

# MADERA COUNTY TRANSPORTATION COMMISSION

## EXECUTIVE MINUTES

**Date:** Wednesday, February 17, 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

**Members Absent:** Sam Armentrout – Councilman, City of Madera

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

**MCTC Staff Present:** Patricia Taylor, Executive Director  
Derek Winning, Deputy Director  
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. California Interregional Blueprint & California Transportation Plan - Workshop**

Building on the great success of regional blueprint plans and regional planning efforts, Caltrans will be holding a series of workshops to introduce, as part of the statewide planning effort, the new California Interregional Blueprint (flyer were included in package).

Given the requirements of AB 32 and SB 375, Caltrans is inviting regional partners to participate in the California Interregional Blueprint Workshops for - A New Plan for a New Transportation Era. The California Interregional Blueprint will be the foundation of the next California Transportation Plan (CTP) and will help Caltrans and its regional partners be more responsive to AB 32 and SB 375 goals. Regional Partner contributions and inputs to the California Interregional Blueprint and future statewide data

modeling framework will be the central focus of these workshops.

Caltrans is seeking input from transportation planning professionals, including modeling staff, to ensure input is received from the widest swath of functional areas. In addition to the AB 32 and SB 375 goals, the California Interregional Blueprint will also support new requirements for the CTP under SB 391 by integrating State and regional transportation plans, identifying gaps in the interregional system, and providing a baseline concept of the transportation system's contribution to greenhouse gas emissions.

For those of you that cannot travel, each workshop will be available via webcast at <http://livemedia.dot.ca.gov/channel12>

**Action:** Information and discussion only.

**B. *Initiate 2010-11 Unmet Transit Needs Process***

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. The request for comments letters, included in the Commissioner's packet, will be mailed late February 2010.

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

- PUBLIC HEARING – Wednesday, April 21, 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 will be printed in the local newspapers and flyers will be distributed throughout the community publicizing the hearing.

**Action:** Information and discussion only.

**C. *2009 California Transportation Commission (CTC) Annual Report to the California Legislature***

The 2009 Annual Report to the California Legislature is now posted on the Commission's website at [www.catc.ca.gov](http://www.catc.ca.gov). Included in the Commissioner's packet was a copy of the Chair and Vice Chair letter of transmittal to the Legislature; Issues for 2010; and Overview of 2009.

The annual report provides a discussion on the state's ongoing budget deficit and its impact on available transportation resources; programming and funding the 2010 State Transportation Improvement Program; incorporating greenhouse gas reduction measures into the planning, programming and implementation of transportation projects; the preservation of the state's transportation system and how the needs continue to grow beyond available resources; federal re-authorization and how it may impact California's leveraging ability; and the continuing pursuit of reliable funding to address the state's transportation system needs.

The report also provides a fiscal year-end status update on programs under the Commission's purview including, among others, Proposition 1B Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, the State Transportation Improvement Program; the State Highway Operations and Protection Program; Assembly Bill 1467 High Occupancy Vehicle Lanes; Proposition 1A Safe, Reliable High-Speed Passenger Train Bond Act of the 21 Century; and Senate Bill 4 Public-Private Partnerships and Design-Build.

Issues for 2010 are as follows:

- Resolving California's Budget Challenges;
- Facilitating Economic Stimulus;
- Incorporating Greenhouse Gas Reductions in Transportation; and
- Focusing Funding on Rehabilitation and Implementing Prop 1B

**Action:** Information and discussion only.

**Transportation Consent Calendar Action:** Upon motion by Commissioner Poythress, seconded by Commissioner Bigelow to approve the Transportation Consent Calendar (Items III A - C). A vote was called and the motion carried.

#### IV. TRANSPORTATION ACTION/DISCUSSION ITEMS

##### A. *San Joaquin Valley Regional Policy Council's "Valley Voice" Advocacy Trips in 2010*

The Sacramento Valley Voice trip was on February 3<sup>rd</sup> and 4<sup>th</sup>. Included in the Commissioner's packet was a copy of the platform used while meeting with the various state legislative representatives and/or staff. Councilmember Kopshever, Richard Poythress and Patricia Taylor attended the Valley Voice trip.

The next Valley Voice trip is scheduled for May 4<sup>th</sup> through the 7<sup>th</sup> in Washington DC.

**Action:** Information and discussion only.

##### B. *Jobs for Main Street Act of 2010 - Federal Stimulus II*

FHWA has given direction to Caltrans office of Federal Programming to allow programming in the FTIP of an anticipated Federal Stimulus II – Jobs for Main Street Act of 2010 in the amount consistent with the federal apportionment from ARRA which for the State of California amount to about \$2.5 billion.

The apportionments for each Madera County agency are as follows:

MCTC - \$2,532,000  
Chowchilla - \$ 184,000  
Madera - \$1,024,000  
County - \$1,517,000

The enclosed Federal Economic Stimulus II (Highways) spreadsheet indicated the apportionments and proposed projects to be advanced for programming in the Madera County 2009 Federal Transportation Improvement Program (FTIP) Amendment No. 14.

