

# MADERA COUNTY TRANSPORTATION COMMISSION

## EXECUTIVE MINUTES

**Date:** Wednesday, July 19, 2006  
**Time:** 3:00 P.M.  
**Place:** Madera County Government Center,  
Board of Supervisor Chambers

**Members Present:**

Chairman Gordon Skeels – Councilman, City of Madera  
Max Rodriguez – Supervisor, Madera County  
Robert Poythress – Councilman, City of Madera  
Gary Gilbert– Supervisor, Madera County

**Members Absent:**

Alfred Ginsburg – Councilman, City of Chowchilla  
Vice Chairman Frank Bigelow – Supervisor, Madera County

**Policy Advisory Committee:**

Above Members present and Caltrans Representatives:  
Mac Cavalli and Ken Okereke

**MCTC Staff Present:**

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

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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. *State Highway Operation & Protection Program (SHOPP) – Status Report***

Per MCTC’s agreement with Caltrans, Caltrans on a quarterly basis submits to MCTC a status report on Caltrans’ State Highway Operation and Protection Program. Included in the Board’s packet was a copy of the September 2006 status report

**Action:** Information and Discussion Only.

**B. *State Transportation Infrastructure Bonds***

In November, California voters will be given the opportunity to support legislation that will provide funding to address California’s long neglected infrastructure needs. The \$37 billion infrastructure package is titled the “*Strategic Growth Plan*” and consists of the following components:

- \$19.9 billion -Transportation Bond (Prop 1B)
- Proposition 42 fix (Prop 1A)
- \$2.85 billion -Housing Bond (Prop 1C)
- \$10.4 billion -Education Bond (Prop 1D)
- \$4.0 billion Levee and Flood Protection Bond (Prop 1E)

The Transportation bond package (Proposition 1B) includes \$19.9 billion for safety improvements and repairs to state highways, upgrades to freeways to reduce congestion, repairs to local streets and roads, improvements to the seismic safety of local bridges, expansion of public transit, reduction of air pollution, and improvements to anti-terrorism security at ports. The bond proposal also authorizes public/private transportation partnerships, application of the Design-Build method for these projects, and legislation to streamline the environmental review process. In addition, the Legislature also passed a State Constitutional Amendment (SCA 7) to “fix” Proposition 42, by permanently dedicating the sales tax on gasoline to transportation purposes. This measure will appear on the ballot as Proposition 1A. SCA 7 will still allow the Legislature to borrow the Prop 42 funds, but only by meeting the following criteria:

- The governor must declare that the state faces a severe fiscal hardship;
- The Legislature must enact a statute authorizing the borrowing by a 2/3rds vote. At the same time, the Legislature must pass a bill specifying they will repay the loan with interest within three years;
- The state can borrow the funds no more than twice in ten years, and must repay a prior loan before borrowing;
- Any Prop 42 transportation funds that were borrowed by the state but not repaid as of July 1, 2007, must be repaid within a ten year period (no later than June 30, 2016) at payment of no less than one-tenth per year of the total amount owed.

Specifically, the transportation bond includes the following programs:

- **Corridor Mobility Improvement Account**  
\$4.5 billion to relieve congestion by expanding capacity, enhancing operations, and improving travel times in high-congestion travel corridors.
- **State Route 99 Corridor Improvements**  
\$1.0 billion for improvements to 400 miles of State Route 99 through the Central Valley.
- **Ports Infrastructure, Security & Air Quality**  
\$3.1 billion for infrastructure improvements to seaports, land ports of entry and airports, to relieve traffic congestion along major trade corridors, and to improve freight rail facilities to enhance the movement of goods from port to marketplace. Included in this amount is \$1.0 billion for air quality improvements that will achieve emission reductions from activities related to port operations and freight movement. \$100 million of the total will also be available for port, harbor, and ferry terminal security improvements.
- **School Bus Retrofit for Air Quality**  
\$200 million for school bus retrofit and replacement to reduce air pollution and to reduce children’s exposure to diesel exhaust.
- **State Transportation Improvement Program Augmentation**  
\$2.0 billion to augment funds for the State Transportation Improvement Program, a five year program of capital improvements for state and regional transportation projects.
- **Public Transportation Modernization Improvement, and Service Enhancement**  
\$4.0 billion for capital improvements and fleet expansion to enhance public transit, intercity and commuter rail, and waterborne transit. Projects include new capital projects, safety and modernization improvements, capital service enhancements, rehabilitation, and bus rapid transit improvements.

