

MADERA COUNTY TRANSPORTATION COMMISSION

EXECUTIVE MINUTES

Date: Wednesday, April 21, 2010

Time: 3:00 p.m.

Place: MCTC Board Chambers

Members Present: Chairman Jim Kopshever– Councilman, City of Chowchilla
Vice Chairman Robert Poythress – Councilman, City of Madera
Max Rodriguez – Supervisor, Madera County
Tom Wheeler – Supervisor, Madera County
Frank Bigelow – Supervisor, Madera County
Sam Armentrout – Councilman, City of Madera

Members Absent: None

Policy Advisory Committee: Above Members present and Caltrans Representatives:
Sharri Bender Ehlert

MCTC Staff Present: Patricia Taylor, Executive Director
Derek Winning, Executive Deputy
Richard Poythress, Planner I
Dylan Stone, Planner I
Sheila Kingsley, Administrative Assistant

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 was not Public Comment.

III. TRANSPORTATION CONSENT ITEMS

A. 2010-11 Unmet Transit Needs - Public Hearing Postponed to May 19, 2010

The 2010-11 Unmet Transit Needs Public Hearing originally scheduled for April 21, 2010 has been postponed to Wednesday, May 19, 2010 at 3:00pm in the Commission's Conference Room.

The State Transportation Development Act (TDA) requires that the MCTC Policy Board determine that public transportation needs within Madera County will be reasonably met in FY 2010/11 prior to approving claims of Local Transportation Funds (LTF) for streets and roads. The MCTC's Social Service Transportation Advisory Council (SSTAC) is responsible for evaluating unmet transit needs. Each year the SSTAC begins the process of soliciting comments from the

public by sending letters to agencies and individuals interested in providing feedback on their public transportation needs within Madera County.

MCTC's Unmet Transit Needs public hearing is scheduled as follows:

- PUBLIC HEARING – Wednesday, May 19, 2010 at 3:00 p.m.
Location: Madera County Transportation Commission Board Room
2001 Howard Road, Suite 201, Madera, CA

First Transit will provide free demand response service to the hearing. A Spanish language interpreter will also be available for those who wish to testify in Spanish. A public notice has been printed in the local newspapers and flyers will be distributed throughout the community publicizing the hearing.

Action: Information and discussion only.

Transportation Consent Calendar Action: Upon motion by Commissioner Poythress, seconded by Commissioner Wheeler to approve the Transportation Consent Calendar (Item III A). A vote was called and the motion carried.

IV. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. High Speed Rail - Alternatives Outlined for Key Segments

On April 8, 2010, the California High Speed Rail Authority (Authority) released its preliminary alternatives analyses for two sections of the high speed rail system. The two segments are (1) San Francisco to San Jose and (2) Merced to Fresno. The preliminary alternatives analysis for the Merced to Fresno portion of the project identifies alternatives along existing rail corridors – the Union Pacific Railroad (A-2) and the Burlington Northern Santa Fe Railroad (A-1) – as those that best serve the purpose and need of the high speed train project. Included in the Commissioner's packet was a copy of the Authority press release dated April 8, 2010.

At its Wednesday, April 14th meeting, the Madera County Economic Development Commission (MCEDC) recommended and directed its Executive Director to send a letter to the California High Speed Rail Authority Board of Directors and appropriate staff recommending the MCEDC assist in collaborating with the Authority staff, the cities of Madera and Chowchilla and the County of Madera in developing an alternative route that minimizes the negative impacts on the cities and their respective local economies. The MCEDC Board further recommended and directed its Director to include language in the letter supporting the A-1 alignment and opposing the A-2 alignment if an acceptable alternative cannot be agreed upon. Included also in the packet was a copy of the MCEDC Staff Report.

From a regional transportation perspective, MCTC staff has identified at least 16 capacity enhancing RTP projects along the SR 99/Union Pacific corridor that are likely to be impacted if the Authority selects the A-2 alternative for high speed rail. The A-1 alternative would likely impact at least 2 capacity enhancing RTP projects. Potential impacts include increased project costs due to high speed rail track geometry requirements, loss of right of way necessary to implement certain projects, and delays in project implementation as a result of increased project costs, rail construction interference, or both.

The next meeting of the Technical Working Group for the High Speed Train – Merced to Fresno Section is scheduled for Tuesday, April 27, 2010 from 1:30 p.m. to 3:00 p.m. at the Madera City Hall Council Chambers. Public information meetings will be held on Wednesday, April 28, 2010 in Merced at the Merced Community Senior Center from 4:00pm-7:00pm and on Thursday, April 29, 2010 in Madera at the Madera County Fairgrounds – Home Arts Building from 4:00pm-7:00pm. These meetings will focus on the next steps in the environmental review of the Merced to Fresno section of the high speed train project.

