

MADERA COUNTY TRANSPORTATION COMMISSION

EXECUTIVE MINUTES

Date: Monday, December 3, 2003
Time: 3:11 P.M.
Place: Madera County Government Center,
Board of Supervisor Chambers

Members Present: Chairman Frank Bigelow - Supervisor, Madera County
Vice-Chair Gordon Skeels - Councilman, City of Madera
Alfred Ginsburg - Councilman, City of Chowchilla
Ronn Dominici – Supervisor, Madera County
Alt. Gary Svanda- Councilman, City of Madera

Members Absent: Gary Gilbert - Supervisor, Madera County
M.J. Nabors - Councilwoman, City of Madera

Policy Advisory Committee: Above Members present and Caltrans Representatives:
Alan McCuen

MCTC Staff Present: Patricia S. Taylor-Maley, Executive Director
Derek Winning, Planner I
Lester Koga, Planner I
Tricia Stone, Receptionist

MCTC sitting as the Transportation Policy Committee.

I. PLEDGE OF ALLEGIANCE

II. PUBLIC COMMENT

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

There were no public comments.

III. TRANSPORTATION CONSENT ITEMS

A. *2003-04 Environmental Enhancement and Mitigation Program*

The Environmental Enhancement and Mitigation Program (EEMP) was established by the Legislature in 1989. It offers a total of \$10 million each year for grants to local, state, and federal governmental agencies and to nonprofit organizations for projects to mitigate the environmental impacts caused by new or modified state transportation facilities. State gasoline tax monies fund the EEMP. Grants are awarded in three categories:

Highway Landscape and Urban Forestry-- Projects designed improve air quality through the planting of trees and other suitable plants.

Resource Lands -- Projects for the acquisition, restoration, or enhancement of watersheds, wildlife habitat, wetlands, forests, or other natural areas.

Roadside Recreational -- Projects for the acquisition and/or development of roadside recreational opportunities.

Program Procedures and Criteria, including specific application dates and funding limits, are generally

published by the Resources Agency each year in September, and grant applications for Fiscal Year 2003/04 are due December 19, 2003. The Resources Agency evaluates project proposals and provides a list of recommended projects to the California Transportation Commission (CTC) by April 15th each year for consideration. The Department of Transportation (Caltrans) administers the approved grant agreements.

The EEM program Procedure Guide and application form are available at <http://resources.ca.gov/eem/> in Adobe Acrobat format, or from the Resources Agency, 1416 Ninth Street, Room 1311, Sacramento, CA 95814, or by contacting the EEMP Coordinator at (916) 653-5656.

Action: Information and Discussion Only.

B. 2004-2005 Transportation Planning Grant Applications

The Department of Transportation (Caltrans) is accepting applications for two FY 2004-2005 transportation planning grant programs:

1. Federal Highway Administration Partnership Planning; and
2. Federal Transit Administration Section 5313(b) Transit Planning

An estimated \$2.6 million in grants will be available for these two grant programs in FY 2004-2005. The Federally funded transportation planning grants are subject to the approval of the FY 2004-2005 State budget for budget authority.

Projects are typically one year, but proposals may be scoped for a two-year timeline. The results of the studies or projects may lead to the planning, programming and implementation of transportation improvement projects that improve public participation, promote context-sensitive planning, reduce congestion, and improve mobility.

The application for the grants is accessible on the Department's Division of Transportation Planning website at <http://www.dot.ca.gov/hq/tpp/grants.htm>

Action: Information and Discussion Only.

Transportation Consent Calendar Action: Upon motion by Commissioner Dominici, seconded by Commissioner Skeels to approve the Transportation Consent Calendar (Items IV A-B). A vote was called and the motion carried.

IV. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. Administrative Amendment to the 2002 Federal Transportation Improvement Program. Resolution 02-06, Amendment No. 12

The City of Madera requested the 2002 FTIP to be amended to reflect the following change in the source of matching funds from State to Local:

1. Fresno River Trail (construct bicycle/pedestrian facilities); change matching funds (\$16,800) from State to Local;
2. Purchase 2 CNG fueled street sweepers; change matching funds (\$41,063) from State to Local;
3. Purchase 1 CNG fueled bucket lift truck; change matching funds (\$6,000) from State to Local;

The County of Madera requested the 2002 FTIP to be amended to reflect schedule delays to the following three projects:

1. Road 36 – Avenue 12 to 12 1/2 (construct bicycle/pedestrian facilities). Delay construction to 2003/04;

2. SR 41 in Oakhurst (construct pedestrian facilities from 1,000 ft. south of Victoria Lane and extending 2 miles north, phase 2 P.E. Delay P.E. to 2003/04.
3. Avenue 12 at Road 36 (construct traffic signal). Reduce right of way cost from \$100,000 to \$23,000 and show in 2002/03. Delay construction to 2003/04 and increase budget from \$400,000 to \$477,000. Total project cost and federal/local match remain unchanged at \$500,000 (\$442,000 federal/\$58,000 local).