- **Transit System Safety, Security & Disaster Response Account**  
\$1.0 billion for transit safety, security, and disaster response for projects that provide increased protection against a security and safety threat and increase the capacity of transit operations to move people, goods and emergency personnel, and equipment in the preparation for and the aftermath of a disaster.
- **State-Local Partnership Program**  
\$1.0 billion in matching finds for counties that have raised local money for transportation projects.
- **Local Bridge Seismic Safety Retrofit**  
\$125 million to provide matching finds to complete the seismic safety work needed on local bridges, ramps, and overpasses.
- **Highway-Railroad Crossing Safety Account**  
\$250 million for railroad crossings and the construction of bridges over rail lines.
- **SHOPP**  
\$750 million for highway safety, rehabilitation, and pavement preservation projects, including \$250 million for traffic light synchronization projects or other technology-based improvements to improve safety operations and the capacity of local streets and roads.
- **Local Street and Roads, Congestion Relief, and Traffic Safety Account of 2006**  
\$2.0 billion (\$1 billion to cities/\$1 billion. to counties) for improvements to local transportation facilities that will repair and rehabilitate local streets and roads, reduce local traffic congestion, improve traffic flow, or increase traffic safety.

Included in the Commissioner's packet as attachments were the funding allocation processes for each of the above identified programs and a spreadsheet that identifies the estimated funding that each county would receive from the formula based programs in the bond package.

*Action:* Support State Transportation Infrastructure Bonds.

**C. Secretary Sunne Wright McPeak will leave Governor's Cabinet**

Michael R. Peevey, President of the California Public Utilities Commission (PUC) and Chairman of the recently formed California Emerging Technology Fund (CETF), announced that the Board of Directors of the CETF has chosen Ms. Sunne Wright McPeak, currently Secretary of the State Business Transportation and Housing Agency (BTH), to be its President and Chief Executive Officer, effective November 20, 2006.

*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-C). A vote was called and the motion carried.

**IV. TRANSPORTATION ACTION/DISCUSSION ITEMS**

**A. Adoption of Final 2007 Federal Transportation Improvement Program and Conformity Analysis-Resolution 06-12 and Resolution 06-13**

The Madera County 2007 Federal Transportation Improvement Program (FTIP) is developed to satisfy Federal requirements. The FTIP is a three-year list of projects (Fiscal Years 06/07 through 08/09) that are programmed for Federal funding under the most recent Federal Surface Transportation Authorization (SAFETEA-LU), or that are locally funded projects on a Federal route. Prior to adopting the FTIP, the MCTC Policy Board must make a finding that the FTIP projects cumulatively do not result in an increase of

vehicle emissions (non-attainment pollutants or their precursors).

To meet the Federal air quality regulations, the United States Department of Transportation must approve a new conformity analysis on the FTIP. The MCTC Policy Board will need to make a new conformity finding for the FTIP based on the final transportation conformity regulation. Without an approved finding of conformity on the FTIP, the existing program will expire on October 1, 2006. Failure to meet air quality requirements could result in a lapse of federal funding.

MCTC is required to submit the FTIP to Caltrans by August 1, 2006. FTIP management is performed through the Caltrans – CTIPS computerized database.

The Final 2007 FTIP was included in the Commissioner’s packet. The FTIP includes projects programmed regionally for funding under the following programs:

- State Seismic Retrofit Projects
- State Transportation Improvement Program (Rail and Highway)
- Minor Programs (Lump Sums)
- State Highway Operation and Protection Program (SHOPP)
- Rail Protection Program and Rail Hazard Elimination Program
- Regionally Significant Projects
- Transportation Enhancement (TE) Program
- Transportation Demand Management (TDM)/New Technology Program
- Congestion Mitigation/Air Quality (CMAQ)
- Aeronautics Program
- Federal Transit Administration (FTA) Program
- Hazard Elimination Safety (HES) Program
- Highway Bridge Rehabilitation and Replacement (HBRR) Program
- Regional Surface Transportation Program (RSTP)

