

MADERA COUNTY TRANSPORTATION COMMISSION

EXECUTIVE MINUTES

Date: Wednesday, February 22, 2006
Time: 3:00 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
Robert Poythress – Councilman, City of Madera
Alfred Ginsburg – Councilman, City of Chowchilla

Members Absent:

Gary Gilbert– Supervisor, Madera County

Policy Advisory Committee:

Above Members present and Caltrans Representatives:
Paul Marquez

MCTC Staff Present:

Patricia S. Taylor, Executive Director
Sheila Kingsley, Administrative Assistant
Derek Winning, Planner II
Sarah Ross, Planner I

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. *Madera County PM 2.5 Air Quality Conformity Determination – Resolution 06-02*

The Madera County PM2.5 Air Quality Conformity Determination is for the federally approved Madera County 2004 Transportation Improvement Program (FTIP) and the Madera County 2004 Regional Transportation Plan (RTP).

The Madera County 2004 TIP and 2004 RTP and corresponding conformity analysis was approved by FHWA and FTA on October 4, 2004. Subsequently, an 8-hour air quality conformity determination was federally approved on June 15, 2005.

EPA designated the San Joaquin Valley nonattainment for the new PM2.5 standards, effective April 5, 2005. Conformity for the PM2.5 standards applies one year after the effective date (April 5, 2006). EPA issued a final rule on July 1, 2004 that amended the transportation conformity rule to include criteria and procedures for the new fine particulate matter (PM2.5) national ambient air quality standards. This analysis demonstrates that the criteria specified in the federal transportation conformity rule for a PM2.5 conformity determination are satisfied by the TIP and RTP.

An Air Quality Conformity Determination is required in non-attainment areas to ensure that transportation plans and programs are consistent with the state and local air quality plans and do not interfere with the timely implementation of transportation control measures. Results of the air quality emissions analysis show that the 2004 RTP and 2004 FTIP are consistent and conform with provisions of the State Implementation Plan (SIP). A finding of conformity for the Madera County 2004 TIP and 2004 RTP is therefore supported.

Action: Approve Madera County PM 2.5 Air Quality Conformity Determination – Resolution 06-02.

B. *Initiation of FY 2006/07 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 2006/07 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 will be mailed late February, 2006.

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

- PUBLIC HEARING – Wednesday, April 19, 2006 at 3:00pm
Board of Supervisor's Chambers – 209 West Yosemite Ave – Madera, CA

Via Video Conferencing:

- Oakhurst Community College – 40241 Hwy 41, Room 10 – Oakhurst, CA
- Chowchilla Branch Library – 300 Kings Avenue, Ginsburg Room – Chowchilla, CA

Free demand-response transportation will be provided by Laidlaw Transit to each location. 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. *Fresno/Madera Freeway Interchange Deficiency Study*

Included in the Commissioner's packet was a copy of the Executive Summary and Conceptual Improvements section for the studied interchanges located in Madera County from the *Interchange Deficiency Study in Fresno and Madera Counties – Final Report*.

The Fresno/Madera County Interchange Deficiency Study has identified eleven deficient interchanges within Madera County and provides recommended improvements for the years 2004 and 2025 as necessary to address severe interchange traffic congestion and associated mainline bottlenecks. The recommended improvements are presented in a mini Project Study Report (PSR) format including project descriptions, conceptual drawings, and detailed cost estimates.

The major Interchange Deficiency Study (Phase I) tasks completed include the following:

1. Establish evaluation criteria
2. Evaluate Freeway Interchange System Performance
3. Identify Improvements
4. Identify benefit zones and origins of impacts
5. Summary of trip contributions by benefit zones

6. Preliminary impact fee estimate by jurisdiction

The Interchange Deficiency Study (Phase II) is a logical progression of the current study that will provide a more detailed analysis that could be used as the basis for establishing impact fees for new development in accordance with the Mitigation Fee Act (AB 1600) and CEQA. It is envisioned that this study could facilitate the development of regional (Fresno and Madera Counties), metropolitan, or local only impact fees for improvements to the regional transportation system. At a minimum, the freeway interchanges studied as part of Phase I will be considered. It is understood that the results of which would be available for each governing jurisdiction's consideration.