The date and time for the next Technical work Group meeting for the High Speed Train – San Jose to Merced will be released soon.

The MCTC Policy Board has the option to take a formal position on either of the remaining alternative alignments for the High Speed Train through Madera County.

Action: Upon motion by Commissioner Armentrout, seconded by Commissioner Wheeler to table this item until each jurisdiction has taken action. A vote was called and the motion carried.

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

Action: The Commission unanimously approved to reaffirm all actions taken while sitting as the Transportation Policy Committee.

VI. ADMINISTRATIVE CONSENT ITEMS

A. Executive Minutes of March 17, 2010

Included in the Commissioner's packet was a copy of the March 17, 2010 Executive Minutes.

Action: Approve Executive Minutes of March 17, 2010.

B. MCTC Financial and Transportation Development Act Fund Audit for Fiscal Year ended June 30, 2009

Presented as a handout was a copy of the *Audit of MCTC Administrative and Planning Grant Funds and TDA Funds FY 2008-09* prepared by Dedekian, George, Small & Markarian Accountancy Corporation. The independent auditor's report expressed an unqualified opinion on the general purpose financial statements of the Commission and a qualified opinion on the independent auditor's report for compliance of major programs.

Action: Accept MCTC Financial and Transportation Development Act Fund Audit for Fiscal Year ended June 30, 2009

Administrative Consent Calendar Action

Action: Upon motion by Commissioner Poythress, seconded by Commissioner Wheeler to approve the Administrative Consent Calendar. A vote was called and the motion carried.

VII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. Draft 2010-11 Overall Work Program Budget

The Policy Board at its January 20, 2010 meeting discussed the Draft 2010-11 Overall Work Program and Budget. It was requested at that time that staff bring back the budget discussion concerning salaries and benefits. The two options are as follows:

- Option 1: As presented at the January 20, 2010: includes Merit and COLA increases; or
- Option 2: Merit Increases and No COLA: This would provide a merit increase for 4 of the 6 six positions.

Background:

Last year, FY 2009-10, during the budget discussion it was agreed to forego any COLA and merit increases. However, due to the salary freeze in 09-10 and the increased staff work load and additional reporting/monitoring requirements of stimulus and other bond related programs, I feel it necessary to

provide staff with a merit increase in FY 2010-11. I have surveyed the valley transportation planning agencies and the majority if not all are providing merit increases in 2010-11.

It is also important to note that the Commission’s budget has not been negatively impacted by the current economic situation as compared to other local jurisdictions. This has provided the Commission the ability to operate within its budget. The Commission’s main source of funds is federal funds called, “Metropolitan Planning” (PL) funds. There are limited uses for these funds. The PL funds are for “planning” purposes and require an 11.47 per cent local match. PL funds cannot be used for lobbying activities; therefore, the local funds are significant in developing our budget. We are provided an allocation annually and have three years to spend the funds once they have been allocated. If we do not spend down the funds then the funds revert back to the Federal Highway Administration.

Recommendation:

Staff recommends Option 2 and to direct staff to incorporate Option 2 into the 2010-11 Overall Work Program and Budget for adoption at its May 2010 meeting.

Action: Upon motion by Commissioner Armentrout, seconded by Commissioner Wheeler to approve Option 2 and direct staff to incorporate Option 2 in the 2010-11 Overall Work Program and Budget for adoption at its May 2010 meeting. A vote was called and the motion carried.

B. Proposed 2010-11 Member Assessment Fees Schedule

Recognizing the value of One Voice programs, the San Joaquin Valley COGs Policy Council has encouraged staff to organize legislative visits to Sacramento and Washington D.C. The Valley Voice delegates discuss issues of Valley wide interest, including the trade corridors plan and the Transportation Reauthorization bill.

Unfortunately, there are no MCTC Federal or State funding sources that can be utilized for lobbying activities.

In order to address the above issues, staff recommends continuing Member Assessment Fees in the 2010-11 Budget process on a per capita basis in the amount of \$10,000 if the Policy Board wishes to participate in the California Partnership and Valley wide Lobbying Activities. Included in the Commissioner's packet and also provided below is a copy of the Proposed 2010-11 Member Assessment Fees Schedule that identifies the proportional amount that each member agency would be required to pay should there be MCTC Policy Board Support for funding the Lobbying Activities.

