that uses federal transportation funds, KCAG is required to annually report to Caltrans its DBE Goals at the beginning of the FY and its DBE utilization at the end of the year.

**DOT - Department of Transportation:** The federal department that provides policy, financial, and technical assistance in the areas of aviation, highways and mass transportation.

**DSMP - District System Management Plan:** A systems planning document prepared by each Caltrans District for management of its transportation system. Route Concept Reports for each state highway are developed from the DSMP. KCAG participated in the development of the DSMP for District 6.

**EIR - Environmental Impact Report:** A detailed statement setting forth the environmental effects and considerations pertaining to a project as specified in CEQA. A document that assesses the environmental effects relating to planning, construction and operation of a project and indicates ways to reduce or avoid possible environmental damage. To identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided.

**EIS - Environmental Impact Statement:** An environmental impact document prepared pursuant to the National Environmental Policy Act (NEPA). The federal equivalent to an EIR.

**EPA - Environmental Protection Agency:** Federal agency responsible for protecting the environment. KCAG cooperates with the EPA in preparing its conformity findings for transportation plans, programs and projects. The EPA determines the final approval of the State Implementation Plan (SIP) for air quality standards.
**FAA - Federal Aviation Administration:** Federal agency responsible for the civilian aviation program including air safety, airport planning and financing.

**FCAAA - Federal Clean Air Act Amendments:** Landmark legislation passed by Congress that renews the Federal Clean Air Act and makes significant program changes. Significant changes include a definition of conformity and the requirement for the formulation by EPA and DOT of regulations regarding conformity and requirements for the use and development of clean fuels and vehicles. KCAG must meet the requirements of the FCAAA as part of a non-attainment area for ozone and PM-10.

**FCOG - Fresno Council of Governments:** The council of governments and metropolitan planning organization for Fresno County. One of the eight COGs/RTPAs in the San Joaquin Valley Air Basin coordinating transportation and air quality planning as a party to the MOU. The Executive Director of COFCG is Tony Boren.

**FHWA - Federal Highway Administration:** Agency within the USDOT which assists states in constructing highways and roads and provides financial aid. KCAG cooperates with the FHWA in preparing its conformity findings for transportation plans, programs and projects.

**FRA - Federal Railroad Administration:** Federal agency responsible for the nation's railroad system.

**FTA - Federal Transit Administration:** Agency within the USDOT to administer the federal transit program under the Federal Transit Act. KCAG cooperates with the FTA in preparing its conformity findings for transportation plans, programs and projects. (Formerly known as the Urban Mass Transportation Administration (UMTA)).

**FTA Section 5307 - Section 5307 of the Federal Transit Act:** Urbanized area formula grant program. Authorizations totaling $18.02 billion for the 6-year period are provided for the Urbanized Area Formula Grant Program (Title 49 U.S.C. Section 5307). Under this program, 91.23 percent of the funding is made available to all urbanized areas with a population of 50,000 or more. For urbanized areas with populations less than 200,000, funding may be used for either capital or operating costs at local option and without limitation. For urbanized areas with populations of 200,000 or more, the definition of "capital" has been revised to include preventive maintenance. Operating assistance for these larger areas is no longer an eligible expense. Also, for these larger areas, at least 1 percent of the funding apportioned to each area must be used for transit enhancement activities such as historic preservation, landscaping, public art, pedestrian access, bicycle access, and enhanced access for persons with disabilities.

**FTA Section 5310 - Section 5310 of the Federal Transit Act:** Capital funds apportioned to states by the federal government through FTA to provide capital assistance to public and private non-profit entities providing transportation services for the elderly and disabled. 5310 funds are programmed on a statewide competitive basis. KCAG administers the Section 5310 program by establishing a Local Review Committee to review and score Section 5310 applications from Kings County area applicants, and submits its findings to Caltrans. (Formerly known as Section 16).

**FTA Section 5311 - Section 5311 of the Federal Transit Act:** Transit funds apportioned to states by the federal government through FTA by formula to rural areas for capital and operating expenses. KCAG administers the Section 5311 program by developing a "Program of Projects" allocating funds to transit agencies for eligible projects. Section 5311 funds are allocated by KCAG on a population basis to the Kings Area Rural Transit (KART) and Corcoran Transit systems for operating assistance. (Formerly known as Section 18).
FTA Section 5316 - Section 5316 of the Federal Transit Act - Job Access and Reverse Commute: Transit funds apportioned to states by the federal government through FTA by formula to urban and rural areas for transportation services to and from rural and urban area for employment for qualified welfare and low-income recipients.

FTA Section 5317 - Section 5317 of the Federal Transit Act - New Freedom: Transit funds apportioned to states by the federal government through FTA by formula to urban and rural areas for public transportation services and alternatives beyond those required by ADA.

FTA / TPA - Federal Transit Act - Technical Planning Assistance: funds for the Technical Planning Assistance Program administered through Caltrans which funds projects focusing on public transportation planning in non-urbanized areas. KCAG applies for FTA Technical Planning Assistance funds to conduct transit planning studies such as Transit Development Plans, transit marketing plans, action plans for coordinated social service transportation, on-board transit user surveys and transit facility site selection studies. (Formerly known as FTA Section 26).

FTIP - Federal Transportation Improvement Program: A financially constrained document prepared by metropolitan planning organizations (MPOs) in cooperation with state and federal agencies which includes a list of projects using federal funding over a four year period. KCAG prepares an FTIP to program federal funds for transportation projects within Kings County. The FTIP must conform to the State Implementation Plan (SIP) for Air Quality.

FY - Fiscal Year: The accounting period for local and state agencies beginning July 1 and ending June 30. For federal budget and accounting purposes the FY begins October 1 and ends September 30.

GIS - Geographic Information System: A computer based system of geographical data. Kings County is included in the Valleywide GIS system and Kings County is developing a countywide GIS system. KCAG staff prepares GIS maps.

