



# Kings County Association of Governments

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Member Agencies: Cities of Avenal, Corcoran, Hanford and Lemoore, County of Kings  
Chair – Ray Lerma ❖ Vice Chair – Dan Chin

## MINUTES

### CALL MEETING TO ORDER

The meeting of the Kings County Association of Governments was called to order by Ray Lerma, Chairperson, at 4:27 p.m., on April 28, 2010 in the Board of Supervisors Chambers, Administration Building, Kings County Government Center, 1400 W. Lacey Blvd., Hanford, California. Chairperson conducted roll call.

COMMISSIONERS PRESENT: Tony Barba, Sid Craighead, Ray Lerma, Joe Neves, John Plourde, Shari Bender-Ehlert

COMMISSIONERS ABSENT: Dan Chin

STAFF PRESENT: Bruce Abanathie, Rachel Audino, Seth Eberhard, Victoria Hall, Terri King, Chris Lehn; Kyle Sands, County Counsel

VISITORS PRESENT: Ron Hughes, Roman Benitez, Cathy Cain, Hilary Straus, David Wlaschin, Lauren Apone, Lou Camara, Larry Spikes, Alison Picard, Gary Sanger

### UNSCHEDULED APPEARANCES

Commissioner Neves presented a plaque to Ms. King for her 25 years of dedicated service to King County Association of Governments.

### MINUTES – March 24, 2010

A motion was made and seconded (Craighead / Barba) to approve the Minutes of March 24, 2010. Motion carried unanimously, with Commissioner Plourde abstaining.

### KCAG TRANSPORTATION POLICY COMMITTEE

#### A. General Transportation Items

##### 1. FY 2010-11 Transportation Development Act Shares

Mr. Eberhard indicated it is the responsibility of KCAG to administer Transportation Development Act (TDA) funds, which are composed of Local Transportation Funds (LTF) and State Transit Assistance (STA) funds. These funds can be claimed by the county, cities, KCAG and public transit agencies. The FY 2010-11 LTF apportionment is estimated to be \$3 million. All claims for this money were received by April 1st. Allocations will be revisited after the 2010 population estimates are

released on May 1st, revised claims will be sent after that time. Included in the agenda are the LTF estimate review and claim summaries.

KCAG will be holding unmet needs hearings on April 28th and May 26th. KCAPTA held their public hearings and no testimony was received. The Social Service Transportation Advisory Council (SSTAC) has met and discussed unmet transit needs and the status of current transportation services by transit operators. The approval of TDA apportionments, claims and unmet transit needs determinations is scheduled to take place at the June TPC meeting.

Commissioner Lerma opened the public hearing, seeing there was no written or oral testimony, he continued the public hearing until the May TPC meeting.

2. FFY 2010 FTA Section 5311 Regional Program of Projects

Mr. Eberhard reported each year Kings County received an apportionment of Federal Transit Act (FTA) Section 5311 for transportation providers in rural areas. The FFY 2010 amount was \$246,285 and fund requests were sent to eligible transportation providers. KCAPTA and the City of Corcoran submitted applications for operating assistance. A public hearing is scheduled on April 28th to receive testimony before the funds are approved.

Commissioner Lerma opened the public hearing and asked if there were any written or oral testimony, there being none he closed the hearing.

A motion was made and seconded (Plourde / Craighead) to adopt Resolution No. 10-03 approving the Regional Program of Projects for FFY 2010 FTA Section 5311 funds to the City of Corcoran for \$82,564 and to KCAPTA for \$163,721. Motion carried unanimously.

3. Kettleman City Safety and Community Study Update

Ms. Lehn reported the 3rd workshop for Kettleman City Safety and Community Study was held last weekend. The consultants have provided maps of the draft concept plans, the draft plan for General Petroleum and SR 41 and two options for SR 41. The two options for SR 41 include one traffic lane in each direction with turn lanes, bike lanes, sidewalks, and parking; and two lanes of traffic with turn lanes, bike lanes, sidewalks, and no parking. There will be surveys going into the community and comments are requested back by April 30th. Commissioner Lerma asked what the public response was to the proposals. Ms. Lehn replied they were very encouraged about the sidewalks, curbs and gutters. There has been a very positive response about the pedestrian walkways.

4. Withdrawal of 2009 FTIP Amendment No. 10

Mr. Abanathie stated KCAG received information that the U.S. House of Representatives had passed House Resolution 2847, the Jobs for Main Street Act of 2010. This act included a stimulus funding package similar to the American Recovery and Reinvestment Act (ARRA) and was referred to as STIM2. The funding and projects were included in Amendment No. 9 of the 2009 Federal Transportation Improvement Program (FTIP) based on directions from Caltrans and FHWA on how to program the funds and projects. KCAG then received subsequent direction from FHWA that the funds and projects would not be approved until a bill was signed, and they recommended that the funding and projects be programmed in a separate

amendment which was Amendment No. 10. Amendment No. 10 is now being withdrawn because the Jobs for Main Street Act of 2010 did not pass through the U.S. Senate and the funding is no longer considered “reasonably available”, which is the standard required in order to program funds and or projects into the FTIP.