**Action:** Information and discussion only.

##### C. **PUBLIC HEARING: 2009 Federal Transportation Improvement Program - Resolution 08-11 Amendment No. 14**

#### NOTICE OF PUBLIC HEARING ON THE DRAFT AMENDMENT #14 TO THE 2009 INTERIM FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM

The Madera County Transportation Commission (MCTC) held a public hearing on February 17, 2010 at 3 p.m. at the MCTC Board Room at 2001 Howard Road, Suite 201, Madera, CA 93637 regarding the Draft Amendment #14 to the 2009 Interim Federal Transportation Improvement Program (Interim FTIP). The purpose of the hearing is to receive public comments.

- The 2009 Interim FTIP is a listing of capital improvement and operational expenditures utilizing federal and state monies for transportation projects in Madera County during the next four years

that are eligible to proceed without a conformity determination.

- The Draft Amendment #14 to the 2009 Interim FTIP is a Type 3 amendment that contains project phases and/or projects that have been determined to be exempt from the requirement that a conformity determination and/or regional emissions analysis be performed per 40 CFR 93.126, 93.127, or 93.128. Because the projects are exempt, no further conformity determination is required.

A concurrent 7-day public review and comment period commenced on February 10, 2010 and conclude February 17, 2010 at 3:00pm. The draft documents are available for review at the MCTC office, located at 2001 Howard Road, Suite 201, Madera, CA 93637 and on the MCTC website at <http://www.maderactc.org/>.

Public comments are welcomed at the hearing, or may be submitted in writing by 3:00pm on February 17, 2010 to Derek Winning at the address below.

After considering the comments, the documents were considered for adoption, by resolution, by the Madera County Transportation Commission at a regularly scheduled meeting to be held on February 17, 2010. The documents will then be submitted to state and federal agencies for approval.

Contact Person: Derek Winning, Deputy Director  
Madera County Transportation Commission  
2001 Howard Road, Suite 201  
Madera, CA 93637  
(559) 975-9465  
[derek@maderactc.org](mailto:derek@maderactc.org)

3:40 p.m. Chairman Kopshever opened the floor for public comment.

Being no public comment, Chairman Kopshever closed the floor at 3:40 p.m.

**Action:** Upon motion by Commissioner Wheeler, seconded by Commissioner Poythress to approve the Madera County 2009 FTIP Resolution 08-11 Amendment No. 14 with the removal of the Fresno River Trail - Class 1 Bike/Ped Facility Westberry to Road 24 project and Alley Paving - Robertson Commercial District project. A vote was called and the motion carried.

**D. Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA) FY 2009/10 Project Allocation Requests - Resolution 10-04**

Proposition 1B placed \$3.6 billion in the Public Transportation Modernization, Improvement and Service Enhancement Account (PTMISEA). For FY 2009/10, the State legislature appropriated \$350 million to agencies and transit operators. Disbursements from the PTMISEA remain contingent upon the ability of the State to sell bonds. Included in the Commissioners packet was a copy of the latest PTMISEA guidelines issued by Caltrans.

Due to the inability of the State to provide sufficient funding for Prop 1B bond programs, Caltrans has requested that project sponsors prioritize projects submitted for FY 07/08 and FY 08/09 allocations. MCTC has prioritized its pro rata share of \$245,947 based on local agency reported delivery dates, and the resulting proposal was included in the Commissioner's packet.

The State Controller's office calculates and distributes the Section 8879.55(a2) funding to MPOs per Section 99313 by population. For FY 2009/10, the MCTC has received an eligible allocation of \$654,307 to be suballocated to local agencies by population:

City of Chowchilla:	\$ 47,248
City of Madera:	\$246,198
County of Madera:	\$360,861

Projects must be consistent with the project sponsor's most recently adopted short-range transit plan, or other publicly adopted plan that programs or prioritizes funds for transit capital improvements. A certified board endorsement can also meet the legislative eligibility requirements.

MCTC will submit allocation requests for the following projects in FY 09/10 Cycle 1:

1. Madera County – Bus Bike Racks – \$15,000
2. City of Madera – New Transit Facility - \$246,198

**Action:** Upon motion by Commissioner Rodriquez, seconded by Commissioner Wheeler to approve the Public Transportation Modernization, Improvement, and Service Enhancement Account 2009/10 Cycle 1 Project Listing - Resolution 10-04. 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 January 20, 2010**

Due to the absence of staff, minutes were not completed and will be considered for approval at next month's meeting.

**Action:** No action taken.

**Administrative Consent Calendar Action**

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

**VII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS**

**A. 2010-11 Transportation Development Act (TDA): Local Transportation Fund (LTF) and State Transit Assistance (STA) Estimates**

**Local Transportation Fund (LTF):** Prior to February 1 of each year, the county auditor provides MCTC an estimate of monies to be available for apportionment and allocation during the ensuing fiscal year. The estimate for FY 2010-11 is **\$2,533,650**. The estimate includes monies anticipated to be deposited in the fund during the ensuing fiscal year. The county auditor makes an estimate from such data including those which may be furnished by the State Board of Equalization. The county auditor will furnish a revised or updated estimate of funds available when requested by MCTC staff.