HOV - High Occupancy Vehicle: Multi-occupant highway vehicles such as buses, vans and carpools. HOV lanes are preferential and exclusive lanes on the highway system for HOVs and considered a transportation control measure for the more populated urban area freeway systems. HOV lanes are not considered feasible on Kings County highways.

HPMS - Highway Performance Monitoring System: Federally mandated planning study on the condition of the states roads. Vehicle miles of travel estimates produced by travel demand forecasting models must be calibrated against the HPMS. Local agencies in Kings County provide road data information to KCAG for submittal to Caltrans for the HPMS.
I

**IIP - Interregional Improvement Program:** State funding program using 25% of the total new funding available for the STIP. Projects funded through this program are nominated by Caltrans in the Interregional Transportation Improvement Program (ITIP) for the STIP.

**IRRS - Interregional Road System:** A series of interregional state highway routes, outside the urbanized areas, that provides access to, and links between, the states economic centers, major recreational areas and urban and rural regions. Street and Highways Codes 164.10 through 164.20 list the roads included in the IRRS Plan. For Kings County, these include Interstate 5, State Highways 41 and 198.

**ISTEA - Intermodal Surface Transportation Efficiency Act of 1991:** The federal transportation bill enacted by Congress in 1991 to provide funding for highways, highway safety and mass transportation for the next 6 years to improve air quality and congestion. The Act was designed to allow state and local officials the flexibility to integrate transportation projects, enhance metropolitan and statewide planning requirements and create new transportation funding programs. ISTEA expired on September 30, 1997 and has been replaced with TEA-21.

**ITIP - Interregional Transportation Improvement Program:** A program developed by Caltrans for projects funded with Interregional Improvement Program (IIP) funds and submitted to the CTC for inclusion in the STIP. Projects for the ITIP are to serve interregional movement of people and goods. Projects considered for the ITIP are generally taken from the Interregional Improvement Strategic Plan consisting of focus routes, high emphasis routes and gateways. For Kings County, these include Interstate 5, State Highways 41 and 198.

**ITS – Intelligent Transportation Systems:** Systems that utilize modern detection technology to collect data on transportation systems operation and performance. Elements include changeable message signs, closed circuit television, in-pavement traffic monitoring stations, and highway advisory radios.

J

**JPA - Joint Powers Agency:** A voluntary association of government entities formed into an agency to deal with common problems. KCAG and KCAPTA are Joint Powers Agencies.

K

**KART - Kings Area Rural Transit:** The largest single provider of public transportation within Kings County operated by the Kings County Area Public Transit Agency (KCAPTA). Services include fixed route and demand response service within the county and the cities of Avenal, Corcoran, Hanford and Lemoore. Ron Hughes is the Transit Manager. KCAG annually allocates local, state and federal transit funds to KART and reviews their transit system.
KCAG - Kings County Association of Governments: The council of governments for Kings County which addresses inter-jurisdictional public policy matters. Its member agencies are the cities of Avenal, Corcoran, Hanford and Lemoore and the County of Kings. The KCAG Commission meets on the fourth Wednesday of every month at 4:30 p.m. The Executive Director of KCAG is Terri King. Renamed KCAG in 1994 from the previous "KCRPA" to more accurately describe the function and activities that a council of government assumes.

KCAPTA - Kings County Area Public Transit Agency: A joint powers agency established to operate the Kings Area Rural Transit (KART) system. Its member agencies are the Cities of Avenal, Hanford and Lemoore and the County of Kings. KCAG reviews the transit services operated by KCAPTA before it allocates local, state and federal transit funds to it. Angie Dow is the Executive Director of KCAPTA.

KCRPA - Kings County Regional Planning Agency: The former name of the Kings County Association of Governments (KCAG). Formed in 1967 through a cooperative agreement between the three cities and the county. Later amended to include the newly incorporated city of Avenal in 1980.

KernCOG - Kern Council of Governments: The council of governments and metropolitan planning organization for Kern County. One of the eight COGs/RTPAs in the San Joaquin Valley Air Basin coordinating transportation and air quality planning as a party to the MOU. The Executive Director of KernCOG is Ahron R. Hakimi.

LOS - Level of Service: Six levels, A through F, denoting a road's efficiency in handling its average and peak hour demands. LOS "A" means free flow speeds and LOS "F" means zero or low operating speeds.

LRC - Local Review Committee: A KCAG committee established to review and score applications from Kings County agencies for FTA Section 5310 funds. The LRC is made up of members from the Social Service Transportation Advisory Council (SSTAC) and other social service and transit oriented agency representatives.

LTC - Local Transportation Commission: A commission created under California Government Code Section 29535 within a county which is not within the jurisdiction of a statutorily created regional transportation planning agency or a council of governments, established to deal with inter-jurisdictional transportation issues. Madera County has an LTC and not a Council of Governments (COG).

LTF - Local Transportation Fund: Created in each county by the Transportation Development Act (TDA), California Government Code Section 29530 et. seq., for the transportation purposes specified in the Act. Revenues are derived from ¼ cent of the state retail sales tax collected statewide and apportioned back to the counties according to the amount of tax collected in that county. About $3 million is available annually for apportionment to Kings County jurisdictions and is distributed based on a population formula. Funds can be claimed through the regional transportation planning agency (KCAG) by cities and counties for transportation planning, transit, and street and road purposes. Funds can be allocated for street and road purposes only after all unmet transit needs are funded. About 77% of the LTF annual apportionment is allocated for transit purposes. LTF is the major source of funding for the Kings Area Rural Transit and Corcoran Area Transit. LTF also provides a portion of KCAG's planning revenues. KCAG administers the Local Transportation Fund for Kings County, determining apportionments, conducting the unmet transit needs process and adopting resolutions for allocating funds for transportation purposes.