Commission Neves asked if there is anything formal to be done to withdraw the Amendment. Mr. Abanathie stated there is a letter from the Executive Director which has already been completed.

5. Draft 2011 Federal Transportation Improvement Program

Mr. Abanathie reported as the federally designated Metropolitan Planning Organization (MPO) for the Kings County region, KCAG is required to develop a Federal Transportation Improvement Program (FTIP) every 2 years. The TPC adopted the 2009 FTIP on July 23, 2008. There have been 11 amendments to the 2009 FTIP. The 2009 FTIP remains as the approved federal document until the 2011 FTIP is federally approved and supersedes the 2009 documents. KCAG staff in cooperation with FHWA/FTA, Caltrans, the Air District, the state and federal resource agencies, our local jurisdictions, the other seven counties in the San Joaquin Valley, and the general public is developing the 2011 FTIP. Projects requiring federal funding or federal approval or projects that are considered regionally significant must be included in the FTIP. The 2011 FTIP is consistent with the metropolitan transportation planning regulations, the 2011 Kings County Regional Transportation Plan (RTP), and the applicable State Implementation Plan as demonstrated by the Air Quality Conformity document. The FTIP includes a financial plan and demonstrates financial constraint for both capital and operational costs on an annual basis. The local agency representatives to the TAC were asked to review their part of the FTIP making sure that their projects were programmed accurately.

There was a motion made and seconded (Plourde / Craighead) to accept the Draft 2011 FTIP to be released for the required 45 day public review, beginning April 30, 2011 and ending June 14, 2011 and that the Committee schedules a public hearing at the May 26th meeting. Motion carried unanimously.

6. Draft 2011 Regional Transportation Plan, Environmental Impact Report and Draft Air Quality Conformity

Mr. Abanathie stated that we are required to adopt a Regional Transportation Plan (RTP) every 4 years. With the adoption of our RTP we must also adopt an environmental document and air quality conformity determination. He provided a summary of the purpose of the RTP and the required elements. The 2011 RTP has been developed using the adopted RTP guidelines and in cooperation with the cities of Avenal, Corcoran, Hanford and Lemoore and the County of Kings, the Lemoore Naval Air Station, the Santa Rosa Tachi-Yokut tribe, Caltrans District 6, the San Joaquin Valley Air Pollution Control District, the Federal Highways Administration, Federal Transit Administration and the Regional agency committees.

The California Environmental Quality Act (CEQA) requires that an environmental document accompany the RTP. The RTP and the projects included in it are considered a series of actions that may be characterized as one large project for the purposes of CEQA review. KCAG staff has developed a full Environmental Impact Report (EIR) for the 2011 RTP. The 2011 RTP EIR is a Program Level EIR. The EIR evaluates the RTP and its inclusive projects relative to their potential impact on fifteen environmental issues, as well as analyzing potential growth inducing effects and

irreversible effects to the existing Kings County environment. This EIR fully addresses the needs for environmental review requirements to construct any individual project include in the RTP because it does not fully evaluate the individual project nor does it address the federal (NEPA) requirements.

The draft Air Quality Conformity document presents the air quality conformity analysis for the 2011 FTIP and 2011 RTP. The federal Clean Air Act of 1990 and EPA conformity regulations require that each new RTP and FTIP be demonstrated to conform to the State Implementation Plan (SIP) before they are approved by the MPO or accepted by the U.S. Department of Transportation. Currently, the Kings County portion of the San Joaquin Valley is designated as nonattainment with respect to federal air quality standards for ozone and particulate matter under 2.5 microns in diameter (PM2.5); and has a maintenance plan for particulate matter under 10 microns in diameter (MP-10). This analysis demonstrates that the criteria specified in the transportation conformity regulations for a conformity determination are satisfied by the 2011 FTIP and 2011 RTP which means, the FTIP and RTP pass the emissions budget test. The RTP uses the latest planning assumptions and emission models to develop its conformity determination. The FTIP and RTP implement Transportation Control Measures in a timely fashion and the plans have been developed in consultation with other agencies and the public.

A motion was made and seconded (Plourde / Barba) to accept the Draft 2011 RTP, EIR, and air quality conformity analysis and release the documents for the required public comment period and hold a public hearing at the next TPC meeting May 26th. Motion carried unanimously.

