

**KERN COUNCIL OF GOVERNMENTS
TRANSPORTATION TECHNICAL ADVISORY COMMITTEE AND
CONGESTION MANAGEMENT AGENCY TECHNICAL ADVISORY COMMITTEE**

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

**WEDNESDAY
March 1, 2023
10:00 A.M.**

TTAC GoToMeeting Information

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I. ROLL CALL:

- 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 factual information or request staff to report back 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.**

Disabled individuals who need special assistance to attend or participate in a meeting of the Transportation Technical Advisory Committee may request assistance at 1401 19th Street, Suite 300; Bakersfield CA 93301 or by calling (661) 635-2900. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made at least three (3) working days in advance whenever possible.

III. APPROVAL OF DISCUSSION SUMMARY:

- a. Minutes from meeting of February 1, 2023; ROLL CALL VOTE.

IV. CYCLE 6 ACTIVE TRANSPORTATION PROGRAM – MPO PROJECT LIST (Snoddy)

Comment: The California Transportation Commission (CTC) closed the statewide Cycle 6 Active Transportation Program (ATP) Call for Projects on June 16, 2022. Kern COG agencies submitted a total of 19 applications.

Action: Information

V. KERN AREA REGIONAL GOODS-MOVEMENT (KARGO) SUSTAINABILITY STUDY UPDATE (Davisson)

Comment: The Phase II KARGO Sustainability Study, a project looking to address the needs and impacts of increased freight movement in the region, is requesting local jurisdictions review and verify current development impact fee rates in the attached report.

Action: Member agency staff please review and provide feedback to kdavisson@kerncog.org by March 8, 2023.

VI. CMAQ FUNDING REVISION REQUEST (Pacheco)

Comment: Kern COG staff has a request for a revision to a Congestion Mitigation Air Quality (CMAQ) Program project. Kern COG staff has reviewed options for the CMAQ funding available.

Action: Request Transportation Technical Advisory Committee recommend Option 1 to the Transportation Planning Policy Committee. ROLL CALL VOTE

VII. 2024 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (Pacheco)

Comment: Every two years in the odd-numbered year, regional transportation planning agencies are to submit a Regional Transportation Improvement Program (RTIP) to the California Transportation Commission in December of the same odd-numbered year for their later approval early the following year.

Action: Information.

VIII. FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP) AMENDMENT – TIMELINE (Pacheco)

Comment: Upcoming amendment schedule for next 2023 FTIP Amendment.

Action: Information.

IX. REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP) – DRAFT TIMELINE AND FUND ESTIMATE (Pacheco)

Comment: Kern COG staff developed a draft timeline and fund estimate to facilitate programming new Regional Surface Transportation Program (RSTP) projects.

Action: Recommend approval of the RSTP Timeline and Fund Estimate to the Transportation Planning Policy Committee. ROLL CALL VOTE

X. CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM – DRAFT TIMELINE AND FUNDING TARGETS (Pacheco)

Comment: Kern COG staff developed a draft timeline and funding targets to facilitate programming new Congestion Mitigation and Air Quality (CMAQ) projects.

Action: Recommend approval of the CMAQ Timeline and Funding Targets to the Transportation Planning Policy Committee. ROLL CALL VOTE

XI. DISCUSSION ON TELECONFERENCING OPTIONS FOR VOTING MEMBERS (Invina-Jayasiri)

Comment: Report on the Kern COG Board decision on teleconferencing options for voting members.

Action: Information.

XII. FY 2023-24 KERN REGION ESTIMATED LOW CARBON TRANSIT OPERATORS PROGRAM (LCTOP) CALL FOR PROJECTS (Enriquez)

Comment: Pursuant to Health and Safety Code Section 39719, the Controller shall allocate the Greenhouse Gas Reduction Fund according to the requirements of the Low Carbon Transit Operations Program (LCTOP). The Kern Region is estimated to receive a total (To be determined at a later date).

Action: Information.

XIII. ANNOUNCEMENTS

XIV. MEMBER ITEMS

XV. ADJOURNMENT – The next meeting will be held on April 5, 2023.

**KERN COUNCIL OF GOVERNMENTS
TRANSPORTATION TECHNICAL ADVISORY COMMITTEE AND
CONGESTION MANAGEMENT AGENCY TECHNICAL ADVISORY COMMITTEE**

DISCUSSION SUMMARY FOR February 1, 2023 MEETING

KERN COG BOARD ROOM/GO TO MEETING
1401 19th Street, Suite 300
BAKERSFIELD, CALIFORNIA

Wednesday
February 1, 2023
10:00 A.M.

Chairman Schlosser called the meeting to order at approximately 10:00 a.m. A roll call was conducted by Ms. Invina-Jayasiri for attendance.

I. ROLL CALL

MEMBERS PRESENT:	Christine Viterelli	City of Arvin
	Luis Topete	City of Bakersfield
	Richard Walker	City of California City
	Pedro Nunez	City of Delano
	Yolanda Alcantar	County of Kern
	Mario Gonzales	City of McFarland
	Travis Reed	City of Ridgecrest
	Alex Gonzalez	City of Shafter
	Craig Jones	City of Taft
	Jay Schlosser	City of Tehachapi
	Kameron Arnold	City of Wasco
	Lorena Mendibles	Caltrans
	Steve Barnes	Golden Empire Transit
OTHER:	Cindy Parra	Bike Bakersfield
	Asha Chandy	Bike Bakersfield
	Richard Nason	Caltrans
	Richard Albright	City of Maricopa
	Maria Martinez	
STAFF:	Ahron Hakimi	Becky Napier
	Rob Ball	Rochelle Invina-Jayasiri
	Raquel Pacheco	Bob Snoddy
	Angie Banuelos	Irene Enriquez
	Joe Stramaglia	Linda Urata

- 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 factual information or request staff to report back 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.

No public comments.

- III. APPROVAL OF DISCUSSION SUMMARY:** Minutes from meeting of January 4, 2023

There were no comments or questions from the committee members. Mr. Reed made a motion to approve the discussion summary, Mr. Topete seconded the motion. Ms. Invina-Jayasiri performed a roll call vote and motion carried unanimously.

IV. FY 2021-22 TDA PUBLIC TRANSIT CLAIM – CITY OF ARVIN

Ms. Banuelos stated according to California Public Utilities Code Section 99260 et seq., and Kern COG TDA Rules and Regulations, eligible organizations may submit a claim for the purpose of supporting public transit systems and streets and roads. The city of Arvin has submitted a TDA claim which totals \$640,263.

Kern COG staff has reviewed the claim and asked TTAC to review TDA Public Transit Claim for the City of Arvin and recommend approval to the Transportation Planning Policy Committee. Mr. Jones made the motion to recommend approval. Mr. Topete seconded the motion. Ms. Invina-Jayasiri performed a roll call vote and motion carried unanimously.

V. FEDERAL SAFETY PERFORMANCE MEASUREMENT (PM1) “TOWARD ZERO” 2023 TARGET UPDATE

Mr. Flickinger reviewed the presentation Towards Zero: Draft Safety Performance Target Update - Kern Region with the members and answered questions. He also reviewed what member agencies can do accelerate attainment of the federal safety targets.

Kern COG staff is recommending continued use of the 2018 “Toward Zero” target methodology adopted by Kern COG in 2018 which is consistent with the federal rule methodology but different than the current state methodology. Maintaining the same process allows for better comparability with prior targets.

Staff recommend that the TTAC Transportation Planning Policy Committee approve the 2023 Kern “Toward Zero” safety targets consistent with federal methodology and direct staff to work with member agencies and stakeholders to develop projects that will accelerate attainment of the targets. Mr. Reed made the motion to recommend approval. Ms. Alcantar seconded the motion. Ms. Invina-Jayasiri performed a roll call vote and motion carried unanimously.

VI. CYCLE 6 ACTIVE TRANSPORTATION PROGRAM – MPO PROJECT LIST

Mr. Snoddy stated the ATP Cycle 6 statewide call for projects resulted in 19 Kern region submitted applications for value of \$69 million. They are listed on page 3 of the staff report. This table has been updated to include the ranking values for each application. The County of Kern project that ranked 91 is highlighted in yellow. This project has been approved for state funding. Projects recommended for the MPO list are highlighted in blue. This selection is based on Kern COG policy and has been financially constrained to the CTC adopted ATP Cycle 6 Fund Estimate. Kern COG’s revised share is estimated at \$16,798,000 over a 4-year programming cycle from 2023-24 through 2026-27. Staff also recommends that a contingency list for the MPO list include the partially funded Bakersfield project and then the Tehachapi project.

Staff recommended that the Transportation Planning Policy Committee approve the list of projects as shown in Attachment A. Mr. Topete made the motion to recommend approval. Mr. Arnold seconded the motion. Ms. Invina-Jayasiri performed a roll call vote and motion carried unanimously.

KERN PROJECT DELIVERY LETTERS – TDA ARTICLE 3

Mr. Snoddy reminded to submit letters TDA Article 3 Project Delivery letters by February 3rd to meet the February Transportation Planning Policy Committee agenda deadline. In total, 14 projects have not yet been submitted for funding reimbursement representing \$ 1,841,972 in state funding as listed in the table of the staff report.

Chairman Schlosser requested agencies provide their project status update, as needed.

This item is for information only.

Mr. Gonzales and Mr. Gonzales were present during this item.

VII. 2024 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

Mr. Stramaglia stated every two years in the odd-numbered year, regional transportation planning agencies are to submit a Regional Transportation Improvement Program (RTIP) to the California Transportation Commission for their approval in December of the same odd-numbered year.

He reviewed the tentative 2024 RTIP timeline and process, including regional workshops that Kern COG will host. He also reviewed the Kern COG projects in the current 2022 STIP include highway capacity projects on State Routes 46, 58 and 99. The new SR 58 Truck Climbing Lane project was added to the 2022 STIP using CRRSAA / COVID funding.

This item is for information only.

VIII. PROJECT DELIVERY LETTERS – ATP, CMAQ, RSTP

The Kern COG Project Delivery Policy states that projects in the current fiscal year need to be submitted for funding authorization by January 31st. This is the presentation of project delivery letters for Active Transportation Program, Congestion Mitigation Air Quality Program, and Regional Surface Transportation Program. 17 projects have not yet been submitted for funding authorization representing \$27.5 million in federal/state programming.

Chairman Schlosser requested agencies provide their project status update, as needed.

This item is for information only.

IX. DISCUSSION ON TELECONFERENCING OPTIONS FOR VOTING MEMBERS

Ms. Invina-Jayasiri went over the memo provided by County Counsel regarding Brown Act rules under AB 361, AB 2449, and Brown Act Section 54953(b)(3). Members discussed and provided the following comments:

- Ms. Viterelli asked that members who attend virtually have their votes count with the notion that members will do their best to attend in-person.
- Mr. Barnes agreed with having virtual option especially with members that have to travel further.
- Mr. Reed agreed with Ms. Viterelli and Mr. Barnes

- Mr. Schlosser prefers in-person attendance but however recognizes members may need to attend meetings virtually and he defers to Board's decision. He added that members should turn their cameras on when attending virtually.
- Mr. Topete prefers in-person but not against virtual option for members and agreed to members turning on their cameras when attending virtually.

This item is for information only.

X. ANNOUNCEMENTS –

- a. Ms. Urata provided information on Trucking with Clean Fuel Conference on February 23, 2023 (Flier attached). For ticket and event information, please visit website www.2023TCFC.com
- b. Mr. Flickinger said he was approached with a new consultant on a traffic database for those member agencies interested in a presentation. Chairman Schlosser asked if Mr. Flickinger can be the point of contact and make the arrangement to schedule the presentation.

XI. MEMBER ITEMS –

- a. Ms. Mendibles thanked those that attended the January 31st Workshop on Sustainable Transportation Planning Grants. Applications are due March 9, 2023.
- b. Ms. Mendibles reminded the February 14th Call for Projects for Clean California Grant and applications will be due April 28, 2023.
- c. Ms. Alcantar announced that they have filled vacancies in the Public Works Department - Lisa Shreider is the new Waste Operations Assistant Director and Scott Radsick is the new Engineering Assistant Director.

XII. ADJOURNMENT – Meeting adjourned at 11:11am. The next meeting will be held on March 1, 2023.



IV. TTAC

March 1, 2023

TO: TRANSPORTATION TECHNICAL ADVISORY COMMITTEE (TTAC)

FROM: AHRON HAKIMI,
Executive Director

By: Robert M. Snoddy,
Regional Planner

SUBJECT: TRANSPORTATION TECHNICAL ADVISORY COMMITTEE ITEM: IV.
CYCLE 6 ACTIVE TRANSPORTATION PROGRAM – MPO PROJECT LIST

DESCRIPTION: The California Transportation Commission (CTC) closed the statewide Cycle 6 Active Transportation Program (ATP) Call for Projects on June 16, 2022. Kern COG agencies submitted a total of 19 applications.

DISCUSSION: The CTC adopted the 2022 ATP Cycle 6 Fund Estimate and program Guidelines at their March 16-17, 2022, meeting. With the adoption of the Guidelines, the Cycle 6 Active Transportation Program call for projects was subsequently initiated. The CTC adopted their selected statewide applications at the December 7-8, 2022, meeting. One Kern region project was included in the statewide project adoption, which is the County of Kern Norris Pedestrian and Railroad Safety project totaling \$9.8 million. All remaining Kern COG applications were considered for funding with the MPO share of the Cycle 6 ATP funding. At the February 16, 2023, the Kern Council of Governments Transportation Planning and Policy Committee adopted The MPO project list found on Page 3, making use of all available Cycle 6 ATP MPO funding.

CTC 2023 Cycle 6 Active Transportation Program Timeline

Benchmark Activity	Date
E-Project Application Deadline & postmark date	June 15, 2022
CTC staff recommendation for statewide applications	October 21, 2022
CTC adoption of statewide selected applications	December 7-8, 2022
Deadline for MPO draft project recommendations	February 21, 2023
Deadline for MPO final project recommendations	April 21, 2023
CTC recommendations for MPO components are posted	May 12, 2023
Commission adopts MPO selected projects	June 2023

The MPO Kern COG staff will submit the list of MPO projects to the CTC following the February 16, 2023 Kern Council of Governments Board meeting. Staff is also preparing an MPO final submittal package of information as prescribed by the CTC within a short period of time after that. It is possible that the CTC may adopt the Kern projects prior in advanced scheduled adoption date in May.

Background: At the August 18, 2022, California Transportation Commission (CTC) meeting, the Commission adopted a revised Fund Estimate for the Active Transportation Program (ATP) Cycle 6, which is now adopted. The approved revised Fund Estimate for the statewide ATP budget is now **\$1.7 billion** due to an infusion of funding from the recently approved 2022-23 state budget. The Kern COG guaranteed regional share of that statewide has been increased to **\$16.798 million**.

Kern COG Policy Background - CTC ATP Guidelines and Fund Estimate establish the project selection process and ATP programming capacity for the state and MPO share. When ATP first began, the Kern Council of Governments adopted its ATP project delivery policy that defers to the original state application review and ranking for all original state submitted applications. Kern COG does not do a separate ATP Call for Projects to use the MPO share and therefore does not adopt its own modified guidelines or conduct a separate MPO call for projects. Instead, Kern COG considers the remaining applications for MPO share funding following the ranking order as best as possible already established by the state-ranked applications not selected by the state.

Submitted applications from Kern agencies - The ATP Cycle 6 statewide call for projects resulted in 19 Kern region submitted applications for a value of **\$69 million**. They are listed on page 3. This table has been updated to include the ranking values for each application. The County of Kern project that ranked 91 is highlighted in yellow. This project has been approved by the state. The regionally approved MPO projects are highlighted in blue. This selection is based on Kern COG policy and has been financially constrained to the CTC adopted ATP Cycle 6 Fund Estimate. Kern COG's revised share is estimated at \$16,798,000 over a 4-year programming cycle from 2023-24 through 2026-27. The MPO project list includes a contingency list comprised of the partially funded Bakersfield project and then the Tehachapi project.

ACTION: Information.

ATTACHMENT A
KERN REGION LIST OF SUBMITTED & RECEIVED CYCLE 6 ATP APPLICATIONS
YELLOW HIGHLIGHT - APPROVED STATE FUNDED PROJECT
BLUE HIGHLIGHT - FINAL MPO FUNDED PROJECT
BOLD - CONTINGENCY

State Ranking	Implementing Agency	Project Name	Total	Other	ATP	ENV	DESIGN	ROW	CONS	Received
29	Bakersfield, City of	School Flashing Yellow Beacons	\$ 803,000	\$ -	\$ 803,000	\$ -	\$ 143,000	\$ -	\$ 660,000	06/15/22
35	Bakersfield, City of	California Avenue (Marella Way to Planz Rd)	\$ 5,461,000	\$ -	\$ 5,461,000	\$ -	\$ 975,000	\$ -	\$ 4,486,000	06/15/22
39	Bakersfield, City of	California Avenue (Oleander Ave to R St)	\$ 1,980,000	\$ -	\$ 1,980,000	\$ -	\$ 353,000	\$ -	\$ 1,627,000	06/15/22
40	Bakersfield, City of	Kern River North of 24th Street	\$ 2,758,000	\$ -	\$ 2,758,000	\$ 295,000	\$ 197,000	\$ -	\$ 2,266,000	06/15/22
48	Bakersfield, City of	Bakersfield Bicycle Facilities	\$ 263,000	\$ -	\$ 263,000	\$ -	\$ -	\$ -	\$ 263,000	06/15/22
50	Bakersfield, City of	Monterey St (Alta Vista Dr to Brown St)	\$ 4,789,000	\$ -	\$ 4,789,000	\$ -	\$ 855,000	\$ -	\$ 3,934,000	06/15/22
55	Kern County - D6	Niles Street Safety Project	\$ 1,785,000	\$ 260,000	\$ 1,525,000	\$ 10,000	\$ 250,000	\$ -	\$ 1,525,000	06/15/22
56	Caltrans	City of Arvin HAWK- Arvin's "Walk on Walnut Crosswalk Beacon"	\$ 1,398,000	\$ 200,000	\$ 1,198,000	\$ 120,000	\$ 80,000	\$ 137,000	\$ 1,061,000	06/15/22
57	Bakersfield, City of	Arvin-Edison Canal Multi-Use Path	\$ 9,940,000	\$ -	\$ 9,940,000	\$ 710,000	\$ 1,065,000	\$ -	\$ 8,165,000	06/15/22
60	Tehachapi, City of	Northside Neighborhood Complete Sidewalk & Bicycle Lane Project	\$ 3,494,000	\$ -	\$ 3,494,000	\$ 25,000	\$ 370,000	\$ 39,000	\$ 3,060,000	06/14/22
66	Bakersfield, City of	H Street Corridor (SR-204 to Hwy 58)	\$ 8,454,000	\$ 5,300,106	\$ 3,154,000	\$ -	\$ 1,509,000	\$ -	\$ 6,945,000	06/15/22
70	Taft, City of	10th St & San Emidio St - Intersection Safety Improvements	\$ 455,000	\$ -	\$ 455,000	\$ 5,000	\$ 42,000	\$ -	\$ 408,000	06/15/22
71	Delano, City of	ATP-6 SRTS Sidewalk Gap and Crosswalk Improvement Project	\$ 703,000	\$ -	\$ 703,000	\$ -	\$ 75,000	\$ -	\$ 628,000	06/13/22
72.5	Wasco, City of	Central Avenue Class I & Class II Bicycle Trails	\$ 660,000	\$ -	\$ 660,000	\$ 5,000	\$ 71,000	\$ -	\$ 584,000	06/15/22
78	Kern County - D6	Safe Route To School (SRTS) ADA Crosswalk Safety	\$ 2,342,000	\$ 582,000	\$ 1,760,000	\$ 10,000	\$ 344,000	\$ -	\$ 1,988,000	06/15/22
80.5	Kern County - D6	Kern River Parkway Multi-use Path Safety & Connectivity Project	\$ 8,035,000	\$ 1,235,000	\$ 6,800,000	\$ 100,000	\$ 1,150,000	\$ -	\$ 6,785,000	06/15/22
84	Kern County - D6	Mt Vernon SRTS Safety Project	\$ 3,248,000	\$ 384,000	\$ 2,864,000	\$ 10,000	\$ 374,000	\$ -	\$ 2,864,000	06/15/22
87	Tehachapi, City of	Valley Boulevard and Mill Street Gap Closure Project	\$ 3,266,000	\$ -	\$ 3,266,000	\$ 65,000	\$ 315,000	\$ 200,000	\$ 2,686,000	06/15/22
91	Kern County - D6	Norris Pedestrian and Railroad Safety Project	\$ 9,793,000	\$ 1,011,000	\$ 8,782,000	\$ 10,000	\$ 1,059,000	\$ 2,600,000	\$ 6,124,000	06/15/22
TOTALS FOR ALL APPLICATIONS			\$ 69,521,000	\$ 3,672,000	\$ 65,849,000	\$ 1,365,000	\$ 9,227,000	\$ 2,976,000	\$ 55,953,000	
ATP PROJECT FUNDED BY THE STATE			\$ 9,793,000	\$ 1,011,000	\$ 8,782,000					
PROJECTS RECOMMENDED FOR MPO SHARE FUNDING			\$ 18,972,000	\$ 2,201,000	\$ 16,798,000					
ESTIMATED AVAILABLE ATP CYCLE 6 MPO SHARE					\$ 16,798,000					

Note 1: The H Street Corridor project was reduced to \$3,260,000 for ATP funding. The City of Bakersfield would be required to use local funds for the balance.

Note 2: The Mt. Vernon Safe Routes to School Safety Project was withdrawn after their announcement at the January 4, 2023 TTAC meeting.

Note 3: The contingency list would include 1) adding additional funding to the construction phase of the Bakersfield project; then 2) funding the Tehachapi project either partially or fully.



V.
TTAC

March 1, 2023

TO: TRANSPORTATION TECHNICAL ADVISORY COMMITTEE (TTAC)

FROM: Ahron Hakimi,
Executive Director

By: Karl Davisson, Regional Planner

SUBJECT: TTAC AGENDA ITEM: V.
KERN AREA REGIONAL GOODS-MOVEMENT (KARGO) SUSTAINABILITY STUDY
UPDATE

DESCRIPTION:

The Phase II KARGO Sustainability Study, a project looking to address the needs and impacts of increased freight movement in the region, is requesting local jurisdictions review and verify current development impact fee rates in the attached report.

DISCUSSION:

Intent

The Kern region has a growing goods movement trade hub and logistics industry, with now over 52 million sq. ft. of industrial, warehousing and processing facilities, and has been growing at 4 million sq. ft. per year since 2014. The intent of the KARGO2 study is to work with community stakeholders including the City of Shafter, City of Bakersfield, Kern County, Caltrans, and railroads to evaluate strategies to improve the sustainability of growing regional goods movement activity in Kern County and impacts on the transportation system and surrounding communities including disadvantaged communities. The study is analyzing funding mechanisms for the strategies and develop an outreach program to engage and communicate findings to stakeholders and disadvantaged communities.

