

MADERA COUNTY TRANSPORTATION COMMISSION

EXECUTIVE MINUTES

Date: Wednesday, February 18, 2009

Time: 3:00 p.m.

Place: MCTC Board Chambers

Members Present: Vice Chairman Jim Kopshever – Councilman, City of Chowchilla
Vern Moss – Supervisor, Madera County
Sam Armentrout – Councilman, City of Madera
Tom Wheeler – Supervisor, Madera County
Robert Poythress – Councilman, City of Madera

Members Absent: Chairman Max Rodriguez – Supervisor, Madera County

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

MCTC Staff Present: Patricia S. Taylor, Executive Director
Derek Winning, Deputy Director
Troy McNeil, Fiscal Supervisor
Richard Poythress, 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.

III. TRANSPORTATION CONSENT ITEMS

A. *Call for Projects: State-Legislated Safe Routes to Schools – Cycle 8*

The guidelines and application forms have been released for Cycle 8 of the Safe Routes to School Program (SR2S). \$24.25 million in SR2S funding was approved in the FY 2008/09 State budget; however, \$48.5 million in projects will be selected in Cycle 8 in anticipation of future. The application deadline is April 15, 2009. The following website link provides program updates; guidelines and application forms:
<http://www.dot.ca.gov/hq/LocalPrograms/saferoutes/saferoutes.htm>.

Action: Information and Discussion Only.

B. *Initiate 2009-10 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 2009/10 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 2009.

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

- PUBLIC HEARING – Wednesday, April 22, 2009 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.

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

IV. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. Federal Economic Stimulus Package

Due to continued uncertainty regarding the provisions and scope of the final Economic Stimulus legislation, staff gave a verbal update to the Commissioners.

In response to the recent economic downturn and in hopes of reinvigorating the national economy, President Obama has proposed a comprehensive federal economic stimulus program, which will include a substantial investment in transportation infrastructure. The final amount of stimulus proposed by the bill remains uncertain, but state sources have indicated that approximately \$3 billion in transportation funding would be available to the State of California as determined by the federal STP formula.

Under the current House legislation, fifty-five percent of the stimulus would be allocated directly to the state for use in the SHOPP and STIP. The remaining forty-five percent would be split 67/33 between RTPAs and Caltrans based on the STP formula. Caltrans estimates that Madera County will receive approximately \$22 million in FHWA streets and highways funding and \$1.5 million in FTA transit funding. The regional share of money available for discretionary use by MCTC would be approximately \$3 million.

Since the purpose of the stimulus bill is to effect immediate economic recovery, Congress has proposed a strict timetable designed to expedite the expenditure of stimulus funds. The House bill currently establishes a deadline of 75 days for obligation of the first fifty percent of FHWA funds. The first fifty percent of FTA funds must be obligated within 90 days. Details may change once the House and Senate meet in Conference to produce a compromise version of the bill, but Caltrans is currently operating under the assumptions of the House bill.

MCTC has suballocated the \$4.5 million in discretionary FHWA and FTA funds to the Cities and County via population formula. Each agency has submitted a list of projects for inclusion in the 2009 Interim FTIP Amendment #5.

Action: Information and Discussion Only.

B. PUBLIC HEARING: 2009 Federal Transportation Improvement Program – Resolution 08-11 Amendment No.4 and Amendment No. 5

TRANSPORTATION IMPROVEMENT PROGRAM

NOTICE IS HEREBY GIVEN that the Madera County Transportation Commission (MCTC) will hold a public hearing on February 18, 2009 at 3 p.m. at the MCTC Board Room at 2001 Howard Road, Suite 201, Madera, CA 93637 regarding the Draft Amendment #4 and Amendment #5 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 proposed “American Recovery and Reinvestment Act of 2009” will potentially add new federal funding to transportation in the State of California.
- MCTC has been advised by the State of California and Federal Highway Administration to update the financial plan in anticipation of new federal funding.
- The Draft Amendment #4 programs ECREC as a new funding source only; there are no new projects or project changes being added with this amendment.
- The Draft Amendment #5 to the 2009 Interim FTIP is a Type 3 amendment that contains project phases and/or projects that were not included in the 2009 Interim TIP 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 will commence on February 11, 2009 and conclude February 18, 2009 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 were welcomed at the hearing, or may be submitted in writing by 3:00pm on February 18, 2009 to Derek Winning at the address below.