#### 7. SB 375 Target Setting Process

Ms. Audino indicated the Air Resources Board (ARB) is currently working with the MPOs on developing percent per capita greenhouse gas emissions reduction targets in accordance with SB 375. The targets will be finalized when the ARB presents them in September 2010. There are at least three options for the target setting for the ARB that the Valley COGs can choose, one target for all the COGs, individual targets or some sort of split. The Valley COG Directors met on April 9th but no consensus was reached at that time. The draft ARB target is due May 2010. Ms. King provided handouts with the pros and cons of the options. A decision on what target to proceed with will be determined at the May 14th COG Director's meeting. Ms. King added that KCAG staff prefers to submit on our own target, and not a Valleywide target at this time.

#### 8. High Speed Rail Update

Ms. King reported she attended the High Speed Rail (HSR) public information meeting last night and stated most of the farmers were not happy with the alignment. Commissioner Barba added the people from the HSR were not able to answers questions that the public were asking. The next public information meeting will be held in Corcoran May 5th. Commissioner Craighead provided a handout from Nisei Farmers League with taking points regarding the concerns with the high speed rail system and alignment.

### **B. Caltrans Reports**

Ms. Ehlert detailed the new fuel tax laws in regards to transportation funding. They will go into effect on July 1st, the sales tax element will be replaced by an excise tax which

will be revenue neutral and March 1, 2011 it will be re-evaluated. The estimated funds will put \$1.2 billion into the general fund and \$700 million into transportation. For FY 2011-12 the estimate is \$1.6 billion of which 44% would be STIP, 44% would be streets and roads and 12% SHOPP funds.

**C. Correspondence**

None

**D. Staff Comments**

Ms. King stated the California Transportation Foundation Awards would be given May 19th and Caltrans has been nominated for the Sunflower II project.

**E. Commissioner Comments**

None

**KCAG COMMISSION**

**A. General Commission Items**

1. Reaffirm all Actions Taken by TPC on April 28, 2010

A motion was made and seconded (Craighead / Neves) to reaffirm all actions taken by the Transportation Policy Committee on April 28, 2010. Motion carried unanimously.

2. Legislative Update - April

Ms. Lehn provided the April Legislative update, noting several new bills of interest. SB 1141 to restore countywide Airport and Land Use Commissions, SB 1445 would provide a new \$1 vehicle registration fee to be imposed statewide to fund the development and implementation of Sustainable Communities Strategies plans. Also AB 2113 allows a county or city to implement a vehicle license fee and/or personal income tax, AB 2147 revises the scoring criteria for Safe Routes to School grants for disadvantaged communities; and AB 2579 creates the Master Plan for Infrastructure Financing and Development Commission.

Ms. Lehn stated the Valley Voice trip to Washington, DC would be May 4th through May 7th and an update on the trip would be on the next agenda.

3. Joint Land Use Study Joint Powers Agreement

Ms. Lehn stated since KCAG has been awarded a Department of Defense grant to study existing and potential encroachment concerns relevant to Naval Station (NAS) Lemoore and the surrounding civilian jurisdictions. The Joint Powers Agreement (JPA) details the new JLUS Policy Committee to be developed. The Committee will provide direction and approval of all JULS products. Once the JPA has been approved by all four jurisdictions, a meeting will be scheduled. The City of Lemoore and the Counties of Fresno and Kings have all received approval from their respective governing boards to enter into the JPA and have signed the document.

A motion was made and seconded to adopt Resolution No. 10-01 to authorize the execution of the Joint Powers Agreement with the City of Lemoore, County of Fresno, and County of Kings for the purpose of completing the Naval Air Station Lemoore Joint Land Use Study. Motion carried unanimously.

4. KCAG Cooperative Agreement Amendment for Vanpool Operations

Ms. King indicated an amendment to the KCAG Cooperative Agreement needs to be adopted to add the ability to operate vanpool services and related activities, included, but not limited to, obtaining grant funds and borrowing funds for the purchasing and leasing of vans. An amendment to the KCAG Cooperative Agreement for the ability to join the CalVANS JPA is attached. Mr. Hughes gave a presentation on what the CalVANS program is doing. Mr. Sand stated the cities need to approve the JPA and then the board with authorize the documents.

A motion was made and seconded (Craighead / Plourde) to submit to the KCAG member agencies the amendment of the KCAG Cooperative Agreement to allow for the operation of vanpools. Motion carried unanimously.

**MISCELLANEOUS**

**A. Correspondence**

None

**B. Staff Comments**

Ms. King stated there would be a Quarterly Board Meeting of the California Partnership in Merced, May 21, 2010 from 10 a.m. to 3 p.m. Commissioner Craighead stated Commission Neves comments had been included in the Summary of Development Workshop, Outcomes and Recommendations. Ms. King thanked the Commissioners and staff for her plaque.

**C. Commissioner Comments**

Commissioner Craighead stated the new Avenal theatre would be reopening on May 7th with a free screening of Avatar and Iron Man.

**ADJOURNMENT**

There being no further business before the Kings County Association of Governments Commission, the meeting was adjourned at 5:39 p.m.

Respectfully submitted,

KINGS COUNTY ASSOCIATION OF GOVERNMENTS

Terri King, Executive Director