Action: Upon motion by Commissioner Skeels, seconded by Commissioner Ginsburg to approve the Administrative Amendment to the 2002 Federal Transportation Improvement Program. Resolution 02-06, Amendment No. 12. A vote was called and the motion carried.

B. 2004 State Transportation Improvement Program (STIP) Fund Estimate

The California Transportation Commission held a special Fund Estimate workshop on Monday, November 24, 2003 to discuss the Draft Fund Estimate (included in the package). Staff provided a verbal report on the Fund Estimate release and workshop.

The 2004 State Highway Account and Federal Fund Estimate forecasts a need for deprogramming an estimated \$2.6 billion of projects from the State Transportation Improvement Program (STIP) and the State Highway Operation Protection Program (SHOPP) in 2004-05. Additional programming becomes available in 2007-08, with an estimated net \$2.8 billion in deprogramming necessary of the Fund Estimate period.

The initial deprogramming is made necessary by a number of factors; including the poor condition of the State's General Fund, reduced weight fee revenue, delay in receipt of expected revenue, and a lower anticipated federal revenue.

The Madera County Transportation Commission may be required to respread \$9,169,000 of its current programmed Regional STIP projects, according to Page 54 of the Draft Fund Estimate (attached). The spreadsheet identifying the affected projects is also attached. Additional information will be presented at the special CTC Workshop on November 24, 2003. Staff will provide a verbal report of the deprogramming/respreading implications to the Madera County Regional Improvement Program.

The fund estimate schedule is as follows:

- Caltrans proposed fund estimate – November 24, 2003
- CTC adoption of fund estimate – December 11, 2003
- Regional Transportation Improvement Program and Interregional Transportation Improvement Program due – April 12, 2004
- North STIP hearing – May 12, 2004
- South STIP hearing – June 16, 2004
- CTC Staff Recommendations published – July 15, 2004
- CTC adoption of 2004 STIP – August 5, 2004

Action: Information and Discussion Only.

C. City of Madera requests MCTC to allocate Regional State Transportation Improvement Program (STIP) funds from the Regional STIP reserve

The City of Madera requested that the MCTC send a letter to Caltrans requesting that the California Transportation Commission allocate \$2,400,000 from the 2002 Regional STIP reserve funds (copy of letter was included in the package) to the SR 99/SR 145 & SR 99/Gateway Drive Interchange Improvement Project. The City proposes to replace the funds with the 2004 Regional STIP allocation or by reprogramming 2002 Regional STIP funds currently programmed for City projects.

The current construction cost estimate is \$9,436,000. \$3,900,000 is currently programmed in the Regional

STIP. In order to fund the project increase, the City will need to allocate an additional \$500,000 of Measure "A" funds and \$2,400,000 of Regional STIP funds currently in the reserve. Approximately \$1,500,000 has been expended on the project design, environmental and right-of-way acquisition.

According to City staff, Caltrans District 06 staff has been working with the California Transportation Commission (CTC) staff over the past few months to find the best way to fund this project within the current CTC guidelines based on the State budget restrictions. The use of the reserve funds are necessary as the current allocation of Regional STIP funds for construction approved in the 1998 Regional STIP are insufficient to fund the current construction cost estimate.

The funding source must be identified and presented to Caltrans by December 19, 2003 in order to get the item on the CTC agenda for their January 2004 meeting. This project is under a "use it or lose it" deadline of February 2004 for the CTC allocation of construction funds.

Action 1: Upon motion by Commissioner Skeels, seconded by Commissioner Dominici to approve the City of Madera's request and direct staff to send a letter to Caltrans stating that \$2,400,000 identified in the reserve will be allocated to the SR 99/SR 145 & SR 99/Gateway Drive Interchange Improvement Project. A vote was called and the motion carried.