Overall Project Objectives

Kern Council of Governments in partnership with its member agencies are studying "last mile" goods movement in the rapidly growing Shafter/BFL International Airport trade hub. The study has the following seven overarching objectives:

- I. Build on the extensive, recent public outreach in the region to all communities, including representatives of disadvantaged communities with the goal of developing an "informed consent" on expanding and mitigating goods movement opportunities in the region.

- II. Use the Phase I KARGO Sustainability Circulation Study as a framework for the Phase II study.
- III. Focus on mitigation strategies for the growing goods movement in the region.
- IV. Evaluate strategy for a Regional Logistics Mitigation Fee and develop Nexus Study including forecasting market demand and the impact of the fee on that demand.
- V. Develop and consider reduced fee incentives for implementation of logistics strategies such as zero emission technology, or intermodal rail service to the ports and/or the Midwest.
- VI. Identify strategies related to technology as well as other non-traditional strategies to mitigate impacts to all communities in the region.
- VII. Identify and develop commute options for employees.

Please see attached memorandum documenting the existing development impact fee programs in Kern County.

Attachment: Existing Development Impact Fee Rates by Jurisdiction Draft Memo

ACTION: Member agency staff please review and provide feedback to kdavisson@kerncog.org by March 8, 2023.

Memorandum

Date: February 17, 2023
To: Rob Ball, Kern Council of Governments
From: Fatemeh Ranaiefar & Nico Boyd, Fehr & Peers
Subject: **Existing Development Impact Fee Programs in Kern County**

LA21-3276

This memorandum documents the existing development impact fee programs for jurisdictions in Kern County. The purpose of this documentation is to determine the total impact fee burden for the identified agencies to inform the exploration of other potential funding mechanisms to support infrastructure needed for future developments as part of the Phase II KARGO effort.

Existing Development Impact Fee Programs

The sections below summarize the existing transportation impact fee programs for the following jurisdictions/agencies in Kern County:

- City of Bakersfield
- City of Tehachapi
- Kern County Rosamond-Willow Springs Specific Plan Areas
- City of Arvin
- City of Delano
- City of McFarland

The following jurisdictions were reviewed and did not have information available regarding development impact fee programs: California City, City of Maricopa, City of Shafter, City of Wasco. According to the City of Ridgecrest municipal code, development impact fees are assessed for fire facilities, traffic impacts, parks, law enforcement, and storm drainage. However, the fee schedule is not available.



City of Bakersfield

Table 1 shows the non-Transportation development impact fees in the City of Bakersfield, and **Table 2** shows the Transportation development impact fees. The Transportation development impact fees have been jointly adopted with Kern County. **Figure 1** shows the core area for which a lower fee rate applies.

Table 1. Non-Transportation Development Impact Fees in City of Bakersfield¹

Impact Fee Type	Description	Impact Fee
Park	Fee applies to all independent dwelling units (includes senior housing). It does not apply to facilities such as extended care where the units do not contain a kitchen.	\$2,095 per residential unit
School	Fees vary widely by school district.	Residential: \$3.18 - \$6.85 per square foot
		Commercial/Industrial: \$0.66 per square foot
Sewer	N/A	Single Family: \$5,000 per unit
		Multiple Family: \$3,181 - \$3,600 per unit
		Commercial Industrial: \$227 - \$454 per fixture unit

¹ City of Bakersfield Development Impact Fees – January 1, 2023 (accessed February 16, 2023):
<https://content.civicplus.com/api/assets/ae45223-0f4f-44d3-88e9-541b65a4a9ae?cache=1800>



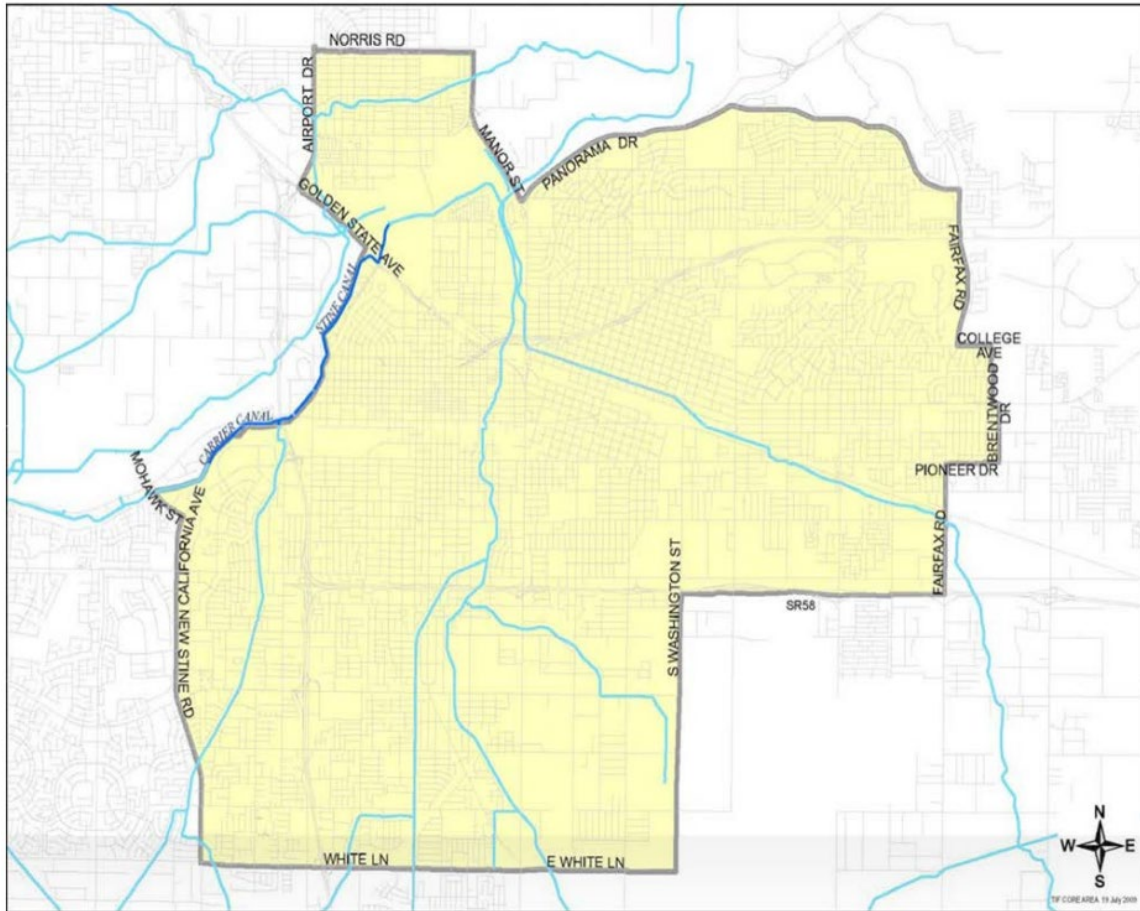
Table 2. Transportation Development Impact Fees in City of Bakersfield²

Generator Category	Non-Core Area Impact Fee	Core Area Impact Fee
Single Family, Detached Residential	\$12,870 Per Unit	\$7,747 Per Unit
Multi-Family Residential	\$6,213 Per Unit	\$3,740 Per Unit
Industrial	\$186 Per ADT	\$112 Per ADT
Office Commercial		
Under 100,000 square feet	\$143 Per ADT	\$86 Per ADT
100,000 – 199,999 square feet	\$163 Per ADT	\$98 Per ADT
200,000 square feet and above	\$175 Per ADT	\$106 Per ADT
Public/government	\$157 Per ADT	\$95 Per ADT
Retail Commercial		
Under 10,000 square feet	\$78 Per ADT	\$47 Per ADT
10,000 – 49,999 square feet	\$110 Per ADT	\$66 Per ADT
50,000 – 99,999 square feet	\$167 Per ADT	\$101 Per ADT
100,000 – 199,999 square feet	\$178 Per ADT	\$107 Per ADT
200,000 – 299,999 square feet	\$216 Per ADT	\$130 Per ADT
300,000 – 499,000 square feet	\$233 Per ADT	\$141 Per ADT
500,000 square feet and above	\$236 Per ADT	\$142 Per ADT

² City of Bakersfield Development Impact Fees – January 1, 2023 (accessed February 16, 2023):
<https://content.civicplus.com/api/assets/ae45223-0f4f-44d3-88e9-541b65a4a9ae?cache=1800>



Figure 1. City of Bakersfield Transportation Impact Fee Core Area³



³ City of Bakersfield Development Impact Fees – January 1, 2023 (accessed February 16, 2023):
<https://content.civicplus.com/api/assets/ae45223-0f4f-44d3-88e9-541b65a4a9ae?cache=1800>



City of Tehachapi

Like the City of Bakersfield, the City of Tehachapi has a Transportation Impact Fee Program that is jointly adopted with Kern County and features a core area for which a lower fee rate applies. According to the Kern County Code of Ordinances, the Tehachapi Region Core Area includes, "those portions under County jurisdiction enclosed within the following described boundary: The Point of Beginning is at the intersection of the centerline of Dennison Road and southline of the State Route 58 right-of-way; thence proceeding southerly along said centerline of Dennison Road to East Quarter Corner of Section 28, Township 32 South, Range 32 East, MDM (aka Abajo Road or Pinon Road alignment); thence proceeding westerly along said midsection section lines of Sections 28, 29 to a point on the centerline of Tucker Road; thence northerly along said center line of Tucker Road to the southline of the State Route 58 right-of-way; thence proceeding easterly along said southline of the State Route 58 right-of-way to the centerline of Dennison Road, the Point of Beginning." **Table 3** shows the Transportation development impact fees in the City of Tehachapi.

Table 3. Fee-Per-Trip for Tehachapi Region Transportation Impact Fee Program - General⁴

Land Use	Non-Core Area Impact Fee	Core Area Impact Fee
Residential (Per Dwelling Unit)		
Single Family Residential Units	\$4,772	\$2,952
Multi-Family Residential Units	\$3,351	\$2,073
Non-Residential (Per ADT)		
Industrial	\$176	\$109
Office Commercial:		
Under 100,000 square feet	\$145	\$90
100,000 – 199,999 square feet	\$145	\$90
200,000 square feet and over	\$145	\$90
Retail Commercial:		
Under 10,000 square feet	\$36	\$22
10,000 – 49,999 square feet	\$62	\$39

⁴ Kern County Municipal Code Section 17.60.120 (accessed February 16, 2023):
https://library.municode.com/ca/kern_county/codes/code_of_ordinances?nodeId=TIT17BUCO_CH17.60TRIMFE_17.60.140TERETRIMFE



Land Use	Non-Core Area Impact Fee	Core Area Impact Fee
50,000 – 99,999 square feet	\$89	\$55
100,000 square feet and over	Minimum of \$89 or more based upon analysis	Minimum of \$55 or more based upon analysis

Kern County - Rosamond-Willow Springs Specific Plan Area Transportation Impact Fee Program

There is an established Rosamond-Willow Springs traffic impact fee that applies to the Rosamond and Willow Springs Specific Plan areas in Kern County. **Table 4** presents the associated fee for various land use categories.

Table 4. Fee-Per-Trip for Rosamond-Willow Springs Transportation Impact Fee Program⁵

Land Use Type	Generator Category	Impact Fee
Residential (Per Living Unit)	Single Family, Detached (Including mobile homes)	\$1,461
	Multi-Family (including apartments, condominiums, mobile home parks)	\$891
Nonresidential per Average Daily Traffic (ADT) Trip		
Industrial	Heavy and Service Industry (including general manufacturing, industrial park)	\$87
Light Industrial	Warehousing, Mini-Warehouse	\$38
Office ¹	Under 100,000 square feet	\$33
	100,000 – 199,999 square feet	\$39
	200,000 square feet and over	\$41
Commercial Retail ²	Under 10,000 square feet	\$39
	10,000 – 49,999 square feet	\$25

⁵ Kern County Municipal Code Section 17.60.120 (accessed February 16, 2023):
https://library.municode.com/ca/kern_county/codes/code_of_ordinances?nodeId=TIT17BUCO_CH17.60TRIMFE_17.60.120ROLLSPTRIMFE



Land Use Type	Generator Category	Impact Fee
	50,000 – 99,999 square feet	\$28
	100,000 – 199,999 square feet	\$31
	200,000 – 299,999 square feet	\$35
	300,000 – 399,999 square feet	\$44
	400,000 – 499,999 square feet	\$53
	500,000 – 599,999 square feet	\$64
	1,000,000 square feet and over	\$71

Notes:

¹ Fees are assessed per 1,000 square feet of building area and include medical offices, clinics, hospitals, day care, schools, libraries, churches, and banks).

² Fees are assessed per 1,000 square feet of building area.



City of Arvin

Table 5 presents the development impact fee schedule for the City of Arvin, published in 2014.

Table 5. City of Arvin Development Impact Fees⁶

Type of Land Use	Impact Fee					
	Police	Parks	Sewer	Schools	Traffic	Water
Residential						
Single Family	\$150 per unit	\$2,500 per unit	\$4,400 per unit	\$7.79 per sf	\$7,646 per unit	\$4,160 per unit
Duplex	\$100 per unit	\$2,500 per unit	\$4,400 per unit	\$7.79 per sf	\$5,313 per unit	Contact ACSD
Triplex	\$100 per unit	\$2,500 per unit	\$3,960 per unit	\$7.79 per sf	\$5,313 per unit	Contact ACSD
4-plex or larger	\$100 per unit	\$2,500 per unit	\$3,960 per unit	\$7.79 per sf	\$5,313 per unit	Contact ACSD
Motels and hotels	\$350 per acre	-	\$1,320 per unit	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Convalescent hospitals	\$350 per acre	-	\$1,320 per bed	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Rest/nursing homes	\$350 per acre	-	\$1,320 per bed	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Commercial						
Small retail shops/offices	\$350 per acre	-	\$4,400 per building	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Laundries/dry cleaners	\$350 per acre	-	\$2,112 per machine	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Medical/dental offices	\$350 per acre	-	\$11,000 per building	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
supermarkets	\$350 per acre	-	\$158,400 per building	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Grocery stores	\$350 per acre	-	\$16,280 per building	\$0.51 per sf	\$7,874 per KSF	Contact ACSD

⁶ City of Arvin Development Impact Fees – 2014 (accessed February 16, 2023):
<https://www.arvin.org/DocumentCenter/View/196/Development-Impact-Fee-Schedule-PDF>



Type of Land Use	Impact Fee					
	Police	Parks	Sewer	Schools	Traffic	Water
Restaurants (<35 seats)	\$350 per acre	-	\$17,160 per building	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Restaurants (35+ seats)	\$350 per acre	-	\$25,080 per building	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Bars/taverns/lounges	\$350 per acre	-	\$15,840 per building	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Car washes	\$350 per acre	-	\$7,700 per stall	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Service stations	\$350 per acre	-	\$6,160 per building	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Auto repair shops	\$350 per acre	-	\$6,160 per building	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Mortuaries and kennels	\$350 per acre	-	\$6,600 per building	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Recreational uses	\$350 per acre	-	\$17,600 per facility	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Quasi-Public/Public						
Churches	\$350 per acre	-	\$4,840 per building	-	\$7,874 per KSF	Contact ACSD
Schools	\$350 per acre	-	\$136 per student	-	\$7,874 per KSF	Contact ACSD
Industry						
Food processing	\$350 per acre	-	\$25,080 per building	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Light manufacturing uses	\$350 per acre	-	\$4,400 per building	\$0.51 per sf	\$7,874 per KSF	Contact ACSD
Public/Private Uses Not Listed						
Use w/ 14 employees or less	\$350 per acre	-	\$4,400 per use	\$0.51 per sf	\$7,874 per KSF	Contact ACSD



Type of Land Use	Impact Fee					
	Police	Parks	Sewer	Schools	Traffic	Water
Use with 15+ employees	\$350 per acre	-	\$4,400 per use	\$0.51 per sf	\$7,874 per KSF	Contact ACSD

City of Delano

The following fee schedule tables are reproduced from City of Delano Resolution No. 2013-59.

Table 6. City of Delano Development Impact Fees – Water & Sewer⁷

Land Use Category	Water	Sewer
Residential		
Single-Family Residential	\$2,253.51 per unit	\$5,066.81 per unit
Multi-Family Residential	\$1,149.29 per unit	\$2,938.75 per unit
Senior Residential/Assisted Living	\$946.47 per bed	\$2,128.06 per bed
Non-Residential		
General Retail	\$540.84 per ksf	\$1,874.72 per ksf
Restaurant	\$5,363.36 per ksf	\$18,645.85 per ksf
Bars/Lounge	\$1,825.34 per ksf	\$6,485.51 per ksf
Hotel/Motel	\$473.24 per room	\$2,330.73 per room
Theater	\$676.05 per ksf	\$2,330.73 per ksf
Laundromat	\$946.47 per washer	\$3,242.76 per washer
Car Wash	\$4,507.02 per stall	\$10,133.61 per stall
Office/Medical Office	\$1,081.69 per ksf	\$3,698.77 per ksf
Service Commercial	\$540.84 per ksf	\$1,874.72 per ksf

⁷ City of Delano Resolution No. 2013-59 (accessed February 16, 2023):
<https://www.cityofdelano.org/DocumentCenter/View/3374/2013-Impact-Fees?bidId=>



Land Use Category	Water	Sewer
Manufacturing	\$1,081.69 per ksf	\$3,546.76 per ksf
Manufacturing, dry goods only	\$225.35 per ksf	\$456.01 per ksf
Warehouse/Distribution	\$112.68 per ksf	\$456.01 per ksf
Mini Storage	\$2,253.51 per dwelling unit	\$5,066.81 per dwelling unit
School/Day Care	\$1,261.97 per ksf	\$2,482.73 per ksf
Church/Public Gathering Facility	\$676.05 per ksf	\$2,330.73 per ksf
Hospital	\$946.47 per bed	\$4,661.46 per bed
Alternative Calculations		
Alternative water calculation	\$75.12 per fixture unit	-
Alternative Sewer Calculation	-	\$241.28 per fixture unit

Table 7. City of Delano Development Impact Fees – Circulation⁸

Land Use Category	Water
Residential	
Single-Family Residential	\$4,344.96 per unit
Multi-Family Residential	\$3,051.01 per unit
Senior Residential/Assisted Living	\$1,579.98 per bed
Non-Residential	
General Retail	\$11,236.55 per ksf
Hotel/Motel	\$2,774.25 per room
Gasoline Service Station	\$17,302.71 per pump
General Office	\$5,329.76 per ksf

⁸ City of Delano Resolution No. 2013-59 (accessed February 16, 2023):
<https://www.cityofdelano.org/DocumentCenter/View/3374/2013-Impact-Fees?bidId=>



Land Use Category	Water
Medical/Dental Office	\$11,713.65 per ksf
Industrial/Service Commercial	\$2,230.16 per ksf
Warehouse/Distribution < 100,000 sf	\$2,540.75 per ksf
Warehouse/Distribution > 100,000 sf	\$645.43 per ksf
Mini Storage	\$686.41 per dwelling unit
School	\$3,147.46 per ksf
Church/Public Gathering Facility	\$2,314.52 per ksf

Table 8. City of Delano Development Impact Fees – Storm Drainage, Police Facilities, & Fire Facilities⁹

Land Use Category	Storm Drainage	Police Facilities	Fire Facilities
Residential			
Single-Family Residential	\$1,080.67 per unit	\$421.39 per unit	\$668.57 per unit
Multi-Family (< 15 units per acre)	\$640.40 per unit	\$160.53 per unit	\$254.69 per unit
Multi-Family (> 15 units per acre or more)	\$426.93 per unit	\$93.64 per unit	\$148.57 per unit
Non-Residential			
Commercial	\$8,165.09 per acre	\$1,685.55 per acre	\$2,674.29 per acre
Service Commercial	\$6,645.39 per acre	\$1,685.55 per acre	\$2,674.29 per acre
Industrial	\$7,684.79 per acre	\$1,685.55 per acre	\$2,674.29 per acre
Community Facilities	\$1,921.20 per acre	\$1,685.55 per acre	\$2,674.29 per acre

⁹ City of Delano Resolution No. 2013-59 (accessed February 16, 2023):
<https://www.cityofdelano.org/DocumentCenter/View/3374/2013-Impact-Fees?bidId=>



Table 9. City of Delano Development Impact Fees – Park Development, Park Acquisition, & General Government Facilities¹⁰

Land Use Category	Park Development	Park Acquisition	General Government Facilities
Residential Projects < 80 Units			
Single-Family Residential	\$2,029.57 per unit	\$927.56 per unit	\$955.51 per unit
Multi-Family (< 15 units per acre)	\$773.17 per unit	\$353.36 per unit	\$364.00 per unit
Multi-Family (> 15 units per acre or more)	\$451.02 per unit	\$206.12 per unit	\$212.33 per unit
Residential Projects >= 80 Units			
Single-Family Residential	\$1,368.36 per unit	\$371.02 per unit	\$955.51 per unit
Multi-Family (< 15 units per acre)	\$521.28 per unit	\$141.34 per unit	\$364.00 per unit
Multi-Family (> 15 units per acre or more)	\$304.08 per unit	\$82.45 per unit	\$212.33 per unit
Non-Residential			
Commercial	N/A	N/A	\$3,822.03 per acre
Service Commercial	N/A	N/A	\$3,822.33 per acre
Industrial	N/A	N/A	3,822.33 per acre
Community Facilities	N/A	N/A	\$3,822.33 per acre

¹⁰ City of Delano Resolution No. 2013-59 (accessed February 16, 2023):
<https://www.cityofdelano.org/DocumentCenter/View/3374/2013-Impact-Fees?bidId=>



City of McFarland

The City of McFarland published a Development Impact Fee Update Study in November 2020 which provided an analysis of development impact fees needed to support future development in the City of McFarland through 2040. **Table 10** below summarizes the development impact fees that meet the City's identified needs and comply with the requirements of the Mitigation Fee Act, and **Table 11** summarizes the City's proposed impact fee schedule. The parks and recreation facilities fees and traffic facilities fees have been reduced to lower the overall fee burden. City staff identified the target fee level for single family units, and the fees for other land uses were reduced proportionally.