Interchange Deficiency Study (Phase II) tasks include:

1. Identify Policy Issues – interest to continue to study
2. What should be included in the study: Interchanges Only and/or arterial/roads?
3. Identification of projected deficiencies, together with the associated costs of appropriate mitigation measures will be further reviewed and refined if necessary
4. Review and refinement of each jurisdiction's quantified impacts and associated fair share proportional cost for improvements that may be used as the basis to develop a development impact fee system by local jurisdictions
5. Identification of three tiers (regional, metro, and local) of impacts for which impact fees could be reasonably assessed
6. Review, analysis, and development of appropriate fee program structures to address each tier
7. Identification of appropriate land use trip generation rates
8. Development of a Fee Ordinance for each tier
9. Development of MOU between local jurisdictions and Caltrans for the collection and expenditure of impact fees collected
10. Preparation of an Impact Fee Program Update schedule and process
11. Coordination among affected agencies and jurisdictions within the region and within the metropolitan area of Fresno and Clovis including the following: Caltrans; Fresno COG; MCTC; County of Fresno and Madera; and cities of Fresno and Madera.
12. Development of a Public Involvement Program to review the impact fee programs with interested organizations and individuals.

The Interchange Deficiency Study (Phase II) will benefit and enhance the transportation planning efforts with respect to the Regional Transportation Plan, Improvement Program, and Measure C Expenditure Plan development. Phase II will provide an opportunity to broaden the scope of studied interchanges and will provide a more detailed and accurate project cost analysis especially for right-of-way acquisition. The project level information provided by the study is valuable in the development of PSRs and can become the basis for preliminary project design. The study will also provide the basis (if desired) for funding the needed improvements through a Freeway Interchange Impact Fee.

Action: Accept Fresno/Madera Freeway Interchange Deficiency Study – Final Report.

D. 2006 State Transportation Improvement Program (STIP) Hearings

The California Transportation Commission has scheduled the following two hearings on the 2006 State Transportation Improvement Program (STIP):

Southern California STIP Hearing: Tuesday, March 9, 2006 at 10:00am.
Los Angeles County Metropolitan Transportation Authority Board Room
One Gateway Plaza
Los Angeles, California

Northern California STIP Hearing: Wednesday, March 15, 2006 at 2:00pm
Department of Water Resources
Auditorium, First Floor
1416 9th Street, Sacramento California

The purpose of the hearings, as specified in statute, is “to reconcile any objections by any county or regional agency to the department’s program or the department’s objections to any regional program.”

Given the financial constraints of the STIP fund estimate, the 2006 STIP will consist primarily of rescheduling and updating costs for projects carried forward from the 2004 STIP. Statements of advocacy for these individual projects are generally not necessary or appropriate. The Commission asks that any regional presentations focus on any new projects being proposed and any changes in regional priorities. Presentations should explain the relationship of current proposals to the region’s long-range transportation plan, making reference to the performance and cost-effectiveness evaluation of the regional program.

If you wish to make an oral presentation to the Commission at one of the hearings, please contact Glenda Hixson at (916) 654-4245 to schedule a time. Please call after February 14th for the Southern hearing and after February 21st for the Northern Hearing.

Action: Information and Discussion Only.

E. MCTC CMAQ Program Cycle II – Call for Projects

Included in the Commissioner’s packet was a copy of the MCTC CMAQ Program Cycle II - Call for Projects memorandum and Fund Estimate for SAFETEA-LU. The Call for Projects was formally issued on February 2, 2006 and the application package and supplemental material are available on the MCTC Website at <http://www.maderactc.org>. The application deadline is March 31, 2006. The Cycle II (FY06-07 – FY08/09) CMAQ apportionment for Madera County is \$4,471,766. The allocation to each agency is as follows:

- City of Chowchilla - \$110,362
- City of Madera - \$644,943
- County of Madera - \$1,033,402
- MCTC Regional Program - \$2,683,060

The primary purpose of the CMAQ Program is to fund transportation programs and projects in air quality non-attainment and maintenance areas which reduce transportation related emissions. Section 176(c) of the Clean Air Act (CAA) requires that the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) ensure the timely implementation of transportation control measures (TCMs), and consequently the highest priority for funding under the CMAQ Program is for the implementation of such measures.

The CMAQ funds are subject to “timely use of funds” provisions of AB 1012. Each applicant is required to provide MCTC with a formal council/board/district resolution stating that awarded projects will meet timely project delivery schedules as required by AB 1012.

Action: Information and Discussion Only.

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

IV. TRANSPORTATION ACTION/DISCUSSION ITEMS

A. Draft – FY 2006-07 Overall Work Program

Included in the Commissioner's packet was a copy of the 2006-07 MCTC Overall Work Program – Draft. This document is prepared annually pursuant to Caltrans guidelines and is required to be submitted to Caltrans, FHWA and FTA by February 16, 2006. The OWP discusses the MCTC, its organizational structure, regional planning issues, and presents work element descriptions and budgets. Following review, the OWP will be brought before the Commission for adoption at its May 2006 meeting.