MCAG - *Merced County Association of Governments*: The council of governments and metropolitan planning organization for Merced County. One of the eight COGs/RTPAs in the San Joaquin Valley Air Basin coordinating transportation and air quality planning as a party to the MOU. The Executive Director of MCAG is Marjie Kirn.

MCTC - *Madera County Transportation Commission*: The local transportation commission for Madera County. One of the eight RTPAs in the San Joaquin Valley Air Basin coordinating transportation and air quality planning as a party to the MOU. MCTC is the other non-urban county within the San Joaquin Valley Air Basin. The Executive Director of MCTC is Patricia Taylor.

MOU - *Memorandum of Understanding*: Formal structure for interagency cooperation. KCAG has entered into MOUs with other RTPAs within the San Joaquin Valley, Caltrans, and the San Joaquin Valley Air Pollution Control District to coordinate air quality and transportation planning efforts and to meet ISTEA and Clean Air Act requirements.

MPO - *Metropolitan Planning Organization*: Designated for each urbanized area of more than 50,000 population by agreement among the Governor and units of general purpose local government as a forum for cooperative decision making. KCAG will be designated an MPO following the Census 2000. Previous to becoming an MPO, KCAG entered into an MOU with COFCG to act as the neighboring MPO to meet federal requirements for Kings County.

NEPA – *National Environmental Protection Act*: Establishes national policies and goals for the protection of the environment. NEPA directs all federal agencies to give appropriate consideration to the environmental effects of the decision making and to prepare detailed environmental impact statements on recommendations or reports on proposals for legislation and other major federal actions significantly affecting the quality of the environment.

NHS - *National Highway System*: An approximately 155,000 mile network called for in ISTEA to provide an interconnected system of principle arterial routes to serve major travel destinations and population centers, international border crossings, as well as ports, airports, public transportation facilities, and other intermodal transportation facilities. Interstate 5 and State Highways 41 and 198 are Kings County routes on the National Highway System to be approved by Congress. KCAG assisted in the designation of NHS routes within Kings County.

NPIAS - *National Plan of Integrated Airport Systems*: A national plan for the development of public-use airports published in accordance with the Airport and Airway Improvement Act of 1982 and reauthorized in the Airport and Airway Safety and Capacity Expansion Act of 1987. The State Capital Improvement Program for airport projects is made a part of the NPIAS. KCAG prepares the CIP for aviation projects for Hanford Municipal Airport and Corcoran Airport which is ultimately made a part of the NPIAS.
OA – **Obligational Authority:** The federal limitation on the amount of funds that an agency can obligate for transportation projects within a given fiscal year.

OWP - **Overall Work Program:** A document prepared by each regional transportation planning agency which identifies resources, staffing responsibility, authority and operating procedures for carrying out the transportation planning process. KCAG annually prepares an Overall Work Program for its transportation planning activities in order to receive state planning assistance funds from Caltrans. The RTPA Budget is prepared based on the OWP.

PIC - **Productivity Improvement Committee:** A committee formed by the regional transportation planning agency for the purpose of providing advice on productivity improvements to transit systems. Membership is to consist of representatives from the management and employees of the transit operators, and users of the transit operators services. The Social Services Transportation Advisory Council (SSTAC) acts as the PIC for KCAG.

PL Funds - **Federal Planning funds:** Federal funds set aside and allocated to metropolitan planning organizations by formula to support the planning of transportation programs, public transportation systems and other activities to enhance ground transportation planning activities. KCAG will begin receiving PL funds in Federal FY 02-03 as a newly designated MPO.

PM - **Particulate matter (less than 2.5 and 10 microns in diameter):** A pollutant for which state and federal ambient air quality standards have been set and the San Joaquin Valley Air Basin has not yet attained. Particulate matter consists of finely divided solids or liquids such as dust, soot, aerosols, fumes and mists which can be inhaled deeply into the lungs and create acute and chronic health effects. KCAG program transportation projects which reduce PM emissions.

PRC - **Public Resources Code:** Laws relating to natural resources, the conservation, utilization, and supervision thereof, and matters incidental thereto.

PSR - **Project Study Report:** A report, generally prepared by project sponsors, providing preprogramming project information describing the project, its scope and limits, costs and delivery schedule. A project must have a completed PSR before it can be programmed in the State Transportation Improvement Program (STIP).

PSTIP - **Proposed State Transportation Improvement Program:** A document formerly prepared by Caltrans and submitted to the CTC and RTPAs every two years listing priority candidate projects for the STIP. SB 45 deleted the provision for this program and has been replaced by the Interregional Transportation Improvement Program (ITIP).

PTA - **Public Transportation Account:** Previously known as the Transportation Planning and Development Account and renamed in SB 45, is a trust fund intended for transportation planning and mass transportation purposes. Revenues are derived from sales tax on gasoline and diesel fuels. Fifty percent of the PTA funds are appropriated to the State Controller for allocation to RTPAs for suballocation to transit operators and fifty percent is appropriated to Caltrans for transportation planning and various mass transportation purposes.
**PUC - Public Utilities Code/Commission:** Laws enacted for the purpose of governing public utilities.

**RCR - Route Concept Report:** A systems planning document prepared by Caltrans which provides a service concept and rationale for each state highway. Route Concept Reports have been prepared for each state highway within Kings County. RCRs are being replaced by Transportation Concept Reports.

**REMOVE - Remove Motor Vehicle Emissions:** A program of the San Joaquin Valley Unified Air Pollution Control District that funds projects which either reduce emissions from motor vehicles, implement transportation control measures, assist in attaining the transportation mandates of the California Clean Air Act, or for public education programs that support, but do not duplicate the existing programs of the Air District.

**RFP - Request for Proposals:** The description of criteria to be used by consultants in developing proposals for work.

**RIP - Regional Improvement Program:** Regional funding program using 75% of the total new funding available for the STIP, which is then available to each county by a "county share" formula. Projects funded through this program are nominated by each RTPA in the Regional Transportation Improvement Program (RTIP) for the STIP.