**State Transit Assistance (STA):** Pursuant to Public Utilities Code Section 99312.7, the State Controller is directed to send a preliminary estimate of STA Funds to each transportation planning agency. For fiscal year 2009-10, there is \$0 budgeted according to the most current information from the Department of Finance. STA allocation estimate for Madera County is \$0.

MCTC advised prospective LTF claimants of the estimated area apportionments within Madera County. Applicants must file LTF and STA applications with MCTC by April 1, 2010.

**Action:** Information and discussion only.

**B. 2009-10 Local Transportation Fund - Resolution 09-09 Amendment No. 2**

The County of Madera requested to amend their Local Transportation Fund. They are requesting to reallocate a portion of their FY 2009/10 funds as follows:

- Increase “Madera County Connection MCC” by \$270,000
- Increase “Senior/Escort CAPMC” by \$60,000
- Decrease “Roads and Street Maintenance” by \$330,000

**Action:** Upon motion by Commissioner Bigelow, seconded by Commissioner Poythress to approve Resolution 09-09 Amendment No. 2. A vote was called and the motion carried.

**MCTC Sitting as the Madera County 2006 Transportation Authority**

**VIII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS**

**A. MCTA Sales Tax Revenue Bonds - Ellis Project Update**

The MCTA Policy Board directed staff to pursue a private placement bond with Bank of America and other local financial institutions at its January meeting. Bank of America has indicated that private placement bonds in the amount up to \$8.5 million are available and that because of our prior relationship it is possible to close the deal in about two weeks.

Since that time there have been several developments that have lead to a new recommendation to pursue a public offering instead of a private placement with Bank of America or other local institution.

1. The City of Madera has indicated that they are comfortable with a public offering schedule of 6 months even though the construction award schedule for the Ellis project 4 to 6 months.
2. The public offering will yield the lowest market interest rate.
3. Bank qualification does not seem to be an issue (affects other agencies ability to borrow).
4. Because of declining revenue the MCTA must borrow additional funds in FY 2011 to meet expenditure commitments on several projects which results in a need to borrow up to \$12 million.

Enclosed in the Commissioner's packet was the Bonding Schedule; Estimated Bond Terms; and MCTA Financial Cash Flow Analysis that show a likely scenario for a MCTA Sales Tax Revenue Bond Public Offering.

The California Transportation Commission (CTC) approved a plan to allocate the limited State Transportation Improvement Program (STIP) funds for capacity improvements and for operational improvements on the State Highway System only. Since the Ellis Street/Avenue 16 Overcrossing at SR99 (the Project) does not meet these criteria, the CTC will most likely not allocate the \$8,534,000 STIP funding for this project.

Due to the State's financial condition, the CTC has established funding allocation criteria that place the Project in the second level for a funding allocation. This place holder will be of no value with the planned allocation criteria. We have also been advised that essentially all of the FY 2009/10 funds have already been allocated to projects and there are still many projects on the first level list to be funded.

This regionally significant project is a high priority for MCTA and a plan will be developed to fund the STIP component with it with Measure “T” funds. Included in the Commissioner's packet was a copy of the Measure T Program Financial Analysis that shows that bonding capacity is available to cover the entire \$8.5 million STIP component of the project.

**Action:** The Commission directed MCTC staff to pursue a Sales Tax Revenue Bond public offering.

**B. *KNN Public Finance - Measure "T" Public Offering Bond Fee Proposal***

KNN Public Finance is looking forward to continuing to work with the Madera County Transportation Authority (MCTA) to finance various projects through the issuance of Sales Tax revenue Bonds. The enclosed memo outlines the proposed fee for financial advisory services.

The fee also includes pre “kick-off” services that normally would have been invoiced under a separate financial services retainer. It is anticipated that the fees associated with the Sales Tax Revenue Bonds transaction will cover KNN services until the end of the fiscal year at which time a separate agreement for on call general financial advisory services will be pursued.

KNN proposes a fixed transaction fee of \$100,000 plus \$5,000 in expenses to issue 2010 Sales Tax Revenue Bonds in the amount up to \$20,000,000 that will close by the end of July 2010.

**Action:** Upon motion by Commissioner Wheeler, seconded by Commissioner Poythress to direct staff to enter into an agreement with KNN Public Finance in the amount not to exceed \$100,000 plus \$5,000 in expenses for financial services associated with the Sales Tax Revenue Bond public offering. A vote was called and the motion carried.

**IX. *Miscellaneous***

**A. *Items From Caltrans***

Caltrans updated the Commission on the current status on local Bond projects in Madera County.

**B. *Items from Staff***

No Items from Staff.

**C. *Items from Commissioners***

No Items from the Commissioners.

**X. *Adjournment***

Meeting adjourned at 4:20 p.m.

Next MCTC meeting set for Wednesday, March 17, 2010

Respectfully Submitted,

Patricia S. Taylor, Executive Director  
Madera County Transportation Commission