Action 2: Upon motion by Commissioner Dominici, seconded by Commissioner Ginsburg, given the previous motion that the MCTC identify \$2,400,000 in STIP reserves to be allocated to the SR 99/ SR 145 and SR 99/Gateway Drive project that the County of Madera remain whole according to previous STIP allocations. A vote was called and the motion carried.

D. Traffic Monitoring Program – Consultant Selection

The MCTC STIP allocations developed a Traffic Monitoring Program intended to provide regional traffic count data in support of maintaining and calibrating the Madera County Traffic Model. The Traffic Monitoring Program also includes traffic support services provided to each of the local agencies within Madera County. These services include: traffic counts; radar surveys; and accident diagrams. A qualified consultant is utilized to administer the program and deliver the required traffic data based on the following scope of work.

The available budget for Fiscal Year 2003/04 is \$40,000. In addition, the MCTC has certain equipment which would be made available for use in delivering services under the contract. This equipment includes 12 NU Metrics Count Cards and 1 data reader; 1 radar gun; and 1 laptop computer for field data downloading.

SCOPE OF WORK

The Traffic Monitoring Program is comprised of two main components. The Regional Traffic Count Program and the Local Agency Support Program. The Regional Traffic Count Program consists of a master list of count locations primarily based upon the screenlines used to calibrate the Madera County Traffic Model and are considered required services. The Local Agency Support Program consists of additional services: traffic counts; radar surveys; turn movements; and accident diagrams provided on an as needed basis upon request of the local agency.

REGIONAL TRAFFIC COUNT PROGRAM

- 1) Regional Count Program – The MCTC is responsible for maintaining the Madera Regional Traffic Count Program. This involves approximately 225 count locations to be counted on a rotational basis over a 3-year period in which 75 locations are counted annually. The regional locations are counted over a 24-hr period in each direction and are considered to be "raw" traffic counts. A map indicating each of the regional count locations will be provided by MCTC.

LOCAL AGENCY SUPPORT PROGRAM

- 1) Local agency traffic counts – The local agencies schedule traffic counts as needed to support traffic control device warrant studies; capital improvement program development for streets and roads and signalized intersections; and turning movement counts. Work flow varies depending upon individual agency requirements, however 36 discretionary traffic counts and 5 turn movement counts are made available annually under this program.
- 2) Radar speed studies – All three agencies require radar studies which are provided on an as needed basis. At present there is no formal or regularly scheduled program, however 20 discretionary studies are made available annually under this program. MCTC currently owns and would make available for use a radar gun and related equipment.
- 3) Accident analysis – Each agency requires accident analysis to include preparation of accident diagrams, review of accident reports, and recommendations for engineering solutions where applicable. The support program provides 14 discretionary accident diagrams under this program.

CONSULTANT SELECTION

A Consultant Selection Committee consisting of MCTC Staff and one representative of each local agency reviewed and evaluated the one proposal received from TPG Consulting. TPG Consulting bid \$38,555 to perform the proposed scope of work for FY2003/04. The scoring criteria is based upon the following factors: comprehension of the project and thoroughness of the proposal in meeting RFP objectives 50%; firm qualifications 25%; firm experience 15%; and cost 10%. The Selection Committee met on November 18, 2003 and unanimously recommends TPG Consulting to administer the MCTC Traffic Monitoring Program.

PROPOSALS

1. TPG Consulting - Score (95) - Cost (\$38,555)

Action: Upon motion by Commissioner Dominici, seconded by Commissioner Skeels to approve the Traffic Monitoring Program – Contract agreement between MCTC and TPG Consulting. A vote was called and the motion carried.

E. Air Quality Update

NORTHERN COUNTIES AIR QUALITY PLANNING AREA

San Joaquin, Stanislaus, and Merced counties sought approval before the San Joaquin Valley Air Pollution Control District (SJVAPCD) to initiate a study to determine whether a northern air quality planning area could be established. The SJVAPCD Governing Board voted down the proposal at its September 18, 2003 meeting. The separate planning area was proposed to avoid the upcoming voluntary designation for the San Joaquin Valley as extreme nonattainment for the northern counties.