**ROG - Reactive Organic Gases:** Emissions which react in sunlight as a precursor to form ozone. The San Joaquin Valley Air Basin is a nonattainment area for federal and state ozone standards. Also known as volatile organic compounds (VOC).

**ROP - Rate of Progress Plan:** A plan prepared by the APCD to demonstrate the progress made in attaining state and federal clean air standards for various pollutants, showing how the District will achieve a 15% reduction in volatile organic compounds (VOC) emissions between a certain period. The ROP is to be incorporated into the State Implementation Plan (SIP). The SJVAPCD submitted the "Revised 1993 ROP Plan" and "Post 1996 ROP Plan" in November 1994. KCAG cooperated in the development of the ROP Plans.

**RSTP - Regional Surface Transportation Program:** Regional apportionment of Surface Transportation Program (STP) funds created by ISTEA, and continued in TEA-21 and SAFETEA-LU, for mass transit and highway projects. Kings County and KCAG exchange these funds for non-federal dollars to avoid administrative costs. KCAG administers the allocation of RSTP funds to projects submitted by member agencies.

**RTIP - Regional Transportation Improvement Program:** A document prepared and submitted every other year by the regional transportation planning agency, as required by PUC Section 65082, providing a list of proposed transportation projects funded from county shares of the 75% regional share of total new funds for the STIP. KCAG prepares and adopts the RTIP for submittal to the CTC and Caltrans.

**RTP - Regional Transportation Plan:** A plan prepared by the regional transportation planning agency every four years as required by California Government Code Section 65080, et. seq. to guide the region's transportation development for a twenty-year period. Required elements include a Policy, Action and Financial element. Projects in the RTIP must be consistent with the RTP.
**RTPA - Regional Transportation Planning Agency:** A state-designated agency responsible for preparing the Regional Transportation Plan (RTP), Regional Transportation Improvement Program (RTIP) and Federal Transportation Improvement Program (FTIP), administering state funds, and other tasks. KCAG is the RTPA for Kings County established under California Government Code Section 29532.

**SAFETEA-LU - Safe, Accountable, Flexible, Efficient, Transportation Equity Act – A Legacy for Users:** The prior federal transportation reauthorization enacted August 10, 2005, as Public Law 109-59 following the expiration of TEA-21. SAFETEA-LU authorized the Federal surface transportation programs for highways, highway safety, and transit for the 5-year period 2005-2009. Extensions of this Act were made through 2012 and has been replaced by MAP-21.

**SB - Senate Bill:** A legislative bill originating in the State Senate. Preceded by a bill number and author, such as SB 45 (Kopp).

**SCS – Sustainable Communities Strategy Plan:** A requirement of SB 375 to reduce greenhouse gas emissions from vehicles and VMT reductions through integrated land use and transportation planning.

**SH - State Highway:** A transportation route on the state system classified as a highway. State highways within Kings County include 33, 41, 43, 198 and 269.

**SHOPP - State Highway Operation and Protection Plan:** A program created by state legislation that includes capital improvements relative to maintenance, safety and rehabilitation projects of state highways and bridges which do not add a new traffic lane to the system. The SHOPP is a four year program prepared by Caltrans prior to April 1, as required by PUC Section 14526.5, and adopted by the California Transportation Commission separately from the STIP. KCAG reviews and provides comments on the SHOPP. Formerly called the "Highway System Operation and Protection Plan (HSOPP)."

**SIP - State Implementation Plan:** A plan required by the Federal Clean Air Act of 1970 to attain and maintain national ambient air quality standards. The SJVAPCD prepared the Ozone Attainment Demonstration Plan and Rate of Progress (ROP) Plans for submittal as part of the SIP for the San Joaquin Valley Air Basin. KCAG participated in the development of the 1994 Ozone Attainment Demonstration Plan, the 1993 and 1996 ROP Plans, and the PM10 Attainment Demonstration Plan.

**SJCOG - San Joaquin Council of Governments:** The council of governments and metropolitan planning organization for San Joaquin County. One of the eight COGs/RTPAs in the San Joaquin Valley Air Basin coordinating transportation and air quality planning as a party to the MOU. The Executive Director of SJCOG is Andrew Chesley.

**SJVAPCD - San Joaquin Valley Air Pollution Control District:** The Air District established for the eight county San Joaquin Valley Air Basin consisting of San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, and Tulare Counties and a portion of Kern County. A Kings County Supervisor is a member of the SJVAPCD Governing Board. The SJVAPCD is a member of the KCAG Technical Advisory Committee. Seyed Sadredin is the Executive Director and Air Pollution Control Officer of the SJVAPCD.

**SR - State Route:** Same as State Highway, a transportation route on the state system classified as a highway.
**SSTAC - Social Service Transportation Advisory Council:** A committee established by KCAG to advise the KCAG Transportation Policy Committee on unmet transit needs, coordination and consolidation of specialized transportation services and any other major transit issues. The SSTAC is to consist of representatives of potential transit users over 60 years old and potential transit users who are handicapped, representatives of social service providers for seniors, the handicapped and persons of limited means, representatives of the CTSA and representative of the transit operator.

**STA - State Transit Assistance:** A program created in 1979 providing a second source of Transportation Development Act (TDA) funds. STA funds are derived from the statewide sales tax on gasoline and diesel fuel and are allocated by formula to each regional transportation planning agency (KCAG), 50% based on population (PUC Section 99313) and 50% based on operator revenues (PUC Section 99314), for apportionment to transit operators within that county. These funds are allocated by KCAG annually to the Kings County Area Public Transit Agency and Corcoran Transit Service.

**Stan COG - Stanislaus Council of Governments:** The council of governments and metropolitan planning organization for Stanislaus County. One of the eight COGs/RTPAs in the San Joaquin Valley Air Basin coordinating transportation and air quality planning as a party to the MOU. The Executive Director of StanCOG is Carlos Yamzon.

