

KERN COUNCIL OF GOVERNMENTS
REGIONAL PLANNING ADVISORY COMMITTEE
TRANSPORTATION MODELING COMMITTEE

KERN COG CONFERENCE ROOM
1401 19TH STREET, THIRD FLOOR
BAKERSFIELD, CALIFORNIA

WEDNESDAY
August 1, 2018
1:30 P.M.

Chairman Perez called the meeting to order at 1:30 p.m.

I. ROLL CALL

MEMBERS PRESENT:	Kevin Coyle Craig Platt Alexander Lee Suzanne Forrest Mark Staples Robert Mobley Ricardo Perez Michael Navarro Ted James	City of Bakersfield City of California City City of McFarland City of Shafter City of Taft (phone) City of Wasco GET Caltrans Community Member
STAFF:	Ahron Hakimi Becky Napier Raquel Pacheco Rob Ball Linda Urata Rochelle Invina Ben Raymond	Kern COG Kern COG Kern COG Kern COG Kern COG Kern COG Kern COG
OTHERS:	Asha Chandy Troy Hightower Yolanda Alcantar Adeyinka Glover Jasmine del Aguila Ravi Pudipeddi Warren Maxwell Paul Candelaria	Bike Bakersfield Consultant Kern County Public Works Leadership Counsel Leadership Counsel City of Bakersfield Kern County Kern County

II. PUBLIC COMMENTS: This portion of the meeting is reserved for persons to address the Committee on any matter not on this agenda but under the jurisdiction of the Committee. Committee members may respond briefly to statements made or questions posed. They may ask a question for clarification; make a referral to staff for information or request staff to report to the Committee at a later meeting. **SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD PRIOR TO MAKING A PRESENTATION.**

None

III. APPROVAL OF DISCUSSION SUMMARIES

Committee Member Platt made a motion to approve the discussion summary for the meeting of June 6, 2018; seconded by Committee Member Forrest with all in favor. Motion carried.

IV. RECOMMENDATION ON THE DRAFT FINAL 2018 REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY; DRAFT FINAL ENVIRONMENTAL IMPACT REPORT; DRAFT FINAL 2019 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM; CORRESPONDING DRAFT FINAL AIR QUALITY CONFORMITY ANALYSIS AND RESPONSE TO COMMENTS (Ball)

Mr. Ball advised the committee that the four year public involvement process Kern Council Government's long and near term federal transportation documents was concluded on July 12, 2018 with a 55 public review period for the 2018 RTP/SCS and the 2019 FTIP and the corresponding Conformity Analysis. Mr. Ball stated that there was a 45 day review for the associated Draft EIR. The final drafts of these documents with changes, from the draft period and response to comments have been available on the Kern COG webpage since July 25th when the RPAC agenda was posted.

Mr. Ball presented the committee with highlights of the staff report. He explained that in March 2018 Kern COG received a comment letter from ARB regarding Kern COG's SCS methodology. Mr. Ball stated that all of the issues presented in the letter have been responded to in writing in a letter that was sent in April 2018. He explained that no further action was requested in a subsequent conversation with ARB staff.

Mr. Ball concluded his presentation by stating that the development and performance of the 2018 RTP/SCS, EIR, 2019 FTIP and Conformity documents including public outreach meet federal, state and Kern COG requirements. The environmental document was developed with expert consulting services including a CEQA attorney. The resulting planning documents balance an extensive, bottom-up public input with a measured, performance based approach, providing an effective plan and vision that advances the goals of the Kern COG Board, while facilitating project delivery. Mr. Ball stated that staff recommends approval of this action item.

Chair Perez asked for comments from the committee members.

Committee Member James noted that in the appendices there are several additional measures, including performance measures in Appendix "D". He expressed that he believed that was important because this is a dynamic document, and as it moves forward, it is important to show that they are producing what is stated in the document. He concluded with stating that would be incumbent on the member agencies to help implement the program.

Mr. Ball followed up by advising the committee that the federal performance measures will require annual updates to the Kern COG Board.

Chair Perez asked if there were comments from the members of the public.

Adeyinka Glover from the Leader Counsel for Justice and Accountability thanked the committee for the opportunity to provide comments. Ms. Glover stated that she had some concerns in the response to comments document. She stated that within the policy chapter, disadvantaged communities were mentioned but were not specifically provided prioritization in the document. She gave the example that it was insufficient to just mention the inclusion of disadvantaged communities. There was a couple of policy changes that stated in all communities, including disadvantaged communities. Ms. Glover advised that she believed that statement is very different from stating something like "especially" or "particularly" in disadvantaged communities. She stated they were requesting the latter. Disadvantaged communities have been neglected. As investment happens, having policies that prioritize their needs, gives them much needed support.