Table 10. City of McFarland Maximum Justified Development Impact Fee Schedule¹¹

Type of Land Use	Impact Fee							
	General Government	Law Enforcement	Parks	Fire Protection	Water	Sewer	Storm Drain	Traffic
Residential – Per Dwelling Unit								
Single Family	\$1,957	\$1,163	\$4,524	\$289	\$4,101	\$1,499	\$648	\$8,960
Multifamily	\$1,747	\$1,037	\$4,039	\$258	\$3,651	\$1,334	\$395	\$5,973
Commercial – per KSF								
Commercial	\$346	\$205	-	\$100	\$984	\$210	\$661	\$11,238
Office	\$440	\$260	-	\$128	\$1,189	\$210	\$642	\$14,303
Industrial	\$171	\$102	-	\$50	\$1,477	\$180	\$939	\$8,487

¹¹ City of McFarland Development Impact Fee Update Study:
<https://www.mcfarlandcity.org/DocumentCenter/View/2291/McFarland---Impact-Fee-Update-Report---Final---11-16-20>



Table 11. City of McFarland Proposed Development Impact Fee Schedule¹²

Type of Land Use	Impact Fee							
	General Government	Law Enforcement	Parks	Fire Protection	Water	Sewer	Storm Drain	Traffic
Residential – Per Dwelling Unit								
Single Family	\$1,957	\$1,163	\$2,300	\$289	\$4,101	\$1,499	\$648	\$5,700
Multifamily	\$1,747	\$1,037	\$2,053	\$258	\$3,651	\$1,334	\$395	\$3,800
Commercial – per KSF								
Commercial	\$346	\$205	-	\$100	\$984	\$210	\$661	\$7,149
Office	\$440	\$260	-	\$128	\$1,189	\$210	\$642	\$9,099
Industrial	\$171	\$102	-	\$50	\$1,477	\$180	\$939	\$5,399

¹² City of McFarland Development Impact Fee Update Study:
<https://www.mcfarlandcity.org/DocumentCenter/View/2291/McFarland---Impact-Fee-Update-Report---Final---11-16-20>



VI. TTAC

March 1, 2023

TO: Transportation Technical Advisory Committee

FROM: AHRON HAKIMI,
EXECUTIVE DIRECTOR

By: Raquel Pacheco, Regional Planner

SUBJECT: TTAC AGENDA ITEM: VI.
CMAQ FUNDING REVISION REQUEST

DESCRIPTION:

Kern COG staff has a request for a revision to a Congestion Mitigation Air Quality (CMAQ) Program project. Kern COG staff has reviewed options for the CMAQ funding available.

DISCUSSION:

At the February 1st Transportation Technical Advisory Committee meeting, agencies presented their Project Delivery Letters for this fiscal year. One of the presentations included the status of the City of Taft Congestion Mitigation Air Quality (CMAQ) Program transit project. The City of Taft tried to advance the project through the FTA Section 5311 process last year to allow for a CMAQ Federal Transit Administration (FTA) transfer; however, the grant was lost during the grant approval process. In August 2022, the City of Taft was informed that they would have to wait for this year's FTA Section 5311 process. The City of Taft was waiting for the FTA Section 5311 process to start the delivery of their CMAQ project. On February 8, 2023, Kern COG was informed that there would not be a FTA Section 5311 process this year.

Original programming in the Federal Transportation Improvement Program (FTIP) for the City of Taft CMAQ project is shown below:

KER220503 CMAQ Taft: 550 Supply Rd; purchase six replacement electric vans; install charging infrastructure and solar microgrid	FY 22/23	\$362,973 CMAQ	\$47,027 State	\$410,000 total
	FY 23/24	\$3,586,836 CMAQ	\$464,713 State/Local	\$4,051,549 total

On February 16, 2023, the City of Taft staff met with Kern COG staff to discuss the options for delivery of the CMAQ project. Kern COG staff seeks Transportation Technical Advisory Committee direction on which option to forward to the Transportation Planning Policy Committee.

Option 1: Select Taft to receive \$2,956,140 in CMAQ funding for only the infrastructure component.

- This option would require an amendment to the FTIP for Taft to submit the request for authorization through Caltrans Local Assistance this year for the preliminary engineering phase and next year for the construction phase.
- The emissions reductions submitted for CMAQ were based on the vehicles that will use the infrastructure. City of Taft will not be allowed to re-submit the vehicles for CMAQ funding because that would be double counting the emissions reductions.
- This action leaves a balance of \$133,459 CMAQ unprogrammed for this fiscal year and \$860,210 for next fiscal year.

KER220503 CMAQ Option 1 Taft: 550 Supply Rd; install charging infrastructure and solar microgrid	FY 22/23	\$229,514 CMAQ	\$29,736 State	\$259,250 total
	FY 23/24	\$2,726,626 CMAQ	\$353,264 State/Local	\$3,079,890 total

Option 2: Select Taft to receive \$1,379,254 in CMAQ funding for only the vehicle purchase component.

- This option would require an amendment to the FTIP for Taft to submit the project as part of next year's FTA Section 5311 process.
- If the City of Taft waits until next year for the FTA Section 5311 process, the funding for this fiscal year will be lost. In addition, the Caltrans Department of Mass Transportation will not accept an infrastructure project, the infrastructure component should be processed through Caltrans Local Assistance. Kern COG was informed that the FTA Section 5311 process only applies to transit operating assistance and purchase of revenue vehicles.
- The emissions reductions submitted for CMAQ were based on the vehicles. City of Taft will not be allowed to re-submit the infrastructure for CMAQ funding because that would be double counting the emissions reductions.
- This action leaves a balance of \$362,973 CMAQ unprogrammed for this fiscal year and \$2,207,582 for next fiscal year.

KER220503 CMAQ Option 2 Taft: purchase six replacement electric vans	FY 22/23	\$0 CMAQ	\$0 State	\$0 total
	FY 23/24	\$1,379,254 CMAQ	\$178,698 State/Local	\$1,557,952 total

Option 3: Do nothing. If the Kern COG Board approves this option, Kern COG could wait for projects in FY 23/24 to request advancement to FY 22/23 on a case-by-case basis. Kern COG could potentially lose the funding for this fiscal year since Kern COG staff is not aware of any CMAQ projects that are ready to be advanced.

Kern COG staff recommends Option 1 to:

- Allow the City of Taft to split the infrastructure component from the vehicle component of their CMAQ project.
- Allow the City of Taft to proceed with delivery of the infrastructure component using the emission reductions reported for the project.
- Allow for the concurrent FTIP amendment to continue as is with the removal of the vehicle component.

ACTION: Request Transportation Technical Advisory Committee recommend Option 1 to the Transportation Planning Policy Committee. ROLL CALL VOTE

March 1, 2023

TO: Transportation Technical Advisory Committee

FROM: AHRON HAKIMI,
EXECUTIVE DIRECTOR

By: Raquel Pacheco, Regional Planner

SUBJECT: TTAC AGENDA ITEM: VII
2024 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

DESCRIPTION: Every two years in the odd-numbered year, regional transportation planning agencies are to submit a Regional Transportation Improvement Program (RTIP) to the California Transportation Commission in December of the same odd-numbered year for their later approval early the following year.

DISCUSSION: At their January 25– 26, 2023 meeting, the California Transportation Commission (CTC) initiated the 2024 Regional Transportation Improvement Program (2024 RTIP) process to develop a statewide 2024 State Transportation Improvement Program (2024 STIP) for projects of regional significance. The general order of this process is 1) CTC develops a statewide 5-Year regional share fund estimate; 2) CTC updates 2024 STIP guidelines; 3) regions submit RTIP's; and 4) the CTC consolidates RTIP's and approves the 2024 STIP.

2024 Regional Transportation Improvement Program Schedule		
January 2023	CTC	Adopt 2024 STIP Fund Estimate Schedule <i>Done</i>
March 22-23, 2023	CTC	Present Fund Estimate Assumptions to Commissioners
April 26, 2023	KCOG	Regional Workshop
May 17-18, 2023	CTC	Adopt Fund Estimate Assumptions
June 21, 2023	KCOG	Regional Workshop
June 28-29, 2023	CTC	Present Draft Fund Estimate
August 16-17, 2023	CTC	Adopt Statewide Fund Estimate and Guidelines
August 23, 2023	KCOG	Regional Workshop
September 6, 2023	KCOG	Circulate Adm. Draft 2024 RTIP (TTAC)
September 13, 2023	KCOG	Regional Workshop - Tentative
October 4, 2023	KCOG	Circulate Draft 2024 RTIP (TTAC)
November 16, 2023	KCOG	Regional Adoption of 2024 RTIP CIP (TPPC)
December 15, 2023	KCOG	Submittal deadline of 2024 RTIP to the CTC
February, 2024	CTC	Conduct Southern/Northern California Public Hearing
March, 2024	CTC	CTC will circulate staff recommendation for 2024 STIP
April, 2024	CTC	Approve final 2024 STIP

The process for the region is to 1) establish new programming capacity defined by the state's fund estimate; 2) assess current regional project needs including cost estimate updates; 3) develop a proposed program of projects; and 4) regionally adopt the 2024 RTIP in November 2023, for submission to the CTC by December 15, 2023.

Current 2022 STIP as Adopted - Kern COG projects in the current 2022 STIP include highway capacity projects on State Routes 46, 58 and 99. The new SR 58 Truck Climbing Lane project was added to the 2022 STIP using CRRSAA / COVID funding. The Truck Climbing Lanes project on State Route 58 east of Bakersfield is considered a partnership project with Caltrans, with the intent of receiving SHOPP funding in future cycles for the construction phase. SR 46 widening work was advanced in the 2022 STIP to include construction funding for Segments 4B and 4C. These last 2 segments, once constructed, will complete the delivery of the last Phase 4, 5-mile segment. Phases 1, 2, and 3 are constructed. The Hageman Flyover project was programmed for construction in the 2022 RTIP. But the project has experienced delays. A STIP amendment was subsequently submitted by Kern COG to move funding from the Hageman Flyover to a new freeway to freeway connector project at the SR 58 and 99 freeway interchange. The STIP amendment was approved at the January 25-26, 2023 CTC meeting.

2022 STIP KERN REGION PROJECT STATUS	
SR 46 Widen Seg 4B	This project is currently under construction and scheduled for completion in 2023. This project will not move forward into the 2024 RTIP
SR 46 Widen Seg 4C	Received construction authorizations in 22-23 and scheduled to begin work in 2023. This project received full STIP and TCEP allocations. This project will not move forward into the 2024 RTIP.
SR 58 Centennial Mainline	Under construction at 81% completed & expected to be completed later this year. Final AB 3090 (STIP) payment was allocated in 2022.
SR 99/204 Hageman Flyover	The Hageman project was not likely to advance to construction as programmed in the 2022 STIP. Kern COG subsequently requested a 2022 STIP Amendment. The amendment was approved at the January 25-26, 2023 CTC meeting to remove STIP funds from Hageman and move to new STIP project to construct a new freeway to freeway connector from eastbound SR 58 from new alignment west of SR 99 to northbound 99.
SR 58 Climbing Lanes	In the environmental review phase using CRRSAA/COVID funding.
NEW - SR 58/99 Connector	New project added to the 2022 STIP. This project was approved at the January 25-26, 2023, CTC meeting, as a STIP amendment and will fund the construction phase for the new connector. The City of Bakersfield is the lead for this work.

These projects are part of the 2022 State Transportation Improvement Program, and their funding activity is tracked by the CTC, every two years, through an updated document called Report of STIP Balances County and Interregional Shares, or the Orange Book. Attachment A of this report includes the 2022 Orange Book page for the Kern Region. The CTC will provide an update for the 2024 RTIP cycle sometime in the months ahead.

Update of Kern COG Project Delivery Policies and Procedures – In 2019, the Kern COG Board adopted the latest version of the Kern COG Project Delivery Policies and Procedures document which included updates to Chapters 1, 2 and 3. Chapter 3 focuses on the Regional Transportation Improvement Program process. The update included changes that provided consistency with STIP guidelines and other discretionary transportation programs.

Action: Information.

Enclosures: Attachment A: CTC 2022 Summary of STIP County Shares (Orange Book)
Attachment B: Current Listings of State Highway Maintenance Project Investments
Attachment C: Save the Dates Memo for upcoming 2024 RTIP Workshops

2022 SUMMARY OF STIP COUNTY SHARES

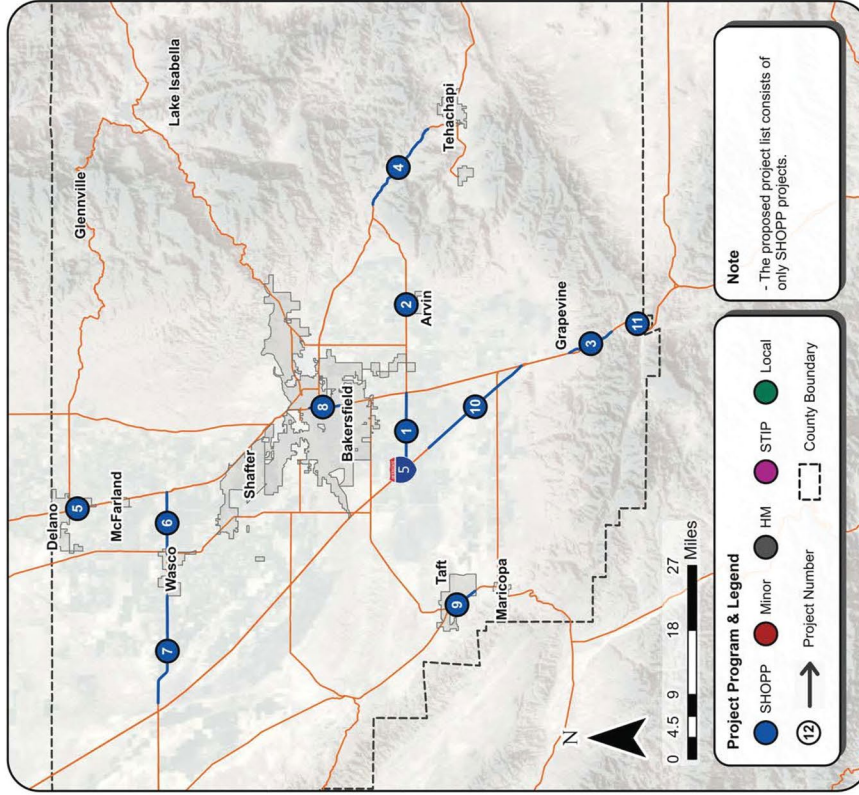
Does Not Include ITIP Interregional Shares (See Separate Listing)

Kern																			
(\$1,000's)																			
Total County Share, June 30, 2021 (from 2021 Report)																			
Adjustment for 2019-20 and 2020-21 lapses																			
Less 2020-21 Allocations and closed projects																			
Less Projects Lapsed, July 1, 2021-June 30, 2022																			
2022 STIP Fund Estimate Formula Distribution																			
Total County Share, June 30, 2022																			
63,002																			
Kern																			
Agency	Rte	PPNO	Project	Ext	Del.	Voted	Total	Prior	22-23	23-24	24-25	25-26	26-27	R/W	Const	E & P	PS&E	R/W sup	con sup
Highway/Projects:																			
Kern COG																			
Bakersfield		6L03	Planning, programming, and monitoring			Dec-21	300	300	0	0	0	0	0	0	0	300	0	0	0
Cash		3705B	AB 3090 Reimbursement (Westside Pkwy-Pn1)(18S-07)			Jun-22	18,963	0	18,963	0	0	0	0	0	0	18,963	0	0	0
Caltrans		14	804.2B Freeman Gulch widening-Segment 2 (RIP 40%)				1,960	1,960	0	0	0	0	0	0	0	0	0	1,960	0
Caltrans		46	3386E Widen 4 Ins. Browns Material Rd-CA Aqueduct, Seg 4C				13,995	5,450	8,545	0	0	0	0	2,750	4,445	0	2,100	600	4,100
Bakersfield		loc	3525 Hageman Rd Ext fr Knudsen Dr across Rt 99 to Rt 204				25,593		0	0	0	25,593	0	0	25,593	0	0	0	0
Kern COG		6L03	Planning, programming, and monitoring				2,191	0	300	300	591	500	500	0	2,191	0	0	0	0
			Subtotal, Highway Projects				63,002	7,710	27,808	300	591	26,093	500	2,750	51,492	0	4,060	600	4,100
Total Programmed or Voted since July 1, 2021																			
							63,002												
COVID Projects																			
Bakersfield		3525	Hageman Rd Ext fr Knudsen Dr across Rt 99 to Rt 204 (20S-26)			Oct-21	2,686	0	2,686	0	0	0	0	2,686	0	0	0	0	0
Caltrans		58	2664 Truck Climbing Lane, e/b, Pm1 76.3-79.8(20S-26)				2,272	2,272	0	0	0	0	0	0	0	2,272	0	0	0
Total Programmed or Voted since July 1, 2021																			
							4,958	2,272	2,686	0	0	0	0	2,686	0	2,272	0	0	0



KERN COUNCIL OF GOVERNMENTS & CALTRANS REGIONAL COORDINATION FOR PROJECTS REGIONAL SIGNIFICANCE
PROPOSED PROJECT LIST (YEARS 6-7)

No.	Project	Dist	RTE	Post Miles	Project Title / Description	Phase	Construction Cost (\$K)	Year
1	1C060	6	223	1.85 / 10.5	Kern 223 Rehab / Remove and Replace HMA (Full Depth Recycle)	Proposed	\$9,877	2024/25
2	0Y150	6	223	R20.1 / 21.3	Arvin CAPM / Pavement Preservation (Multi-Asset CAPM)	ENV	\$5,029	2024/25
3	0W920	6	5	4.4 / 10.20	Grapevine Rehab / Pavement Rehabilitation (2R)	ENV	\$95,658	2024/25
4	37920	9	58	77.252 / 88.34	Keene Pavement / Pavement Repair CAPM/Rehab	ENV	\$165,515	2024/25
5	1A810	6	99	54.6 / 54.61	Delano Facility, Reconstruct Building	ENV	\$3,486	2025/26
6	1A760	6	46	50.80 / 57.78	East Wasco CAPM / Rehabilitate Pavement	ENV	\$20,211	2025/26
7	1A680	6	46	33.50 / 46.00	Semitropic CAPM / Overlay RHMA, Upgrade Guardrail and Dikes	ENV	\$20,994	2025/26
8	0X370	6	99	21.15 / 24.60	Bakersfield 99 Rehab II (South) / Roadway Rehabilitation (3R)	ENV	\$68,290	2025/26
9	0W830	6	33	14.40 / 17.90	South Taft Rehab / Roadway Rehabilitation (3R)	ENV	\$26,704	2025/26
10	0W930	6	5	15.9R / 30.0	KER 15 CAPM / Remove .35' HMA and Place .25' HMA and 0.10' RHMA.	ENV	\$35,406	2025/26
11	0X570	6	5	.73 / 1.08	Tejon SRRA Water & Wastewater Upgrades / Upgrade Water and Wastewater Systems	ENV	\$10,170	2025/26



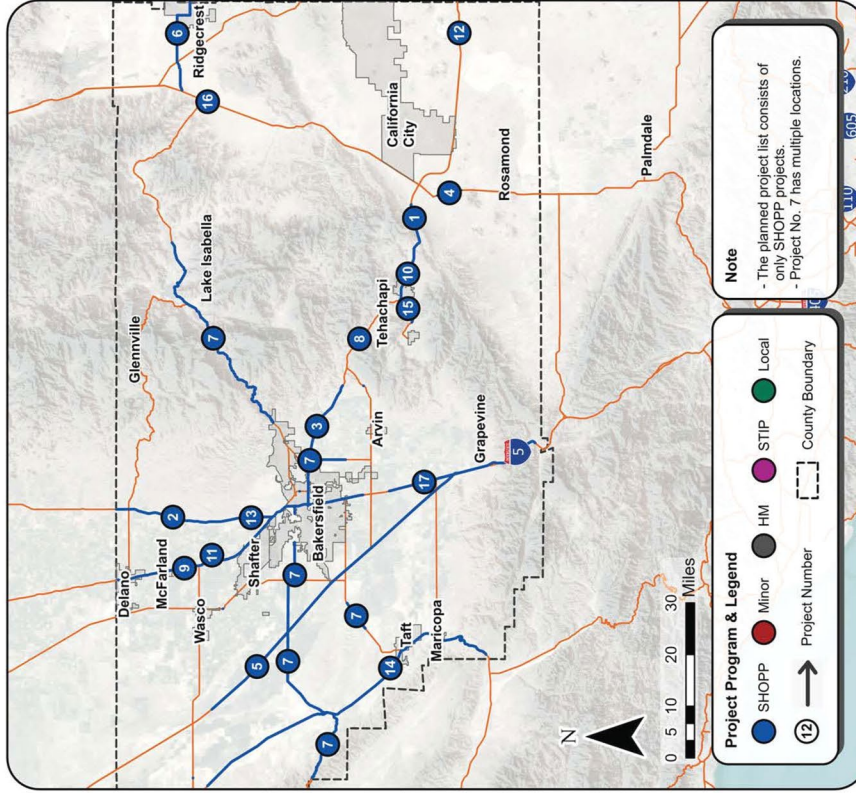
Attachment B: Current Listings of State Highway Maintenance Project Investments



KERN COUNCIL OF GOVERNMENTS & CALTRANS REGIONAL COORDINATION FOR PROJECTS REGIONAL SIGNIFICANCE PLANNED PROJECT LIST (YEARS 8-10)



No.	Project	Dist	RT#	Post Miles	Project Title / Description	Phase	Construction Cost (\$K)	Year
PLANNED PROJECT LIST (YEARS 8-10)								
1	38310	9	58	R99.8 / R107.7	Cache Creek Pavement / Restore Pavement and Drainage	Future	\$39,623	2026/27
2	19565	6	65	6.90 / 25.16	CAPM	Future	\$16,351	2026/27
3	0X450	6	58	R64.9 / R64.91	Arvin KER-58 Wm Upgrade / Improve Weigh Facility	Future	\$3,051	2026/27
4	37520	9	14	R12.6 / 16.7	Mojave Pavement / Rehab/CAPM Pavement and Upgrade ADA	Future	\$47,558	2026/27
5	19586	6	5	52.80 / 62.6	Rehab	Future	\$76,423	2027/28
6	38330	9	178	88.6 / 104.6	Ridgecrest/Inyokern Pavement / Restore Pavement, Fix Drainage and ADA	Future	\$72,355	2027/28
7	22144	6	58	3.03 / 72.67	In Kern County at various locations, Drainage improvements	Future	\$14,196	2027/28
8	22129	9	58	81 / 81.1	In Kern county at CVEF on Route 58 eastbound	Future	\$1,260	2028/29
9	1A660	6	99	R43.9R / 49.4	CAPM	Future	\$9,522	2028/29
10	37510	9	58	R90.5 / R100.0	In Kern county at Tehachapi from Exit 148 to 0.04 miles south of Cache Creek Overflow #2 bridge.	Future	\$41,208	2028/29
11	22167	6	99	R43.6R / R43.61R	50 001TR Spot prep and paint steel members	Future	\$2,115	2028/29
12	21986	9	58	R138.75 / R139.0	In Kern County at Boron SRRA, Rehab wastewater treatment.	Future	\$2,994	2028/29
13	19581	6	65	R0.0 / 6.9	CAPM	Future	\$13,058	2028/29
14	19564	6	33	17.9 / 24.0	CAPM	Future	\$7,991	2028/29
15	20430	9	202	R5.0 / 12.093	In Kern County in and near Tehachapi from the beginning of the route to route 58.	Future	\$9,387	2028/29
16	21985	9	14	56.3 / 56.4	In Kern County at Freeman Gulch Bridge (No. 50-0014)	Future	\$2,463	2028/29
17	19556	6	99	0.00 / 10.50	CAPM SB only	Future	\$13,724	2028/29