**STIP - State Transportation Improvement Program:** Adopted by the California Transportation Commission every other year, as required by PUC Section 14529, the STIP is a county-by-county schedule over a four-year period for project delivery of all major projects to be funded from state transportation funds. Projects from Caltrans' ITIP and the region's RTIP are used to develop the STIP.

**STP - Surface Transportation Program:** A flexible funding program established by ISTEA, and continued in TEA-21, for road projects functionally classified higher than a rural minor arterial, transit projects, transportation enhancement activities, and transportation control measures. STP funds are apportioned to each region (RSTP) and 10% are set aside statewide for funding transportation enhancement activities (TEA).

**TAC - Technical Advisory Committee:** A committee to advise the KCAG Commission and Transportation Policy Committee on regional planning issues. Members include city and county public works directors, planning directors, city managers and county administrator, Caltrans, Lemoore Naval Air Station and the San Joaquin Valley Unified Air Pollution Control District. Meetings are held on the second Wednesday of each month at 1:30.

**TCAG - Tulare County Association of Governments:** The council of governments and metropolitan planning organization for Tulare County. One of the eight COGs in the San Joaquin Valley Air Basin coordinating transportation and air quality planning as a party to the MOU. The Executive Director of the TCAG Transportation Planning Agency is Ted Smalley.

**TCI - Transit Capital Improvement:** A former program funded through the Transportation Planning and Development Account for railroad rights-of-way acquisition, bus rehabilitation, exclusive public mass transit guideways and rolling stock, grade separations, intermodal transfer stations, and ferry vessels and terminals. These funds have been used by Kings County to construct the Hanford and Corcoran Intermodal Facilities, bus rehabilitation and the Cross-Valley Passenger Rail Feasibility Study. This program has been discontinued with the enactment of SB 45. Projects are now programmed in the STIP through the RTIP.
TCM - Transportation Control Measure: A strategy to reduce vehicle trips, vehicle miles traveled, vehicle idling, or traffic congestion for the purpose of reducing motor vehicle emissions. Examples include carpooling, vanpools, bicycle facilities and mass transit enhancements. KCAG uses federal, state, and local funds earmarked for air quality purposes to implement TCMs such as alternative fuels, transit services, traffic signals, and bicycle projects.

TDA - Transportation Development Act: State law enacted in 1971, also known as the "Mills-Alquist Deddah Act", providing funds to meet unmet transit needs. TDA funds are generated from State sales tax revenues and are available to transit operators in the form of Local Transportation Funds (LTF) and State Transit Assistance (STA) funds. TDA is codified in Sections 29530-29536 of the California Government Code and Sections 99200-99408 of the Public Utilities Code. As the RTPA, KCAG administers the TDA funds for Kings County.

TDM - Transportation Demand Management: A plan for using "demand-based" techniques for reducing traffic congestion, such as ridesharing programs, telecommuting and flexible work schedules enabling employees to commute to and from work outside the a.m. and p.m. peak hours of travel.

TDP - Transit Development Plan: A list of improvements recommended for a transit system to be implemented over a five-year period. The short-range plan should include an evaluation of the existing transit service conditions, anticipated improvements, schedule of priorities, estimates of cost and anticipated financing, implementation responsibility, maintenance of the Plan, coordination of transit systems, and transit management and operations improvements. KCAG prepared the "Kings County Transit Development Plan" in 2001.

TEA-21 - Transportation Efficiency Act for the 21st Century: A previous six-year federal transportation reauthorization enacted in 1998 following the expiration of ISTEA. Continued the programs created by ISTEA, created new programs and increased funding levels for the period of FFY 1998 through 2003. TEA-21 expired and was replaced with SAFETEA-LU.

TEA - Transportation Enhancement Activities: A new program established by ISTEA, and continued in TEA-21, providing federal funds for transportation related projects that enhance quality-of-life, in or around transportation facilities. Projects must be over and above required mitigation and normal transportation projects, and the project must be directly related to the transportation system. Local projects are submitted to KCAG for evaluation, approval and programming. Project examples from Kings County include "Community Gateway Planting" on State Highway 198 for landscaping the entrances to Hanford, Armona and Lemoore. Projects were programmed for Hanford and Lemoore by the California Transportation Commission (CTC).

TMA - Transportation Management Association: An association of employers and others in a community or activity center that develop and assist in implementing transportation control measures to reduce peak hour travel. TMAs are being developed in response to the SJVAPCD's Rule 9001 - Commute Based Trip Reduction.

TPA - Transportation Planning Agency: Same as RTPA. A state-designated agency responsible for preparing the Regional Transportation Plan (RTP), Regional Transportation Improvement Program (RTIP) and Federal Transportation Improvement Program (FTIP), administering state funds, and other tasks. KCAG is the TPA for Kings County established by California Government Code Section 29532.

TPC - Transportation Policy Committee: A committee of KCAG established to govern all regional transportation planning agency activities. The TPC is composed of local elected officials of each member agency, one from each city and two from the county, and the Director of Caltrans, or his representative. The KCAG Transportation Policy Committee meets on the fourth Wednesday of every month at 4:30 p.m.
TP&D - *Transportation Planning and Development Account*: A trust fund intended for transportation planning and mass transportation purposes. TP&D Account funds are the source of State Transit Assistance, Transit Capital Improvement Program, and state subvention planning funds. SB 45 renamed this to the Public Transportation Account (PTA).

TSM - *Transportation Systems Management*: A process, service, and operations oriented approach to solving transportation problems in which low cost, environmentally-responsive, efficient improvements are implemented on existing facilities to improve the flow of traffic.

UMTA - *Urban Mass Transportation Act of 1964*: Now known as the "Federal Transit Act" as amended by ISTEA. Intended to provide financial assistance to State and local governments to help implement national goals relating to mobility for elderly persons, persons with disabilities, and economically disadvantaged persons.

VMT - *Vehicle Miles of Travel*: Amount of vehicle miles traveled on a particular road segment.