Proposed Member Assessment Fee Schedule

2010-11 Proportional Amount

2010-11 Member Assessment Fee (Valley Voice)		\$ 10,000
Member	DOF (E-1) Population 05/01/09	Proportional Amount
Chowchilla	11,000	7.22%
Madera	57,318	37.63%
County	84,013	55.15%
	152,331	100.00%
		\$ 10,000

Action: Upon motion by Commissioner Rodriguez, seconded by Commissioner Poythress to approve Proposed 2010-11 Member Assessment Fees Schedule and direct staff to contact the local jurisdictions to incorporate the fee in its respective jurisdiction budget process. A vote was called and the motion carried.

C. Draft Procurement Policies and Procedures Manual

Included in the Commissioner's packet was a copy of MCTC's Draft Procurement Policies and Procedures Manual. A recent audit from Caltrans recommended that we update and formalize MCTC's policies and procedures in relation to procurement to ensure compliance with federal regulations.

Action: Upon motion by Commissioner Wheeler, seconded by Commissioner Bigelow to authorize circulation of MCTC's Procurement Policies and Procedures Manual for review and comment. A vote was called and the motion carried.

MCTC Sitting as the Madera County 2006 Transportation Authority

VIII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. State Board of Equalization Revised Agreement - Resolution 10-01

Included in the Commissioner's packet was the following:

1. Revised Agreement for State Administration of District Transactions and Use Taxes; and
2. Resolution 10-01 authorizing the Executive Director to execute the agreement between the Authority and the State Board of Equalization.

In preparation of the issuance of the Measure T public offering bond, MCTA needs to revise its agreement with the State Board of Equalization (BOE). The change in the agreement will have the BOE sending the collected Measure T sales tax revenues first to our trustee, Bank of New York Mellon, to secure the funding for the repayment of the bonds. The trustee will then remit the remaining funds to MCTA for disbursement to the local agencies. The agreement with BOE is a standard agreement and required to be signed pursuant to Revenue and Taxation Code Section 7265.

Action: Upon motion by Commissioner Rodriguez, seconded by Commissioner Poythress to authorize the Executive Director to execute the Revised Agreement between the Authority and State Board of Equalization by Resolution 10-01. A vote was called and the motion carried.

B. City of Madera Authorization to Proceed (Construction) - Ellis Street Overcrossing Phase I - Resolution 10-02

The current schedule to advertise for construction bids for Ellis Street/Avenue 16 Overcrossing at SR 99 - Phase 1 between Granada Drive and SR 99 is May 3, 2010. The cost estimate for construction and construction engineering is **\$3,065,000**. A copy of the latest engineer's estimate is included herein. A copy of the plans and specifications was received from the City of Madera and is on file with the MCTA.

Phase I consists of the construction of a 4-lane divided arterial street between Granada Drive and SR 99 with traffic signals at Ellis & Kennedy Streets and at Schnoor and Kennedy Streets. The funding of the Ellis Street project Phase I is as follows:

1. MCTA – Measure T Tier 1/Flex Funds = **\$1,800,000**
2. City of Madera – Local Funds = \$1,265,000

MCTC Staff recommended that the MCTA Board approve an allocation in the amount of **\$1,800,000** and authorize the City of Madera to proceed to advertise for construction bids for Ellis Street Phase I.

It is anticipated that the additional revenues necessary to proceed with Ellis Street Phase II will be secured following the sale of MCTA Bonds in mid June 2010 and an authorization to proceed with Phase II will be requested thereafter.

Action: Upon motion by Commissioner Armentrout, seconded by Commissioner Bigelow to authorize

the City of Madera to Proceed (\$1.8 million CON) with Ellis Street/Ave 16 Overcrossing Phase I by Resolution 10-02. A vote was called and the motion carried.

IX. Miscellaneous

A. *Items From Caltrans*

Caltrans discussed the Gas Tax Swap that will take effect in July 1, 2010, signed by the Governor on March 22, 2010 (ABX86, ABX89, and SB70).

B. *Items from Staff*

Staff informed the Board of the upcoming Unmet Transit Needs Public Hearing scheduled for 3:00 p.m., Wednesday, May 19, 2010.

C. *Items from Commissioners*

No Items from the Commissioners.

X. *Adjournment*

Meeting adjourned at 4:00 p.m.

Next MCTC meeting set for Wednesday, May 19, 2010

Respectfully Submitted,

Patricia S. Taylor, Executive Director
Madera County Transportation Commission