

# KINGS COUNTY AREA PUBLIC TRANSIT AGENCY

## Board of Directors

### Special Meeting Agenda

610 W. 7<sup>th</sup> Street - Hanford, California 93230 (559) 852-2692 [www.kartbus.org](http://www.kartbus.org)

**Meeting Date:** December 11, 2024

**Time:** 2:00 PM

**In Person:** Board Chambers-Admin Bldg 1, Kings Co Gov't Center 1400 W. Lacey Blvd, Hanford, CA 93230 Hanford, CA 93230  
Avenal City Hall, Conference Room 919 Skyline Blvd. Avenal, CA 93204

**Join Zoom Meeting:** <https://us06web.zoom.us/j/89831078156?pwd=4d4toZLT8W83plvi9NTYlqYH3LjOgb.1>

Meeting ID: 898 3107 8156

Passcode: Kart1211

Link to our Website: [www.kartbus.org](http://www.kartbus.org)

*If you need special assistance to participate in this meeting or language assistance, please contact the Clerk of the Board at (559) 852-4623 by 4:00 PM on the Monday before this meeting. The Agenda backup information and any public records provided to the Board after the posting of the agenda for this meeting will be available for public review at 610 W. 7<sup>th</sup> Street, Hanford, CA 93230.*

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## SPECIAL HYBRID MEETING AGENDA

### KINGS COUNTY AREA PUBLIC MEETING PROTOCOL

KCAPTA hereby provides notice that effective March 1, 2022, it will return to in-person and public meetings.

Members of the public who wish to participate in this meeting can do so in one of the following three ways: **(1) by attending the meeting in person, (2) via Zoom Meeting, or (3) by submitting written comments** on any matter within the KCAPTA Board's subject matter jurisdiction, regardless of whether it is on the agenda for KCAPTA's consideration or action and those written comments will be entered into the administrative record of the meeting.

To submit written comments by U.S. Mail or email for inclusion in the meeting record, they must be received by the KCAPTA Office no later than 11:00 a.m. on the day of the noticed meeting. To submit written comments by email, please forward them to [info@kartbus.org](mailto:info@kartbus.org). To submit such comments by U.S. mail, please forward them to the Clerk of the Board, KCAPTA at 610 W. 7<sup>th</sup> Street, Hanford, CA 93230.

<u>ITEM #</u>	<u>DESCRIPTION</u>	<u>ACTION</u>
1.	CALL TO ORDER <i>Roll Call – Clerk of the Board</i>	
2.	UNSCHEDULED APPEARANCE <i>Any person may directly address the Board at this time on any item on the agenda or on any other topics of interest to the public that is within the subject matter jurisdiction of the Board. Five (5) minutes are allowed for each item.</i>	
3.	CONSENT ITEMS <i>All items listed as consent items are considered routine and will be enacted by one motion. Any discussion of any consent item will be removed at the request of any Board member and made a part of the regular agenda.</i> A. Summary Minutes of Meeting October 23, 2024	<b>ACTION</b>
4.	ACCEPT FISCAL YEAR 2023/2024 ANNUAL COMPREHENSIVE FINANCIAL REPORT	<b>ACTION</b>
5.	APPROVE AMENDMENT NO.2 TO ENTERPRISE AGREEMENT 22-05	<b>ACTION</b>
6.	APPROVE AGREEMENT WITH CLEAN ENERGY FOR CNG COMPRESSOR REPLACEMENT	<b>ACTION</b>
7.	GRANT OF EASEMENT TO SCE FOR UNDERGROUND UTILITIES AT THE NEW KART TRANSIT CENTER	<b>ACTION</b>
8.	APPROVE CHANGE ORDER FOR THE KART TRANSIT CENTER CONSTRUCTION PROJECT	<b>ACTION</b>
9.	APPROVE KCAPTA 2025 BOARD MEETING CALENDAR AND TIME	<b>ACTION</b>
10.	APPROVE AMENDMENT NO.1 TO AGREEMENT WITH CLEAN ENERGY	<b>ACTION</b>
11.	MISCELLANEOUS COMMENTS FROM STAFF	<b>INFORMATION</b>