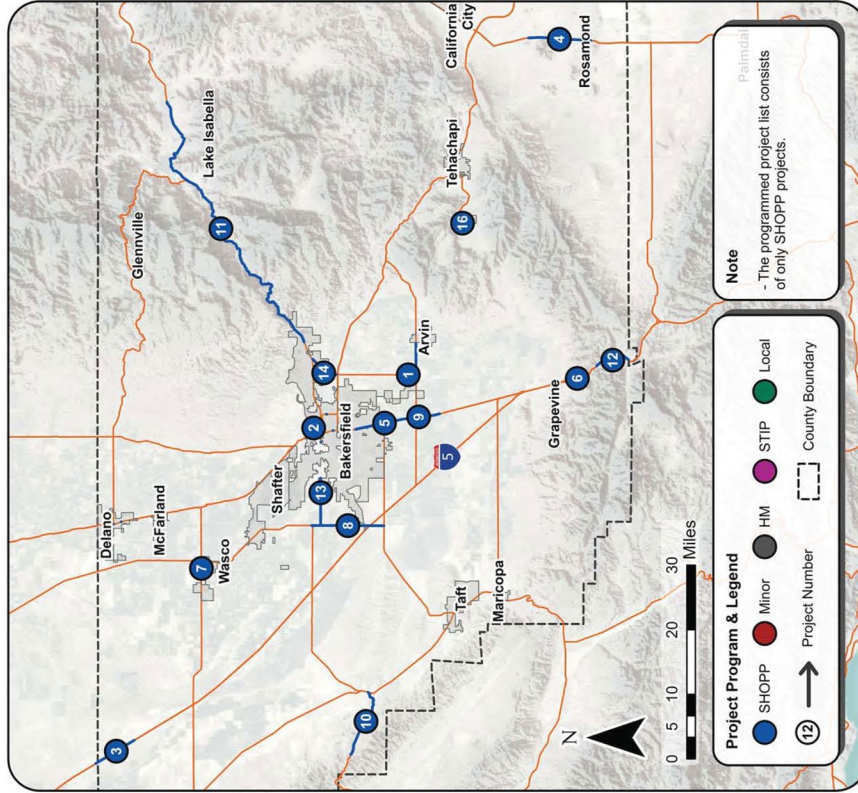


Attachment B: Current Listings of State Highway Maintenance Project Investments



KERN COUNCIL OF GOVERNMENTS & CALTRANS REGIONAL COORDINATION FOR PROJECTS REGIONAL SIGNIFICANCE PROGRAMMED PROJECT LIST (YEARS 1-5) - PART I

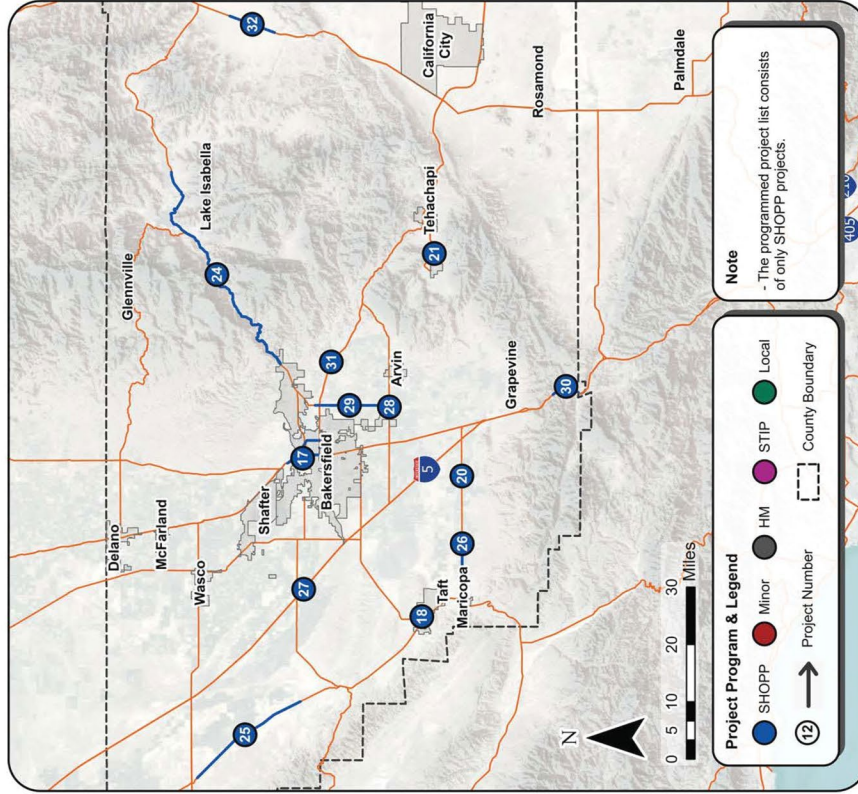
No.	Project	Dist	RTE	Post Miles	Project Title / Description	Phase	Construction Cost (\$K)	Year
1	0V280	6	184	L0.9 / L1.1	Kern 184/Sunset Roundabout / Intersection Improvements	CON	\$9,050	2019/20
2	0U490	6	204	5.1 / 6.7	Golden Empire CAPM / Pavement Preservation (CAPM)	Closeout	\$5,105	2019/20
3	0U470	6	5	82 / 87	Lost Hills Rehab / Pavement Rehabilitation (2R)	CON	\$29,330	2019/20
4	36740	9	14	R4.7 / R12.6	Rosamond-Mojave Rehab / 2R	CON	\$73,615	2019/20
5	0U240	6	99	VAR / VAR	Various locations in Kern and Kings Counties	CON	\$10,802	2019/20
6	0W160	6	5	5.97 / 9.78	Grapevine Culvert Repair / Upgrade Drainage Systems	CON	\$14,214	2019/20
7	0U480	6	46	49 / 50.9	Wasco Route 46 CAPM / Pavement Preservation (CAPM)	Closeout	\$7,610	2019/20
8	0U100	6	43	0 / 9.3	Enos Lane CAPM & ADA Curb Ramps / Pavement Preservation (CAPM)	CON	\$14,339	2019/20
9	0Q920	6	99	10.4 / 21.2	Union Ave to White Lane 2R Rehab / Pavement Rehabilitation and Improve Vertical Clearance	CON	\$66,740	2019/20
10	0X350	6	58	6.00 / 15.43	Reward CAPM / Pavement Preservation (CAPM)	DES / ROW	\$15,970	2020/21
11	0X520	6	178	VAR / VAR	Weedpatch to Lake Isabella Rumble Strips / Construct Centerline and Shoulder Rumble Strips	CON	\$6,513	2020/21
12	1A600	6	5	R0.0 / 5.0	Kern 5 Emergency Pavement Repairs / Repair Damaged Pavement	CON	\$1,638	2020/21
13	0U110	6	58	39.9 / 46	West Rosedale CAPM / Pavement Preservation (CAPM)	ENV	\$12,400	2020/21
14	0U430	6	184	8.3 / 12.13	Morning Drive 3R Rehab / Roadway Rehabilitation (3R)	DES / ROW	\$12,140	2020/21
15	0X770	6	43	25.2 / 25.4	Wasco SR43/46 Intersection Improvements / Intersection Improvements	ENV	\$10,100	2021/22
16	36750	9	202	0.25 / 0.25	Tehachapi Maintenance Station Relocation / Construct New Maintenance Station	DES / ROW	\$16,783	2021/22



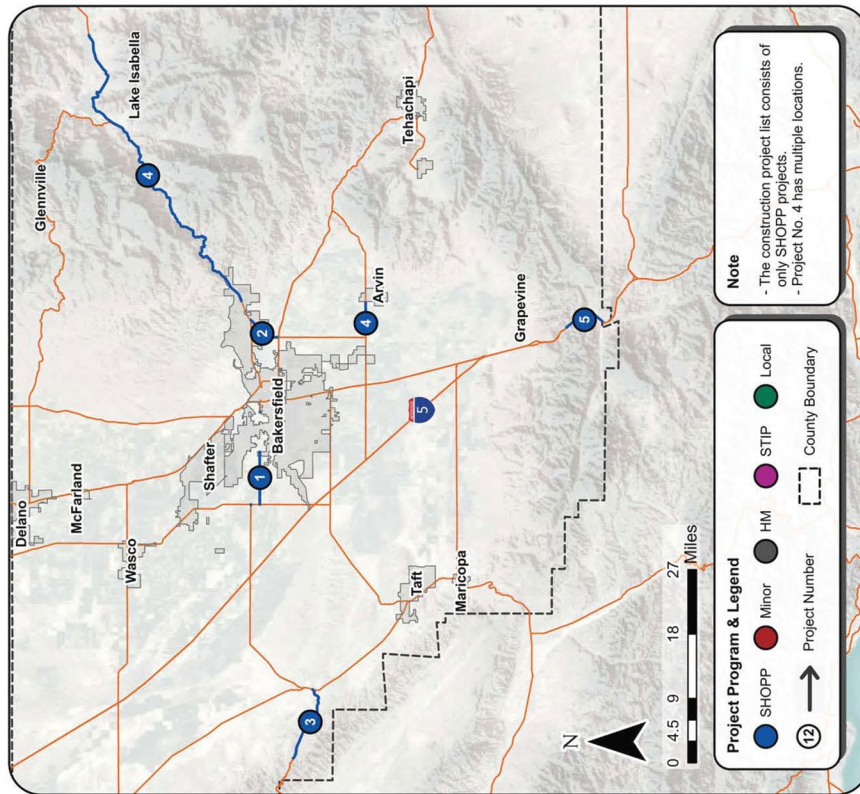


KERN COUNCIL OF GOVERNMENTS & CALTRANS REGIONAL COORDINATION FOR PROJECTS REGIONAL SIGNIFICANCE
PROGRAMMED PROJECT LIST (YEARS 1-5) - PART II

No.	Project	Dist	RTE	Post Miles	Project Title / Description	Phase	Construction	
							Cost (\$K)	Year
17	00281	6	99	23.6 / R28.4	Bakersfield 99 Rehab Replacement Planting / Replacement Channelization	ENV	\$10,340	2021/22
18	0X760	6	119	0.14 / 0.54	Taft Left Turn Channelization / Left-Turn Channelization	ENV	\$5,221	2021/22
19	0T000	6	58	R53.2 / R55.6	KER 58 ADA / Upgrade Curb Ramps	DES / ROW	\$4,620	2021/22
20	0S050	6	166	17.3 / 17.7	Calif Aqueduct Bridge Rehab / Bridge Rehabilitation/Seismic Retrofit	ENV	\$44,045	2021/22
21	36720	9	202	R4.89 / R4.89	Gunnings Valley Rd Int / Construct Left Turn Lane	DES / ROW	\$5,044	2021/22
22	0W150	6	204	0.00 / 6.752	SR 204 within City of Bakersfield and TUL SR 65 in Exeter at various locations	DES	\$10,728	2021/22
23	0W990	6	204	2.805 / 2.805	Union Avenue High Intensity Activated Crosswalk / Install Hybrid Pedestrian Beacon (Hawk)	DES / ROW	\$4,275	2021/22
24	0X080	6	178	8.0 / 50.0	Kern Canyon Culvert Rehab / Repair and Replace Culverts	DES / ROW	\$13,000	2021/22
25	0Y130	6	33	40.40 / 59.00	Blackwell's Corner CAPM / Pavement Preservation (Multi-Asset CAPM)	ENV	\$22,570	2022/23
26	0X380	6	166	0.00 / 9.00	Maricopa Highway CAPM / Pavement Preservation (Multi-Asset CAPM)	ENV	\$14,540	2022/23
27	1A690	6	5	47.55 / 52.15	Buttonwillow Median Barrier / Construct Median Barrier	ENV	\$5,720	2022/23
28	0R190	6	223	15.7 / 16.3	Arvin SR 223/184 Roundabout / Intersection Improvement	DES / ROW	\$3,700	2022/23
29	0U290	6	184	0.8 / 8.3	Weedpatch Hwy 3R Rehab / Roadway Rehabilitation (3R)	DES / ROW	\$33,055	2022/23
30	0X330	6	5	0.0 / 4.40	Fort Tejon 2R Rehab / Pavement Rehabilitation (2R)	ENV	\$31,350	2022/23
31	0X160	6	58	64.40 / 67.30	Edison 2R Rehab / Pavement Rehabilitation (2R)	ENV	\$14,270	2022/23
32	37890	9	14	46.2 / 52.8	Freeman 3 CAPM / Pavement Repair (CAPM)	ENV	\$8,707	2022/23



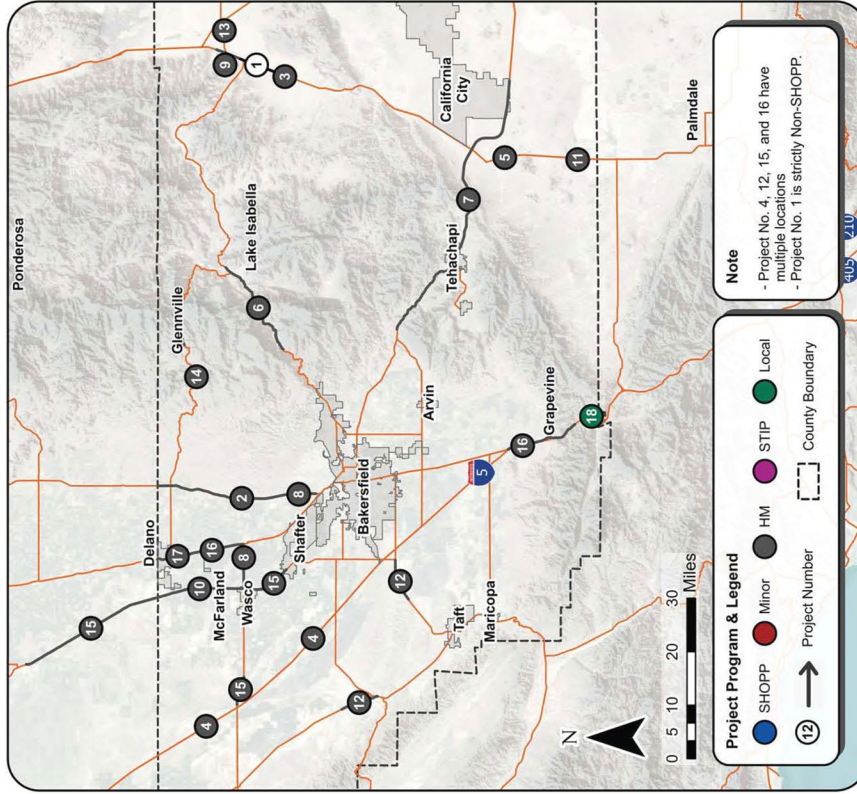
No.	Project	Dist	RTE	Post Miles	Project Title / Description	Phase	Construction Cost (\$K)	Year
CONSTRUCTION READY PROJECT LIST (READY TO LIST ACHIEVED)								
1	00U110	6	58	39.9 / 46	West Rosedale CAPM / Pavement Preservation	CON	\$12,400	2020/21
2	00U430	6	184	8.3 / 12.13	Morning Drive 3R Rehab / Roadway Rehabilitation (3R)	DES	\$12,140	2020/21
3	00X350	6	58	6.00 / 15.40	Reward CAPM / Pavement Preservation (CAPM)	DES	\$15,970	2020/21
4	00X520	6	178	VAR / VAR	Weedpatch to Lake Isabella Rumble Strips / Construct Centerline and Shoulder Rumble Strips	CON	\$6,513	2020/21
5	1A600	6	5	R0.0 / 5.0	Kern 5 Emergency Pavement Repairs / Repair Damaged Pavement	CON	\$1,638	2020/21





**KERN COUNCIL OF GOVERNMENTS & CALTRANS REGIONAL COORDINATION FOR PROJECTS REGIONAL SIGNIFICANCE
NON-SHOPP PROGRAM PROJECT LIST - PART I**

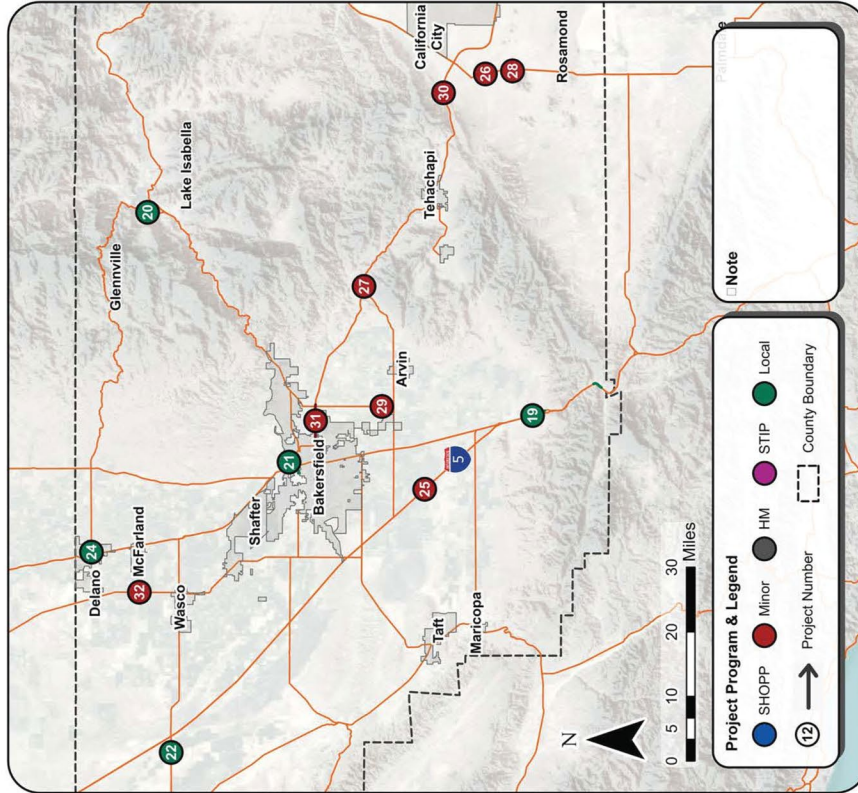
No.	Project	Dist	RTE	Post Miles	Project Title / Description	Phase	Construction	
							Cost (\$K)	Year
NON-SHOPP PROJECT LIST								
①	45712	6	14	53/58.3	Freeman Gulch Widening-Segment 2/ Convert Existing 2-Lane to 4-Lane Expressway	DES / ROW	\$85,530	2022/23
②	1B080	6	65	1.0 / 25.169	Striping / 6 inch Stripe	CON	\$2,570	2020/21
③	38570	9	14	52.8 / 58.3	Pavement Preservation / AR Chip Seal - SB1	CON	\$916	2020/21
④	1A930	6	5	77.0 / 82.6	Rigid Roadbeds / PCC Slab Replacement	CON	\$1,075	2020/21
⑤	38590	9	14	R12.3 / R15.3	Pavement Preservation / Digouts	CON	\$1,761	2020/21
⑥	0Y110	6	178	24.6 / R44.191	Pavement Preservation / PME Medium Chip Seal	CON	\$2,525	2020/21
⑦	38580	9	58	77.252 / R125.3	Pavement Preservation / Digouts	CON	\$1,100	2020/21
⑧	1A950	6	46	51.2 / 57.785	Pavement Preservation / Remove and Replace RHMA Type G	CON	\$4,300	2020/21
⑨	38800	9	14	58.3 / 62.2	Slopes/Vegetation / Slope Repair	CON	\$40	2020/21
⑩	1A890	6	43	25.2 / 38.807	Pavement Preservation / RHMA Type G with Digouts	CON	\$5,425	2020/21
⑪	38660	9	14	R3.0 / R3.0	Landscaping / Irrigation Repair	CON	\$32	2020/21
⑫	1B000	6	33	34.2 / 40.0	Pavement Preservation / PME Medium Chip Seal	CON	\$2,425	2020/21
⑬	38130	9	178	91.88 / 91.88	Maintenance Facilities / Pave portion of yard	CON	\$215	2020/21
⑭	1B020	6	155	35.5 / 37.5	Pavement Preservation / 0.15 HMA Type a w/ Digouts	CON	\$2,650	2020/21
⑮	1A990	6	43	17.3 / R24.0	Pavement Preservation / PME Med Chip Seal	CON	\$3,400	2020/21
⑯	1A900	6	5	4.4 / R15.8R	Rigid Roadbeds / PCC Slab Replacement	CON	\$2,950	2020/21
⑰	1C002	6	99	54.5 / 54.5	Maintenance Facilities / Slurry Seal Delano MF	CON	\$224	2020/21
⑱	0Y550	6	5	0.8/2	Lebec Mountain Village Roundabout / Construct Roundabout at Ramp Intersections	ENV	\$402	2023/24





**KERN COUNCIL OF GOVERNMENTS & CALTRANS REGIONAL COORDINATION FOR PROJECTS REGIONAL SIGNIFICANCE
NON-SHOPP PROGRAM PROJECT LIST - PART II**

No.	Project	Dist	RTE	Post Miles	Project Title / Description	Phase	Construction Cost (\$K)	Year
NON-SHOPP PROJECT LIST								
19	0R100	6	5	9.5/12	Grapevine Interchange / Relocate Interchange	ENV	\$1,200	2025/26
20	0V770	6	155	68.2/R68.6	Usace Lake Isabella Oversight Projects / Realign Roadway	CON	\$419	Future
21	48450	6	204	5.9/6.8	Hageman Flyover / Extension and Connection to RTE 204	DES / ROW	\$5,658	2021/22
22	1A220	6	46	30.5/30.5	Lost Hills Pedestrian OC / Construct Pedestrian Overcrossing	DES	\$1,300	2020/21
23	48451	6	99	27.3/27.3	Hageman Flyover - Pedestrian Overcrossing / Pedestrian Overcrossing	DES	\$0	2021/22
24	1A500	6	155	0.47/0.47	SR-155/Lexington Intersection Improvement / Intersection Improvement	ENV	\$498	2021/22
25	0T030	6	5	28.17 / 28.17	Mobility - TMS / In Kern, Kings and Fresno Counties, on Route 5 at various locations. Install Vehicle Detection Systems (VDS).	CON	\$3,762	2020/21
26	37710	9	14	R15.5 / R15.5	Mojave Special Crews Building Remodel / Remodel Maintenance Station	CON	\$2,273	2020/21
27	1A330	6	58	76.1 / 76.6	KER 58 Eastern Kern Lane Replacement / Remove and Replace #2 Lane	ENV	\$1,900	2021/22
28	37730	9	14	L16.6 / L16.6	Mojave HMS Phase III / Construct Phase Three of Maintenance Station	CON	\$2,273	2020/21
29	0V290	6	184	1.5 / 1.5	Safety Improvements / In Kern County, in Lamont at Hall Road. Modify traffic signal.	DES	\$327	2021/22
30	38180	9	58	R107.0 / R107.0	Ca 58 CMS Maintenance Pull Out / Construct Pull Out	CON	\$382	2020/21
31	0Y940	6	58	R55.47 / R59.67	Pavement / In Kern County, in Bakersfield on Route 58 at various ramps/locations. Remove and replace pavement.	DES	\$400	2021/22
32	0N590	6	43	30.4 / 30.4	Safety - Collision Reduction / In Kern County, at Sherwood Avenue. Extend culvert.	DES	\$250	2021/22