After considering the comments, the documents will be considered for adoption, by resolution, by the Madera County Transportation Commission at a regularly scheduled meeting to be held on February 18, 2009. 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

3:15 p.m. Vice Chairman Kopshever opened the floor for public comment.

The City of Madera took this time to discuss President Obama’s proposed comprehensive federal economic stimulus program and the issues that may effect the City’s Lake Street project if not passed.

Being no further public comment, Vice Chairman Kopshever closed the floor at 3:25 p.m.

Action: Upon motion by Commissioner Armentrout, seconded by Commissioner Poythress to approve 2009 FTIP Resolution 08-11 Amendment No. 4 and Amendment No. 5. A vote was called and the motion carried.

C. February 2009 Blueprint Update

The San Joaquin Valley Regional Blueprint process has provided the eight counties of the San Joaquin Valley an opportunity to work together to develop better land use and transportation patterns by developing a regional guide for the next four decades. Included in the Commissioner's packet was the latest flow chart illustrating the Blueprint process, a summary of the regional Blueprint Summit prepared by Fresno COG, and the agenda for the February 25 Valley Planners' Workgroup.

Metropolitan Planning Organizations (MPOs) in each of the counties have developed local scenarios with a range in levels of residential housing density, modes of travel, and other variables in how we work and live. The housing density targets, selected by six of the counties, range from Fresno County selecting a "highly connected city centers" scenario to Madera County selecting a "low change" scenario. San Joaquin County's council did not vote on a scenario, but transportation planners submitted an "incremental" growth target for housing density. Stanislaus County is the only county MPO that selected a "status quo" scenario based on current densities of the general plans of the individual cities and the county.

UC Davis' Information Center for the Environment (ICE) used input from the eight counties to build regional scenarios for the entire Valley. In November, the Blueprint Regional Advisory Committee (BRAC), which includes individuals from all eight Valley counties as well as representatives from organizations essential to implementation of policies, recommended the selection of the "hybrid" scenario.

The San Joaquin Valley Blueprint Summit, held last month in Fresno, attracted over 500 participants who weighed in on the Valley-wide Scenarios via clicker technology. Fifty-three percent of those surveyed recommended the selection of Scenario C, the "hybrid" Valley-wide Scenario. Support also registered for Scenario B+, a compromise scenario that integrates the housing densities selected by each county with Valley-wide transportation improvements such as High Speed Rail and the Metro Rural Loop.

In March, the San Joaquin Valley Policy Council, which consists of two elected officials from each of the eight counties, will decide whether to accept the recommendations from the summit and BRAC. Following the Policy Council's action, each county's supervisors and all of the city council members in the San Joaquin Valley will vote on ratification of the final regional blueprint. The outcome could be a framework for the future of the region; but the blueprint is not binding in itself, and local land use decisions will ultimately be up to local officials.

On February 25, 2009, from 1:30 p.m. to 3:30 p.m., Fresno COG will host a meeting of the Valley Planners' Workgroup. Professional Planners from all eight counties will be given an opportunity to discuss the recommendations of the BRAC and Blueprint Summit and make a recommendation of their own on the four Valley-wide scenarios.

Action: Information and Discussion Only.

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 21, 2009

Included in the Commissioner's packet was a copy of the January 21, Executive Minutes for review.

