



# MINUTES

## I. CALL MEETING TO ORDER

The special meeting of the Kings County Association of Governments (KCAG) was called to order by Joe Neves, Chairperson, at 3:00 p.m., on December 6, 2023, in the Hanford City Council Chambers, Civic Auditorium at 400 N. Douty Street, Hanford, CA and via Zoom.

COMMISSIONERS PRESENT: Richard Fagundes, Kalish Morrow, Joe Neves, David Orth, Sid Palmerin, Alvaro Preciado

CALTRANS REPRESENTATIVE: Michael Navarro

COMMISSIONERS ABSENT:

STAFF PRESENT: Terri King, Joel Gandarilla, Jennifer Morales, Kayley Clay, Teresa Nickell

KCAG COUNSEL PRESENT: Kris Pedersen

VISITORS PRESENT: Patricia Matthews; Christal Schisler; Russ Sterling, City of Hanford Public Works; Logan Odneal, Field Representative for CA 33rd District Assemblymember Devon Mathis

### A. Remote Participation Due to Emergency Circumstances

None.

### B. Roll Call

Joel Gandarilla conducted roll call. A quorum was present.

### C. Unscheduled Appearances

None.

### D. Minutes

#### 1. Minutes of October 25, 2023

A motion was made and seconded (Preciado/Orth) to approve the Minutes of the October 25, 2023, meeting. The motion carried by the following vote:

Ayes: Morrow, Navarro, Neves, Orth, Palmerin, Preciado  
Abstain: Fagundes

## II. KCAG TRANSPORTATION POLICY COMMITTEE

### A. General Transportation Items

#### 1. Regional Active Transportation Plan – Consultant Selection

Teresa Nickell stated that KCAG will hire a consultant for the update to the 2018 Kings County Regional Active Transportation Plan (RATP). The RATP update will include a prioritized list of bicycling and walking facilities, recreational trails, and safe routes to school to increase the proportion of biking and walking trips, reduce greenhouse gases, and promote public health and benefits to disadvantaged communities. On October 6, 2023, KCAG staff distributed a Request for Proposals (RFP) to known and interested consulting firms, received proposals, and conducted a review and scored proposals. Based on the scoring process of the proposals, Mark Thomas was recommended as the preferred consulting firm to prepare the Regional Active Transportation Plan.

A motion was made and seconded (Preciado / Orth) to authorize the Executive Director to enter into a contract with Mark Thomas to prepare the Kings County Regional Active Transportation Plan at a proposed cost of \$266,837. The motion carried by the following vote:

Ayes: Fagundes, Morrow, Navarro, Neves, Orth, Palmerin, Preciado

#### 2. Final 2024 Regional Transportation Improvement Program

Kayley Clay stated that KCAG is required to submit an adopted 2024 Regional Transportation Improvement Plan (RTIP) to the California Transportation Commission (CTC) by December 15, 2023. The 2024 State Transportation Improvement Program (STIP) Fund Estimate and Guidelines were prepared and adopted by the CTC on August 16, 2023, which showed the overall statewide capacity for the 2024 Fund Estimate identifies a net new capacity of \$1.718B in the five years of the STIP period of FY 2024-25 through FY 2028-29. The 2024 Adopted STIP Fund Estimate is broken down into three categories, the Base (Minimum), the Total Target, and the Maximum. The Maximum share for the Kings County region showed available funding for programming a new project. The Project Study Report (PSR) for the State Route 198 and 9th Avenue Interchange was completed on December 15, 2020, as a condition of programming the project in the STIP. With the completed PSR, the 2024 RTIP is proposing the programming of the Project Approval and Environmental Document (PA&ED) phase of this project in the amount of \$4.5 million in FY 2024-25 and retaining the previously programming PPM funds in the amount of \$75,000 in FY 2023-24.

The Draft 2024 RTIP was released for a 30-day public comment period from October 11, 2023, to November 13, 2023, with a public hearing held at the October 25, 2023, meeting of the KCAG Transportation Policy Committee. No comments on the Draft 2024 RTIP were received. It was stated that the request for an advance of future shares is dependent on availability and final decision by the CTC.

A motion was made and seconded (Palmerin / Preciado) to approve the Final 2024 RTIP with the adoption of Resolution No. 23-10. The motion carried by the following vote:

Ayes: Fagundes, Morrow, Navarro, Neves, Orth, Palmerin, Preciado

3. SB 125 Transit and Intercity Rail Capital Program and Zero Emission Transit Capital Program

Kayley Clay reported that SB 125 provides \$5.1B to the Regional Transportation Planning Agencies (RTPA). Of that \$5.1B, \$4B comes from the Transit and Intercity Rail Capital Program (TIRCP), and \$1.1B comes from the Zero-Emission Transit Capital Program (ZETCP). KCAG, being the designated RTPA for Kings County, will be receiving the funds making them available to both Kings County Area Public Transit Agency (KCAPTA) and Corcoran Area Transit (CAT). KCAG has allocated the SB 125 Transit funds it is expected to receive to both KCAPTA and CAT utilizing the FY 2023-24 State Transit Assistance (STA) allocation percentages. KCAG has also retained \$100,000 of ZETCP funds for administration. Funds should be apportioned to KCAG between December 31, 2023, and April of 2024. To receive SB 125 Transit funds, KCAG staff must prepare and submit an Initial Allocation Package, and post on its website a summary of monthly ridership data from all its transit operators. KCAG has received Transit Asset Managements Plans, National Transit Database reports, and the four-year narrated financial plans from both KCAPTA and CAT and is currently working on the GHG emissions benefits portion of the Initial Allocation Package as well as finalizing the proposed project list.

A motion was made and seconded (Orth / Preciado) to approve the SB 125 Transit Program Proposed Project list. The motion carried by the following vote:

Ayes: Fagundes, Morrow, Navarro, Neves, Orth, Palmerin, Preciado

4. FFY 2022-23 Annual Federal Funds Obligation Report

Kayley Clay stated that Federal regulations require that Metropolitan Planning Organizations (MPO) either publish or make available to the public an annual listing of projects for which federal funds have been obligated in the proceeding federal fiscal year. During FFY 2022-23 KCAG Member Agencies and state agencies on behalf of the region obligated approximately \$6 million (and \$178,689.67 de-obligated) for streets, roads, and highway projects and approximately \$16.8 for transit projects within Kings County in FFY 2022-23. De-obligated funds are from the close-out of previously obligated projects and don't necessarily represent a project that was cancelled. The purpose of the Annual Listing of Obligated Projects is to provide transparency in Federal Transportation Planning.

5. FY 2022-23 Transportation Development Act Audit Extension

Jennifer Morales stated that each year the California Administrative Code requires that each claimant of Transportation Development Act (TDA) funds submit a report of the fiscal and compliance audit of the financial statements to the State Controller. The accounting firm of Moss Adams is preparing the audits of each claimant, but it is anticipated that the auditor will not be able to submit draft audit reports in time so that KCAG can accept and submit them to the State Controller by December 31, 2023. In accordance with the California Administrative Code, KCAG may grant an extension of up to 90 days for the submittal of the audit reports. It was asked if there are any financial penalties for delayed submittal. The response was that the only penalty is the withholding of TDA funds from those claimants.

A motion was made and seconded (Palmerin/Morrow) to approve an extension for the submittal of the FY 2022-23 TDA audits be granted and that the State Controller be notified of the extension. The motion carried by the following vote:

Ayes: Fagundes, Morrow, Navarro, Neves, Orth, Palmerin, Preciado

6. Consulting Services for the 2022 Sustainable Communities Strategy and California Air Resources Board Review

Terri King reported that on July 28, 2021, the KCAG Transportation Policy Committee approved the selection of DKS Associates to prepare the 2022 Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). On September 14, 2022, the KCAG Transportation Policy Committee adopted the 2022 RTP/SCS, and on December 22, 2022, KCAG submitted the required SCS submittal package of data and documentation to the California Air Resources Board (CARB). On November 15, 2023, KCAG staff and its consultant team met with CARB staff to share results of their review of the submitted materials. CARB staff indicated that it cannot approve the 2022 SCS submittal at this time, as the current submittal materials lack reasonably sufficient information to support claimed credit levels for multiple strategies.

The final payment of remaining funds on the contract with DKS Associates was made in March of 2023, but additional consulting services and/or direct expenses are now needed, which were not detailed in the original scope of work, and which could not have been reasonably foreseen by the Consultant as being necessary to complete the scope of work. DKS Associates has provided the attached scope of work to complete the task at a cost of \$35,316.

A motion was made and seconded (Morrow / Orth) to authorize the additional consulting services in the current contract with DKS Associates to include tasks to continue assisting in the revisions of the 2022 RTP/SCS, leading to CARB acceptance of the 2022 Sustainable Communities Strategy, at a proposed cost of \$35,316. The motion carried by the following vote:

Ayes: Fagundes, Morrow, Navarro, Neves, Orth, Palmerin, Preciado

7. FY 2024-25 Overall Work Program Activities

Terri King stated that KCAG is in the process of preparing the FY 2024-25 Overall Work Program (OWP) and Budget. The estimated apportionment for the next fiscal year is estimated to be \$797,300 in Federal Highway Administration funds (FHWA), \$59,300 in Federal Transit Administration (FTA) funds, \$167,500 in SB1 formula apportionments, and \$620,000 in carry-over funds. Other funding sources available for eligible OWP activities include Transportation Development Act (TDA) funds, Abandoned Vehicle Abatement (AVA) funds, Regional Early Action Planning (REAP), and local funds. A summary of the work activities expected to be conducted during the next fiscal year was provided. It was asked if the Safe Routes to School program falls under the Regional Active Transportation Plan (RTP). The response was that the city establishes the safe routes to school plan, and the RTP can include those routes. It was also asked if the planned transit hub in Avenal was moving forward. The response was that a determination on any transit hubs is made by the local transit agency.