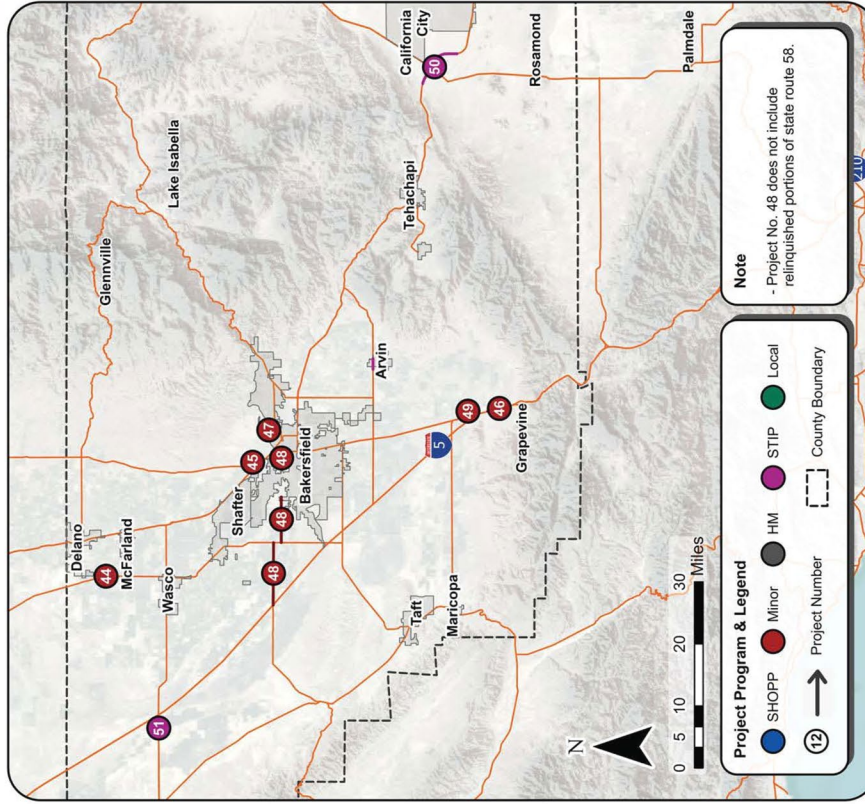




KERN COUNCIL OF GOVERNMENTS & CALTRANS REGIONAL COORDINATION FOR PROJECTS REGIONAL SIGNIFICANCE
NON-SHOPP PROGRAM PROJECT LIST - PART IV



No.	Project	Dist	RTE	Post Miles	Project Title / Description	Phase	Cost (\$K)	Construction Year
NON-SHOPP PROJECT LIST								
44	0Y340	6	43	33.2 / 33.5	Safety Improvements / In Kern County, at Pond Road. Install flashing beacon.	DES	\$173	2020/21
45	1A550	6	99	26.7 / 26.7	Bridge - Health / In Kern County, on Route 99 at the Calloway Canal Bridge and on Route 119 at the Weed Creek and Broad Creek Bridges. Repair bridges.	DES	\$555	2021/22
46	1C030	6	5	11.7 / 12.39	Mobility - WIM Scales & CVEFs / In Kern County from the Grapevine Commercial Vehicle Enforcement Facility to 2.6 miles south of the Route 99 junction. Replace weigh station message sign.	DES	\$500	2021/22
47	0Y780	6	99	26.502 / 26.502	Facilities / In Bakersfield, at the old California Highway Patrol (CHP) facility at 4040 Buck Owens Boulevard. Acquire facility to maintain Transportation Management Center (TMC) functions.	DES	\$106	2021/22
48	1B150	6	58	31.6 / 51.8	Kern Freeway Signs / Upgrade and Install Freeway Signs	CON	\$460	2020/21
49	1C330	6	5	13.54 / 13.8	Pavement / In Kern County at the NB off ramp to Wheeler Ridge. Remove and Replace HMA	DES	\$325	2021/22
50	44255	6	46	29.7/31.9	Route 46 Conv/Exwy Segment 4B / 2-Lane Conventional Highway to 4-Lane Expressway Segment 4B	CON	\$40,503	2020/21
51	24340	6	58	173.3/189.9	Mojave Bypass Closeout / Bypass	Closeout	\$87,010	Future

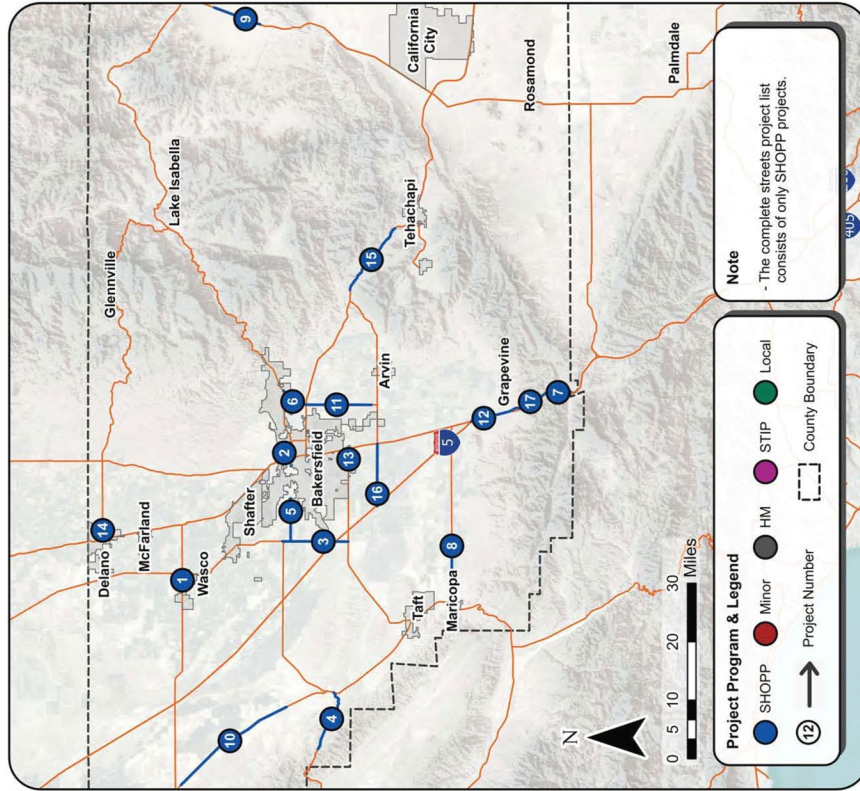




**KERN COUNCIL OF GOVERNMENTS & CALTRANS REGIONAL COORDINATION FOR PROJECTS REGIONAL SIGNIFICANCE
COMPLETE STREETS PROJECT LIST - PART I**



No.	Project	Dist	RTE	Post Miles	Project Title / Description	Phase	Construction Cost (\$K)	Year
COMPLETE STREETS PROJECT LIST								
1	00U480	6	46	49 / 50.9	Wasco Route 46 CAPM / Pavement Preservation (CAPM)	Closeout	\$7,610	2019/20
2	00U490	6	204	5.1 / 6.7	Golden Empire CAPM / Pavement Preservation (CAPM)	Closeout	\$5,105	2019/20
3	00U100	6	43	0 / 9.3	Enos Lane CAPM & ADA Curb Ramps / Pavement Preservation (CAPM)	CON	\$14,339	2019/20
4	00X350	6	58	6.00 / 15.40	Reward CAPM / Pavement Preservation (CAPM)	DES / ROW	\$15,970	2020/21
5	00U110	6	58	39.9 / 46	West Rosedale CAPM / Pavement Preservation (CAPM)	Closeout	\$12,400	2020/21
6	00U430	6	184	8.3 / 12.13	Morning Drive 3R Rehab / Roadway Rehabilitation (3R)	DES / ROW	\$12,140	2020/21
7	00X330	6	5	0.0 / 4.40	Fort Tejon 2R Rehab / Pavement Rehabilitation (2R)	ENV	\$31,350	2022/23
8	00X380	6	166	0.00 / 9.00	Maricopa Highway CAPM / Pavement Preservation (Multi-Asset CAPM)	ENV	\$14,540	2022/23
9	37890	9	14	46.2 / 52.8	Freeman 3 CAPM / Pavement Repair (CAPM)	ENV	\$8,707	2022/23
10	00Y130	6	33	40.40 / 59.00	Blackwell's Corner CAPM / Pavement Preservation (Multi-Asset CAPM)	ENV	\$22,570	2022/23
11	00U290	6	184	0.8 / 8.3	Weedpatch Hwy 3R Rehab / Roadway Rehabilitation (3R)	DES / ROW	\$33,055	2022/23
12	00U500	6	5	10.20 / 15.90	Wheeler Ridge CAPM / Pavement Preservation (Multi-Asset CAPM)	ENV	\$22,350	2023/24
13	00V610	6	119	28.3 / 31.28	Pumpkin Center 3R Rehab / Roadway Rehabilitation (3R)	DES / ROW	\$57,300	2023/24
14	00W810	6	155	0.00 / 1.50	Delano SR-155 Rehab (3R) / Roadway Rehabilitation (3R)	ENV	\$16,740	2023/24
15	37920	9	58	77.252 / 88.34	Keene Pavement / Pavement Repair CAPM/Rehab	ENV	\$165,515	2024/25
16	10060	6	223	1.85 / 10.5	Kern 223 Rehab / Remove and Replace HMA (Full Depth Recycle)	ENV	\$9,877	2024/25
17	00W920	6	5	4.4 / 10.20	Grapevine Rehab / Pavement Rehabilitation (2R)	ENV	\$95,658	2024/25

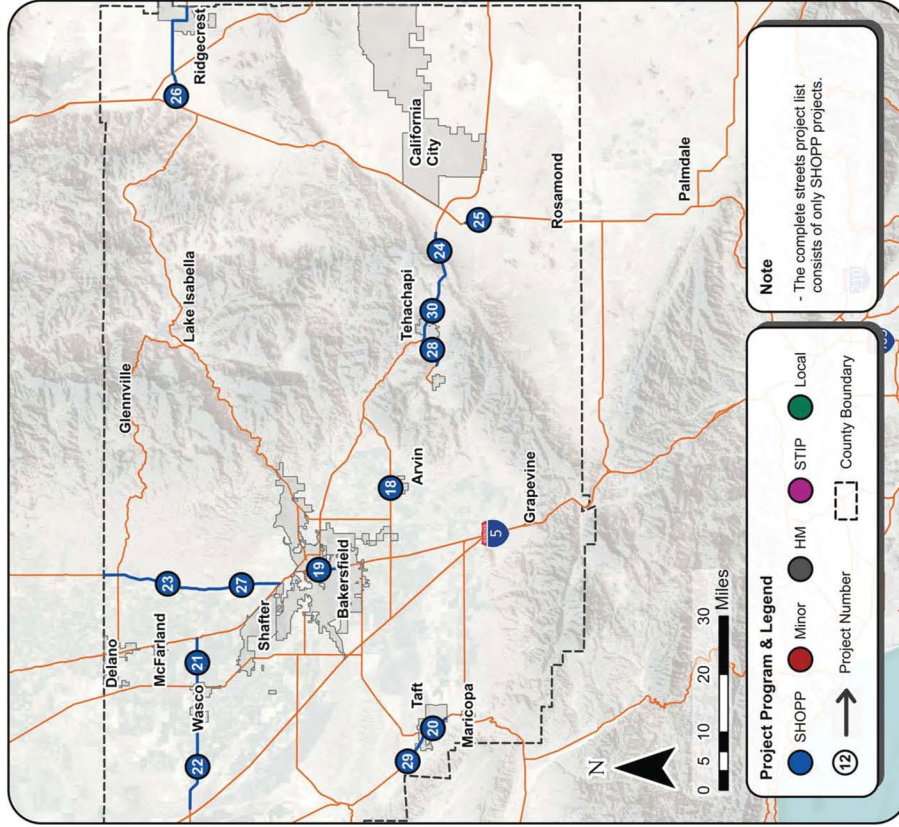




**KERN COUNCIL OF GOVERNMENTS & CALTRANS REGIONAL COORDINATION FOR PROJECTS REGIONAL SIGNIFICANCE
COMPLETE STREETS PROJECT LIST - PART II**



No.	Project	Dist	RTE	Post Miles	Project Title / Description	Phase	Construction Cost (\$K)	Year
COMPLETE STREETS PROJECT LIST								
18	0Y150	6	223	R20.1 / 21.3	Arvin CAPM / Pavement Preservation (Multi-Asset CAPM)	ENV	\$5,029	2024/25
19	0X370	6	99	21.15 / 24.60	Bakersfield 99 Rehab II (South) / Roadway Rehabilitation (3R)	ENV	\$68,290	2025/26
20	0W830	6	33	14.40 / 17.90	South Taft Rehab / Roadway Rehabilitation (3R)	ENV	\$26,704	2025/26
21	1A760	6	46	50.80 / 57.78	East Wasco CAPM / Rehabilitate Pavement	ENV	\$20,211	2025/26
22	1A680	6	46	33.50 / 46.00	Semitropic CAPM / Overlay RHMA, Upgrade Guardrail and Dikes	ENV	\$20,994	2025/26
23	19565	6	65	6.90 / 25.16	CAPM	Future	\$16,351	2026/27
24	38310	9	58	R99.8 / R107.7	Cache Creek Pavement / Restore Pavement and Drainage	ENV	\$39,623	2026/27
25	37520	9	14	R12.6 / 16.7	Mojave Pavement / Rehab/CAPM Pavement and Upgrade ADA	ENV	\$47,558	2026/27
26	38330	9	178	88.6 / 104.6	Ridgecrest/Inyo Kern Pavement / Restore Pavement, Fix Drainage and ADA	ENV	\$72,355	2027/28
27	19581	6	65	R0.0 / 6.9	CAPM	Future	\$13,058	2028/29
28	20430	9	202	R5.0 / 12.093	In Kern County in and near Tehachapi from the beginning of the route to route 58	Future	\$9,387	2028/29
29	19564	6	33	17.9 / 24.0	CAPM	Future	\$7,991	2028/29
30	37510	9	58	R90.5 / R100.0	In Kern county at Tehachapi from Exit 148 to 0.04 miles south of Cache Creek Overflow #2 bridge.	Future	\$41,208	2028/29



Attachment C: Save the Dates Memo for upcoming 2024 RTIP Workshops



March 1, 2023

TO: Regional Project Delivery Partners

FROM: AHRON HAKIMI,
EXECUTIVE DIRECTOR

Raquel Pacheco,
Regional Planner

SUBJECT: **SAVE THE DATE - 2024 RTIP KCOG WORKSHOPS**

Please make a note of the dates and time listed below for the Kern COG 2024 RTIP Workshops. Reminder e-mail messages, workshop flyers, and agenda packages will be sent out as each date approaches. Dates will be included in updated TTAC and Board agenda reports.

- Wednesday **April 26, 2023** – 10:00 AM to 11:00 AM – teleconference
- Wednesday **June 21, 2023** – 10:00 AM to 11:00 AM – teleconference
- Wednesday **August 23, 2023** – 10:00 AM to 11:00 AM – teleconference
- Wednesday **September 13, 2023** – 10:00 AM to 11:00 AM – teleconference (tentative)

Topics for presentations and discussions may include but are not limited to the following items:

April Workshop

- STIP 101, latest guidelines and KCOG policy
- Current funding needs of projects in the STIP and those that were delayed
- Status of partnership projects in Eastern Kern MOU with Inyo, Mono & Caltrans
- Discussion on need for future call for projects

June Workshop

- Update on funding needs of projects in the STIP and those that were delayed
- Advancing newer projects of interest and partnership
- Options for administrative draft 2024 RTIP Capital Improvement Program

August Workshop

- Review and discuss proposed administrative draft 2024 RTIP Capital Improvement Program

September Workshop (tentative)

- Review and discuss proposed administrative draft 2024 RTIP Capital Improvement Program

Kern Council of Governments

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VIII. TTAC

March 1, 2023

TO: Transportation Technical Advisory Committee

FROM: AHRON HAKIMI,
EXECUTIVE DIRECTOR

By: Raquel Pacheco, Regional Planner

SUBJECT: TTAC AGENDA ITEM: VIII.
FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM (FTIP)
AMENDMENT – TIMELINE

DESCRIPTION:

Upcoming amendment schedule for next 2023 FTIP Amendment.

DISCUSSION:

Amendments to the Federal Transportation Improvement Program (FTIP) are a normal part of the management and use of the FTIP. The upcoming amendment will include revisions to the State Highway/Regional Choice Program, Congestion Mitigation Air Quality Program, Transit Program, and Non-Motorized Program. The next amendment schedule is provided below for your reference.

2023 FTIP AMENDMENT	
Public review period begins	Friday, March 3, 2023
TPPC meeting – public hearing	Thursday, March 16, 2023
Public review period ends	Friday, March 17, 2023
Regional approval	Monday, March 20, 2023
State approval	April 2023
Federal approval	May 2023

ACTION: Information

March 1, 2023

TO: Transportation Technical Advisory Committee

FROM: AHRON HAKIMI,
EXECUTIVE DIRECTOR

By: Raquel Pacheco,
Regional Planner

SUBJECT: TTAC AGENDA ITEM: IX
REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP) - DRAFT
TIMELINE AND FUND ESTIMATE

DESCRIPTION:

Kern COG staff developed a draft timeline and fund estimate to facilitate programming new Regional Surface Transportation Program (RSTP) projects.

DISCUSSION:

Background

RSTP, established in the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA), remains in the federal transportation legislation for use at the local level. RSTP funding may be used to maintain and improve the existing transportation system, expand the system to reduce congestion, and to establish programs and projects to assist the region in reducing mobile emissions and help meet federal air quality standards. Eligible costs for funds under these programs include preliminary engineering, right-of-way acquisition, capital costs, and construction costs associated with an eligible activity. Kern COG's *Chapter 4 RSTP Policy and Procedure*, as adopted by Kern COG's Board of Directors on November 15, 2012, will be used throughout this programming cycle. The guidance is enclosed.

Timeline

After approval by the Transportation Planning Policy Committee on March 16, 2023, the draft timeline will be used for the upcoming RSTP call for projects cycle. Significant dates and tasks for the upcoming RSTP call for projects are shown in the following schedule:

DRAFT RSTP Call for Projects Timeline

Date	Task
March 2023	Approve Timeline and Fund Estimate
Late March 2023	Advertise Call for Projects
Mid July 2023	Candidate Projects Due
September 2023	Develop Program of Projects
January 2024	Present Draft Program of Projects to TTAC and TPPC
February 2024	Approve Final Program of Projects and introduction into FTIP

Fund Estimate

Part of the development of the 2025 Federal Transportation Improvement Program (FTIP) is project list review. While there are projects in federal fiscal year 22/23 and 23/24, Kern COG staff recommends moving forward with programming projects for federal fiscal year 24/25 and 25/26. In the event that apportionment levels do not meet planning levels, projects could be moved to future years. Please note that the Regional Traffic Count Program is not part of the estimated RSTP funding levels fair share estimate. This project was approved as part of a Memorandum of Understanding between City of Bakersfield, County of Kern, Caltrans, and Kern COG.

ESTIMATED RSTP FUNDING LEVELS

<u>2024-25</u>	<u>2025-26</u>	<u>TOTAL</u>
\$12,236,000	\$12,230,000	\$24,466,000

The proposed fair share programming by agency for the 2023 RSTP Call for Projects cycle is shown in the table below (in thousands):

Table 1: RSTP Fair Share Estimate					
Federal Fiscal Years			24-25	25-26	
Available to Program			\$12,236	\$12,230	
Agency	Population	%			Total
Arvin	19,639	2.16%	\$264	\$264	\$528
Bakersfield	408,865	44.94%	\$5,499	\$5,496	\$10,995
California City	14,952	1.64%	\$201	\$201	\$402
Delano	51,258	5.63%	\$689	\$689	\$1,378
Maricopa	1,018	0.11%	\$14	\$14	\$28
McFarland	13,902	1.53%	\$187	\$187	\$374
Ridgecrest	28,061	3.08%	\$377	\$377	\$754
Shafter	20,486	2.25%	\$276	\$275	\$551
Taft	7,011	0.77%	\$95	\$95	\$190
Tehachapi	12,375	1.36%	\$166	\$166	\$332
Wasco	26,689	2.93%	\$359	\$359	\$718
County of Kern	305,557	33.58%	\$4,109	\$4,107	\$8,216
Totals	909,813	100.00%	\$12,236	\$12,230	\$24,466

Note: percentages are rounded to the nearest hundredth

Source: Population figures from California State Department of Finance 5/2/22

Staff Recommendation

Kern COG staff recommends approval of the timeline and fund estimate as shown in Table 1.

Attachment: "Regional Surface Transportation Program Policy and Procedure"

ACTION:

Recommend approval of the RSTP Timeline and Fund Estimate to the Transportation Planning Policy Committee. ROLL CALL VOTE

Chapter 4

Regional Surface Transportation Program (RSTP)

Background	4-1
Development Timeline.....	4-2
<i>Figure 4-A: RSTP Milestones for Project Submittal & Approval.....</i>	<i>4-2</i>
Programming Guidance	4-3
Screening Criteria.....	4-3
Project Eligibility.....	4-4

Background

The Regional Surface Transportation Program (RSTP) was established by the Intermodal Surface Transportation Act of 1991 (1991 ISTEA, Public Law 102-240) and was continued by the Transportation Equity Act for the 21st Century (TEA-21, Public Law 105-178) and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) under 23 U.S.C. 149. SAFETEA-LU was scheduled to expire on September 30, 2009, but was extended through September 30, 2012. On July 6, 2012, “Moving Ahead for Progress in the 21st Century Act (MAP-21)” was signed into law and continues RSTP and all previous eligible activities including road rehabilitation. MAP-21 provides funding over a two-year period starting October 1, 2012 (FY12-13) and ending September 30, 2014 (FY 13-14).

The RSTP program can be used to maintain and improve the existing transportation system, expand the system to reduce congestion, and to establish programs and projects that will assist the region in reducing mobile emissions and help meet federal air quality standards. RSTP funds are reimbursable federal aid funds, subject to all the requirements of Title 23, United States code. Eligible costs for funds under these programs include preliminary engineering, right-of-way acquisition, capital costs, and construction costs associated with an eligible activity.

Developing policies, procedures and criteria to program RSTP projects provides a consistent framework to develop projects for inclusion in the Federal Transportation Improvement Program. The federal-aid process involved in implementing transportation projects requires

substantial effort from the project lead agency in submitting required information for federal-aid reimbursement as projects are executed.

- The policies, procedures and criteria should be used to develop a regionally balanced program of projects while building consensus among member agencies throughout the process.
- Building consensus at the Transportation Technical Advisory Committee (TTAC) level is necessary before presenting a final list of proposed projects to the Transportation Planning Policy Committee (TPPC) and Kern Council of Governments (KCOG) Board for their approval.
- Approval by the TPPC is the final determination that consensus is achieved for the program of projects.

Development Timeline

After funding allocations for RSTP are determined by Caltrans, KCOG shall initiate a “Call for Projects” to develop new projects for inclusion into the Federal Transportation Improvement Program (FTIP), either by amendment into a current FTIP or included as part of the development of a new FTIP. TTAC meets monthly to review transportation items and recommend actions to the TPPC. Figure 4-A below provides a list of events leading up to the programming of new RSTP projects in the FTIP. The schedule reflects a ten-month time span from the call for projects to inclusion in the FTIP.