VOC - *Volatile Organic Compounds*: Emissions which are a major precursor to the formation of ozone. Also known as reactive organic gases (ROG).
APPENDIX G

(Planning Emphasis Areas Matrix)
## MAP-21 Planning Factors

<table>
<thead>
<tr>
<th>Support economic vitality, especially by enabling global competitiveness, productivity, and efficiency.</th>
<th>Increase safety of transportation system for motorized and non-motorized users.</th>
<th>Increase security of transportation system for motorized and non-motorized users.</th>
<th>Increase accessibility and mobility of people and for freight.</th>
<th>Protect and enhance the environment, promote energy conservation, and improve quality of life.</th>
<th>Enhance integration and connectivity of the transportation system across and between modes, people, and freight.</th>
<th>Promote efficient system management and operation.</th>
<th>Emphasize preservation of the existing transportation system.</th>
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FY 2014-2015 Overall Work Program
## California Planning Emphasis Areas

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</tr>
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</table>
California Planning Emphasis Areas
For Program Year 2014

Planning emphasis areas (PEAs) are policy, procedural and technical topics that Federal planning fund recipients must consider when preparing work programs for metropolitan and statewide planning and research assistance programs.

The Federal Highway Administration (FHWA) California Division and Federal Transit Administration (FTA) Region IX have identified the following emphasis areas for California’s transportation planning and air quality program in Federal FY 2014.

Core MPO Planning Functions

The FHWA and FTA advise all Metropolitan Planning Organizations (MPOs) to explicitly identify Core MPO Planning Functions in their 2014 Overall Work Programs (OWP). The work elements and tasks must provide sufficient detail (i.e. activity description, expected products, schedule, cost, etc.) to explain the purpose and results of the work to be accomplished during the program year. Further, the OWPs must clearly state how to ensure all activities and products mandated by the metropolitan transportation planning regulations in 23 CFR 450 are for FHWA and FTA combined planning grant funding available to the region. (see 23 CFR 420.111 for documentation requirements for FHWA Planning funds).

The Core Functions can be found in 23 CFR 450, Subpart C, and typically include:

- Overall Work Program
- Public Participation and Education
- Regional Transportation Plan
- Federal Transportation Improvement Program
- Congestion Management Process (required for TMAs)
- Annual Listing of Projects

Performance Management

Since MAP-21 passed in 2012, there have been several outreach efforts in California providing information for its implementation. Despite the fact that the regulatory framework for implementing the MAP-21 Performance Management requirements has not yet been established, MPOs are strongly encouraged to use their OWPs to highlight their efforts toward establishing performance measures for the following required areas:

- Pavement condition on the Interstate System and on remainder of the National Highway System (NHS)
- Performance of the Interstate System and the remainder of the NHS
- Bridge condition on the NHS
- Fatalities and serious injuries—both number and rate per vehicle mile traveled--on all public roads
- Traffic congestion
- On-road mobile source emissions
- Freight movement on the Interstate System
Safety

MAP-21 continued the Highway Safety Improvement Program (HSIP) as a core Federal-aid program. The overall purpose of this program is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads (including non-State-owned public roads and roads on tribal lands) through the implementation of infrastructure-related highway safety improvements.

The specific provisions pertaining to the HSIP are defined in Section 1112 of MAP-21, which amended Section 148 of Title 23, *United States Code* (23 USC 148) to incorporate these provisions. These requirements include the development of Strategic Highway Safety Plan (SHSP) in consultation with other key State and local highway safety stakeholders.

The 2014 OWPs should identify all safety planning efforts undertaken for Regional Transportation Plans and FTIPs, and ensure that safety projects and programs are consistent with the Caltrans SHSP.

Livability/Sustainability

Livability/Sustainability is about tying the quality and location of transportation facilities to broader opportunities such as access to good jobs, affordable housing, quality schools, and safe streets. This includes addressing safety and capacity issues on all roads through better planning and design, maximizing and expanding new technologies such as ITS and the use of quiet pavements, using Travel Demand Management approaches to system planning and operations, etc. MPOs are encouraged to assure that new Regional Transportation Plans incorporate the following livability/sustainability principles:

- Provide more transportation choices
- Promote equitable, affordable housing
- Enhance economic competitiveness
- Support existing communities
- Leverage Federal policies & investment
- Value communities and neighborhoods

State of Good Repair

The President has called for new state-of-good-repair (SGR) investments in our nation’s transit systems, sounding the call to reinvest in and modernize our assets. MAP-21 places new emphasis on restoring and replacing aging transportation infrastructure by establishing a new needs-based formula program, with a new tier for high-intensity bus needs. The new program defines eligible recapitalization and restoration activities, with a goal of bringing all systems into a state of good repair. Grantees are required to establish and use an asset management system to develop capital asset inventories and condition assessments, and report on the condition of their system as a whole.

Maintaining transit systems in a high state-of-good-repair is essential for the provision of safe and reliable service. SGR is the effective recapitalization of transit assets, identifying critical timing for preventive maintenance and increasing the focus on asset management practices. It also includes the assessment of capital asset condition, strategies to obtain additional local re-investment including innovative financing strategies and additional identification of preventive maintenance practices. MPOs are encouraged to support planning strategies for the effective recapitalization of transit assets that would include:

- Asset Management, Assessment and Replacement Planning,
- Planning and Programming for Effective Preventive Maintenance, and
- Planning Innovative Financing Strategies for System Repair and Expansion.
APPENDIX H