The FTIP must provide a priority list of projects to be carried out in the first three years and may include additional years for information purposes. The FTIP shall include a financial plan and be financially constrained by year, including capital, operating, and maintenance costs. “Financially constrained” is defined as including in the plan only those projects and services for which there are funds. For each project, the FTIP shall include:

- Sufficient descriptive material to identify project phase
- Estimated total cost
- Amount of Federal funds, by category, to be obligated per year
- Responsible agency
- Identification of Transportation Control Measures (TCM’s)

**Action:** Upon motion by Commissioner Gilbert, seconded by Commissioner Poythress to approve Final 2007 Federal Transportation Improvement Program and Conformity Analysis-Resolution 06-12 and Resolution 06-13 with corrections to the County of Madera projects. A vote was called and the motion carried.

***B. Draft Memorandum of Understanding of the Regional Planning Agencies in the San Joaquin Valley***

The current Memorandum of Understanding of the Regional Planning Agencies in the San Joaquin Valley was signed in 1992 for the purposes of coordinating regional planning activities. The DRAFT MOU that was included in the Commissioner’s packet is an updated version revisiting and modifying the purpose of the MOU. The addition would be to establish a Policy Council of elected officials and to develop a process and framework for establishing formal San Joaquin Valley positions on issues where valleywide consensus exists.

**Action:** Review Draft Memorandum of Understanding of the Regional Planning Agencies in the San Joaquin Valley.

**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 June 21, 2006***

Included in the Commissioner's packet was a copy of the June 21, 2006 Executive Minutes for review.

*Action:* Approve Executive Minutes of June 21, 2006.

**VII. *Administrative Consent Calendar Action***

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

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

**VIII. ADMINISTRATIVE ACTION/DISCUSSION ITEMS**

**A. *Request call for Election by the Madera County Board of Supervisors on Retail Transaction and use Tax Ordinance***

The Madera County Transportation Commission sitting as the Madera County 2006 Transportation Authority requested to be placed on the agenda for the Tuesday, July 18, 2006 Board of Supervisor's meeting for the following actions:

1. Request that the Board of Supervisors, by resolution, call for a special election on the matter of Madera County Road Improvement Authority Ordinance No. 2006-01.
2. That the special election be consolidated with the statewide election to be held on November 7, 2006; and
3. That to become law, Madera County 2006 Transportation Authority Ordinance No. 2006-01 shall require to a two-thirds Majority vote.

By approving the above actions, the Elections Department will be directed to place the 2006 ½ Cent Transportation Sales Tax Measure Investment Plan on the November 7, 2006 ballot. To become law, the Ordinance shall require a two-thirds majority vote.

The Board of Supervisor's at its June 13, 2006 meeting designated the Madera County Transportation Commission to sit as the 2006 Madera County Transportation Authority. The Authority approved the proposed retail transactions and used, Ordinance No. 2006-01 at its June 21, 2006 meeting.

The California Public Utilities Code Section 180201 provides that after approval of the Ordinance by the Authority, the proposed tax ordinance must be approved by a two-thirds majority vote of the electors at a special election. The special election on the measure is to called by the Board of Supervisors upon request of the Authority.

Included in the Commissioner's packet was a copy of the staff report presented to the Board of Supervisors; Ordinance 2006-01; and the Final 2006 ½ Cent Transportation Sales Tax Measure Investment Plan.

*Action:* Information and Discussion Only.

**IX. Miscellaneous**

**A. *Items from Caltrans***

Mac Cavalli reported that the Pine tree along State Route 99's median will be replaced, the location of placement is yet to be determined. Mr. Okereke gave brief presentation on the Draft Transportation Concept Report (TCR) for State Route 145.

**B. *Items from Staff***

No Items from Staff

**C. *Items from Commissioners***

No Items from Commissioners

**X. Closed Session**

Public employee performance evaluation, Pursuant to Government Code Section 54957 – Executive Director. Report of Closed Session Actions. Pursuant to Government Code Section 54957.1 and 54957.7, any required reports of closed session actions will be made at this time.

Commission went into closed session at 3:35 p.m.

**XI Adjournment**

Meeting adjourned at 4:05 p.m.

Next meeting set for Wednesday, September 20, 2006

Respectfully Submitted,

Patricia S. Taylor, Executive Director  
Madera County Transportation Commission