Figure 4-A: RSTP Milestones for Project Submittal & Approval

RSTP Milestones	
Month 1, Year 1	RSTP Allocation estimates received from Caltrans;
Month 2, Year 2	Issue a call for projects (4 months);
Month 7, Year 2	Project submittal deadline;
Month 8, Year 2	Evaluate and rank applicable projects; Develop draft program of projects
Month 9, Year 2	Draft program of projects is reviewed by TTAC;
Month 9, Year 2	Draft program of projects is reviewed by TPPC;
Month 10, Year 2	Request recommendation of approval by TTAC of Final List of Projects;
Month 10, Year 2	Hold public hearing and request TPPC approval on Final List of Projects.
<i>Note: Additional cycles may be implemented at the discretion of KCOG staff that follows the time frame as defined above. Even year = Year 1; Odd year = Year 2</i>	

Programming Guidance

The following policy guidance shall direct the programming of available RSTP funding:

- RSTP funding shall be used for eligible RSTP projects submitted by each member agency.
- Estimated RSTP funds shall be distributed based on project eligibility, and current population percentages.
- The RSTP program is not a grant or formula-driven program. Population percentages shall be used as a fair-share guidance, to assemble a program of projects for inclusion into the FTIP.
- Agencies must demonstrate the ability to process projects in a timely manner, so that funding is not lost to the Kern region due to delays or mismanagement.
- KCOG shall retain the right to redirect program funding to other agencies so as not to lose funding to the Kern region.
- A regional RSTP project may be nominated by the KCOG Board for review by the TTAC / TPPC for possible inclusion into the FTIP.

Screening Criteria

Proposed RSTP projects must meet all of the following screening requirements, where applicable. If a proposal meets all of the applicable criteria, it is eligible for prioritization; if not, it cannot be considered for funding.

- ☐ Project must be included in a local agency-adopted resolution supporting the project.
- ☐ Project is eligible for RSTP funding as set forth in 23 USC 133(b), as amended.
- ☐ Project applicant is either a public agency, i.e. city, county, Caltrans, transit operator, transit authority, or a nonprofit agency or group with the sponsorship of a public agency.
- ☐ Successful project applicants or their sponsors must have executed a master agreement with Caltrans in order to be authorized to expend funds for reimbursement under this program. Agencies without a master agreement will either need to obtain one or the sponsorship of an agency that does have one.
- ☐ Road projects must have a functional classification of urban collector, or major rural collectors or higher.
- ☐ The project must comply with the Americans with Disabilities Act (ADA) requirements.
- ☐ The project must be consistent with the currently approved Regional Transportation Plan.

- ☐ The applicant or their sponsor must have financial capacity to complete, operate and maintain the project.
- ☐ Funds required from other sources must be reasonably expected to be available within the time frame needed to carry out the project.

Project Eligibility

RSTP funds may be used on federal-aid roads classified above the level of a local road in urban areas or above a minor collector in rural areas. Listed below are eligible projects:

- ☐ Construction, reconstruction, rehabilitation, resurfacing, restoration, and operational improvements for highways and bridges;
- ☐ Capital costs for transit projects and publicly owned intracity or intercity bus terminals and facilities;
- ☐ Car pool projects, fringe and corridor parking facilities and programs; and bicycle transportation and pedestrian walkways;
- ☐ Highway and transit safety improvements and programs, hazardous elimination, projects to mitigate hazards caused by wildfire, and railway-highway grade crossings;
- ☐ Highway and transit research and development, and technology transfer programs;
- ☐ Capital and operating costs for traffic monitoring, management, and control facilities and programs;
- ☐ Surface transportation planning programs;
- ☐ Transportation enhancement (TE) projects;
- ☐ Transportation control measures (TCMs);
- ☐ Participation in wetlands mitigation efforts.



X.
TTAC

March 1, 2023

TO: Transportation Technical Advisory Committee

FROM: AHRON HAKIMI,
EXECUTIVE DIRECTOR

By: Raquel Pacheco,
Regional Planner

SUBJECT: TTAC AGENDA ITEM: X
CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM – DRAFT
TIMELINE AND FUNDING TARGETS

DESCRIPTION:

Kern COG staff developed a draft timeline and funding targets to facilitate programming new Congestion Mitigation and Air Quality (CMAQ) projects.

DISCUSSION:

Background

CMAQ, established in the 1991 Intermodal Surface Transportation Efficiency Act (ISTEA), remains in the federal transportation legislation for use at the regional level. CMAQ funding can be used to maintain and improve the existing transportation system, expand the system to reduce congestion, and to establish programs and projects that will assist the region in reducing mobile emissions and help meet federal air quality standards. Eligible costs for funds under these programs include preliminary engineering, right-of-way acquisition, capital costs, and construction costs associated with an eligible activity. Kern COG's *Chapter 5 CMAQ Policy and Procedure*, as last updated and approved by Kern COG's Board of Directors on November 17, 2016, will be used throughout this programming cycle. The guidance is enclosed.

Timeline

After approval by the Transportation Planning Policy Committee on March 16, 2023 the draft timeline will be used for the upcoming CMAQ call for projects cycle. Significant dates and tasks for the upcoming CMAQ call for projects are shown in the schedule on the following page.

DRAFT CMAQ Call for Projects Timeline

Date	Task
March 2023	Approve Timeline and Fund Estimate
Late March 2023	Advertise Call for Projects
Mid July 2023	Candidate Projects Due
September 2023	Develop Program of Projects
October 2023	TTAC subcommittee (peer) review of applications and initial rankings
November 2023	Update Program of Projects as needed
January 2024	Present Draft Program of Projects to TTAC and TPPC
February 2024	Approve Final Program of Projects and introduction into FTIP

Funding Targets

Part of the development of the 2025 Federal Transportation Improvement Program (FTIP) is project list review. While there are projects in fiscal year 22/23 and 23/24, Kern COG staff recommends moving forward with programming projects for federal fiscal year 24/25 and 25/26. In the event that apportionment levels do not meet planning levels, projects could be moved to future years.

This year's call for projects cycle will also include Carbon Reduction Program (CRP) funding. CRP is a new funding program under the latest federal transportation legislation. Caltrans notified Kern COG of CRP funding available to the Kern region. Staff recommends moving forward with programming the CRP funding following the *CMAQ Policy and Procedure* project selection process. Many of the eligible activities under CRP are similar in nature to the CMAQ Program. Although the California State Transportation Agency (CalSTA) is currently developing a California Carbon Reduction Strategy (that is due by November 2023 for the Federal Highway Administration review), Kern COG should move forward with selecting projects for CRP as soon as possible to avoid the risk of losing CRP funds. As more CRP information is made available, Kern COG staff will provide updates.

ESTIMATED CMAQ (including CRP) FUNDING LEVELS

2023-24 (CRP)	2024-25 (CMAQ and CRP)	2025-26 (CMAQ)	TOTAL
\$1,554,000	\$13,209,000	\$11,650,000	\$26,413,000

These funding levels are considered estimates to be used for planning and programming purposes only. Actual Obligation Authority is determined year by year and the planning estimates do not carry over into the next year. In addition, the *CMAQ Policy and Procedure* is *subject to change per FHWA Guidance*. Table 1 reflects proposed category percentages for this CMAQ call for projects cycle. These targets will dictate how the Program of Projects is developed and funded. Adjustments can be made, by Board action, should actual projects submittals not conform to these target values. The percentages are provided as a point of beginning for purposes of discussion and final action. Categories may be revised based on new information regarding commitments to the State Implementation Plan and other innovative projects that have not been considered in the past.

Table 1 – Proposed Category Percentages and Funding Targets		
CMAQ Policy Categories	%	AMOUNT
Category 1: Public Transit Projects Eligible projects shall include but are not limited to transit stock and transit amenity improvements. A 3-year fleet conversion plan shall be required for alternative refueling infrastructure. Projects shall be distributed across: small urban areas; regional transit; and metropolitan transit.	20%	\$5,282,600
Category 2: Alternative Fuel & Infrastructure Projects Eligible projects may include advanced clean engine technology for non-transit vehicles and refueling infrastructure. Refueling infrastructure projects shall require a 3-year fleet conversion plan outlining how the refueling project will either expand, replace or transition vehicle technology within the agency and identified committed partners, and how they will serve those vehicles during operational peak-periods and non-peak periods. The fleet conversion plan must be specific to the project location and surrounding need.	15%	\$3,961,950
Category 3: Transportation System Management Projects Eligible projects: Transportation System Management (TSM) projects shall include traffic signal interconnect projects, operational improvements and Traffic Operation Center projects in the metropolitan Bakersfield area.	20%	\$5,282,600
Category 4: Discretionary Projects Eligible projects: The Discretionary Projects Category may include projects such as dust mitigation reductions, non-motorized projects, safety / traffic flow projects, freight/goods movement projects, (Active) Transportation Demand Management, or TSM projects outside of the Metropolitan Bakersfield area that can demonstrate an air quality benefit to the non-attainment area.	45%	\$11,885,850
TOTAL	100%	\$26,413,000

Staff Recommendation

Kern COG staff recommends approval of the timeline and the proposal presented in Table 1.

Attachment: “Congestion Mitigation and Air Quality Program Policy and Procedure”

ACTION:

Recommend approval of the CMAQ Timeline and Funding Targets to the Transportation Planning Policy Committee. ROLL CALL VOTE

Chapter 5

Congestion Mitigation and Air Quality Program (CMAQ)

Background	5-1
Development Timeline	5-2
Figure 5-A: CMAQ Milestones for Project Submittal & Approvals....	5-3
Programming Guidance	5-4
Figure 5-B: CMAQ Programming Categories.....	5-4
Screening Criteria	5-5
Project Eligibility	5-6
Non-Eligible Projects	5-13
Ranking Criteria and Point System	5-13
Figure 5-C: Air Pollution Control Districts in the Kern Region.....	5-14
Figure 5-D: Ozone/Carbon Monoxide Planning Areas.....	5-14
Figure 5-E: Particulate Matter Planning Areas.....	5-15
Figure 5-F: Ranking Criteria and Point System Summary.....	5-15
Figure 5-G: CMAQ Performance Measures and Ranking Criteria Detail.....	5-16
CMAQ Local Cost-Effectiveness Policy	5-21
Application Calculation and Reporting Requirements	5-22

Background

The Congestion Mitigation and Air Quality (CMAQ) program was established by the Intermodal Surface Transportation Act of 1991 (1991 ISTEA, Public Law 102-240) and was continued by the Transportation Equity Act for the 21st Century (TEA-21, Public Law 105-178) and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) under 23 U.S.C. 149. SAFETEA-LU was scheduled to expire on September 30, 2009, but was extended through September 30, 2012. On July 6, 2012, the “Moving Ahead for Progress in the 21st Century Act (MAP-21)” was signed into law and continues the CMAQ program to fund projects likely to reduce air pollution. MAP-21 provided funding over a two-year period starting October 1, 2012 (FY12-13) and ending September 30, 2014 (FY 13-14) followed by continuing resolutions. The CMAQ program is continued with the enactment of Fixing America’s Surface Transportation Act, or “FAST Act” which was signed into law on December 4, 2015. It is a 5-year transportation bill.

CMAQ funding can be used to maintain and improve the existing transportation system, expand the system to reduce congestion, and to establish programs and projects that will assist the region in reducing mobile emissions and help meet federal air quality standards. CMAQ funds are reimbursable federal aid funds, subject to the requirements of Title 23, United States code. Eligible costs for funds under these programs include preliminary engineering, right-of-way acquisition, capital costs, and construction costs associated with an eligible activity.

The purpose of developing this policy guidance, procedures and criteria to program CMAQ projects is to provide a consistent project development framework. It is used to develop a regionally balanced program of projects while building consensus among member agencies and the public throughout the planning process. Once locally approved, CMAQ projects must then be included in the Federal Transportation Improvement Program (FTIP) prior to reimbursement of federal funding. The federal-aid process to build transportation projects requires substantial effort from the lead agency to submit paperwork required to process a project once it's identified in the FTIP. Therefore, projects should be developed and incorporated into the FTIP in a timely manner so as to allow sufficient time to deliver them.

Development Timeline

After funding allocations for CMAQ are determined by Caltrans, KCOG shall initiate a call for projects to develop projects for inclusion into the FTIP, either by amendment into a current FTIP or included as part of the development of a new FTIP. The Transportation Technical Advisory Committee (TTAC) meets monthly to review transportation items and recommend actions to the Transportation Planning Policy Committee (TPPC). Detailed below and in Figure 5-A on the next page is a list of events leading up to the programming of new CMAQ projects in the FTIP. The schedule reflects a 12-month time span from the call for projects to inclusion in the FTIP.

- KCOG shall first issue a “Call for Projects” announcement to the member agencies at the Transportation Technical Advisory Committee (TTAC) meeting and the Transportation Planning Policy Committee (TPPC) meeting. An application form and instructions giving specific information regarding what type of projects are eligible and application process information are distributed. Eligible applicants are organizations that have the ability to accept and account for federal funding. There is a date established as to when the applications must be returned to KCOG.
- KCOG staff shall first evaluate applications for consistency and accuracy. KCOG shall create a subcommittee of TTAC volunteers to review and comment on submitted applications. The subcommittee shall be given the opportunity to ask questions of KCOG staff and project sponsors during the meeting for clarification and to discuss the merits of each application. TTAC members shall be invited to participate in a peer review assessment after initial review by KCOG staff to ensure consistent review of submitted CMAQ applications.

- The initial assignment of points and ranking of projects shall occur after all questions by KCOG staff, TTAC members, the Board or the public are sufficiently addressed by the applicant in order for the ranking to have significant value.
- During the application review period, KCOG staff will ensure that calculations for emissions benefits and cost benefits are reviewed to ensure consistency and accuracy.
- KCOG staff shall prepare a staff report detailing the findings of the subcommittee and suggesting the recommended course of action to the TTAC. Upon recommendation of the TTAC, the projects proposed for funding are forwarded to the TPPC. Upon the approval of the TPPC the matter is then referred to state and federal agencies for approval. This action financially constrains new projects to available regional funding levels, and allows KCOG to program a list of financially constrained projects in transportation improvement program documents.
- Eligibility of projects is subject to state and federal review.
- After the federal and state approval of the amended FTIP, the lead agencies may request authorization to proceed with design for the project if applicable (design is an eligible expense). Caltrans must review the draft design of the project; and a final plan is developed incorporating the comments and suggestions resulting from the review.
- After the final design plan is approved by Caltrans, the lead agency may then request authorization to proceed for project construction. After the authorization is received, the lead agency may then proceed with construction. In most cases, the project is “cost reimbursable”, meaning that the lead agency must initially finance the project (i.e. buy supplies, pay contractors) and then submit the expenses to Caltrans for reimbursement, upon approval of expenditures.
- When the project is completed, a Notice of Completion is filed with Caltrans. The project is field checked by staff and instructions to issue final payment are issued.
- These policies and procedures may be revised, updated, or otherwise modified at the discretion of the KCOG Board of Directors and through state and federal guidance.

Because CMAQ funds are federal funds, project sponsors must follow federal funding guidelines and environmental (NEPA) processes.

Figure 5-A: CMAQ Milestones for Project Submittal & Approval

CMAQ Milestones	
Month 1, Year 1	CMAQ Allocation estimates received from Caltrans;
Month 2, Year 1	KCOG: reveals the CMAQ apportionment amount(s) available for programming new projects; establishes percentage funding targets for the CMAQ programming categories; and requests approval of the call for projects timeline through the regular committee process.
Month 2, Year 1	Issue a call for projects (4 months);
Month 7, Year 1	Project submittal deadline;
Month 8, Year 2	Evaluate and rank applicable projects; Develop draft program of projects
Month 9 & 10, Year 2	TTAC Subcommittee shall review and comment on applications and initial rankings;
Month 11, Year 2	Draft program of projects is reviewed by TTAC;
Month 11, Year 2	Draft program of projects is reviewed by TPPC;
Month 12, Year 2	Request recommendation of approval by TTAC of Final List of Projects;
Month 12, Year 2	Request TPPC approval on Final List of Projects.
<i>Note: Additional cycles may be implemented at the discretion of Kern COG staff that follows the time frame as defined above. Even year = Year 1; Odd year = Year 2</i>	

Programming Guidance

The following guidance shall direct the programming of available CMAQ funding over the course of the FAST Act. The four categories listed in Figure 5-B provide guidance on project categories that will be identified for funding. Reasonably Available Control Measures (RACM) and Best Available Control Measures (BACM) projects are eligible under any category. Projects will compete within each category separately as recommended by KCOG staff and approved by the KCOG Board of Directors.

For all categories, lead agencies must demonstrate the ability to process projects in a timely manner so that funding is not lost to the Kern region due to delays or mismanagement. Air quality benefits of all projects or activities shall be quantified and documented before CMAQ funding is approved. Caltrans submits an annual report to FHWA covering all CMAQ obligations for the fiscal year ending the previous September 30. This report documents how CMAQ funds were spent and what the air quality benefits are expected to be.

Figure 5-B: CMAQ Programming Categories

CMAQ Programming Categories	
Category 1: Public Transit Projects	Eligible projects shall include but are not limited to transit stock and transit amenity improvements. A 3-year fleet conversion plan shall be required for alternative refueling infrastructure. Projects shall be distributed across: small urban areas; regional transit; and metropolitan transit.
Category 2: Alternative Fuel & Infrastructure Projects	Eligible projects may include advanced clean engine technology for non-transit vehicles and refueling infrastructure. Refueling infrastructure projects shall require a 3-year fleet conversion plan outlining how the refueling project will either expand, replace or transition vehicle technology within the agency and identified committed partners, and how they will serve those vehicles during operational peak-periods and non-peak periods. The fleet conversion plan must be specific to the project location and surrounding need.
Category 3: Transportation System Management Projects	Eligible projects: Transportation System Management (TSM) projects shall include traffic signal interconnect projects, operational improvements and Traffic Operation Center projects in the metropolitan Bakersfield area.
Category 4: Discretionary Projects	Eligible projects: The Discretionary Projects Category may include projects such as dust mitigation reductions, non-motorized projects, safety / traffic flow projects, freight/goods movement projects, (Active) Transportation Demand Management, or TSM projects outside of the Metropolitan Bakersfield area that can demonstrate an air quality benefit to the non-attainment area.

Screening Criteria

Proposed CMAQ projects must meet all of the following screening requirements, where applicable. If a proposal meets all of the applicable criteria, it is eligible for prioritization; if not, it cannot be considered for funding.

- ☐ Project must be included in a local agency-adopted resolution stating financial support for the project.
- ☐ Project is eligible for CMAQ funding as defined by the latest federal transportation authorization bill and federal CMAQ Guidelines.
- ☐ Project applicant is either a public agency, i.e. city, county, special district, Caltrans, transit operator, transit authority, or a non-profit agency or group with the sponsorship of a public agency.
- ☐ Successful project applicants or their sponsors must have executed a master agreement with Caltrans in order to be authorized to expend funds for reimbursement under this program. Agencies without a master agreement will either need to obtain one or the sponsorship of an agency that does have one.
- ☐ Road projects must have a functional classification of urban collector, or major rural collectors or higher.

- ☐ CMAQ projects must demonstrate a tangible benefit to air quality. CMAQ funded projects are required to quantify or qualify their benefit as part of annual reporting requirements.
- ☐ The project must comply with the Americans with Disabilities Act (ADA) requirements.
- ☐ The project must be consistent with the currently approved Regional Transportation Plan.
- ☐ The applicant or their sponsor must have financial capacity to complete, operate and maintain the project.
- ☐ Funds required from other sources must reasonably expected to be available on the time frame needed to carry out the project.

Project Eligibility

The purpose of the CMAQ program is to fund transportation projects or programs that will improve safety, reduce congestion, and contribute to attainment of national ambient air quality standards with a focus on ozone, PM₁₀, and their precursors, and precursors of carbon dioxide (CO₂): PM_{2.5}; volatile organic compounds (VOC); nitrogen oxides (NO_x); and Carbon Monoxide. The CMAQ Program Eligibility Listing has been refined to provide local governments with greater flexibility in choosing the types of projects that will provide the "greatest air quality benefits" for their regions in order to meet national goals and standard.

A state or MPO may obligate CMAQ funds apportioned to it only for a transportation project or program:

- If the DOT in consultation with the EPA determines that the project or program is likely to contribute to the attainment of a national ambient air quality standard; or
- If the project or program is included in a State Implementation Plan (SIP) that has been approved pursuant to the Clean Air Act and the project will have air quality benefits; or
- The project or program is likely to contribute to the attainment of a national ambient air quality standard, whether through reductions in vehicle miles traveled, fuel consumption, or through other factors.

☐ ***Transportation Activities***

Transportation activities from approved state SIPs for air quality should be given highest priority for CMAQ funding. The priority of CMAQ funded projects in the FTIP will be based on their air quality benefits.

☐ ***Transportation Control Measures***

The fundable TCMs below are included in Section 108(f)(1) of the Clean Air Act and meet the transportation conformity rule's definition of a TCM (included in approved SIP):

- Programs for improved public transit;
- Restriction of certain roads or lanes to, or construction of such roads or lanes for use by passenger buses or high occupancy vehicles;
- Employer-based transportation management plans, including incentives;
- Trip-reduction ordinances;
- Traffic flow improvement programs that achieve emission reductions;
- Fringe and transportation corridor parking facilities serving multiple occupancy vehicle programs or transit service;
- Programs to limit or restrict vehicle use in downtown areas or other areas of emission concentration particularly during periods of peak use;
- Programs for the provision of all forms of high-occupancy, shared-ride services;
- Programs to limit portions of road surfaces or certain sections of the metropolitan area to the use of non-motorized vehicles or pedestrian use, both as to time and place;
- Programs for secure bicycle storage facilities and other facilities, including bicycle lanes, for the convenience and protection of bicyclists, in both public and private areas;
- Programs to control extended idling of vehicles;
- Programs to reduce motor vehicle emissions, consistent with title II, which are caused by extreme cold start conditions;
- Employer-sponsored programs to permit flexible work schedules;
- Programs and ordinances to facilitate non-automobile travel, provision and utilization of mass transit, and to generally reduce the need for single-occupant vehicle travel, as part of transportation planning and development efforts of a locality, including programs and ordinances applicable to new shopping centers, special events, and other centers of vehicle activity;
- Programs for new construction and major reconstructions of paths, tracks or areas solely for the use by pedestrian or other non-motorized means of transportation when economically feasible and in the public interest; and
- Programs to encourage the voluntary removal from use and the marketplace of pre-1980 model year light duty vehicles and pre-1980 model light duty trucks.

☐ ***Bicycle & Pedestrian Facilities & Programs***

Construction of bicycle and pedestrian facilities, non-construction projects related to safe bicycle use, and State bicycle/pedestrian coordinator positions for promoting and facilitating the increased use of non-motorized modes of transportation. This includes public education, promotional, and safety programs for using such facilities.

☐ ***Management and Monitoring Systems***

Developing and establishing management systems for traffic congestion, public transportation facilities and equipment, and intermodal transportation facilities and systems, where it can be demonstrated that they are likely to contribute to the attainment of a National Ambient Air Quality Standard.