**Attachments:**

- A – MINUTES OF OCTOBER 23, 2024
- B – FISCAL YEAR 2023/2024 ANNUAL FINANCIAL REPORT
- C – INDEPENDENT SINGLE AUDIT REPORT WITH STATE COMPLIANCE
- D – AMENDMENT NO. 2 TO AGREEMENT 22-05 WITH ENTERPRISE
- E – AGREEMENT # 2504 WITH CLEAN ENERGY FOR CNG COMPRESSOR REPLACEMENT
- F – BUDGET APPROPRIATION FOR CLEAN ENERGY CNG COMPRESSOR REPLACEMENT
- G – SCE GRANT OF EASEMENT
- H – QUIRING CHANGE ORDER#38 -HOLIDAY BANNER/POLE
- I – KCAPTA 2025 BOARD MEETING CALENDAR
- J – AMENDMENT NO.1 TO AGREEMENT WITH CLEAN ENERGY

## **STAFF REPORT**

### **3. CONSENT ITEM:**

#### ***A. Summary Minutes of Meeting October 23, 2024***

### **4. ACCEPT FY 2023/2024 ANNUAL COMPREHENSIVE FINANCIAL REPORT (Heather Corder):**

It is a pleasure to submit the Annual Comprehensive Financial Report (ACFR) of the Kings County Area Public Transit Agency (KCAPTA) for the year ending June 30, 2024. The ACFR has become the standard format for presenting the results of KCAPTA's operations, financial position, cash flow, and related statistical information. The report enables the Agency to comply with the provision of the Single Audit Act, U.S. Office of Management, Budget, and State laws.

Management assumes full responsibility for the completeness and reliability of the information in this report, based upon a compressive framework of internal controls established for this purpose. As the cost of internal controls should not exceed anticipated benefits, the objective is to provide reasonable, rather than absolute assurance, that the financial statements are free from any material misstatement.

Brown Armstrong, Independent Auditors, have issued an opinion that the financial statements present fairly, in all material respects, the financial position of Kings County Area Public Transit Agency as of June 30, 2024, the respective changes in financial position and cash flows thereof for the years then ended in conformity with the account principles general accepted in the United States of America.

A Brown Armstrong representative will attend the meeting and discuss the annual financial report in more detail.

#### **Recommendation**

Staff is recommending the Board accept the Fiscal Year 2023/2024 Annual Financial Report.

### **5. APPROVE AMENDMENT NO. 2 TO ENTERPRISE AGREEMENT 22-05 (Heather Corder):**

KCAPTA entered into an agreement with Enterprise Rent-A-Car Company for Vanpool Services for commuters in July of 2022. The agreement term was from July 1, 2022, to June 30, 2024. The agreement allows for four renewal periods of one year each. Any renewal or extension of the agreement must be in writing and signed by both parties to the agreement as a contract amendment.

Amendment #1 was approved by the board in June of 2024. This amendment extended the contract terms to June 30, 2025.

Amendment #2 will begin January 1, 2025, and remain in effect until June 30, 2025. KCAPTA has received grant funds that will provide \$500 per month for existing vanpools and \$650 per month for new vanpools. The effective date of these changes will be from January 1, 2025, until December 31, 2027. Each existing vanpool will have 24 months of subsidy.

KCAPTA will provide subsidies up to KCAPTA's funding allocation for the program to vanpools that meet KCAPTA's eligibility requirements. Enterprise will reduce the price of each subsidized vanpool for the participants by at least equal to the subsidy amount.

#### **Recommendation**

Staff recommends the Board approve Amendment #2 with Enterprise and authorize the KCAPTA Board Chair to sign Amendment #2 to Agreement # 22-05

### **6. APPROVE AGREEMENT 2504 WITH CLEAN ENERGY FOR CNG COMPRESSOR REPLACEMENT (Angie Dow):**

The KCAPTA CNG Fueling Station was built in 2012 and was last updated in 2016. Vital improvements are needed to ensure safe and reliable fueling for KART's fleet of CNG fixed-route Buses.

On July 26, 2024, the Federal Transit Administration Announced the Fiscal Year 2024 Low or No Emission Program project selection. Of the 214 eligible projects submitted, only 62 projects were awarded. Staff is pleased to announce that one of

the two competitive grant applications submitted was one of those awarded projects, KCAPTA Rehabilitation of CNG Fueling Station, in the amount of \$1,610,875.