She thanked Mr. Ball for providing more information on how Kern COG was able to reach about 6000 people for this document. She advised that they would like see how their specific input during this cycle, formed the document. She stated that they were directed to Appendix "C"

when they asked for the percentage of rural versus urban. She stated it was very broad, it provided the workshop locations. She stated they recognized there were workshop locations. She went on to state that as far as any demographic information, it merely stated "community members ranged in age from college age to 60 plus, self-identified as Hispanic Latino, White non-Hispanic, Asian Pacific Islander, African American and more than one race". She advised that they felt like that was a broad statement. They would like to see were more disadvantaged communities reached, were rural communities reached. She thanked Kern COG for displaying the three display ads for the three public comment hearings. She went on to state they would like to see the inclusion of what dates those display ads ran in the Bakersfield Californian and El Popular.

She stated that in the integrated performance measure analysis, she advised they did not feel the explanation of why the No Build fared better for disadvantaged communities. She advised they would like to talk about that issue further.

She stated most of the responses given to their organization concerning that topic, mention that the RTP is a programmatic document and it is not appropriate to include project level mitigation, nor would Kern COG have the authority to impose such mitigation. Ms. Glover advised they felt Kern COG could implement specific funding incentives to jurisdictions who are seeking project funding. She advised they highlighted issues facing anti-displacement as air quality and goods movement projects.

Chair Perez asked Mr. Ball if staff would like to respond to these comments during the meeting or if they would like to schedule a time to address them with the Leadership Counsel. Mr. Ball advised that he would try to address some during the meeting and could also meet with them at a later time to address all the issues.

Ms. Napier responded to the Bakersfield Californian ad and said that the date was included on it.

Mr. Ball responded to the comment regarding expression "especially" or "particularly" disadvantaged communities. He stated that in 2014 RTP they had extensive public input from disadvantaged communities' stakeholders that agreed with the current wording that they had. He stated that they had demonstrated in Kern a tremendous effort to actually prioritize funding through the Active Transportation Program as well as the ASHC Program. He advised that if you look at the amount of funding that had been received in the past three years, they had anticipated for bike and ped funding, \$37 million dollars in the RTP for the next 26 years and they received \$34 million dollars in the first years of that RTP. He stated they have almost fully funded all of the projects they were hoping to identify with the available funding. He went on to say that they are now in the fourth round of ATP and there are 5 more grants from the County of Kern for unincorporated disadvantaged communities in the County of Kern. He said they are hoping to receive at least two of those grants. He advised that Kern COG's member agencies are driving this effort. He advised that one of the driving forces was that the projects in the ATP process that rank the highest are the ones that best meet the communities and are identified as disadvantaged communities. He stated priority and points that are received for the program funding that are allowing Kern COG to accelerate the projects in the RTP. He advised that Kern County had the highest per capita receipt of funds within California over the past 3 to 4 years because of that effort. He stated that they have a track record prioritizing disadvantaged communities and they will continue too.

Mr. Hakimi stated that Kern COG unlike many other counties do not have a tax measure, our funds come from State and Federal and transit funds come from local sales tax. He went on to explain that the Kern COG Board has set up a policy and the State has accepted it that we will follow the State rankings. He explained because of that they do not have discretion. He gave the example of two years ago when there was additional funds available for ATP, the State asked Kern COG to select another project and they inadvertently selected a project that was not next in line. As a result they were told very clearly they could not individually pick out

a project, they had to stick with the statewide funding list. He stated that the ATP funds that they distribute are distributed by State ranking.

Mr. Ball responded to the No Build comment. He explained that the No Build measures, are the disadvantaged communities better or worse than the countywide number. He explained that the No Build was a better measure, particularly in transit travel time. Transit travel time is measured in the model based upon where we had the transit routes. When you compare the No Build transit routes, it froze the transit routes at what we have today. He went on to state that we have tremendous expansion over the next 40 years to meet the needs of our expanding urban area. We explained we also have a lot of increase in headways in our transit systems. He stated that if we do not make any improvements to the transit system, in the future 49% of the people who currently use the system will be riding the transit systems. He said it is important to look at the performance measures that are reported in the EIR and the RTP.

Troy Hightower made comments regarding the comment letter he submitted. He explained that in the response letter from Mr. Ball that EJ communities are not better off in the No Build. Mr. Hightower stated that Mr. Ball stated the opposite in his response during the meeting. Mr. Hightower expressed that his concern is that the response he received explained why it is not better in the No Build and Mr. Hightower agreed, but stated it was not related to the comment in his letter. He explained that his letter asked "why were certain measures that were better in the No Build?" Mr. Hightower shared a table that was in the document. He advised that it was regarding travel time and that for EJ communities, the Build is 14.49 and No Build is 14.15. So that would mean that No Build is better for the EJ community. He stated that was the basis of his comment, it was not why things would not be as well in the No Build. But rather why are there so many measures that show the No Build is actually better. He stated that the response he was given was not consistent with what he had asked, therefore the question is still there.

He went onto state that in staff report, it was referred to as 7.3 but further on in the actual attachment where all the comments are listed, under 7.3 is completely different then what is in the staff report. It stated that it goes on to discuss what methodology was used. The statement was made that the commenter proposed to change the methodology, it stated that the commenter questions the measures that deal with only 2 of the 20 RTP goals. Mr. Hightower stated that nowhere in his comment letter did he mention any changes in methodology, suggestions of changing methodologies or changing of the RTP goals. He stated that it was not consistent with the comments he submitted or consistent with the staff reports.