□ ***Traffic Management / Congestion Relief Strategies***

Capital and operating costs for traffic monitoring, management, and control facilities and programs, where it can be demonstrated that they are likely to contribute to the attainment of a National Ambient Air Quality Standard. In addition to traffic signal modernization projects destined to improve traffic flow within a corridor or throughout an area, CMAQ funding can also be utilized to support Intelligent Transportation Infrastructure (ITI) Traffic Management and Traveler Information Systems that may include: Regional Multi modal Traveler Information Centers; Traffic Signal Control Systems; Freeway Management Systems; Traffic Management Systems; Incident Management Programs; and Electronic fare Payment/Toll collection Systems. CMAQ program funds may not replace existing local and State Funds used for operating cost, but are intended to augment and reinforce new efforts. Operating costs are eligible only for a period of 2 years from inception. Operating costs for these services are eligible under RSTP.

□ ***Transit Projects***

Improved public transit is an eligible TCM. Transit improvements fall under three broad types of action: system/service expansion, operational improvements, and demand/market strategies. Emission reductions vary widely depending on project specifics as well as the existence of policies and actions that promote transit use, such as transit-supportive land use controls and single-occupant auto disincentives.

- **Transit facilities** - In general, capital costs of system/service expansion are eligible. Examples include new rail systems and extensions, new roadways or reserved lanes on existing roads for exclusive bus/HOV use, and capital costs of initiating commuter rail or ferry service. Enhancements such as new stations, new vehicles/equipment, terminals, transit malls, Intermodal transfer facilities, and track and signalization improvements are also eligible. If it is a reconstruction or rehabilitation project of an existing facility, it is not eligible. Park and ride facilities related to transit systems are eligible.
- **Transit vehicles and equipment** - One-for-one vehicle replacements of the existing bus or rail fleet are eligible because other new vehicles are generally more reliable, less polluting, and make transit a more attractive option. New buses are significantly cleaner than old with respect to PM10; thus justification is strong for using CMAQ funds for replacements in PM10 non-attainment areas like Kern County.
- **Transit associated development** - This includes various types of retail and other services located in or very close to transit facilities. They offer convenience for the transit patron but are not required for the functioning of the system. In general, transit-associated development is not eligible under the CMAQ Program. Child-care centers located adjacent to a major transit stop have been proposed in the past as beneficial to air quality. The type of use could now be funded as an experimental pilot project. Such type of uses could possibly help support mandated “Welfare to Work” Programs.

- **Transit Operations** - In limited cases, operating costs for new transit service are eligible. The main criterion is that it must be for new service, which supports a discrete, new project or program having documented air quality benefits. The funds cannot be used to replace existing funding sources or to further subsidize existing operations. Operating costs are eligible only for a 3-year start-up period. Examples of eligible costs include shuttle service feeding a station; circulator service within an activity center; fixed-route service linking activity center new transit service to a major employer in support of an employer trip reduction program; new bus service in a community that presently lacks adequate transit service; or new transit service initiated on a HOV facility. Service demonstrations will usually involve buses or vans since the service should be relatively low-cost and easily terminated if sufficient ridership is not achieved. In addition to operating assistance for new transit service, the CMAQ Guidance also allows partial short-term subsidies of transit/paratransit fares as a means of encouraging transit use. Proposals such as reduced fare programs during periods of elevated ozone levels (such as a spare the air day) and discounted transit passes targeted at specific groups or locations may now be eligible if these conditions are met.

□ ***Planning and Project Development Activities***

Project planning or other development activities that lead directly to construction of facilities or new services and programs with air quality benefits. Such as preliminary engineering or major investment studies for transportation /air quality projects, are eligible. This includes studies for the preparation of environmental or NEPA documents and related transportation/air quality project development activities. Project development studies include planning directly related to an event that air quality monitoring is necessary to determine the air quality impacts of a proposed project, which is eligible for CMAQ funding, the costs of that monitoring are also eligible. General planning activities, such as economic or demographic studies, that do not directly propose or support a transportation/air quality project are too far removed from project development to ensure any emission reductions and are not eligible for funding. Regional or area-wide air quality monitoring is not eligible because such projects do not themselves yield air quality improvements nor do they lead directly to projects that would yield air quality benefits.

□ ***Alternative Fuels***

In general, the conversion of individual, conventionally powered vehicles to alternative fuels is not eligible under CMAQ. However, the conversion or replacement of centrally fueled fleets to alternative fuels is eligible. The establishment of on-site fueling facilities and other infrastructure needed to fill alternative fueled vehicles are also eligible expenses. Although, if private filling stations are reasonably accessible and convenient, then CMAQ funds may not be used. Interference with private enterprise is to be avoided and services should not be needlessly duplicated.

☐ ***Telecommuting***

The CMAQ Program allows for the establishment of telecommuting programs. Planning, technical and feasibility studies, training, coordination, and promotion are eligible activities under CMAQ. Physical establishment of telecommuting centers, computer and office equipment purchases and related activities are not eligible. Such activities are not typically transportation projects and funding them would not meet current federal requirements.

☐ ***Travel Demand Management***

Travel demand management encompasses a diverse set of activities ranging from traditional car pool and vanpool programs to more innovative parking management and road pricing measures. Eligible activities include: market research and planning in support of TDM implementation; capital expenses required to implement TDM measures; operating assistance to administer and manage TDM programs for up to 3 years; as well as marketing and public education efforts to support and bolster TDM measures.

☐ ***Intermodal Freight***

CMAQ funds may be used for improved intermodal freight facilities where air quality benefits can be shown. Capital improvements as well as operating assistance meeting the conditions of this guidance are eligible. In that many intermodal freight facilities included private sector businesses, several of the proposals that have been funded nation-wide have been under public-private partnerships.

☐ ***Public/Private Initiatives***

SAFETEA-LU provides greater access to CMAQ funds for projects that cooperatively implemented by public/private partnerships and/or non-profit entities. Proposed projects no longer have to be under the primary control of the cooperating public agency as under ISTEA; although, it is still the responsibility of the public agency to oversee and protect the investment of the Federal funds used by the partnership. Eligible activities include the following: ownership or operation of land, facilities or other physical management or operational duties associated with a project; and any other form of privately owned vehicles and fleets using alternative fuels to the incremental vehicle cost over a conventionally-fueled vehicle. Activities that are the mandated responsibility of the private sector under the Clean Air Act, such as vapor recovery systems at gas stations, are not eligible for CMAQ funding. Implementation of employer trip reduction programs is also a private responsibility, but general program assistance to employers to help them plan and promote these programs is eligible.

☐ ***PM-10 Activities***

Projects and programs that reduce transportation generated PM10 emissions are eligible for CMAQ funding. Specifically projects qualifying as “control strategies” identified in the Air

District's PM10 Attainment Plan including the following: paving shoulders, shoulder stabilization, paving or stabilizing unpaved roads, and curbing.

☐ ***Outreach Activities***

Outreach activities, such as public education on transportation and air quality, advertising of transportation alternatives to Single Occupancy Vehicle (SOV) travel, and technical assistance to employers or other outreach activities for Employee Commute Option program implementation are eligible for CMAQ funding. The previous policy limiting CMAQ funding for only a two-year period has been eliminated. Now, outreach activities may be funded under the CMAQ program for an indefinite period. Outreach activities may be employed for a wide variety of transportation services. They may equally affect new and existing transit, shared ride, traffic management and control, bicycle and pedestrian, and other transportation services.

☐ ***Rideshare Programs***

Rideshare services consist of carpool and vanpool programs; important activities may include computer matching of individuals seeking to vanpool and employer outreach to establish rideshare programs. New or expanded rideshare programs, such as new locations for matching services, upgrades for computer matching software, etc. continue to be eligible and may be funded for an indefinite period of time. Vanpool programs are different from carpooling programs. Implementation of a vanpool operation entails purchasing vehicles and providing a transportation service. Proposals for vanpool activities must be for new or expanded service, subject to the 3-year limitation on operation costs.

☐ ***Establishing/Contracting with TMA's***

Transportation Management Associations (TMA's) are comprised of private individuals or firms who organize to address the transportation issues in their immediate locale. Such Associations are currently eligible for CMAQ funding. Eligible expenses for reimbursement are associated start-up costs for up to 3 years. CMAQ requires that the TMA's must be sponsored by a public agency, and the State is responsible for insuring that funds are appropriately used to meeting CMAQ program objectives. The TMA's may play a role in brokering transportation services to private employers--such as: coordinating rideshare programs, provided shuttle services, and developing parking management programs, etc. Applications of these programs must specify program goals and deliverables.

☐ ***Inspection/Maintenance Activities***

Emission Inspection/Maintenance (I/M) programs are eligible activities under CMAQ. I/M program funds can be provided for publicly owner I/M facilities-or at privately owned stations where a "public-private partnership" is created. Start-up costs and three years of operating expenses are eligible for CMAQ funds. The establishment of "portable" I/M programs is also

eligible under the CMAQ program, provided that they are public services, contribute to emission reductions and do not conflict with statutory I/M requirements.

☐ **Experimental Pilot Projects/Innovative Financing**

States and local areas have long experimented with various types of transportation services, and different means of employing them in an effort to better meet the travel needs of their constituents. These “experimental” projects may not meet the precise eligibility criteria for Federal and State funding programs, but they may show promise in meeting the intended public purpose of those programs in an innovative way. The CMAQ provisions of TEA-21 allow experimentation provided that the project or program can reasonably be defined as a “transportation” project and that emission reductions can reasonably be expected “though reductions in vehicle miles traveled, fuel consumption, or through other factors.”

☐ ***Fare/Fee Subsidy Program***

The CMAQ Program allows funding for partial user fare or fee subsidies in order to encourage greater use of alternative travel modes (e.g. carpool, vanpool, transit, bicycling and walking). CMAQ funds can be used to subsidize fares or fees if the reduced fare/fee is offered as a component of a comprehensive, targeted program to reduce SOV use. Other components of such a program would include public information and marketing of non-SOV alternatives, parking management measures, and better coordination of existing transportation services. The intent of federal policy on this is to focus on situations where alternative transportation modes are viable, but nonetheless, heavy reliance on single-occupant vehicles exists, such as at major employment or activity centers. Examples of fare-fee subsidy programs include the following: 1) discount transit fare through a cooperative arrangement between a transit operator and a major employer; 2) subsidize empty seats during the formation of a new vanpool; 3) reduce fees for shuttle services within a defined area, such as a flat-fare taxi program; or 4) provide financial incentives for carpooling, bicycling and walking in conjunction with a demand management program. An underlying tenet of this provision is to support experimentation but always with the goal of identifying projects that are viable without the short-term funding assistance provided by the CMAQ program. Thus, the subsidy must be used in conjunction with reasonable fares or fees to allow the greatest change of holding on the “trial” users. While the fare/fee subsidy program itself is not limited in time, specific groups or locals targeted under the program must be rotated and the subsidized fare/fee must be limited to any one entity or location.

☐ ***Other Eligible Activities***

Innovative activities based on promising technologies and feasible approaches to improve air quality will also be considered for funding. This includes such ventures as new efforts to identify and prove the emissions of gross emitters, vanpooling programs, planning and development of parking management program, and preferential treatment for high-occupancy vehicles.

The eligible activities listed above are subject to federal interpretation and the latest CMAQ Guidance.

Non-Eligible Projects

- General planning activities, even for conformity of implementation plan revisions, are not eligible for CMAQ funding.
- Routine maintenance projects are ineligible. Routine maintenance and rehabilitation on existing facilities maintains the existing levels of highway and transit service and, therefore, maintains existing ambient air quality levels rather than improving them.
- Funding for a project that will result in the construction of new capacity available to single-occupant vehicles unless the project consists of a high-occupancy vehicle facility available to single-occupant vehicles only at other than peak travel times.
- Planning activities/modal enhancements required for conformity findings.
- Preparation of Transportation Improvement Programs and plan development.
- Air quality monitoring systems.
- The use of funds for non-governmental partnerships on projects required under the Clean Air Act, the Energy Policy Act, or other federal laws.

Ranking Criteria and Point System

CMAQ projects must first meet federal requirements, such as be on an eligible route, be an eligible type of project and, finally, meet air quality standards. CMAQ funds can be used for transit capital improvements, for high occupancy vehicle lanes, and to alleviate PM₁₀. CMAQ funds may not be used for highway maintenance, transit-operating expenses or for capacity increasing lanes available to single occupancy vehicles. Having met the above standards, the KCOG criteria for selecting CMAQ projects are listed in Figure 5-F (page 5-15) and Figure 5-G (page 5-16). Please note the criteria will not apply to all project types. For example, the safety criteria will not apply to most transit projects because the scoring is based on road safety data. This difference in total possible points between project types is resolved by having projects compete separately within Programming Categories presented in Figure B on page 5-4.

The air quality maps in Figures 5-C, 5-D, and 5-E on the next two pages are included to guide applicants in determining project eligibility, and to identify the air district for each project for scoring purposes.

Figure 5-C: Air Pollution Control Districts in the Kern Region

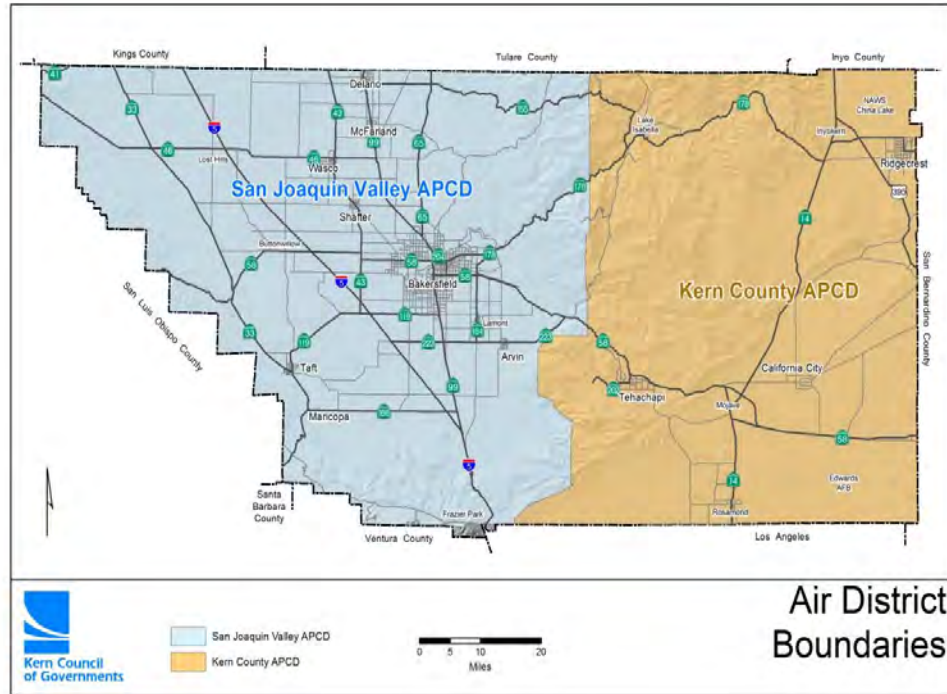
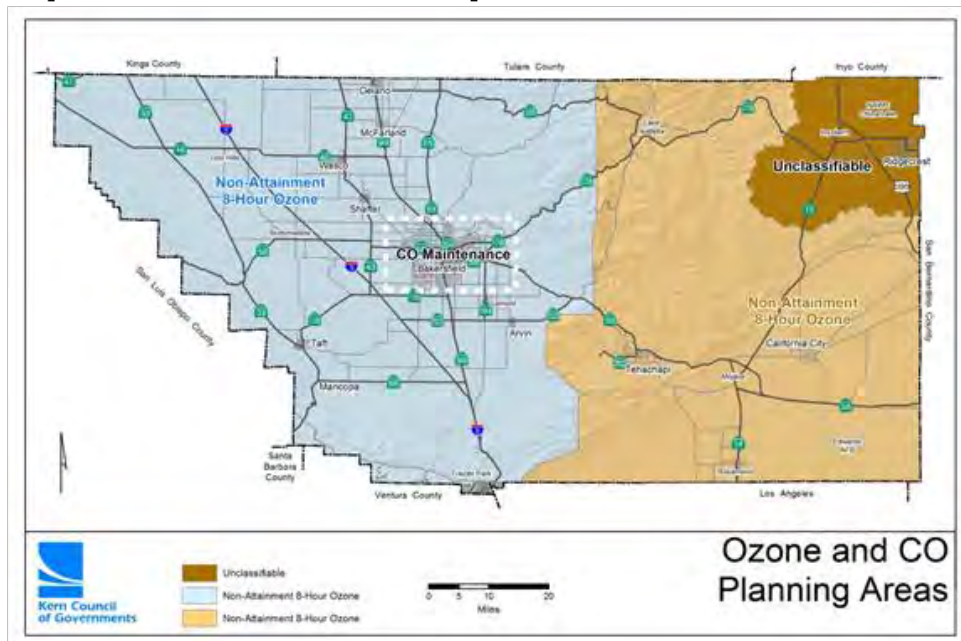


Figure 5-D: Ozone/Carbon Monoxide Planning Areas

Figure 2 – Ozone/Carbon Monoxide Planning Areas



5-15

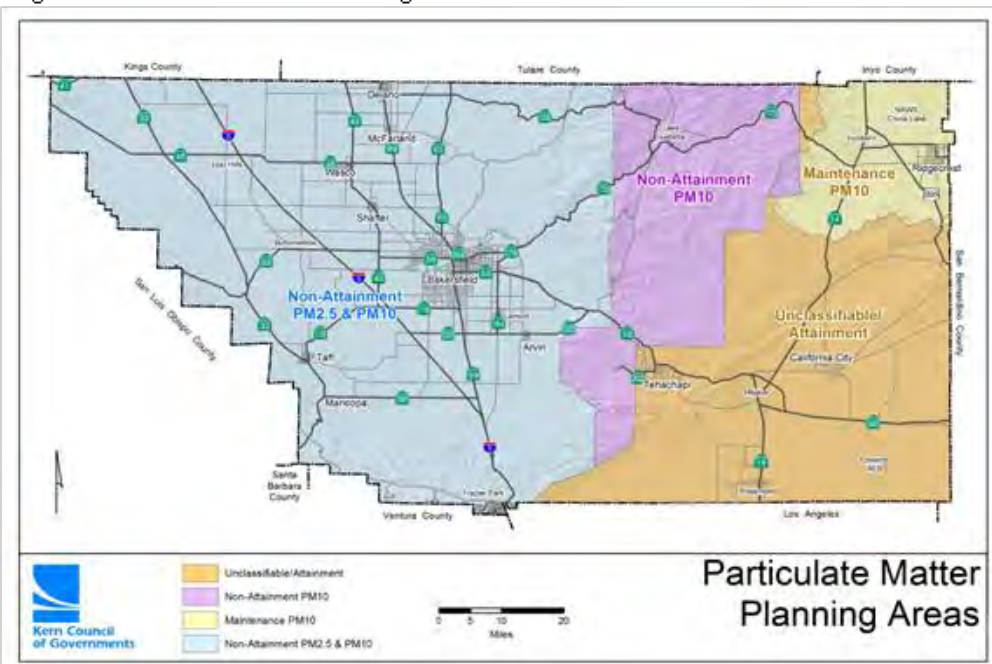


Figure 5-F: Ranking Criteria and Point System Summary

Screening Criteria	YES / NO
Does the proposed project meet all of the CMAQ screening criteria listed on Page 5-5 of the KCOG Project Delivery Policies and Procedures manual?	<i>The project is not eligible if the answer is no.</i>
General Criteria	100
VMT Reduction*	15
Emissions Reduction*	25
BACM/RACM?*	5
Livability and Safety*	15
Congestion (LOS)*	25
Cost-Effectiveness	15
Max 100 Points	

Note: Projects compete separately within each of the four categories based on project type.

*KCOG SCS framework-related metrics.

LEVERAGING OF LOCAL MATCH



KCOG staff shall note whether a project has included local match which exceeds the statutory requirement of 11.47% in most cases. Projects which indicate a 50% match or higher and less than 75% shall be considered only in the case of a tie-breaker situation during the financial constraint process in which two like projects also have the same number of points. Projects that demonstrate a local match of 75% or higher shall be awarded an extra 5 points for their project and will compete as normal. Again, if the project that is awarded the extra points ties with another project that does not have the extra match the project with the extra match will be selected. KCOG staff shall apply this option at their discretion during the financial constraint process.

Figure 5-G: CMAQ Performance Measures and Ranking Criteria Detail

General Criteria	
<u>VMT Reduction</u>	
Estimate the reduction in vehicle miles traveled (VMT) using the program titled “Methods to Find the Cost Effectiveness of Funding Air Quality Projects”, General Methods Program (Microsoft Access), from the California Air Resources Board in Cooperation with Caltrans and CAPCOA, available at http://www.arb.ca.gov/planning/tsaq/eval/eval.htm , or the updated version.	
Note: projects are ranked relative to all other projects competing for funds.	
Ranking Criteria (projects are ranked relative to all other projects competing for funds)	Points
Top 1/3 rd (68% - 100%) of projects with the highest VMT reduction	15
Middle 1/3 rd (34% - 67%) of projects with mid-range VMT reduction	12
Bottom 1/3 rd (1% - 33%) of projects with the lowest VMT reduction	8
No reduction	0

Emissions Reduction

Estimate the reduction in emissions using the program titled “Methods to Find the Cost Effectiveness of Funding Air Quality Projects”, General Methods Program (Microsoft Access), from the California Air Resources Board in Cooperation with Caltrans and CAPCOA, available at <http://www.arb.ca.gov/planning/tsaq/eval/eval.htm>, or the updated version. Kern COG staff shall be consulted prior the application deadline to determine is an alternative analysis program or formula should be used outside the Air Resources Board air quality emission calculation tools. Otherwise all applications are expected to use the appropriate ARB calculator / formulas. Note: projects are ranked relative to all other projects competing for funds.

Emissions Reduction Ranking Criteria ¹				
Pollutant (kg/yr)	San Joaquin Valley Air Basin ²	Kern River Valley Air Basin ³	Mojave Air Basin ⁴	Indian Wells Valley Air Basin ⁵
PM₁₀	Top 90% - 100% = 8 Top 80% - 89% = 7 Top 70% - 79% = 5 Top 60% - 69% = 3 Top 50% - 59% = 2	Top 90% - 100% = 8 Top 80% - 89% = 7 Top 70% - 79% = 5 Top 60% - 69% = 3 Top 50% - 59% = 2	Top 90% - 100% = 8 Top 80% - 89% = 7 Top 70% - 79% = 5 Top 60% - 69% = 3 Top 50% - 59% = 2	Top 90% - 100% = 8 Top 80% - 89% = 7 Top 70% - 79% = 5 Top 60% - 69% = 3 Top 50% - 59% = 2
VOC 	Top 90% - 100% = 7 Top 80% - 89% = 5 Top 70% - 79% = 3 Top 60% - 69% = 2	Top 90% - 100% = 7 Top 80% - 89% = 5 Top 70% - 79% = 3 Top 60% - 69% = 2	Top 90% - 100% = 7 Top 80% - 89% = 5 Top 70% - 79% = 3 Top 60% - 69% = 2	
NO_x 	Top 90% - 100% = 5 Top 80% - 89% = 3 Top 70% - 79% = 2	Top 90% - 100% = 5 Top 80% - 89% = 3 Top 70% - 79% = 2	Top 90% - 100% = 5 Top 80% - 89% = 3 Top 70% - 79% = 2	
PM_{2.5}	Any reduction = 3			
CO	Any reduction = 2 ⁶			
	Max Points = 25	Max Points = 20	Max Points = 20	Max Points = 8

¹ Note: Project eligibility is ultimately determined by FHWA through Caltrans Local Assistance when the project sponsor submits the Request for Authorization (E-76) to Caltrans to obligate the CMAQ funds. When CMAQ guidelines under MAP-21 are available, the KCOG CMAQ project selection process will be reviewed and updated as required.

