

# MADERA COUNTY TRANSPORTATION AUTHORITY

## EXECUTIVE MINUTES

**Date:** Wednesday October 12, 2005  
**Time:** 2:30 p.m.  
**Place:** Madera County Government Center,  
Board of Supervisor Chambers

**Members Present:** Chairman Gordon Skeels - Councilman, City of Madera  
Frank Bigelow - Supervisor, Madera County  
Max Rodriguez – Supervisor – Madera County  
Alfred Ginsburg - Councilman, City of Chowchilla  
Jon Norby - Eastern Madera County

**Members Absent:** Vice Chairman Gary Gilbert - Supervisor - Madera County  
Darwin Shebelut - Incorporated Area  
Harlen Rippetoe - Unincorporated Valley  
Robert Poythress – Councilman, City of Madera

**MCTA Staff:** Patricia S. Taylor-Maley, Executive Director  
Sheila Kingsley, Administrative Assistant  
Derek Winning, Planner II

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### I. Pledge of Allegiance

### II. Public Comment

This portion of the meeting is reserved for person(s) wishing to address the MCTA on items within the jurisdiction but not on this agenda.

There was no Public Comment.

### III. Meeting Minutes of July 20, 2005

Upon motion by Director Bigelow, seconded by Director Ginsburg to approved the July 20, 2005 Executive Minutes with correction noted that Director Bigelow was present at the July 20, 2005 meeting. A vote was called and the motion carried.

### IV. Administration

#### A. 2005-06 Annual Work Program – Amendment #05-06-2

Amendment #05/06-2 was enclosed in the Director's packet. The amendment reflects a correction to the City of Madera's carryover balance. Staff inadvertently documented the incorrect carryover balance for MA-Oli-1 from FY 04/05 to FY 05/06. The City of Madera also requested to add the following project:

4th Street – SR 99 to D Street. \$100,000 Preliminary Engineering in FY 2005/06.

The amendment also reflects a transfer of \$1,000,000 from State Route 41 Road Impact Fees (012100-730318) to Measure A Funds (76410-659043) as partial payment pay back for the \$1,513,025.67 paid to Richard Gunner as a result of a Contract for Prejudgment Possession as part of the County's acquisition of portions of the Gunner property for right-of-way for the Freeway 41 extension project (CO-41-01). The

transfer is included in the County's carryover balance.

**Action:** Upon motion by Director Bigelow, seconded by Director Norby to approve the 2005-06 Annual Work Program - Amendment #05-06-2. A vote was called and the motion carried.

**B. Measure "A" Program – Status Report**

Staff reported that at the Board of Director's at its July 20, 2005 meeting requested local agencies staffs to prepare and present a status report on all the projects currently programmed in the Measure "A" program. Copies of the County of Madera and cities of Madera and Chowchilla status reports are were included in Director's package.

Larry Colucci, representing County of Madera, Les Jorgensen representing City of Madera, and Ellen Moy representing City of Chowchilla presented the Board of Directors with a verbal report.

**Action:** Information and Discussion Only.

**C. Procedure to Terminate Madera County Transportation Authority**

The Madera County Transportation Authority was established following the April 10, 1990 election which established that date as the effective date for MCTA Ordinance 90-01. The ordinance further established an operative date of October 1, 1990 with a term of fifteen years from that date. Thus the authority to collect the tax is terminated on October 1, 2005. The Authority itself will automatically terminate, by operation of law, two years later on October 1, 2007 per Board of Supervisors Resolution 90-4. There is a provision for the early termination of the Authority upon request by the Authority of the Board of Supervisors. The Authority would first reduce the purpose for its existence to a minimum; make certain findings regarding its continue existence and petition the Board of Supervisors for early termination.