(Commission Neves left the meeting at 3:40 pm, and Commission Palmerin took over as Vice-Chair.)

**B. Caltrans Report**

Michael Navarro stated that the notice for federal funding opportunity for Rebuilding America's Infrastructure with Sustainability and Equity (RAISE) for FY 2024-25 has been released; and there is \$53.4 million available in California Planning Grants, with applications due January 18, 2024.

Regarding projects, Michael Navarro reported that the Clean California Beautification project in the City of Avenal will be awarded by February 1, 2024; the SR 41 and Kettleman City roundabout project is currently in the design and right-of-way phase; the SR 41 Stratford bridge replacement construction is under construction, with detour route from SR 198 toward I-5; the SR 41 widening project in Fresno County, up to Excelsior Avenue is in the design phase; the Reef City pavement rehabilitation project along SR 41 from the Kern County line to the I-5 and SR 41 separation is in the design phase, with construction starting in next winter; the pavement preservation project on SR 41 from Nevada Avenue to SR 198 is scheduled for construction in the summer of 2024; the pavement rehabilitation near Kettleman City from Quale Ave. to Nevada Ave. will be completed in two phases, with construction completed in the summer of 2024.

**C. Correspondence**

None.

**D. Staff Comments**

None

**E. Commissioner Comments**

None.

**III. KCAG COMMISSION**

**A. Roll Call**

Joel Gandarilla conducted roll call. A quorum was present.

**B. General Commissioner Items**

1. Reaffirm all Actions Taken by the TPC on December 6, 2023

A motion was made and seconded (Morrow / Preciado) to reaffirm all actions taken by the KCAG Transportation Policy Committee on December 6, 2023. The motion carried by the following vote:

Ayes: Fagundes, Morrow, Orth, Palmerin, Preciado  
Absent: Neves

2. FY 2023-24 First Quarter Financial Report

Jennifer Morales presented the KCAG financial report for the period of July 1, 2023, through September 30, 2023. A total of \$99,718.13 in federal funds will be received as reimbursement for eligible activities. Total expenditures for FY 2023-24 Quarter 1 were \$180,501.46 and total revenues received were \$228,145.87.

3. KCAG Employee Compensation – Executive Director

Terri King stated that during the October 25, 2023, meeting with the KCAG Commission and the KCAG labor negotiator, instruction from the KCAG Commission to the KCAG labor negotiator was to have KCAG staff prepare for KCAG Commission action, a resolution to approve a salary and benefits package for the KCAG Executive Director that included a salary increase of 3%, effective October 30, 2023.

A motion was made and seconded (Orth / Morrow) to approve a salary and benefits package for the KCAG Executive Director to include a salary increase of 3%, effective October 30, 2023. The motion carried by the following vote:

Ayes: Fagundes, Morrow, Orth, Palmerin, Preciado  
Absent: Neves

4. KCAG Bylaws – Amendment No. 1

Terri King stated that the KCAG Commission adopted Bylaws for the agency on July 19, 2006, that include policies and rules for the transaction of business, including the date, time, and location of KCAG Commission meetings. The Chair of the KCAG Commission submitted a request to amend Article IV of the KCAG Bylaws to change the regularly scheduled meeting time of the KCAG Commission from 4:30 p.m. to 3:00 p.m. Per the Bylaws, KCAG Staff sent a letter to each member of the Commission at least 10 days prior to the December 6, 2023, meeting, the proposal to amend Article IV of the KCAG Bylaws to change the regularly scheduled meeting time of the KCAG Commission from 4:30 p.m. to 3:00 p.m.

A motion was made and seconded (Preciado / Morrow) to approve Amendment No. 1 to the KCAG Bylaws, Article IV, to change the meeting time of the regularly scheduled KCAG Commission to 3:00 p.m. with the adoption of Resolution No. 2023-06. The motion carried by the following vote:

Ayes: Fagundes, Morrow, Orth, Palmerin, Preciado  
Absent: Neves

5. 2024 KCAG Meeting Calendar

Terri King presented the KCAG Commission Meeting Calendar for 2024.

**IV. MISCELLANEOUS**

**A. Correspondence**

None.

**B. Staff Comments**

Terri King said that there will be a KCAG Commission meeting agenda for January 24, 2024.

**C. Commissioner Comments**

None.

**V. ADJOURNMENT: Next meeting scheduled for November 22, 2023**

There being no further business before the Kings County Association of Governments Commission, the meeting was adjourned at 3:55 p.m.

Respectfully submitted,

KINGS COUNTY ASSOCIATION OF GOVERNMENTS

Terri King, Executive Director