(Comments Received on Draft OWP)
<table>
<thead>
<tr>
<th>Time</th>
<th>Topic</th>
<th>Presented By</th>
</tr>
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<tbody>
<tr>
<td>1:00</td>
<td>Welcome and Introductions</td>
<td>Erin Thompson, Caltrans</td>
</tr>
<tr>
<td>1:10</td>
<td>Overview of New Process</td>
<td>Erin Thompson, Caltrans</td>
</tr>
<tr>
<td>1:15</td>
<td>FY 2013/2014 OWP Activities that will be Carried Over to FY 2014/2015</td>
<td>KCAG</td>
</tr>
<tr>
<td>1:30</td>
<td>New FY 2014/2015 OWP Activities</td>
<td>KCAG</td>
</tr>
<tr>
<td></td>
<td>• Milestones to be accomplished</td>
<td></td>
</tr>
<tr>
<td>2:00</td>
<td>Past OWP Comments and Suggestions</td>
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</tr>
<tr>
<td>2:30</td>
<td>Eligibility and Funding</td>
<td>All</td>
</tr>
<tr>
<td></td>
<td>• Carryover</td>
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</tr>
<tr>
<td>2:45</td>
<td>Next Steps</td>
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</tbody>
</table>
April 2, 2014

Ms. Terri King
Executive Director
Kings County Association of Governments
339 W. “D” Street
Lemoore, California 93245

Dear Ms. King:

Thank you for the opportunity to review the Draft Kings County Association of Governments (KCAG) Fiscal Year (FY) 2014-2015 Overall Work Program (OWP). Caltrans has the following comments:

**District 6 Planning and Local Assistance**

**Work Element 502.02 Model Transportation Program, Page 22.**
- Under Product, please provide Caltrans with the base and future years of the new model, and any intermediate conformity years.

- Under Task 1, it is recommended that a model review committee be initiated to provide a forum for: 1) maintaining communication with member agencies, the consultant community and the public; 2) formal review of model applications in support of planning activities; 3) member agency providing input to staff related to the model network, socioeconomic data, land use, and future year projections; and 4) advising the technical committees related to circulation, congestion management, air quality and conformity analysis, etc.

- Under Task 2, please provide Caltrans with information on what the new data is, when the data will be acquired, and by whom.

**Work Element 502.04 Traffic Count Program, Page 26.** Under Product, please specify what product(s) are available for public use and how they are distributed. If available, Caltrans would be interested in obtaining a counts value document and electronic data.
Ms. Terri King  
April 2, 2014  
Page 2

**Work Element 406.01 Regional Housing Needs Allocation Plan, Page 40.** Please specify and clarify which activities of the RHNA plan will be utilizing FHWA PL funds. The RHNA process as a stand-alone is an ineligible activity; however data gathering and database activities for transportation planning purposes are eligible for PL funding.

**Informational Element Matrix, Pages 44 and 45.** The revisions are noted in the attached document, including the recent transportation planning grants awarded to the Kings County region.

It is recommended that KCAG consider the following additional work elements to strengthen the transportation planning process for the Kings County region.

- A Work Element to develop and implement an Active Transportation Plan would help to secure Active Transportation Program funding.

- Development of separate Public Participation, Tribal Consultation and Coordination, and Environmental Justice Work Elements would greatly enhance KCAG’s public outreach efforts. Examples of such work elements have led to creation of the Fresno COG’s Environmental Justice Task (E.J) Force and Kern COG’s Social Equity Roundtable. These groups were active participants in the development of their RTPs/SCSs. The E.J. Task Force has been useful for dissemination of all types of transportation related work by Fresno COG. Fresno COG created an Environmental Justice Plan (2009) and is working on a 2014 Update. These types of efforts can be documented within the Environmental Justice Work Element.

The KCAG should consider assigning a staff person to serve as the Tribal Liaison similar to other MPOs (i.e., Fresno COG, Kern COG and San Diego Association of Governments). This work could be documented within the Tribal Consultation and Coordination Work Element.

**Work Element 502.08, Page 30:** A Task should be added to address consultation and coordination with the Santa Rosa Tachi Yokuts Tribe as part of the development of SR 198 Corridor Preservation and Implementation Strategic Plan.

The work conducted in **Work Element 406.01 Regional Housing Needs Allocation Plan (Page 40)** could be coordinated with an Environmental Justice Task Force.

**Division of Transportation Planning, Office of Regional & Interagency Planning**

**Work Element 501.01, Regional Transportation Planning and Coordination Activities, Task 6.** Please provide more information as to what Valley planning efforts KCAG will be participating in and how it contributes to the regional transportation planning process.

"Caltrans improves mobility across California"
Ms. Terri King  
April 2, 2014  
Page 3

Work Element 502.01, Regional Transportation Plan Update, Task 4. Please include more information on how the ITS Deployment Plan will be implemented. Implementation of a plan typically goes beyond the planning process and is not an eligible use of CPG funds.

Work Element 502.05, Air Quality Planning, Task 2. Please include more information on how KCAG will provide assistance on the Prop 84 grants and the nexus with Air Quality Planning.

If you have any questions regarding these comments, please contact me at (559) 445-5867 or email Paul_Marquez@dot.ca.gov.

Sincerely,

[Signature]

PAUL-ALBERT MARQUEZ  
Chief, Planning South

Attachment

c:  Gail Miller, Deputy District Director, Planning and Local Assistance, District 6  
Marta Frausto, Native American Liaison/Environmental Justice Coordinator, District 6  
David Berggren, Research Program Specialist, District 6  
Erin Thompson, Regional Outreach Branch Chief, Office of Regional & Interagency Planning

“Caltrans improves mobility across California”
VIII. OTHER PLANNING ACTIVITIES WITHIN THE REGION PERFORMED BY CALTRANS

Informational Element Matrix

The following is a list of planning activities for which Caltrans is responsible within the RTPA/MPO planning area. (NOTE: Table will be updated by Caltrans)