He went on to share a map from the document that he had concerns with. He asked what the basis of the map is. He said it was clear that it is from the EJ screen. He stated the EJ screen map is color coded with percentages 50% going up. He stated when he tried to match the two, he could not. He asked how staff came up with the geography in the map. He stated that staff responded that it was based on the 80% range on the EJ screen. He advised that response brings up additional concerns of why it was raised to 80% as opposed to 50% or above which is typical of Title VI analysis. He stated if the 80% was going to be used it should be included in the document and explained it is being selected in Kern COG's analysis. He stated he brings this up because the map is the basis for all the tables. If they don't have the map accurate or correct, then it will be hard to have confidence in Attachment "D". Mr. Hightower advised he believed that this issued needed to be addressed. He stated that in his opinion of EJ that it should reflect 50% or more. He stated that during the last RTP, there was an attempt to dilute the EJ communities by adding elderly and handicap, which is understandable, but for Title VI it is just clear. He stated in this RTP effort, it appears that raising the threshold to 80% to what is an EJ community is another attempt to dilute the EJ community.

Mr. Hightower stated that in his understanding of analysis is not to compare an EJ community to countywide. It is to compare the impact of different projects or alternatives to the EJ communities.

Mr. Hightower stated that Lorelei Oviatt from the County of Kern submitted a comment along with the California Transportation Plan. He read the first strategy, "Ensure rural areas have adequate funds to provide for the operation, maintenance and rehabilitation of rural and interregional transportation system". He stated that he agreed with that strategy. He next referenced the comment letter from the Department of Transportation. He advised that the overall concern he has is many of the responses say "see Attachment A" for all the comments. He stated that Attachment "A" is a large document and there is no reference as to where to locate the comment. He stated on page four under Chapter 2, Transportation Planning Policies it states, Kern COG should consider addressing disadvantaged communities within this section of Chapter 2. They also advised that Kern COG should include a bullet that addresses what has been invested in disadvantage communities for the purpose of addressing social equity. He concluded by stating that he feels Kern COG needs to correct the map and have numbers reflect the map. And at that time there is a negative impact, they need to identify it.

Mr. Ball responded with the first comment about column comparison verses table to table to comparisons. Mr. Ball stated that perhaps he was not doing an adequate job communicating, but all the other tables were comparing the countywide, which is table with B & C. The same comparison methodology was used in the 2014 RTP.

Mr. Hakimi stated that all the transportation modeling for the RTP/SCS was done under the direction of a licensed engineer. Mr. Hakimi added that he himself is also a licensed engineer who has practiced for 27 years. He stated that Mr. Hightower is referring to 15 seconds in difference in town, he added to suggest that we can accurately predict the time someone is going to spend on a bus 24 years from now is ridiculous. He stated that he is confident that the numbers are accurate for comparison purposes. He stated that he is saying this as a licensed engineer who supervised another licensed engineer.

Mr. Hightower stated that he appreciated that explanation and believed that response should have been in the comment letter.

Mr. Ball responded to Mr. Hightower's 80% comment. He stated that the Federal Highway Administration recommended that they use the EJ tool. The default setting that they use for Title VI analyses is 80%.

Mr. Ball responded to addressing disadvantaged communities. He stated that they have addressed that with edits to the policies in that final draft.

Mr. James stated that he agreed with Mr. Hakimi's comments. However, that it is important to focus on the fact that they are approving a policy document. The document assists the Kern COG Board on making the decisions about approving funding. He stated that he was involved in the preparation of the 2014 RTP, he has been involved in reading all of the current documents for the 2018 RTP. He stated that there has been tremendous policy development. He responded to Mr. Hightower's comments and stated that in his many years of working with local and regional governments, numbers change over time. As they go forward, there analysis does get better. He strongly urged the committee to approve the document.

The action requested is to recommend the Transportation Planning Policy Committee Authorize the Chair to Sign the Resolutions approving the DRAFT FINAL 2018 REGIONAL TRANSPORTATION PLAN/SUSTAINABLE COMMUNITIES STRATEGY; DRAFT FINAL 2019 FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM; DRAFT FINAL ENVIRONMENTAL IMPACT REPORT; CORRESPONDING DRAFT FINAL AIR QUALITY CONFORMITY ANALYSIS and RESPONSE TO COMMENTS.

Committee member Platt made a motion to recommend approval. Committee member Mobley seconded the motion. Motion carried.

V. KERN ALTERNATIVE FUEL TECHNOLOGY VEHICLE INITIATIVE - STATUS REPORT (Urata) ANNOUNCEMENTS

Ms. Urata gave a quarterly update on the Kern Alternative Fuel Vehicle program and answered questions from the committee.

This item was for information only.

VI. MEMBER ITEMS

Chair Perez requested that at the September 6th meeting that GET give a presentation on Micro Transit.

VII. ADJOURNMENT

The meeting was adjourned at 2:50 p.m. The next scheduled meeting of the RPAC is September 6, 2018.