The 2005/06 Annual Work Program indicates the each jurisdiction will have a balance of allocated funds on June 30, 2006:

1. City of Chowchilla	\$ 444,000
2. City of Madera	\$ 1,038,000
3. Madera County	\$ 17,915,000 (plus \$513,000 from impact fee program)

In addition there will be additional unallocated proceeds from interest, surplus revenue, and administrative cost savings which could be in the \$500,000 range. These funds would need to be allocated to each jurisdiction and distributed accordingly. It is expected that tax proceeds will continue to come in for some time after collections are stopped. While the amount is not expected to be that great, it will be necessary to set up a process with the County Auditor/Controller whereby the funds can be allocated and distributed to each jurisdiction.

The purpose of Measure "A" as identified in Ordinance 90-01 is to expeditiously finance highway and road capital improvements within the cities and county with the highest priority given to projects which improve traffic safety and secondary priority given to projects which relieve congestion.

In order to insure that these purposes are satisfied, the Authority should condition the transfer of these funds on a commitment by each respective jurisdiction to expend the fund balance expeditiously and in compliance with the purposes as codified in Section 3 of Ordinance 90-01. Further, each jurisdiction should commit to present a progress report on funds utilization and its proposed program of projects in a duly noticed public hearing on an annual basis until such time as the funds are fully exhausted.

In order to maintain the public trust each jurisdiction shall be further required to prepare an annual audit of receipts and expenditures pursuant to MCTA Ordinance 90-01.

## **REQUESTED ACTION**

Direct staff to proceed with program to terminate the Madera County Transportation Authority effective June 30, 2006. The program will include the following components:

1. MCTA Resolution finding that the Authority has served its purpose and that the public interest is best served by the early termination of the Authority and the conditioned disbursement of the balance of sales tax proceeds to the local jurisdictions.
2. Transfer allocation balances existing on June 30, 2006 for the cities of Chowchilla, Madera and Madera County to an account to be under the control of each jurisdiction. These balances will be the unexpended allocations per the 2005/06 Annual Work Program as identified in the final Authority audit.
3. Allocate the “surplus revenues” for 2005/06 to each jurisdiction and transfer accordingly. These revenues include unallocated interest, receipts in excess of projected amounts, and any other unanticipated revenues accruing to the Authority’s account and not previously allocated to a jurisdiction.
4. Develop and execute binding agreements with each jurisdiction insuring that:
  - a. funds are to be utilized for those purposes specifically identified in MCTA Ordinance No. 90-01 – safety and congestion relief;
  - b. jurisdictions will deliver projects in accordance with a program or schedule as presented in a public hearing to be conducted by each jurisdiction on an annual basis; and
  - c. all expenditures will be subject to an annual audit at each jurisdictions expense until the fund balance for that jurisdiction is fully expended

**Action:** Upon motion by Director Bigelow, seconded by Director Ginsburg directed staff to proceed with program to terminate the Madera County Transportation Authority effective June 30, 2006. A vote was called and the motion carried.

### ***D. 2005 Focus on the Future Conference***

Staff notified the Board that the Self-Help Counties – “Focus on the Future 2005” Conference was held this year in San Francisco October 16, 2005 (evening) through the afternoon of October 18, 2005.

**Action:** Information and Discussion Only

### ***E. Proposal for MCTA Fiscal Audit for FY 2004/05***

The firm of Quady, Brash and Leal submitted a proposal to perform the MCTA Fiscal Audit for FY 2004/05. The proposal is for a not to exceed amount of \$3,200 with work to be completed by December 31, 2005. This is within the Authority budget for this service.

**Action:** Upon motion by Director Norby, seconded by Director Bigelow to approve the Proposal for MCTA Fiscal Audit for FY 2004/05. A vote was called and the motion carried.

## **V. Miscellaneous**

### ***A. Items for Staff***

No Items from Staff.

### ***B. Directors Report***

Board of Directors suggested for staff to notify the public that Measure “A” has expired.

**VI. Adjournment**

There being no further business, the meeting was adjourned at 3:05 p.m. Next meeting is scheduled for February 22, 2006 at 2:30 p.m.

Respectfully Submitted,

Patricia S. Taylor-Maley, Executive Director  
Madera County Transportation Authority