<table>
<thead>
<tr>
<th>Activity Description</th>
<th>RTPA Work Element No.</th>
<th>Funding Type</th>
<th>Products</th>
<th>Work Performed By</th>
<th>Due Date</th>
<th>FSTIP Programming</th>
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<tbody>
<tr>
<td>Caltrans Work Elements for OWP, Progress Reports, Reimbursement and Monitoring</td>
<td>N/A</td>
<td>Federal / State</td>
<td>OWP Management</td>
<td>Caltrans</td>
<td>On-Going</td>
<td>No</td>
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<tr>
<td>IGR / Local Development Reviews</td>
<td>N/A</td>
<td>State</td>
<td>Recommended Mitigation for Development Impacts on State Facilities</td>
<td>Caltrans</td>
<td>On-Going</td>
<td>No</td>
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<tr>
<td>Update Various System Planning Documents</td>
<td>N/A</td>
<td>State</td>
<td>Various System Planning Documents</td>
<td>Caltrans</td>
<td>On-Going</td>
<td>No</td>
</tr>
<tr>
<td>Valley-Wide GIS</td>
<td>N/A</td>
<td>State</td>
<td>Coordinate integration of Valley-wide GIS into Caltrans GIS</td>
<td>Caltrans</td>
<td>On-Going</td>
<td>No</td>
</tr>
<tr>
<td>California Interregional Blueprint- California Transportation Plan</td>
<td>N/A</td>
<td>State</td>
<td>The Final Interregional Blueprint (GB) Interim Report was completed in December of 2012. The IIB is the initial step in developing the California Transportation Plan (CTP) 2040 schedule to be approved in December of 2015. The CTP will assess how MPO's Sustainable Communities Strategies will influence the Statewide Multimodal transportation system. Due date is December 2015.</td>
<td>Caltrans</td>
<td>In-Progress December 2015</td>
<td>No</td>
</tr>
<tr>
<td>Update District 6 Bicycle Map</td>
<td>N/A</td>
<td>State</td>
<td>Current State Highway Bicycle Map</td>
<td>Caltrans</td>
<td>In Progress</td>
<td>No</td>
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<tr>
<td>Joint Corridor Planning</td>
<td>N/A</td>
<td>State</td>
<td>Planning strategies on State highways and interchanges, in coordination with KCAG and local agencies.</td>
<td>Caltrans</td>
<td>Ongoing</td>
<td>No</td>
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<tr>
<td>CMM Based - Transp. Grant Planning Study</td>
<td>N/A</td>
<td>Federal</td>
<td>City of Lemoore Cinnammon Canal Drive Study</td>
<td>City of Lemoore</td>
<td>February 2014</td>
<td>-No</td>
</tr>
<tr>
<td>San Joaquin Valley Regional Blueprint</td>
<td>N/A</td>
<td>Federal</td>
<td>Developing tools to shape a regional vision for the SJ Valley land use and transportation needs:</td>
<td>Caltrans, SJV MPOs</td>
<td>On-going</td>
<td>-No</td>
</tr>
<tr>
<td>California Partnership for Sustainable Communities Work Group</td>
<td>N/A</td>
<td>State</td>
<td>Participation in Sustainable Communities work group on issues related to Highway 99:</td>
<td>Caltrans, SJV MPOs, Local Governments</td>
<td>In Progress</td>
<td>-No</td>
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<tr>
<td>Mass Transit - Kings Co.</td>
<td>N/A</td>
<td>State</td>
<td>Coordinate &amp; Administer 5311, CMAQ, Capital, STIP programs w/local agencies to enhance the use of public transportation system in city and rural areas.</td>
<td>Caltrans &amp; Kings Co.</td>
<td>On-Going</td>
<td>No</td>
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<tr>
<td>Route 99 Business Plan Update</td>
<td>N/A</td>
<td>State</td>
<td>Updated Rte 99 Business Plan with Financial Plan and consideration of additional projects.</td>
<td>Caltrans in coordination with Valleywide MPO Technical Advisory Committee</td>
<td>On-Going</td>
<td>No</td>
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<tr>
<td>SR-41: Transportation Concept Report</td>
<td>N/A</td>
<td>State</td>
<td>Update the Transportation Concept Report—State Route 41—Caltrans—Tribal Governs., Local Governs., MPOs</td>
<td>December 2013</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>San Joaquin Valley Goods Movement</td>
<td>N/A</td>
<td>State</td>
<td>Plan’s Administrative draft in executive review; consultant finalizing draft.—San Joaquin Valley MPOs, Consultant</td>
<td>June 2013</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Tribal Coordination</td>
<td>N/A</td>
<td>State</td>
<td>Coordinating projects that impact the State Routes 41, 43, and 198 and Santa Rosa Tachi Reservation</td>
<td>Caltrans</td>
<td>On-going</td>
<td>No</td>
</tr>
</tbody>
</table>

| Community-Based Transp. Planning Grant | N/A | State | City of Hanford Pedestrian & Bicycle Plan | City of Hanford, Consultant | February 2016 | No |
| Transit Planning for Sustainable Transp. Grant | 502.3 | Fed | Kings County Transit Development Plan | KCAG, KCTA, FTA, Consultant | June 2015 | No |
| Partnership Planning for Sustainable Transp. Grant | 502.8 | Fed | SR 198 Corridor Preservation and Improvement Strategic Plan | KCAG, FDOT, TRD, Caltrans, Consultant | February 2016 | No |
General Comments

Kings has done, as usual, a good job preparing a draft document that clearly explains the MPO, tasks, products, etc. All PL items appear eligible. Good practice in doing some minor format changes to show how the tasks relate to this year’s PEAs.

Performance Measures/MAP-21

Additional discussion of the Performance Measures within the preface of the document and upcoming NPRMs to implement MAP-21 would be helpful although these may need to be added via OWP amendment once NPRMs start hitting the Federal Register, as the changes coming with Performance Based Planning mandated by MAP-21 will likely affect the planning programs of all of California’s MPOs. I realize that without all of the NRPMs out in drafting the OWPs it's not really possible to reflect what changes Performance Based Planning will bring to the MPO process and OWP to carry out performance-based planning.

If you have any questions give me a call. SAC

(P.S. Ted - Please pass this on to the person in your shop that is now responsible for Kings. Thanks).