The Intermodal Planning Group, the federal and state agency review group, is scheduled to meet with MCTC staff on March 16, 2006 to review the OWP.

Action: Upon motion by Commissioner Poythress, second by Commissioner Ginsburg to authorize staff to circulate the Draft 2006-07 MCTC Overall Work Program for agency review. 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 18, 2006

Included in the Commissioner's packet was a copy of the January 18, 2006 Executive Minutes for review.

Action: Approve Executive Minutes of January 18, 2006.

Administrative Consent Calendar Action: The Commission unanimously approved the Administrative Consent Calendar (Item VI. A). A vote was called and the motion carried.

VII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS

A. FY 2005-06 Overall Work Program – Amendment No. 1

A memorandum was included in the Commissioner's packet for review. The revised Budget is \$1,205,162, an increase of \$283,247. Attached was a copy of the amended budget, amended OWP spreadsheet and amended Work Elements. The amendment is as follow:

Revenues – (Increase \$283,247)

- FHWA PL – increase \$94,500
- SJV Regional Blueprint Grant – increase \$188,747

Indirect Costs – (Remain at \$86,300)

- Advertising/Publications – reduce \$500
- Miscellaneous – increase \$500

Other Direct Costs – (Increase \$283,247)

- SJV Regional Blueprint – increase \$183,747
- Public Awareness Program – increase \$40,000
- Transportation Needs Assessment - \$59,500

The amendment is reflected FY 05/06 OWP Work Element 112 – Traffic Modeling; Work Element 120 – Streets and Highways; Work Element 150 – Public Information; and Work Element 905 – SJV Regional Blueprint.

Action: Upon motion by Commissioner Bigelow, second by Commissioner Poythress to approve FY 05/06 OWP - Budget Amendment No. 1 and amend contract with VRPA Technologies to reflect project cost and schedule changes. A vote was called and the motion carried.

B. *2006-07 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 2006-07 is **\$4,297,889** (increased \$1,231,560 from FY 2005/06). 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 2006-07, there is \$137,154,507 budgeted according to the most current information from the Department of Finance. STA allocation estimate for Madera County is **\$449,926** (increased \$65,683 from FY 2005/06).

MCTC will advise prospective LTF claimants of the estimated area apportionment's within Madera County. Applicants must file LTF and STA applications with MCTC by April 3, 2006.

Action: Information and Discussion Only.

C. *City of Chowchilla Fiscal and Compliance Audit Report for LTF and STA – Delinquency*

The Madera County Transportation Commission, as the regional transportation planning agency, is responsible for administering the Local Transportation Fund (LTF) and the State Transit Assistance Fund (STA). These funds, derived from the state sales tax, are available to local agencies for transportation planning, bicycle and pedestrian facilities, public transportation services, social services transportation, and streets and roads projects. The Commission's responsibility is to ensure the funds are apportioned, allocated and expended in accordance with current statutory and administrative code requirements.

The Commission is required to ensure that each claimant (City of Chowchilla) receiving an allocation submits to it an annual certified fiscal audit. The Commission retained Dedekian, George & Small Accountancy Corporation to conduct the said fiscal audit; however, the City of Chowchilla has not furnished Dedekian, George & Small Accountancy Corporation with the City of Chowchilla's FY 2003-04 and FY 2004-05 general audits and appropriate documentation which is required in order to proceed and complete the LTF/STA compliance audit.

In accordance with Public Utilities Code Section 99245, a report of a fiscal and compliance audit made by an independent auditor, Dedekian, George & Small Accountancy Corporation, shall be submitted by each claimant within 180 days after the end of the fiscal year. **No allocation shall be made to any claimant that is delinquent in its submission of a fiscal and compliance audit report.** Therefore, it is the Commission's responsibility to put a freeze on the City of Chowchilla's LTF and STA allocations until the City of Chowchilla can furnish the required audits to Dedekian, George & Small Accountancy Corporation in order to complete the LTF/STA compliance audit for the City of Chowchilla.

Action: Information and Discussion Only.

VIII. Miscellaneous

A. *Items from Caltrans*

Paul Marquez informed the Board that Mike Leonardo has taken a new position in Clovis and Alan McCuen will be the Acting District 06 Director for Caltrans until one is appointed.

B. *Items from Staff*

No report from Staff.

C. *Items from Commissioners*

No Items from the Commissioners.

IX. Adjournment

Meeting adjourned at 3:30 p.m.

Next meeting set for Wednesday, April 19, 2006

Respectfully Submitted,

Patricia S. Taylor, Executive Director
Madera County Transportation Commission