The SJVAPCD has conceded that they will be unable to attain the 1-hour standard under the current severe area deadline of 2005. The new extreme designation would extend the attainment deadline for the 1-hour ozone standard to 2010. The voluntary designation of extreme nonattainment will allow the San Joaquin Valley to avoid losing \$2 billion in Federal Highway Funds from sanctions imposed for failure to develop an approved severe attainment plan and ultimately show attainment by 2005. An Extreme Ozone Attainment Demonstration Plan will require 2 to 1 emissions offsets for new and expanding businesses in the valley. The SJVAPCD is expected to decide the extreme ozone designation issue in January 2004.

The three northern counties seldom violate the National Ambient Air Quality 1-hour Ozone Standard, but are subject the same regulations as Fresno and Kern counties to the south that routinely violate the standard.

Madera County rarely violates the 1-hour standard: 2001 – 0 days; 2002 – 2 days; 2003 – 0 days. Attainment is demonstrated when an Air Basin does not violate the standard more than an average of one day per year over three consecutive years. Although Madera County rarely violates the 1-hour standard, the new Federal 8 – hour Ozone Standard was exceeded 18 times in 2002 and 17 times so far in 2003.

FEDERAL 8 – HOUR OZONE DESIGNATION

EPA anticipates designating new 8-hour ozone nonattainment areas on April 15, 2004. ARB submitted state recommendations on July 15, 2003. The State recommends that the 1-hour standard remain in effect for nonattainment areas until an approved SIP is developed for the 8-hour standard for that area. The San Joaquin Valley nonattainment area would remain the same as the current 1-hour nonattainment boundary. EPA is currently reviewing 8-hour boundary recommendations and will notify State Governors in late November 2003 of any intended modifications of the existing boundaries. The implementation rule is scheduled to be finalized in two parts. The first part, covering classification and transition from the 1-hour standard, is expected to be published in January 2004. The San Joaquin Valley Air Pollution Control District would have until 2006 to develop an 8-hour Ozone Attainment Demonstration Plan.

REASONABLY AVAILABLE CONTROL MEASURES (RACM)

The Air District plans to consider a voluntary bump-up to Extreme nonattainment for ozone by January 2004. In addition, the District plans to consider adoption of the Extreme Ozone Attainment Demonstration (OADP) later in 2004. The District has requested the TPAs and member jurisdictions complete a RACM process for this plan (enclosed). The ozone planning efforts for this plan will focus on the analysis years 2008 and 2010.

A model resolution package has been prepared to assist the San Joaquin Valley Transportation Planning Agencies (TPAs) in working with their member agencies in submitting commitments to implement measures for the Extreme OADP. The District plans to adopt the plan in May 2004. Consequently, the Commitment document must be compiled and submitted to the District in March 2004.

The Clean Air Act requires nonattainment plans to implement all reasonably available control measures (RACM) as expeditiously as practicable. Failure to submit the plan with adopted control measures could result in the imposition of federal sanctions by EPA. The sanctions include the withholding of Federal Highway Funds and two to one offset requirements for stationary (industrial) sources. A Federal Implementation Plan could also be imposed by EPA.

Approximately two years ago, the TPAs and their member jurisdictions began a RACM process for the Severe Area Ozone Rate of Progress Plan (ROP). The document included resolutions from each TPA and their member jurisdictions, which included commitments to implement measures, as well as reasoned justification for measures that were found not to be feasible. In September 2003, EPA found the Amended ROP Plan to be complete. It is important to note that the Amended ROP Plan only goes out to 2005, and the Extreme OADP will be analyzing emission reductions for ozone standard attainment out to 2010.

This RACM process will utilize the previous process to the extent possible. The summary of commitments and submitted resolutions (with existing commitments and reasoned justification) will be transmitted to each jurisdiction to be used as the starting point. Each measure on listed on the Summary of Commitments should either have a commitment or reasoned justification for each implementing entity.

In general, the adopted resolution package will be reviewed to determine if existing commitments can be strengthened. Examples of strengthening include extending the implementation schedule for the measure through 2010 or including additional financial resources. If the existing commitment is not ongoing (e.g., implementation expires in 2005) and/or cannot be strengthened, then reasoned justification should be developed.

In addition, the adopted resolution package will be reviewed to determine if any measures that were

previously found not feasible are now feasible for implementation. If so, a new commitment for implementation should be developed. If not, the reasoned justification should be updated accordingly. Finally, it is important to note that a summary of the public process (e.g., committee meetings, board meetings, workshops, etc.) should be documented by the TPAs and their member jurisdictions. In addition, any “new” measure that is suggested during the public process must be considered by that jurisdiction for implementation.