Staff worked with Clean Energy during the grant application process and named Clean Energy as a Project Partner. As a Project Partner, Clean Energy will replace the existing Knox 75 HP Compressor with a new ANGI compressor and related improvements, such as extending the concrete pad by adding a 6' X 10' pad, tying into existing above-ground low-pressure inlet piping, and above ground high-pressure outlet tube; New power conduits to the new compressor; Install new 400 A breaker in existing switchgear; and Install a manual transfer switch.

If approved, since this project was not included in the KCAPTA Fiscal Year 2024/25 Capital Budget, the Board will need to approve the related budget appropriation.

**Recommendation**

Staff recommends the Board approve Agreement # 2504 with Clean Energy in the amount not to exceed \$1,610,875 to replace the Knox Western CNG compressor and the related Budget Appropriation

**7. GRANT OF EASEMENT TO SCE FOR UNDERGROUND UTILITIES AT THE NEW KART TRANSIT CENTER (Angie Dow):**

KCAPTA has been working with various utility providers to convert all the overhead utilities in our Project area to underground.

The required Grant of Easement provides Southern California Edison (SCE) with access to its underground utilities.

**Recommendation**

The Staff recommends the Board authorize the KCAPTA Board Chair to sign all required documents for the grant of Easement.

**8. APPROVE CHANGE ORDER FOR THE KART TRANSIT CENTER CONSTRUCTION PROJECT (Angie Dow):**

Quiring General has submitted Change Order # 38 in the amount of \$57,808.36 (PCO # 38)

The Proposed Change Order was issued in response to the City of Hanford Public Works Department’s request to add (2) strain poles for holiday decorations with underground power.

When the Board awarded the Construction Contract to Quiring General LLC in October 2023, they included an “Owners Contingency” of \$400,000 (or 1% of the Contract Value). They Authorized the Executive Director to approve change orders up to the “Owner Contingency” amount. Construction Projects typically have between 5% (\$1,440,250) and 10% (\$2,880,500) contingency budgets for unexpected or unforeseen items. If approved, the total amount of Change Order Approved would be \$1,066,740.34, which is 3.7% of the Contract Value.

If approved, Quirings’ total contract value would increase from \$29,813,931.98 to \$29,871,740.34, which is still within our project budget.

**Change Order History**

CHANGE ORDER #	DESCRIPTION	CONTINGENCY ADJUSTMENT	CONTRACT ADJUSTMENT	CONTRACT TOTAL VALUE
AWARDED	ORIGINAL CONTRACT AWARD			\$29,205,000
CO #1A	Administrative change order to clarify required Builder Risk for Earthquake & Flood Limits	\$0	\$0	\$29,205,000
CO #1B	Removal of Unforeseen Foundation & Piping	\$16,098.43		
CO #2	Changes to Bulb-outs that were not included in the bid documents. The most significant changes included added storm drainage utility inlets and line extensions, and traffic signs		\$214,250.71	\$29,419,250.71
CO #3	Grading/Utility Revision	\$155,430.61		