Action: Approve Executive Minutes of January 21, 2009

Administrative Consent Calendar Action

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

VII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. MCTC Financial and Transportation Development Act Fund Audit for Fiscal Year ended June 30, 2007

Included in the Commissioner's packet was a copy of the *Audit of MCTC Administrative and Planning Grant Funds and TDA Funds FY 2006-07* 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. Two deficiencies were disclosed during the audit of the financial statements and major federal award programs as well as two instances of noncompliance material to the financial statements. Patricia Taylor presented the audit report and its findings. Staff has implemented corrective action in response to the findings.

Action: Upon motion by Commissioner Poythress, seconded by Commissioner Moss to accept the FY 2006/07 MCTC Fiscal Audit. A vote was called and the motion carried.

B. 2009-10 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 2009-10 is **\$3,390,000**. The estimate includes monies anticipated to be deposited in the fund during the ensuing fiscal year and the unrestricted balance anticipated to be available in the fund at the end of the current fiscal year. The unrestricted balance is the balance that is neither allocated, reserved, nor retained in the fund as an unallocated apportionment pursuant to Section 6655.1. 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 apportionment's within Madera County. Applicants must file LTF and STA applications with MCTC by April 1, 2009.

Action: Information and Discussion only.

MCTC Sitting as the Madera County 2006 Transportation Authority

VIII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. Financial Services contract between MCTC and KNN Financial Services

Commission staff requested the Policy Board to direct the Commission to retain KNN as a Finance Advisor (FA) to provide services needed to formulate financial debt policies associated with the funding of capital projects with various transportation funding programs, including Measure "T" and to provide on-call financial advisor services. Non-transaction on-call financial advisory services may include but not limited to the following:

1. Assist in the developing of debt policies;
2. Assist in the further development of a plan of finance;
3. Further develop and refine the Measure "T" Cash Flow Model including revenue forecast, capital expenditure expectations, debt service schedules, etc.;
4. Based on the Model, assess the need for bonds, the timing of bond issuances and debt capacity;
5. Analyze alternative financing structures;
6. Provide knowledge of markets and expertise on available resources;
7. Develop expertise of Staff and Board Members;
8. Provide written and oral reports for Staff and Board members;
9. Assist in updating the Strategic Plan;
10. Assist with the selection of the financing working group including bond counsel, disclosure counsel, trustee, etc. Assist in the request for proposal process, if needed.

The MCTC Policy Board previously approved a contract with KNN for not to exceed \$30,000 for financial services from January 1, 2008 through December 31, 2008. Expenditures to date for the above services have totaled \$18,242.57. The Policy Board also approved a FY2008-09 (July 1, 2008 through June 30, 2009) budget for \$30,000 for the same financial services contract. Staff requested that a new contract be approved to reconcile the calendar and fiscal year schedules for not more than the remaining balance of the recently expired contract (\$11,500) for the provision of the above services through the end of FY2008-09.

Action: Upon motion by Commissioner Moss, seconded by Commissioner Armentrout to authorize the Commission chair to enter into an agreement between the Madera County Transportation Commission and KNN Financial Services in the amount not to exceed \$11,500 for non-transaction on-call financial services – March 1, 2009 – June 30, 2009. A vote was called and the motion carried.

IX. Miscellaneous

A. Items From Caltrans

Sharri Bender Ehlert reported that the impact of not having a State Budget could shut down several projects through out the State, as of now there are no projects in Madera County.

B. Items from Staff

Patricia Taylor reported that Congressmen Nunez and Costa are exploring the possibility of the conversion of SR 99 to an Interstate. Ms. Taylor stated that the Congressmen are requesting feedback from the Valley MPOs and Economic Development Commissions.

C. Items from Commissioners

No Items from the Commissioners.

X. Adjournment

Meeting adjourned at 3:50 p.m.

Next MCTC meeting set for Wednesday, March 18, 2009

Respectfully Submitted,

Patricia S. Taylor, Executive Director
Madera County Transportation Commission