The commitments are critical to the success of the plan in demonstrating that Reasonably Available Control Measures are being implemented. When the commitments are submitted to the District, they will be reviewed to determine their impact on ozone. Once commitments are included in the new air quality plan, they will become legal, binding commitments to implement measures. Failure to implement a committed measure may result in a lawsuit.

Action: Information and Discussion Only.

F. Madera County – Urban Area Boundary Adjustments

Caltrans requested that local jurisdictions consider adjusting the urban boundaries for Madera County based on the 2000 Census designated urban area boundaries. An urbanized area consists of a central core and adjacent densely settled territory that together contains between 2,500 and 49,999 people. Typically, the overall population density is at least 1,000 people per square mile. Federal transportation legislation allows cities and counties to adjust urban area boundaries for transportation purposes. The urban areas can be increased to capture contiguous geographic areas likely to become urbanized within the next 20 years, but the urbanized area designated by the 2000 Census cannot be decreased.

While Federal transportation legislation allows adjustments to the Census designated urban area boundaries, there is no Federal requirement to do so. States and MPOs may choose to use the Census designated urban area boundaries without adjustments

Adjustments to urban area boundaries had significant funding implications when Federal-Aid Highway funding included separate apportionments for Federal-Aid Urban and Federal-Aid Rural Systems. These funding classifications were eliminated in 1992 under the Intermodal Surface Transportation Efficiency Act (ISTEA). Today, the Federal requirements for urban versus rural classification are limited mostly to highway statistical reporting, highway functional classification, and regulation of outdoor advertising.

MCTC staff has met with the local agencies to discuss the 2000 Census designated boundaries and explained the necessary process if changes are made. Any urban boundary adjustment must be accompanied by a resolution from their respective Councils/Board and transmitted to Caltrans. Urban area boundary adjustments are required to be adopted by resolution of the affected jurisdictions. The resolutions, maps, and a letter of concurrence provided by the MPO must be transmitted to Caltrans in order for the changes to take affect.

Action: Upon motion by Commissioner Skeels, seconded by Commissioner Ginsburg to direct staff to draft a letter of concurrence to Caltrans acknowledging urban boundary changes adopted by the local agencies’ Councils/Boards. A vote was called and the motion carried.

V. REAFFIRM ALL ACTIONS TAKEN WHILE SITTING AS THE TRANSPORTATION POLICY COMMITTEE

Action: Upon motion by Commissioner Skeels, seconded by Commissioner Ginsburg to reaffirm all actions taken while sitting as the Transportation Policy Committee. A vote was called and the motion carried.

VI. ADMINISTRATIVE CONSENT ITEMS

A. Executive Minutes of September 17, 2003

Included in the package was a copy of the September 17, 2003 Executive Minutes.

Action: Upon motion by Commissioner Ginsburg, seconded by Commissioner Dominici to approve Executive Minutes of September 17, 2003. A vote was called and the motion carried.

VII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. FY 2004-05 Federal Transit Assistance Section 5313(b) Grant – County of Madera

The County of Madera requested MCTC to apply for a FY 2004-05 Federal Transit Assistance (FTA) Section 5313(b) grant. The grant request is a study to evaluate the public transportation system within Madera County to increase its efficiency and effectiveness.

MPOs/RTPAs may compete for FTA Section 5313(b) grants, on their own behalf or on behalf of one or more subrecipient. The County of Madera, in this case, is requesting MCTC, as the MPO, to submit the grant on behalf of the County as a subrecipient. Transit Technical Studies Grants fund the preparation of public/transit and/or intermodal transportation planning efforts in rural areas. MCTC will be required to include this grant in its 2004/05 Overall Work Program and will have the responsibility of administering the funds.

This request is subject to the Madera County Board of Supervisor's approval at its December 8, 2003 Board meeting.

Action: Upon motion by Commissioner Dominici, seconded by Commissioner Skeels to authorize MCTC staff to forward the grant application on behalf of the County of Madera. A vote was called and the motion carried.

VIII. Miscellaneous

A. Items from Caltrans

Alan McCuen informed the Board that the SR99 Corridor Concept Report has been completed.

B. Items from Staff

No items from staff.

C. Items from Commissioners

No items from Commissioners.

IX. Adjournment

Meeting adjourned at 4:30 p.m.

Next meeting set for Wednesday, January 21, 2004.

Respectfully Submitted,

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