PCO #4	*Pending – Time/Cost Extension for Delays			
CO #5	Fire Department Revisions		\$179,409.07	\$29,598,659.78
POC #7R1	Structural Steel Changes	\$18,674.68		
CO #8	Concrete sealing agent	\$6,883.28		
CO #9	Drainage Plan related to Roof Drains	\$5,133.23		
PCO #10.1	Soil Pumping	\$3,518.62		
PCO #11R1	SCE Utility Impacts	\$52,064.11		
PCO # 11.1	Additional SCE Utility Impacts	\$17,044.70		
PCO #13R1	Utility Conflicts Storm Drain		\$49,282.83	\$29,647,942.61
CO #14	Power/Data Revision (Build C)	\$15,419.75		
PCO #15R2	BABA Non-Compliant Light Fixtures	\$6,394.10		
PCO #16R1	BABA Non-Compliant Floor Tile	\$4,426.19		
CO #17	Revise HVAC Register to Ceiling	\$6,822.59		
PCO #18R1	Interior Finish Revisions	<i>(-\$76,865.94)</i>		
PCO #19	Sewer Reroute	\$50,273.09		
PCO #20	*Pending Additional Information/ Pricing Delete Security Camera	Credit		
PCO #21	*Pending Additional Information/ Pricing Replace Damaged Sidewalk 8 <sup>th</sup> Street			
PCO #22	Utility Conflicts Fire Hydrant		\$57,059.03	\$29,705,001.64
PCO #23	Site Drainage Conflicts	\$7,060.10		
PCO #24	BABA Compliant Plumbing Fixture (Building C)	\$33,065.93		
PCO #25	Delete Trama Kits	<i>(-\$2,331.30)</i>		
PCO #26	BABA Compliant Plumbing Fixture (Building A & B)		\$64,204.14	\$29,769,205.78
PCO # 27	Feature Change for Light Fixtures	<i>(-3,672.81)</i>		
PCO # 28	Additional Storm Drain Inlet to accommodate revised flow line and removal of dead trees	\$16,612.12		
PCO #29	* Pending Additional Information/Pricing Additional data drops (Building A & B)	\$		
PCO #30	Power Pathways to Bus Bays		\$36,824.25	\$29,806,030.03
PCO #31	*Pending Additional Information/Pricing Delete Wireless Access Points	<i>(-\$5,213.72)</i>		
PCO #32	**Board Approved in OCT. Final amount Pending Revised Pricing Change Cable to Shield Cable		\$7,901.95	\$29,813,931.98
PCO #33	*Pending Additional Information/Pricing Partition Power Requirements	\$3,432.47		
PCO # 34	*Pending Additional Information/ Pricing Fiber Clarification			
PCO # 35	**Pending Build C Power Service Revision NOT KCAPTA			
PCO # 36	*Pending Additional Information/Pricing Structural Changes			
PCO # 37	Roof Drainage Revision (Building A)	\$8,065.13		
PCO# 38	*Pending Board Approval Holiday Banner Poles		\$57,808.36	\$29,871,740.34
PCO # 39	Remove T&G (Building A)	<i>(-\$10,984.80)</i>		
PCO # 40	*Pending Additional Information / Pricing Staining in lieu of Painting Exposed Beams		\$27,227.34	
PCO # 41	*Pending Additional Information Pricing Grind Existing Water Main Slurry Cap			
PCO # 42	* Pending Additional Information Pricing AT & T Pole Location Revisions			
PCO # 43	*Pending Additional Information Pricing Landscaping Revisions			
PCO # 44	* Pending Additional Information Pricing Added Condensate Lines in Building A			
<b>ENDING TOTALS</b>		<b>\$352,031.81</b>	<b>\$666,740.34</b>	<b>\$29,871,740.34</b>

### **Recommendation**

Staff recommends the Board Approve Proposed Change Order # 38 in the amount of \$57,808.36 and authorize the Executive Director to sign the Change Order.

### **9. APPROVE KCAPTA 2025 BOARD MEETING CALENDAR AND TIME (Maria Ortiz):**

Kings County Area Public Transit Agency (KCAPTA) is a Joint Power Agency that was established in July of 1979. Article II, Section 3: Meetings states, “The Board shall hold regular monthly meetings and shall establish a date, time, and place for those meetings.” In 2007, Amendment 5 amended this Section to read “The Board shall hold regular meetings at least every three months and shall establish a date, time, and place for those meetings.”

Historically, KCAPTA regular meetings were held every fourth Wednesday of the month at 3:30 p.m. at the Kings County Board of Supervisors Chambers. Currently, they are held at 2:00 p.m.

Staff proposes that the KCAPTA's 2024 regular meeting continue to be held every fourth Wednesday of each month at 2:00 p.m. at the Kings County Board of Supervisors Chambers. Attached is a calendar with the days of the meetings indicated.

**Recommendation**

Staff recommends the Board approve the KCAPTA 2025 Meeting Calendar

**10. APPROVE AMENDMENT NO. 1 TO AGREEMENT WITH CLEAN ENERGY (Heather Corder):**

Clean Energy provides KCAPTA with a comprehensive LCFS credit management solution on our Fossil CNG. This solution includes opting KCAPTA into the LCFS program, quarterly and annual reporting, regulatory filings, adherence to market rules, verification of actual emissions, and the sale of credit generated under this program.

On July 12, 2023, the U.S. Environmental Protection Agency published a final rulemaking known as the Biogas Regulatory Reform Rule (BRRR), which made certain amendments to the regulations governing generating renewable identification numbers on RNG. Due to the regulatory changes of the BRRR, KCAPTA needs to amend the RNG TC Agreement with Clean Energy. The attached amendment captures all of the necessary provisions of the BRRR.

**Recommendation**

Staff recommends the Board approve Amendment #1 with Clean Energy and authorize the KCAPTA Board Chair to sign Amendment #1

**11. MISCELLANEOUS COMMENT FROM STAFF:**