² Classified non-attainment for four pollutants (PM₁₀, Ozone, PM_{2.5} & CO).

³ Classified non-attainment for two pollutants (PM₁₀, Ozone).

⁴ Classified non-attainment for one pollutant (Ozone).

⁵ Classified maintenance for one pollutant (PM₁₀).

⁶ Only applies to projects within the Bakersfield Metropolitan Area.

Livability and Safety

Livability - Describe whether and how the project provides the four listed Livability benefits; provide no more than a half page response for each benefit: (1) Will enhance or reduce the average cost of user mobility through the creation of more convenient transportation options for travelers; (2) Will improve existing transportation choices by enhancing points of modal connectivity, increasing the number of modes accommodated on existing assets, or reducing congestion on existing modal assets; (3) Will improve travel between residential areas and commercial centers and jobs; (4) Will improve accessibility and transportation services for economically disadvantaged populations, non-drivers, senior citizens, and persons with disabilities, or make goods, commodities, and services more readily available to these groups.

Chapter 5: Congestion Mitigation & Air Quality Program (CMAQ)

Safety - Provide: (a) Existing and After project accident & fatality rates (accidents/millions of vehicle miles (MVM); fatalities/MVM) for the road segment within the project limits using three years of accident data, and (b) the statewide average accident and fatality rate for a similar facility (from Caltrans TASAS database or local agency accident database). Instructions for obtaining project accident and fatality rates are available on pages B-21 and B-22 of Appendix B. Answer the following two questions (5) and (6) based on the calculated values for accident rates and fatality rates as described above in items (a) and (b).

(5) Is the existing Accident Rate higher than the average rate for a similar facility, and does the project reduce the Accident Rate to the average rate or lower? Yes or No

(6) Is the existing Fatality Rate higher than the average rate for a similar facility, and does the project reduce the Fatality Rate to the average rate or lower? Yes or No

Ranking Criteria	Points
Project provides five of the six listed Livability or Safety benefits	15
Project provides three of the six listed Livability or Safety benefits	10
Project provides two of the six listed Livability or Safety benefits	5
Project provides one of the six listed Livability or Safety benefits	1

Congestion Relief

Provide peak period Level of Service (LOS) for intersection(s) and/or road segments within the project limits for existing conditions (Before LOS) and estimated LOS after project completion (After LOS). If applicable, provide Bikeway and/or Pedestrian LOS. If LOS varies within the project limits, provide a weighted average. LOS should be calculated using methods consistent with the Highway Capacity Manual available at <http://www.trb.org/Main/Blurbs/164718.aspx>. Ranking criteria is summarized in the tables below.

Highways

(where bicycles and pedestrians are prohibited)

Points are awarded to projects based on the change in LOS before and after project completion using the table below.

		After LOS Hwy					
		A	B	C	D	E	F
Before LOS Hwy	A	0	0	0	0	0	0
	B	5	0	0	0	0	0
	C	10	5	0	0	0	0
	D	15	10	5	0	0	0
	E	20	15	10	5	0	0
	F	25	20	15	10	5	0

Max Points = 25

OR

(Next page)

Highways & Bicycle Lanes

(when bicycles are allowed on the highway but pedestrians are prohibited)

Points are awarded to projects based on the change in LOS before and after project completion using the two tables below for highway and bikeway facilities.

		After LOS Hwy					
Before LOS Hwy		A	B	C	D	E	F
	A	0	0	0	0	0	0
	B	4	0	0	0	0	0
	C	8	4	0	0	0	0
	D	12	8	4	0	0	0
	E	16	12	8	4	0	0
	F	20	16	12	8	4	0

Plus Bikeway LOS:

		After LOS Bikeway					
Before LOS Bikeway		A	B	C	D	E	F
	A	0	0	0	0	0	0
	B	1	0	0	0	0	0
	C	2	1	0	0	0	0
	D	3	2	1	0	0	0
	E	4	3	2	1	0	0
	F	5	4	3	2	1	0

Max Points Highway LOS (20 Points) + Bikeway LOS (5 Points) = 25

OR

(Next page)

Highways, Bicycle Lanes and Pedestrian Facilities
(when bicycles and pedestrians are allowed on the highway)

Points are awarded to projects based on the change in LOS before and after project completion using the three tables below for highway, bikeway and pedestrian facilities respectively.

		After LOS Hwy					
Before LOS Hwy		A	B	C	D	E	F
	A	0	0	0	0	0	0
	B	3	0	0	0	0	0
	C	6	3	0	0	0	0
	D	9	6	3	0	0	0
	E	12	9	6	3	0	0
	F	15	12	9	6	3	0

Plus Bikeway LOS:

		After LOS Bikeway					
Before LOS Bikeway		A	B	C	D	E	F
	A	0	0	0	0	0	0
	B	1	0	0	0	0	0
	C	2	1	0	0	0	0
	D	3	2	1	0	0	0
	E	4	3	2	1	0	0
	F	5	4	3	2	1	0

Plus Pedestrian LOS:

		After LOS Pedestrian					
Before LOS Pedestrian		A	B	C	D	E	F
	A	0	0	0	0	0	0
	B	1	0	0	0	0	0
	C	2	1	0	0	0	0
	D	3	2	1	0	0	0
	E	4	3	2	1	0	0
	F	5	4	3	2	1	0

Max Points Highway LOS (15 Points) + Bikeway LOS (5 Points) + Pedestrian LOS (5 Points) = 25

Cost-Effectiveness

Calculate cost-effectiveness using the program titled “Methods to Find the Cost Effectiveness of Funding Air Quality Projects”, General Methods Program (Microsoft Access), from the California Air Resources Board in Cooperation with Caltrans and CAPCOA, available at <http://www.arb.ca.gov/planning/tsaq/eval/eval.htm>, or the updated version.

Ranking Criteria	Points
Project does not exceed the Cost-Effectiveness Threshold	15
Project exceeds the Cost-Effectiveness Threshold by not more than 50%	10
Project exceeds the Cost-Effectiveness Threshold by not more than 100%	5

RACM/BACM

Is the project identified as a RACM/BACM?

Ranking Criteria	Points
Yes	5
No	0

CMAQ: LOCAL COST- EFFECTIVENESS POLICY

The following three pages present the local cost-effectiveness policy adopted by Kern COG in September 2007.

Summary

The Congestion Mitigation and Air Quality (CMAQ) program provides funding for transportation projects or programs that will contribute to attainment or maintenance of the national ambient air quality standards. The CMAQ program supports two important goals of the Department of Transportation: improving air quality and relieving congestion. SAFETEA-LU strengthens these goals by establishing priority consideration for cost-effective emission reduction and congestion mitigation activities. Exhibit A provides a summary of the policy for distributing at least 20% of the CMAQ funds to projects that meet a minimum cost-effectiveness threshold for emission reduction beginning in FY 2011. This policy will focus on achieving the most cost-effective emission reductions, while maintaining flexibility to meet local needs.

Estimates of Available Funds

Caltrans Programming provides apportionment estimates to all regions of the state. The FTIP is currently developed for a four-year programming cycle; with each new FTIP document, Kern COG will use the Caltrans estimate to develop the available CMAQ funds over the four-year period. Kern COG commits to dedicate at least 20% (or insert larger percentage, if appropriate) of the total funding for the four-year period of each FTIP as part of the local cost-effectiveness CMAQ policy. For example, if an agency were estimated to receive \$20 million over a four-year period, it would allocate 20%, or \$4 million, of the CMAQ program to projects that meet a minimum cost-effectiveness.

The CMAQ allocation formula is currently based on population, ozone status, and carbon monoxide status. Revisions to the formula or updates to estimates may result in changes to available funds for the Kern COG CMAQ program; such updates will also affect the funds available for the local cost-effectiveness policy. CMAQ estimates may be revised at any time due to changes from Caltrans, Federal legislation, or classification of the air quality standards in the San Joaquin Valley.

Timeframe

The local cost-effectiveness CMAQ policy is scheduled to be implemented in FY 2011 because the current federally approved 2007 Federal Transportation Improvements Programs (FTIPs) have committed CMAQ funds through FY 2009 and in some cases, regional commitments through FY 2010. In addition, the current CMAQ programming assists in implementing approved local RACM (Amended 2003 PM-10 Plan) that are committed through 2010.

The San Joaquin Valley Air Basin is currently classified as a serious ozone non-attainment area with an attainment deadline of 2013. As part of the 2007 Ozone plan, the Air District is requesting an “extreme” classification, which would delay the attainment deadline until 2023. If approved and assuming no change to the current funding formula, the MPOs may continue to receive CMAQ funding through that time (2023). The local cost-effectiveness CMAQ policy may remain in effect through 2023; however, continuation of the policy will be reviewed on a regular basis per the Policy Review section below.

Local Allocation of Funds

The Federal Highway Administration (FHWA) released new CMAQ guidance based on SAFETEA-LU on October 31, 2006. The new legislation and guidance clarifies project eligibility, including advanced truck stop electrification systems and the purchase of diesel retrofits. SAFETEA-LU directs States and MPOs to give priority to diesel retrofits and to use cost-effective congestion mitigation activities that provide air quality benefits. Though SAFETEA-LU establishes these investment priorities, it also retains State and local agencies’ authority in project selection, meaning that changes to local procedures are not required by SAFETEA-LU. Kern COG has previously developed procedures for allocating CMAQ funds; the local cost-effectiveness CMAQ policy will be incorporated into existing procedures. Prioritization and funding of projects will continue to be based on criteria developed by Kern COG.

Cost-Effectiveness Threshold

Cost-effectiveness is a key component of providing funding to projects that improve air quality and reduce congestion. The cost-effectiveness of an air quality project is based on the amount of pollution it eliminates for each dollar spent. Policies that focus on cost-effectiveness will result in the largest emission reductions for the lowest cost. Cost-effectiveness can be based on total project costs, including capital investments and operating costs. However, for the purposes of this policy, cost-effectiveness is based on CMAQ funding dollars only.

In the state of California, the Air Resources Board (ARB) provides funding for air quality improvement projects through the Carl Moyer Program, which requires that heavy-duty vehicle projects meet a cost-effectiveness threshold. The San Joaquin Valley Air Pollution Control District (SJVAPCD) also uses cost-effectiveness thresholds for projects funded through the REMOVE II and Heavy-duty Incentive Programs. However, there is currently no minimum cost-effectiveness established for the CMAQ program, and according to recent studies, the numbers vary widely across the country and by project type.

Prior to allocation of CMAQ funds for the local cost-effectiveness policy with each FTIP, the SJV MPOs in consultation with the interagency consultation (IAC) partners will develop the minimum cost-effectiveness threshold. While other criteria may be developed at the discretion of Kern

Council of Governments, all projects funded by the 20% of CMAQ dollars related to the local cost-effectiveness CMAQ policy must meet that minimum threshold.

Expenditure of Funds under the Local Cost-Effectiveness Policy

Kern COG will make every effort to expend the minimum 20% funding for the cost-effective projects as soon as possible beginning in FY 2011. However, recognizing that there are additional issues related to project delivery and financial constraint, Kern COG will be allowed to meet the 20% funding over the course of the FTIP, beginning with the 2008 FTIP and each new FTIP thereafter. For example, if the four-year estimate is \$4 million in one year, or other combination of funding.

Project eligibility will continue to be based on federal CMAQ guidance. MPOs can continue to fund projects within the local jurisdictions, or contribute funding to the SJVAPCD air quality grant incentive programs to meet their cost-effectiveness threshold requirements.

Emissions Estimates

CMAQ projects must demonstrate an air quality benefit, and the expected emissions reductions will continue to be estimated with the most recent methodology. As of 2007, the ARB “Methods to Find the Cost-Effectiveness of Funding Air Quality Projects” released in 2005 is the appropriate methodology. If necessary, interagency consultation will be used to reach agreement on the methodology for future estimates. Emission benefits and cost-effectiveness calculations will continue to be based on the applicable pollutants for the region, including nitrogen oxides (NOx), volatile organic compounds (VOC), particulate matter (PM) and carbon monoxide (CO).

Reporting Requirements

Tracking of the CMAQ policy will be achieved through several methods. MPOs must develop annual reports for Caltrans and FHWA that specify how CMAQ funds have been spent and the expected air quality benefits. This report is due by the first day of February following the end of the previous Federal fiscal year (September 30) and covers all CMAQ obligations for that fiscal year. As has been the practice of several MPOs, a copy of the CMAQ annual report will also be submitted to the Air District for information purposes. Each MPO will also post information related to the implementation of the local cost-effectiveness CMAQ policy on its website.

Policy Review

Due to changes in project costs and technology over time, the MPOs will revisit the minimum cost-effectiveness threshold, as well as policy feasibility, at least once every four years prior to FTIP development. A periodic review of the policy is necessary due to potential changes in federal transportation legislation, apportionments, and project eligibility. This policy will only affect 20% of the allocated federal CMAQ funds, and does not imply changes to other funding programs.

Should future transportation legislation not include CMAQ funding, this policy will no longer be in effect.

Example Schedule

The following is an example schedule of the policy implementation and updates. This information is only representative of the general approach and specific schedules will be developed in the future (annual reports will continue to be prepared and submitted as required).

Example Schedule	
Summer 2008	Develop cost-effectiveness threshold through interagency consultation
Fall 2008	Identify funding available in the 2008 FTIP related to the 20% local cost-effectiveness policy
Spring 2009	Implement call for projects – Quantify, rank, and select CMAQ projects
Summer 2009	Approve Amendment to 2008 FTIP
Summer 2011	Review policy feasibility. If policy is continued, proceed with following steps. Update cost-effectiveness threshold through interagency consultation
Fall 2011	Identify funding available in the 2012 FTIP related to the 20% local cost-effectiveness policy
Spring 2012	Implement call for projects – Quantify, rank, and select CMAQ projects
Summer 2012	Approve 2012 FTIP

March 1, 2023

TO: TRANSPORTATION TECHNICAL ADVISORY COMMITTEE (TTAC)

FROM: Ahron Hakimi,
Executive Director

By: Rochelle Invina-Jayasiri, Regional Planner

SUBJECT: TTAC AGENDA ITEM: XI.
DISCUSSION ON TELECONFERENCING OPTIONS FOR VOTING MEMBERS

DESCRIPTION:

Report on the Kern COG Board decision on teleconferencing options for voting members.

DISCUSSION:

On September 16, 2021, Governor Gavin Newsom signed into law Assembly Bill (AB) 361 which authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body holds a meeting during a declared state of emergency or when state or local health officials have imposed or recommended measures to promote social distancing, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees. AB 361 is in effect till January 1, 2024.

During the Kern COG Board Meeting on January 19, 2023, County Counsel stated Governor Newsom will lift AB 361 at the end of February 2023, and an amended Ralph M. Brown Act will be in effect under AB 2449. Please see attached County Counsel memorandum regarding the Brown Act teleconferencing options. During their February 16, 2023 Kern COG Board meeting, the Board members reviewed the options and made a decision to revert back to the "classic" Brown Act rules on teleconferencing:

Section 54953(b)(3) teleconferencing

- Agenda posted at all teleconference locations
- Agenda must list all teleconference locations
- All teleconference locations accessible to the public
- At least a quorum must participate from locations within geographical boundaries of the local agency's jurisdiction.
- All votes must be roll call votes

In addition, the Board Members stated all Kern COG committees and subcommittees will follow the same teleconferencing requirements as listed above, and teleconferencing options will continue to be made available for Kern COG staff and public. If committee members choose to teleconference for a committee meeting, their location must be posted on the Agenda in advance; otherwise, their vote will not be counted for that meeting. Provide staff 10-day advance notice of attending remotely.

Attachments: Office of County Counsel, County of Kern Memorandum

ACTION: Information.

**OFFICE OF COUNTY COUNSEL
COUNTY OF KERN
MEMORANDUM**

Margo A. Raison
County Counsel

Brian Van Wyk
Deputy

CONFIDENTIAL
Attorney-Client Privileged

TO: Members, Kern Council of Governments

FROM: Office of County Counsel
By: Brian Van Wyk, Deputy County Counsel

DATE: January 19, 2023

SUBJECT: Brown Act teleconferencing options

The Brown Act generally requires that meetings of the governing bodies of local public agencies be held open to the public with the location on the agenda at least 72 hours before the meeting. However, the Brown Act also provides 3 different ways that meetings can be held remotely via teleconferencing.

1. Section 54953(b)(3) teleconferencing

- Agenda posted at all teleconference locations
- Agenda must list all teleconference locations
- All teleconference locations accessible to the public
- At least a quorum must participate from locations within geographical boundaries of the local agency's jurisdiction.
- All votes must be roll call votes

2. Section 54953(e) teleconferencing (AB 361) (sunsets January 1, 2024)

- There must be an active proclaimed state of emergency.
- One of the following must be true:
 - State or local officials have recommended or required social distancing
 - The body is meeting to determine whether it is safe to meet in person
 - The body has determined by majority vote that meeting in person is unsafe
- The agency must make available technological means for participation by the public either by call in or an internet-based service described in the agenda.

- In the event of a technological service disruption, the body shall take no action until public access is restored.
- The body must make findings relating to the need to meet remotely.
- There is no need to provide a physical location for public attendance.
- All votes must be roll call votes.

3. Section 54953(f) teleconferencing (AB 2449) (Sunsets January 1, 2026)

- At least a quorum of the members of the body participate in person from a singular physical location clearly identified on the agenda that is held open to the public and situated within the boundaries of the agency's jurisdiction.
- There must be a two-way audiovisual technological means of remote access for the public described in the agenda.
- A member who wants to appear remotely must:
 - Show either:
 - good cause to appear remotely (e.g., childcare, elder care, illness, disability, travel related to official business of a public agency), provided that this may only be used 2 times per year.
 - A physical or family medical emergency preventing the member from attending in person.
 - notify the agency as soon as possible
 - participate through both audio and visual technology
 - disclose whether anyone over 18 is present with them at the remote location, and state their relationship to the member.
- The body must approve the remote appearance as an agenda item, or as a non-agenda item if time does not allow it to be agendized properly.
- Any particular member of the legislative body may not use AB 2449 teleconferencing for more than:
 - 3 consecutive meetings
 - 20% of the regular meetings for the local agency within a calendar year,
 - 2 meetings if the legislative body regularly meets fewer than 10 times per calendar year.¹
- All votes must be roll call votes.

¹ Government Code section 54953(f)(3) states: "this subdivision shall not serve as a means for any member of a legislative body to participate in meetings of the legislative body solely by teleconference from a remote location for a period of more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year." It is ambiguous as to whether the restriction applies to any *particular* member or any member *at all* from utilizing its provisions. However, after a further review of the statute and legislative history, it appears that context more likely supports the former reading than the latter, and thus my revised recommendation would be to apply this restriction to any *particular* member of the legislative body.

MEMORANDUM

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You have asked whether an agency could use multiple options. An agency could in theory use multiple options; however because each option has specific requirements, doing so could be difficult. For example, under the first option, members could participate from various locations held open to the public, but under the third option, at least a quorum must participate from one single public location.

You have asked whether staff or alternates attending other than as a voting board member could attend remotely without compliance with the above procedures. In general, yes, they could do so, however, it would require that the agency determine in advance the methods it would use to provide both public access and participation and staff access and participation.

You have asked whether the agency is required to allow teleconferencing. An agency is generally not required to allow teleconferencing by either its board members or by the public. There are many valid reasons why it may choose one way or the other.

Please contact me if you have any other questions.



XII. TTAC

March 1, 2023

TO: TRANSPORTATION TECHNICAL ADVISORY COMMITTEE (TTAC)

FROM: Ahron Hakimi,
Executive Director

By: Irene Enriquez, Regional Planner

SUBJECT: TTAC AGENDA ITEM: XII.
FY 2023-24 KERN REGION ESTIMATED LOW CARBON TRANSIT
OPERATORS PROGRAM (LCTOP) CALL FOR PROJECTS

DESCRIPTION:

Pursuant to Health and Safety Code Section 39719, the Controller shall allocate the Greenhouse Gas Reduction Fund according to the requirements of the Low Carbon Transit Operations Program (LCTOP). The Kern Region is estimated to receive a total (To be determined at a later date).

DISCUSSION:

Kern COG staff will receive an apportionment estimate from Caltrans staff for the Kern Region for the Low Carbon Transit Operations Program (LCTOP). Caltrans will administer the LCTOP funding program in two accounts: 99313 (Kern COG Regional) and 99314 (Agency only) similar to the Proposition 1B program. The hard deadline to receive LCTOP allocation requests from member agencies and a Kern COG Board adopted a program of projects is estimated to be **April 2023**.

Expenditures Eligible for funding

Funding for the program shall be expended to provide transit operating or capital assistance that meet all of the following criteria:

1. Expenditures supporting new expanded bus or rail services, or expanded intermodal transit facilities, and may include equipment acquisition, fueling, and maintenance, and other costs to operate those services or facilities.
2. The recipient transit agency demonstrates that each expenditure directly enhances or expands transit service to increase mode share.
3. The recipient transit agency demonstrates that each expenditure reduces greenhouse gas emissions.

Example of Eligible Projects

Expand transit services:

1. Implement bus rapid transit (for new routes or expansion of existing routes).
2. Increase service (extend transit routes, increase the frequency of service, and extend service hours).
3. Free or reduced-fare transit passes/vouchers.
4. Increase capacity on routes nearing capacity (add more buses, or rail cars to existing routes).
5. Purchase zero-emission or hybrid vehicles and equipment (e.g. buses, railcars, auxiliary electrical power units).
6. Expanded intermodal transit facilities.
7. Install new transit stops/stations that connect to bike/pedestrian paths.
8. Upgrade transit vehicles to support active transportation and encourage ridership (e.g., bicycle racks on buses; bicycle storage on rail cars).

Since the SCO has not finalized the apportionment of these monies for use in the fiscal year 2023-24, Kern COG staff suggests the following project timeline:

Present the FY 2022-23 SCO call for projects to the Transportation Technical Advisory Committee (TTAC) members at the **March 1, 2023**, meeting. The 2023-24 SCO Program of Projects will be presented to TTAC members once the SCO has released final apportionment funds.

Presentation and adoption of the Kern COG FY 2023-24 LCTOP POP and submittal of the member agencies allocation request **March 3, 2023 (to ensure making the March 16, 2023 Transportation Planning Policy Committee Agenda)**.

All FY 2023-24 LCTOP completed project applications (with supporting documents) are due to Caltrans LCTOP staff before March 24, 2023.

Should you have any questions or require additional information, please contact Irene Enriquez, Regional Planner at **(661) 635-2918** or E-mail at ienriquez@kerncog.org.

ACTION: Information.